

THE STATE OF TEXAS  
COUNTY OF HUTCHINSON

On this 24th day of June 2024, A.D., the Commissioners Court met in a Regular Session with the following members present to wit:

|                |                                                        |
|----------------|--------------------------------------------------------|
| Cindy Irwin    | County Judge                                           |
| Gary Alexander | Commissioner Precinct #1                               |
| Dwight Kirksey | Commissioner Precinct #2                               |
| Ben Bentley    | Commissioner Precinct #3                               |
| Chris Prock    | Commissioner Precinct #4                               |
| Kelly Ratliff  | County Clerk & Ex-Officio Clerk of Commissioners Court |

**CALL TO ORDER FOR REGULAR MEETING, PLEDGE OF ALLEGIANCE AND INVOCATION**

Judge Irwin called the meeting to order at 9:30 a.m. Judge Irwin led the pledge and prayer.

**PUBLIC COMMENT; 5 MINUTES PER PERSON (WITH SIGNED PARTICIPATION FORM)**

None at this time.

**CONSENT AGENDA**

**CONSIDER AND/OR APPROVE MINUTES FROM PREVIOUS COMMISSIONERS' COURT MEETING**

No changes or additions to the Regular Commissioners' Court Meeting held on June 10, 2024.

**CONSIDER AND/OR APPROVE COUNTY AUDITOR'S TABULATED REPORT TO COMMISSIONERS COURT PURSUANT TO LOCAL GOVERNMENT CODE 114.024**

**CONSIDER AND/OR APPROVE PAYMENT OF BILLS**

Bills totaling \$190,700.41.

**CONSIDER AND/OR APPROVE PAYROLL**

Personnel Report presented.

**CONSIDER AND/OR APPROVE DISPOSAL OF OBSOLETE OFFICE EQUIPMENT AS REQUESTED BY DEPARTMENTS**

None at this time.

**ACCEPT CERTIFICATES OF COMPLETION FROM ELECTED OR APPOINTED OFFICIALS**

Judge Cindy Irwin, County Judge submitted certificate of completion for CJIS Security and Privacy Training and Judicial Education Record for 9-1-2023 to 8-31-2024.

Carrie Kimmell, Tax Assessor-Collector submitted completion of 8.5 hours for Tax Assessor-Collectors Association of Texas.

**CONSIDER AND/OR APPROVE REPORTS FROM ELECTED/APPOINTED OFFICIALS REQUIRED BY STATE LGC 114.044**

Elected Officials May 2024 reports were submitted by: Leslie Ford, Justice of the Peace Pct. 1.

Department Head reports submitted by: Duane Chisholm, Road Superintendent for dates 6-10-2024 to 6-23-2024.

Chris Prock made a motion to approve the Consent Agenda Items, seconded by Gary Alexander. All voted aye and the motion carried unanimously. Documents have been made part of the minutes.

**REGULAR AGENDA**

**CONSIDER AND/OR APPROVE HEALTH INSURANCE RENEWAL FOR 2024-25**

Judge Irwin presented additional options Charla Rose with Upshaw sent over, these are made part of the minutes. Commissioner Bentley suggested keeping the Health Insurance the same with the County absorbing the increase. The additional options Charla presented for Dental, Vision and Life you would not need the 50% participation for the Dental but if we move away from TAC for Dental we would lose the Life Insurance through TAC and it would cost the County more by having to sign up for Dental, Vision and Life with what Upshaw sent over. It was also suggested for the County to absorb the \$29.10 for Dental through TAC and we should get over 50% participation. After heavy discussion and employees weighing in it was decided: Medical keep the HSA at 0.00 for employee with \$5,000.00 deductible and \$1500.00 contribution per year, 80/20 \$164.59 per month for employee, reinstating retiree medical coverage on a 60/40 ratio, Dental Plan at 0.00 for employee, Vision \$8.88 per month for employee and Life Insurance 0.00 for employee paid by the County. Discussion was had if we bring back the insurance for retirees' TAC reported that we can put a stipulation on this. Go by the retirement guidelines to provide insurance with a 60/40 split, employee pays 60% and the County pays 40%. Ben Bentley made a motion to continue with the same policy with BCBS with \$5,000.00 deductible the county will absorb \$91.72 on both HSA and 80/20 Plans, County will pay Dental for employees \$29.10, Retiree Insurance will be on a 60/40 ratio County portion for HSA will be \$501.15 and for 80/20 will be \$6,617.99 roughly with this based off of the retiree requirements to follow, seconded by Chris Prock. All voted aye and the motion carried unanimously. All insurance elections have been made part of the minutes.

**CONSIDER AND/OR APPROVE COUNTY SPECIFIC INCENTIVE**

Dwight Kirksey made a motion to approve the County Specific Incentive to get an Annual Physical to avoid the \$25.00 Monthly Health Benefits Contribution, seconded by Gary Alexander. All voted aye and the motion carried unanimously. Program has been made part of the minutes.

**CONSIDER AND/OR APPROVE SUBMITTING AN INSURANCE CLAIM FOR HAIL DAMAGE ON JAIL VEHICLE, 2023 FORD EXPLORER. VIN #3426**

Monica Sepulveda, Jail Captain, was not in court to present quotes and information. Ben Bentley made a motion to table this agenda item, seconded by Chris Prock. All voted aye and the motion carried unanimously.

**CONSIDER AND/OR APPROVE AN INTERLOCAL AGREEMENT TO JOIN THE CHOICE PARTNERS PURCHASING COOPERATIVE THROUGH THE HARRIS COUNTY DEPARTMENT OF EDUCATION**

Duane Chisholm, Road Superintendent, presented the Choice Partners Cooperative to assist in purchasing equipment. There is no fee to join. Craig Jones, County Attorney has approved the agreement. Dwight Kirksey made a motion to approve the above stated agenda item, seconded by Chris Prock. All voted aye and the motion carried unanimously. Agreement has been made part of the minutes.

### **CONSIDER AND/OR APPROVE CONTRACT WITH INTERMEDIA FOR PHONE SYSTEM**

Judge Irwin reported the presentation/demonstration by Intermedia on June 18<sup>th</sup> went well. They provide all the functions we need and more. We have to upgrade and if we do it with the company, we are with it would cost us \$65,000.00. We currently use Intermedia for our Office 365; by going with this company, we would get a discount on our Office 365 as well as free phones. The phones must stay active for 12 months. There will be no billing for the first 45 days to make the transition. There is a monthly fee associated. After discussion this is the most cost-effective of all the options. Our IT Department stated Intermedia have been very good to work with. Gary Alexander made a motion to approve the above stated agenda item, seconded by Ben Bentley. All voted aye and the motion carried unanimously.

### **CONSIDER AND/OR APPROVE LOCAL RABIES CONTROL AUTHORITY**

Dwight Kirksey made a motion to approve Kalen Massingale as the Local Rabies Control Authority, seconded by Gary Alexander. All voted aye and the motion carried unanimously. Agreement has been made part of the minutes.

### **CONSIDER AND/OR APPROVE CONSTABLE ALEJANDRO REQUEST TO SWITCH VEHICLES WITH THE STINNETT CHIEF OF POLICE**

Roman Alejandro, Constable Pct. 1, presented his reason for this trade. The vehicle coming from the Stinnett Chief of Police is a Tahoe, fully equipped with sirens, lights, a cage, in car camera system and everything needed for traffic stops. The decals would need to be changed out and storage purchased from WatchGuard for camera storage. Judge Irwin asked why the Stinnett Chief wants our Charger that is not fully equipped. Constable Alejandro said the Chief wants to use it as a low-profile supervisor vehicle. She also asked if the Stinnett City Council had approved this trade and Constable Alejandro stated it had been approved prior to him bringing it to Commissioner Court. Commissioner Bentley asked how many miles were on the Tahoe and he stated around 21,000 and his Charger has 11,000 miles on it. Commissioner Prock asked if he had any maintenance records for the Tahoe and he does not but believes he could get them. It was also asked the year of the vehicles and Constable Alejandro believes the Tahoe is a 2020 and the Charger is a 2021. He stated the City of Stinnett will remove their decals from the Tahoe and we would need to add our Hutchinson County decals as the Charger is not marked at this time. This will give Constable Alejandro more ability to help in a law enforcement role when needed. Judge Irwin would like to see the Minutes from the Stinnett City Council meeting approving this trade as well as maintenance records. Gary Alexander made a motion to table until more information is provided, seconded by Ben Bentley. All voted aye and the motion carried unanimously.

### **CONSIDER AND/OR APPROVE PROPOSED PLAN FOR RANCH MARKET BUILDING AND GOING OUT FOR RFQ FOR ARCHITECTURAL SERVICES**

Judge Irwin reported the proposed plan is to move the Stinnett Library and Extension Office to the Ranch Market Building. Judge Irwin asked if anyone had any other ideas for this building. Commissioner Alexander asked if the Stinnett Library and Extension Office is ok with this. They have both been over there and looked around and agreed. This agenda item is to go out for RFQ for architectural services and get bids on the work on the Ranch Market Building. The Ranch Market Building Committee agrees with the proposed plan to move those offices to that building. Ben Bentley made a motion to approve the proposed plan for the Ranch Market Building and going out for RFQ for architectural services, seconded by Chris Prock. All voted aye and the motion carried unanimously.

## **CONSIDER AND/OR APPROVE LAW ENFORCEMENT SUPPORT OFFICE SURPLUS APPLICATION**

Dwight Kirksey made a motion to approve the above stated agenda item, seconded by Chris Prock. All voted aye and the motion carried unanimously. Application has been made part of the minutes.

## **CONSIDER AND/OR APPROVE PAYING DOWN SHERIFF'S DEPUTY COMP-TIME**

Amy Back, Treasurer, presented Sheriff Office – Comp Time Report thru 6/9/2024. There is one person on the list that is close to 480 Comp Hours. Ms. Back has sent out letters to each department including the policy on Comp Time. The only department that is having issues with Comp Time is the Sheriff's Department, however they have been shorthanded. Per the Fair Labor Standards Act after 480 hours we must pay out their Comp Time over the 480 hours. She has spoken with Captain Hajjar and they have moved to 10 hour shifts. Ms. Back wants to know if we want to pay this out each time someone hits over 480 Comp Hours which she must do or pay it down more than the 480. Commissioner Prock asked Captain Hajjar why there is such a vast difference in Comp Hours for the same position. Captain Hajjar responded that the positions title wise appear to be the same but functionality they are not the same. Commissioner Prock also asked what the solution is to reduce Comp Hours. The main issue is staffing. Being fully staffed with a 10-man patrol would resolve the majority of Comp Hours going forward. They have put exempt employees and officials in patrol rotation. It was asked if the Sheriff's Office is using Comp Time before Vacation as policy states. Captain Hajjar did point out that the Policy On Compensation states on page 62 it is different for Law Enforcement. Captain Hajjar agrees and is on the same page as the Commissioners Court and wants to reduce Comp Hours. It is very difficult being short staffed to take Comp Time before vacation because you can only carry over 40hrs if the vacation time is not used. They also have 90 days to take holiday hours they have worked. Captain Hajjar also stated that Chief Trahan and County Attorney Craig Jones have been in discussion on a Sheriff's Department Policy on Compensation to present to Commissioners Court. After discussion Amy Back, Treasurer, will follow the law and pay down to 480hrs according to the Fair Labor Standards Act.

## **CONSIDER AND/OR APPROVE 2024 BUDGET CALENDAR**

Dwight Kirksey made a motion to approve the above stated agenda item, seconded by Gary Alexander. All voted aye and the motion carried unanimously. Calendar has been made part of the minutes.

## **CONSIDER AND/OR APPROVE ANY ARP GRANT PROJECTS**

Commissioner Bentley asked what projects other than the Ranch Market Building are in the works with ARP Funds as the ARP Funds must be encumbered by the end of the calendar year. Commissioner Prock mentioned he is still waiting on a quote for the Museum cameras. He would also like to waterproof and paint the kid's area at the Borger Library, the adobe is cracking. Commissioner Bentley said the Courthouse needs chain-link around the generator, the chiller, as well as replacing the blinds in the Courthouse. Commissioner Alexander has some flooring and wall projects at the Annex. Craig Jones, County Attorney messaged Judge Irwin about security doors for his office to protect the criminal history. Lesha Krieg, Auditor, reported there is \$557,000.00 left in the ARP Funds that must be encumbered by December 31, 2024. She also reported \$334,000.00 in Contingency.

## **CONSIDER AND/OR APPROVE BURN BAN OR RESCIND BURN BAN**

Chris Prock, Commissioner Pct. 4, reported that the drought index is 395. No action taken at this time.

## **CONSIDER AND/OR APPROVE REQUESTS FOR USE OF CLUBROOMS AT BORGER LIBRARY OR FRITCH**

Chris Prock, Commissioner Pct. 4, presented the calendar for the Borger Library Clubroom through November 16, 2024.

Dwight Kirksey, Commissioner Pct. 2, had no requests for the Fritch Library Clubroom.

Chris Prock made a motion to approve the above stated agenda item, seconded by Ben Bentley. All voted aye and the motion carried unanimously.

**CONSIDER AND/OR APPROVE LINE ITEM CHANGES, TRANSFERS, AND/OR BUDGET AMENDMENTS**

Chris Prock made a motion to approve the above stated agenda item, seconded by Ben Bentley. All voted aye and the motion carried unanimously.

**CONSIDER AND/OR APPROVE ADVERTISING, OPENING, ACCEPTING OR AWARDING BIDS**

Lesha Krieg, Auditor, presented the bids submitted for the Airport Manufactured Home. Clayton Homes and Amarillo Home Center bids were received. Amarillo Home Center did not submit all of the paperwork required for the bid. Discussion was had on throwing these out and going back out for bids. The insurance money must be spent by April 2025. Insurance proceeds are roughly \$187,000.00. \$36,000.00 has been spent on airport cameras. Dwight Kirksey made a motion to reject the bids presented and go out for bids again for the Airport Manufactured Home, seconded by Ben Bentley. Voting in favor: Judge Irwin, Ben Bentley, Gary Alexander and Dwight Kirksey. Opposed: Chris Prock. The motion carried.

**CONSIDER AND/OR APPROVE DONATIONS TO HUTCHINSON COUNTY**

None at this time.

**DISCUSSION OF COUNTY JUDGES' AND COMMISSIONERS' PRECINCTS DAILY OPERATIONS**

Gary Alexander, Commissioner Pct.1 reported discussion about a Fly In for people to look at the planes in conjunction with The City of Borger's BOOMTOBER FEST and car show. He will help with security.

Ben Bentley, Commissioner Pct. 3 reported the penthouse windows are almost completed at the Courthouse.

Chris Prock, Commissioner Pct. 4 reported he is waiting to see if he will have to go out for bids for the Borger Library repairs and Museum cameras.

Commissioner Kirksey reported about working on the nuisance abatement. He has been working with Amy and Kim in the Treasurers Office on Septic issues non fire related. He has 9 open Septic complaints; Jeremy is working to get those resolved. He is still working on steps and plans to resolve these nuisance abatement and septic nuisance.

Lesha Krieg, Auditor reported the vehicle insurance renewal is due July 2, 2024. After discussion since there was no action item to discuss the vehicle insurance will stay the same. She also reported in the past Cyber Security was part of the public official's general liability insurance and now a Cyber Security Policy will be a stand-alone policy, with coverage of \$500,000.00. We must fill out a questionnaire and there will be a cost associated with this policy.

**CONSIDER AND/OR APPROVE SALE OF STRUCK OFF TAX PROPERTIES AND TAX DEEDS**

None at this time.

**EXECUTIVE SESSION – SECTION 551.076 (DELIBERATIONS ABOUT SECURITY DEVICES)**

Court convened into Executive Session at 12:20 p.m.

**CONSIDER AND/OR APPROVE ANY ACTION FROM EXECUTIVE SESSION**

Court reconvened into Regular Session at 12:37 p.m.

Dwight Kirksey made a motion to authorize IT Supervisor Russell Rhea to begin negotiations with other back up organizations for the protection of the County, seconded by Chris Prock. All voted aye and the motion carried unanimously.

**CONSIDER AND/OR APPROVE MOTION TO ADJOURN**

Gary Alexander made the motion to adjourn, seconded by Ben Bentley. All voted aye and the motion carried unanimously. Judge Irwin adjourned the meeting at 12:40 p.m.



CINDY IRWIN – COUNTY JUDGE

**ATTEST:**



KELLY RATLIFF – COUNTY CLERK