

Mills County
Commissioners Court Minutes
March 14, 2022 – 9:00 a.m.

This regular session of the Mills County Commissioners Court opened in due form of law at 9:00 am in the Mills County Commissioners' Courtroom located at 1011 4th Street, Goldthwaite, Texas 76844.

Present in the Courtroom: Judge Ed Smith, Commissioners Williams, Partin, and Wright, County Attorney – Gerald Hale, County Clerk – Sonya Scott, Treasurer – Summer Campbell, John Fincher – Chief Investigator, and Debbie Grba. Present via Zoom: Jacki Brooks, The Goldthwaite Eagle, William Barr – Eckert and Co., Hamilton EMS, Commissioner Jed Garren, the Goldthwaite Eagle, and Justice of the Peace – Kim Avants. Please see sign in sheet for list of audience members.

The meeting is available to the public to view on the Mills County YouTube channel.

1. Judge Smith called the meeting to order noted the presence of a quorum; Judge Smith led the group in the Pledge of Allegiance with Commissioner Williams providing the opening prayer.
2. Review of minutes of February 28, - Commissioner Wright made a motion to approve as presented with a second from Commissioner Williams. Motion carried 4-0.
3. Audience with Individuals – Duane Rawson, - addressed the Court with regards to the COVID funding the County received of approximately \$900,000. Rawson stated the members of the county would like this item placed on the agenda for the next meeting so that the residents of the County are aware of how this money is spent and who is authorized to spend this money. Rawson also stated that he would like the information posted in the Goldthwaite Eagle.

Sam Campbell and Benny Owens opted to address the court during the agenda item of their concern.

(Agenda items were taken out of order)

Consent agenda – Consent Agenda:

- a) Monthly County Treasurer Report
- b) Accounts Payable and Payroll – correction to the county treasurer card usage. Personal card was used for meals but should be reported under travel reimbursement. One other correction for a precinct 1 light bulb charged to the judge's office. Court would like to review the 6-month report after March 31, 2022. Will add to the agenda after end of Month.
- c) MCAD Monthly Collection Report – Commissioner Williams reported on officer elections by MCAD's Board with Michael Medina elected new president and James Garlick Vice President.
- d) County Clerk Report
- e) District Clerk Report
- f) County Tax Collector
- g) County Extension Report
- h) Sheriff's Office
- i) Justice of the Peace
- j) County Judge's Receipts

- k) Hamilton EMS
- l) Veterans Service Officer

Commissioner Williams moved to approve consent agenda with noted corrections to accounts payable with a second from Commissioner Wright. Motion carried 4-0.

4. Consider and Act on Audit report from Eckert and Co for fiscal year ended September 30, 2021. (Taken out of order) Wayne Barr addressed the Court and reviewed the report. Barr covered his management letter with two items of note – Tax Assessors office is not consistently completing bank reconciliation in a timely and accurate manner and, secondly – some credit card charges are not supported by receipts. This is not material but a good practice to ensure that the charges are valid county expenditures. Mr. Barr observed that the County’s new Treasurer, Ms. Campbell, is doing fine. Looking forward to working with her in the future. Barr reported that this is a good audit. Commissioner Williams moved to approve as presented. Second from Commissioner Wright. Motion carried 4-0.

5. Consider and Act on Ban on Outdoor Burning – Current ban expires tomorrow. Judge Smith proposed to renew the ban until April 15, 2022. Commissioner Wright made a motion to continue the burn ban. Commissioner Partin provided the second. Motion carried 4-0.

6. Consider and Act on purchasing road and bridge equipment – Commissioner Williams provided that two belly dump trucks have been found. There are several auctions locally that could provide additional options if the Court is not in favor of one the two proposed options. Due to the current economic situation, this is a difficult time to purchase equipment. Judge Smith moved to approve the purchase one of these belly dump trailers with the price not to exceed \$25500 from the Road and Bridge Account. Commissioner Partin provided the second. Motion carried 3-1. Commissioner Wright voted against the motion with the explanation he had voted against the budget and his no vote was consistent with that position,

Commissioner Partin noted that there is a truck being sold at auction as salvage that would be able to converted to use with the belly dump trailer. Lori King has stated that a salvage title can still be registered. Commissioner Partin moved to purchase truck from Centex Auction with price not to exceed \$8,500. Second from Commissioner Williams. Motion carried 3-1. Commissioner Wright voted against.

7. Consider and Act on replacement of worn body cameras – Investigator Fincher addressed the Court with regards to body cameras that are out of warranty and are expensive to repair. The Sheriff’s office is assessing a new vendor that is not part of the current WatchGuard system. As the WatchGuard equipment ages out and warranties end, the department will move to the new system utilizing cloud back-up. Two body camera units are needed for the jail staff and 4 for deputies - replacing 3 units that are out of warranty and one for the officer that does not currently have a body camera. Questions focused on availability of budgeted funds with Investigator Fincher unable to answer. Commissioner Wright made a motion to table the request pending clarification of available budgeted funds. Commissioner Williams provided the second. Motion carried 4-0.

8. Discuss, Consider and Possible Action on EMS dispatching – Audience with Individuals –

Sam Campbell - Member of the Star VFD relies on the dispatching for fire control and for emergency respondents for EMS. We are often the people that are first on the scene. Vital to the rural communities

to be able to have effective communication between sheriff department and EMS. Please consider these issues as you work to resolve the issues with dispatching.

Benny Owens – Also member of Star VFD. Owens noted that some of the tasks asked of a fire department are requested directly from the Sheriff's office. Encourage the Court to work diligently to solve this problem with EMS dispatching. Owens also offered his knowledge and expertise and services on a volunteer basis to help as needed.

Judge Smith explained that the County has received a termination notice from Hamilton Healthcare for cause based on Mills County's Sheriff's announcement of ending dispatch services which are a contractual requirement of the County in the Interlocal Agreement for EMS service. The CEO of Hamilton Healthcare stated that they would continue to provide EMS service if the County would provide dispatching either directly or through a 3rd party. Judge Smith reported receiving a copy of a letter from Texas Health and Human Services (HHS), the licensing agency for EMS providers, regarding a complaint filed over an EMS incident in November 2021 which the Sheriff referenced in his January 2022 notice of termination of EMS dispatching. The letter from HHS states that the complaint is unsubstantiated.

Efforts to arrange a transfer point for 911 EMS calls is now frustrated by the Sheriff's statement that as long as Hamilton Healthcare is on the other end of a call, the Sheriff would not allow dispatch to transfer the call for EMS services. Hamilton County Emergency Communications will dispatch if Mills County will cover the cost. Motorola has submitted a proposal to provide a microwave link from Hamilton to the Mills County tower for approximately \$531,294. Court noted the timing issue and that decisions need to be made expediently. Judge Smith provided the best guess of a deadline from the Sheriff is May 28 for his termination of EMS dispatching.

We are contractually under obligation to use Hamilton EMS. Court needs to look at all of our options. There is one elected official, the Sheriff, that is trying to determine where the county goes contractually for EMS services. County Attorney noted that the only authorized contracting entity is Commissioners Court and whether or not the sheriff signed the contract does not change the validity of the contract. The Sheriff is an unreliable source for providing EMS dispatching. The Court also noted the potential liability issue.

Judge has several sources that have verbally agreed to provide EMS dispatching – Hamilton and San Saba Counties. Another option is to move 911 dispatch completely out of the sheriff department as sheriff may refuse to work with a new EMS provider as well.

Commissioner Wright asked if the Sheriff has been invited to the Court. Commissioner Partin noted that this item has been on the agenda for months. It was verified that the Sheriff receives a copy of the agenda in advance of each meeting. It is posted on the webpage and in the Goldthwaite Eagle. The Sheriff was invited to the meeting with the hospital district and EMS. Both the Sheriff and the Chief Deputy attended that meeting. Commissioner Wright would like to have this added to the agenda.

9. Commissioner's Requests and Reports

Commissioner Wright, Pct. 1 – busy cutting brush

Commissioner Garren, Pct. 2 – repairing rock crusher.

Commissioner Partin, Pct. 3 – blading some roads but roads are too dry. Some shredding. Moisture needed.

Commissioner Williams, Pct. 4 – digging out material from old cement plant site. Hauling material and working on roads. Maintenance on vehicles. Guy Burns has approached Commissioner Williams with regards to removing two dead trees on Courthouse lawn prior to the GHS prom grand march. Burns has trustee help this week if road hands and commissioners can also help.

12. Judge Smith – Judicial training last week. Unfunded mandate with regards to bonds and reporting. New regulation with regards to a fee which must be refunded or not charged if defendant is not prosecuted and found guilty, deferred or pre-trial.

Priddy Wind project issued notice commencement of Commercial Operation in February 2022. The notice and the timing triggers actions with regards to the tax roll.

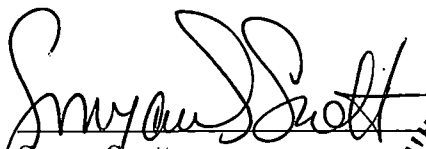
Judge moved to recess the Court until 11:30 when the Court will meet in executive session with Counsel pursuant to government code 551.071 following which Court will reconvene in regular session to take any action.. Commissioner Williams seconded. Motion carried 4-0.

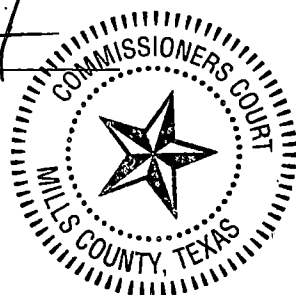
Court reconvened at 12:09 pm.

8. Discuss, Consider, and Possible Action on EMS dispatching. Judge Smith moved that the County Judge be authorized to respond to the termination notice provided by Hamilton Healthcare. Commissioner Wright seconded the motion. Motion carried 4-0.

Court is continuing the discussion of EMS dispatching. Commissioner Williams stated that the Court needs to move forward with pursuing 911 service and emergency dispatching in a department separate from the Sherriff's office. County Attorney requested a formal motion be made with regards to possible avenues with a report back to the Court at a future date. Judge Smith made a motion that the Judge be directed to prepare an estimated cost of creating an independent communications department for the County as well as possible participation in a regional emergency communications department. Second from Commissioner Williams. Motion carried 4-0.

13. Commissioner Williams moved to adjourn; Commissioner Wright seconded. Motion Carried 4-0.


Sonya Scott
Mills County Clerk



March 14, 2022