

April 22, 2021

AGENDA FOR DELTA COUNTY COMMISSIONERS COURT

Meeting time is 9:00 AM, Monday, April 26, 2021 in the District Courtroom on the Second Floor of the Delta County Courthouse, located at 200 West Dallas Avenue, Cooper, Texas 75432.

Order
Pledge of Allegiance
Invocation
Announcements

FILED FOR RECORD
AT 10:05 AM

APR 22 2021

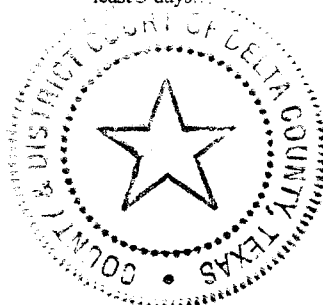
Jane Jones, District Clerk
DELTA COUNTY, TEXAS

AGENDA

1. Public participation
2. Discuss and possible action – Approve Commissioners Court minutes of April 12, 2021 - Jane Jones
3. Discuss and possible action – County Agent updates and review of upcoming programs – Kara Lacey
4. Discuss and possible action – Provide information and pricing for pavement solutions - Debbie Huie
5. Discuss and possible action – Close Ruth Street, Enloe, TX - Sue Hommel
6. Discuss and possible action – Acquisition of Real Properties – Jason Murray
7. Discuss and possible action - Introduction of Archer Construction for Courthouse Project - Jason Murray
8. Discuss and possible action – Adopting 207(k) Exemption of the FLSA for Law Enforcement Employees – Charla Singleton
9. Discuss and possible action – Jail Report – Charla Singleton
10. Discuss and possible action – Payment of Bills – Jennifer Houchins
11. Adjourn

Reminder of Texas Government Code Chapter 551 regarding open meetings that if a member of the public or of the Board inquires about a subject that is not on the agenda, and for which notice has not been given as required any discussion of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a future meeting.

This notice is given pursuant to "Section 551.002, Government Code"; and the notice shall be posted at the Courthouse, being a place convenient to the public, for at least 3 days...




Jason Murray, County Judge



ATTEST: Jane Jones, County Clerk
April 22, 2021

DELTA COUNTY COMMISSIONERS COURT

REGULAR TERM, APRIL 26, 2021

BE IT REMEMBERED THAT A MEETING OF THE DELTA COUNTY COMMISSIONERS COURT WAS HELD THIS DAY AT THE COURTHOUSE IN COOPER, TEXAS.

THOSE ATTENDING WERE:

MORGAN BAKER, COM. PREC. #1

JIMMY SWEAT, COM. PREC. #2

BOBBY ASBILL, COM. PREC. #3

MARK BRANTLEY, COM. PREC. 4

MEETING WAS CALLED TO ORDER BY JUDGE MURRAY.

PLEDGE OF ALLEGIANCE WAS LED BY JUDGE MURRAY.

INVOCATION WAS GIVEN BY MS. CAROL KING.

ANNOUNCEMENTS: NONE

AGENDA

1. PUBLIC PARTICIPATION: NONE
2. DISCUSS AND POSSIBLACTON: APPROVE COMMISSIONERS COURT MINUTES OF APRIL 12 2021,

COMMISSIONER SWEAT: I MAKE THE MOTION TO APPROVE THE MINUTES OF APRIL 12, 2021 AS PRESENTED.

COMMISSIONER MORGAN: SECOND

JUDGE: MOTION MADE AND SECOND TO APPROVE THE MINUTES OF APRIL 12, 2021 AS PRESENTED. ANY DISCUSSION? COURT VOTES? 4 TO 0, AYES HAVE IT, MOTION CARRIED.

3. DISCUSS AND POSSIBLE ACTION- COUNTY AGENT UPDATES AND REVIEW OF UPCOMING PROGRAMS-JASON MURRAY.

COUNTY AGENT STATED THAT THEY WOULD BE IN TRAINING IN LAMAR COUNTY ON THE 27TH. ASO, GAVE REPORT ON THE UPCOMING PROGRAMS THAT WOULD BE HELD IN COUNTY OVER THE NEXT FEW MONTHS.

REPORT ACCEPTED.

4. DISCUSS AND POSSIBLE ACTION PROVIDE INFORMATION AND PRICING FOR PAVEMENT SOLUTIONS-DEBBIE HUIE.

MRS. HUIE HAD CONTACTED A COMPANY IN DALLAS ABOUT PRICING PAVING MATERIALS AND STATED THAT THERE WAS NO DIFFERENCE IN THE PRICING OF THE COMPANY THAT THE COMMISSIONERS USED AT THE PRESENT TIME. BUT SHE WOULD KEEP THE INFORMATION IN HER OFFICE IF ANYONE NEEDED IT.

5. DISCUSS AND POSSIBLE ACTION- CLOSE RUTH STREET-ENLOE. TX/ =SIE HOMMEL.

MS. HOMMEL PRESENTED TO THE COURT THAT THIS STREET HAD NOT BEEN USED IN YEARS. THE FARMERS COOP GIN WAS BUILT ON PART OF IT.

ITEM TABLED. COURT DECIDED IT SHOULD BE POSTED IN NEWSPAPER AND BROUGHT BACK TO COMMISSIONERS COURT AT A LATER. DATE.

6. DISCUSS AND POSSIBLE ACTION- ACQUISITION OF REAL PROPERTY-JASON MURRAY.

ITEM 6 AND 7 COMBINED.

7. DISCUSS AND POSSIBLE ACTION- INTRODUCTION OF ARCHER CONSTRUCTION FOR COURTHOUSE PROJECT-JASON MURRAY.

MR. BRAD ARCHER FROM ARCHER CONSTRUCTION OF PARIS, TEXAS WAS PRESENT. HE STATED THAT THE BUILDING WAS IN GOOD CONDITION, HAD GOOD AC & HEATING, ELECTRICAL AND PLUMBING WAS SUFFICIENT. HAD INTERNET . MR. ARCHER STATED THAT IT WOULD BE LARGE ENOUGH TO HOUSE SEVERAL OFFICES, THEY WOULD DRAW UP PLANS TO REMODEL AND ALSO, PLANS FOR A NEW JUDICIAL BUILDING TO HOUSE THE COURT OFFICES. JUDGE STATED THAT ON NATIONAL ASSOCIATION OF COUNTIES, DELTA COUNTY WAS IN LINE FOR \$1,000,000.00 BUT MR. ARCHER SAID THAT THERE WOULD BE RESTRICTIONS ON HOW THAT COULD BE SPENT.

THIS WOULD BE BUDGETED AS WORK PROGRESSES. ASK COUNTY TO SIGN A LETTER OF INTENT. IF THIS GOES FORWARD, THEN THAT AMOUNT STATED WOULD BE INCLUDED IN AGREEMENT. IF IT DOESN'T GO FORWARD THEN THAT AMOUNT WOULD BE DUE.

COMMISSIONER BRANTLEY: I MAKE THE MOTION TO ALLOW JUDGE TO NEGOTIATE THE ACQUISITION OF THE BUILDING AND 4 ACRES FOR THE

PURPOSE OF THE RENOVATING TO HOUSE THE COUNTY OFFICES AND TO SIGN A PRECONSTRUCTION CONTRACT WITH ARCHER CONSTRUCTION.

COMMISSIONER BAKER: SECOND

JUDGE: MOTION MADE AND SECOND TO ALLOW JUDGE TO NEGOTIATE THE ACQUISITION OF THE BUILDING AND 4 ACRES FOR THE PURPOSE OF THE RENOVATION TO HOUSE COUNTY OFFICES. AND TO SIGN A PRECONSTRUCTION CONTRACT WITH ARCHER CONSTRUCTION . ANY DISCUSSION? ANY QUESTIONS? COURT VOTES? 4 TO 0, AYES HAVE IT, MOTION CARRIED.

8. DISCUSS AND POSSIBLE ACTION- ADOPTING 2020 (k) EXEMPTION OF THE FLSA FOR LAW ENFORCEMENT EMPLOYEES-CHARLA SINGLETON.

SEE ATTACHED.

THIS DOES NOT INCLUDE JAILERS AND DISPATCH EMPLOYEES.

COMMISSIONER ASBILL: I MAKE THE MOTION TO ADOP SECTION 7(k+ OF THE FLSA, 29 U.S.C 207 (k) FOR THE LAW ENFORCEMENT AGENCY.

COMMISSIONER BRANTLEY: SECOND

JUDGE: MOTION MADE AND SECOND TO ADOPT SECTION 7(k) OF THE FLSA 29 U.S.C. 207(k) FOR THE LAW ENFORCEMENT AGENCY. ANY DISCUSSION? COURT VOTES? 4 TO 0, AYES HAVE IT, MOTION CARRIED.

9. DISCUSS AND POSSIBLE ACTION- JAIL REPORT-CHARLA SINGLETON.

SHERIFF STATED THERE WAS 11 INMATES IN JAIL.

REPORT ACCEPTED.

10. DISCUSS AND POSSIBLE ACTION- PAYMENT OF BILLS.

COMMISSIONER ASBILL: I MAKE THE MOTION TO PAY ALL BILLS AS PRESENTED.

COMMISSIONER BRANTLEY: SECOND

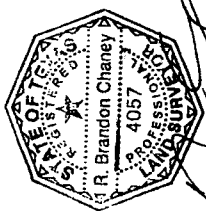
JUDGE: MOTION MADE AND SECOND TO PAY ALL BILLS AS PRESENTED. ANY DISCUSSION? COURT VOTES? 4 TO 0, AYES HAVE IT, MOTION CARRIED.

11. ADJOURN

IF THERE IS NO FURTHER ACTION, THIS MEETING IS ADJOURNED.



Scale: 1"=50'
 259 NOV 20
 Chaney Engr. Inc.
 PH 1903-784-6393
 Firm 1013 5700



1-20-21

1/2 S. 1/4 (4057)
 N85°24'07"E 302.58'
 Block 26
 0.29 Acres
 N87°01'30"W 3000'
 1/2 S. 1/4 (4057)
 N2°53'10"E 22.15'

Ruth St
 (Not Open)

Block 12
 Town of Enloe
 Vol. Y, Pg. 24 D.C. D.R.

1/2 S. 1/4 (4057) P.O.B.

N85°24'07"E 170.95'

1/2 S. 1/4 (4057)

N2°53'10"E 235.36'

1/2 S. 1/4 (4057)

N85°24'07"E 170.95'

1/2 S. 1/4 (4057)

N2°53'10"E 235.36'

1/2 S. 1/4 (4057)

N85°24'07"E 170.95'

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N2°53'10"E 235.36'

1/2 S. 1/4 (4057)

N85°24'07"E 170.95'

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N2°53'10"E 235.36'

1/2 S. 1/4 (4057)

N85°24'07"E 170.95'

1/2 S. 1/4 (4057)

N2°53'10"E 235.36'

1/2 S. 1/4 (4057)

N85°24'07"E 170.95'

1/2 S. 1/4 (4057)

N2°53'10"E 235.36'

Wendy and Stephen James
 Vol. 359, Pg. 181 D.C.O.P.R.

N85°24'07"E
 182.52'

1/2 S. 1/4 (4057)

N2°53'10"E 210'

1/2 S. 1/4 (4057)

N85°24'07"E 170.95'

1/2 S. 1/4 (4057)

N2°53'10"E 235.36'

1/2 S. 1/4 (4057)

N85°24'07"E 170.95'

1/2 S. 1/4 (4057)

N2°53'10"E 235.36'

1/2 S. 1/4 (4057)

N85°24'07"E 170.95'

1/2 S. 1/4 (4057)

N2°53'10"E 235.36'

1/2 S. 1/4 (4057)

N85°24'07"E 170.95'

1/2 S. 1/4 (4057)

N2°53'10"E 235.36'

1/2 S. 1/4 (4057)

N85°24'07"E 170.95'

1/2 S. 1/4 (4057)

N2°53'10"E 235.36'

1/2 S. 1/4 (4057)

N85°24'07"E 170.95'

1/2 S. 1/4 (4057)

Edward St
 33°02' W 296.91'

Block 27
 1.739 Acres

City

Bldg.

Block 1

20' Access Esmt
 Co. Rd. No. 4324

F.I.P. 221.63'

F.I.P. 158.30'

F.I.P. 25.93'

F.I.P. 14.86'

F.I.P. 62.08'

F.O.E.

PGUR, LLC.
 2,83Ac

Vol. 377, Pg. 679 D.C.O.P.R.



1 / 27

Over 4,000 sq ft building on over 4 acres right on State HWY 24 in Cooper, TX! The building was built for a restaurant years ago, however with all the space and different rooms it could be used for so many things. The possibilities truly are endless with this one!! Some areas have been remodeled such as new flooring, ceiling, sheetrock, trim work and paint. 3 new AC units installed 2018. Brand new septic system installed Nov 2018. The building sits in the city and the land to north of building lays outside of city limits. Perfect place to set up your own fireworks stand. The small leather shop and awnings are in the process of being removed and do not convey.

General Description

Property Type:	Commercial
SubType:	COM-Sale
Original List Price:	\$269,900 \$ 259,900.00
Lst #/SqFt:	\$62.06
#/GrSqFt:	\$62.06
MLS Area:	DELTA COUNTY (47)
MLS SubArea:	DELTA COUNTY (1)
Subdv:	0354 J TURNER
County:	Delta
Parcel Number:	4433
Tax Legal Description:	0354 J TURNER, TRACT 2-1, ACRES 1.179
Multi Parcel IDYN:	Yes
Municipal Utility District YN:	Yes
Property Info	

Lst #/SqFt:	\$62.06
Year Built:	1988 / Preowned
SQFT Gross:	4,188
Zoning Commercial:	Comm

Number Of Units: **1**
 Land SqFt: **177,725 / Tax**
 Multi Zoning YN: **No**
 Number Of Stories: **1**
 Acres: **4.080**
 Will Subdivide: **No**

Building Info

Gross Annual Income: **0**
 Net Annual Income: **0**
 Gross Annual Expenses: **0**
 SQFT Leasable: **0**

Features

Building Use: **Beauty/Barber, Building Services, Food Service, Medical, Office, Office/Warehouse, Restaurant, Retail, Storage Warehouse**
 Inclusions: **Land & Improvements**
 Ceiling Height: **8 to 10 Feet**
 Flooring: **Ceramic Tile**
 Heating: **Central Air-Elec, Central Heat-Elec**
 Lot Size/Acreage: **3 Acres to 4.99 Acres**
 Road Frontage: **U.S. Highway**
 Foundation Details: **Slab**
 Construction Materials: **Metal, Rock/Stone**
 Roof: **Metal**
 Tenant Pays: **Other**
 Construction Materials Walls: **Texture**
 Utilities: **Asphalt, City Sewer, City Water**
 Possession: **Closing/Funding**
 Parking Features: **Front, Open**
 Commercial Features: **Cooler/Freezer**

Public Driving Directions

30 HWY 24 in Cooper, TX

Listing Info

List Office Name: **Century 21 First Group**
 List Agent Name: **Casey Woodall**

Notes for you only are shown here.

Notes for, and from, your contacts appear here when viewing this listing in a contact's results.

Number Of Units:	1
Land SqFt:	177,725 / Tax
Multi Zoning YN:	No
Number Of Stories:	1
Acres:	4.080
Will Subdivide:	No

Building Info

Gross Annual Income:	0
Net Annual Income:	0
Gross Annual Expenses:	0
SQFT Leasable:	0

Features

Building Use:	Beauty/Barber, Building Services, Food Service, Medical, Office, Office/Warehouse, Restaurant, Retail, Storage Warehouse
Inclusions:	Land & Improvements
Ceiling Height:	8 to 10 Feet
Flooring:	Ceramic Tile
Heating:	Central Air-Elec, Central Heat-Elec
Lot Size/Acreage:	3 Acres to 4.99 Acres
Road Frontage:	U.S. Highway
Foundation Details:	Slab
Construction Materials:	Metal, Rock/Stone
Roof:	Metal
Tenant Pays:	Other
Construction Materials Walls:	Texture
Utilities:	Asphalt, City Sewer, City Water
Possession:	Closing/Funding
Parking Features:	Front, Open
Commercial Features:	Cooler/Freezer

Public Driving Directions**30 HWY 24 in Cooper, TX****Listing Info**

List Office Name:	Century 21 First Group
List Agent Name:	Casey Woodall

Notes for you and from your contacts

Notes for, and from, your contacts appear here when viewing this listing in a contact's results.



April 26, 2021

Judge Jason Murray
Delta County
200 West Dallas
Cooper, TX 75432

Dear Judge Murray,

RE: Delta County Building Renovations

Archer Construction would like to offer our General Contracting Services for your upcoming building renovations to help meet the needs of your project. We recommend that these projects utilize the TIPS interlocal purchasing cooperative. This ensures that all bidding and procurement requirements outlined in the Texas Administrative Code are met. We are offering Pre-Construction and Construction services with their associated fees that are outlined below with the scope of activities and inclusions:

Pre-Construction Services Include:

- Assist Delta County in developing a strategy for renovations and construction, creating a master plan for capital improvements that is cost effective, logical, and expeditious while meeting all of the spatial requirements that currently exist and has an allowance for future growth.
- Reviewing City or Authorities having jurisdiction requirements for permitting and gathering information required for obtaining permits.
- Coordinate with Architects and Engineers that are hired by the owner to meet city requirements to produce engineered documents for permitting and bidding
- Provide space planning and layout schematics to be used for budgeting
- Providing and Reviewing budgets at design development phases to track projected costs of the project to stay within the targeted budget
- Assisting the owner's design team with any value engineering ideas to help in budgeting during the design phase before bidding
- Produce and update a project schedule

Pre-Construction Fee

\$13,523

Construction Services Include:

- Procure bids from subcontractors for scopes of work and review bids to present to you for final selection of contractor
- Develop a Lump Sum renovations cost to present to Commissioner's Court for approval
- Review subcontractor's applications for payment to assure that billings reflect actual work in place
- Assure any permit inspections take place and completed for obtaining a certificate of occupancy
- Coordinate and document construction progress meetings
- Collect and review construction submittals and coordinate with design for review of submittals and shop drawings
- Daily site supervision by an Archer Construction Superintendent

General Contracting Fee

10% of Overall Construction Costs

General Clarification Exclusions

These services are not a part of what has been included:

- We are not providing any engineering or design of any kind
- All permitting fees would be paid directly by Delta County
- Fees for temporary electrical, utilities, or dumpsters are not included in our fee
- General Conditions – These services are a function of construction complexity and will be submitted as construction documents are available.



- Any testing of existing materials for asbestos or hazardous material is excluded
- Materials testing for construction materials such as but not limited to concrete, soils, and steel are not included.

Archer Construction sincerely appreciates the opportunity to provide these services to Delta County and look forward to the possibility of working together. We believe we can be responsive to your needs and provide the professional services you require. If you have any questions regarding this proposal please do not hesitate to contact our office at any time. If this letter agreement is acceptable, please sign below and return one copy to our offices for our records. This letter agreement shall serve as our contract for services until replaced by a standard AIA Contract Document.

Thank you,

A handwritten signature in black ink, appearing to read 'Brad Archer', written over a horizontal line.

Brad Archer
Archer Construction & Design
903-739-2350

A handwritten signature in black ink, appearing to read 'Jason Murray', written over a horizontal line. The word 'Accepted By' is printed to the left of the signature.

Jason Murray
Printed Name

4-26-21
Date



March 15, 2021

Judge Jason Murray
Delta County
200 West Dallas
Cooper, TX 75432

Dear Judge Murray,

RE: Construction Manager Agent Services for New Courthouse Construction

Archer Construction would like to offer our Construction Manager Agent Services for your upcoming New Courthouse Construction to help meet the needs of your project. We are offering Pre-Construction and Construction services with their associated fees that are outlined below with the scope of activities and inclusions:

Pre-Construction Services Include:

- Reviewing City or Authorities having jurisdiction requirements for permitting and gathering information required for obtaining permits.
- Coordinate with Architects and Engineers that are hired by the owner to meet city requirements to produce engineered documents for permitting and bidding
- Providing and Reviewing budgets at design development phases to track projected costs of the project to stay within the targeted budget
- Assisting the owner's design team with any value engineering ideas to help in budgeting during the design phase before bidding
- Produce and update a project schedule

Pre-Construction Fee

\$36,860

Construction Manager Agent Services Include:

- Procure bids from subcontractors for scopes of work and review bids to present to you for final selection of contractor
- During the construction process we would review applications for payment from subcontractors to assure that the work in place matches what is being billed for
- During construction we would assure any permit inspections would be taking place and completed for obtaining a certificate of occupancy
- Coordinate and document construction progress meetings
- Collect and review construction submittals and coordinate with design for review of submittals and shop drawings
- Daily site supervision by an Archer Construction Superintendent

CM Agent Fee

5% of Overall Construction Costs

General Clarification Exclusions

These services are not a part of what has been included:

- We are not providing any engineering or design of any kind
- We are not contracting with any subcontractors, all contractors will be paid directly by Delta County
- All permitting fees would be paid directly by Delta County
- Fees for temporary electrical, utilities, or dumpsters are not included in our fee
- General Conditions – These services are a function of construction complexity and will submitted as construction documents are available.
- Any testing of existing materials for asbestos or hazardous material is excluded
- Materials testing for construction materials such as but not limited to concrete, soils, and steel are not included.



Archer Construction sincerely appreciates the opportunity to provide these services to Delta County and look forward to the possibility of working together. We believe we can be responsive to your needs and provide the professional services you require. If you have any questions regarding this proposal please do not hesitate to contact our office at any time. If this letter agreement is acceptable, please sign below and return one copy to our offices for our records. This letter agreement shall serve as our contract for services until replaced by a standard AIA Contract Document A132 -2009 *Standard Form of Agreement Between Owner and Contractor, Construction Manager as Adviser Edition*.

Thank you,

A handwritten signature in black ink, appearing to read 'Brad Archer', written over a horizontal line.

Brad Archer
Archer Construction & Design
903-739-2350

A handwritten signature in black ink, appearing to read 'Jason Murray', written over a horizontal line.

Accepted By

The name 'Jason Murray' written in black ink, positioned above a horizontal line.

Printed Name

The date '4-26-21' written in black ink, positioned above a horizontal line.

Date

Delta County Commissioners Court is adopting for Law Enforcement Employees, as described below, the following: Section 7(k) of the FLSA, 29 U.S.C. § 207(k), provides a partial overtime pay exemption for public agency employees employed in law enforcement activities (deputies, jailers, detention officers, Investigators).

Under this provision, Delta County is establishing a work period of 14 consecutive days for the purpose of paying overtime compensation to employees employed in law enforcement activities.

The maximum hours standard for law enforcement personnel are 86 hours worked in a 14-day work period.

This 14-day work period will begin on 4-26, 2021 Law Enforcement salaries cover up to 86 hours in the 14-day work period.

The minimum number of hours required per pay period is 80. Any time turned in each pay period must meet this minimum when work hours and time off hours are combined.

Jan Murray
Group Lead

7 Nat Bentley

Morgan Bosh

THIS IS TO CERTIFY THAT I, JANE JONES, COUNTY CLERK DO HEREBY CERTIFY TO THE CORRECTNESS
OF THE MINUTES OF April 26, 2021 ON THIS THE 10 DAY OF May,
2021

Jan Murray

Morgan B...

Jimmy Hunt

H. W.

Mark Beatty

Jane Jones

JANE JONES

CLERK