

Texas Board of Criminal Justice
207th Meeting



Minutes

October 31, 2019
Austin, Texas

TEXAS BOARD OF CRIMINAL JUSTICE

**Crowne Plaza Hotel
Salon DE and Salon F
6121 North IH-35
Austin, Texas 78752**

**October 31, 2019
11:00 AM – 1:30 PM**

ORDER OF BUSINESS

Call to Order

Convene Texas Board of Criminal Justice (TBCJ)

- I. Regular Session – Salon DE
 - A. Recognitions
 - B. Consideration of Approval of Consent Items
 1. Hazardous Duty Pay Authorization Requests
 2. Personal Property Donations
 3. 206th TBCJ Meeting Minutes
 - C. Report from the Executive Director, Texas Department of Criminal Justice (TDCJ)
 - D. Report from the Chairman, TBCJ
 - E. Internal Audit Status Report for Fiscal Years 2019-2020
 - F. Discussion, Consideration, and Possible Action Regarding Purchases and Contracts Over \$1 Million
 - G. Discussion, Consideration, and Possible Action Regarding the Annual Review of Board Policy, BP-14.01, “Investment Policy,” and Resolution Adopting the Investment Policy
 - H. Discussion, Consideration, and Possible Action Regarding Proposed Revisions to Board Policy, BP-02.09, “Prison Rape Elimination Act Ombudsman Policy Statement”
 - I. Discussion, Consideration, and Possible Action Regarding Proposed Revisions to Board Policy, BP-01.04, “Standards of Conduct for the Texas Board of Criminal Justice and the Executive Director of the Texas Department of Criminal Justice”
 - J. Discussion, Consideration, and Possible Action Regarding Proposed Revisions to Board Policy, BP-01.07, “Inspector General Policy Statement”

- K. Discussion, Consideration, and Possible Action Regarding Proposed Revisions to Executive Directive, ED-03.32, “Offender Access to Telephones”
- L. Discussion, Consideration, and Possible Action Regarding Proposed Revisions to Personnel Directive, PD-22, “General Rules of Conduct and Disciplinary Action Guidelines for Employees”
- M. Discussion, Consideration, and Possible Action Regarding Proposed Amendments to Board Rules Title 37 Texas Administrative Code
 - 1. 163.31, Sanctions, Programs, and Services
 - 2. 163.41, Medical and Psychological Information
- N. Discussion, Consideration, and Possible Action Regarding Adoption of Amendments to Board Rule Title 37 Texas Administrative Code
 - 1. 151.4, Public Presentations and Comments to the Texas Board of Criminal Justice
 - 2. 151.77, Purchasing and Contracting with Historically Underutilized Businesses
 - 3. 163.37, Reports and Records
- O. Discussion, Consideration, and Possible Action Regarding Readoption of Board Rule Title 37 Texas Administrative Code Section 195.61, Method of Payment for Parole Supervision and Administrative Fees
- P. Discussion, Consideration, and Possible Action Regarding Proposed Land Transaction – Request to Renew Pipeline Easement at the Clemens Unit in Brazoria County, Brazoria, Texas
- Q. Discussion, Consideration, and Possible Action Regarding Facilities Division Construction Projects
 - 1. Request to Replace Roofs (Design Only) at the Hughes Unit in Coryell County, Gatesville, Texas
 - 2. Request to Replace Water Treatment Plant (Design Only) at the Ferguson Unit in Madison County, Midway, Texas

Recess

The TBCJ may discuss and/or take action on any of the items posted on this meeting agenda.

II. Executive Session – Salon F

- A. The TBCJ may convene into Executive Session.
- B. Discussion of personnel matters relating to the Executive Director, the Inspector General, the Director of the Internal Audit Division, the Director of the State Counsel for Offenders, and the Prison Rape Elimination Act Ombudsman or to hear a complaint or charge against an employee (closed in accordance with Section 551.074, Government Code).
- C. Discussion regarding deployment of security personnel, devices, or security audits (closed in accordance with Section 551.076, Government Code).
- D. Discussion regarding security assessments or deployments relating to information resources technology, confidential network security information, or the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices (closed in accordance with Section 551.089, Government Code).
- E. Consultation with legal counsel regarding pending or contemplated litigation or settlement offers; to receive legal advice on items posted on this agenda; or consultation on a matter where the TBCJ seeks the advice of its attorney as privileged communications under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas (closed in accordance with Section 551.071, Government Code).

Adjourn

The TBCJ may discuss and/or take action on any of the items posted on this meeting agenda.

**MINUTES OF THE
TEXAS BOARD OF CRIMINAL JUSTICE
Meeting No. 207**

The Texas Board of Criminal Justice (TBCJ) convened on Thursday, October 31, 2019, in regular session at 11:05 a.m. in Salon DE at the Crowne Plaza Hotel, Austin, Texas, recessed at 12:11 p.m., reconvened in executive session at 12:44 p.m., and adjourned at 2:20 p.m.

TBCJ MEMBERS PRESENT:

Hon. Dale Wainwright, Chairman
Terrell McCombs, Vice-Chairman
Eric Gambrell, Secretary
Hon. Thomas P. Wingate
Larry Miles
Tom Fordyce
Derrelynn Perryman
E.F. "Mano" DeAyala
Patrick O'Daniel

**TEXAS DEPARTMENT OF
CRIMINAL JUSTICE STAFF
PRESENT:**

Bryan Collier, Executive Director
Oscar Mendoza, Deputy Executive Director
Jason Clark, Chief of Staff
Erik Brown
Lorie Davis
Jeremy Desel
Patty Garcia
Cody Ginsel
Rene Hinojosa
Frank Inmon
Sherry Koenig
Bobby Lumpkin
Angie McCown
Jerry McGinty
Melvin Neely
Kelvin Scott
Ron Steffa
Pam Thielke
April Zamora

TBCJ STAFF PRESENT:

Jill Durst
Marie Freeland
Cris Love
Giustina Persich
Lynne Sharp

OTHERS PRESENT:

Allegra Hill, Policy Advisor with the Office of Texas Governor Greg Abbott; Roel Benavides, Representative James White's office; Hon. Dale Spurgin, Jones County; David Gutierrez, Board of Pardon and Paroles Chair.

Convene the Texas Board of Criminal Justice

Chairman Dale Wainwright convened the 207th meeting of the Texas Board of Criminal Justice (TBCJ) on Thursday, October 31, 2019, at 11:05 a.m., noted that a quorum was present, and declared the meeting open in accordance with Texas Government Code Chapter 551, the *Open Meetings Act*. He stated the TBCJ would be conducting business from the agenda posted in the *Texas Register*.

Chairman Wainwright stated that the TBCJ is committed to providing the opportunity for public presentations on posted agenda topics as provided in accordance with Board Rule 151.4, "Public Presentations and Comments to the Texas Board of Criminal Justice." One speaker registration card was received for public comments prior to the deadline.

Recognitions

Terrell McCombs, TBCJ Vice-Chairman, stated, with great sadness, former board member Judge Larry Gist passed away on October 18, 2019, at the age of 78. He was appointed by Governor Abbott in 2011 and served with distinction as the chairman of the Community Corrections Committee. He was a member of the Management Information Systems Committee, Legal Committee, and Victim Services Committee. Mr. McCombs called for a moment of silence to recognize and honor the life of Judge Larry Gist.

Chairman Wainwright recognized Cris Love, Inspector General, for 35 years of service to the state of Texas and highlighted his education and career.

Bryan Collier, Texas Department of Criminal Justice (TDCJ) Executive Director, introduced Andrew Barbee as the new Director of Research and Development and highlighted his education and career.

Bobby Lumpkin, Manufacturing, Agribusiness and Logistics Division Director, introduced Todd Swick as the new Deputy Director for Agribusiness, Land and Minerals and highlighted his education and career.

April Zamora, Reentry and Integration Division Director, introduced Sherri Cogbill-Snedecor as the new Deputy Director and highlighted her education and career.

Chairman Wainwright introduced Jill Durst as the Manager of the TBCJ Office and highlighted her management experience, familiarity with TDCJ, and dedication.

Chairman Wainwright recognized the TDCJ employees who have dedicated 25, 30, 35, and 40 years of service to the state of Texas during the months of September and October 2019. During this time, 80 employees attained 25 years of service, 15 employees attained 30 years of service, 19 employees attained 35 years of service, and one employee attained 40 years of service. He stated these individuals represent the strong commitment of the TDCJ staff systemwide. On behalf of the TBCJ and Mr. Collier, he expressed deepest gratitude for the continued service of these employees.

(Attachment A – Employee Names)

Consideration of Approval of Consent Items

- 1. Hazardous Duty Pay Authorization Requests**
- 2. Personal Property Donations**
- 3. 206th TBCJ Meeting Minutes**

Chairman Wainwright asked if there were any amendments, abstentions, or objections to the proposed consent items. Board Member Eric Gambrell abstained from taking action due to his firm representing Lineage Logistics listed on the personal property donations list. Chairman Wainwright acknowledged the abstention and, hearing no further questions, the consent items were approved.

Report from the Executive Director, Texas Department of Criminal Justice

Correctional Officer Staffing

Bryan Collier, Executive Director, stated correctional officer staffing has remained the number one agency priority. Recruiting and retention efforts are being pushed to new levels to help address staffing needs. Four RV parks for employees will be completed soon. The current RV park at the Chase Field Complex is being expanded and three new RV parks are being built at the Telford Unit, Gib Lewis Unit, and Lynaugh Unit. Employees will be able to rent spaces at low cost to help with housing needs in those areas. Recruitment efforts are also being made in other states, as far away as Virginia. Military screenings for veterans are scheduled in North Carolina and South Carolina. Across the state of Texas, Saturday screenings have been scheduled. The TDCJ has attended 54 job fairs this month. The hiring bonus has been extended to any non-uniform employee within the agency who enters into full time correctional and parole officer positions at select locations, as well as maintenance supervisor positions. Also, college and military applicants will start at the second level of the career ladder. Mr. Collier stated he will continue to provide updates.

Seminary Program Update

Mr. Collier discussed the seminary program at the Darrington Unit in Rosharon, Texas, administered by Southwestern Baptist Theological Seminary. The fifth class of field ministers graduated in May. Currently, there are 149 students enrolled in the program, 169 have graduated from the program, and 162 are serving as field ministers in 33 units across Texas. Thus far, there have been: 300 baptisms performed by field ministers; 3,100 offenders were met by field ministers as they arrived at their unit of assignment; 3,800 offenders have been mentored by field ministers; 1,250 offenders have received reentry assistance by field ministers; just under 200 offenders have received peer education assistance from field ministers; over 2,700 offenders have received grief counseling; over 1,800 offenders had contact visits in hospice care; over 30,000 faith-based classes have been taught by field ministers; over 10,000 sermons have been preached by field ministers; and over 43,000 field minister contacts were made in close custody areas such as restrictive housing. The next graduating class will be in May 2020.

Report from the Chairman, TBCJ

William P. Clements Unit Chapel Dedication

Chairman Wainwright stated the Texas Department of Criminal Justice is in the business of changing lives. Thousands of employees go to work each day striving to rebuild lives and help individuals chart a new course. This is a tall order that the agency cannot do alone. It takes a community-wide approach. The TDCJ is fortunate to have volunteers from both the private and public sector come into facilities and invest in the offender population. For some, like the Panhandle Neal Unit Chapel (NUC) and President Bob Manning, that is not enough. Mr. Manning saw a need in Amarillo and asked board member Larry Miles why there were no donated chapels in the TDCJ units in Amarillo. Mr. Miles replied that no one had stepped up. The Panhandle NUC began a fundraising campaign and in 2017 began construction on a multi-purpose building at the Neal Unit. A year later the chapel was completed. The organization continued to fundraise and gathered an additional \$1.2 million to construct a chapel at the Clements Unit. The grand opening is scheduled for November 5, 2019, with more than 9,000 square feet with a 400-seat chapel capacity, three classrooms, two offices, a kitchen, restrooms, and storage area. Just imagine the possibilities and the lives that will be changed, all because of a simple question. These two chapels are not isolated acts of kindness. Since 1996, 21 privately funded chapels have been donated or renovated by organizations, costing the state nothing. Thank you to Panhandle NUC and the countless others who made this a reality.

Domestic Violence Awareness Month

The mission of the TDCJ is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime. This mission is critical to addressing domestic violence in our state. October is Domestic Violence Awareness Month, and the Texas Council on Family Violence organizes an annual “Go Purple” day in recognition of the victims of domestic violence and our efforts to end it. Many in attendance today are wearing purple to show their support. Board Member Derrellynn Perryman thanked all for wearing purple in support of domestic violence awareness. She stated domestic violence affects communities across Texas and is a crime that consists of a pattern of physical, sexual, and/or psychological abuse. Due to the intimate relationship that exists between the victim and offender, domestic violence is a crime that differs from the rest. In 2018, 211 Texans were killed by intimate partners in 64 counties, 27 were injured, 24 others were killed, and 290 children lost their parents. Ms. Perryman stated the criminal justice system plays a significant role in ending domestic violence by sending an important message that there are consequences for committing these acts, holding domestic violence offenders accountable for their actions, enhancing victim safety, disrupting the cycle of violence resulting in intervention opportunities for victims and offenders, and breaking the generational cycle and learned effect on children of domestic violence.

Internal Audit Status Report for Fiscal Years 2019 - 2020

Renee Russell, Deputy Director for the Internal Audit Division, provided the following updates to the handout of the October 22, 2019, Internal Audit Division Status Report for the Fiscal Years (FY) 2019 - 2020:

- **1915 – Administrative Review and Risk Management Division, Action Plan Follow-up and Tracking:** Audit is in report writing.

Chairman Wainwright asked if there were any questions. There were none.

(Attachment B – Internal Audit Division Status Report, Fiscal Years 2019-2020)

Discussion, Consideration, and Possible Action Regarding Purchases and Contracts over \$1 Million

Jerry McGinty, TDCJ Chief Financial Officer, reviewed the purchases and contracts over \$1 million. He presented one purchase item for consideration, an increase to an existing contract to pay an additional \$7,854 for outpatient substance abuse treatment services in Longview, Texarkana, and Tyler for FY18-19 due to an increase in services.

Chairman Wainwright asked for any questions, comments, or other abstentions. Hearing none, he called for a motion and a second.

Terrell McCombs moved that the Texas Board of Criminal Justice approve the purchases and contracts over \$1 million, as presented.

Derrelynn Perryman seconded the motion, which prevailed unanimously when called to a vote.

Discussion, Consideration, and Possible Action Regarding Annual Review of Board Policy BP-14.01, “Texas Department of Criminal Justice Investment Policy,” and Resolution Adopting the Investment Policy

Mr. McGinty presented BP-14.01, “Texas Department of Criminal Justice Investment Policy,” and resolution to adopt, in accordance with Chapter 2256 of the Public Funds Investment Act, which requires the agency to have a board policy regarding investments and requires an annual review. He stated the changes to the policy are non-substantive.

Chairman Wainwright asked if there were any questions or comments. Hearing none, he called for a motion and a second.

Eric Gambrell moved that the Texas Board of Criminal Justice approve the resolution adopting the investment policy as presented, and that the Chairman sign the resolution adopting the policy.

E.F. “Mano” DeAyala seconded the motion, which prevailed unanimously when called to a vote.

Discussion, Consideration, and Possible Action Regarding Proposed Revisions to Board Policy BP-02.09, “Prison Rape Elimination Act Ombudsman Policy Statement”

Erik Brown, TDCJ Deputy General Counsel, presented the proposed revisions to BP-02.09, “Prison Rape Elimination Act Ombudsman Policy Statement.” He stated the changes to the policy include an update to a structural change within the Prison Rape Elimination Act (PREA) Ombudsman Office. The PREA Ombudsman is now the TDCJ PREA coordinator in addition to being the PREA Ombudsman to the TBCJ. Previously, the Correctional Institutions Division director was the PREA coordinator. This consolidation of responsibility streamlines operations designed to prevent offender sexual abuse and harassment and expands PREA Ombudsman oversight to community residential facilities. Most revisions reflect conforming changes.

Chairman Wainwright asked if there were any other questions or comments. Hearing none, he called for a motion and a second.

Thomas Fordyce moved that the Texas Board of Criminal Justice approve revisions to board policy BP-02.09, “Prison Rape Elimination Act Ombudsman Policy Statement,” as presented.

Terrell McCombs seconded the motion, which prevailed unanimously when called to a vote.

Discussion, Consideration, and Possible Action Regarding Proposed Revisions to Board Policy, BP-01.04, “Standards of Conduct for the Texas Board of Criminal Justice and the Executive Director of the Texas Department of Criminal Justice”

Mr. Brown presented the proposed revisions to BP-01.04, “Standards of Conduct for the Texas Board of Criminal Justice and the Executive Director of the Texas Department of Criminal Justice.” He stated the changes to the policy include aligning SB 1640 from the 86th Legislative session, which amended the open meetings act to clarify what constitutes a walking quorum and provides a precise explanation of the prohibited conduct. Generally, a walking quorum occurs when a quorum of a governing body discusses a matter within its jurisdiction through a series of communications even though each communication involves less than a quorum.

Chairman Wainwright asked if there were any other questions or comments. Hearing none, he called for a motion and a second.

Thomas Wingate moved that the Texas Board of Criminal Justice approve revisions to board policy BP-01.04, “Standards of Conduct for the Texas Board of Criminal Justice and the Executive Director of the Texas Department of Criminal Justice,” as presented.

Larry Miles seconded the motion, which prevailed unanimously when called to a vote.

Discussion, Consideration, and Possible Action Regarding Proposed Revisions to Board Policy, BP-01.07, “Inspector General Policy Statement”

Mr. Brown presented the proposed revisions to BP-01.07, “Inspector General Policy Statement.” He stated the changes to the policy include reorganized text, streamlined language, revised grammar, and update citations.

Chairman Wainwright asked if there were any other questions or comments. Hearing none, he called for a motion and a second.

Larry Miles moved that the Texas Board of Criminal Justice approve revisions to board policy BP-01.07, “Inspector General Policy Statement,” as presented.

Thomas Fordyce seconded the motion, which prevailed unanimously when called to a vote.

Discussion, Consideration, and Possible Action Regarding Proposed Revisions to Executive Directive, ED-03.32, “Offender Access to Telephones”

Mr. Brown presented ED-03.32, “Offender Access to Telephones.” He stated the changes to the policy reflect that deaf and hard-of-hearing offenders can place video calls through the offender telephone system rather than the old TTY keyboards.

Chairman Wainwright asked if there were any questions or comments. Hearing none, he called for a motion and a second.

E.F. “Mano” DeAyala moved that the Texas Board of Criminal Justice approve the revisions to executive directive ED-03.32, “Offender Access to Telephones,” as presented.

Thomas Wingate seconded the motion, which prevailed unanimously when called to a vote.

Discussion, Consideration, and Possible Action Regarding Proposed Revisions to Personnel Directive, PD-22, “General Rules of Conduct and Disciplinary Action Guidelines for Employees”

Mr. Brown presented the proposed revisions to PD-22, “General Rules of Conduct and Disciplinary Action Guidelines for Employees.” He stated the changes to the policy adjust the definition of improper operation of a TDCJ vehicle and raised the level of violation from level 4 to level 2.

Chairman Wainwright asked if there were any other questions or comments. Hearing none, he called for a motion and a second.

Patrick O'Daniel moved that the Texas Board of Criminal Justice approve the revisions to personnel directive, PD-22, "General Rules of Conduct and Disciplinary Action Guidelines for Employees," as presented.

E.F. "Mano" DeAyala seconded the motion, which prevailed unanimously when called to a vote

Discussion, Consideration, and Possible Action Regarding Proposed Amendments to Board Rules Title 37 Texas Administrative Code

1. Section 163.31, "Sanctions, Programs, and Services"

Mr. Brown presented the proposed amendments to Board Rule 163.31, "Sanctions, Programs, and Services." He stated this rule is being reviewed pursuant to the state law requirement that rules be reviewed every four years. The proposed changes include substantive additions that enhance the ability of CSCDs to operate more efficiently. Specifically, the changes allow a CSCD or judicial district to contract with one or more other CSCD or judicial districts for services or facilities. Mr. Brown requested the TBCJ approve the amended rule for publication in the *Texas Register*.

Chairman Wainwright asked if there were questions. Hearing none, he called for a motion and a second.

E.F. "Mano" DeAyala moved that the Texas Board of Criminal Justice approve for publication in the Texas Register the proposed amendments to Board Rule Title 37 Texas Administrative Code section 163.31, regarding Sanctions, Programs, and Services, to receive public comment, as presented.

Larry Miles seconded the motion, which prevailed unanimously when called to a vote.

2. Section 163.41, "Medical and Psychological Information"

Mr. Brown presented the proposed amendments to Board Rule 163.41, "Medical and Psychological Information." He stated this rule is being reviewed pursuant to the state law requirement that rules be reviewed every four years. The proposed changes are non-substantive and clarify or reorganize portions of the text. Mr. Brown requested the TBCJ approve the amended rule for publication in the *Texas Register*.

Chairman Wainwright asked if there were questions. Hearing none, he called for a motion and a second.

Derrelynn Perryman moved that the Texas Board of Criminal Justice approve for publication in the Texas Register the proposed amendments to Board Rule Title 37 Texas Administrative Code section 163.41, regarding Medical and Psychological Information, to receive public comment, as presented.

Terrell McCombs seconded the motion, which prevailed unanimously when called to a vote.

Discussion, Consideration, and Possible Action Regarding Adoption of Amendments to Board Rules Title 37 Texas Administrative Code

1. Section 151.4, Public Presentations and Comments to the Texas Board of Criminal Justice

Mr. Brown requested the adoption of amendments to Board Rule 151.4, “Public Presentations and Comments to the Texas Board of Criminal Justice,” as proposed and authorized at the August 2019 TBCJ meeting. He explained the amendments appeared in the September 6, 2019, issue of the *Texas Register*. Thirty days passed and no public comments were received. Mr. Brown asked the board to move forward with final adoption of the rule.

Chairman Wainwright asked if there were questions. Hearing none, he called for a motion and a second.

Eric Gambrell moved that the Texas Board of Criminal Justice adopt amendments to Board Rule Title 37 Texas Administrative Code Section 151.4, regarding Public Presentations and Comments to the Texas Board of Criminal Justice, as published in the Texas Register, and that the chairman sign the order to this effect.

Thomas Wingate seconded the motion, which prevailed unanimously when called to a vote.

2. Section 151.77, Purchasing and Contracting with Historically Underutilized Businesses

Mr. Brown requested the adoption of amendments to Board Rule 151.77, “Purchasing and Contracting with Historically Underutilized Businesses,” as proposed and authorized at the August 2019 TBCJ meeting. He explained the amendments appeared in the September 6, 2019, issue of the *Texas Register*. Thirty days passed and no public comments were received. Mr. Brown asked the board to move forward with final adoption of the rule.

Chairman Wainwright asked about the numbers regarding the contracts with historically underutilized businesses (HUBs). Mr. Brown stated the FY 2019 HUB statistics have not been finalized, however, the FY 2018 statistics reflect \$41 million in HUB contracts. This is an increase of 21% since 2014.

Chairman Wainwright asked if there were questions. Hearing none, he called for a motion and a second.

Terrell McCombs moved that the Texas Board of Criminal Justice adopt amendments to Board Rule Title 37 Texas Administrative Code Section 151.77, regarding Purchasing and Contracting with Historically Underutilized Businesses, as published in the Texas Register, and that the chairman sign the order to this effect.

Thomas Fordyce seconded the motion, which prevailed unanimously when called to a vote.

3. Section 163.37, Reports and Records

Mr. Brown requested the adoption of amendments to Board Rule 163.37, “Reports and Records,” as proposed and authorized at the August 2019 TBCJ meeting. He explained the amendments appeared in the September 6, 2019, issue of the *Texas Register*. Thirty days passed and no public comments were received. Mr. Brown asked the board to move forward with final adoption of the rule.

Chairman Wainwright asked if there were questions. Hearing none, he called for a motion and a second.

Thomas Wingate moved that the Texas Board of Criminal Justice adopt amendments to Board Rule Title 37 Texas Administrative Code Section 163.37, regarding Reports and Records, as published in the Texas Register, and that the chairman sign the order to this effect.

Derrelynn Perryman seconded the motion, which prevailed unanimously when called to a vote.

Discussion, Consideration, and Possible Action Regarding Readoption of Board Rule Title 37 Texas Administrative Code Section 195.61, Method of Payment for Parole Supervision and Administrative Fees

Mr. Brown presented the readoption of Board Rule 195.61, “Method of Payment for Parole Supervisions and Administrative Fees,” and stated this rule is being reviewed pursuant to the state law requirement that rules be reviewed every four years. He explained that since there were no proposed revisions, the rule was published for review in the September 6, 2019, issue of the *Texas Register*. Thirty days passed and no public comments were received. Mr. Brown asked the board to move forward with final adoption of the rule.

Chairman Wainwright asked if there were questions. Hearing none, he called for a motion and a second.

Thomas Fordyce moved that the Texas Board of Criminal Justice readopt Board Rule Title 37 Texas Administrative Code Section 195.61, regarding Method of Payment for Parole Supervision and Administrative Fees, as published in the Texas Register, and that the chairman sign the order to this effect.

E.F. “Mano” DeAyala seconded the motion, which prevailed unanimously when called to a vote.

Discussion, Consideration, and Possible Action Regarding Proposed Land Transaction – Request to Renew a Pipeline Easement at the Clemens Unit in Brazoria County, Brazoria, Texas

Mr. Lumpkin presented the request to renew a pipeline easement at the Clemens Unit, in Brazoria County, Texas, and stated Chevron Phillips Chemical Company, LP is requesting to renew an easement consisting of an area of approximately 2.597 acres of land being 11,313.06 feet long by 10 feet wide for one hydrocarbon chemical pipeline. Chevron Phillips Chemical Company, LP has agreed to pay \$514,230.00 for the easement with another 10-year term. Mr. Lumpkin recommended the TBCJ approve the request.

Eric Gambrell and Thomas Fordyce abstained from taking action on this item.

Chairman Wainwright asked if there were any questions or comments. Hearing none, he called for a motion and a second.

Patrick O’Daniel moved that the Texas Board of Criminal Justice approve the request to renew a pipeline easement at the Clemens Unit in Brazoria County, Brazoria, Texas, as presented.

Larry Miles seconded the motion, which prevailed when called to a vote.

Discussion, Consideration, and Possible Action Regarding Facilities Division Construction Projects

1. Request to Replace Roofs (Design Only) at the Hughes Unit in Coryell County, Gatesville, Texas

Frank Inmon, Director of the Facilities Division, presented a new project for board consideration, requesting board approval to replace the roofs (design only) at the Hughes Unit located in Coryell County, Gatesville, Texas. The design will consist of a complete set of construction documents for the purpose of obtaining contract construction services to install a new PVC Thermoplastic membrane roofing system capable of withstanding climate and wind speed conditions for the location. A design proposal was negotiated for this project in June 2019. If approved, the design will be done by Amtech Solutions, Inc. with a total design budget of \$1,300,000. Mr. Inmon recommended the TBCJ approve the request.

Chairman Wainwright asked if there were any other questions or comments. Hearing none, he called for a motion and a second.

Terrell McCombs moved that the Texas Board of Criminal Justice approve the request to replace roofs (design only) at the Hughes Unit located in Coryell County, Gatesville, Texas, as presented.

Tom Fordyce seconded the motion, which prevailed unanimously when called to a vote.

2. Request to Replace Water Treatment Plant (Design Only) at the Ferguson Unit in Madison County, Midway, Texas

Mr. Inmon presented a new project for board consideration, requesting board approval to replace the water treatment plan (design only) at the Ferguson Unit, Madison County, Midway, Texas. The design will consist of a complete set of construction documents for the purpose of obtaining contract construction services to construct a new potable water plant to meet demand requirements. The recommended design solution for the plant includes a new potable water well, two new 150,000-gallon water storage tanks with new foundations, cathodic protection, and new piping and valves. Additionally, a cooling tower, gas separator, chlorination equipment, service pumps with foundations, and a new Supervisory Control and Data Acquisition system were recommended. A design proposal was negotiated for this project in June 2019. If approved, the design will be done by Jacobs Engineering Group, Inc. with a total design budget of \$1,166,700. Mr. Inmon recommended the TBCJ approve the request.

Chairman Wainwright asked if there were any questions or comments. Hearing none, he called for a motion and a second.

Eric Gambrell moved that the Texas Board of Criminal Justice approve the request to replace water treatment plant (design only) at the Ferguson Unit located in Madison County, Midway, Texas, as presented.

Terrell McCombs seconded the motion, which prevailed unanimously when called to a vote.

Public Comments

Chairman Wainwright stated that the TBCJ is committed to providing the opportunity for public presentations on posted agenda topics as provided in accordance with Board Rule 151.4, "Public Presentations and Comments to the Texas Board of Criminal Justice." One speaker registration card was received for public comments prior to the deadline.

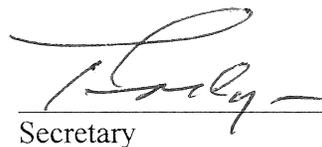
Cassandra Benton thanked the board for allowing her to speak. She stated that everything she has heard at the meeting is very interesting and she asked that they stay focused, as she can see they observe things that are needed. She explained that she feels the correctional officer salary should have stayed the same, instead of increasing the budget. She asked them to not make decisions based on impulse or based on what is familiar. She stated that non-profit organizations can get things at cost, therefore being a reduced cost, and that TDCJ should recognize that so it can become a priority. She explained that other businesses are spending way too much even though they know there are other companies that are willing to assist. She asked the board to keep that in focus as they address facilities and other things that greatly need to be updated. She stated that she was at a job fair recently and the recruiters mentioned the hiring bonus. Ms. Benton expressed dissatisfaction with this because the country is in a recession, and simply getting a job should be enough. She stated this contributes to the large TDCJ budget and should be taken into consideration so that money can be used somewhere else. She stated she doesn't want the reckless area of finance to show in our judicial branch of government.

Chairman Wainwright thanked everyone for coming and announced that the next meeting of the TBCJ will be Thursday, December 12, 2019, at the Crowne Plaza Hotel.

Adjournment

There being no further business, Chairman Wainwright adjourned the 207th meeting of the Texas Board of Criminal Justice at 12:11 p.m.


Chairman


Secretary