



MINUTES for Mitchell County Commissioners' Court
REGULAR Session
Monday, November 8, 2021 9:00 a.m.

1. **Call meeting to order**

Commissioners' Court of Mitchell County was called to order by Judge Merrell at 9:00 a.m., in Commissioners' Courtroom, 2nd Floor, 349 Oak Street, Colorado City, Texas.

County Judge	Mark Merrell	Present
Precinct 1, Commissioner	Dennis Jones	Present
Precinct 2, Commissioner	Jeremy Strain	Present
Precinct 3, Commissioner	Jesse Muñoz	Present
Precinct 4, Commissioner	Ricky Bailey	Present

2. **Invocation** was led by Commissioner Strain
Pledge was led by Commissioner Muñoz

3. **Public Comment**

Melissa Jo Walker, read article about election equipment.

VOTE: NO ACTION

4. **Discuss and Approve Bills**

Approve bills in the total amount of \$ 77,829.68

MOTION: Made by Commissioner Strain to approve bills as presented.

SECOND: Made by Commissioner Bailey

VOTE: All in favor. Motion passed.

Discuss and Approve Line Items

MOTION: Made by Commissioner Strain to approve line item transfers as presented.
(A copy of the line item transfers follow the minutes.)

SECOND: Made by Commissioner Muñoz

VOTE: All in favor. Motion passed.

5. **Discuss and Approve Budget Amendments**

MOTION: Made by Commissioner Muñoz to approve budget amendments as presented.
(A copy of the budget amendment follows the minutes.)

SECOND: Made by Commissioner Jones

VOTE: All in favor. Motion passed.

6. **Discuss and Possible Approve Reverting Public Road, Laguna Drive, Back to Private Road**

Sterling Burleson, County Attorney, presented map and ownership information. Commissioner Muñoz will provide sign "Private Road". CR 317 dead ends into Laguna Drive.

MOTION: Made by Commissioner Muñoz to approve road abandonment and revert back to private road effective today (November 8, 2021).

(A copy of map and signatures follow the minutes.)

SECOND: Made by Commissioner Jones

VOTE: 4 in favor – Commissioner Jones, Judge Merrell, Commissioner Muñoz, Commissioner Bailey, 1 recusal due to being the brother of landowner – Commissioner Strain. Motion passed.

7. **Review, Discuss and Possibly Approve Renewal Bond Certificate for Mitchell County Deputy County Treasurer**
County Auditor Heidi Harris presented bond for Deputy County Treasurer. Renewed yearly.
MOTION: Made by Commissioner Strain to approve bond as presented.
SECOND: Made by Commissioner Bailey
VOTE: All in favor. Motion passed.
8. **Discuss and Possibly Approve Appointment to the Mitchell County Library Advisory Board Member**
Maggie Bootman, Librarian, recommended Venson Stewart be appointed to advisory board to replace Jaime Alvarez, who resigned.
MOTION: Made by Commissioner Muñoz to approve replacement advisory board member as presented.
(A copy of appointment follows the minutes.)
SECOND: Made by Commissioner Strain
VOTE: All in favor. Motion passed.
9. **Review, Discuss, and Possibly Approve Cloudlibrary Contract for County Library**
Maggie Bootman, Librarian, provided contract for review and approval. Commissioner tabled for advisory board to review.
VOTE: Tabled
10. **Review, Discuss, and Possibly Approve JP Court Collection Services Contract with GHS & Net Data**
Judge Grissam presented contract to be renewed every 5 years. No change.
MOTION: Made by Commissioner Strain
(A partially signed contract follows the minutes.)
SECOND: Made by Commissioner Bailey
VOTE: All in favor. Motion passed.
11. **Information on Replacement of Bridge on Mitchell County Road 121**
Informational – Commissioner Jones discussed state wanting to replace “Jay Hawk” bridge – road to Lake Champion. Commissioner Strain recommended 30 foot wide for farmers. Estimated cost \$526,436.00, county 10% in kind. Possible 2026 start date.
VOTE: NO ACTION
12. **Canvass Votes of 2021 Constitutional Amendment Election**
Judge Merrell presented 2021 Constitutional Amendment Election results for approval.
MOTION: Made by Commissioner Strain to approve canvass results as presented.
(A copy of the canvassing follows the minutes.)
SECOND: Made by Commissioner Bailey
VOTE: All in favor. Motion passed.
13. **Information on Upcoming 2022 Election Year**
Informational – Carla Kern, County Clerk
VOTE: NO ACTION

14. Review, Discuss and Possible Action on Additional Employee for County Clerk's Office

Tabled

VOTE: NO ACTION

15. Closed Session – An Executive/Closed Session will be held so that the Commissioners Court can seek and receive legal advice from its attorneys regarding pending or threatened litigation, settlement offers, claims, or other matters for which the attorney's duties to their client under the Texas State Bar Disciplinary Rules of Profession Conduct conflicts with the Open Meetings Act (Ch. 551, Gov. Cod) if necessary for a subject contained on the agenda, and advise dealing with pending litigation. Administrative claims or notices, and legal effects, liabilities, and legal options including by not limited to claims arising from Opioid Litigation, or Other Pending or Threatened Litigation, as well as to receive advise from legal counsel regarding the County's redistricting obligations and possible precinct merger.

Executive Session will also be held so the commissioners Court can discuss certain personnel matters under 551.074. including but not limited to discuss of current or possible new employees in the County Clerk's office.

Regular meeting recessed 9:39 a.m. Resumed regular meeting 10:21 a.m.

VOTE: NO ACTION

16. Review, Discuss, and Possibly Take Action on Redistricting for Commissioner Precincts Considering the New 2020 Census Data; Consider Adoption of Redistricting Criteria to apply to Development of new Districting Plans, Consider Adoption of Precinct Maps

MOTION: Made by Commissioner Jones to adopt Order Approving the Redistricting of the County's Commissioner Precincts and Establishing New Commissioner Precinct Boundary Lines Based on 2020 Census Data for County Elections and Specifically moving Census Block 4204 from Commissioner Precinct 3 to Commissioner Precinct 2.

(Missing order adopting the redistricting.)

SECOND: Made by Commissioner Muñoz

VOTE: All in favor. Motion passed.

17. Review, Discuss, and Possible Take Action on Commissioner Precinct Merger

Skipped

VOTE: NO ACTION

18. Consideration, Discussion and/or Action to Authorize Texas Term Sheet and Texas State Wide Opioid Settlement Agreements Relating to Claims arising from Opioid Litigation and Adoption of Approving Resolution and Order

Sterling Burleson, County Attorney, presented resolution and order for approval. Estimated settlement amount is \$5,500.00

MOTION: Made by Commissioner Muñoz to approve and adopt resolution and order to authorize Texas Term Sheet and Texas Statewide Opioid Settlement Agreements relating to claims arising from opioid litigation.

(A copy of the resolution and order follows the minutes.)

SECOND: Made by Commissioner Bailey

VOTE: All in favor. Motion passed.

19. Discuss and Approve Monthly Minutes

Approve minutes from Commissioners' Court Regular/Special meetings for October, 2021

MOTION: Made by Commissioner Strain to approve minutes as presented.

SECOND: Made by Commissioner Bailey

VOTE: All in favor. Motion passed.

20. Discuss and Approve Monthly Reports

MOTION: Made by Commissioner Strain to approve monthly reports as presented.

SECOND: Made by Commissioner Jones / Munoz

VOTE: All in favor. Motion passed.

JP 1&4	\$ 19,385.80	District Clerk	\$ 16,324.58
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JP 2&3	\$ 10,033.54	County Clerk Civil	\$ 11,096.80
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Library	\$ 206.00	County Clerk Criminal	\$ 2,930.10
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Other reports: Auditor, Sheriff, and Treasurer – no fees.

21. Adjourn

Meeting adjourned at 10:33 a.m.

MOTION: Made by Commissioner Muñoz to adjourn.

SECOND: Made by Commissioner Bailey

VOTE: All in favor. Motion passed.

I, Carla Kern, County Clerk of Mitchell County, Texas, do hereby certify that these Commissioners' Court Minutes are a true and correct record of the proceedings from the meeting on Monday, November 5, 2021.

Carla Kern

Carla Kern, County Clerk





MINUTES for Mitchell County Commissioners' Court
REGULAR Session
Monday, November 22, 2021 9:00 a.m.

1. **Call meeting to order**

Commissioners' Court of Mitchell County was called to order by Judge Merrell at 9:02 a.m., in Commissioners' Courtroom, 2nd Floor, 349 Oak Street, Colorado City, Texas.

County Judge	Mark Merrell	Present
Precinct 1, Commissioner	Dennis Jones	Present
Precinct 2, Commissioner	Jeremy Strain	Present
Precinct 3, Commissioner	Jesse Muñoz	Present
Precinct 4, Commissioner	Ricky Bailey	Present

2. **Invocation** was led by Commissioner Strain.
Pledge was led by Commissioner Bailey.

3. **Public Comment**

VOTE: NO ACTION

4. **Discuss and Approve of Bills**

Approve bills in the total amount of \$ 57,171.98.

MOTION: Made by Commissioner Strain to approve bills as presented.

SECOND: Made by Commissioner Bailey.

VOTE: All in favor. Motion passed.

Discuss and Approve of Line Items

VOTE: NO ACTION

5. **Discuss Mitchell County Commercial Vehicle Weigh Station**

Informational, JP 1 Ricky Grissam reported that citations total \$140,522.70 since the beginning of operations. There is \$83,832.60 outstanding, and \$53,928.91 has been paid, as of Fri., Nov. 19, 2021.

VOTE: NO ACTION

6. **Review, Discuss and Possible Approve 2022 Payroll Schedule**

Presented by County Treasurer Jennifer Rivera.

MOTION: Made by Commissioner Strain to approve the payroll schedule as presented.

(A copy of the schedule follows the minutes.)

SECOND: Made by Commissioner Jones

VOTE: All in favor. Motion passed.

7. **Discussion on American Rescue Plan Act Funds**

Informational, Judge Merrell said Mitchell County may be eligible for grant funding. Commissioner Strain expressed concerns over possible federal mandates. The county has completed the paperwork, and funds are drawing interest.

VOTE: NO ACTION

8. **Discussion and Action on Resolution Authorizing Joint Primary 2022**
MOTION: Made by Commissioner Strain to approve resolution as presented.
(A copy of resolution follows the minutes.)
SECOND: Made by Commissioner Muñoz
VOTE: All in favor. Motion passed.

9. **Discuss and Possible Approval of Engagement Letter from Catherine Wilks CPA LLC for Independent Audit for Year Ending December 31, 2021**
County Auditor Heidi Harris presented letter estimating cost of services of not more than \$19,000.
MOTION: Made by Commissioner Strain to approve audit services.
SECOND: Made by Commissioner Muñoz.
VOTE: All in favor. Motion passed.

10. **Discussion and Acceptance of Resignation/Retirement of Mitchell County Tax Assessor**
Tax A/C Sylvia Clanton submitted her resignation to be effective Nov. 30, 2021. Court members expressed thanks and well wishes.
MOTION: Made by Commissioner Muñoz to accept resignation as submitted.
(Copy of letter follows minutes.)
SECOND: Made by Commissioner Strain
VOTE: All in favor. Motion passed.

11. **Closed Session – The Commissioners Court may convene in public session, but reserves the right to recess into executive session to discuss matters involving pending or contemplated litigation in consultation with attorney and/or personnel pursuant to 551.071, 551.074 and 551.129 (teleconference) Texas Government Code. No action will be taken in executive session. Personnel – 551.074 – Mitchell County Tax Assessor Vacancy**
Regular meeting recessed 9:36 a.m. Resumed regular meeting 9:58 a.m.
VOTE: NO ACTION

12. **Discussion and Possible Action on Appointment to fill Vacancy for Mitchell County Tax Assessor Unexpired Term**
MOTION: Made by Commissioner Muñoz to appoint Teresa Hughes to fill the unexpired term until Dec. 31, 2022. The office will be up for election in the March 2022 Primary Election.
SECOND: Made by Commissioner Strain.
VOTE: All in favor. Motion passed.

13. **Review, Discuss and Possible Approve (SART) Sexual Assault Response Team for Mitchell County**
Informational, District Attorney Ricky Thompson said the Texas Legislature passed SB476, making it a law to form Sexual Assault Response Team (SART) for Mitchell County. The group will meet quarterly.
MOTION: Made by Commissioner Strain to approve the formation of SART.
(Copy of SART follows the minutes.)
SECOND: Made by Commissioner Bailey
VOTE: All in favor. Motion passed.

14. **Discuss District Attorney's Chapter 59 Asset Forfeiture Report**

Presented by DA Ricky Thompson. Report submitted annually.

MOTION: Made by Commissioner Strain to approve report.

SECOND: Made by Commissioner Bailey

VOTE: All in favor. Motion passed.

15. **Adjourn**

Meeting adjourned at 10:11 a.m.

MOTION: Made by Judge Merrell to adjourn.

SECOND: Made by Commissioner Strain.

VOTE: All in favor. Motion passed.

I, Carla Kern, County Clerk of Mitchell County, Texas, do hereby certify that these Commissioners' Court Minutes are a true and correct record of the proceedings from the meeting on Monday, November 22, 2021.

Carla Kern

Carla Kern, County Clerk

