



MINUTES for Mitchell County Commissioners' Court
REGULAR Session
Monday, August 8, 2022 9:00 a.m.

1. **Call meeting to order**

Commissioners' Court of Mitchell County was called to order by Judge Merrell at 9:01 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	Absent
Precinct 3, Commissioner	Jesse Muñoz	Present
Precinct 4, Commissioner	Ricky Bailey	Present

2. **Invocation** was led by Commissioner Jones.
Pledge was led by Eagle Scout Adam Hernandez.

3. **Public Comment**

Judge Merrell recognized Adam Hernandez, presenting him a pocket knife, for his achievement of attaining Eagle Scout through the Boy Scouts organization.

VOTE: NO ACTION

4. **Discuss and Approve of Bills**

Approved bills in the total amount of \$177,086.12.

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

(A copy of bills follows the minutes.)

SECOND: Made by Commissioner Jones

VOTE: All in favor. Motion passed.

Discuss and Approve of Line Items

VOTE: NO ACTION

5. **Discuss improvements on Mitchell County Rodeo Barn**

Judge Merrell and Commissioner Muñoz reported on improvements. The barn will receive a new roof by Bass Roofing in the near future, along with new heaters before the upcoming stock show in January 2023. New sinks have been installed, and some electrical work is already completed.

VOTE: NO ACTION

6. **Vote to set salaries of all elected county and precinct officers**

County Auditor Heidi Harris presented totals of elected-officials' salaries recently published in the Colorado City Record. She said the proposed budget would include a 5% increase in the salaries of all county and precinct elected officials for fiscal year 2023. (Copy follows the minutes.)

MOTION: Made by Commissioner Jones to approve the 5% increase for elected officials.

SECOND: Made by Commissioner Muñoz.

VOTE: All in favor. Motion passed.

7. **Vote to schedule public hearing on 2023 budget**

County Auditor Heidi Harris suggested a public hearing be held on the proposed 2023 budget on August 22nd at 9:00 a.m.

MOTION: Made by Commissioner Jones to set the proposed budget public hearing for August 22, 2022 at 9:00 a.m.

SECOND: Made by Commissioner Bailey

VOTE: All in favor. Motion passed.

8. **Discuss and possible approve Mitchell County library donation**

County Auditor Heidi Harris announced a \$150 donation for the library's Summer Reading Program, which requires approval by the court. The donation was made by Kiker-Seale Funeral Home.

MOTION: Made by Commissioner Jones to approve the donation to the library

SECOND: Made by Commissioner Muñoz

VOTE: All in favor. Motion passed.

9. **Discuss and possible approve Mitchell County Burn Ban**

Burn ban extended for 30 more days, through September 14, 2022.

MOTION: Made by Commissioner Muñoz to extend ban.

SECOND: Made by Commissioner Jones

VOTE: All in favor. Motion passed.

10. **Public Hearing for archive fee for county clerk's office**

Open: 9:15 a.m. Closed: 9:17 a.m.

George Tyson was only citizen to speak. He said historical documents are important, and he supports continuing to charge the archive fee to help with preservation of such documents.

VOTE: NO ACTION

11. **Discuss and possible action to approve archive fee for county clerk's office**

On behalf of County Clerk Carla Kern, Deputy Clerk Stephanie Perez presented the annual request to approve the \$10 Archive Fee charged in the County Clerk's office. Kern intends to build the fund to complete the repair and archiving of historical documents. (Copy follows minutes.)

MOTION: Made by Commissioner Muñoz to approve the Archive Fee for another year.

SECOND: Made by Commissioner Jones.

VOTE: All in favor. Motion passed.

12. **Discuss and possible approve bid on property owned by Mitchell County**

Tax Assessor/Collector Teresa Hughes presented bids on two properties in Loraine. Gabriel Menken bid \$250.00 on the old Ice House in Loraine, and Derek Davis bid \$8,000.00 on Ralph & Pat Carter's former residence, also in Loraine. Both bids were approved. (Copies follow minutes.)

MOTION: Made by Commissioner Bailey to accept the \$250 bid for the Ice House.

SECOND: Made by Commissioner Jones.

VOTE: All in favor. Motion passed.

MOTION: Made by Commissioner Muñoz to accept the \$8,000 bid for the former Carter residence.

SECOND: Made by Commissioner Jones.

VOTE: All in favor. Motion passed.

13. **Discuss Jayhawk Solar Project Abatement request**

VOTE: NO ACTION

14. **Discuss and Approve Monthly Minutes**

Approve minutes from Commissioners' Court Regular/Special meetings for July, 2022

MOTION: Made by Judge Merrell to approve minutes as presented.

SECOND: Made by Commissioner Bailey.

VOTE: All in favor. Motion passed.

15. Discuss and Approve Monthly Reports

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

SECOND: Made by Commissioner Jones.

VOTE: All in favor. Motion passed.

JP 1&4	\$29,440.05	District Clerk	\$9,895.91
JP 2&3	\$15,383.44	County Clerk Civil	\$ 6,235.10
Library	\$290.58	County Clerk Criminal	\$ 9,073.25

Other reports: Auditor, Sheriff, and Treasurer – no fees.

16. Budget Workshop

Commissioners' Court convened into Budget Workshop at 9:32 a.m. County Auditor Heidi Harris told commissioners if they approve the proposed budget as it is proposed, there is a \$20,078.19 surplus.

Recessed: 9:32 a.m. Reconvened: 9:36a.m.

17. The Commissioners Court may recess into executive session to discuss any matters on the agenda pursuant to a legal exception to the Open Meetings Act contained in the Texas Government Code or other Texas law, including without limitation consultation with attorney or personnel matters pursuant to 551.071 and/or 551.074 of the Texas Government Code. Personal – Sheriff's Office. Consultation with Attorney regarding pending contemplated litigation – Lauren Engineering Lawsuit.

Enter Executive Session: 9:38 a.m. Resumed Regular Meeting: 10:01 a.m.

No action was taken during executive session.

18. Adjourn

Meeting adjourned at 10:01 a.m.

MOTION: Made by Judge Merrell 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, August 8, 2022.

Carla Kern

Carla Kern, County Clerk





MINUTES for Mitchell County Commissioners' Court
REGULAR Session
Monday, August 22, 2022 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 Munoz

3. **Public Comment**

VOTE: NO ACTION

4. **Discuss and Approve of Bills**

Approved bills in the total amount of \$ 139,991.01

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

SECOND: Made by Commissioner Bailey

ATTACHMENTS: Yes

VOTE: All in favor. Motion passed.

Discuss and Approve of Line Items

VOTE: NO ACTION

5. **Public Hearing on 2023 Budget**

Open Public Hearing: 9:01 a.m. **Closed Public Hearing:** 9:02 a.m.

No action taken during public hearing

6. **Consider Adopting the 2023 Budget**

Jeri Haag presented 2023 Budget for Heidi Harris, County Auditor: January 2023 – December 31, 2023 budget to be adopted. Estimated population of 9,070; anticipated total revenue of \$9,825,256.55; total expenditures of \$10,629,867.07; \$130,331.27 funded from reserves from heavy equipment purchases; and \$700,000.00 funded from ARPA grant funds; giving Mitchell County a \$25,720.85 budget surplus for fiscal year 2023.

MOTION: Made by Commissioner Jones to adopt 2023 budget as presented.

SECOND: Made by Commissioner Munoz

ATTACHMENTS: Yes

VOTE: All in favor. Motion passed.

7. **Consider Setting the Tax Rate for 2022**

Judge Merrell presented 2022 tax rates to adopt. M&O .398759, I&S .043163, Lateral Road .084853 = Total .526775

MOTION: Made by Commissioner Munoz to set tax rate for 2022 as presented.

SECOND: Made by Commissioner Strain

ATTACHMENTS: Yes

VOTE: All in favor. Motion passed.

8. **Order of General Election – November 8, 2022**

Carla Kern, County Clerk, and Judge Merrell presented Governor's Proclamation for November 8, 2022 election and presented an Order of General Election for county offices to be approved.

MOTION: Made by Commissioner Strain to approve Order of General Election for November 8, 2022.

SECOND: Made by Commissioner Jones

ATTACHMENTS: Yes

VOTE: All in favor. Motion passed.

9. **Discuss and approve county Silver Choice retiree medical plan renewal**

County Judge Assistant Lovida Hamilton presented for Jennifer Rivera, County Treasurer, the renewal of Silver Choice retiree medical plan. Recommended staying with current package.

MOTION: Made by Commissioner Munoz to renew current package as presented.

SECOND: Made by Commissioner Bailey

ATTACHMENTS: No

VOTE: All in favor. Motion passed.

10. **11. Discussion of proposed reinvestment zone for tax abatement**

Sterling Burleson, County Attorney, provided map to commissioners to review from Jay Hawk. Some discussion, but no action until tax abatement criteria is reviewed and reapproved.

ATTACHMENTS: No

VOTE: NO ACTION

11. **10. Discuss and possible approval of county tax abatement criteria**

Sterling Burleson, County Attorney, provided commissioners with the 2015 county tax abatement criteria for review and possible revisions. According to County Attorney, current criteria were approved in 2017, then again in 2020. No changes have been made. Commissioners' court should review every 2 years. Commissioner Strain expressed time to review.

ATTACHMENTS: No

VOTE: NO ACTION

12. **Discuss and possible approve Tax Abatement Application of Zeus RED, for Mitchell Solar I, Mitchell Solar II, Mitchell Solar III, Spade Wind I and Spade III projects**

Two gentlemen representing Zeus RED spoke with commissioners about potential projects in Mitchell County. No action taken until county tax abatement criteria is reviewed and approved.

ATTACHMENTS: No

VOTE: NO ACTION

13. **The Commissioners Court may recess into executive session to discuss any matters on the agenda pursuant to a legal exception to the Open Meetings Act contained in the Texas Government Code or other Texas law, including without limitation consultation with attorney or personnel matters pursuant to 551.071 and/or 551.074 of the Texas Government Code. Consultation with attorney – Lauren Engineering Lawsuit.**

Enter Executive Session: 9:57 a.m. Resumed Regular Meeting: 10:29 a.m.

No action was taken during executive session.

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REGULAR Session
Monday, August 22, 2022 9:00 a.m.

14. **Adjourn**

Meeting adjourned at 10:29 a.m.

MOTION: Made by Judge Merrell to adjourn.

SECOND: Made by Commissioner Munoz

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, August 22, 2022.

Carla Kern
Carla Kern, County Clerk





MINUTES for Mitchell County Commissioners' Court
 CALLED Session
 Thursday, August 25, 2022 11:00 a.m.

1. **Call meeting to order**

Commissioners' Court of Mitchell County was called to order by Judge Merrell at 11:00 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	Absent
Precinct 3, Commissioner	Jesse Muñoz	Present
Precinct 4, Commissioner	Ricky Bailey	Absent

2. **Invocation** was led by Commissioner Jones
Pledge was led by Commissioner Munoz

3. **Public Comment**

VOTE: NO ACTION

4. **Consideration and possible approval of resolution authorizing Operation Lone Star Grant Application**

Sheriff Patrick Toombs and Deputy Dan Brown presented resolution to apply for Operation Lone Star Grant. This has only been available to border counties, but opened recently since those counties are using the funds. The potential of \$16 million available for use, decision would be made by August 31, 2022 for 2023 use.

MOTION: Made by Commissioner Jones to approve resolution presented and designates Sheriff Patrick Toombs as the grantee's authorized official as resolution states.

SECOND: Made by Commissioner Munoz

ATTACHMENTS: Yes

VOTE: All in favor – 3 present. Motion passed.

5. **Adjourn**

Meeting adjourned at 11:14 a.m.

MOTION: Made by Commissioner Jones to adjourn.

SECOND: Made by Commissioner Munoz

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 Thursday, August 25, 2022.


 Carla Kern, County Clerk

