



MINUTES for Mitchell County Commissioners' Court  
REGULAR Session  
Monday, November 14, 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, 2<sup>nd</sup> Floor, 349 Oak Street, Colorado City, Texas.

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

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

3. **Public Comment**  
**NO ACTION**

4. **Discuss and Approve of Bills**

Approved bills in the total amount of \$ 239,813.63

**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. **Recognition of newly appointed Warden for the Wallace Unit**

Warden John Lopez was introduced to the court. He grew up in Trent. Correctional Officer Daniel Silva discussed a project taking place at the Ware Unit. Culinary classes will be offered to offenders and frozen dinners will be made at the unit and shipped statewide to county jails. Possible start date of April 1, 2023.

**VOTE: NO ACTION**

6. **Discuss and possible approval of Mitchell County Library Advisory Board Appointee**

Library Director Kalea Dean proposed Debra Miller be appointed to the Mitchell County Library Advisory Board.

**MOTION: Made by Commissioner Muñoz to appoint Debra Miller to the library board.**

**SECOND: Made by Commissioner Jones.**

**ATTACHMENTS: Yes**

**VOTE: All in favor. Motion passes.**

- 7. Discussion hiring law firm for representation for solar and wind farms abatement agreement**  
County Attorney Sterling Burleson addressed the court with the option of hiring a law firm that specializes in tax abatement agreements.  
**MOTION:** Made by Commissioner Bailey to select “Bickerstaff law firm” to possibly hire for abatement agreement work.  
**SECOND:** Made by Commissioner Jones  
**ATTACHMENTS:** No  
**VOTE:** All in favor. Motion passed.
- 8. Discuss and possible action regarding lease of oil, gas and mineral rights**  
County Attorney Sterling Burleson was contacted by Dustin Riley, land man, about leasing property near County Road 280. The county owns part of the mineral interest in narrow strips of land, about 14 acres. Burleson advised the court to request sealed bids to lease the rights.  
**MOTION:** Made by Commissioner Strain to go out for bids to lease mineral rights on the land, with Burleson supplying the tract locations of the land.  
**SECOND:** Made by Commissioner Muñoz.  
**ATTACHMENTS:** No  
**VOTE:** All in favor. Motion passed.
- 9. Discuss and possible approval of county road abandonment**  
County Attorney Sterling Burleson supplied a resolution expressing the non-interest of the county to use land that was once proposed to be used as a county road. The location of the property is at the end of County Road 280. The land reverts back to the original land owners.  
**MOTION:** Made by Commissioner Bailey to approve resolution abandoning the county’s interest in two narrow strips of land near CR 280.  
**SECOND:** Made by Commissioner Muñoz.  
**ATTACHMENTS:** Yes  
**VOTE:** All in favor. Motion passed.
- 10. Discuss and possible approval of delivery method for courthouse parking lot renovation**  
Judge Merrell presented option to take bids to resurface the courthouse parking lot in 2023. County Auditor Heidi Harris said the money has been put in next year’s budget. Burleson suggests the county take competitive sealed proposals when bids are sought.  
**VOTE:** NO ACTION
- 11. Discuss and approval of inter local agreement with City of Colorado for Code Red Emergency Notification System**  
Burleson presented agreement. City Manager Donna Madrid has offered to help with training for operating the system, and County IT Nick Shrode will be operating the system, along with Judge Merrell and Sheriff Patrick Toombs. Total annual cost is \$6,500. The county will pay \$3,527 per year.  
**MOTION:** Made by Commissioner Muñoz to approve the agreement and authorize Judge Merrell to sign all related documents.  
**SECOND:** Made by Commissioner Jones.  
**ATTACHMENTS:** Yes  
**VOTE:** All in favor. Motion passed.

**12. Discuss and approval of Canvass Returns from General Elections – November 8, 2022**

Results of the November 8, 2022 General Election were canvassed by Judge Merrell.

**MOTION:** Made by Commissioner Strain to approve canvass.

**SECOND:** Made by Commissioner Muñoz.

**ATTACHMENTS:** Yes

**VOTE:** All in favor. Motion passed.

**13. Discuss and Approve Monthly Minutes**

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

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

**SECOND:** Made by Commissioner Bailey.

**VOTE:** All in favor. Motion passed.

**14. Discuss and Approve Monthly Reports**

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

**SECOND:** Made by Commissioner Jones.

**VOTE:** All in favor. Motion passed.

JP 1&4	\$ 28,582.41	District Clerk	\$ 12,136.33
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JP 2&3	\$ 15,188.58	County Clerk Civil	\$ 10,421.00
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Library	\$ 283.01	County Clerk Criminal	\$ 10,166.37
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Other reports: Auditor, Sheriff, and Treasurer – no fees.

**15. 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. – 551.071 – Consultation with Attorney 551.072 – Deliberation Regarding Certain Real Property – Oil and Gas Lease Proposal – Desalination Property**

**Enter Executive Session: 10:00 a.m. Resumed Regular Meeting: 10:42 a.m.**

**No action was taken during executive session.**

**16. Adjourn**

Meeting adjourned at 10:42 a.m.

**MOTION:** Made by Commissioner Bailey to adjourn.

**SECOND:** Made by Commissioner Muñoz.

**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 14, 2022.

*Carla Kern*  
Carla Kern, County Clerk



The seal of Mitchell County, Texas, is circular with a five-pointed star in the center. The words "COMMISSIONERS' COURT" are written around the top inner edge, and "COUNTY OF MITCHELL TEXAS" is written around the bottom inner edge. The seal is stamped in blue ink.



MINUTES for Mitchell County Commissioners' Court  
REGULAR Session  
Monday, November 28, 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, 2<sup>nd</sup> Floor, 349 Oak Street, Colorado City, Texas.

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

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**

Approved bills in the total amount of \$ 445,929.24.

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

**SECOND: Made by Commissioner Munoz**

**ATTACHMENTS: Yes**

**VOTE: All in favor. Motion passed.**

**Discuss and Approve of Line Items**

**VOTE: NO ACTION**

5. **Recognition of retirement of Mitchell County employee**

Judge Merrell presented plaque to Darrell Andrews for 44 years, 7 months of service to Mitchell County.

**VOTE: NO ACTION**

6. **New motor vehicle purchase for Precinct 3**

Commissioner Munoz asked the court to accept bids to purchase a "new" used vehicle for his precinct.

**MOTION: Made by Commissioner Strain to accept competitive bidding for Precinct 3 truck before end of budget year.**

**SECOND: Made by Commissioner Bailey**

**ATTACHMENTS: No**

**VOTE: All in favor. Motion passed.**

7. **32<sup>nd</sup> Judicial District Attorney Working Protocols**

County Attorney Sterling Burleson, presented on behalf of district attorney, discussed state-required guidelines for each district between counties and law enforcement agencies following sexual assault.

**MOTION: Made by Commissioner Strain to approve teamwork protocol presented.**

**SECOND: Made by Commissioner Jones**

**ATTACHMENTS: Yes**

**VOTE: All in favor. Motion passed.**

**8. Dedication of the Mitchell County Commercial Vehicle Weigh Station**

Informational: Judge Merrell, Trooper Jeremy Usener

**VOTE: NO ACTION**

**9. Mitchell County Road 139 stop sign**

Commissioner Jones and citizen Joe Davila discussed the need for stop signs and stop ahead signs on CR 139 at 3 locations. AG opinion suggests approving through commissioners' court and recommends the addition for the safety of the citizens and county.

**MOTION: Made by Commissioner Munoz to approve 3 locations of 4-way stop signs and stop ahead signs as presented for CR 139.**

**SECOND: Made by Commissioner Strain**

**ATTACHMENTS: No**

**VOTE: All in favor. Motion passed.**

**10. 2023 Holiday Schedule**

Judge Merrell presented 2023 holiday schedule. Commissioner Strain expressed concerns going from 14 days to 16 days and suggested removing Friday, December 22, 2023.

**MOTION: Made by Commissioner Strain to approve 2023 holiday schedule with removing December 22, 2023 giving 15 days, instead of 16.**

**SECOND: Made by Commissioner Munoz**

**ATTACHMENTS: Yes**

**VOTE: All in favor. Motion passed.**

**11. SAVNS Maintenance Plan**

Judge Merrell presented SAVNS/VINE "Statewide Automated Victim Notification Service" maintenance plan for approval. Sheriff Toombs added no changes since 2008 for this family violence reporting.

**Made by Commissioner Munoz to approve SAVNS as discussed**

**SECOND: Made by Commissioner Bailey**

**ATTACHMENTS: Yes**

**VOTE: All in favor. Motion passed.**

**12. Interlocal Agreement for Fire Protection Services with City of Colorado City and Colorado City Fire Department**

Sterling Burleson, County Attorney, presented interlocal agreement for review, effective 1/1/2023. Agreement is same as previous year; amounts may be slightly different.

**MOTION: Made by Commissioner Strain to approve interlocal agreement with City of Colorado City and CCFVD as presented upon county attorney and auditor completing agreed amount.**

**SECOND: Made by Commissioner Munoz**

**ATTACHMENTS: Yes**

**VOTE: All in favor. Motion passed.**

**13. Order Setting Court Terms of the County Court for year 2023**

Judge Merrell presented court term dates for 2023 for county court.

**MOTION: Made by Commissioner Strain to accept terms as presented.**

**SECOND: Made by Commissioner Bailey**

**ATTACHMENTS: Yes**

**VOTE: All in favor. Motion passed.**

**14. County Historical Commission Appointments for 2023-2024 year**

Judge Merrell presented list from Mitchell County Historical Commission for 2023-2024 appointments.

**MOTION: Made by Commissioner Strain to accept appointments of members as presented.**

**SECOND: Made by Commissioner Munoz**

**ATTACHMENTS: Yes**

**VOTE: All in favor. Motion passed.**

**15. Engagement Agreement with law firm for representation in solar/wind farm abatements**

Agenda item tabled

**VOTE: NO ACTION**

**Recessed: 9:43 a.m. Resumed: 9:47 a.m.**

**16. 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 (a) consultation with attorney or personnel matters pursuant to 551.071 and/or 551.074 of the Texas Government Code, as well as (b) 551.087 of the Texas Government Code (Economic Development Negotiations), to discuss or deliberate commercial or financial information that the Commissioners Court has received from business prospects that the Commissioners Court seeks to have local, stay, or expand in Mitchell County, Texas, and with which the Commissioners Court is conducting economic development negotiations, and further, to deliberate the offer of a financial or other incentives to said business prospects**

**Enter Executive Session: 9:47 a.m. Resumed Regular Meeting: 10:29 a.m.**

**No action was taken during executive session.**

**17. Adjourn**

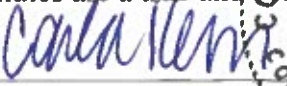
Meeting adjourned at 10:29 a.m.

**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 November 28, 2022.

  
Carla Kern, County Clerk

