

# COMMISSIONERS' COURT MEETING

June 14, 2021

BE IT REMEMBERED that the Commissioners' Court of Comanche County, Texas met in a Regular Meeting on the 14th day of June 2021 with the following members present: Judge Stephanie L. Davis, Presiding; Gary "Corky" Underwood, Commissioner Precinct #1; Russell Gillette, Commissioner Precinct #2; Sherman Sides, Commissioner Precinct #3 and Jimmy Dale Johnson, Commissioner Precinct #4.

Judge Stephanie L. Davis opened the meeting at 9:02 a.m.

Commissioner Sides gave the invocation.

Commissioner Johnson made the motion to approve the Minutes of the May 24, 2021 Regular Meeting of Commissioners' Court with the following addition. The motion to authorize Judge Davis, Joey Boswell, Auditor and Commissioner Sides to meet separately with Spirit of Texas Bank and Texas Bank to pose the same questions to each bank to include the addition to postpone the selection of the County Depository until the June 14, 2021 Meeting. Commissioner Gillette made the second to the motion. All approved. Motion carried.

Public Comments; Judge Davis thanked Commissioner Sides for making repairs to the Courthouse parking areas.

Judge Davis reported on the meetings with Spirit of Texas Bank and Texas Bank concerning questions the County had related to the depository. Both banks indicated they could resolve the questions posed by the County.

Judge Davis made the motion to continue with Spirit of Texas Bank as the County Depository. Commissioner Sides made the second to the motion. Judge Davis, Commissioners Underwood, Gillette and Sides voted to approve the motion. Commissioner Johnson voted against the motion, indicating he had heard too many complaints and he hoped they would be resolved. Motion passed.

Presentation by Devion Moore of Central Texas Benefits regarding health and wellness benefit consulting was not presented.

Commissioners Johnson and Underwood made the motion and second for approval of a credit card account for Comanche City-County Library. All approved. Motion passed. The librarian had been using her personal credit card for purchases for the library and getting reimbursed.

WIOA Youth Internship-Worksite Agreement by Workforce solutions of Central TX for Comanche City-County Library was discussed. The agreement provides for 280 hours of paid work experience to be funded by Workforce Solution of Central Texas at a rate of \$10 per hour. The employee will work no more than 40 hours per week. The Worksite Supervisor shall comply with all training requirements and reporting requirements.

Commissioners Gillette and Underwood made the motion and second to approve the WIOA Youth Internship-Worksite Agreement. All approved. Motion passed.

Commissioners Sides and Johnson made the motion and second to approve the Bond for Joey Boswell, County Auditor. All approved. Motion passed.

Consider and authorize setting the date of July 19, 2021 for a public hearing and publication of notice of such hearing in a newspaper of general circulation to take up for consideration modifications of a tax abatement agreement with Volleman Dairy Processing Land, LP. A thirty-day notice is required to amend a tax abatement agreement and may be amended if the agreement has not expired.

Commissioner Underwood made the motion to conduct a public hearing on July 19, 2021, at 10:00 a.m. to consider and to (1) confirm that Comanche County, Texas, is eligible to participate in tax abatement; (2) consider the request of Volleman Dairy Processing Land, LP (Company) and Volleman Dairy Processing LLC (Operator) to modify an existing Tax Abatement Agreement related to improvements within a previously designated area of Comanche County, Texas, known as the Comanche County Reinvestment Zone-Volleman; and (3) consider approving a modification to an existing Tax Abatement Agreement between Comanche County and Volleman Dairy Processing Land, LP (Company) and Volleman Dairy Processing LLC (Operator), pursuant to the provisions of the Property Redevelopment and Tax Abatement Act, Chapter 312 of the Texas Tax Code and provide notice of public hearing in a newspaper of general circulation in the county as required by Chapter 312 of the Texas Tax Code. Commissioner Johnson made the second to the motion. All approved. Motion passed.

Approve finance agreement with Canon Financial Services, Inc. for copier in Tax Appraiser's Office. No action was taken on this item. The agreement was styled for the Tax Appraiser's Office and should have been Tax Assessor and Collector's Office.

Consider and take action on a retainer agreement with Allison, Bass & Magee, LLP, of Austin, TX for the provision of legal counsel as deemed necessary by action of the Commissioner's Court.

Commissioners Johnson and Gillette made the motion and second to approve the retainer agreement with Allison, Bass & Magee, LLP for legal counsel as deemed necessary. All approved. Motion passed.

Open public hearing at 10:00 a.m. to consider and act upon the adoption of Guidelines and Criteria for the purpose of tax abatement, as required by Section 312.002, Texas Tax Code.

Jon Awbrey representing Comanche County Tax Payers Co-Op stated, "I would ask that you keep in mind the local homeowner or the small farmer who pays 100 % of their taxes. It is not fair that someone in Rhode Island who was associated with a wind farm or solar farm in Comanche County to only pay 15%."

Craig Willingham speaking as a tax payer asked the court to take into consideration the adjoining landowners and how it could affect them before granting tax abatements. Willingham also suggested that a Comanche County school district should be included as a requirement for abatement and include this in the Guidelines and Criteria for Abatement. Judge Davis questioned restricting abatements to only projects that are in a Comanche County school districts This could have a negative impact on economic development. However, this fact could be considered when granting specific tax abatement agreements. It is possible to have a project on the boundary of Comanche County and it could only include a school district from another county, such as Hamilton, Mills, Eastland or Erath. However, it was stated Comanche County residents that are in those school districts of other counties would benefit.

David Willingham stated "The Commissioners and the County Judge should protect Comanche County residents, there are more important things than green energy."

It was agreed economic development should not be discouraged and Comanche County residents should be protected.

Action upon Guidelines and Criteria for Tax Abatement, Pursuant to Section 312.002, Texas Tax Code. Commissioners Underwood and Sides made the motion and second for Commissioners Court of Comanche County to approve and adopt the draft Criteria and Guidelines for the purpose of Tax Abatement, effective June 14, 2021. All approved. Motion passed.

Commissioners Consider and authorize setting the date of July 19, 2021 for a public hearing and publication of notice of such hearing in a newspaper of general circulation on the creation of a reinvestment zone to be known as Comanche County Reinvestment Zone No. 1-Core Solar for the purpose of tax abatement to provide economic development within the county, and take up consideration of a tax abatement agreement with Comanche Solar, LLC.

Commissioner Johnson made the motion for Commissioners Court of Comanche County to conduct a public hearing on July 19, 2021 at 10:00 a.m. and provide notice and required by law regarding the creation of a reinvestment zone for purposes of tax abatement to provide economic development be published in a newspaper of general circulation in accordance with Chapter 312 of the Texas Tax Code, and to take possible action regarding tax abatement on a capital investment of approximately \$135,500,000.00 and take possible action to give notice to other taxing jurisdictions of tax abatement pursuant to Chapter 312, Texas Tax Code. Commissioner Underwood seconds the motion. All approved. Motion passed.

Commissioner Gillette made the motion for the County provide notice to other taxing jurisdiction in Comanche County affected by the proposed reinvestment zone of the intent to create a Reinvestment Zone and to possibly enter into a tax abatement agreement on terms favorable to Comanche County with Comanche Solar LLC, as required by Chapter 312 of the Texas Tax Code. Judge Davis seconds the motion. Judge Davis, Commissioners Underwood, Gillette and Sides voted for the motion. Commissioner Johnson voted against the motion. Motion passed.

Discussion and action regarding the purchase of financial/budgeting software for Comanche Country. It was suggested research be done to help make a selection of software for financial and budgeting for the Auditor and Treasurer Offices. Joey Boswell, Auditor suggested earmarking money for this project. It was suggested the move to new software be done after this budget year with possibly begin using the new software January 1, 2022.

Presentation by Orlando Espinoza from TX Association of Counties regarding Comanche County Health and Employee Benefit Pool 2021-2022. Renewal notice and benefit confirmation. Effective date of the renewal is October 1, 2021

Espinoza presented several options to reduce county cost for employee health care. The major option is to increase the deductible which would slightly increase co-pays for office visits and emergency rooms. No action was taken.

Authorize approval to sell fireworks during the Fourth of July Period.

Judge Davis made the motion to authorize the sale of fireworks during the Fourth of July period. Commissioner Sides seconds the motion. All approved. Motion passed.

Comanche County Planning,

Nothing to report

- a. Courthouse & Old Cora Master Plans.
- b. The Texas A & M University Community Planning Core Group. There will be a Core meeting Tuesday, June 15, 2021 at 10 a.m. There will also be a task force meeting at 5:30 in DeLeon with the City. at the Comanche Electric Co-Op.

Comanche County Properties.

Nothing to report for properties.

- a. 215 N. Houston St.
- b. 211 S. Austin Street (CCMC Property)

COVID-19 Update.

- a. Corona Virus Relief Fund Grant (Cares Act)  
No update  
Interlocal Agreement with City of DeLeon for CARES Act Grant.  
No Update.
- b. American Rescue Plan  
The county is waiting for guidelines from the U.S. Treasury. An American Rescue Plan has been established to discuss options and prioritize needs.
- c. Administrative COVID-19 Leave.  
No update.

Courthouse COVID-19 Policies and procedures.

No update.

Emergency Management Operations

- a. Emergency Management, Homeland Security, FEMA Grants.  
FEMA Projects have been closed.
- b. Burn Ban; The Burn ban remains off.

Sheriff & Jail Operations:

Sheriff Pounds presented the Sheriff's Office Report for May 2021.

The Jail had 896 Inmate Days, 31/31 Contract days,  
48 Book in/Release and 6 Sentenced,  
Patrol; 482 Calls for Service,  
59 Offense Reports and 13 Arrests,  
461 Training Hours,

Employment; Openings; 2 Jailer position and 1 Dispatch positions and 2 Deputy positions.

Sheriff Pounds reported a positive report from the Texas Commission on Jail Standards after the annual jail inspection. The inspector was complimentary of the jail staff and was impressed with the jail. It was recommended a schedule of recreation for quarantined inmates be developed.

Officers Reports were passed until a later meeting.

Treasurer's Quarterly Report was not considered. This report will be after the end of the second quarter, June 30, 2021

Commissioners Sides and Gillette made the motion and second to approve the Regular Budget Amendments. All approved. Motion approved. There are no Emergency Amendments.

Commissioner Underwood made the motion to audit accounts due and owing and approve payment there of in the amount of \$173,997.70. Commissioner Gillette made the second to the motion. All approved. Motion passed.

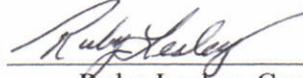
There being no further business to come before the Court, Court was adjourned this the 14th day of June, 2021 with a motion by Commissioner Johnson and a second by Commissioner Sides. All approved. Motion carried.

The foregoing minutes approved by the Comanche County Commissioners' Court on the 28th day of June, 2021.



Stephanie L. Davis, County Judge

Attest:



Ruby Lesley, County Clerk