

**IN THE COMMISSIONERS COURT OF
FALLS COUNTY**

**THE STATE OF TEXAS
TO ALL
INTERESTED
PARTIES
COUNTY OF
FALLS**

**COMMISSIONER COURT MINUTES FOR July 25,
2022**

NOTICE IS HEREBY GIVEN in accordance with Title 5, Chapter 551, Government Code (Vernon's Texas Codes Ann. 1994), as amended, the Texas Open Meeting Act, that a **MEETING** of Commissioners Court, the governing body of Falls County, Texas, will be held on **MONDAY the 25th day of July 2022, at 9:00 A.M., in the County Courtroom of the Falls County Courthouse, Marlin, Texas,** at which time the following subjects will be considered:

1. Proof of posting of notice in accordance with the provisions of Title 5, Chapter 551, Government Code (Vernon's Texas Codes Ann. 1994) as amended, known as the Texas Open Meetings Act.

Judge Elliott asked for proof of posting, and it affirmed by Sharon Scott, Deputy County Clerk, that the posting was on the north and south doors as well as the bulletin board located on the second floor of the courthouse.

2. Public comments.

M. Jackson presented some information about CR 2874 and CR 2880 in the J B Oltorf subdivision and asked that the Commissioners consider ingress and egress to some of those lots, as well as the possibility of funding some of the road needs with sales tax revenue from Amazon.

3. Elected official reports.

Commissioner Albright asked if Lott had disbanded their police department, wondering if the Sheriff's Office would need more deputies on patrol. Based on new reports, that has not occurred.

4. **Executive Session: Section 551.071 of the Government Code (V.C.T.A.):** 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 attorneys' duties to their client under the Texas State Bar Disciplinary Rules of Professional Conduct Conflicts with the Open Meetings Act (Ch.551, Gov. Code) if necessary for a subject contained on this agenda: Young Livestock Ranch, LLC.

Courtroom was vacated at 9:57 a.m. to enable commissioners to have closed session and reopened at 11:17 a.m.

5. Discussion and/or action concerning authorizing the County 's attorneys to file a lawsuit against Young Livestock Ranch, LLC.

Following the executive session, Commissioner Green moved that the firm of Haley & Olson, P.C. be hired to sue Young Livestock Ranch, LLC on behalf of Falls County to protect and establish the existence and rights of the public in both a county road and a public park area on the west side of the river, and to require the removal of a fence and enjoin interference with the public's use of these areas by Young Livestock Ranch, LLC, directly or indirectly. Commissioner Albright seconded the motion. Motion carried.

6. Discussion and/or action to approve sponsorship of Chilton Water Supply and Sewer Service Corporation for participation in the 2023-2024 Texas Community Development Block Grant Program administered through the Texas Department of Agriculture.

Commissioner Willberg moved to approve the participation. Commissioner Green seconded. Motion carried.

7. Discussion and/or action to approve the County of Falls authorization of Chilton Water Supply and Sewer Service Corporation to issue requests for proposals for administrative services (RFP) and requests for qualifications (RFQ) for the 2023-2024 Texas Community Development Block Grant Program administered by the Texas Department of Agriculture.

Commissioner Willberg moved to authorize Chilton Water Supply and Sewer Service Corporation to request proposals for RFP and RFQ's for the 2023-2024 Texas Community Development Block Grant Program. Commissioner Green seconded. Motion carried.

8. Discussion and/or action concerning adopting a resolution and order approving Road Use Agreement with True North Solar, LLC.

The Commissioners discussed that Copperhead resolution was not included on the agenda and will be included on the agenda for August 8. Commissioner moved to adopt the Road Use Agreement with True North Solar, LLC. Commissioner Green seconded. Motion carried.

9. Discussion and/or action concerning American Rescue Plan.

Commissioner Albright moved to approve the commitment of \$150,000 of monies from the American Rescue Plan toward the Falls on the Brazos Park Project. Commissioner Green seconded. Motion carried.

10. Discussion and/or action concerning burn ban and allowing for exemption for any burns supervised by an authorized Volunteer Fire Department.

Commissioner Albright moved to continue the burn ban. Commissioner Green seconded. Motion carried.

11. Discussion and/or action concerning Interlocal Agreement for Assessment and Collection of Taxes.

No information at this time.

12. Discussion and/or action concerning rollback report.

Falls County Tax Collector discussed the tax statements that were recently sent, and indicated that others are being prepared.

13. Discussion and/or action concerning Falls on the Brazos Park management, website and phone.

Judge Elliott noted that the phone is being cancelled, and that information regarding a Google number is being sought. Commissioner Green volunteered to help determine how to update the Google account. The judge noted that there would be no changes made to management at this time. Commissioner Green said that during budget discussions, expectations should be delineated regarding management.

14. Discussion and/or action concerning interlocal agreement with Limestone County.

No action was taken since Limestone County had not yet returned a signed agreement.

15. Discussion and/or action concerning TV for district courtroom.

Commissioner Green moved to approve the purchase of the mobile tv rolling stand for the television in the district courtroom. Judge Elliott noted that the funds would come from his budget. Commissioner Albright seconded. Motion carried.

16. Discussion and/or action concerning indigent cremations.

Commissioner Green noted that he would not support indigent cremation for a county resident by a funeral home not in this county. Following discussion, the request by Lakeshore Funeral Home was not acted upon because the person was not a resident of Falls County. Commissioner Green moved to approve the Gerngross application. Commissioner Albright seconded. Motion carried.

17. Discussion and/or action concerning election judges and alternates for 2023.

Commissioner Albright moved to approve the election judges and alternates as presented. Commissioner Willberg seconded. Motion carried.

18. Discussion and/or action concerning Cybersecurity Course.

Currently, there are fifteen individuals who haven't done the course.

19. Discussion and/or action concerning budget meeting dates.

Proposed budget hearing dates are August 8 after Commissioner's Court and every Thursday until the 25th, when the budget will be approved. Commissioner Albright moved to approve those dates. Commissioner Willberg seconded. Motion carried.

20. Discussion and/or action concerning Road and Bridge precinct work reports, including Administrator's progress report.

Jeff Jackson informed the court that the Hwy 7/320 project was delayed, and they will get the millings from TX Dot later. Two applicants for the shredder position in Precinct 3 have been received. The Lott barn will be done when another coating is on the roof. He has looked at a Ford in Rosenthal that's a 1998 in good shape. After looking at the paperwork on the Ford, Commissioner Albright moved to approve the purchase. Commissioner Willberg seconded. Motion carried.

21. Discussion and/or action concerning the approving of payment of bills, including reimbursements, late charges, the transfer of cash or funds from any line item or departments to another, book transfers

and any budget amendments; including but not limited to discussion and action concerning department or non-departmental items with line items that go past their budgeted amounts.

Commissioner Green moved to pay the bills. Commissioner Albright seconded the motion. Motion carried.

22. Approval of minutes of prior meetings of Commissioner's Court.

Commissioner Albright moved to approve the minutes as written. Commissioner Green seconded. Motion carried.

23. Adjournment.

The meeting was adjourned at 11:20 a.m.



Jay T. Elliott, County Judge



Milton Albright, Comm. Pct.#1



F. A. Green Comm. Pct.#2



Jason Willberg, Comm. Pct.#3

Not Present

Nita Wuebker, Comm. Pct.#4



Sharon Scott, Deputy Clerk