

# IN THE COMMISSIONERS COURT OF FALLS COUNTY

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

### COMMISSIONER'S COURT MINUTES for December 22, 2022

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 requested proof of posting, and the same was affirmed as located on the north and south Doors of the County Courthouse, as well as the bulletin board located on the second floor in the hallway, by Sharon Scott, Deputy County Clerk

2. Public comments.

The Judge did inform those individuals who wished to speak that they were welcome to do so now, wait until Just before their topic was discussed on the agenda or following the topic discussion.

There were public comments regarding the previous ESD Meeting at this time.

3. Elected official reports.

Jason Willberg brought it to the attention of the Commissioner's court that although Title 42 had been extended, it would perhaps be wise to make some plans based on the additional immigrants crossing the border that are expected. Sheryl's monthly sales tax check has increased from \$91,000 to \$99,000 from the solar plants

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

None.

5. EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE GOVERNMENT CODE, THE COMMISSIONERS COURT WILL HOLD AN EXECUTIVE SESSION TO DISCUSS BT YIXON SOLAR, LLC CONTRACT AMENDMENT.

This and the following item on the agenda were held until after Agenda Item to avoid public attending Commissioner's Court from moving in and out repeatedly during the meeting.

Prior to Executive Session, public comments were made on Items 5 and 6. Once discussion had been shared, the Commissioners went into Executive Session

6. EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE GOVERNMENT CODE, THE COMMISSIONERS COURT WILL HOLD AN EXECUTIVE SESSION TO DISCUSS ENEL GREEN POWER ROSELAND SOLAR LLC. (F/K/A HEKATE ENERGY ROSELAND SOLAR, LLC) CONTRACT AMENDMENT.

After the executive session, the Commissioners Court may consider, in open session, any discussions or any motions one or more of its members wish to make, regarding this item.

Upon returning to open session, following a brief discussion, Commissioner Wuebker moved to approve the Yixon Solar LLC Contract Amendment. Commissioner Albright seconded. Motion carried with dissent.

Some discussion regarding the Enell Green Power Roseland Solar LLC Contract Amendment was made after returning to open session. Commissioner Wuebker moved to approve the amendment, Commissioner Willberg seconded. Motion was unanimous.

7. Discussion and/or action concerning authorizing Mundo and Associates, Inc. to prepare application as the designated representative in this regard on behalf of Falls County and its participating communities for a US Department of Agriculture, Rural Business Development Grant.

A representative discussed the possibility of including all cities, as well as the county, for the grant, which is due the end of February for economic development. The county would have no expenses for the preparation of the application.

8. Discussion and/or action concerning resolution for US Department of Agriculture, Rural Business Development Grant.

Nita Wuebker moved to approve the application for the grant; Milton Albright seconded. Motion was unanimous.

9. Discussion and/or action concerning Reagan Acres South Plat.

Following a brief discussion, Commissioner Green moved to approve the plat; Commissioner Albright seconded, and the motion carried unanimously.

10. Discussion and/or action concerning Archer County lease agreement.

The matter was discussed and followed by a motion to accept by Commissioner Wuebker and a second by Commissioner Willberg. The vote was unanimous.

11. Discussion and/or action concerning appointing David Wolff to ESD #2 as a board member.

Ms. Wuebker moved to approve Mr. Wolff as board member to ESD #2. Mr. Willberg seconded the motion. Motion carried.

12. Review and discussion of Road and Bridge precinct work reports, including Administrator's progress report.

Commissioner Willberg brought up the pipeline. Discussion followed regarding suit over damages being brought to District Court.

13. 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.


Milton Albright moved to approve; Jason Willberg seconded. Motion was unanimously approved.

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

Following a motion by Ms. Wuebker and a second by Mr. Willberg, motion carried unanimously.


15. Adjournment.

Meeting was adjourned at 11:22 a.m.



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Jay T. Elliott, County Judge




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Milton Albright, Comm. Pct. #1



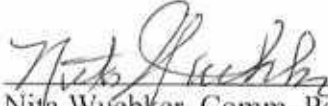
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F. A. Green, Comm. Pct. #2




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Jason Willberg, Comm. Pct. #3



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Nita Wuebker, Comm. Pct. #4



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Sharon Scott, Deputy County Clerk