

IN THE COMMISSIONERS COURT OF FALLS COUNTY

THE STATE OF TEXAS TO ALL INTERESTED PARTIES COUNTY OF FALLS

COMMISSIONER COURT MINUTES FOR February 28, 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 asked for proof of posting and the same was affirmed by Elizabeth Perez, County Clerk, on the North and South door and the bulletin board. Commissioner Green was present via phone.

2. Public comments.

No comments.

3. Elected official reports.

No reports.

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

The first workshop to discuss the nonprofit is scheduled for March 7, 2022.

5. EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE GOVERNMENT CODE, THE COMMISSIONERS COURT WILL HOLD AN EXECUTIVE SESSION TO DISCUSS COUNTY OF FALLS V. PURDUE PHARMA, INC, ET AL., MDL PRETRIAL CAUSE NO. 2018-63587, IN THE 152D DISTRICT COURT OF HARRIS COUNTY, TEXAS.

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.

Started executive session at 9:02 A.M, and went back into regular session at 9:19 A.M.

6. Discussion and/or action concerning authorizing the County Judge to execute Order regarding settlement offers in the matter of Texas opioid multi-district litigation for the County in the matter of *County of Falls v. Purdue Pharma, Inc., et al.*, MDL PRETRIAL CAUSE NO. 2018-63587, in the 152d District Court of Harris County.

Commissioner Wuebker made a motion to accept the settlement with Falls County and Purdue Pharma, Inc. PRETRIAL CAUSE NO. 2018-63587, in the 152D District Court of Harris County and give authorize Judge Elliott to sign the order and Exhibits A, B and L. Commissioner Willberg seconded; motion carried.

7. Discussion and/or action concerning lease purchase quote. (sheriff dept)

Commissioner Albright made a motion to accept the revised lease purchase quote. Commissioner Wuebker seconded; motion carried.

8. Discussion and/or action concerning Rosebud Tax Office and Interlocal Agreement.

Commissioner Albright made a motion to allow Rosebud Tax Office to operate with one employee, since no cash is being handled. Commissioner Willberg seconded; motion carried. The Interlocal Agreement is being tabled until the next meeting.

9. Discussion and/or action concerning resolution electing to select a nominee to serve as a member of the Heart of Texas Regional Sexual Assault Team representing Falls County.

Commissioner Wuebker made a motion to elect Jessica Ehlers, Falls County Victims Services Coordinator, and Mieshia Banks, Falls County Sheriff's Deputy, to serve as a member of the Heart of Texas Regional Sexual Assault Team. Commissioner Albright seconded; motion carried.

10. Discussion and/or action concerning Affordable Care Act reporting and tracking service (ARTS) renewal.

Commissioner Albright made a motion to renew the Affordable Care Act reporting and tracking service contract. Commissioner Willberg seconded; motion carried.

11. Left open

12. Discussion and/or action concerning Archer County land lease.

Discussion only.

13. Discussion and/or action concerning excess proceeds from tax sales.

Commissioner Albright made a motion to move the funds from miscellaneous revenue to the contingency fund. Commissioner Willberg seconded; motion carried.

14. Discussion and/or action concerning Racial Profiling Report for Constable Pct. 2.

Commissioner Green made a motion to approve the Racial Profiling Report for Constable Pct. 2. Commissioner Albright seconded; motion carried.

15. Discussion and/or action concerning City of Bruceville-Eddy plans for gravity sewer main in Falls County right-of-way.

Information only.

16. Discussion and/or action concerning interlocal agreement with City of Golinda.

The interlocal agreement with the City of Golinda will be on the March 14, 2022, agenda.

17. Discussion and/or action to authorize setting date of March 14, 2022, at 9:00a.m. for a public hearing on the considering adoption of Guidelines and Criteria for Tax Abatement and to consider a resolution to elect to be eligible to participate in tax abatement agreements promoting economic development within Falls County, and publication of notice of such public hearing in a newspaper of general circulation.

Commissioner Albright made a motion to set the date of March 14, 2022, at 9:00 a.m. for a public hearing. Commissioner Willberg seconded; motion carried.

18. Discussion and/or action to retain legal counsel to assist the county with a pending Application for Tax Abatement, including review, negotiation and drafting of all necessary documents, notices and procedures related to a possible tax abatement agreement with True North Solar, LLC.

Commissioner Albright made a motion to retain Allison, Bass & Magee, L.L.P to assist the county with a pending application for Tax Abatement. Commissioner Willberg seconded; motion carried with one opposed vote.

19. Discussion and/or action to accept the Application for Tax Abatement from True North Solar, L.L.C. and to authorize setting date of April 11, 2022 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 "Falls County Reinvestment Zone – True North Solar, L.L.C" for purposes of tax abatement to provide economic development within the county, and to take up for consideration an application for tax abatement, deemed to be in due form and accepted, from True North Solar, L.L.C.

Commissioner Albright made a motion to conduct a public hearing on April 11, 2022, and provide notice required by law in the newspaper of general circulation on the creation of a reinvestment zone for purposes of tax abatement to provide economic development and to take possible action regarding an application of the tax abatement determined to be in due form and accepted from True North Solar, L.L.C. Commissioner Green seconded; motion carried.

20. Discussion and/or action to give notice to other taxing jurisdictions of tax abatement pursuant to Chapter 312, Texas Tax Code.

Commissioner Willberg made a motion to give notice to other taxing jurisdictions of tax abatement pursuant to Chapter 312, Texas Tax Code. Commissioner Albright seconded; motion carried.

21. Discussion and/or action concerning ER bill at Sheriff's Department.

No action taken.

22. Discussion and or action concerning Magellan pipeline road damage update.

John Redington gave an update on the road damage and stated that a lawsuit needs to be filed against Magellan.

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

Jeff Jackson, Road and Bridge Administrator, gave an update on the road and bridge department.

24. Discussion and/or action concerning a new internet contract.

Will table until the next commissioner court meeting.

25. 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.

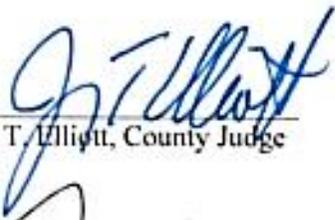
Commissioner Albright made a motion to pay all bills, payroll, and budget amendments. Commissioner Willberg seconded; motion carried.

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

Commissioner Willberg made a motion to approve all minutes of previous meetings. Commissioner Albright seconded; motion carried.

27. Adjournment.

Judge Elliott adjourned the meeting at 11:25 A.M., after all items have been discussed.



Jay T. Elliott, County Judge



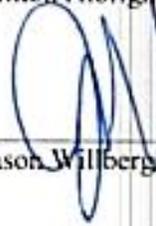
F. A. Green, Comm.Pct#2



Nita Wuebker, Comm.Pct#4



Milton Albright, Comm.Pct#1



Jason Willberg, Comm.Pct#3



Elizabeth Perez, County Clerk