

**STATE OF TEXAS
COUNTY OF LEON**

**IN THE COMMISSIONERS COURT
OF LEON COUNTY, TEXAS**

On this the 26th day of July 2023, the Commissioners Court of Leon County, Texas, met for its regularly scheduled meeting at 9:30 a.m. with the following members present:

Byron Ryder – County Judge
Joey Sullivan – Commissioner Pct. No. 1
Paul Bing – Commissioner Pct. No. 2
Kyle Workman – Commissioner Pct. No. 3
T. J. Foley – Commissioner Pct. No. 4

Together with County Clerk Christie Wakefield, serving as an ex-officio member of the Commissioners Court, County Auditor Melissa Abney, Tax Assessor Collector Robin Shafer, County Attorney Keith Cook, EOC Director Bob Hickman, Expo Manager Dennis Mizell, and Sheriff Kevin Ellis.

1. OPEN MEETING WITH PRAYER AND PLEDGES.

Judge Ryder opened the meeting with prayer; pledges to the American and Texas flag were rendered.

2. DISCUSS AND POSSIBLY TAKE ACTION ON CLAIMS DUE.

Commissioner Workman made a motion, seconded by Commissioner Sullivan to approve the claims due.

MOTION CARRIED.

(COPY FOLLOWS)

3. DISCUSS AND POSSIBLY TAKE ACTION ON MINUTES FROM THE PREVIOUS MEETING.

None submitted.

4. REVIEW AND APPROVE PAYROLL TO BE ISSUED.

Commissioner Foley made a motion, seconded by Commissioner Bing to approve the July 14, 2023, and July 14, 2023 payroll.

MOTION CARRIED.

(COPY FOLLOWS)

5. PUBLIC COMMENTS #1.

None submitted.

**6. DISCUSS AND POSSIBLY TAKE ACTION ON THE POST-APPROVAL OF THE
LEON COUNTY BURN BAN THAT WAS PUT INTO EFFECT ON FRIDAY, JULY 21,
2023.**

Commissioner Sullivan made a motion, seconded by Commissioner Bing to post-approve the burn ban.

MOTION CARRIED.

(COPY FOLLOWS)

7. DISCUSS AND POSSIBLY TAKE ACTION ON ALLOWING WES MCADEN WITH GLOBAL MEDICAL RESPONSE AND AIRMEDCARE NETWORK TO PRESENT AN AIRMEDCARE PROGRAM.

Presentation only; no action taken.

8. DISCUSS AND POSSIBLY TAKE ACTION ON ALLOWING TEXAS OUTDOOR HEROES TO HOLD A STREET DANCE ON THE COURTHOUSE SQUARE ON OCTOBER 13, 2023, TO HONOR VETERANS (ERIC MUNOZ).

Commissioner Sullivan made a motion, seconded by Commissioner Bing to approve the use of the square.

MOTION CARRIED.

9. DISCUSS AND POSSIBLY TAKE ACTION ON ALLOWING COMMUNITY CHRISTMAS IN JULY SALE TO BE HELD ON THE SQUARE JULY 29, 2023, FROM 8 A.M. TO NOON.

Commissioner Sullivan made a motion, seconded by Commissioner Foley to approve the use of the square.

MOTION CARRIED.

10. DISCUSS AND POSSIBLY TAKE ACTION ON MIDWAY LAND COMPANY SUBDIVISION PLAT

Commissioner Sullivan made a motion, seconded by Commissioner Bing to approve the plat only, excluding any roads.

MOTION CARRIED.

(COPY FOLLOWS)

11. DISCUSSION AND POTENTIAL ACTION REGARDING PREPARATION OF PROPOSED SOLID WASTE ORDINANCE, A TAKINGS IMPACT ASSESSMENT PURSUANT TO CHAPTER 2007, TEXAS GOVERNMENT CODE AND NOTICE OF HEARING THE PROPOSED SOLID WASTE ORDINANCE.

Commissioner Sullivan made a motion, seconded by Commissioner Foley to approve the assessment and notice of hearing.

MOTION CARRIED.

(COPY FOLLOWS)

12. DISCUSS AND POSSIBLY TAKE ACTION ON REIMBURSEMENT TO JUDGE RYDER IN THE AMOUNT OF \$69.89 FOR LUNCH PURCHASED AT COUNTRY COUSINS FOR A COMMUNICATIONS MEETING BETWEEN JUDGE, COMMISSIONERS, BOB HICKMAN AND ROBERTSON COUNTY.

Commissioner Workman made a motion, seconded by Commissioner Foley to approve the reimbursement.

MOTION CARRIED.

13. DISCUSS AND POSSIBLY TAKE ACTION ON APPROVING A TRAVEL EXPENSE REPORT FOR STACY HARPER.

Commissioner Sullivan made a motion, seconded by Commissioner Bing to approve the report.

MOTION CARRIED.

(COPY FOLLOWS)

**14. DISCUSS AND POSSIBLY TAKE ACTION ON ROAD USE AGREEMENTS
AND/OR PIPELINE AGREEMENTS (SPECTRUM) FOR CR 317 NORTH OF CR 359,
CR 495 WEST OF FM 39, CR 475 WEST OF CR 490.**

Commissioner Workman made a motion, seconded by Commissioner Foley to approve the 120-day agreements.

MOTION CARRIED.

(COPY FOLLOWS)

15. DISCUSS AND POSSIBLY TAKE ACTION ON APPLYING FOR THE LAW ENFORCEMENT GRANT (SB22) FOR THE SHERIFFS OFFICE, CHIEF DEPUTY, DEPUTIES, JAILERS, DISPATCH, CONSTABLES, DISTRICT ATTORNEY'S OFFICE, AND COUNTY ATTORNEY'S OFFICE.

Commissioner Workman made a motion, seconded by Commissioner Foley to approve pursuing this grant, once available.

MOTION CARRIED.

16. DISCUSS AND POSSIBLY TAKE ACTION ON ALLOWING NALCOM TO DO THREE (3) PROPAGATION MAPS FOR THE LEONA TOWER (K2 TOWERS) TO BE USED FOR COMMUNICATIONS.

Commissioner Sullivan made a motion, seconded by Commissioner Foley to approve this \$575 expenditure to be paid from Fund 60.

MOTION CARRIED.

17. DISCUSS AND POSSIBLY TAKE ACTION ON INTERLOCAL AGREEMENT BETWEEN THE BRAZOS VALLEY COUNCIL OF GOVERNMENT AND LEON COUNTY FOR E9-1-1 PUBLIC SAFETY ANSWERING POINT SERVICES (PSAP).

Commissioner Sullivan made a motion, seconded by Commissioner Foley to approve the agreement.

MOTION CARRIED.

(COPY FOLLOWS)

**18. DISCUSS AND POSSIBLY TAKE ACTION ON INTERLOCAL AGREEMENT
BETWEEN BRAZOS VALLEY COUNCIL OF GOVERNMENT AND LEON COUNTY
FOR E9-1-1 DATA BASE MAINTENANCE SERVICES.**

Commissioner Sullivan made a motion, seconded by Commissioner Foley to approve the agreement.

MOTION CARRIED.

(COPY FOLLOWS)

19. DISCUSS AND POSSIBLY TAKE ACTION ON UNCLAIMED PROPERTY CAPITAL CREDIT FOR LEON COUNTY FROM THE STATE OF TEXAS.

Commissioner Sullivan made a motion, seconded by Commissioner Foley to approve the receipt of the unclaimed property credit.

MOTION CARRIED.

20. DISCUSS AND POSSIBLY TAKE ACTION ON DEBRIS CLEANUP FROM THE JUNE 21, 2023, STORM.

Commissioner Workman made a motion, seconded by Commissioner Foley to approve \$40,000 each for Precincts 3 and 4, and \$30,000 each for Precincts 1 and 2, to be taken from Contingency.

MOTION CARRIED.

21. DISCUSS AND POSSIBLY TAKE ACTION ON APPROVING SALES ORDER FROM AVENU FOR SURVEYOR BOOK 1. THIS WILL BE PAID OUT OF RECORDS MANAGEMENT.

Commissioner Workman made a motion, seconded by Commissioner Foley to approve County Clerk sales order.

MOTION CARRIED.

22. DISCUSS AND POSSIBLY TAKE ACTION ON DIVERTING WATER AND WORKING ON THE WASHOUT ON CR 106 IN PCT. 1.

Commissioner Foley made a motion, seconded by Commissioner Bing to approve Commissioner Sullivan to divert the water, and to enter private property to make repairs.

MOTION CARRIED.

23. DISCUSS AND POSSIBLY TAKE ACTION ON THE FOLLOWING ITEMS AT THE EXPO:

A. SELL HAY AT THE EXPO 79 BALES @ \$60.00 EACH, 1ST CUTTING, NO FERTILIZER, AND SOME WEEDS.

Commissioner Workman made a motion, seconded by Commissioner Foley to authorize the sale and to place this on the Expo fee schedule.

MOTION CARRIED.

B. APPROVING THE NEW EXPO FEE SCHEDULE

Commissioner Foley made a motion, seconded by Commissioner Bing to approve the fee schedule with the following modifications:

1) Remove the vendor space fees, 2) Restrict the electricity fee to one vendor only; no splitters are allowed. 3) Add the verbiage "Prices subject to change." at the bottom of the fee schedule. 4) Increase bag of shavings to \$9, and the stall rental fee to \$38 to reflect the change in shaving price. 5) Add the sale of hay bales.

MOTION CARRIED.

(COPY FOLLOWS)

C. NEED TO START THE NEW FEE SCHEDULE NOVEMBER 1ST, CONTACT EVENT.

Commissioner Sullivan made a motion, seconded by Commissioner Bing to start to fee schedule on Oct. 1, 2023.

MOTION CARRIED.

D. DIRT WORK ON NEW STALL BARN.

Commissioner Sullivan made a motion, seconded by Commissioner Bing to accept the in-kind donation of dirt work from the Pate brothers. Monetary value will be submitted to the County Treasurer as soon as possible for financial reporting.

MOTION CARRIED.

E. UNDERGROUND POWER AND WATER TO THE NEW STALL BARN.

Commissioner Bing made a motion, seconded by Commissioner Foley to table this agenda item.

MOTION CARRIED; ITEM TABLED.

F. ADDITIONAL RV HOOKUPS, EST. 60 SPACES.

Commissioner Bing made a motion, seconded by Commissioner Foley to table this agenda item.

MOTION CARRIED; ITEM TABLED.

G. LEON COUNTY LIVESTOCK STORAGE FACILITY.

Commissioner Foley made a motion, seconded by Commissioner Workman to table this agenda item.

MOTION CARRIED; ITEM TABLED.

H. NUCOR PROSPECT ON MATERIALS.

Commissioner Foley made a motion, seconded by Commissioner Workman to table this agenda item.

MOTION CARRIED; ITEM TABLED.

I. TOMMY NEYLAND AG PROJECT TRAILERS.

Commissioner Foley made a motion, seconded by Commissioner Workman to table this agenda item.

MOTION CARRIED; ITEM TABLED.

24. BUDGET AMENDMENTS AND TAKE ANY ACTION NECESSARY.

None submitted.

25. LINE ITEMS TRANSFERS AND TAKE ANY ACTION NECESSARY.

None submitted.

26. DISCUSS AND POSSIBLY TAKE ACTION ON THE FOLLOWING MONTHLY REPORTS PER THE LOCAL GOVERNMENT CODE, SECTION 114.044.

Commissioner Workman made a motion, seconded by Commissioner Foley to approve the following reports:

County Clerk: June 2023

District Clerk: June 2023

JP Precincts 1, 2 and 4: June 2023

MOTION CARRIED.

(COPY FOLLOWS)

27. DISCUSS AND POSSIBLY TAKE ACTION ON APPROVAL OF THE COUNTY TREASURER'S MONTHLY REPORT AND AUTHORIZE AFFIDAVIT OF SAME, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE 114.026.

None submitted.

28. DISCUSS AND POSSIBLY TAKE ACTION ON DONATION(S) AND/OR REIMBURSEMENT(S).

None submitted.

A. DISCUSS AND POSSIBLY TAKE ACTION ON DONATION(S) AND/OR REIMBURSEMENT FOR KRISTIN SHAW.

Commissioner Workman made a motion, seconded by Commissioner Sullivan to approve the \$50 reimbursement.

MOTION CARRIED.

29. PURCHASE AND/OR SELLING REQUEST AND TAKE ANY ACTION NECESSARY.

A. DISCUSS AND POSSIBLY TAKE ACTION ON BID TABULATION FOR IFB 2023-290 PCT. 2 SALE OF MACK TRUCK.

Commissioner Bing made a motion, seconded by Commissioner Foley to accept bid from Ritchie Pate for \$12,500.

MOTION CARRIED.

(COPY FOLLOWS)

**B. DISCUSS AND POSSIBLY TAKE ACTION ON CURRENT TERM CONTRACT
RENEWAL REQUESTS:**

Commissioner Workman made a motion, seconded by Commissioner Bing to approve all renewal requests.

MOTION CARRIED.

(COPY FOLLOWS)

C. DISCUSS AND POSSIBLY TAKE ACTION ON SOLICITING BIDS FOR REPLACING THE DEGRADING ROOF INSULATION AT PCT. 3 MAINTENANCE FACILITY.

Commissioner Workman made a motion, seconded by Commissioner Foley to solicit bids.

MOTION CARRIED.

30. CLOSE REGULAR SESSION ON OPEN EXECUTIVE SESSION UNDER TEXAS GOVERNMENT CODE 551.074 (PERSONNEL MATTERS) AND 551.071 (CONSULTATION WITH ATTORNEY).

Regular session closed at 11:24 a.m. on Wednesday, July 26, 2023.

31. OPEN EXECUTIVE SESSION.

32. AS PERMITTED BY TEXAS GOVERNMENT CODE 551.071 (1) AND (2), CONSULT WITH ATTORNEY CONCERNING ANY PENDING OR CONTEMPLATED CIVIL OR ADMINISTRATIVE LITIGATION BY OR AGAINST LEON COUNTY – LEON COUNTY AND STATE OF TEXAS V. VOLKSWAGEN GROUP OF AMERICA ET. AL.

33. DISCUSS PCT. 3 HIRING A FULL-TIME EMPLOYEE.

34. DISCUSS FUTURE TRAIL RIDE EVENTS AT THE EXPO.

35. CLOSE EXECUTIVE SESSION.

36. RESUME REGULAR SESSION.

Regular session resumed at 11:45 a.m. on Wednesday, July 26, 2023.

37. DISCUSS AND POSSIBLY TAKE ACTION ON RESOLUTION TO APPROVE SETTLEMENT OF PENDING CLAIMS AGAINST VOLKSWAGEN.

Commissioner Sullivan made a motion, seconded by Commissioner Bing to approve the resolution

MOTION CARRIED.

(COPY FOLLOWS)

38. DISCUSS AND POSSIBLY TAKE ACTION ON PCT. 2 HIRING AN FULL-TIME EMPLOYEE.

Commissioner Bing made a motion, seconded by Commissioner Sullivan to approve hiring a full time employee beginning immediately.

MOTION CARRIED.

39. DISCUSS AND POSSIBLY TAKE ACTION ON FUTURE TRAIL RIDE EVENTS AT THE EXPO.

Commissioner Workman made a motion, seconded by Commissioner Sullivan to take no action.

MOTION CARRIED.

40. PUBLIC COMMENTS #2.

Tax Assessor Collector Robin Shafer submitted the appraisal roll, new property and certified collection rate to the Court.

(COPY FOLLOWS)

41. COMMISSIONERS OPEN FORUM.

Sheriff Ellis announced that the jail passed its annual inspection.

42. ADJOURN.

Commissioner Sullivan made a motion, seconded by Commissioner Workman to adjourn.

MOTION CARRIED; MEETING ADJOURNED.

SIGNED AND APPROVED this the ____ day of _____, 2023.

Byron Ryder, County Judge

Joey Sullivan, Commissioner Pct. No. 1

Paul Bing, Commissioner Pct. No. 2

Kyle Workman, Commissioner Pct. No. 3

T.J. Foley, Commissioner Pct. No. 4

ATTEST:

Christie Wakefield, Leon County Clerk