

COMMISSIONER'S COURT OF MILAM COUNTY, TEXAS

AGENDA FOR MONDAY, June 13, 2022

The Milam County Commissioners Court will convene on Monday, ~~May 13~~ ^{June 13}, 2022 beginning at 10:00 a.m. The Court will convene in person at the Milam County Courthouse in the Milam County Courtroom located at 102 S. Fannin Ave., Cameron, Texas. Court proceedings will also be broadcast by Facebook Live.

If any member of the public would like to attend and speak in person regarding any of the agenda items, please register with the County Judge's office before 10:00 a.m. on June 13, 2022.

To join by Facebook Live navigate to the Moving Milam Forward Facebook Page which is located at <https://www.facebook.com/live/producer/934846117015797>

The following items will be addressed:

1. A quorum will be established and the Court will convene.
2. Invocation.
3. Pledge of Allegiance to the American Flag and to the Texas Flag.
4. Discuss the minutes of previous Commissioner's Court meetings and take any necessary action regarding approval, corrections and/or changes of the minutes of prior Court action.
5. Public Participation:
 - a. The Milam County Commissioners Court will entertain any reasonable request from any citizen who wishes to address the Court, so long as the remarks are made pursuant to respectful decorum, the Texas Government Code and limited to five minutes or less.
6. Premium Pay for Milam County Employees:
 - a. Discuss and take any necessary action regarding a proposal to pay all full and part time Milam County employees who were actively employed by Milam County between July 16, 2021 and July 15, 2022 without a break in service, Premium Pay in the gross amount of \$2,000.00 pursuant to American Rescue Plan Act with the following stipulations:
 - i. The gross amount to be paid to qualifying full time employees is \$2,000.00. Taxes will be withheld.
 - ii. Part time employees will be paid on a pro-rata basis based on service performed and taxes will be withheld.
 - iii. Funds for Premium Pay will be those received by Milam County pursuant to the American Rescue Plan Act.
 - iv. Payments to be made on or after August 1, 2022.
7. Cattlemen Solar Park II LLC:
 - a. Discuss and take any necessary action regarding the adoption of a Tax Abatement Agreement with Cattlemen II Solar Park, LLC, pursuant to Chapter 312 of the Texas

8. Yaupon Solar, LLC

- a. Discuss and take any necessary 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 Yaupon Solar, LLC.
- b. Discuss and take any necessary action to accept the pending Application for Tax Abatement for Yaupon Solar, LLC, deemed to be in due form regarding a capital investment of \$200,000,000, from Yaupon Solar, LLC., and authorize setting a date for a public hearing, and publication of notice of such hearing on the creation of a reinvestment zone to be known as “Milam County Reinvestment Zone – Yaupon Solar, LLC”, in a newspaper of general circulation, for purposes of tax abatement to provide economic development within the county.
- c. Discuss and take any necessary action to give notice to other taxing jurisdictions of tax abatement pursuant to Chapter 312, Texas Tax Code.

9. Sandow Lakes Ranch II Solar, LLC

- a. Discuss and take any necessary 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 Sandow Lakes Ranch II Solar, LLC.
- b. Discuss and take any necessary action to accept the pending Application for Tax Abatement from Sandow Lakes Ranch II Solar, LLC, deemed to be in due form regarding a capital investment of \$200,000,000, from Sandow Lakes Ranch II Solar, LLC., and authorize setting a date for a public hearing, and publication of notice of such hearing on the creation of a reinvestment zone to be known as “Milam County Reinvestment Zone – Sandow Lakes Ranch II Solar, LLC”, in a newspaper of general circulation, for purposes of tax abatement to provide economic development within the county.
- c. Discuss and take any necessary action to give notice to other taxing jurisdictions of tax abatement pursuant to Chapter 312, Texas Tax Code.

10. Syper Branch Solar, LLC

- a. Discuss and take any necessary 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 Syper Branch Solar, LLC.
- b. Discuss and take any necessary action to accept the pending Application for Tax Abatement from Syper Branch Solar, LLC, deemed to be in due form regarding a capital investment of \$208,000,000, from Syper Solar, LLC., and authorize setting a date for a public hearing, and publication of notice of such hearing on the creation of a reinvestment zone to be known as “Milam County Reinvestment Zone – Syper Branch Solar, LLC”, in a newspaper of general circulation, for purposes of tax abatement to provide economic development within the county.
- c. Discuss and take any necessary action to give notice to other taxing jurisdictions of tax abatement pursuant to Chapter 312, Texas Tax Code.

11. County Employee Health, Dental and Vision Plans:

- a. Discuss and take any necessary action to approve employee health, dental, and vision benefits plans and rates.

12. Precinct Three Truck Purchases:

- a. Discuss and take any necessary regarding a proposal by Precinct Three to purchase a 2021 Freightliner for a cost of \$45,000.00 and a 2005 Freightliner for a cost of \$33,500.00.

13. Precinct Four:

- a. Discuss and take any necessary to approve placement of 30 MPH speed signs on County Road 457.

14. Utility Easements:

- a. Southwest Milam:
 - i. Discuss and take any necessary action regarding an easement under CR 325 approximately 300 feet west of the intersection of County Road 325 and Fairview Dr. for new water service provided by Southwest Milam Water Supply Corporation. Bore to be a minimum of 36 inches deep using 4 inch PVC casing across the entire right of way.
- b. Salem Elm Ridge WSC:
 - i. Discuss and take any necessary action to place a water line in the County right of way of County Road 217 approximately .42 miles south of Hwy and County Road 217. Bore to be a minimum of 30 inches below the ditch line across the entire right of way for new water service.
 - ii. Discuss and take any necessary action to place a water line in the County right of way on County Road 213 across the entire right of way, approximately .39 miles south of County Road 208. Bore to be a minimum of 30 inches below the ditch line for new water service.

15. New 911 Address:

- a. Discuss and take any necessary action to name a new road which is an extension of Cady Road to Lone Star Lane for the purposes of 911 physical addressing for residential structures off Cady Road.

16. Milam County Annex:

- a. Discuss and take any necessary action to reject all prior bids received to install one inch insulated glass window in lobby and main hallway of the Annex.
- b. Discuss and take any necessary action regarding a proposal to send a public notice to let bids to install one inch insulated glass windows in lobby and main hallway of the Annex.
- c. Discuss and take any necessary action to hire a security guard/maintenance person for the Annex.
- d. Discuss and take any necessary action to hire a receptionist for the Annex.

17. Discuss and take any necessary action to pay the bills of Milam County, Texas.

18. Discuss and take any necessary action to adjourn the Milam County Commissioners Court.

By: _____

Steve Young, Milam County Judge

Dated this the 9th of May 2022:

I, Jodi Morgan, the undersigned County Clerk, do hereby certify that the Notice of convening of the Milam County Commissioners Court is a true and correct copy of said Notice. Further, the Notice is published on the Courthouse door and the County Clerk's Office of Milam County, Texas and at other place(s) readily accessible to the public at all times beginning on the 9th day of May 2022. The notice will remain so posted continuously for at least 72 hours preceding the scheduled date and time of said Court.

County Clerk of Milam County, Texas



JODI MORGAN
County Clerk

By: Jodi Morgan

Jodi Morgan, Milam County Clerk

Filed 9 day of June
in 2022 At 3:45 P.M.

JODI MORGAN
County Clerk, Milam County, Texas

By: Jodi Morgan
Deputy

If during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting the Commissioner's Court will conduct a closed meeting in accordance with the Texas Open Meetings Act, Government Code, Chapter 551, Subchapters D and E. Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes or decisions will be taken in open meeting.

BK0099160815

STATE OF TEXAS:

COUNTY OF MILAM:

BE IT REMEMBERED, that on Monday, the 13th day of June A.D. 2022, the Commissioners' Court of Milam County, Texas, convened in Regular Session in the Commissioners' Courtroom, Milam County Courthouse, 102 S. Fannin, Cameron Texas, with the following members of the Court present, to-wit:

Commissioners Court is now live stream through Facebook at <https://www.facebook.com/live/producer/934846117015797>

**STEVE YOUNG, MILAM COUNTY JUDGE
DONALD SHUFFIELD, COMMISSIONER PRECINCT NO. 2
ART NEAL, COMMISSIONER PRECINCT NO. 3
JEFF MUEGGE, COMMISSIONER PRECINCT NO. 4
JODI MORGAN, COUNTY CLERK**

**Absent to wit:
HENRY HUBNIK, COMMISSIONER PRECINCT NO.1**

SUPPORTING DOCUMENTS MAY BE VIEWED ON THE WEBSITE WWW.MILAMCOUNTY.NET , in the minutes in the Commissioners Court book located in the County Clerk's office, or online at <https://milam.tx.publicsearch.us/>

And the proclamation having been made the Court was in session, the following business came on to be considered:

- 1. A quorum will be established and the Court will convene.**
- 2. Invocation.**
- 3. Pledge of Allegiance to the American Flag and to the Texas Flag.**

4. Discuss the minutes of previous Commissioner's Court meetings and take any necessary action regarding approval, corrections and/or changes of the minutes of prior Court action.

Motion by Commissioner Muegge, Seconded by Commissioner Shuffield, motion carried unanimously to approve the minutes from the previous court.

**May 23, 2022 Regular Meeting
May 23, 2022 Public Hearing @ 5:00pm
June 6, 2022 Special Meeting**

5. Public Participation:

- a. The Milam County Commissioners Court will entertain any reasonable request from any citizen who wishes to address the Court, so long as the remarks are made pursuant to respectful decorum, the Texas Government Code and limited to five minutes or less.

**Gary Northcott JP PCT#4- Requesting a radio for his truck
David Carter-Landowner- Against solar coming in, Syper Branch Solar project**

Bill Whitmire- Self Employed-Solar Projects, Public Hearings for Solar Projects, Bids for Annex Building being placed in Trade Papers/online boards along with local advertising. (see attached)

Todd Eagleston- EDF Renewables North America- For Solar Abatements

Ryan Economy-ENGIE- Syper Branch Solar

Sam Gregson-Cummings Westlake LLC- Legal Representation for Yaupon, Sandow and Syper Solar Projects

6. PREMIUM PAY FOR MILAM COUNTY EMPLOYEES:

- a. Discuss and take any necessary action regarding a proposal to pay all full and part time Milam County Employees who were actively employed by Milam County between July 16, 2021 and July 15, 2022 without a break in service, Premium Pay in the gross amount of \$2,000 pursuant to American Rescue Plan Act with the following stipulations:
- i. The gross amount to be paid to qualifying full time employees is \$2,000.00 Taxes will be withheld
 - ii. Part time employees will be paid on a pro-rata basis based on service performed and taxes will be withheld
 - iii. Funds for Premium Pay will be those received by Milam County pursuant to the American Rescue Plan Act
 - iv. Payments to be made on or after August 1, 2022

Motion by Commissioner Shuffield, Seconded by Commissioner Neal, motion carried unanimously to approve the Premium Pay in the gross amount of \$2,000.00 to be disbursed in August 2022 to qualifying full time employees, taxes to be withheld

7. Cattlemen Solar Park II LLC:

- a. Discuss and take any necessary action regarding the adoption of a Tax Abatement Agreement with Cattlemen II Solar Park, LLC, pursuant to Chapter 312 of the Texas Tax Code

Motion by Judge Young, Seconded by Commissioner Shuffield, motion carried unanimously to approve a tax abatement agreement with Cattlemen Solar Park II LLC, to provide economic development within the Milam County Reinvestment Zone-Cattlemen Solar Park II LLC, located within Milam County in accordance with Chapter 312 of the Texas Tax Code, upon land described in the application attached to the proposed Abatement

BK0099PG0819

8. Yaupon Solar, LLC

- a. Discuss and take any necessary 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 Yaupon Solar, LLC.**
- b. Discuss and take any necessary action to accept the pending Application for Tax Abatement for Yaupon Solar, LLC, deemed to be in due form regarding a capital investment of \$200,000,000, from Yaupon Solar, LLC., and authorize setting a date for a public hearing, and publication of notice of such hearing on the creation of a reinvestment zone to be known as "Milam County Reinvestment Zone - Yaupon Solar, LLC", in a newspaper of general circulation, for purposes of tax abatement to provide economic development within the county.**
- c. Discuss and take any necessary action to give notice to other taxing jurisdictions of tax abatement pursuant to Chapter 312, Texas Tax Code.**

9. Sandow Lakes Ranch II Solar, LLC

- a. Discuss and take any necessary 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 Sandow Lakes Ranch II Solar, LLC.**
- b. Discuss and take any necessary action to accept the pending Application for Tax Abatement from Sandow Lakes Ranch II Solar, LLC, deemed to be in due form regarding a capital investment of \$200,000,000, from Sandow Lakes Ranch II Solar, LLC., and authorize setting a date for a public hearing, and publication of notice of such hearing on the creation of a reinvestment zone to be known as "Milam County Reinvestment Zone - Sandow Lakes Ranch II Solar, LLC", in a newspaper of general circulation, for purposes of tax abatement to provide economic development within the county.**

c. Discuss and take any necessary action to give notice to other taxing jurisdictions of tax abatement pursuant to Chapter 312, Texas Tax Code.

10. Sykert Branch Solar, LLC

a. Discuss and take any necessary 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 Sykert Branch Solar, LLC.

b. Discuss and take any necessary action to accept the pending Application for Tax Abatement from Sykert Branch Solar, LLC, deemed to be in due form regarding a capital investment of \$208,000,000, from Sykert Solar, LLC., and authorize setting a date for a public hearing, and publication of notice of such hearing on the creation of a reinvestment zone to be known as "Milam County Reinvestment Zone - Sykert Branch Solar, LLC", in a newspaper of general circulation, for purposes of tax abatement to provide economic development within the county.

c. Discuss and take any necessary action to give notice to other taxing jurisdictions of tax abatement pursuant to Chapter 312, Texas Tax Code.

Motion by Judge Young, Seconded by Commissioner Neal and carried unanimously to appoint Allison & Bass to assist the county with pending applications for Tax Abatements including review, negotiation and drafting of all necessary documents, notices and procedures related to a possible tax abatement agreement with Yaupon Solar LLC, Sandow Lake Ranch II Solar LLC and Sykert Branch Solar LLC

BK0099PG0820

Motion by Judge Young and Seconded by Commissioner Muegge and carried unanimously to conduct a public hearing on July 11, 2022 at 10:00a.m. and provide notice as required by law regarding the creation of a reinvestment zone for purposes of tax abatement to provide economic development, to be published in a newspaper of general circulation in accordance with Chapter 312 of the Texas Tax Code, and to take possible action investment regarding tax abatement on a combined capital investment in the amount of \$608 million from Yaupon Solar LLC, Sandow Lakes Ranch Solar II LLC and Syper Branch Solar LLC

Motion by Judge Young, Seconded by Commissioner Muegge and carried unanimously to move that the County provide Notice to other taxing jurisdiction in Milam County affected by the proposed reinvestment zone of the intent to create a Reinvestmnet Zone and to possibly enter into a tax abatement agreement on terms favorable to Milam County with Sandow Lakes Ranch Solar I, LLC, Yaupon Solar LLC and Syper Branch Solar LLC as required by Chapter 312 of the Texas Tax Code

11. County Employee Health, Dental and Vision Plans:

a. Discuss and take any necessary action to approve employee health, dental and vision benefits plans and rates

Motion by Judge Young, Seconded by Commissioner Shuffield, motion carried unanimously to approve County Employee Health, Dental and Vision Plans from TAC, retaining the understanding of cost going up for Health Insurance

12. Precinct Three Truck Purchases:

Motion by Commissioner Neal, Seconded by Commissioner Shuffield, motion carried unanimously to approve Precinct Three to purchase a 2021 Freightliner for a cost of \$45,000.00 and a 2005 Freightliner for a cost of \$33,500.00

13. Precinct Four:

a. Discuss and take any necessary to approve placement of 30 MPH speed signs on County Road 457.

Motion by Commissioner Muegge, Seconded by Commissioner Neal, motion carried unanimously to approve the placement of 30 MPH speed signs on County Road 457

14. Utility Easements:

a. Southwest Milam:

i. Discuss and take any necessary action regarding an easement under CR 325 approximately 300 feet west of the intersection of County Road 325 and Fairview Dr. for new water service provided by Southwest Milam Water Supply Corporation. Bore to be a minimum of 36 inches deep using 4 inch PVC casing across the entire right of way.

Motion by Commissioner Neal, Seconded by Commissioner Muegge, motion carried unanimously to go approve an easement under CR 325 approximately 300 feet west of the intersection of County Road 325 and Fairview Dr. for new water service provided by Southwest Milam Water Supply Corporation. Bore to be a minimum of 36 inches deep using 4 inch PVC casing across the entire right of way

BK0099PG0822

b. Salem Elm Ridge WSC:

i. Discuss and take any necessary action to place a water line in the County right of way of County Road 217 approximately .42 miles south of Hwy and County Road 217. Bore to be a minimum of 30 inches below the ditch line across the entire right of way for new water service.

Motion by Judge Young, Seconded by Commissioner Shuffield, motion carried unanimously to go approve Salem Elm Ridge WSC to place a water line in the County right of way of County Road 217 approximately .42 miles south of Hwy and County Road 217. Bore to be a minimum of 30 inches below the ditch line across the entire right of way for new water service.

ii. Discuss and take any necessary action to place a water line in the County right of way on County Road 213 across the entire right of way, approximately .39 miles south of County Road 208. Bore to be a minimum of 30 inches below the ditch line for new water service.

Motion by Judge Young, Seconded by Commissioner Neal, motion carried unanimously to go approve Salem Elm Ridge WSC to place a water line in the County right of way on County Road 213 across the entire right of way, approximately .39 miles south of County Road 208. Bore to be a minimum of 30 inches below the ditch line for new water service.

15. New 911 Address:

a. Discuss and take any necessary action to name a new road which is an extension of Cady Road to Lone Star Lane for the purposes of 911 physical addressing for residential structures off Cady Road.

BK0099PG0823

Motion by Commissioner Neal, Seconded by Commissioner Muegge, motion carried unanimously to approve a new road named Lone Star Lane off for the purposes of 911 physical addressing for residential structures off Cady Road

16. Milam County Annex:

a. Discuss and take any necessary action to reject all prior bids received to install one inch insulated glass window in lobby and main hallway of the Annex.

Motion by Commissioner Muegge, Seconded by Commissioner Neal, motion carried unanimously to reject all prior bids received to install one inch insulated glass windows in the lobby and main hallway of the Annex

b. Discuss and take any necessary action regarding a proposal to send a public notice to let bids to install one inch insulated glass windows in lobby and main hallway of the Annex.

Motion by Judge Young, Seconded by Commissioner Shuffield, motion carried unanimously to send a public notice for bids to install one inch insulated glass windows in the lobby and main hallway of the Annex

c. Discuss and take any necessary action to hire a security guard/maintenance person for the Annex.

d. Discuss and take any necessary action to hire a receptionist for the Annex.

Motion by Commissioner Shuffield, Seconded by Commissioner Muegge, motion carried unanimously to hire a security guard/maintenance person and receptionist for the Annex

17. Bills

Motion by Commissioner Muegge, Seconded by Commissioner Shuffield, motion carried unanimously to pay the bills in the amount of \$923,790.73.

18. ADJOURN:

**Motion by Commissioner Neal, Seconded by Commissioner Muegge,
motion carried unanimously to adjourn at 11:14a.m.**

**The above and foregoing Minutes for Monday, June 13, 2022 having been
examined and approved in Open Court this _____ day of _____ 2022.**

Judge County

**State of
Texas:
County of Milam:**

**I, Jodi Morgan, County Clerk, Milam County, Texas, attest that the foregoing is a
true and correct accounting of the Commissioners' Court authorized proceedings
for June 13, 2022.**

**County Clerk and Ex-Officio Member of
Commissioners' Court, Milam County, Texas**

STATEMENT OF APPROVAL

Commissioner PCT #1- Henry Hubnik

Commissioner PCT #2- Donald Shuffield

Commissioner PCT #3- Art Neal

Commissioner PCT #4- Jeff Muegge