

MILAM COUNTY COMMISSIONERS COURT

**Henry "Hub" Hubnik
Commissioner, Precinct #1**

**James Denman
Commissioner, Precinct #2**



**Art Neal
Commissioner, Precinct #3**

**Wesley Payne
Commissioner, Precinct #4**

**Bill Whitmire
Milam County Judge
102 S. Fannin Ave.
Cameron, Texas 76520**

**NOTICE OF THE REGULAR MEETING
OF THE
COMMISSIONERS COURT OF MILAM COUNTY, TEXAS**

MONDAY, SEPTEMBER 11, 2023, AT 10:00 AM

AGENDA

The Court will convene in person in the Milam County Courtroom, located at the Milam County Courthouse, 102 S. Fannin Ave., Cameron, Texas 76520. If any member of the public would like to speak in person regarding any of the agenda items, please register with the County Judge's Office before 10:00 am, on September 11, 2023.

The following items will be addressed, discussed, considered, passed, or adopted to-wit:

1. A quorum will be established, and the meeting of the Milam County Commissioners Court will be called to order.
2. Consider the minutes from previous commissioner's court meetings and act on any corrections, changes, or approval of any of the said minutes.
3. Comments from the Public (limited to five minutes).
4. Judge's Comments.
5. Discuss and Take Action to accept the Milam County Treasurer's Report as presented by Linda Acosta.
6. Discuss and possibly take action on a financing request from the Milam County Sheriff's Office for software for records management, jail management and other information data systems.
7. Discuss and take any necessary action to set the salaries, expenses or other allowances of the elected county and precinct officers as presented in **Exhibit A**.

PK0107P60005

8. Discuss and take action to approve the proposed Milam County Budget for 2024. This budget will raise more revenue from property taxes than last year's budget by an amount of \$1,384,210 which is an 8.87527% increase from last year's budget.
9. Discuss and take action to set the 2023 M & O tax rate at \$0.566600 per \$100.00.
10. Discuss and take action to set the 2023 I & S tax rate at \$0.046600 per \$100.00.
11. Discuss and take action to set the 2023 total tax rate at \$0.613200 per \$100.00. Motion to be set as per the Texas State Tax Code Section 26.05(b).
12. Discuss and take any necessary action on the Constables and Sheriffs Fees for 2024 as presented by County Clerk Jodi Morgan. **(Exhibit "B")**.
13. Discuss and take action on a Permission for Entry and Waiver of Claims for Robin Heine in Precinct 4. **(Exhibit "C")**.
14. Discuss and possibly take action on a scope of services as presented by R3NDA and VERDERA on a scope of services concerning the solar abatements passed between 2019 and 2022.
15. Discuss and possibly take action on a possible change to the exterior of the Professional Building Project.
16. Discuss and take action on the classification of the new location US 190/SH 36 from 1.12 miles east of Knob Hill Rd in Bell County to County Road 104 in Milam County to other freeways and expressways.
17. Discuss and take action on the purchase of a new 2023, ¾ ton 4 x 4 diesel crew cab pickup by Precinct 1 Commissioner.
18. Discuss and take action on the purchase of a used brush cutter in Precinct 1.
19. Discuss and possibly take action on moving a repeater to the Thorndale Tower.
20. Discuss and take action on funds to continue HOP Services.
21. Discuss and possibly take action on purchasing protective vests for the Milam County Constables.
22. Discuss and possibly take action to recognize the week of September 17 – 23rd as Constitution Week and accept Proclamation.
23. Review, discuss and take action on a Utility Installation for an overhead power line by Bartlett Electric at the intersection of FM 487 and CR 417. **(Exhibit "D")**.
24. Discuss and possibly take action on a utility installation request by Bartlett Electric to upgrade an existing overhead powerline on CR 364. **(Exhibit "E")**.

25. Discuss and possibly take action on utility installations by Bartlett Electric to upgrade existing powerlines on CR 418 A and 418B. (Exhibit "F").
26. Discuss and possibly take action on utility installations by Bartlett Electric to upgrade existing powerlines on CR 418. (Exhibit "G").
27. Review, discuss, and act to pay the bills of Milam County, Texas as presented by the County Auditor's Office
28. Adjourn

Dated this 7th day of September, 2023

Bill Whitmire
 Bill Whitmire
 Milam County Judge

I, the undersigned County Clerk, do hereby certify that the above notice of the **Regular Meeting** 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 places readily accessible to the public at all times beginning on the 7th day of September, 2023. The Notice will remain posted continuously for at least 72 hours preceding the scheduled date and time of said court.

County Clerk of Milam County, Texas
Jodi Morgan
 Jodi Morgan,
 Milam County Clerk



JODI MORGAN
 County Clerk

Filed 7 day of Sept
 in 2023, At 4:20 M.
 JODI MORGAN
 County Clerk, Milam County, Texas
 By Jodi Morgan
 Deputy

(This Court reserves the right to convene in executive session at any time deemed necessary for the consideration of confidential matters in accordance with Texas 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.)

BK0107PG0007

Exhibit A

Public Notice

Notice of Increase in Salary and/or Expenses for Elected Officials

Pursuant to Section 152.013 of the Local Government Code



Each year the Milam County Commissioners' Court is required to set the salary, expenses, and other allowances of elected county and precinct officers. The commissioners' court must publish in a newspaper of general circulation in the county a notice of any salaries, expenses, or allowances that are proposed to be increased and the amount of the proposed increases. Below is a list of the current salaries, expenses, or allowances of every elected county or precinct officer, the proposed amount of increase and the proposed new salary, expenses, or allowances.

<u>Position</u>	<u>2023</u>	<u>Increase</u>	<u>2024</u>
County Judge	\$62,419.00	\$1,873.00	\$64,292.00
County Clerk	\$57,664.00	\$1,730.00	\$59,394.00
District Clerk	\$55,164.00	\$1,655.00	\$56,819.00
Justice of the Peace, Pct 1	\$49,109.00	\$1,473.00	\$50,582.00
Justice of the Peace, Pct 2	\$49,109.00	\$1,473.00	\$50,582.00
Justice of the Peace, Pct 3	\$49,109.00	\$1,473.00	\$50,582.00
Justice of the Peace, Pct 4	\$49,109.00	\$1,473.00	\$50,582.00
County Attorney	\$3,500.00	\$375.00	\$3,875.00
County Auditor	\$58,976.00	\$1,769.00	\$60,745.00
Treasurer	\$55,164.00	\$1,655.00	\$56,819.00
Tax Assessor/Collector	\$55,164.00	\$1,655.00	\$56,819.00
Constable, Pct 1	\$49,327.00	\$1,480.00	\$50,807.00
Constable, Pct 2	\$49,327.00	\$1,480.00	\$50,807.00
Constable, Pct 3	\$49,327.00	\$1,480.00	\$50,807.00
Constable, Pct 4	\$49,327.00	\$1,480.00	\$50,807.00
Sheriff	\$81,818.00	\$6,000.00	\$87,818.00
Commissioner, Pct 1	\$57,420.00	\$1,723.00	\$59,143.00
Commissioner, Pct 2	\$57,420.00	\$1,723.00	\$59,143.00
Commissioner, Pct 3	\$57,420.00	\$1,723.00	\$59,143.00
Commissioner, Pct 4	\$57,420.00	\$1,723.00	\$59,143.00

PK0107P60008

Exhibit B

MILAM COUNTY, TEXAS

Effective January 1st, 2024

Civil Process Service (or attempted service)

Notices:

Subpoenas	\$ 100.00
Summons	\$ 100.00
Writ of Attachment	\$ 250.00
Writ of Garnishment	\$ 250.00
Writ of Sequestration	\$ 250.00
Orders of Sale	\$ 250.00
Writ of Possession	\$ 250.00

(if move out exceeds two hours,
additional fee of \$35 →45 per hour, per Deputy/Constable after initial 2 hours)

Temporary Restraining

Order	\$ 135.00
Forcible Detainer	\$ 135.00
Writ of Re-Entry	\$ 250.00
Writ of Habeas Corpus	\$ 250.00

Service Fees:

Small Claims Citation	\$ 150.00
Justice Court Citation	\$ 150.00
All Other Court's Citations	\$ 150.00
Precepts	\$ 150.00

Other Service Fees:

Posting Written Service	\$ 100.00
Writ of Execution	\$ 250.00
Writ of Restitution	\$ 250.00
Execution –	
Bill of Sale	\$ 70.00
Deed	\$ 70.00
Taking & Approving Bond	\$ 50.00
Notice of Retrieval Hearing-	\$100.00
Order of Retrieval	\$135.00

(if retrieval exceeds two hours, Additional fee of \$45.00 per hour)
Went into law 09-01-2015

County commission is based on percentage of monies collected:

- 10% of first \$10,000, plus an additional
- 5% of next \$15,000, plus an additional
- 2.5% of amounts above \$25,000.00

Address: County Clerk, 806 N. Crockett, Cameron Texas 76520 / 254-697-7049
Address: District Clerk 102 South Fannin, Cameron, Texas 76520 / 254 697 7052

Approved this 1th day of September 2023 by the Milam County Commissioners' Court.

Bill Whitmire, County Judge

K0107P60009

Exhibit C

Permission For Entry and Waiver of Claims

I, Robin Heine, the undersigned, hereby give my consent to Milam County and its employees to enter my property located on County Road 455 and Cumley Lane, for the purpose of maintaining County Road 455 and Cumley Lane. In addition, I hereby waive any and all claims against Milam County that may result from that entry.

Robin Heine

Landowners Signature

Robin Heine

Print Name

9-5-23

Date

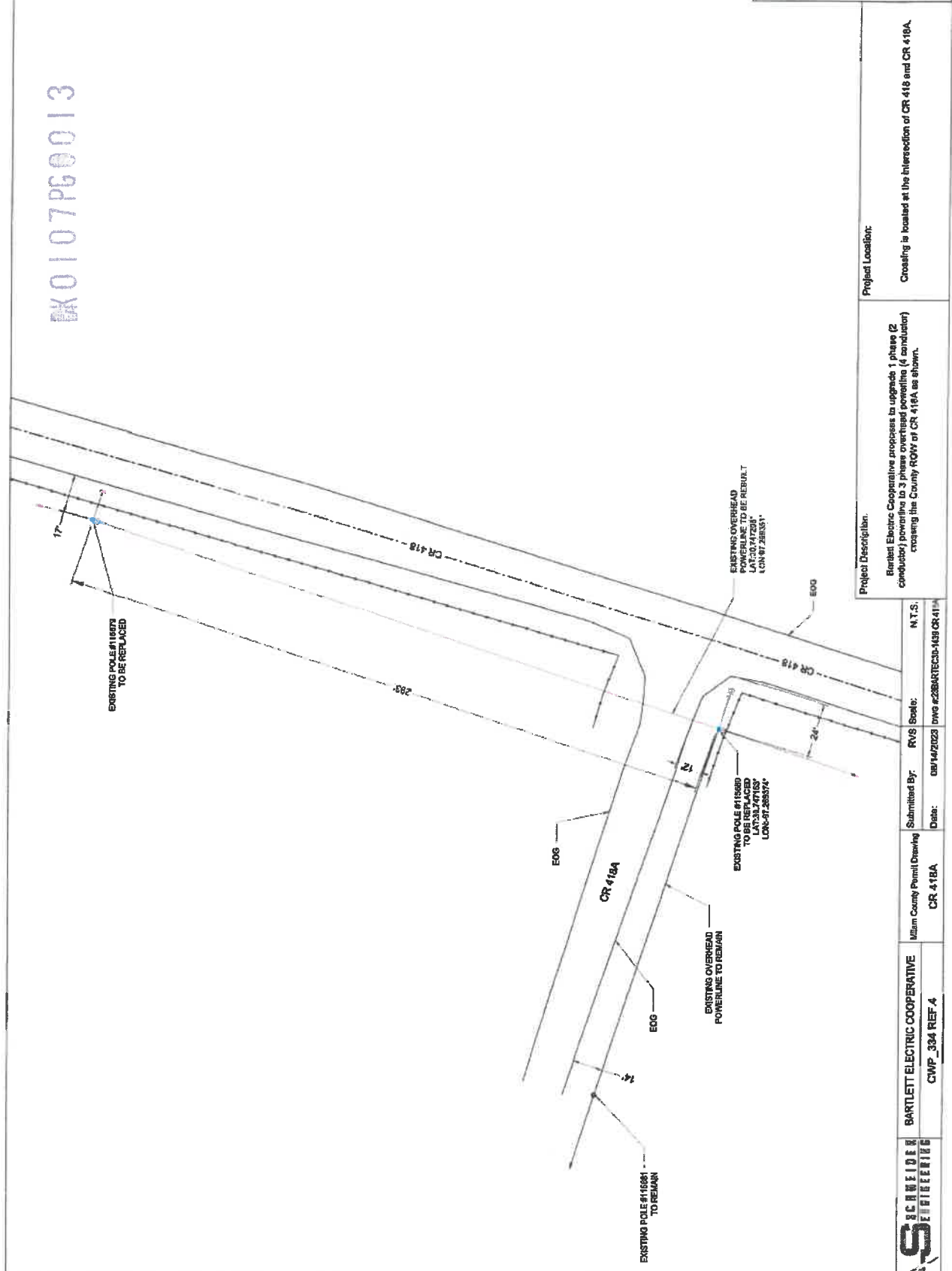
BK0107P60010



Exhibit F

EX0107PG0013

LEGEND	
	PROPOSED OVERHEAD EXISTING ON ELECTRIC
	PROPOSED OVERHEAD REMOVAL ON ELECTRIC
	PROPERTY LINE
	ROAD CENTERLINE
	EXISTING POLE
	PROPOSED POLE
	EXISTING POLE
	REMOVAL POLE
	REPLACE POLE
	OVERHEAD
	OVERHEAD
	METER CABINET
	METER CABINET

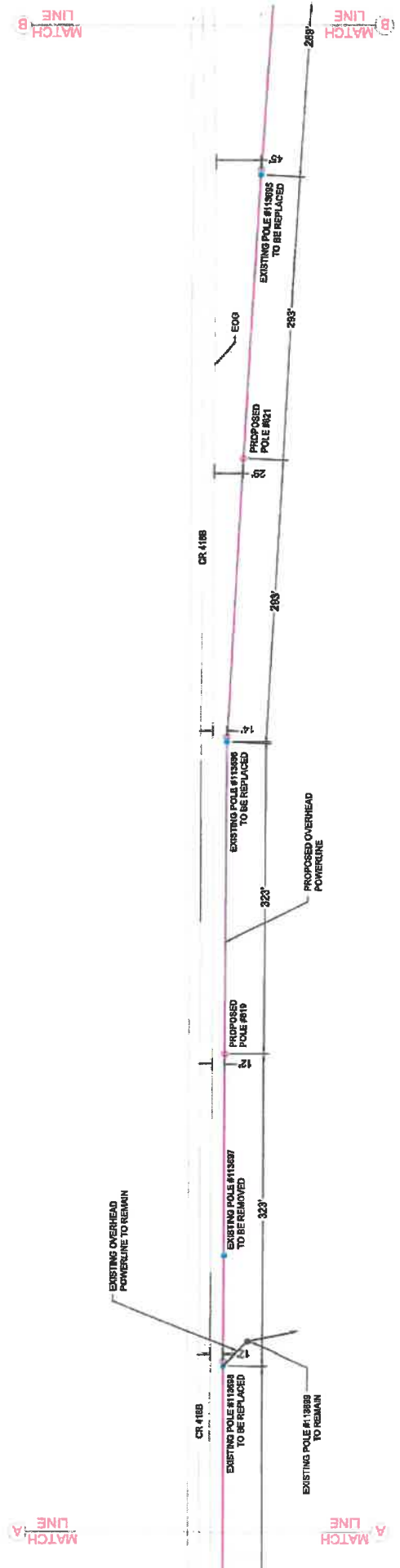


Project Location:
Crossing is located at the intersection of CR 418 and CR 418A.

Project Description:
Bartlett Electric Cooperative proposes to upgrade 1 phase (2 conductor) powerline to 3 phase overhead powerline (4 conductor) crossing the County ROW of CR 418A as shown.

SCHEIDT ENGINEERS	BARTLETT ELECTRIC COOPERATIVE	Map County Permit Drawing	Submitted By:	RVS	Scale:	N.T.S.
	CWP_334 REF 4	CR 418A	Date:	09/14/2023	Dwg #288ARTCC33-163 CR 418A	

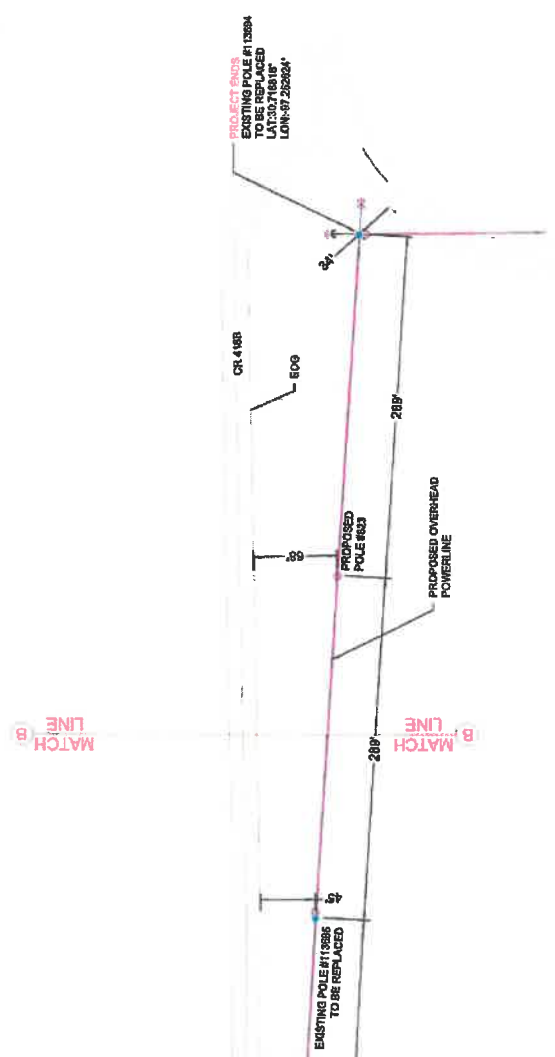
EX0107PG0015



<p>Project Location:</p> <p>Project begins at the intersection of CR 418 and CR418B travelling south for 0.63 miles.</p>	
<p>Project Description:</p> <p>Bartlett Electric Cooperative proposes to upgrade 0.63 miles of existing 1 PH (2 conductor) overhead powerlines to 3 PH (4 conductor) overhead powerline along ROW of CR 418B.</p>	
<p>Submitted By:</p> <p>RVS</p>	<p>N.T.S.</p>
<p>Date:</p> <p>08-25-2023</p>	<p>DWG #:</p> <p>23BARTCR041841_CR418B</p>
<p>County Permit Drawing</p> <p>COUNTY ROAD 418B</p>	
<p>BARTLETT ELECTRIC COOPERATIVE</p> <p>CWP334_REF.6</p>	



BX0107PG0016



CR 384

LEGEND

- PROPOSED OVERHEAD POWERLINE
- EXISTING OVERHEAD POWERLINE
- EXISTING UNDERGROUND POWERLINE
- PROPERTY LINE
- ROAD CENTERLINE
- EDGE OF ROAD
- EXISTING POWERLINE
- PROPOSED POLE
- EXISTING POLE
- FUTURE POLE
- REPLACE POLE
- UNDERGROUND TROTT MONUMENT
- METERMAN

Project Location:
Project begins at the intersection of CR 418 and CR 418B traveling south for 0.53 miles.

Project Description:
Bartlett Electric Cooperative proposes to upgrade 0.53 miles of existing 1 PH (2 conductor) overhead powerline along CR 418B to 2 PH (4 conductor) overhead powerline along ROW of CR 418B.

	BARTLETT ELECTRIC COOPERATIVE CWP334_REF 6		County Permit Drawing COUNTY ROAD 418B	Submitted By: RVS/ Scale:	N.T.S.
	Date: 09-28-2023 DWG #: 23BARTECA-R141_CRM1		Date: 09-28-2023	Date: 09-28-2023	Date: 09-28-2023

STATE OF TEXAS §
 COUNTY OF MILAM §

IN COMMISSIONERS COURT
 Regular Meeting September 11, 2023

A Regular of the Commissioners' Court of Milam County, Texas was held on the 11th day of September 2023 at 10:00a.m. in the Milam County Historic Courthouse, County Courtroom, 1st Floor, Cameron, Texas.

The Following members were present.

WILLIAM WHITMIRE, MILAM COUNTY JUDGE
 HENRY HUBNIK, COMMISSIONER PRECINCT NO.1
 JAMES DENMAN, COMMISSIONER PRECINCT NO. 2
 ART NEAL, COMMISSIONER PRECINCT NO. 3
 WESLEY PAYNE, COMMISSIONER PRECINCT NO. 4

JODI MORGAN, COUNTY CLERK
 SHERRY MUECK, TAX ASSESSOR

DANICA LARA, AUDITOR
 LINDA ACOSTA, TREASURER

1. A quorum will be established, and the Court will convene. - 10:00AM
2. Consider the minutes from previous commissioner's court meetings and act on any corrections, changes, or approval of any of the said minutes.

Motion made by Commissioner Payne to approve the minutes. seconded by Commissioner Neal and motion carried unanimously.

3. Comments from the Public (limited to five minutes)
4. Judge's Comments

Thanks to the Commissioners for coming to the town halls.

Jail Roof- Parsons is giving an estimate.

Connect the Dots meeting on November 9- Mental Health Seminar

County Road Inventory

Harvey grant progress- making progress, extension out to November.

Professional Building-weekly update included.

5. Discuss and Take action to accept the Milam County Treasurer's Report as presented by Linda Acosta

Motion made by Commissioner Neal accept the Treasurer's Report. seconded by Commissioner Payne and motion carried unanimously.

6. Discuss and possibly take action on a financing request from the Milam County Sheriff's Office for software for records management, jail management and other information data systems.

Motion made by Commissioner Neal to table, seconded by Commissioner Payne and motion carried unanimously.

7. Discuss and take any necessary action to set the salaries, expenses or other allowances of the elected county and precinct officers as possible in Exhibit A.

Motion made by Commissioner Hubnik to approve the information, seconded by Judge Whitmire and motion carried unanimously.

8. Discuss and take action to approve the proposed Milam County Budget for 2024. This budget will raise more revenue from property taxes than last year's budget by an amount of \$1,384,210 which is an 8.87527% increase from last year's budget.

Motion made by Judge Whitmire that we approve the proposed budget for 2024 as presented on the Milam County webpage, seconded by Commissioner Hubnik and motion carried 4 to 1.

Judge Whitmire-For
Commissioner Hubnik-For
Commissioner Denman-For
Commissioner Neal-For
Commissioner Payne-Opposed

9. Discuss and take action to set the 2023 M & O tax rate at \$0.566600 per \$100.00.

Motion made by Commissioner Hubnik to pass the 2023 M & O tax rate at \$0.566600 per \$100.00, seconded by Commissioner Neal and motion carried unanimously.

10. Discuss and take action to set the 2023 I & S tax rate at \$0.046600 per \$100.00.

Motion made by Commissioner Payne to set the 2023 I & S tax rate at \$0.046600 per \$100.00, seconded by Commissioner Hubnik and motion carried unanimously.

EX0107PG0019

11. Discuss and take action to set the 2023 total tax rate at \$0.613200 per \$100.00. Motion to be set as per the Texas State Tax Code Section 26.05(b).

Motion made by Judge Whitmire the property tax rate be increased by the adoption of the 0.6132 tax rate which is effectively 16.73% increase in the tax rate, the tax rate will raise more taxes for maintenance and operations than last year's tax rate and the tax rate will effectively be raised by 13.07% will raise taxes for maintenance and operations on a \$100,000 home by approximately 70.09., seconded by Commissioner Hubnik and motion carried unanimously.

12. Discuss and take any necessary action on the Constables and Sheriff's Fees for 2024 as presented by County Clerk Jodi Morgan (Exhibit B).

Motion made by Commissioner Hubnik to approve it, seconded by Commissioner Denman and motion carried unanimously.

13. Discuss and take action on a Permission for Entry and Waiver of Claims for Robin Heine in Precinct 4. (Exhibit C)

Motion made by Commissioner Payne to approve Permission for Entry and Waiver of Claims for Robin Heine, seconded by Commissioner Neal and motion carried unanimously.

14. Discuss and possibly take action on a scope of services as presented by R3NDA and VERDERA on a scope of services concerning the solar abatements passed between 2019 and 2022.

Motion made by Commissioner Payne to not accept proposal, seconded by Commissioner Neal and motion carried unanimously.

15. Discuss and possibly take action on a possible change to the exterior of the Professional Building Project.

Motion made by Judge Whitmire to table to the next meeting, seconded by Commissioner Denman and motion carried unanimously.

BK0107PG020

16. Discuss and take action on the classification of the new location US 190/SH 36 from 1.12 miles east of Knob Hill Rd in Bell County to County Road 104 in Milam County to other freeways and expressways.

Motion made by Commissioner Hubnik to approve to rename that section of the roadway, seconded by Commissioner Denman and motion carried unanimously.

Rename from US 190 to Business 190

17. Discuss and take action on the purchase of a new 2023, ¾ ton 4X4 diesel crew cab pickup by Precinct 1 Commissioner.

Motion made by Commissioner Hubnik to purchase from the buy board, seconded by Commissioner Denman and motion carried unanimously.

\$12,000 for the used truck

\$56,180.00 for the new truck with the 12,000 for the other truck from the buy board

18. Discuss and take action on the purchase of a used brush cutter in Precinct 1.

Per Commissioner Hubnik- remove, don't need anymore.

19. Discuss and possibly take action on moving a repeater to the Thorndale Tower.

Motion made by Judge Whitmire to table, seconded by Commissioner Payne and motion carried unanimously.

20. Discuss and take action on funds to continue HOP Services.

Motion made by Judge Whitmire to table until next meeting, seconded by Commissioner Payne and motion carried unanimously.

21. Discuss and possibly take action on purchasing protective vest for the Milam County Constables.

Motion made by Judge Whitmire to purchase vest for the Constables, seconded by Commissioner Payne and motion carried unanimously.

BX0107PG0021

22. Discuss and possibly take action to recognize the week of September 17-23rd as Constitution Week and accept Proclamation.

Motion made by Judge Whitmire to accept the week of September 17-23 as Constitution Week and accept the Proclamation, seconded by Commissioner Payne and motion carried unanimously.

23. Review, discuss and take action on a Utility Installation for an overhead power line by Bartlett Electric at the intersection of FM 487 and CR 417. (Exhibit D)

Motion made by Commissioner Hubnik to approve it, seconded by Commissioner Denman and motion carried unanimously.

24. Discuss and possible take action on a utility installation request by Bartlett Electric to upgrade an existing overhead powerline on CR 364. (Exhibit E)

Not in Milam County

25. Discuss and possibly take action on utility installation by Bartlett Electric to upgrade existing powerline on CR 418A and 418B. (Exhibit F).

Motion made by Commissioner Payne to accept utility installation request by Bartlett Electric on CR 418A and CR 418B, seconded by Commissioner Hubnik and motion carried unanimously.

26. Discuss and possibly take action on utility installations by Bartlett Electric to upgrade existing powerlines on CR 418. (Exhibit G)

Motion made by Commissioner Hubnik to approve it, seconded by Commissioner Payne and motion carried unanimously.

27. Bills

Motion made by Commissioner Hubnik to accept it, seconded by Commissioner Denman and motion carried unanimously.

\$819,757.24

BR0107PG0022

Per Judge Whitmire to convene into Executive session per Texas Government Code, Chapter 551, Subchapters D and E to discuss item #14

Motion made by Commissioner Payne to go into Close Session, seconded by Commissioner Neal and motion carried unanimously. @ 10:48a.m.

Motion made by Commissioner Payne to come back into Open Session, seconded by Commissioner Neal and motion carried unanimously. @ 11:13a.m.

28. Adjourn

Motion made by Commissioner Neal to adjourn at 11:14a.m., seconded by Commissioner Denman and motion carried unanimously.

The above and foregoing Minutes for Monday, September 11, 2023 having been examined and approved in Open Court this 25th day of Sept 2023.

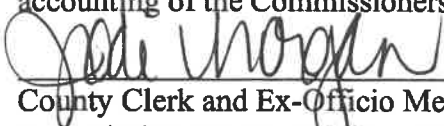


County Judge Whitmire

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 September 11, 2023.




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

EX0107PG0023


STATEMENT OF APPROVAL

September 25, 2023


Commissioner PCT #1- Henry Hubnik


Commissioner PCT #2- James Denman


Commissioner PCT #3- Art Neal


Commissioner PCT #4- Wesley Payne

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.txpublicsearch>

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