

**FRIO COUNTY COMMISSIONERS COURT MINUTES FOR  
March 9<sup>TH</sup>, 2020**

On the 9<sup>th</sup> day of March, 2020, at 3:00 p.m., the Commissioners Court of Frio County met in a regular meeting with the following members either absent or present, to-wit: Arnulfo C. Luna, Frio County Judge was not present; Vicki Camacho, Commissioner Pct 1 present; Richard "Dicki" Graf, Commissioner Pct 2 present; Ruben Maldonado, Commissioner Pct 3 present; Jose Asuncion, Commissioner Pct 4 present; Joseph A. Sindon, Legal Counsel for Frio County Commissioners Court present; and Aaron Ibarra, Frio County Clerk present when the following meeting was held, to-wit:

- I. Invocation and Pledge of Allegiance
  
- II. Adopt Agenda  
**Motion by: Commissioner Maldonado**  
**Seconded by: Commissioner Asuncion**  
**Voted Aye: All Motion Carried**

- III. Old Business: **None**

**PRESENTATION**

**ACTION AGENDA ITEMS**

- IV. General Discussion:

**Oscar Ramirez informed Commissioners Court of all grants he is pursuing.**  
**Carlos Segura notified Commissioners Court of changes to elections.**

- V. Citizens To Be Heard: **None**

**PRESENTATION**

**ACTION AGENDA ITEMS**

- (1) Frio County Commissioners Court, requests:

Discussion with the Frio County Sheriff regarding the status of the Frio County Jail.

**No Show**

- (2) Frio County Commissioners Court, requests:

2.1 Consider/take action on approving a resolution in support of efforts to secure funding under a Texas Historic Courthouse Preservation Program grant application and commitments made therein for preservation and restoration of the Frio County Courthouse.

2.2 Discuss seeking letters of support for the restoration of the Frio County Courthouse.

**Motion by: Commissioner Asuncion**  
**Seconded by: Commissioner Camacho**  
**Voted Aye: All Motion Carried**

(3) Frio County Commissioners Court, requests:

3.1 Consider/take action on approving an Amendment to the existing Agreement for the Master Plan Update signed March 13, 2019 with Architexas to provide for design, bidding and construction administration services for the building of a new office building to serve as a Frio County Courthouse Annex.

3.2 If the resolution is approved and adopted, then authorize Frio County Judge Arnulfo C. Luna to execute the same on behalf of Frio County, Texas.

**Motion by: Commissioner Asuncion**  
**Seconded by: Commissioner Maldonado**  
**Voted Aye: All Motion Carried**

(4) Hon. Vickie Camacho, Frio County Commissioner, Precinct No. 1, requests:

Consider/take action on appointing a citizen to the Board of the Frio County Emergency Services District, No.1.

**Appointed Ricardo Delgado**

**Motion by: Commissioner Asuncion**  
**Seconded by: Commissioner Maldonado**  
**Voted Aye: All Motion Carried**

(5) Hon. Aaron Ibarra, Frio County Clerk, requests:

5.1 Review Frio County Commissioners Court minutes for October 1, October 15, October 28, 2019, and January 13, and February 10, 2020.

5.2 Consider/take action on approving Frio County Commissioners Court minutes for October 1, October 15, October 28, 2019, and January 13, and February 10, 2020.

**Motion by: Commissioner Camacho**  
**Seconded by: Commissioner Asuncion**  
**Voted Aye: All Motion Carried**

(6) Frio County Justices of the Peace, requests:

6.1 Consider/take action on approving a License Agreement between i3-Bearcat, LLC (Net

Data Corporation) and Frio County for the provision of Data Management systems to the offices of the Frio County Justices of the Peace for a term of three years at a cost of \$36,700.00 per year.

- 6.2 If the License Agreement is approved, consider/take action on signing resolution allowing Frio County Judge Arnulfo C. Luna to enter into same on behalf of Frio County.

**Motion by: Commissioner Graf**

**Seconded by: Commissioner Camacho**

**Voted Aye: All Motion Carried**

- (7) Frio County Commissioners Court, requests:

Consider / take action on running the following notice in the Frio Nueces Current once a week for two-weeks pursuant to Local Government Code Sec. 262.025. The ad will run in the Frio-Nueces Current on March 12, 2020 and March 19, 2020. A public hearing will be held on March 23, 2020 at 3:00 p.m.

**FRIO COUNTY, TEXAS  
NOTICE OF PUBLIC HEARING**

On Monday, March 23 at 3:00 pm, the Commissioners Court of Frio County (the "County") at its public meeting shall hold a public hearing in the Frio County Courtroom, Frio County Courthouse, 500 East San Antonio Street, Pearsall, Texas 78061, to consider a request by Elara Energy Project, LLC for the designation of a contiguous land area in Frio County, Texas as a tax abatement reinvestment zone (the "Zone") pursuant to Chapter 312, Texas Tax Code and other authority.

At the public hearings, the County will receive information to determine, among other things, whether (i) the improvements sought within the proposed Zone area are feasible and practical and would be a benefit to the land to be included in the Zone and the County after the expiration of any tax abatement agreement; (ii) the proposed Zone designation would contribute to the retention or expansion of primary employment in the County; and (iii) the proposed Zone designation would attract major investment in the Zone.

The land being considered for the Zone designation is located in Frio County, Texas and more particularly described as follows:

**ALL that real property situated in Frio County, Texas, described as follows:**

**BEING A 1,744.26 ACRE TRACT OF LAND LOCATED IN THE BS&F RR SURVEY NO. 8, ABSTRACT NO. 870; THE BS&F RR SURVEY NO 7, ABSTRACT NO. 90; THE MARTINEZ, J SURVEY 917, ABSTRACT NO. 494; THE HOFFMAN, C SURVEY NO. 919, ABSTRACT NO. 383; THE BS&F SURVEY NO. 9, ABSTRACT NO. 97; THE GIBSON, J H SURVEY NO. 12, ABSTRACT NO. 875; THE CARRANZA, M L SURVEY NO. 918, ABSTRACT NO. 164; GIBSON, J H SURVEY NO. 14, ABSTRACT NO. 871, AND BEING A PORTION OF A CALLED 19,530.854 ACRE TRACT OF LAND CONVEYED FROM HERBERT M. OPPENHEIMER, ET AL TO HOWARD A. HALFF, THOMAS A. HALFF, AND ALEXANDER H. HALFF, AND RECORDED IN VOLUME 311, PAGE 217, FRIO COUNTY, DEED**

RECORDS, TOGETHER WITH THE MINERAL INTEREST ACQUIRED THEREIN; AND THE 30,295.002 ACRES OF LAND, MORE OR LESS, DESCRIBED IN DEED DATED MARCH 19, 1974, FROM RAE O. BURNHAM, ET AL TO HOWARD A. HALFF, THOMAS A. HALFF, AND ALEXANDER H. HALFF, RECORDED IN VOLUME 311, PAGE 229, FRIO COUNTY, DEED RECORDS, TOGETHER WITH THE MINERAL INTEREST ACQUIRED THEREIN; SAID 1,744.26 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT AN 4" X 4" CONCRETE MONUMENT FOUND, BEING IN THE SOUTHWEST RIGHT-OF-WAY LINE WEST FARM TO MARKET ROAD 140 AND THE NORTHEAST LINE OF SAID 19,530.854 ACRE TRACT, SAID POINT BEING THE MOST EASTERLY POINT OF A CALLED 114.64 ACRE TRACT OF LAND CONVEYED FROM ALMA O. HALFF, ET AL, TO THOMAS A. HALFF, ET UX, AND RECORDED IN VOLUME 199, PAGE 460, DEED RECORDS, FRIO COUNTY, AND ALSO BEING THE NORTHERN MOST POINT OF THE HEREIN DESCRIBED TRACT;

**THENCE** SOUTH 51 DEGREES 31 MINUTES 30 SECONDS EAST, WITH THE COMMON LINE OF SAID SOUTHWEST RIGHT-OF-WAY LINE AND THE NORTHEAST LINE OF SAID 19,530.854 ACRE TRACT, A DISTANCE OF 4,366.69 FEET TO A 5/8-INCH IRON ROD WITH CAP "SAM" SET;

**THENCE** OVER AND ACROSS SAID 11,884.60 ACRE TRACT THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

- 1) SOUTH 42 DEGREES 37 MINUTES 12 SECONDS WEST, A DISTANCE OF 8,444.77 FEET TO A 5/8-INCH IRON ROD WITH CAP "SAM" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT,
- 2) SOUTH 30 DEGREES 14 MINUTES 00 SECONDS EAST, A DISTANCE OF 1,815.89 FEET TO A 5/8-INCH IRON ROD WITH CAP "SAM" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT,
- 3) SOUTH 44 DEGREES 39 MINUTES 56 SECONDS WEST, A DISTANCE OF 7,820.13 FEET TO A 8-INCH POST FOUND, AND
- 4) SOUTH 44 DEGREES 03 MINUTES 14 SECONDS WEST, A DISTANCE OF 777.90 FEET TO A 2-INCH POST FOUND AT THE COMMON CORNER OF SAID 11,884.60 ACRE TRACT AND A CALLED 6,373.38 ACRE TRACT KNOWN AS THE JESSE OPENHEIMER FRIO TRACT, FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE** SOUTH 88 DEGREES 15 MINUTES 00 SECONDS WEST, WITH THE COMMON LINE OF SAID 19,530.854 ACRE TRACT AND SAID 6,373.38 ACRE TRACT, A DISTANCE OF 2,229.95 FEET TO A 5/8-INCH IRON ROD WITH CAP "SAM" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED EASEMENT;

**THENCE** OVER AND ACROSS SAID 11,884.60 ACRE TRACT THE FOLLOWING TWELVE (12) COURSES AND DISTANCES:

1. NORTH 02 DEGREES 15 MINUTES 05 SECONDS WEST, A DISTANCE OF 72.18 FEET TO A 5/8-INCH IRON ROD WITH CAP "SAM" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT,
2. NORTH 66 DEGREES 09 MINUTES 23 SECONDS WEST, A DISTANCE OF 53.90 FEET TO A 5/8-INCH IRON ROD WITH CAP "SAM" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT,
3. NORTH 10 DEGREES 06 MINUTES 17 SECONDS EAST, A DISTANCE OF 2,904.90 FEET TO A 5/8-INCH IRON ROD WITH CAP "SAM" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT,
4. NORTH 40 DEGREES 43 MINUTES 38 SECONDS EAST, A DISTANCE OF 6,346.00 FEET TO A 5/8-INCH IRON ROD WITH CAP "SAM" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT,
5. NORTH 27 DEGREES 01 MINUTES 12 SECONDS EAST, A DISTANCE OF 172.05 FEET TO A 5/8-INCH IRON ROD WITH CAP "SAM" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT,
6. NORTH 23 DEGREES 00 MINUTES 18 SECONDS WEST, A DISTANCE OF 552.57 FEET TO A 5/8-INCH IRON ROD WITH CAP "SAM" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT,
7. NORTH 18 DEGREES 59 MINUTES 46 SECONDS EAST, A DISTANCE OF 4,611.80 FEET TO A 5/8-INCH IRON ROD WITH CAP "SAM" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT,
8. NORTH 52 DEGREES 02 MINUTES 33 SECONDS WEST, A DISTANCE OF 1,748.86 FEET TO A 5/8-INCH IRON ROD WITH CAP "SAM" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT,
9. NORTH 24 DEGREES 58 MINUTES 45 SECONDS EAST, A DISTANCE OF 2,519.71 FEET TO A 5/8-INCH IRON ROD WITH CAP "SAM" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT,
10. SOUTH 63 DEGREES 21 MINUTES 52 SECONDS EAST, A DISTANCE OF 291.82 FEET TO A 4" X 4" CONCRETE MONUMENT, SAME POINT BEING THE WEST CORNER OF SAID 114.64 ACRE TRACT,
11. SOUTH 62 DEGREES 31 MINUTES 36 SECONDS EAST, ALONG THE SOUTHWEST LINE OF SAID 114.64 ACRE TRACT, A DISTANCE OF 2,096.43 FEET TO A 4" X 4" CONCRETE MONUMENT FOUND AT THE SOUTHERN MOST CORNER OF SAID 114.64 ACRE TRACT FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT, AND
12. NORTH 48 DEGREES 56 MINUTES 45 SECONDS EAST, A DISTANCE OF 2,499.75 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 1,744.26 ACRES (MORE OR LESS).

At the public hearing, interested persons are invited to speak and present evidence for or against the Zone designation. Following the public hearing, at the meeting of the Frio County Commissioners Court, the County may consider the approval and designation of all or part of the aforesaid land area as a tax abatement reinvestment zone. Notice of the public meeting and public hearing is being given by the County in the manner required by law. Please make plans to attend.

Arnulfo C. Luna,  
County Judge  
Frio County, Texas

**Motion by: Commissioner Graf**  
**Seconded by: Commissioner Asuncion**  
**Voted Aye: All                      Motion Carried**

(8) James A. Sindon, Attorney at Law, requests:

Consider/take action on approving and adopting a resolution authorizing the Frio County Commissioners Court excepting to the filing of a subdivision plat pursuant to Chapter 232, section 232.001 of the Local Government Code which is a 1.028 acre tract of land being purchased by Brandy Renae Flores from which is not a residential subdivision, which will have access to County Road 1000 as the tract is adjacent and contiguous to County Road 1000.

**Motion by: Commissioner Graf**  
**Seconded by: Commissioner Camacho**  
**Voted Aye: All                      Motion Carried**

(9) Roxana Garcia, P.E., Frio County Engineer, requests:

9.1 Consider/take action on approving and adopting a resolution granting a permit to Chiodo Farms to lay, construct and maintain a permanent 10" water pipeline by trench method in the CR 4850 right-of-way, which is an unpaved road, for a permit fee of \$150.00.

9.2 If the resolution is approved and adopted, then authorize Frio County Judge Arnulfo C. Luna to execute the permit on behalf of Frio County, Texas to Chiodo Farms.

**Motion by: Commissioner Asuncion**  
**Seconded by: Commissioner Graf**  
**Voted Aye: All                      Motion Carried**

(10) Roxana Garcia, P.E., Frio County Engineer, requests:

10.1 Consider/take action on approving and adopting a resolution granting a permit to Produced Water Transfer1 LLC to lay, construct and maintain a permanent water pipeline by boring in the CR 4850 right-of-way for a permit fee of \$150.00.

- 10.2 If the resolution is approved and adopted, then authorize Frio County Judge Arnulfo C. Luna to execute the permit on behalf of Frio County, Texas to Produced Water Transfer1 LLC.

**Motion by: Commissioner Asuncion**  
**Seconded by: Commissioner Camacho**  
**Voted Aye: All Motion Carried**

- (11) Roxana Garcia, P.E., Frio County Engineer, requests:

- 11.1 Consider/take action on approving and adopting a resolution granting a permit to Produced Water Transfer1 LLC to lay, construct and maintain a permanent water pipeline by boring in the CR 4700 right-of-way for a permit fee of \$150.00.

- 11.2 If the resolution is approved and adopted, then authorize Frio County Judge Arnulfo C. Luna to execute the permit on behalf of Frio County, Texas to Produced Water Transfer1 LLC.

**Motion by: Commissioner Asuncion**  
**Seconded by: Commissioner Camacho**  
**Voted Aye: All Motion Carried**

- (12) Roxana Garcia, P.E., Frio County Engineer, requests:

- 12.1 Consider/take action on approving and adopting a resolution granting a permit to Produced Water Transfer1 LLC to lay, construct and maintain a permanent water pipeline by boring in the CR 4670 right-of-way for a permit fee of \$150.00.

- 12.2 If the resolution is approved and adopted, then authorize Frio County Judge Arnulfo C. Luna to execute the permit on behalf of Frio County, Texas to Produced Water Transfer1 LLC.

**Motion by: Commissioner Asuncion**  
**Seconded by: Commissioner Camacho**  
**Voted Aye: All Motion Carried**

- (13) Roxana Garcia, P.E., Frio County Engineer, requests:

- 13.1 Consider/take action on approving and adopting a resolution granting a permit to Produced Water Transfer1 LLC to lay, construct and maintain a permanent water pipeline by boring in the CR 4899 right-of-way for a permit fee of \$150.00.

- 13.2 If the resolution is approved and adopted, then authorize Frio County Judge Arnulfo C. Luna to execute the permit on behalf of Frio County, Texas to Produced Water Transfer1 LLC.

**Motion by: Commissioner Asuncion**  
**Seconded by: Commissioner Camacho**  
**Voted Aye: All Motion Carried**

(14) Roxana Garcia, P.E., Frio County Engineer, requests:

- 14.1 Consider/take action on approving and adopting a resolution granting a permit to Grayson Wilmeth to lay, construct and maintain a permanent water pipeline by boring in the CR 4614 right-of-way for a permit fee of \$150.00.
- 14.2 If the resolution is approved and adopted, then authorize Frio County Judge Arnulfo C. Luna to execute the permit on behalf of Frio County, Texas to Grayson Wilmeth.

**Motion by: Commissioner Camacho**  
**Seconded by: Commissioner Asuncion**  
**Voted Aye: All                      Motion Carried**

(15) Roxana Garcia, P.E., Frio County Engineer, requests:

- 15.1 Consider/take action on accepting 32,055 cubic yards of RAP into Frio County custody pursuant to the Local Government Assistance Program from the Texas Department of Transportation.
- 15.2 Consider/take action on entering into a Right of Entry Agreement between Chris Surles and Frio County for the storage of the RAP material obtained above.
- 15.3 If the agreement is approved and adopted, then sign a resolution authorizing Frio County Judge Arnulfo C. Luna to execute the agreement on behalf of Frio County, Texas.

**Motion by: Commissioner Graf**  
**Seconded by: Commissioner Camacho**  
**Voted Aye: All                      Motion Carried**

(16) Receive in person from the following county officials the following reports as mandated by law:

- 16.1 Presentation by Frio County Treasurer of detailed report as mandated by Section 114.026, Local Government ("Code") (this report is to be presented at each **regular term of commissioners court**).
- 16.2 Frio County Treasurer to exhibit the books and accounts of that office for the inspection of the commissioners court (**to be done at each regular term of commissioners court**).
- 16.3 Consider/take action on authorizing the execution by Frio County Commissioners Court (the Judge and each commissioner) of an affidavit stating the requirements of the treasurer's report have been met as mandated by section 114.026 of the Code.
- 16.4 Consider/take action on execution of an order of the commissioners court approving the county treasurer's report and order their publication in the Frio-Nueces Current as mandated by Section 114.026 of the Code or publication on the county's website.

**Motion by: Commissioner Graf**  
**Seconded by: Commissioner Maldonado**  
**Voted Aye: All                      Motion Carried**



(17) Frio County Commissioners Court requests:

Presentation, pursuant to Section 114.044 of the Local Government Code, by:

1. Frio County District Clerk;
2. Frio County Clerk
3. Frio County Treasurer
4. Frio County Attorney
5. Frio County Judge
6. Frio County Sheriff
7. Frio County Auditor
8. Frio County Justice of the Peace
9. Frio County Constables

**(who collects or handles any money for the use of the county) of all fines imposed, judgments rendered and collected, and all jury fees collected by the respected courts in favor of or for the use of the county and at that time when the reports are presented to present receipts vouchers that show disposition of the money, fines or judgments.**

After examination by the commissioners court as to the correctness of the reports, consider/action on directing the county clerk to enter information in county finance records as mandated by Section 114.044 of the Code.

**Motion by: Commissioner Graf**  
**Seconded by: Commissioner Maldonado**  
**Voted Aye: All                      Motion Carried**

(18) Documents (resolutions, orders, contracts, etc.) to be signed.

**Documents Presented and Signed.**

(19) Allow bills payable

**Motion by: Commissioner Asuncion**  
**Seconded by: Commissioner Maldonado**  
**Voted Aye: All                      Motion Carried**

(20) Adjourn

**Motion by: Commissioner Graf**  
**Seconded by: Commissioner Maldonado**  
**Voted Aye: All                      Motion Carried**

*Steph L. Comacho pet. 1*  
*Rubel G*  
*AC Graf*  
*[Signature]*