

**STATE OF TEXAS
COUNTY OF LEON**

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

On this the 28th day of August 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, Elections Administrator Donna Golden, County Attorney Keith Cook, Expo Manager Dennis Mizell, and Sheriff Kevin Ellis.

1. OPEN MEETING WITH PRAYER AND PLEDGES.

Brother Easterling, Calvery Baptist Church-Centerville opened the meeting with prayer; pledges to the American and Texas flag were rendered.

2. DISCUSS AND POSSIBLY TAKE ACTION ON CLAIMS DUE.

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

MOTION CARRIED.

(COPY FOLLOWS)

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

Commissioner Sullivan made a motion, seconded by Commissioner Workman to approve all proposed minutes from previous minutes as submitted.

MOTION CARRIED.

4. REVIEW AND APPROVE PAYROLL TO BE ISSUED.

Commissioner Foley made a motion, seconded by Commissioner Bing to approve the Aug 25, 2023, payroll.

MOTION CARRIED.

(COPIES FOLLOW)

5. PUBLIC COMMENTS #1.

None submitted.

6. DISCUSS AND POSSIBLY TAKE ACTION ON DISASTER DECLARATION FOR LEON COUNTY DUE TO WILDFIRES IN JUNE, JULY, AND AUGUST OF 2023.

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

MOTION CARRIED.

(COPY FOLLOWS)

**7. DISCUSS AND POSSIBLY TAKE ACTION ON MASTER GARDENERS
REQUESTING \$2,000 FOR CHRISTMAS DECORATIONS AND THE LAYOUT OF
THE CHRISTMAS DECORATIONS ON THE SQUARE.**

Commissioner Sullivan made a motion, seconded by Commissioner Bing to approve \$1,000 as budgeted with an additional \$400 to be taken from Contingency.

MOTION CARRIED.

8. DISCUSS AND POSSIBLY TAKE ACTION ON NW LEON COUNTY ESD #3 AUDIT.

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

VOTE BREAKDOWN:

Yes: Ryder, Sullivan, Bing, Workman

Abstain: Foley

MOTION CARRIED.

(COPY FOLLOWS)

9. DISCUSS AND POSSIBLY TAKE ACTION ON THE REPLAT OF LOT 57 AND LOT 58 IN THE THREE LAKES RANCH LLC SUBDIVISION.

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

MOTION CARRIED.

10. DISCUSS AND POSSIBLY TAKE ACTION ON APPROVING THE NEW SUBDIVISION BUFFALO CREEK LAND COMPANY CO 2451.

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

MOTION CARRIED.

11. DISCUSS AND CONSIDER ADOPTION OF THE TAKINGS IMPACT ASSESSMENT CONCERNING THE PROPOSED ORDINANCE PROHIBITING SOLID WASTE DISPOSAL IN CERTAIN AREAS OF THE COUNTY.

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

MOTION CARRIED.

(COPY FOLLOWS)

12. DISCUSS AND POSSIBLY TAKE ACTION ON FAILED JP #2 LOCAL OPTION LIQUOR PETITION.

Elections Administrator Donna Golden gave a quick update of the failed petition. No action taken.

13. DISCUSS AND POSSIBLY TAKE ACTION ON RELOCATION OF POLLING LOCATIONS FOR VOTING PRECINCT #11 (E. BUFFALO) & PRECINCT #12 (OAKWOOD).

Commissioner Workman made a motion, seconded by Commissioner Bing to approve the new locations.

MOTION CARRIED.

(COPY FOLLOWS)

14. DISCUSS AND POSSIBLY TAKE ACTION ON CONSOLIDATION OF POLLING LOCATIONS FOR 11/7/23 CONSTITUTIONAL AMENDMENT ELECTION.

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

MOTION CARRIED.

(COPY FOLLOWS)

**15. DISCUSS AND POSSIBLY TAKE ACTION ON THE 11/7/23 ORDER OF
ELECTION FOR THE NOVEMBER GENERAL ELECTION.**

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

MOTION CARRIED.

(COPY FOLLOWS)

**16. DISCUSS AND POSSIBLY TAKE ACTION ON 11/7/23 NOTICE OF ELECTION
FOR THE NOVEMBER GENERAL ELECTION.**

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

MOTION CARRIED.

(COPY FOLLOWS)

17. DISCUSS AND POSSIBLY TAKE ACTION ON ORDER OF APPOINTMENT FOR REPLACEMENT ELECTION JUDGES AND ALTERNATES FOR ONE-YEAR TERM.

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

MOTION CARRIED.

(COPY FOLLOWS)

18. DISCUSS AND POSSIBLY TAKE ACTION ON ORDER OF APPOINTMENT FOR REPLACEMENT EARLY VOTING BALLOT BOARD FOR ONE-YEAR TERMS.

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

MOTION CARRIED.

(COPY FOLLOWS)

**19. DISCUSS AND POSSIBLY TAKE ACTION ON ORDER OF APPOINTMENT FOR
CENTRAL COUNTING STATION AND EARLY VOTING ELECTION OFFICERS
FOR ONE-YEAR TERMS.**

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

MOTION CARRIED.

(COPY FOLLOWS)

20. DISCUSS AND POSSIBLY TAKE ACTION ON POLLING RESERVATION AGREEMENTS FOR REMAINING 2023 ELECTION AND ALL OF 2024 ELECTIONS.

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

MOTION CARRIED.

(COPY FOLLOWS)

**21. DISCUSS AND POSSIBLY TAKE ACTION APPROVING THE 2024 LEON
COUNTY HOLIDAY LIST.**

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

MOTION CARRIED.

(COPY FOLLOWS)

22. DISCUSS AND POSSIBLY TAKE ACTION ON APPROVING THE 2024 LEON COUNTY COMMISSIONER COURT DATES.

Commissioner Foley made a motion, seconded by Commissioner Bing to approve the dates.

MOTION CARRIED.

(COPY FOLLOWS)

**23. DISCUSS AND POSSIBLY TAKE ACTION ON THE RIGHT OF WAY/MASS
GATHERING APPLICATION FOR THE TEXAS CATTLEMEN’S TRAIL RIDE TO BE
HELD 10/06/23-10/08/23.**

Commissioner Bing made a motion, seconded by Commissioner Sullivan to approve this application.

MOTION CARRIED.

(COPY FOLLOWS)

**24. DISCUSS AND POSSIBLY TAKE ACTION ON SPECIFICATIONS FOR
COMMUNICATION EQUIPMENT PROPOSAL.**

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

MOTION CARRIED.

(COPY FOLLOWS)

**25. DISCUSS AND POSSIBLY TAKE ACTION ON REIMBURSEMENT OF
KIMBERLY DAY FOR THE RING LOST FROM THE POSSESSION OF THE LEON
COUNTY JAIL.**

Commissioner Sullivan made a motion, seconded by Commissioner Bing to reimburse \$1,500 from the jail commissary fund.

VOTE BREAKDOWN:

Yes: Ryder, Sullivan, Bing, Foley

No: Workman

MOTION CARRIED.

**26. DISCUSS AND POSSIBLY TAKE ACTION ON ROAD USE AGREEMENTS
AND/OR PIPELINE AGREEMENTS (SPECTRUM) FOR CR 221 SOUTH OF CR 220
AND CR 224 SOUTH OF US HWY 79.**

Commissioner Foley made a motion, seconded by Commissioner Sullivan to approve the 120-day agreement.

MOTION CARRIED.

(COPY FOLLOWS)

**27. DISCUSS AND POSSIBLY TAKE ACTION ON ROAD USE AGREEMENTS
AND/OR PIPELINE AGREEMENTS (SPECTRUM) FOR CR 474 SOUTH OF FM 977.**

Commissioner Foley made a motion, seconded by Commissioner Sullivan to approve the 120-day agreement.

MOTION CARRIED.

(COPY FOLLOWS)

**28. DISCUSS AND POSSIBLY TAKE ACTION ON ROAD USE AGREEMENTS
AND/OR PIPELINE AGREEMENTS (SPECTRUM) FOR CR 250 & 251 EAST OF FM
542, CR 207 WEST OF FM 1511.**

Commissioner Foley made a motion, seconded by Commissioner Sullivan to approve the 120-day agreement.

MOTION CARRIED.

(COPY FOLLOWS)

29. DISCUSS AND POSSIBLY TAKE ACTION ON ROAD USE AGREEMENTS AND/OR PIPELINE AGREEMENTS (COMSTOCK) FOR CR 344, CR 381, CR 385, CR 386, CR 424, CR 425, CR 426, CR 427, CR 428, CR 429, CR 430, CR 431, CR 432, CR 434, CR 435, CR 436, CR 437, CR 440, CR 442, CR 443, CR 444, CR 445, CR 446, CR 449, CR 450, CR 467, CR 470, CR 473, CR 474, CR 382, CR 384, CR 4261, CR 4262, CR 4263, CR 4421. Note: Not all county roads will be used. Most of the roads will only be subject to temporary water lines and water line crossings.

Commissioner Foley made a motion, seconded by Commissioner Workman to approve the 12-month agreement.

MOTION CARRIED.

(COPY FOLLOWS)

30. DISCUSS AND POSSIBLY TAKE ACTION ON CHANGING COUNTY ROAD SPECIFICATIONS FOR SUBDIVISIONS ONLY.

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

MOTION CARRIED.

31. DISCUSS AND POSSIBLY TAKE ACTION ON THE 2023-2024 PROPOSED TAX RATE FOR LEON COUNTY. (.395056)

Commissioner Sullivan made a motion, seconded by Commissioner Foley to approve the tax rate of .395056.

MOTION CARRIED.

32. DISCUSS AND POSSIBLY TAKE ACTION ON HIRING BELT HARRIS PECHACEK TO CONDUCT FY 24 ANNUAL FINANCIAL AUDIT AND SINGLE AUDIT (IF APPLICABLE).

Commissioner Workman made a motion, seconded by Commissioner Bing to approve the hire.

MOTION CARRIED.

(COPY FOLLOWS)

33. DISCUSS AND POSSIBLY TAKE ACTION ON CONTRACTING WITH BELT HARRIS AND PECHACEK TO CONDUCT THE FY 23 ANNUAL PROBATION AUDIT.

Commissioner Workman made a motion, seconded by Commissioner Bing to approve the hire.

MOTION CARRIED.

(COPY FOLLOWS)

34. DISCUSS AND POSSIBLY TAKE ACTION ON AMENDING THE EXPO POLICIES AND PROCEDURES TO INCLUDE SPONSORSHIP OPPORTUNITIES.

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

MOTION CARRIED.

35. BUDGET AMENDMENTS AND TAKE ANY ACTION NECESSARY.

None submitted.

36. LINE ITEMS TRANSFERS AND TAKE ANY ACTION NECESSARY.

None submitted.

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

Commissioner Sullivan made a motion, seconded by Commissioner Bing to approve the following reports:

JP Precinct 4 – July 2023

MOTION CARRIED.

(COPY FOLLOWS)

38. 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.

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

None submitted.

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

A. DISCUSS AND POSSIBLY TAKE ACTION ON OBTAINING FINANCING FROM GOVERNMENT CAPITAL AND THE RESOLUTION REGARDING THE FINANCING AGREEMENT FOR THE PURPOSE OF PROCURING A MOTOR GRADER FOR ROAD AND BRIDGE PCT. 3.

Commissioner Workman made a motion, seconded by Commissioner Foley to approve the financing and resolution.

MOTION CARRIED.

(COPY FOLLOWS)

B. DISCUSS AND POSSIBLY TAKE ACTION RENEWAL OF THE IT MANAGED SERVICES CONTRACT.

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

MOTION CARRIED.

(COPY FOLLOWS)

C. DISCUSS AND POSSIBLY TAKE ACTION ON RENEWAL OF DATTO CLOUD SERVICES FOR THE TREASURER, AUDITOR AND SHERIFF'S OFFICE.

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

MOTION CARRIED.

(COPY FOLLOWS)

D. DISCUSS AND POSSIBLY TAKE ACTION ON RESCINDING THE MARCH 29, 2023 MOTION (ITEM #32D) TO SOLICIT PROPOSALS FOR GENERATOR MAINTENANCE.

Judge Ryder made a motion, seconded by Commissioner Workman to rescind the motion, and to appoint our county maintenance crew to do the maintenance on all county generators, including at the commissioner precinct locations.

MOTION CARRIED.

41. DISCUSS AND POSSIBLY TAKE ACTION ON ANY FY 2023-2024 BUDGET OR TAX ITEMS.

Discussion only; no action taken.

42. PUBLIC COMMENTS #2.

None submitted.

43. COMMISSIONERS OPEN FORUM.

Commissioner Foley commended EOC Director Bob Hickman for his efforts with recent wildfire incidents and accidents.

44. ADJOURN.

Commissioner Workman made a motion, seconded by Commissioner Sullivan 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