

KIMBLE COUNTY COMMISSIONERS COURT
CALLED MEETING – SEPTEMBER 6, 2023 @ 4:00 PM

The Honorable Commissioners Court met on the above date and time in the County Courtroom at 501 Main Street, Junction, TX 76849. The following minutes were taken with regard to that meeting and are reflected below as accurately and to the best of my ability below:

COURT PRESENT:

Commissioner Precinct 1 Brayden Schulze (ABSENT)
Commissioner Precinct 2 Kelly Simon
Commissioner Precinct 3 Dennis Dunagan
Commissioner Precinct 4 Kenneth Hoffman
County Judge Hal A. Rose
County/District Clerk Karen E. Page

ELECTED OFFICIALS PRESENT:

Sheriff Castleberry (ABSENT)
County Attorney Andrew Heap
Treasurer Billie Stewart (ABSENT)

VISITORS: SEE ATTACHED LIST

AGENDA ITEMS:

- 1. Call to order @ 4:06PM**
- 2. Convene meeting and establish quorum – see above**
- 3. Public comments are welcome. Please limit comments to five minutes or less.**
None
- 4. Consideration, discussion, and possible action regarding the Crooked Creek Ranch Subdivision response to the Court's prior disapproved plat application, including the reasons for disapproval, as set forth in Order #CC-2022-05, attached to this agenda as Exhibit "A".**
Meredith Allen spoke acknowledging they have done everything required by groundwater board, PEC certifications and engineering certifications, drawn down was minimal throughout the testing, Commissioner Simon made the Motion to approve the amended plat application to Crooked Creek Subdivision, with the Judge recommending a waiver of the plat application fee, second by Commissioner Dunagan, all present in favor, motion carries
- 5. EXECUTIVE/CLOSED SESSION – An executive/closed session meeting may be held (as needed) pursuant to Sections 551.071(2) and 551.129 of the Texas Government Code (consultation with attorney) for the Commissioners Court to consult with and seek advice from its attorney regarding: (a) the county's active subdivision and manufactured home rental community regulations; (b) the pending plat application for the Crooked Creek Ranch**

Subdivision; and (c) any other matter described in this meeting agenda.

No executive session held

6. Consideration and approval of bills, accounts, and authorization to pay bills and accounts for Kimble County.

Motion to pay bills made by Commissioner Schultz, second by Commissioner Simon, all present in favor, motion carries

7. Adjourned.

Motion to adjourn made by Commissioner Schultz, second by Commissioner Simon, all present in favor, motion carries

There being no further business, Court adjourned this 6th day of September, 2023

/S/ HAL A ROSE

Hal A. Rose, Kimble County Judge

Attest: /S/ KAREN E. PAGE

Karen E. Page, County Clerk

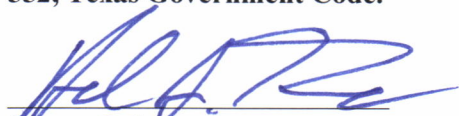
KIMBLE COUNTY CALLED COMMISSIONERS COURT MEETING

Notice is hereby given that the Kimble County Commissioners Court will convene a called meeting in the County Courtroom of the Kimble County Courthouse, 501 Main Street, Junction, Texas 76849, at 4:00 p.m. on Wednesday, September 6, 2023

AGENDA

1. Call to order.
2. Convene meeting and establish quorum.
3. Public comments.
4. Consideration, discussion, and possible action regarding the Crooked Creek Ranch Subdivision response to the Court's prior disapproved plat application, including the reasons for disapproval, as set forth in Order #CC-2022-05, attached to this agenda as Exhibit "A".
5. **EXECUTIVE/CLOSED SESSION** – An executive/closed session meeting may be held (as needed) pursuant to Sections 551.071(2) and 551.129 of the Texas Government Code (consultation with attorney) for the Commissioners Court to consult with and seek advice from its attorney regarding: (a) the county's active subdivision and manufactured home rental community regulations; (b) the pending plat application for the Crooked Creek Ranch Subdivision; and (c) any other matter described in this meeting agenda.
6. Consideration and approval of bills, accounts, and authorization to pay bills and accounts for Kimble County.
7. Adjourned.

This notice is given and posted pursuant to the Texas Open Meetings Act, Title 5, Chapters 551 and 552, Texas Government Code.



County Judge

Filed September 1, 23
at 9:35 o'clock A. M.
Karen E. Page
Karen E. Page, County Clerk, Kimble County, Texas
By Kendra Powers Deputy
KENDRA POWERS

ORDER NO. CC-2022-05

AN ORDER OF THE COMMISSIONERS COURT OF KIMBLE COUNTY, TEXAS: (1) DISAPPROVING THE ACTIVE SUBDIVISION PLAT SUBMITTED BY THE DEVELOPER FOR THE CROOKED CREEK RANCH SUBDIVISION TO BE LOCATED IN KIMBLE COUNTY, TEXAS; AND (2) ESTABLISHING AN EFFECTIVE DATE AND COMPLIANCE WITH THE TEXAS OPEN MEETING ACT.

WHEREAS, Kimble County, Texas (“County”) is a county of the State of Texas, having been duly created and organized under the constitution and laws of Texas, and further, the Kimble County Commissioners Court (“Commissioners Court”) is the governing body of the County; and

WHEREAS, pursuant to Article V, Section 18 of the Texas Constitution, Chapter 232 of the Texas Local Government Code, the County’s active subdivision regulations (“Regulations”), and other authority, the County may approve, approve with conditions, or disapprove subdivision plats submitted for development in the unincorporated area; and

WHEREAS, Cypress View Investments Ltd. (collectively “Developer”) submitted a subdivision plat application to the County for review regarding the proposed Crooked Creek Ranch Subdivision (“Subdivision”), said subdivision containing 10 - 20 acres of land, more or less, located in the unincorporated area of Kimble County, Texas, as described in the attached **Exhibit 1**; and

WHEREAS, pursuant to Chapter 232, Subchapter A, of the Texas Local Government Code, the Regulations, and other authority, the Commissioners Court desires by this order to disapprove the active Subdivision plat submitted by the Developer to the County, as hereafter described, including the attached **Exhibits 1 and 2**.


NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Commissioners Court of Kimble County, Texas, for and on behalf of said County and in the public interest, as follows:

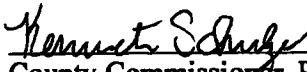
- (1) Unless otherwise designated, the past, present, or future tense shall each include the other, the masculine, feminine, or neuter gender shall each include the other, and the singular and plural number shall each include the other where necessary for a correct meaning.
- (2) All statements made in the caption and preliminary recitals of this order, and all attached documents, are incorporated by reference.
- (3) The Commissioners Court disapproves the plat of the Subdivision submitted by the Developer to the County, as described in the Developer’s active and proposed plat (“Plat”) attached as **Exhibit 1**, the reasons for disapproval are expressed and described in the attached **Exhibit 2**.

- (4) This order shall take effect immediately from and after its passage.
- (5) This matter was ordered, adopted, and approved at a meeting held in compliance with Chapter 551 of the Texas Government Code, the Texas Open Meetings Act.


ORDERED, ADOPTED, AND APPROVED on the 21 day of November 21, 2022.


**THE COMMISSIONERS COURT OF
KIMBLE COUNTY, TEXAS**


County Judge
Kimble County, Texas


County Commissioner, Precinct 1
Kimble County, Texas

ABSENT
County Commissioner, Precinct 2
Kimble County, Texas


County Commissioner, Precinct 3
Kimble County, Texas


County Commissioner, Precinct 4
Kimble County, Texas

ATTEST:

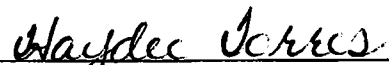

County Clerk or Deputy County Clerk
Kimble County, Texas

EXHIBIT 2

REASONS FOR PLAT DISAPPROVAL
REGARDING CROOKED CREEK RANCH
SUBDIVISION

EXHIBIT 2:

**REASONS FOR PLAT DISAPPROVAL REGARDING
CROOKED CREEK RANCH SUBDIVISION**

These Reasons for Plat Disapproval Regarding Crooked Creek Ranch Subdivision are submitted by Kimble County, Texas (“County”) pursuant to §§ 232.0025-.0028 of the Texas Local Government Code and other authority.

Cypress View Investments Ltd. (collectively “Developer”) submitted a subdivision plat application to the County for review regarding the proposed Crooked Creek Ranch Subdivision (“Subdivision”), said subdivision containing 10 – 20 acres of land, more or less, located in the unincorporated area Kimble County, Texas, and as described in **Exhibit 1**, being a copy of the active plat (“Plat”) submitted by the Developer for the Subdivision.

The Plat of the Subdivision described in **Exhibit 1** is disapproved because of the following reasons:

- (1) **Groundwater Sufficiency Disclosure Statement** – the following issues were not properly completed: (a) provide copies of the completed Groundwater Sufficiency Disclosure Statement to the executive director of the Texas Water Development Board; (b) comply with the requirements in 30 TAC §§ 230.1-230.11, including but not limited to: (i) the required aquifer test being completed as outlined in said chapter, (ii) providing calculations required in 20 TAC §§ 230.1-230.11. TEX. LOC. GOV’T CODE §§ 232.0032, 232.101, 232.107; 30 TEX. ADMN. CODE §§ 230.1-230.11; Kimble County Subdivision and Manufactured Home Rental Community Regulations (“Regulations”) (effective July 12, 2022) § 4.1 (M).
- (2) **Developer Engineer Signature/Disclosure** – the following issue was not properly completed: must contain a signature, seal, certification, date, and affidavit by the registered professional engineer for the Developer which states the required language found in § 4.1 (U) of the Kimble County Subdivision and Manufactured Home Rental Community Regulations (“Regulations”) (effective July 12, 2022). TEX. LOC. GOV’T CODE §§ 232.101, 232.107; Regulations § 4.1 (U).
- (3) **Additional Plat Certifications** – the following certifications were not properly completed: the certifications that are required in § 4.1 (Y) (1), (2), and (3) of the Kimble County Subdivision and Manufactured Home Rental Community Regulations (“Regulations”) (effective July 12, 2022). TEX. LOC. GOV’T CODE §§ 232.101, 232.107; Regulations § 4.1 (Y).
- (4) **Developer Response/Resubmittal** – Prior to Plat approval, the Plat must be

revised and Resubmitted in accordance with the Kimble County Subdivision and Manufactured Home Rental Community Regulations (“Regulations”) (effective July 12, 2022). TEX. LOC. GOV’T CODE §§ 232, 233; Regulations.

COMMISSIONER'S COURT
MEETING 9/6/2023

VISITORS PLEASE SIGN IN

- 1 Andrew Buonassisi
- 2 - given confirmation
- 3 John Carlson
- 4 Corey Belmann
- 5 Tyler Campbell
- 6 Cassie Hoffman
- 7 Meredith Allen
- 8 _____
- 9 _____
- 10 _____
- 11 _____
- 12 _____
- 13 _____
- 14 _____
- 15 _____
- 16 _____
- 17 _____
- 18 _____
- 19 _____
- 20 _____

ORDER NO. CC-2023-12

AN ORDER OF THE COMMISSIONERS COURT OF KIMBLE COUNTY, TEXAS: (1) APPROVING THE ACTIVE SUBDIVISION PLAT SUBMITTED BY THE DEVELOPER FOR THE CROOKED CREEK RANCH SUBDIVISION TO BE LOCATED IN THE UNINCORPORATED AREA OF KIMBLE COUNTY, TEXAS; AND (2) ESTABLISHING AN EFFECTIVE DATE AND COMPLIANCE WITH THE TEXAS OPEN MEETING ACT.

WHEREAS, Kimble County, Texas (“County”) is a county of the State of Texas, having been duly created and organized under the constitution and laws of Texas, and further, the Kimble County Commissioners Court (“Commissioners Court”) is the governing body of the County; and

WHEREAS, pursuant to Article V, Section 18 of the Texas Constitution, Chapter 232 of the Texas Local Government Code, the County’s active subdivision regulations (“Regulations”), and other authority, the County may approve, approve with conditions, or disapprove subdivision plats submitted for development in the unincorporated area; and

WHEREAS, Cypress View Investments Ltd. (collectively “Developer”) submitted a subdivision plat application to the County for review regarding the proposed Crooked Creek Ranch Subdivision (“Subdivision”), said subdivision containing 179.88 acres of land, more or less, located in the unincorporated area of Kimble County, Texas, as described in the attached **Exhibit 1**; and

WHEREAS, pursuant to Chapter 232 of the Texas Local Government Code, the Regulations, and other authority, the Commissioners Court desires by this order to approve the active Subdivision plat submitted by the Developer to the County, as hereafter described, including the attached **Exhibit 1**.

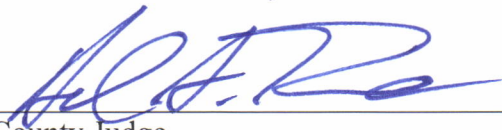
NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Commissioners Court of Kimble County, Texas, for and on behalf of said County and in the public interest, as follows:

- (1) Unless otherwise designated, the past, present, or future tense shall each include the other, the masculine, feminine, or neuter gender shall each include the other, and the singular and plural number shall each include the other where necessary for a correct meaning.
- (2) All statements made in the caption and preliminary recitals of this order, and all attached documents, are incorporated by reference.
- (3) The Commissioners Court approves the plat of the Subdivision submitted by the Developer to the County, as described in the Developer’s active and proposed subdivision application and plat, including all attachments to said application and plat, (“Plat”) attached as **Exhibit 1**.

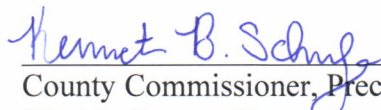
- (4) This order shall take effect immediately from and after its passage.
- (5) This matter was ordered, adopted, and approved at a meeting held in compliance with Chapter 551 of the Texas Government Code, the Texas Open Meetings Act.

ORDERED, ADOPTED, AND APPROVED on the 6th day of September, 2023.


**THE COMMISSIONERS COURT OF
KIMBLE COUNTY, TEXAS**



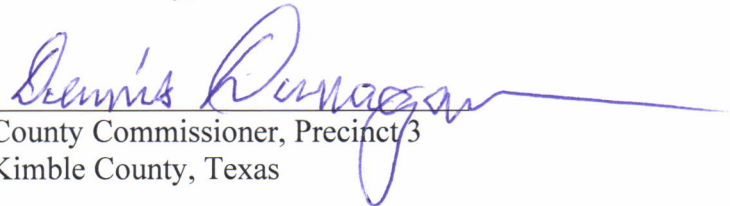
County Judge
Kimble County, Texas




County Commissioner, Precinct 1
Kimble County, Texas



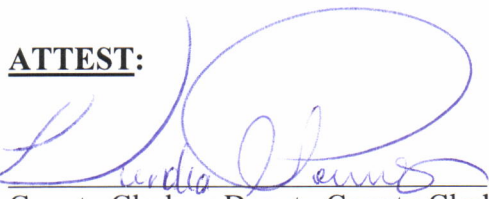
County Commissioner, Precinct 2
Kimble County, Texas



County Commissioner, Precinct 3
Kimble County, Texas



County Commissioner, Precinct 4
Kimble County, Texas

ATTEST:


County Clerk or Deputy County Clerk
Kimble County, Texas