

Hamilton County Commissioner's Court

Regular Session

Tuesday, October 17, 2017

9:00 A.M.



Hamilton County Commissioners met in a regular session on Tuesday, October 17, 2017 at 9:00 A.M. with the following members present: County Judge Mark Tynes, Commissioner's Johnny Wagner, Keith Allen Curry, Lloyd Huggins and Dickie Clary.

Tynes called the meeting to order and a quorum was established.

Wagner led the invocation and Tynes followed with the pledges.

In the public comments Richard Layne spoke on the posting of speed limit signs on county roads. He believes that the speed limit on county roads set by the state is 60 mph. Most people won't be able to do that. He believes it is going to be of more cost to the county, and questioned how law enforcement was going to handle it. He also thanked the court for the opportunity to speak.

Damon Chumney said that he concurred with Richard Layne with the speed limit sign being posted stating that we haven't done it in the past and there is no reason for us to start now. The state already sets the speed limit. He also spoke on the tax abatement for Vista Mountain Wind, LLC. Stating that he knows the court knows how he feels on the subject, but he wanted to let the court know one more time that he is against the tax abatement and allowing it would just add insult to injury. He thanked the court for the opportunity to speak.

Tynes moved on to agenda item #12 on the Vista Mountain Wind LLC tax abatement because there were lots of public participation forms filled out to speak on this topic. He began by stating that there was no change with the application. A new one or corrected one has not been submitted to County Attorney Mark Henkes. He did think it was time for the court for the court to vote on whether they would support a tax abatement for Vista Mountain Wind, LLC for the citizens of Hamilton County and also Vista Mountain Wind, LLC. He opened the floor for the public comments.

Scott O'Glee brought a handout and spoke against the tax abatement. Also, against the tax abatement with very compelling statements were Ray Wilkerson, Melanie Bell, Rusty Kruger, Calvin Friedrich, Kat Parks and Larry Karnes. *(Recorded in Commissioner's Court Papers Book 58 Page 650)*

Tynes followed by stating that Congressman Williams had asked the court to decline the abatement. He also stated that the Hico Economic Development Corporation voted unanimously against the abatement. *(Recorded in Commissioner's Court Papers Book 58 Page 661)* J.D. Sheffield also sent a letter to him stating that he will not support the abatement as well. *(Recorded in Commissioner's Court Papers Book 58 Page 662)*

Tynes stated that the problem with the application is that it hasn't defined a reinvestment zone, but legal counsel says that the court can still vote on it.

Tynes let the public know that the court's only position is on the abatement only. That the court cannot control whether Vista Mountain Wind, LLC would come into Hamilton County or not.

Tynes stated that he believes that this is still a property rights issue. He then asked the court if they were going to consider this abatement or not?

Clary stated that he would not support a tax abatement after all the research he had done, and that the short of it.

Wagner said the based on his weeks of study that it sounded to him like we would be taking money from one group of people to another group of people and he doesn't think that is a decision the court needed to make. Therefore he would not be in support of the abatement.

Curry stated the way he saw it, was that it would do harm to some of our citizens he could not support the abatement.

Huggins stated that it was pretty evident already that he was not going to support the abatement.

Huggins made a motion for a vote for the court not to support the tax abatement for Vista Mountain Wind, LLC. The motion carried unanimously.

Tynes recessed the court for about 5 minutes.

When Tynes called the court back into session he began by saying that he would like to applaud the court on the abatement decision. He knows that the court walked away from a lot of money. This decision may have divided the court somewhat, but he wanted to let the court know that he appreciated each and every one of them and all the hard work and research they had done.

A motion was made by Clary and seconded by Huggins to approve the following consent agenda:

- A. Minutes of the 10-10-2017 Commissioner's Court Meeting
- B. Approve departmental reports – none submitted
- C. Approve bills submitted for payment – none submitted
- D. Approve monthly Treasurer's Report – Not submitted

The motion carried unanimously.

Tynes moved to agenda item #9 regarding the speed limit signs on county roads.

Rusty Kruger stood up thanking the court for the opportunity to speak and stated that he would like to have a 20 mph speed limit sign on county road 132. He said that there are always kids riding bikes and people always walking on that road. He said that people fly through there and cover you in dust when you are walking because they are flying down that road. HE also mentioned the culvert by his place that has a pretty good drop off. He said that he thinks this a safety issue and worried that someone is going to get hurt. Therefore he asked the court to please consider a 20 mph speed limit sign posted on county road 132.

Huggins presented the court with a petition/letter that was signed by each resident on county road 132 requesting that there be a 20 mph speed limit sign posted on that road. (*Recorded in Commissioner's Court Papers Book 58 Page 663*) He also presented the court with a handout (County Road and Setting Speed Limits). It basically said in Texas Transportation Code 251.152 that the commissioner's court could regulate the speed limit on a county road however a public hearing must be held. In Texas Transportation Code 543.355 stated that they can't set the speed limit lower than 30mph without an engineering study. Huggins said that that would be costly. (*Recorded in Commissioner's Court Papers Book 58 Page 665*)

Huggins said that he will support these families on this road at 30 mph without having an engineering study. Clary and Tynes agreed.

Huggins said that he would post notice in both of the newspapers, and that we would have the public hearing on November 14, 2017. The court agreed.

The court nominated Tynes to server on the board of the Hamilton County Appraisal District. Tynes did volunteered because he was currently serving on the board and would not mind serving again.

Tynes wanted to update the court on the District Courtroom air conditioner problems. He said that the coolant that is used currently to run the air conditioner is very expensive. He said that he had one bid to replace all 4 coils and that would cost approximately \$11,200.00, and that would be with a 1 year warranty. He then said that if the court replaced the entire unit would be around \$20,000.00 and the coolant that would go in the new one would be less expensive. He said it was just something for the court to be thinking about.

There were no future agenda items.

Tynes adjourned the court at 10:30 A.M.

W. Mark Tynes

County Judge

Kiesha F. Bagwell

County Clerk