

COLORADO COUNTY COMMISSIONERS COURT
NOTICE OF OPEN MEETING

DATE OF MEETING: September 6, 2022 – 1:00 P.M.
BUILDING: Colorado County Courthouse, County Courtroom
STREET LOCATION: 400 Spring Street
CITY OF LOCATION: Columbus, Texas 78934

The Colorado County Commissioners Court Meetings will be broadcast live on Zoom <https://txcourts.zoom.us/j/93198500943> for those individuals who wish to watch or listen remotely.

Pursuant to the authority granted under Government Code, Chapter 551, the Commissioners Court may convene in a closed meeting to discuss, deliberate and take action on any of the agenda items listed below. Immediately before any closed session, the specific section or sections of Government Code, Chapter 551, which provides statutory authority, will be announced.

On this the 6th day September 2022, the Commissioners Court of Colorado County, Texas met in Special Session at 1:00 P.M., in their regular meeting place at the Colorado County Courthouse, County Courtroom, 400 Spring Street, in the City of Columbus, Texas.

The Following Members were present, to wit:

Honorable Ty Prause	County Judge
Honorable Doug Wessels	Commissioner Precinct #1
Honorable Darrell Kubesch	Commissioner Precinct #2
Honorable Keith Neuendorff	Commissioner Precinct #3
Honorable Darrell Gertson	Commissioner Precinct #4
By: Michelle Kollmann	Deputy Clerk

Honorable Kimberly Menke, County Clerk was unable to attend.

County Judge Ty Prause called the meeting to order at 1:02 P.M., followed by Pledges to the United States Flag and Texas Flag.

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DELIBERATE AND CONSIDER ACTION ON THE FOLLOWING ITEMS:

__1. Agenda as posted.

**Motion by Commissioner Wessels to approve Agenda; seconded by Commissioner
Kubesch; 5 ayes 0 nays; motion carried; it was so ordered.**

(See Attachment)

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**COLORADO COUNTY COMMISSIONERS COURT
NOTICE OF OPEN MEETING**

FILED FOR RECORD
COLORADO COUNTY, TX

2022 SEP -1 PM 1:11

KIMBERLY MENKE
COUNTY CLERK *MM*

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DELIBERATE AND CONSIDER ACTION ON THE FOLLOWING ITEMS:

- 1. Agenda as posted.
- 2. Public comments.
- 3. A Memorandum of Understanding between Lavaca County and Colorado County to share an EMS Director, to include the duties, costs, salary and benefits.
- 4. Commissioners Court Members sign all documents and papers acted upon or approved.
- 5. Adjourn.

CERTIFICATION

NAME: Ty Prause
TITLE: Colorado County Judge
SIGNATURE OF CERTIFYING OFFICIAL:
DATE: September 1, 2022
TELEPHONE NUMBER: (979) 732-2604
FAX NUMBER: (979) 732-9389



The Colorado County Courthouse is wheelchair accessible and accessible parking spaces are available.

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__2. Public comments.

No public comments.

__3. A Memorandum of Understanding between Lavaca County and Colorado County to share an EMS Director, to include the duties, costs, salary and benefits.

Judge Prause explained that on Wednesday August 31, 2022 Lavaca County accepted a memorandum of understanding and it is now being presented to the Colorado County Commissioner's Court. The memorandum outlines sharing an EMS director (Michael Furrh) with an assistance in each county. There will be a six-month trial period.

Motion by Judge Prause to approve a Memorandum of Understanding between Lavaca County and Colorado County to share an EMS Director, to include the duties, costs, salary and benefits; seconded by Commissioner Neuendorff; 5 ayes 0 nays; motion carried; it was so ordered.

(See Attachment)

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MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (the "MOU" or Memorandum"), is entered into on September 6th 2022 (the Effective Date"), by and between the County of Lavaca located at 109 N. LaGrange St. Hallettsville, Texas 77964 (the "First Party"), and the County of Colorado located at 400 Spring St. Columbus, Texas 78934 (the "Second Party"). First Party and Second Party may be referred to individually as the "Party", or collectively, the "Parties".

1. MISSION

This collaboration has the following intended missions in mind:

To share, on an interim basis, and EMS Director, which the Parties believe can benefit both Lavaca and Colorado County Emergency Medical Services operations.

2. PURPOSE AND SCOPE

The Parties intend for this Memorandum to provide the cornerstone and structure for any and all future agreements and or contracts resulting from this being considered by the Parties. The Parties further contemplate that if this interim period is successful in each county's sole and absolute discretion, another written agreement or contract may be forthcoming and shall supersede anything herein to the contrary.

3. OBJECTIVES

The Parties shall endeavor to work together to develop and establish policies and procedures that will promote and sustain a more profitable market while providing a very high level of care and service for the citizens of each county with a shared EMS Director.

4. RESPONSIBILITIES AND OBLIGATIONS OF THE PARTIES

Either party may decide not to proceed with this interim collaboration for a shared EMS Director contemplated herein for any reason or no reason. A further written agreement or contract, with respect to the interim collaboration described herein, will result only if approved by each county. Notwithstanding the two preceding sentences of this paragraph, the provisions under the headings of Governing Law and Confidentiality are agreed to be fully binding on, and enforceable, against the Parties.

The following are the individual services that the Parties are contemplating providing for the partnership.

The County of Lavaca shall allow it's EMS Director to render and provide the following services with Colorado County, that include, but are not limited to:

- 1) Lavaca County, on an interim basis, shall share the duties and responsibilities of its EMS Director

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- 2) Lavaca County, on an interim basis, shall have shared expense of fuel and maintenance to the EMS Director's vehicle.
- 3) Lavaca County, on an interim basis, shall pay one-half of the salary (\$50,000) and all associated employee benefits of the shared EMS Director.
- 4) Lavaca County, on an interim basis, shall allow the EMS Director to respond to emergencies in both Lavaca and Colorado County as reasonably practical as possible.
- 5) The EMS Director shall present a report to the Lavaca County Commissioners Court at least once per month at a regular or specially called meetings.

County of Colorado shall hire the current EMS Director of Lavaca County to render and provide the following services that include, but are not limited to:

- 1) Colorado County, on an interim basis, shall provide a vehicle to the EMS Director for use in both counties for emergency response and non-emergency transportation.
- 2) Colorado County, on an interim basis, shall have shared expense of fuel and maintenance to the EMS Director's vehicle.
- 3) Colorado County, on an interim basis, shall pay one-half of the salary (\$50,000) and all associated employee benefits of the shared EMS Director.
- 4) Colorado County, on an interim basis, shall allow the EMS Director to respond to emergencies in both Lavaca and Colorado County as reasonably practical as possible.
- 5) The EMS Director shall present a report to the Colorado County Commissioners Court at least once per month at a regular or specially called meetings.

5. TERM OF INTERIM MEMORANDUM OF UNDERSTANDING (MOU)

The term of this Memorandum shall be for a period of six months from the Effective Date and may be extended upon written mutual agreement of both Parties.

6. CONFIDENTIALITY

The Parties will treat the terms of this MOU, and the documents attached or supplemental to this MOU in the strictest confidence. The MOU's terms will not be disclosed to anyone other than to those officers, representatives, advisors, directors and employees of any Party who need to know for the purpose of evaluating this MOU and who agree to keep such material confidential. This provision is subject to a required response to a request for inspection or copying under State or Federal law.

7. LEGAL COMPLIANCE

The Parties acknowledge and understand that they must be able to fulfill their responsibilities under this Memorandum in accordance with the provisions of the law and regulations that govern their activities. Nothing in this MOU is intended to negate or otherwise render ineffective and such provisions or operating procedures.

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If at any time either Party is unable to perform its duties or responsibilities under this MOU, consistent with such Party's statutory and regulatory mandates, the affected Party shall immediately provide written notice to the other Party to establish a date for resolution of the matter.

8. LIMITATION OF LIABILITY

No right or limitations of rights shall arise or be assumed between the Parties as a result of the terms of this Memorandum.

9. NOTICE

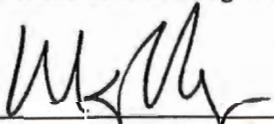
Any notice or communications required or permitted under this MOU shall be sufficiently given if delivered in person or by certified mail, return receipt requested, to the address set forth in the opening paragraph or to such address as one may have furnished to the other in writing.

10. GOVERNING LAW

This Memorandum shall be governed by and construed in accordance with the laws of the State of Texas.

The signing of this Memorandum does not constitute a formal permanent contract or undertaking, and as such it is the intent of the Parties that they shall strive to reach, to the best of their abilities, the goals and objectives stated in this temporary collaboration described in this MOU.

This Agreement shall be approved and signed by the County of Lavaca and the County of Colorado and shall be effective beginning September 6th 2022.



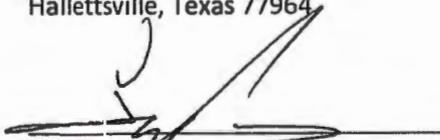
County of Lavaca

109 N. LaGrange St.

Hallettsville, Texas 77964

9/6/2022

Date



County of Colorado

400 Spring St.

Columbus, Texas 78934

9-6-22

Date

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- __4. Commissioners Court Members sign all documents and papers acted upon or approved.**

Judge Prause announced it is now time to sign all papers and documents.

- __5. Adjourn.**

Motion by Judge Prause to adjourn at 1:12 P.M.; seconded by Commissioner Neuendorff.

An audio recording of this special meeting of September 6, 2022 is available in the County Clerk's Office.

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Minutes were taken and prepared by Kimberly Menke, County Clerk on the 6th day of September 2022 with Judge Ty Prause presiding.

I, KIMBERLY MENKE, COUNTY CLERK AND EX-OFFICIO OF THE COMMISSIONERS COURT IN AND FOR COLORADO COUNTY, TEXAS do hereby certify that the foregoing is a true and correct copy of the minutes of the Commissioner Court in session on the 6th day of September 2022.

Given under my hand and official seal of office this date September 6, 2022.

