



MINUTES

BE IT REMEMBERED that on the 26th day of October, 2020, the Honorable Commissioners Court of Uvalde County, Texas convened in regular session via video conferencing utilizing Zoom. The following members were in attendance:

William R. Mitchell, *County Judge*
Randy Scheide, *Commissioner Pct. #1*
Mariano Pargas, *Commissioner Pct. #2*
Jerry W. Bates, *Commissioner Pct. #3*
Ronnie Garza, *Commissioner Pct. #4*
John Dodson, *County Attorney*
Valerie Del Toro Romero, *County Clerk and Ex-Officio Clerk of
the Commissioner's Court*

Also connected to video conference utilizing Zoom were: *County Treasurer* Joni Deorsam, *County Auditor* Alice Chapman, *District Clerk* Christina Ovalle, *Road Administrator* Dee Kirkpatrick and Julye Keeble with *Uvalde Leader News*. Also participating; James Scott/OCI SunRay, LLC, Blas Ortiz/OCI SunRay, LLC, Hector Gonzales/President Southwest Texas Junior College, Vic Hilderbran/Uvalde County Underground Water Conservation District, Laura Ligocky/Uvalde County Underground Water Conservation District, Roberto Valdez/Chief Appraiser Uvalde County Appraisal District and Steve Cargil.

Absent: None

1. Consider and act upon call to order, invocation and pledge of allegiance:

The Honorable William R. Mitchell called the meeting of October 26, 2020 to order at 10:00 AM followed with the invocation, led the Pledge of Allegiance to the United States flag and Texas Pledge of Allegiance.

2. Consider and act upon approval of minutes:

Motion by Commissioner Pargas to approve the minutes of October 13, 2020 with a correction on the Commissioners Court members in attendance.

Seconded by Commissioner Bates.

Motion carried (4-0).

3. Consider and act upon receipt of tax abatement application submitted by OCI SunRay LLC:

OCI SunRay, LLC submitted an application seeking an abatement of all county property taxes for years 1-10 of operation to be replaced by a payment in lieu of taxes (PILOT) of \$73,000.00 per year for those same years.

Motion by Commissioner Scheide to accept the application submitted by OCI SunRay, LLC.

Seconded by Commissioner Bates.

Motion carried (4-0).

4. Consider and act upon conducting public hearing pertaining to tax abatement application submitted by OCI SunRay LLC:

Pursuant to the Uvalde County guidelines for granting a tax abatement, the Court opened a public hearing at 10:05 AM to accept public comments in favor or against this application. No comments were made in favor of this application and Laura Ligocky with the Uvalde County Underground Water Conservation District expressed her opinion against this application. With no further comments or questions the Court closed the public hearing at 10:08 AM.

No action taken.

5. Consider and act upon tax abatement application submitted by OCI SunRay, LLC (approval or denial):

Sr. Project Development Manager James Scott and Property Tax Incentive Manager Blas Ortiz with OCI SunRay, LLC provided a slide presentation to the Court with an overview of the estimated timeline and project land size of the proposed solar power project of OCI SunRay, LLC reinvestment zone in Uvalde County. Chief Appraiser Roberto Valdez with the Uvalde County Appraisal District outlined the tax revenue with and without the proposed tax abatement. Addressing the Court via telephone, Diana Olvedo Karau commented on her opposition to the Court granting a tax abatement to OCI SunRay, LLC. Steve Cargil addressed the Court regarding employee job security of his leased, irrigated farm land for this project.

Motion by Commissioner Scheide to approve the tax abatement application for OCI SunRay, LLC.

Seconded by Commissioner Bates.

Motion carried (4-0).

6. Consider and act upon conducting public hearing pertaining to tax abatement agreement with OCI SunRay LLC:

The Court opened for a public hearing at 10:46 AM on the proposed tax abatement agreement by and between Uvalde County and OCI SunRay, LLC with an effective date of October 26, 2020 for a period of ten years. For each of the years one through ten during the abatement period, OCI SunRay, LLC agrees to make Payment In Lieu Of Taxes (PILOT) to the County of Uvalde in the amount of \$73,000.00 per year. With no further comments or questions the Court closed the public hearing.

No action taken.

7. Consider and act upon approval of tax abatement agreement between Uvalde County and OCI SunRay LLC:

The Court considered the approval of the tax abatement agreement by and between Uvalde County and OCI SunRay, LLC.

Motion by Commissioner Scheide to approve the tax abatement agreement by and between Uvalde County and OCI SunRay, LLC.

Seconded by Commissioner Bates.

Motion carried (4-0).

8. Consider and act upon lease agreements for Justice of the Peace offices and County Attorney office:

The Court considered lease agreement renewals with Michael Story for the office space in Sabinal for the Justice of the Peace, Pct. 2 Bobby G. McIntosh in the amount of \$1,100.00 per month for a period of twelve months beginning October 1, 2020 and ending on September 30, 2021, Also with, Bill Schaefer for the office space in Utopia for the Justice of the Peace, Pct. 3 Ernie Moore in the amount of \$700.00 per month for a period of twelve months beginning October 1, 2020 and ending on September 30, 2021 and with John P. Dodson and wife, Kyla J. Dodson for the office space of the Uvalde County Attorney John P. Dodson in the amount of \$1,657.90 per month for a period of twelve months beginning October 1, 2020 and ending on September 30, 2021.

Motion by Commissioner Bates to approve lease agreements with Michael Story, Bill Schaefer and John P. Dodson and wife, Kyla J. Dodson.

Seconded by Commissioner Pargas.

Motion carried (4-0).

9. Consider and act upon addendum to LGS contract pertaining to Justice of the Peace offices:

County Auditor Alice Chapman requested consideration from the Court on Addendum 6 for a Non-Exclusive License and Services Agreement with LGS (Local Government Solutions, L.P.) to amend the existing contract for data processing services to transition Justice of the Peace-Pct. 1, Justice of the Peace-Pct. 2, Justice of the Peace-Pct. 3, Justice of the Peace-Pct. 4, Justice of the Peace-Pct. 6 at a monthly rate of \$320.00 each, per month, and Justice of the Peace-Auditor at a rate of \$160.00 per month for a total proposed monthly fee in the amount of \$1,760.00 plus a one-time training fee in the amount of \$4,250.00 for the LGS Justice Court Application implementation with a minimum wait time of one year to implement.

Motion by Commissioner Pargas to approve Addendum 6 with LGS (Local Government Solutions, L.P.).

Seconded by Commissioner Bates.

Motion carried (4-0).

10. Consider and act upon Declaration of Local Disaster of Public Health Emergency (Extension 7):

Pursuant to Texas Government Code, Section 418.108(a) a seventh extension of Declaration of Local Disaster for Public Health Emergency was considered and approved by the Court for a period of not more than thirty days from the date of this declaration unless continued or renewed by the Court related to coronavirus now designated SARS-CoV2 which causes the disease COVID-19 that has spread throughout the world and has now been declared a global pandemic.

Motion by Commissioner Pargas to approve the seventh extension of the Declaration of Local Disaster for Public Health Emergency.

Seconded by Commissioner Bates.

Motion carried (4-0).

11. Consider and act upon resolution in support of Indigent Defense Grant application:

The Court considered a resolution in support of the 2021 Indigent Defense Grant Program under the provision of the Texas Government Code Section 79.037 and Texas Administrative Code Chapter 173 to assist the county with the implementation and improvement of the indigent criminal defense services.

Motion by Commissioner Pargas to approve the resolution in support of the 2021 Indigent Defense Grant Program.

Seconded by Commissioner Garza.

Motion carried (4-0).

12. Consider and act upon adopting 2020-2021 County Investment Policy:

County Treasurer Joni Deorsam requested consideration and approval on the 2020-2021 Uvalde County Investment Policy that establishes the objectives, goals and policies to invest public funds in a manner which will provide the highest investment return with maximum security while meeting the daily cash flow demands of the entity and conforming to all state and local statutes governing the investment of public funds.

Motion by Commissioner Bates to approve the 2020-2021 Uvalde County Investment Policy.

Seconded by Commissioner Pargas.

Motion carried (4-0).

13. Consider and act upon 2021 County Holiday Schedule:

The Court considered and approved the recommended 2021 Uvalde County Holiday Schedule.

Motion by Commissioner Pargas to approve the 2021 Uvalde County Holiday Schedule.

Seconded by Commissioner Garza.

Motion carried (4-0).

14. Consider and act upon request to maintain Jack Rabbit Trail as a county road:

Commissioner Garza requested the Commissioners Court consideration on behalf of area resident Chris Suarez to maintain Jack Rabbit Trail that runs west off of County Road 402 and intersects with Highway 55 as a county road. Jack Rabbit Trail was described as a rough top road lacking base material and caliche that does not meet the required county road specifications.

Motion by Commissioner Garza to maintain Jack Rabbit Trail as a county road.

Seconded by Commissioner Pargas.

County Attorney John Dodson advised the Court that Jack Rabbit Trail is private property and the Court could not expend county funds on private property without obtaining conveyance and dedication to the County from the affected property owners with a metes and bounds description of Jack Rabbit Trail and an expressed acceptance by the Court. Commissioner Garza and Commissioner Pargas withdrew their motions. This item was tabled for future consideration by the Court.

No action taken.

15. Consider and act upon Road Administrators report:

Road Administrator Dee Kirkpatrick informed the Court that the Road Department worked on patching roads and mowing right of ways throughout the county, stock piling material for County Road 301, purchased two new tanks for water trucks, and is currently pricing a 25 to 30 ton tag trailer for purchase to haul rollers and heavy equipment throughout the county.

No action taken.

16. Consider and act upon line item budget amendments:

No amendments were presented to the court for consideration at this time.

No action taken.

17. Consider and act upon payment of bills:

Motion by Commissioner Pargas to approve payment of bills.

Seconded by Commissioner Bates.

Motion carried (4-0).

18. Consider and act upon approval of monthly reports:

Monthly reports on file for review in the office of the Uvalde County Clerk were presented for consideration and approval.

Motion by Commissioner Bates to approve monthly reports.

Seconded by Commissioner Pargas.

Motion carried (4-0).

19. Consider and act upon payroll approval:

Motion by Commissioner Bates to approve payroll.
Seconded by Commissioner Pargas.
Motion carried (4-0).

20. Consider and act upon resolutions and proclamations:

The Court approved resolutions in honor of the memory of the following individuals:

Ramiro T. Cano †
Gerald “Jerry” Radicke †
Amy V. Rios †
Esvardo Rios †
Carmen R. Uriegas †

With no further business, the meeting of October 26, 2020 was adjourned.

Exhibits identified under a specific agenda item are included as supporting documentation of the action taken by the Uvalde County Commissioners Court and are placed after the minutes and before the last page titled Commissioners Court Order.

COMMISSIONERS COURT ORDER

On this the 9th day of November, 2020, came to be heard the Uvalde County Commissioners Court Minutes of October 26, 2020, as prepared by the Clerk of the Court.

IT IS THEREFORE ORDERED the foregoing be recorded and entered for record in the UVALDE COUNTY COMMISSIONERS COURT MINUTES, as required by law. (ORDER 03-12-12)

APPROVED BY: _____
William R. Mitchell, County Judge

Randy Scheide, Commissioner Pct. #1

Mariano Pargas, Jr., Commissioner Pct. #2

Jerry W. Bates, Commissioner Pct. #3

Ronnie Garza, Commissioner Pct. #4

(SEAL)

ATTEST: _____
Valerie Del Toro Romero, County Clerk and
Ex-Officio Clerk of the Commissioners Court
of Uvalde County, Texas