

**MINUTES OF COMMISSIONER COURT, MOORE COUNTY, TEXAS
REGULAR SESSION, MONDAY, NOVEMBER 9, 2020**

STATE OF TEXAS }
COUNTY OF MOORE }

BE IT REMEMBERED THAT ON THIS 9TH DAY OF NOVEMBER, 2020 there came to be held a Regular Session of Commissioners Court of Moore County, Texas in the Commissioners Courtroom in the Courthouse in Dumas, Texas. The following persons were present to-wit: Rowdy Rhoades, County Judge; J. Daniel Garcia, Commissioner Precinct 1; Miles Mixon, Commissioner Precinct 2; Dee Vaughan, Commissioner Precinct 3; Lynn Cartrite, Commissioner Precinct 4; and County Clerk, Brenda McKanna.

Court having been opened according to law the following proceedings were had to wit:

During routine announcements and reports Commissioner Vaughan suggested dividing the funds that have been set aside for an employee appreciation dinner instead of having a dinner due to rise in COVID-19 cases. It was suggested that maybe visiting with JBS to see if they would consider a match and donate a box of beef to every employee. The canvass for the November 3, 2020 election is set for Friday, November 13, 2020 at 9:00 A.M. Chief Pray stated he has set up a motor grader operators' class with the Forest Service in regards to operating with the local fire department during grass fires. The class is a 4-hour class that will cover safety, fire behavior, integrating with command and how to communicate on the radio. He feels the class would be beneficial for the operators. The court asked him to reach out to surrounding counties and ask if they would be interested in attending.

Motion was made by Commissioner Garcia that the bills as presented by James Allen, County Auditor, be approved for payment and the County Treasurer is hereby directed to issue warrant-checks thereof. Motion was seconded by Commissioner Cartrite. Motion carried

Motion was made by Commissioner Cartrite to approve the Temporary Cash Investments dated November 9, 2020 as presented by James Allen, County Auditor, and the County Treasurer's Report of Cash Disbursements of the same date be approved and duly recorded in the Commissioner's Court Minutes. Motion was seconded by Commissioner Garcia. Motion carried. Copies of the Report and the Temporary Cash Investments are attached and made a part hereof by references.

Dr. Purl was present in regards to the court appointing a Health Authority for Moore County. Dr. Purl stated the responsibilities of a local health authority would be for primary identification of those testing positive with COVID-19 and streamline a way to be in touch with their local physicians. They would group the people that are more serious and develop a way to get them the help they need. It is a way to give the court resources to know who is serious, who is in the hospital and who is not. Tommy Brooks stated they have visited with the local Mayors and they are all in favor of having a local health authority.

Motion was made by Commissioner Cartrite to appoint Dr. Carmen Purl as the Public Health Authority effective December 2, 2020. Motion was seconded by Commissioner Vaughan. Motion carried.

Judge Rhoades reported on the meeting that was held in regards to the ARB reducing the value of the wind farms that was purchased by Stockyard Winds. They filed a 25.25D in order to protest the appraised value and presented evidence to the ARB. The ARB did reduce the value of the wind farm in accordance to the purchase price of the wind farm. Commissioner Garcia asked why the court wasn't notified in regards to the reduction. Judge Rhoades stated the sale happened from January to July with Stockyard Winds paying the taxes for 2019 and they are asking for a refund of the taxes paid after the reduction of their appraised value. Chris Rivera, Tax Assessor stated the Appraisal District did say they would make sure each taxing entity would receive a notice from this point forward when meetings like this happen in the future. Commissioner Cartrite asked if they would be willing to pay less in taxes for the year 2020 but Chris stated they are demanding a full refund. Commissioner Vaughan asked Scott Higginbotham, County Attorney if the county could repeal the ARB's decision. Scott stated there is a way but it would not be an easy process and it would be an expensive process. He has reached out to the other taxing entities and they are not interested in the appeal process. Commissioner Vaughan stated he doesn't blame the ARB but believes they were not given the information needed to make a good decision. It was stated the ARB made the decision off of the sale price instead of the market price. Commissioner Mixon stated next year he would like to cut the funds out of the Appraisal District's budget. Scott stated they can draft a resolution and send it to the Appraisal District stating that the taxing entities did not get proper notice and what it is costing them and it would be a consensus of the taxing entities for the Appraisal District to expect cuts from their budget. He stated he would also add the fact that they voted themselves a 4% salary increase but yet they cost Moore County tax payers \$64,277.68. Commissioner Cartrite asked Scott to visit with the other taxing entities in regards to drafting a resolution in regards to cutting the Appraisal District's budget.

Motion was made by Commissioner Vaughan to pursue a resolution according to Tax Code 6.10 on disapproval of the ARB's actions. Motion was seconded by Commissioner Cartrite. Motion carried.

Motion was made by Commissioner Vaughan to approve the refund to Stockyards Wind LLC in the amount of \$64,277.68 due to ARB's decision to reduce taxable value on various windmills based on advice from James Allen as to what funds could be used to pay the refund. Motion was seconded by Commissioner Mixon. Motion carried. Copies of tax refunds and application for refunds attached and made a part hereof by references.

Motion was made by Commissioner Vaughan to approve revised Interlocal Agreement signed in May 2020 with City of Dumas in regards to the COVID 19 Grant Fund #4140701 to allow other goods and valuable consideration to be purchased and given to the City of Dumas instead of giving the city the monies to purchase the supplies. Motion was seconded by Commissioner Mixon. Motion carried. Copy of Amended Agreement attached and made a part hereof by references.

Motion was made by Commissioner Cartrite to approve the contract with Jerod Pingelton as Public Defender for Moore County. Motion was seconded by Commissioner Garcia. Motion carried. Copy of contract attached and made a part hereof by references.

Motion was made by Commissioner Vaughan to extend the burn ban effective immediately. Motion was seconded by Commissioner Garcia. Motion carried. Copy of burn ban extension attached and made a part hereof by references.

“No Action taken to change date of special meeting set for November 23, 2020.

Dallas Green, Road & Bridge Supervisor presented a report on the department. Dallas will change the sign on Road 25 to read Road 25/Cator Road. Commissioner Cartrite stated that SISD will reimburse the county for the rock and seal coat for Road D. He stated the school is going to have a vet program and a vet is going to build a clinic on Road D and the students will have an opportunity to work at the vet clinic to get credit towards the program. The County Attorney will draw up an interlocal agreement with SISD. Commissioner Garcia stated he would like to seal coat Road 6 if there are enough funds in the budget for the project. The court told Dallas there are ways to move funds around to pay for seal coat materials. Dallas will amend the grant and remove Road E and put Road D on the project list. Commissioner Mixon stated he would like to ask the golf course if they would like to have some RAP for their cart paths. He feels like it would be a good will gesture if the court has no objections, he will meet with the County Attorney to see if the county can donate RAP to the golf course and if he approves Commissioner Mixon will contact the greens keeper to see if they are interested in using the RAP.

It appears there is no other business to come before the court. Motion was made by Commissioner Mixon to adjourn. Motion was seconded by Commissioner Cartrite. Motion carried.

THE ABOVE AND FOREGOING MINUTES HAVING BEEN READ AND APPROVED, IT IS HEREBY ORDERED THAT THEY BE AND ARE HEREBY APPROVED AS PRESENTED.

J. Daniel Garcia
Commissioner Precinct 1, J. Daniel Garcia

Miles Mixon
Commissioner Precinct 2, Miles Mixon

- Absent -
Commissioner Precinct 3, Dee Vaughan

Lynn Cartrite
Commissioner Precinct 4, Lynn Cartrite

Brenda McKanna
Attest: Brenda McKanna, County Clerk

Rowdy Rhoades
County Judge, Rowdy Rhoades

