

COMMISSIONER'S COURT OF MILAM COUNTY, TEXAS

AGENDA FOR Tuesday, October 11, 2022

The Milam County Commissioners Court will convene on Tuesday, October 11, 2022 beginning at 10:00 a.m. The Court will convene in person at the Milam County Courthouse in the Milam County Courtroom located at 102 S. Fannin Ave., Cameron, Texas. Court proceedings will also be broadcast by Facebook Live.

If any member of the public would like to attend and speak in person regarding any of the agenda items, please register with the County Judge's office before 10:00 a.m. on October 11, 2022.

To join by Facebook Live navigate to the Moving Milam Forward Facebook Page which is located at <https://www.facebook.com/live/producer/934846117015797>

The following items will be addressed:

1. A quorum will be established and the Court will convene.
2. Invocation.
3. Pledge of Allegiance to the American Flag and to the Texas Flag.
4. Discuss the minutes of previous Commissioner's Court meetings and take any necessary action regarding approval, corrections and/or changes of the minutes of prior Court action.
5. Public Participation:
 - a. The Milam County Commissioners Court will entertain any reasonable request from any citizen who wishes to address the Court, so long as the remarks are made pursuant to respectful decorum, the Texas Government Code and limited to five minutes or less.
6. Milam County Burn Ban:
 - a. Discuss and take any necessary action regarding the current Milam County Burn Ban.
7. Historical Commission Appointment:
 - a. Discuss and take any necessary action to appoint Mr. Kyle Barrett to the Milam County Historical Commission.
8. Sheriff Donation:
 - a. Discuss and take any necessary action to donate and approve a resolution regarding a double-axle, military surplus small animal transport trailer, previously donated to the county by the Law Enforcement Support Office to Milam Touch of Love.
9. Subdivision Re-Platting:
 - a. Discuss and take any necessary action regarding a proposal to re-platt two lots in the Los Ranchitos subdivision.
10. Subdivision Preliminary Approval:

- a. Discuss and take any necessary action regarding a proposal to approve a preliminary plat for the Tanglewood Subdivision.

11. Tax Abatement - Camino Santiago Solar:

- a. Discuss and take any necessary action to retain legal counsel to assist the county with a pending Application for Tax Abatement, including review, negotiation and drafting of all necessary documents, notices and procedures related to a possible tax abatement agreement with Camino Santiago Solar.
- b. Discuss and take any necessary action to accept the pending Application for Tax Abatement from Camino Santiago Solar and authorize setting date of November 14, 2022 at 10:00 a.m. for a public hearing and publication of notice of such hearing in a newspaper of general circulation on the creation of a reinvestment zone to be known as "Milam County Reinvestment Zone – Camino Santiago Solar" for purposes of tax abatement to provide economic development within the county, and to take up for consideration and possible approval an application for tax abatement, deemed to be in due form regarding a capital investment of \$250,000,000.00, from Camino Santiago Solar.
- c. Discuss and take any necessary action to provide notice to other taxing jurisdictions of tax abatement pursuant to Chapter 312, Texas Tax Code.

12. Tax Abatement - Adelite Storage Project LLC – Battery Storage

- a. Discuss and take any necessary action to retain legal counsel to assist the county with a pending Application for Tax Abatement, including review, negotiation and drafting of all necessary documents, notices and procedures related to a possible tax abatement agreement with Adelite Storage Project, LLC.
- b. Discuss and take any necessary action to accept the pending Application for Tax Abatement from Adelite Storage Project, LLC and authorize setting date of November 14, 2022 at 10:00 a.m. for a public hearing and publication of notice of such hearing in a newspaper of general circulation on the creation of a reinvestment zone to be known as "Milam County Reinvestment Zone – Adelite Storage Project, LLC" for purposes of tax abatement to provide economic development within the county, and to take up for consideration and possible approval an application for tax abatement, deemed to be in due form regarding a capital investment of \$114,000,000 to \$191,000,000, from Adelite Storage Project, LLC.
- c. Discuss and take any necessary action to provide notice to other taxing jurisdictions of tax abatement pursuant to Chapter 312, Texas Tax Code.

13. Road Use Agreement Amendments for Ben Milam 1, 2, & 3:

- a. Discuss, consider, take possible action to approve amendments to Road Use Agreements with Ben Milam 1, 2 & 3 solar projects.

14. Discuss, consider, take any necessary action to amend a road use agreement with Cattlemen Solar Park LLC and ratify the road use agreement with Cattlemen Solar Park LLC passed on July 11, 2022.

15. Discuss, consider, take possible action to adopt a road use agreement with Cattlemen Solar Park II LLC.

16. Text My Gov:

- a. Discuss and take any necessary action regarding a proposal by County Clerk Morgan regarding Text My Gov.

17. Indigent Defense Grant:

- a. Discuss and take any necessary action regarding a proposal to apply for and/or receive indigent grant funds to better indigent defense in Milam County.

18. Proposed Interlocal Agreement with the City of Rockdale:

- a. Discuss and take any necessary action to consummate an interlocal agreement with the City of Rockdale, whereby the City will continue donate \$10,000.00 in HOT funds to the Old Town Cameron Train Museum and the Rockdale Historical Society.

19. Proposed Interlocal Agreement with Brazos Paving:

- a. Discuss and take any necessary action regarding a proposed interlocal agreement pertaining to Milam County Precinct 1 and Brazos Paving whereby rap from FM 845 will be given to the County and removed by the County for later use by the County.

20. Utility Easement:

- a. Discuss and take any necessary action regarding a request from Bartlett Electric to install fiber optic cable underground alongside the east side of FM 486 and crossing under the entire right of way of County Road 431.

21. Discuss and take any necessary action to pay the bills of Milam County, Texas.

22. Discuss and take any necessary action to adjourn the Milam County Commissioners Court.

Judge Steve Young
Commissioner's Court of Milam County, Texas
By: _____
Digitally signed by Judge
Steve Young, DN: cn=Steve Young,
o=Milam County, Texas, email=,
Date: 2022.10.07 07:28:23
-05'00'

Steve Young, Milam County Judge

Dated this the 7th day of October 2022:

I, Jodi Morgan, the undersigned County Clerk, do hereby certify that the Notice of convening of the Milam County Commissioners Court is a true and correct copy of said Notice. Further, the Notice is published on the Courthouse door and the County Clerk's Office of Milam County, Texas and at other place(s) readily accessible to the public at all times beginning on the 7th day of October 2022. The notice will remain so posted continuously for at least 72 hours preceding the scheduled date and time of said Court.

County Clerk of Milam County, Texas

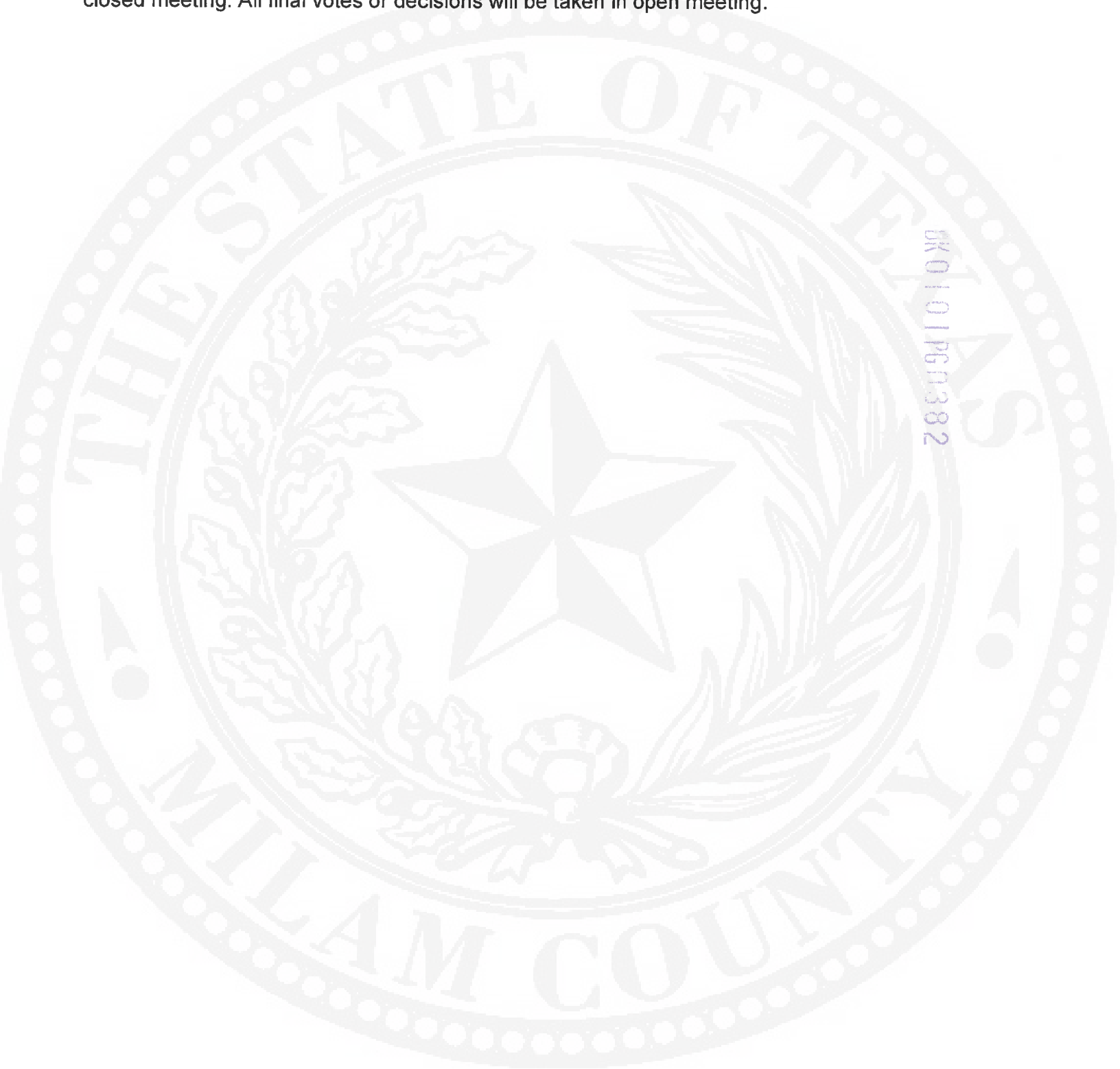
By: *Jodi Morgan*
Jodi Morgan, Milam County Clerk



JODI MORGAN
County Clerk

Filed 7 day of Oct
in 2022, At 7:30A M.
JODI MORGAN
County Clerk, Milam County, Texas
By: *Jodi Morgan*
Deputy

If during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting the Commissioner's Court will conduct a closed meeting in accordance with the Texas Open Meetings Act, Government Code, Chapter 551, Subchapters D and E. Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes or decisions will be taken in open meeting.



BK0101PG0382

STATE OF TEXAS:

OKO101PG0383

COUNTY OF MILAM:

BE IT REMEMBERED, that on Tuesday, the 11th day of October A.D. 2022, the Commissioners' Court of Milam County, Texas, convened in Regular Session in the Commissioners' Courtroom, Milam County Courthouse, 102 S. Fannin, Cameron Texas, with the following members of the Court present, to-wit:

Commissioners Court is now live stream through Facebook at <https://www.facebook.com/live/producer/934846117015797>

**STEVE YOUNG, MILAM COUNTY JUDGE
HENRY HUBNIK, COMMISSIONER PRECINCT NO.1
ART NEAL, COMMISSIONER PRECINCT NO. 3
JEFF MUEGGE, COMMISSIONER PRECINCT NO. 4
JODI MORGAN, COUNTY CLERK**

**Absent to wit:
DONALD SHUFFIELD, COMMISSIONER PRECINCT NO. 2**

SUPPORTING DOCUMENTS MAY BE VIEWED ON THE WEBSITE WWW.MILAMCOUNTY.NET , in the minutes in the Commissioners Court book located in the County Clerk's office, or online at <https://milam.tx.publicsearch.us/>

And the proclamation having been made the Court was in session, the following business came on to be considered:

- 1. A quorum will be established and the Court will convene.**
- 2. Invocation.**
- 3. Pledge of Allegiance to the American Flag and to the Texas Flag.**

4. **Discuss the minutes of previous Commissioner's Court meetings and take any necessary action regarding approval, corrections and/or changes of the minutes of prior Court action.**

Motion by Commissioner Muegge, Seconded by Commissioner Hubnik, motion carried unanimously to approve the minutes from the previous Commissioners Court

September 26, 2022- Regular Meeting

5. **Public Participation:**

- a. **The Milam County Commissioners Court will entertain any reasonable request from any citizen who wishes to address the Court, so long as the remarks are made pursuant to respectful decorum, the Texas Government Code and limited to five minutes or less.**

6. **Milam County Burn Ban:**

- a. **Discuss and take any necessary action regarding the current Milam County Burn Ban.**

Motion by Judge Young, Seconded by Commissioner Hubnik, motion carried unanimously to place Burn Ban in effect until further notice

Effective 12:01p.m. Friday, October 7, 2022

7. **Historical Commission Appointment:**

- a. **Discuss and take any necessary action to appoint Mr. Kyle Barrett to the Milam County Historical Commission.**

Motion by Commissioner Muegge, Seconded by Commissioner Neal, motion carried unanimously appoint Kyle Barrett to the Milam County Historical Commission

8. Sheriff Donation:

- a. **Discuss and take any necessary action to donate a “dog trailer” from the Sheriff’s Department to Milam Touch of Love.**

Motion by Commissioner Hubnik, Seconded by Commissioner Neal, motion carried unanimously to donate a dog trailer from the Milam County Sheriff’s Department to Milam Touch of Love

9. Subdivision Re-Platting:

- a. **Discuss and take any necessary action regarding a proposal to re-platt two lots in the Los Ranchitos subdivision.**

Motion by Judge Young, Seconded by Commissioner Muegge, motion carried unanimously to table the re-plat of two lots in the Los Ranchitos subdivision

10. Subdivision Preliminary Approval:

- a. **Discuss and take any necessary action regarding a proposal to approve a preliminary plat for the Tanglewood Subdivision.**

Motion by Commissioner Neal, Seconded by Commissioner Hubnik, motion carried unanimously to approve a preliminary plat for Tanglewood subdivision

11. Tax Abatement - Camino Santiago Solar:

- a. **Discuss and take any necessary action to retain legal counsel to assist the county with a pending Application for Tax Abatement, including review, negotiation and drafting of all necessary documents, notices and procedures related to a possible tax abatement agreement with Camino Santiago Solar.**

Motion by Commissioner Muegge, Seconded by Commissioner Neal, motion carried 3 to one to retain legal counsel to assist the county with a pending Application for Tax Abatement, including review, negotiation and drafting of all necessary documents, notices and procedures related to a possible tax abatement agreement with Camino Santiago Solar

**Judge Young-For
Commissioner Hubnik-Against
Commissioner Neal-For
Commissioner Muegge-For**

- b. Discuss and take any necessary action to accept the pending Application for Tax Abatement from Camino Santiago Solar and authorize setting date of November 14, 2022 at 10:00 a.m. for a public hearing and publication of notice of such hearing in a newspaper of general circulation on the creation of a reinvestment zone to be known as “Milam County Reinvestment Zone – Camino Santiago Solar” for purposes of tax abatement to provide economic development within the county, and to take up for consideration and possible approval an application for tax abatement, deemed to be in due form regarding a capital investment of \$250,000,000.00, from Camino Santiago Solar.**

Motion by Commissioner Neal, seconded by Commissioner Muegge and carried 3 to 1 to set November 14, 2022 at 10:00a.m. for a public hearing and publication of notice of such hearing in a newspaper of general circulation on the creation of a reinvestment zone to be known as “Milam Count Reinvestment Zone-Camino Santaigo Solar” for purposes of tax abatement to provide economic development within the county, and to take up for consideration and possible approval an application for tax abatement, deemed to be in due form regarding a capital investment of \$250,000,000.00, from Camino Santiago Solar, LLC

**Judge Young-For
Commissioner Hubnik-Against
Commissioner Neal-For
Commissioner Muegge-For**

BK0101PG0386

- c. **Discuss and take any necessary action to provide notice to other taxing jurisdictions of tax abatement pursuant to Chapter 312, Texas Tax Code.**

Motion by Commissioner Neal, seconded by Commissioner Hubnik and carried 3 to 1 to provide notice to other taxing jurisdictions of tax abatement pursuant to Chapter 312, Texas Tax Code

**Judge Young-For
Commissioner Hubnik-Against
Commissioner Neal-For
Commissioner Muegge-For**

12. **Tax Abatement - Adelite Storage Project LLC – Battery Storage**
- a. **Discuss and take any necessary action to retain legal counsel to assist the county with a pending Application for Tax Abatement, including review, negotiation and drafting of all necessary documents, notices and procedures related to a possible tax abatement agreement with Adelite Storage Project, LLC.**

Motion by Commissioner Hubnik, Seconded by Commissioner Neal, motion carried unanimously to retain legal counsel to assist the county with a pending Application for Tax Abatement, including review, negotiation and drafting of all necessary documents, notices and procedures related to a possible tax abatement agreement with Adelite Storage Project LLC

- b. **Discuss and take any necessary action to accept the pending Application for Tax Abatement from Adelite Storage Project, LLC and authorize setting date of November 14, 2022 at 10:00 a.m. for a public hearing and publication of notice of such hearing in a newspaper of general circulation on the creation of a reinvestment zone to be known as “Milam County Reinvestment Zone – Adelite Storage Project, LLC” for purposes of tax abatement to provide economic development within the county, and to take up for consideration and possible approval an application for tax abatement, deemed to be in due form regarding a capital investment of \$114,000,000 to \$191,000,000, from Adelite Storage Project, LLC.**

EX-10160387

EX-101 PG 388

Motion by Commissioner Neal, seconded by Commissioner Muegge and carried unanimously to set November 14, 2022 at 10:00a.m. for a public hearing and publication of notice of such hearing in a newspaper of general circulation on the creation of a reinvestment zone to be known as “Milam Count Reinvestment Zone-Petunia Storage Project LLC” for purposes of tax abatement to provide economic development within the county, and to take up for consideration and possible approval an application for tax abatement, deemed to be in due form regarding a capital investment of \$114,000,000 to \$191,000,000, from Adelite Storage Project, LLC

- c. **Discuss and take any necessary action to provide notice to other taxing jurisdictions of tax abatement pursuant to Chapter 312, Texas Tax Code.**

Motion by Commissioner Hubnik, seconded by Commissioner Muegge and carried unanimously to provide notice to other taxing jurisdictions of tax abatement pursuant to Chapter 312, Texas Tax Code

- 13. **Road Use Agreement Amendments for Ben Milam 1, 2 & 3:**
 - a. **Discuss and consider, take any necessary action to approve amendments to Road Use Agreements with Ben Milam 1, 2 & 3 solar projects**

Motion by Commissioner Hubnik, Seconded by Commissioner Neal, motion carried unanimously to amend the road use agreement with Ben Milam 1, 2 & 3 solar projects

14. **Discuss, consider, take any necessary action to amend a road use agreement with Cattlemen Solar Park LLC and ratify the road use agreement with Cattlemen Solar Park LLC passed on July 11, 2022.**

Motion by Commissioner Muegge, Seconded by Commissioner Neal, motion carried unanimously to amend the road use agreement with Cattlemen Solar Park LLC and to ratify the road use agreement with Cattlemen Solar Park LLC passed on July 11, 2022

15. **Discuss, consider, take possible action to adopt a road use agreement with Cattlemen Solar Park II LLC.**

Motion by Commissioner Hubnik, Seconded by Commissioner Neal, motion carried unanimously to adopt a road use agreement with Cattlemen Solar Park II LLC

16. **Text My Gov:**

- a. **Discuss and take any necessary action regarding a proposal by County Clerk Morgan regarding Text My Gov.**

Motion by Commissioner Muegge, Seconded by Commissioner Neal, motion carried unanimously to accept the proposal from Text My Gov

17. **Indigent Defense Grant:**

- a. **Discuss and take any necessary action regarding a proposal to apply for and/or receive indigent grant funds to better indigent defense in Milam County.**

Motion by Commissioner Neal, Seconded by Commissioner Muegge, motion carried unanimously to apply for and/or receive indigent grant funds to better indigent defense in Milam County

EXC 101 PG 389

18. **Proposed Interlocal Agreement with the City of Rockdale:**
- a. **Discuss and take any necessary action to consummate an interlocal agreement with the City of Rockdale, whereby the City will continue donate \$10,000.00 in HOT funds to the Old Town Cameron Train Museum and the Rockdale Historical Society.**

Motion by Commissioner Neal, Seconded by Commissioner Muegge, motion carried unanimously to consummate an interlocal agreement with the City of Rockdale, whereby the City will continue to donate \$10,000 in HOT funds to the Old Town Cameron Train Museum and the Rockdale Historical Society

19. **Proposed Interlocal Agreement with Brazos Paving:**
- a. **Discuss and take any necessary action regarding a proposed interlocal agreement pertaining to Milam County Precinct 1 and Brazos Paving whereby rap from FM 845 will be given to the County and removed by the County for later use by the County**

Motion by Commissioner Hubnik, Seconded by Commissioner Muegge, motion carried unanimously to approve the interlocal agreement between Milam County Precinct 1 and Brazos paving.

PCT #1 will get asphalt drillings, road base, concrete rip wrap and embark material

Will cost the county, couple of employees, belly dumps and fuel

20. **Utility Easement:**
- a. **Discuss and take any necessary action regarding a request from Bartlett Electric to install fiber optic cable underground alongside the east side of FM 486 and crossing under the entire right of way of County Road 431**
 - b. **Motion by Commissioner Muegge, Seconded by Commissioner Hubnik, motion carried unanimously to approve the request from Bartlett**

Electric to install fiber optic cable underground alongside the east side of FM 486 and crossing under the entire right of way of County Road 431

BK 0101 PG 0391

21. Bills:

Motion by Commissioner Muegge, Seconded by Commissioner Neal, motion carried unanimously to pay the bills in the amount of \$633,754.33

22. Adjourn:

Motion by Commissioner Neal, Seconded by Commissioner Muegge, motion carried unanimously to adjourn at 10:28a.m.

The above and foregoing Minutes for Tuesday, October 11, 2022 having been examined and approved in Open Court this _____ day of _____ 2022.

County
Judge

State of
Texas:
County of Milam:

I, Jodi Morgan, County Clerk, Milam County, Texas, attest that the foregoing is a true and correct accounting of the Commissioners' Court authorized proceedings for October 11, 2022.

County Clerk and Ex-Officio Member of
Commissioners' Court, Milam County, Texas

STATEMENT OF APPROVAL

Commissioner PCT #1- Henry Hubnik

Commissioner PCT #2- Donald Shuffield

Commissioner PCT #3- Art Neal

Commissioner PCT #4- Jeff Muegge

BK0101P60392