

COMMISSIONER'S COURT OF MILAM COUNTY, TEXAS

AGENDA FOR Monday, November 14, 2022

The Milam County Commissioners Court will convene on Monday, November 14, 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 November 14, 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. Tax Abatement Agreements – Extension of Construction Deadlines:
 - a. Discuss and take any necessary action regarding request to post notice of potential approval of extension of construction deadlines related to existing Tax Abatement Agreements with Sandow Lakes Ranch Solar I LLC, Ben Milam Solar 1 LLC, Ben Milam Solar 2 LLC, BT Jungmann Solar, LLC, Gransolar Texas One, LLC, and Two Rivers Solar, LLC on December 27, 2022 at 10:00 a.m.
 - b. Discuss and take necessary action to require a \$50,000.00 extension fee for each approved construction extension deadline.
7. Ben Milam Solar 3 LLC:
 - 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 Ben Milam Solar 3 LLC.
 - b. Discuss and take any necessary action pursuant to Sec. 312.402(e) of the Texas Tax Code to accept the pending Application to Modify the Tax Abatement Agreement between Milam County and Ben Milam Solar 3 LLC, and authorize setting date of

December 27, 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 - Ben Milam Solar 3 LLC" for purposes of tax abatement to provide economic development within the county.

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

8. Ben Milam Solar 6 LLC:

- 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 Ben Milam Solar 6 LLC.
- b. Discuss and take any necessary action to accept the pending Application for Tax Abatement from Ben Milam Solar 6 LLC and authorize setting date of December 27, 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 - Ben Milam Solar 6" 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 \$240,000,000 to \$280,000,000, from Ben Milam Solar 6 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.

9. Two Rivers Energy Storage, LLC:

- 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 Two Rivers Energy Storage, LLC.
- b. Discuss and take any necessary action to accept the pending Application for Tax Abatement from Two Rivers Energy Storage, LLC and authorize setting date of December 27, 2022 at 10:00 a.m. for a public hearing and posting of notice of a meeting in the manner required by Chapter 551, Government Code, at least 30 days before the scheduled time of the meeting 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 \$70,000,000 to \$80,000,000 from Two Rivers Energy Storage, 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.

10. Karol I Solar, LLC

- a. PUBLIC HEARING: Conduct Public Hearing on the Creation of a Reinvestment Zone to be known as Milam County Reinvestment Zone-Karol I Solar, LLC (Camino Project), for purposes of tax abatement to provide economic development within the county, and possible action on a Tax Abatement Agreement with Karol I Solar, LLC.
- b. Consider and take possible action to close Public Hearing.
- c. Consider and take possible action to create a reinvestment zone for purposes of tax abatement to provide economic development within the county in accordance with Chapter 312 of the Texas Tax Code, said reinvestment zone to be known as Milam

County Reinvestment Zone-Karol II Solar, LLC (Camino Project), located as described in the Application for Tax Abatement Agreement filed by Karol I Solar, LLC.

- d. Consider and take possible action on the adoption of a Tax Abatement Agreement with Karol I Solar, LLC, pursuant to Chapter 312, Texas Tax Code.
- e. Consider and take possible action on the adoption of a Resolution of Road Use Agreement with Karol I Solar, LLC.

11. Adelite Storage Project, LLC

- a. PUBLIC HEARING: Conduct Public Hearing 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 possible action on a Tax Abatement Agreement with Karol II Solar, LLC.
- b. Consider and take possible action to close Public Hearing.
- c. Consider and take possible action to create a reinvestment zone for purposes of tax abatement to provide economic development within the county in accordance with Chapter 312 of the Texas Tax Code, said reinvestment zone to be known as Milam County Reinvestment Zone-Adelite Storage Project, LLC, located as described in the Application for Tax Abatement Agreement filed by Karol II Solar, LLC.
- d. Consider and take possible action on the adoption of a Tax Abatement Agreement with Adelite Storage Project, LLC, pursuant to Chapter 312, Texas Tax Code.

12. Milam County Tax Notes, Series 2022A:

- a. Discuss and take any necessary action regarding the approval of an order by the Milam County Commissioners Court of Milam County, Texas authorizing the issuance of "Milam County Tax Notes, series 2022A", levying an annual ad valorem tax, within the limitations prescribed by law, for the payment of the notes, authorizing the execution of any necessary engagement agreement with the County's financial advisor, and providing an effective date.

13. Bid Opening and Award of Contract:

- a. Discuss and take any necessary action to open during Court any revised sealed bids for the renovation of the former Professional Building.
- b. Discuss and take any necessary action to award a contract for renovation of the former Professional Building.

14. Award of Contract for Bridge Replacement on County Road 464:

- a. Discuss and take any necessary action with regard to a proposal to award a construction contract in the amount of \$1,768,420.96 for a bridge replacement on County Road 464 at Brushy Creek Slough, FEMA project number PW 5170, GLO CDBG-DR Grant Number 20-065-111-C308.

15. Milam County Sick Pool Enrollment Period:

- a. Discuss and take any necessary action regarding an extension of the enrollment period in the Sick Leave Pool for 2022.

16. Donation of Used Vehicle:

- a. Discuss and take any necessary action to donate a used 1993 truck VIN 1HTSAZRM9PH547833 to the City of Cameron.

17. Precinct Four – Sale of Used Equipment:

- a. Discuss and take any necessary action to list for sale on Kennedy Auction the following used equipment: spray rig, John Deere tractor, culvert, water tank and an I bean.

18. Veteran's Services:

- a. Discuss and take any necessary action to appoint Mr. Alan Smith to serve as a Veteran's Service Officer for the County of Milam as a volunteer.

19. Easement Request:

- a. Discuss and take any necessary action regarding a proposed easement for Title Oil Company to bore under CR 355, 4 feet below the ditch line, for a 10 inch poly pipe encased in a larger metal pipe.

20. Sexual Assault Response Team:

- a. Discuss and take any necessary action to create a Milam County Sexual Assault Team per State law with the following members: Rockdale Police Chief Jerry Meadors, Sheriff Mike Clore, Misty Biddick, Executive Director Aware Central Texas Crime Victims Advocate, Robert Kirkpatrick, Executive Director, Milam County Health Department and Mary Salmend, Nurse for Baylor Scott & White, sexual assault exams.

21. Bids for Road Materials:

- a. Discuss and take any necessary action to advertise for road materials, including but not limited to gravel, base and culverts for all Milam County precincts in 2023.

22. Platting Variance:

- a. Discuss and take any necessary action regarding a request for a platting variance for approximately 5.32 acres of land out of a 6.3194 acre tract on South Highway 36, appraisal district ID 15547.

23. Milam 2 Solar, LLC:

- 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 Milam 2 Solar, LLC.
- b. Discuss and take any necessary action to accept the pending Application for Tax Abatement from Milam 2 Solar, LLC and authorize setting date of December 27, 2022 at 10:00 a.m. for a public hearing and posting of notice of a meeting in the manner required by Chapter 551, Government Code, at least 30 days before the scheduled time of the meeting 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 \$78,500,000 from Milam 2 Solar, 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.

24. Milam 2 Solar, LLC - Phase 2:

- 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 Milam 2 Solar, LLC - Phase 2.
- b. Discuss and take any necessary action to accept the pending Application for Tax Abatement from Milam 2 Solar, LLC – Phase 2 and authorize setting date of December

27, 2022 at 10:00 a.m. for a public hearing and posting of notice of a meeting in the manner required by Chapter 551, Government Code, at least 30 days before the scheduled time of the meeting 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 \$128,000,000 from Milam 2 Solar, LLC – Phase 2.

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

25. Rosebud Solar, LLC:

- 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 Rosebud Solar, LLC.
- b. Discuss and take any necessary action to accept the pending Application for Tax Abatement from Rosebud Solar, LLC and authorize setting date of December 27, 2022 at 10:00 a.m. for a public hearing and posting of notice of a meeting in the manner required by Chapter 551, Government Code, at least 30 days before the scheduled time of the meeting 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 \$135,000,000 from Rosebud Solar, 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.

26. Disaster Memorandum of Agreement:

- a. Discuss and take any necessary action to approve several proposed memorandums of understanding and/or agreements with the various school districts of the County regarding disasters.

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

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

Commissioner's Court of Milam County, Texas

By: Judge Steve Young Digitally signed by Judge Steve Young
Date: 2022.11.09 20:14:43 -06'00'

Steve Young, Milam County Judge

Dated this the 10th day of November 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 10th day of November 2022. The notice will remain so posted continuously for at least 72 hours preceding the scheduled date and time of said Court.

Filed 10th day of NOV
in 2022, At 8 A M.
JODI MORGAN
County Clerk, Milam County, Texas
By: Jodi Morgan
Deputy

County Clerk of Milam County, Texas
By: Jodi Morgan
Jodi Morgan, Milam County Clerk



JODI MORGAN
County Clerk

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.