

Hall County, Texas
Regular Commissioners' Court Meeting

JUNE 13, 2022

BE IT REMEMBERED THAT THE HALL COUNTY COMMISSIONERS MET IN A REGULAR COMMISSIONERS' COURT MEETING on June 13, 2022 with the following members present: Ray Powell, County Judge, presiding; Terry Lindsey, Commissioner Precinct #2; Gary Proffitt, Commissioner Precinct #3; Troy Glover, Commissioner Precinct #4; and Pauline Johnsey, Judge's Assistant. Also present were Tom Heck, County Sheriff; Nicole Moore, PRPC; Jace Francis, EMS; Brent Baucum, NRCS; Joe and Bertha Dunn, and Sean Wiley. Ronny Wilson, Commissioner Precinct #1, was absent.

The meeting was called to order at 10:00 A.M.

1. OPENING PRAYER.

The opening prayer was led by Commissioner Lindsey.

2. APPROVAL OF MINUTES OF THE REGULAR MEETING OF MAY 16, 2022.

Minutes of the Commissioners Court meeting of May 16, 2022 were not available.

3. REPORTS.

Reports of Treasurer, Sheriff/EMC, Road & Bridge, Tax Assessor-Collector, Justice of the Peace 1, 2, & 3 (NOT AVAILABLE); and Tax Appraisal District (NOT AVAILABLE); COUNTY CLERK (NOT AVAILABLE) were presented.

4. APPROVE REPORTS

Motion by Commissioner Glover and second by Commissioner Proffitt, motion passed and It is the Order of the Court to approve the monthly reports.

5. APPROVE PAYMENT OF BILLS.

Motion by Commissioner Lindsey and second by Commissioner Proffitt, motion passed and It is the Order of the Court to approve the payment of the monthly bills.

6. DISCUSSION AND/OR ACTION ON BURN BAN. (Currently ON as of 11-8-21)

Motion by Commissioner Lindsey, second by Commissioner Proffitt, motion passed and It is the Order of the Court to remove the burn until further action by the court.

7. BRENT BAUCUM WITH NRCS TO DISCUSS LAKEVIEW WATERSHED DAMS

No action taken, information and discussion only.

8. NICOLE MOORE, PANHANDLE REGIONAL PLANNING COMMISSION TO DISCUSS AVAILABLE FUNDING OPPORTUNITIES WITH AMERICAN RESCUE PLAN PROGRAM.

Motion by Commissioner Lindsey and second by Commissioner Proffitt, motion passed and It is the Order of the Court to purchase a trailer for \$7,200.00 for use in hauling Skid Steer.

9. DISCUSS AND CONSIDER APPROVAL OF FUNDING FROM AMERICAN RESCUE PLAN FOR POTENTIAL PROJECTS.

Motion by Commissioner Glover, second by Commissioner Lindsey, motion passed and It is the Order of the Court to purchase a motor grader from Warren Caterpillar of Amarillo for a total cost of \$324,420.00, to be paid from American Rescue Plan Program (ARP) funds.

10. CONSIDERATION OF RESOLUTION FOR AN INTERLOCAL AGREEMENT WITH PANHANDLE REGIONAL PLANNING COMMISSION FOR APPLICATION ASSISTANCE FOR 2022 TXCBDG FIRE, AMBULANCE, AND SERVICE TRUCK (FAST) FUND PROGRAM & ASSOCIATED ADMINISTRATION CONSIDERATION IF FUNDED.

Motion by Judge Powell and second by Commissioner Glover, motion passed and It is the Order of the Court to approve the resolution for an interlocal agreement with Panhandle Regional Planning Commission for application assistance for 2022 TXCBDG Fire, Ambulance, and Service truck (FAST) Program & associated administration consideration if funded. (EXHIBIT A)

11. CONSIDERATION OF INTERLOCAL AGREEMENT WITH PANHANDLE REGIONAL PLANNING COMMISSION FOR APPLICATION ASSISTANCE FOR THE 2022 FIRE, AMBULANCE & SERVICE TRUCK (FAST) PROGRAM & ASSOCIATED ADMINISTRATION CONSIDERATION IF FUNDED.

Motion by Judge Powell and second by Commissioner Proffitt, motion passed and It is the Order of the Court to approve the interlocal agreement with Panhandle Regional Planning Commission for application assistance for the 2022 Fire, Ambulance & Truck (FAST) program & associated administration consideration if funded. (EXHIBIT B)

12. DISCUSS AND CONSIDER INCREASING MILEAGE RATE REIMBURSEMENT FROM 54.5 CENTS PER MILE TO 58.5 CENTS PER MILE.

Motion by Commissioner Lindsey, second by Commissioner Proffitt, motion passed, and It is the Order of the Court to approve increasing mileage reimbursement for Hall County employees from 54.5 cents to 58.5 cents per mile.

13. OPEN SEALED BIDS AND TAKE POSSIBLE ACTION ON SALE OF COUNTY OWNED PROPERTY: LOT 1, BLOCK 14, BELLVIEW ADDITION TO TOWN OF TURKEY, HALL COUNTY, TEXAS.

Motion by Commissioner Glover, second by Commissioner Proffitt, motion passed and It is the Order of the Court to award the bid of \$300.00 to Joe Lopez for purchase of Lot 1, Block 14, Bellview Addition to Town of Turkey, Hall County, Texas.

14. JAKE LAWRENCE WITH GOVERNMENT CAPITAL SECURITIES CORPORATION TO PRESENT DETAILS REGARDING ISSUANCE OF CERTIFICATES OF OBLIGATION TO COVER EXPENSES ABOVE POSSIBLE COURTHOUSE RESTORATION GRANT OF \$6,000,000 FROM THE TEXAS HISTORICAL COMMISSION APPLIED FOR BY HALL COUNTY.

Information presented by Jake Lawrence, discussion with commissioners.

15. DISCUSS AND CONSIDER RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION AND AUTHORIZING CERTAIN OTHER MATTERS RELATING THERETO.

Motion by Judge Powell, second by Commissioner Lindsey, motion passed and It is the Order of the Court to approve resolution authorizing Publication of Notice in newspaper of Intention to Issue Certificates of Obligation in an amount up to \$4,000,000. (EXHIBIT C)

16. DISCUSS, CONSIDER, AND TAKE NECESSARY ACTION ON USE OF EQUIPMENT, MATERIALS, PURCHASES, OTHER COUNTY MATTERS, COUNTY WORK PROJECTS, EXTRA HELP OR HIRING OF ROAD EMPLOYEES ON COUNTY ROADS AND BRIDGES BY COMMISIONERS IN EACH PRECINCT.

Motion by Commissioner Lindsey, second by Judge Powell, motion passed and It is the Order of the Court to pay Jackie Beck, Precinct No. 4 equipment operator, overtime pay of \$21.21 per hour for 24 hours overtime in emergency situation of needed road maintenance from storm damage. No other action, discussion only.

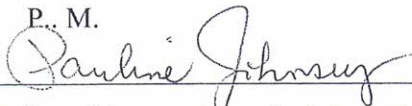
17. PUBLIC COMMENTS No comments voiced.

18. BUDGET WORKSHOP. Budget needs addressed, no action taken.

19. ADJOURNMENT.

Motion by Commissioner Lindsey, second by Commissioner Proffitt, meeting adjourned at 4:30

P. M.



Pauline Johnsey, Adm. Asst. to Judge Ray Powell



RESOLUTION

WHEREAS, Hall County is desirous of applying to the Texas Department of Agriculture (TDA) for emergency vehicle(s) and/or emergency rescue equipment through the 2022 Texas Community Development Block Grant (TxCDBG) – Fire, Ambulance, and Services Truck (FAST) Fund program, and;

WHEREAS, the Interlocal Cooperation Act included in Chapter 791 of the Texas Government Code provides for contractual agreements between governmental entities, and;

WHEREAS, 2 CFR 200.318(e) encourages the use of interlocal agreements from the federal level, and;

WHEREAS, the Texas Department of Agriculture has issued a recommendation that communities applying under the 2022 TxCDBG Fire, Ambulance, and Services Truck (FAST) Fund program consider contracting professional services for grant application preparation and potential grant administration (if funded) prior to application submission, and;

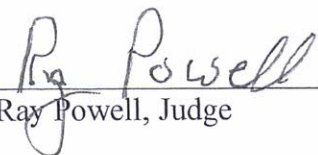
WHEREAS, Hall County desires to contract the grant application preparation and potential grant administration (if funded) of its 2022 TxCDBG application for – Fire, Ambulance, and Services Truck (FAST) program funds through an interlocal cooperation contractual agreement with the Panhandle Regional Planning Commission (PRPC), and;

WHEREAS, the PRPC shall provide grant application preparation services related to the 2022 TxCDBG – Fire, Ambulance, and Services Truck (FAST) Fund program at no cost, and;

WHEREAS, administrative fees related to project management of any funded 2022 TxCDBG – Fire, Ambulance, and Services Truck (FAST) Fund project will be agreed to through an amendment to this interlocal agreement if Hall County receives funding through the 2022 TxCDBG Fire, Ambulance, and Services Truck (FAST) Fund program, and;

NOW THEREFORE BE IT RESOLVED that the Judge is authorized to execute an interlocal contract with the PRPC under the Interlocal Cooperation Act for grant application preparation and potential grant management (if funded) services for Hall County’s activities related to the 2022 TxCDBG Fire, Ambulance, and Services Truck (FAST) Fund program.

PASSED THIS 13th DAY OF JUNE, 2022.



Ray Powell, Judge

Attest:



Kaci Mills, County Clerk

INTERLOCAL COOPERATION CONTRACT
FOR APPLICATION DEVELOPMENT AND MANAGEMENT SERVICES
FIRE AMBULANCE SERVICE TRUCK (FAST) FUND PROGRAM

EXHIBIT B

THE STATE OF TEXAS
COUNTY OF POTTER

§
§
§

AGREEMENT FOR SERVICES

WHEREAS, this Contract is made and entered into this the 13th day of June, 2022 by and between Hall County, acting by its duly authorized Judge, after obtaining a resolution of its governing body authorizing this contract and the PANHANDLE REGIONAL PLANNING COMMISSION (PRPC), a political subdivision of the State of Texas organized under Chapter 391 of the Texas Local Government Code, acting by its duly authorized executive director.

WHEREAS, both parties to this Contract are local governments as defined in Chapter 791 of the Texas Government Code, and this Contract is entered into pursuant to the provisions of said Code which is commonly referred to as The Interlocal Cooperation Act.

WHEREAS, PRPC is agreeable to provide grant application preparation and grant administration expertise (if funded) needed by Hall County for the 2022 Texas Community Development Block Grant (TxCDBG) Fire, Ambulance, and Services Truck (FAST) Fund Program under the terms and conditions found in this contract.

WHEREAS, this Interlocal Agreement is comprised of Part A (Application Development) services to be rendered at no cost to Hall County and Part B (Project Management) services to be rendered at a cost to be agreed to in an amendment to this contract in the event that the Hall County receives funding under the 2022 TxCDBG FAST Fund program.

NOW, THEREFORE PRPC agrees to provide application development services at no cost to Hall County. The following described application development and management services to Hall County, to-wit:

A. Application Development

1. Pre-Development (unrelated to project specific development & which may have occurred prior to interlocal agreement under existing PRPC/County relationships)
 - a. Assist with compliance of public hearing requirements for application submittal.
 - b. Assist in the preparation and presentation of required resolution for application submittal to the Texas Department of Agriculture.
2. Provide general advice and technical assistance to Hall County on application development and regulatory matters.
3. Furnish the County with necessary forms and procedures required for documentation of low/moderate income level qualifications.
4. Assist the County in application preparation and development meeting all grant application requirements.
5. Gather quotes on the emergency vehicles(s) and/or emergency rescue equipment requested in the County's FAST Fund grant application.
6. Prepare an environmental review for the service area of the proposed vehicle(s) and/or equipment as required by application guidelines.

7. Prepare and publish final notice of application submittal.
8. Final determination on the submission of an application under the 2022 TxCDBG FAST Fund program will be at the County's discretion as noted in their resolution authorizing a local official to submit said application.

B. Project Management

1. Development of details related to project management activities and fees will be specified via an amendment to this contract at such time as the 2022 TxCDBG FAST Fund Application is selected for funding (if selected).
2. The Project Management amendment will include administrative fees as developed in Hall County's 2022 TxCDBG FAST Fund Application and all TDA and HUD required language for administrative contracts at the time of TxCDBG funding award.
 - a. Attachment A to this Interlocal Contract is a contingency draft amendment to be considered to detail administrative deliverables and TDA/HUD language for projects funded under the 2022 TxCDBG FAST Fund program.
3. It is expressly understood that the execution of this interlocal contract does not imply or guarantee Hall County will receive funding under the 2022 TxCDBG FAST Fund program.
4. The execution of this interlocal agreement establishes a contractual relationship between PRPC and Hall County prior to the development of an application to the 2022 TxCDBG FAST Fund program pursuant any interpretation of 2 CFR 200.317-200.326.

In consideration of the services described in the foregoing paragraph, and in consideration of a future amendment to include project management activities and cost, to be rendered by PRPC, to Hall County, the PRPC agrees that application development activities will be at no cost to Hall County.

It is expressly understood and agreed by the parties hereto that they are independent contractors; and that nothing contained herein should be construed as giving rise to a partnership or joint venture.

TERMS AND CONDITIONS

Modification/Amendment:

Hall County and PRPC may, upon mutual agreement, modify or amend this contract. Modifications, including any increase or decrease in the amount of compensation or scope of services, will be incorporated into this contract and finalized through a signed, written amendment.

Assignability:

Hall County and PRPC may assign interest in this Contract (whether by assignment or novation) with the written consent of the other.

Termination of Contract for Cause:

If, through any cause, PRPC shall fail to fulfill in a timely and proper manner its obligations under this Contract, or if PRPC shall violate any of the covenants, conditions, agreements, or stipulations of this Contract, the County shall thereupon have the right to terminate this Contract by giving written notice to PRPC of such termination and specifying the effective date thereof, at least five days before the effective date of such termination. In such event, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs and reports prepared by PRPC under this Contract shall, at the option of the County, become its property and

PRPC shall be entitled to receive just and equitable compensation for any work satisfactorily completed hereunder.

Notwithstanding the above, PRPC shall not be relieved of liability to the County for damages sustained by the County by virtue of any breach of the Contract by PRPC, and the County may withhold any payments to PRPC for the purpose of set off until such time as the exact amount of damages due the County from PRPC is determined.

Termination for Convenience of the County:

The County may terminate this Contract at any time by giving at least ten (10) days notice in writing to PRPC. If the Contract is terminated by the County as provided herein, PRPC will be paid for the time provided and expenses incurred up to the termination date.

Termination for Convenience of PRPC:

PRPC may terminate this Contract at any time by giving at least ten (10) days notice in writing to the County. If the Contract is terminated by PRPC as provided herein, the County will be provided all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs and reports prepared by PRPC under this Contract.

Waiver of Extra-contractual Liability

The PRPC shall not be held liable or responsible for the funding selection and project performance determinations by the Texas Department of Agriculture. It is the County's final responsibility to meet all TxCDBG application requirements and project administration requirements (contingent upon funding) associated with the program.

Severability

Should any one or more of the provisions of this agreement be held to be null, void, voidable, or for any reason whatsoever, of no force and effect, such provision(s) shall be construed as severable from the remainder of this agreement and shall not affect the validity of all other provisions of this agreement, which shall remain in full force and effect.

Interest of Members of a County:

No member of the governing body of the County and no other officer, employee, or agent of the County, who exercises any functions or responsibilities in connection with the administration, construction, engineering or implementation of the Texas Community Development Block Grant award between TDA and the County, shall have any personal financial interest, direct or indirect, in this Contract. PRPC shall take appropriate steps to assure compliance.

Interest of Other Local Public Officials:

No member of the governing body of the Grant Recipient and no other public official of such Grant Recipient, who exercises any functions or responsibilities in connection with the administration, construction, engineering or implementation of the Texas Community Development Block Grant award between TDA and the County, shall have any personal financial interest, direct or indirect, in this Contract; and PRPC shall take appropriate steps to assure compliance.

Interest of PRPC and Employees:

PRPC covenants that it presently has no interest and shall not acquire interest, direct or indirect, with the TXCDBG award between TDA and the County, or any other interest which would conflict in any manner or degree with the performance of his/her services hereunder. PRPC further covenants that in the performance of this Contract, no person having any such interest shall be employed.


EXECUTED this 13th day of June, 2022

PANHANDLE REGIONAL PLANNING COMMISSION

By _____

Dustin Meyer, Executive Director

Hall County

By  _____

Ray Powell, Judge

RESOLUTION

RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION AND AUTHORIZING CERTAIN OTHER MATTERS RELATING THERETO

THE STATE OF TEXAS §
 §
HALL COUNTY, TEXAS §

WHEREAS, the Commissioners Court (the “Commissioners Court”) of Hall County, Texas (the “County”), is authorized to issue certificates of obligation (1) to pay contractual obligations to be incurred for construction, and (2) for the payment of contractual obligations for professional services pursuant to Subchapter C of Chapter 271, Texas Local Government Code, as amended;

WHEREAS, the Commissioners Court has determined that it is in the best interests of the County and otherwise desirable to issue the certificates of obligation in a principal amount not to exceed \$ 4 million styled “Hall County, Texas Certificates of Obligation, Series 2022” (the “Certificates”);

WHEREAS, the County acknowledges, in compliance with the provisions of Chapter 2254, Texas Government Code, (i) the need for specialized legal services in the area of municipal finance, federal tax and securities laws relating to the issuance of certificates of obligation, (ii) such legal services cannot be adequately performed by the attorneys and supporting personnel of the County, and (iii) the specialized legal services cannot reasonably be obtained from attorneys in private practice under a contract providing only for the payment of hourly fees, and payment for such specified legal services will only occur upon the successful closing of the transaction; and the County desires to approve the engagement of Orrick, Herrington & Sutcliffe LLP of Houston, Texas as bond counsel in connection with the Certificates;

WHEREAS, in connection with the Certificates, the Commissioners Court intends to publish notice of intent to issue the Certificates (the “Notice”) in a newspaper of general circulation in the County; and

WHEREAS, the Commissioners Court has been presented with and has examined the proposed form of Notice and finds that the form and substance thereof are satisfactory, and that the recitals and findings contained therein are true, correct and complete.

BE IT THEREFORE RESOLVED BY THE COMMISSIONERS COURT OF HALL COUNTY, TEXAS:

Section 1. Preamble. The facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

Section 2. Authorization of Notice. The County Clerk is hereby authorized and directed to execute and deliver the Notice set forth in Exhibit A hereto and to publish such Notice on behalf of the County once a week for two (2) consecutive weeks in a newspaper which is of general circulation in the County, the date of the first publication of the Notice to be at least forty-six (46) days before the date tentatively set in the Notice for the passage of the order authorizing the issuance of the Certificates. In addition, the Notice shall be posted continuously on the County's website for at least forty-five (45) days before the date tentatively set in the Notice for the passage of the order authorizing the issuance of the Certificates.

Section 3. Engagement of Professionals. The Commissioners Court hereby approves the engagement of Orrick, Herrington & Sutcliffe LLP, as bond counsel ("Bond Counsel") in connection with the issuance of the Certificates.

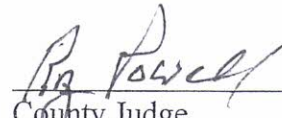
Section 4. Authorization of Other Matters Relating Thereto. The County Judge, County Clerk and other officers and agents of the County are hereby authorized and directed to do any and all things necessary or desirable to carry out the provisions of this Resolution.

Section 5. Effective Date. This Resolution shall take effect immediately upon passage.

Section 6. Public Meeting. It is officially found, determined and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place and subject matter of the public business to be considered at such meeting, including this Resolution, was given all as required by the Texas Government Code, Chapter 551, as amended.

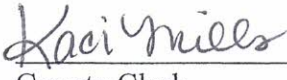
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PASSED AND APPROVED this 13th day of June, 2022.



County Judge
Hall County, Texas

ATTEST:



County Clerk
Hall County, Texas

NOTICE OF INTENTION TO ISSUE CERTIFICATES

NOTICE IS HEREBY GIVEN that the Commissioners Court of Hall County, Texas (the "County") will meet at its regular meeting place at the Commissioners' Courtroom of the Hall County Courthouse at 512 W. Main Street, Memphis, Texas, at 10:00 a.m. on the 8th day of August, 2022, which is the time and place tentatively set for the passage of an order and such other action as may be deemed necessary to authorize the issuance of the County's certificates of obligation, payable from an annual ad valorem taxation, in the maximum aggregate principal amount of \$4,000,000, bearing interest at any rate or rates not to exceed the maximum interest rate now or hereafter authorized by law, as shall be determined within the discretion of the Commissioners Court at the time of issuance and maturing over a period of years not to exceed forty (40) years from the date thereof, for the purpose of evidencing the indebtedness of the County (1) to pay contractual obligations to be incurred for renovation of the courthouse and (2) for the payment of contractual obligations for professional services pursuant to Subchapter C of Chapter 271, Texas Local Government Code, as amended. The estimated combined principal and interest required to pay the Certificates on time and in full is \$7,313,000. Such estimate is provided for illustrative purposes only and is based on an assumed interest rate of 4.25%. Market conditions affecting interest rates vary based on a number of factors beyond the control of the County, and the County cannot and does not guarantee a particular interest rate associated with the Certificates. As of the date of this notice, the aggregate principal amount outstanding of tax supported debt obligations of the County is \$0.00, and based on the County's expectations, as of the date of this notice the combined principal and interest required to pay all of the outstanding tax-supported debt obligations of the County on time and in full is \$0.00.

Ray Powell, County Judge
Hall County, Texas

CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS §
HALL COUNTY, TEXAS §

We, the undersigned officers of Hall County, Texas (the "County"), hereby certify as follows:

1. The Commissioners Court of the County convened in a regular meeting on June 13, 2022, at the regular meeting place thereof, within the County, and the roll was called of the duly constituted officers and members of the Commissioners Court, to wit:

- Ray Powell County Judge
Ronny Wilson Commissioner, Precinct 1
Terry Lindsey Commissioner, Precinct 2
Gary Proffitt Commissioner, Precinct 3
Troy Glover Commissioner, Precinct 4

and all of such persons were present, except RONNY WILSON thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written

RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION AND AUTHORIZING CERTAIN OTHER MATTERS RELATING THERETO

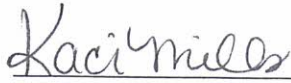
(the "Resolution") was duly introduced for the consideration of the Commissioners Court and read in full. It was then duly moved and seconded that such Resolution be adopted; and, after due discussion, the motion, carrying with it the adoption of the Resolution, prevailed and carried by the following vote:

AYES: 4 NAYS: 0 ABSTENTIONS: 0

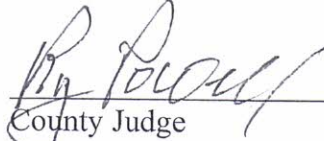
2. That a true, full and correct copy of the Resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that the Resolution has been duly recorded in the Commissioners Court's minutes of such meeting; that the above and foregoing paragraph is a true, full and correct excerpt from the Commissioners Court's minutes of such meeting pertaining to the adoption of the Resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the Commissioners Court as indicated therein; that each of the officers and members of the Commissioners Court was duly and sufficiently notified officially and personally, in advance, of the date, hour, place and subject of the aforesaid meeting, and that the Resolution would be introduced and considered for adoption at such meeting, and each of such

officers and members consented, in advance, to the holding of such meeting for such purpose; that such meeting was open to the public as required by law; and that public notice of the date, hour, place and subject of such meeting was given as required by the Open Meetings Law, Chapter 551, Texas Government Code.

SIGNED this June 13, 2022.



County Clerk
Hall County, Texas



County Judge
Hall County, Texas