

COMMISSIONERS COURT OF ANDERSON COUNTY

Regular Meeting

June 27, 2022

9:30 A.M.

Anderson County Courthouse Annex

County Courtroom

Palestine, Texas

AGENDA

- 1. Call to Order and Determine a Quorum**
- 2. Invocation and Pledge of Allegiance**
- 3. Public Comment**
- 4. Consent Agenda**

The Consent Agenda is considered to be self-explanatory and will be enacted with one motion. There will not be a separate discussion of these items. However, any Consent Agenda item may be removed for individual consideration pursuant to a request by a Commissioners Court member.

- **Budget Amendments;**
 - **Consider approving bills;**
 - **Approve utility crossing County Roads**
 - **Treasurer's Report**
 - **Sheriff's Report**
 - **County Clerk's Office**
 - **Tax Assessor Collector Report**
 - **District Attorney's Report**
 - **Auditor's Report**
 - **District Clerk's Report**
 - **IT Reports**
 - **J.P. Reports**
 - **Constable Reports**
 - **Veteran's Report**
 - **Collections Reports**
 - **Historical Commission Reports**
- 5. Consider and take action on Resolution No. R-09-2022 to approve an Amendment to the Contract for Collection of Delinquent Property Taxes with McCreary, Veselka, Bragg and Allen, P.C., and approve findings required by Chapter 2254 Government Code regarding a contingent fee contract.**

Judge Johnston

(Enclosure 1)

6. **Conduct a Public Hearing on proposed Tax Abatement Guidelines and Criteria.**
7. **Consideration of Resolution No. R-10-2022 to Adopt Tax Abatement Guidelines and Criteria.**
Judge Johnston (Enclosure 2)
8. **Accept a petition to change the speed limit on Anderson County Road 1232, from 60 mph to 35 mph and take action as necessary.**
Commissioner Chapin (Enclosure 3)
9. **Conduct a Public Hearing to receive comments from the public regarding the closure of the end of Anderson County Road 369.**
10. **Consider and take action on closing the end of Anderson County Road 369.**
Commissioner Dickson
11. **Consider and take action on declaring surplus equipment for Precinct 3 Road and Bridge Department, to sell at Auction.**
Commissioner Dickson (Enclosure 4)
12. **Consider and take action on the transfer of a LeeBoy Model 8000 Laydown Machine from Precinct 4 Road and Bridge Department, to Precinct 3 Road and Bridge Department.**
Commissioner Hill (Enclosure 5)
13. **Consider and take action on purchasing turn out gear (bunker gear) for Elkhart Volunteer Fire Department in the amount of \$14,613.97, from HEAT Safety Equipment LLC., to be paid with American Rescue Plan Act Funds.**
Judge Johnston (Enclosure 6)
14. **Consider and take action on an Addendum to the contract between Anderson County and Tucker Volunteer Fire Department, for a one-time allotment of \$50,000.00 for equipment, supplies and repair of existing equipment, to be paid with American Rescue Plan Act Funds.**
Judge Johnston (Enclosure 7)
15. **Consider and take action on the reimbursement to Tucker Volunteer Fire Department on a quote from Nalcom Communications for a mobile radio in the amount of \$2,359.07, to be paid with American Rescue Plan Act Funds.**
Judge Johnston (Enclosure 8)
16. **Consider and take action on an Addendum to the contract between Anderson County and Bethel-Cayuga Volunteer Fire Department, for a one-time allotment of \$50,000.00 for equipment, supplies and repair of existing equipment, to be paid with American Rescue Plan Act Funds.**
Judge Johnston (Enclosure 9)
17. **Consider and take action on the reimbursement to Bethel-Cayuga Volunteer Fire Department, in the amount of \$6,562.94, for tires and maintenance performed on Fire Truck Numbers 5251, 5271 and 5272, to be paid with American Rescue Plan Act Funds.**
Judge Johnston (Enclosure 10)

18. Consider and take action on the purchase of radios from Nalcom Communications, in the amount of \$2,360.12, for Bethel-Cayuga Volunteer Fire Department, to be paid with American Rescue Plan Act Funds.

Judge Johnston

(Enclosure 11)

19. Consider and take action on the purchase of radios (VHF Handhelds) and pagers for Neches Volunteer Fire Department, in the amount of \$2,974.45, to be paid with American Rescue Plan Act Funds.

Judge Johnston

(Enclosure 12)

20. Consider and take action on approving payment to DACO Fire Equipment for fifteen (15) 4500 PSI/30 Minute Blue Cylinders (Full) with a total cost of \$10,410.00, to be paid with American Rescue Plan Act funds, for 84 East Volunteer Fire Department.

Judge Johnston

(Enclosure 13)

21. Consider and take action on an internet and phone service agreement between Kenetic Business (Formally Windstream) and Justice of the Peace Precinct 1 Office.

Auditor Megan Lambright

(Enclosure 14)

22. Consider and take action on approving an additional \$100.00 petty cash for the Justice of the Peace Precinct 1 Office.

Auditor Megan Lambright

23. Adjourn

COMMISSIONERS COURT ANDERSON COUNTY, TEXAS

BY:



ROBERT D. JOHNSTON, ANDERSON COUNTY JUDGE



I, the undersigned County Clerk, do hereby certify that the above Notice of Meeting is a true and correct copy of said Notice, and that I posted a true and correct copy of said Notice on the bulletin board in the Courthouse of Anderson County, Texas and at a place readily accessible to the general public at all times on the 24th day of June, 2022 at 9:28 AM/PM.

Mark Staples

COUNTY CLERK



BY DEPUTY

If any attendee has any special needs or requirements due to disabilities, please contact the County Judge's Office at least two days prior to the meeting so that reasonable accommodations can be made, (903) 723-7406. The Commissioner's Court may take action related to adopted rules of conduct or procedure.

NOTICE PURSUANT TO GOVERNMENT CODE SECTION 2254.1036

WHEREAS, the Commissioners' Court of Anderson County, Texas ("County") is considering entering into an amendment to a contingent fee contract with the law firm of McCreary, Veselka, Bragg & Allen, P.C. and hereby posts this notice pursuant to Section 2254.1036, Government Code.

WHEREAS, this notice shall be posted before or at the time of giving the written notice required by Section 551.041, Government Code for a meeting described by Section 2254.1036(2), Government Code, and shall announce the following:

1. The County is considering entering into an Amendment with its contingent fee Contract for the Collection of Delinquent Property Taxes with the law firm of McCreary, Veselka, Bragg and Allen, P.C. ("Firm"). The desired outcome of the legal services to be provided to the County is to continue to collect the delinquent property taxes in an expeditious and cost-effective manner.
2. McCreary, Veselka, Bragg and Allen, P.C. has been competently collecting delinquent property taxes for over fifty years and currently represents cities, counties, and school districts throughout the State of Texas in the collection of delinquent property taxes. The County has checked on the abilities of the firm in these matters and found that the law firm has an excellent reputation as a competent, qualified, and experienced delinquent property tax collection law firm.
3. The Firm has represented the County for over forty years in the collection of its delinquent property taxes. That attorney-client relationship has continued through the present.
4. The legal services desired by the County that are the subject of the contract cannot be adequately performed by the attorneys and supporting personnel of the County. The attorneys and support staff that are already employed by the County are involved with other legal matters and do not have the time and resources to perform property tax collection services.
5. The legal services desired by the County that are the subject of the contract cannot be reasonably obtained from attorneys in private practice under a contract providing for the payment of hourly fees without contingency because the County does not have funds in its budget to pay the estimated hourly fees and other costs incurred to implement an effective delinquent property tax collection program under a contract providing only for the payment of hourly fees and costs. The Texas Property Tax Code allows a County to recover a penalty to defray the costs of collecting delinquent property taxes, only if the County has entered into a contract with a private attorney.
6. The County has determined that a contingent fee contract with the Firm is in the best interest of the residents of the County. The Firm is paid a percentage-based collection fee, regardless of the number of hours the Firm spends researching, contacting, and mailing to collect the delinquent taxes due the County. The percentage-based fee is only assessed against those persons who owe delinquent taxes to the County and is not an expense to the County or its taxpayers who are not delinquent in the payment of their taxes.

