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JUL 12 2024

ALISON HALEY
CLERK, COUNTY COURT, MIDLAND COUNTY, TEXAS
By *Robert Allen* Deputy

**NOTICE OF MEETING OF THE
COMMISSIONERS COURT OF MIDLAND COUNTY, TEXAS**

A meeting of the Commissioners Court will be held on Tuesday, July 16, 2024 at 9:00 a.m., in the Commissioners Courtroom, located at the Midland County Courthouse, 500 North Loraine Street, Midland, Texas at which time the following items will be on the agenda; to wit:

1. Call to Order.
2. Invocation.
3. Pledges of Allegiances.
4. Consideration and possible action to terminate existing delinquent property tax collection contract.
5. Consideration and possible action to address the matters contained in Texas Government Code Section 2254.1036(a)(1) and approve resolution authorizing Midland County Judge to execute contingent fee delinquent property tax collection contract with McCreary, Veselka, Bragg & Allen P.C. (MVBA)
6. Discuss and take action approving Contract for Collection of Delinquent Property Taxes with McCreary, Veselka, Bragg & Allen P.C. (MVBA)
7. Consent Agenda:
 - a. Take action on personnel memoranda.
 - b. Acknowledge Quarterly Sick Leave Pool Report.
 - c. Acknowledge Quarterly Investment Report.
 - d. Take action on submitted applications for permits to use county right-of-way for utility and line installations, driveway construction, road dedication, and mailbox construction.
 - e. Take action on court minutes from June 25, July 2 & 8, 2024.
 - f. Discuss and take action on court fees for County and District Clerks' Offices.
 - g. Acknowledge Environmental Unit Quarterly Update/Report.
 - h. Acknowledge Warrant Services Monthly and Quarterly Reports.
 - i. Acknowledge Constable 4 Monthly Report.
 - j. Take action reimbursing 4-H Assistant for attending Junior Nationals Show and Judge Contest.
 - k. Acknowledge Krista Chin as new Extension Agent for Family & Community Health.
 - l. Acknowledge Sheriff's Office Report.
 - m. Acknowledge Detention fees Report.
 - n. Acknowledge C&W Fee Report.
 - o. Acknowledge Rebate Check from Ricoh.
 - p. Take action on Ricoh Lease Agreements for Copier.
8. Discuss and take action on Grade and Step for Randy Eggleston and Alma Acosta.
9. Discuss and take action on donation in the amount of \$100.00 from Russ and Mary Beth Ubinger to Mounted Patrol.
10. Discuss and take action on donation in the amount of \$140,000.00 from Bustin for Badges to the Sheriff's Office.
11. Discuss and take action on budget amendment in the amount of \$140,000.00 for law enforcement supplies.
12. Conduct public hearing on possible reduction of speed on CR 1065 between CR 160 & CR 135 from 55 mph to 35 mph.

13. Discuss and take action on possible reduction of speed on CR 1065 between CR 160 & CR 135 from 55 mph to 35 mph.
14. Conduct public hearing on the County Clerk's Records Archive Plan as per Local Government Code Section 118.025.
15. Discuss and take action on County Clerk's Records Archive Plan as per Local Government Code Section 118.025.
16. Discuss and take action selecting Salary Grievance Committee members.
17. Discuss and take action on line item transfers.
18. Discuss and take action on bills and wire transfers.
19. Receive and acknowledge report from County Auditor for the Library Passport Audit Review for FY2023.
20. Acknowledge Financial Statements for May 2024.
21. Discuss and take action on Texas Commission on the Arts grant for 2024 Margaret Clauder performance in the amount of \$665.00.
22. Discuss and take action on Lucky Diaz Contract for Project Literacy 2024.
23. Discuss and take action on updated PIO job description and restructuring position under Human Resources.
24. Discuss and take action on updated job descriptions for Death Investigators.
25. Discuss and take action on Vandergriff Group Architects contract for 509 Loraine.
26. Discuss and take action on chiller repair at Library at the Plaza.
27. Discuss and take action renovating elevator cabs at the Courthouse.
28. Discuss and take action on purchase of vehicles.
29. Discuss and take action on updated Horseshoe pricing.
30. Discuss updated Horseshoe rental contract.
31. Discuss and take action on purchase of Courthouse Camera replacement.
32. Discuss and take action on purchase of Cisco phones and licensing for new LEB.
33. Discuss and take action on purchase of Data Center Core switches.
34. Discuss and take action on purchase of UPS Battery backups for new LEB network closets.
35. Discuss and take action on purchase of Network and Access control cabling services for new LEB.
36. Discuss and take action on donation of plaque valued at \$4,500.00 from Alamo Letter Society to Midland County.
37. Discuss and take action on resolution supporting plaque donation from Alamo Letter Society.
38. Discuss and take action on donation and payment of \$4,500.00 to Alamo Letter Society for plaque to another

County in Texas.

39. Discuss and take action designating officer to calculate the No-New-Revenue Rate, Voter-Approved Rate, and enter in the database.
40. Discuss and take action on proposed salaries for Elected Officials.
41. Discuss and take action on agreement and payment for Senior Life.
42. Conduct Executive session pursuant to Texas Government Code Section 551.0725 to deliberate business and financial issues relating to contracts being negotiated.
43. Conduct Executive session pursuant to Texas Government Code Section 551.071 to consult with County Attorney regarding pending and prospective litigation and other matters.
44. Adjourn.

The next Regular meeting for the Commissioners Court will be held on Tuesday, August 6, 2024 at 9:00 a.m., in the Commissioners Courtroom, 500 North Loraine Street, Midland County Courthouse.

Dated this the 12 day of July, 2024.

Terry Johnson by Shan Buent
Terry Johnson, County Judge

I, the undersigned County Clerk, do hereby certify that the above Notice of Meeting of the above named Commissioners Court is a true and correct copy of said Notice, and that a true and correct copy of said Notice was posted on the bulletin board and at the Courthouse door of Midland County, Texas, and on the Midland County website, on the 12 day of July, 2024, and said Notice remained so posted continuously for at least three days immediately preceding the date of the said Meeting.

Dated this the 12 day of July, 2024.

Alison Haley
Alison Haley, County Clerk

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PUBLIC NOTICE

In accordance with Texas Government Code, section 2254.1036(a)(1), Midland County, Texas provides the following written notice to the public before or at the time of giving the written notice required by Texas Government Code, Section 551.041 for an open meeting that contains an agenda item to consider and possibly take action approving a contingent fee contract with the law firm of McCreary, Veselka, Bragg and Allen, P.C. to perform all legal services necessary to collect delinquent property taxes, and to consider the matters listed in Texas Government Code, section 2254.1036(a)(1):

1. Midland County, Texas, is pursuing the legal services of McCreary, Veselka, Bragg, and Allen, P.C., a delinquent tax collection law firm, in an effort to increase the efficiency by which delinquent taxes, penalties, and interest owed to Midland County, Texas are collected. The desired outcome of the legal services would be for the County to collect the delinquent taxes, penalties, and interest owed as efficiently and effectively as possible as provided for in the Texas Tax Code.
2. McCreary, Veselka, Bragg, and Allen, P.C. has been competently collecting delinquent taxes throughout the State of Texas for over sixty years and currently represents hundreds of Texas taxing units, including multiple taxing entities in Midland County, Texas. McCreary, Veselka, Bragg, and Allen, P.C., has demonstrated that it is a competent, qualified, and experienced delinquent tax law firm with the infrastructure, technology, and expertise needed to collect delinquent taxes, penalties, and interest competently. McCreary, Veselka, Bragg and Allen, P.C. has a demonstrated history as, and currently is a competent, qualified, and experienced delinquent tax collections law firm.
3. Midland County, Texas, and McCreary, Veselka, Bragg, and Allen, P.C. have no prior relationship. The approval of this contract between McCreary, Veselka, Bragg, and Allen, P.C., and Midland County, Texas, will be the beginning of the relationship between the law firm and the County. However, McCreary, Veselka, Bragg, and Allen, P.C. have served as the delinquent tax attorneys for the Midland Independent School District, the City of Midland, the Midland Memorial Hospital District, and the Midland College District for many years.
4. The legal services desired by Midland County, Texas that are the subject of the contract cannot be adequately performed by the attorneys and supporting personnel of the County because the filing of a delinquent tax suit or tax warrant requires an attorney licensed by the State Bar of Texas, and Midland County does not have sufficient attorneys on its payroll to perform the work in house. Additionally, Midland County, Texas cannot adequately perform the legal services required by the contract due to the high cost of implementing the appropriate infrastructure and technology and employing sufficient in-house attorneys and staff with the experience and competence necessary to perform these activities.
5. The legal services desired by Midland County, Texas 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 tax collection program under a contract providing only for the payment of hourly fees and costs. Texas Tax Code, sections 6.30; 33.07; 33.08 and 33.11 allow the County to recover a penalty to defray the costs of collecting delinquent taxes, only if the County has entered a contingency fee contract with a private attorney pursuant to Tax Code, section 6.30. A contract to pay inside or outside attorneys on an hourly basis would represent an additional cost to Midland County, Texas which is not budgeted for.
6. To defray the cost of collecting delinquent taxes as provided by Texas Tax Code, sections 6.30; 33.07; 33.08 and 33.11, to save money and ensure that the collection of delinquent taxes is diligently prosecuted throughout Midland County, Texas a contingent fee contract with McCreary, Veselka, Bragg and Allen, P.C. is in the best interests of the residents of the Midland County, Texas. The contract is in the best interest of the residents of Midland County, Texas because the delinquent taxes, penalties, and interest will be professionally and competently collected without the additional costs needed to implement infrastructure and technology, and necessary to employ in-house personnel or pay outside counsel on an hourly fee basis which would otherwise be required