

FILED FOR RECORD

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

2024 JUN 28 PM 2:07

ALISON HALEY
COUNTY CLERK
MIDLAND COUNTY, TX
BY *[Signature]*

A meeting of the Commissioners Court will be held on Tuesday, July 2, 2024, at 2:00 PM 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. Acknowledge May's I.M.P.A.C.T.S. of the Month Honoree, Alan Kilgore, with 142nd District Court.
5. Consideration and possible action to terminate existing delinquent property tax collection contract.
6. 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)
7. Discuss and take action approving Contract for Collection of Delinquent Property Taxes with McCreary, Veselka, Bragg & Allen P.C. (MVBA)
8. Consent Agenda:
 - a. 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.
 - b. Acknowledge Monthly Report for JP 3.
 - c. Acknowledge Monthly Report for Constable 4.
 - d. Acknowledge Monthly Report for Constable 2.
 - e. Take action on additional funds for fuel for Constable 2.
 - f. Take action on court minutes from June 4, 4-6 & 11, 2024.
 - g. Acknowledge AgriLife Extension's Reports.
 - h. Take action on use of Horseshoe for Extensions.
 - i. Take action on use of storage containers located at the Horseshoe.
 - j. Discuss and take action on personnel memoranda.
 - k. Acknowledge damage and fleet accident reports for May 2024.
 - l. Take action on repair of Unit 10831.
 - m. Take action on repair of Unit 15627.
 - n. Take action on repair of Unit 55109.
 - o. Take action on hail damaged units.
 - p. Acknowledge Rebate Check from Ricoh.
 - q. Take action on purchase of budgeted pickups for Sheriff's Office Detention Maintenance.
 - r. Acknowledge Sheriff's Office Report.
 - s. Take action on Texas Commission on the Arts grant – Margaret Clauder.
9. Discuss and take action on amended Mental Health Services Provider Agreement FY2024 with PermiaCare.

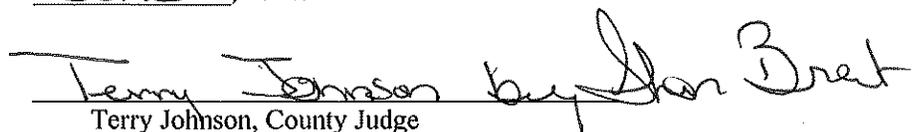
10. Discuss and take action on revised PermianCare Renewal Agreement FY2025.
11. Discuss and take action on purchase of Drone from Sheriff's donation account.
12. Discuss and take action on previously purchased drones from Sheriff's donation account.
13. Discuss and take action on reclassifying Exempt to Non-Exempt status with job descriptions for Lieutenant positions at the Detention Center.
14. Discuss and take action on Employee Performance Standards & Expectation Policy 2.01a.
15. Discuss and take action on public works position – Capital Projects Manager to Receptionist.
16. Discuss and take action on line item transfers.
17. Discuss and take action on bills and wire transfers.
18. Receive and acknowledge report from County Auditor for the Tax Office Hotel Occupancy Tax Audit Review for FY2021 and FY2022.
19. Discuss and take action on reimbursement of VRBO rental, cleaning and service fees for DA employees attending TDCAA conference in Galveston, TX.
20. Discuss and take action on Addendum to Exhibition Agreement – Framed: Step Into Art.
21. Discuss and take action allowing Teen Leadership Board to host a Back to School Drive benefiting Buckner Family Place.
22. Discuss and take action on The Amazing Castle Exhibition Agreement.
23. Discuss and take action on roof repair contractors.
24. Discuss and take action on repair of Central Detention Center tent structure.
25. Discuss and take action on Texas Association of Counties Liability Renewal Questionnaire.
26. Discuss and take action on donation of plaque valued at \$4,500.00 from Alamo Letter Society to Midland County.
27. Discuss and take action on resolution supporting plaque donation from Alamo Letter Society.
28. Discuss and take action on donation and payment of \$4,500.00 to Alamo Letter Society for plaque to another County in Texas.
29. Discuss and take action on Social Media Plan proposal.
30. Discuss and take action on listing agreement for 801 W. Golf Course.
31. Discuss and take action on Mold Remediation for the Sheriff Impound.
32. Discuss and take action on 509 N. Loraine.

33. Discuss and take action on additional funds for building maintenance for Detention.
34. Discuss and take action on Agreement for Services with Teen Challenge for temporary labor at the Horseshoe.
35. Discuss and take action reimbursing Horseshoe budget for renter damaged items.
36. Discuss and take action on change order with Danny's Asphalt for additional painting, striping, and posts at the Horseshoe.
37. Discuss and take action on Horseshoe Director free event approvals and fees.
38. Discuss and take action on Horseshoe concessions.
39. Discuss and take action on purchase of Boring Lab Xprotect Toolbox from ACI.
40. Discuss and take action on Memorandum of Understanding (MOU) with Midland College for Surplus Vehicle.
41. Discuss and take action on negotiations for RFP 24MCO629 Reconstruction of CR 1130.
42. Discuss and take action on award for RFP 24MCO629 Reconstruction of CR 1130.
43. Discuss and take action on award for RFP 24MCO628 Hazard Mitigation Plan Development.
44. Discuss and take action on RFP for Water and Sewer Line Construction at the new LEB.
45. Discuss and take action on RFP for Sewer Line Construction at the new jail site.
46. Discuss and take action on RFP for Advertising Space at Midland County Horseshoe.
47. Discuss and take action on abandonment/vacation of Longview Subdivision, Section 3.
48. Discuss and take action on payment and closing of property purchase for Jasmine Drive Ponds.
49. Discuss and take action on plat on the following plats:
 - a. Greenwood Country Acres, Section 5.
 - b. Comanche Crossing, Section 1.
50. Discuss and take action on plat for Knapp Addition, Section 2.
51. Discuss and take action on change order with Burns for offsite utility projects at new jail.
52. Discuss and take action on construction contract with Brett Construction for water line at new jail.
53. Discuss and take action negotiating with private landowners for LEB utility construction and assigning deeds to City of Midland upon closing.
54. Discuss and take action on payment for Advanced Funding Agreement for new traffic signal at CR 120 and Antelope Trail.
55. Discuss and take action on change order with Magrym for additional design of reconstruction of CR 130.

56. Discuss and take action on change order with Danny's Asphalt for reconstruction of CR 130.
57. Discuss and take action on payment and boundary agreement between Gomez and Midland County.
58. Discuss and take action on payment and boundary agreement between Roberts and Midland County.
59. Discuss and take action on TechShare agency liability funds credited to Midland County.
60. Discuss Elected Officials salaries.
61. Discuss and take action on Agreement for Services with AC Transport.
62. Conduct Executive session pursuant to Texas Government Code Section 551.074 to discuss personnel matters.
63. Conduct Executive session pursuant to Texas Government Code Section 551.071 to consult with County Attorney regarding pending and prospective litigation and other matters.
64. Conduct Executive session pursuant to Texas Government Code Section 551.0725 to deliberate business and financial issues relating to contracts being negotiated.
65. Discuss and take action waiving the requirements of Texas Local Government Code 232.0032(a) for the proposed Knapp Addition Section 2 and determining, based on credible evidence of groundwater availability in the vicinity of the proposed subdivision, that sufficient groundwater is available and will continue to be available to the subdivided tract of land.
66. Adjourn.

The next Regular meeting for the Commissioners Court will be held on Tuesday, July 16, 2024 at 9:00 a.m., in the Commissioners Courtroom, 500 North Loraine Street, Midland County Courthouse.

Dated this the 28 day of June, 2024.


 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 _____ day of _____, 2024, and said Notice remained so posted continuously for at least three days immediately preceding the date of the said Meeting.

Dated this the _____ day of _____, 2024.

 Alison Haley, County Clerk

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.