



**NOTICE OF REGULAR MEETING OF THE  
LIBERTY COUNTY COMMISSIONERS' COURT OF LIBERTY, TEXAS**

Notice is hereby given that a **REGULAR MEETING** of the above named **Liberty County Commissioners' Court** will be held on the **28th day of November, 2023**, at **9:00 a.m.**, at the Liberty County Courthouse, 2<sup>nd</sup> Floor Courtroom, 1923 Sam Houston, Liberty, Texas, at which time the following subjects will be discussed, to-wit:

**SEE ATTACHED.**

Dated this the **21st day of November, 2023**

Commissioners' Court of Liberty County, Texas

By: 

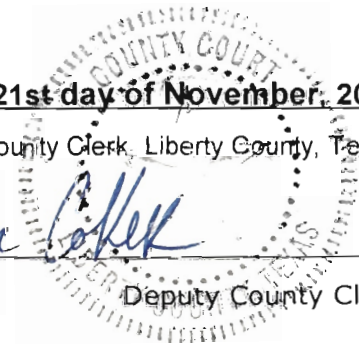
Jay H. Knight, County Judge  
Liberty, Texas

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 I posted a true and correct copy of said Notice on the bulletin board at the Courthouse door of Liberty County, Texas, at a place readily accessible to the general public at all times on the **21st day of November, 2023** and said Notice remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

Dated **21st day of November, 2023**

County Clerk, Liberty County, Texas

By:   
Deputy County Clerk





LIBERTY COUNTY COMMISSIONERS COURT  
Regular Meeting of Commissioners Court  
November 28, 2023  
9:00 a.m.

1923 Sam Houston St., Room 203 - Liberty, Texas 77575

1. CALL TO ORDER :
2. PLEDGE TO THE U.S. FLAG AND TEXAS FLAG :
3. INVOCATION :
4. NOTICES AND PROCLAMATIONS :
5. PUBLIC COMMENT :
6. DECLARE CONFLICTS OF INTEREST :
7. CONSENT AGENDA :
  1. APPROVAL OF MINUTES  
  
11/14/2023 - REGULAR MEETING
  
  2. WARRANTS PAYABLES  
  
APPROVE PAYABLES
  
  3. BUDGET AMENDMENTS  
  
AUDITOR: FY 2023 YR END BUDGET AMENDMENTS  
LCSO: ADOPTED BUDGET CORRECTION - GUN RANGE  
LCSO: LINE ITEM TRANSFER FOR SHORTAGE IN DISPATCH EQUIPMENT
  
  4. MONTHLY REPORTS  
  
a- CONSTABLE PCT 2 - ANNUAL SEIZURE REPORT  
b- CONSTABLE PCT 1: OCTOBER 2023  
c- AGRI-LIFE: OCTOBER 2023  
d- JP PCT 3: OCTOBER 2023  
e- JP PCT 2: OCTOBER 2023
  
  5. OATHS & DEPUTATIONS  
  
LCSO: APPROVE OATH & DEPUTATION OF MICHAEL TANNER AS DEPUTY SHERIFF

6. PAYROLL ITEMS

CONSTABLE PCT 6: APPROVE INTERMEDIATE CERTIFICATE PAY FOR COURTNEY LEE \$50/mo  
LCSO: APPROVE INTERMEDIATE CERTIFICATE PAY FOR STEPHEN EARHART \$50/mo

8. REGULAR AGENDA :

1. VETERANS SERVICES ROLONDRIA WEBB

CONSIDER AND APPROVE REQUEST TO APPLY FOR 2024-2025 TEXAS VETERAN COMMISSION  
TVC GRANT - FUNDS FOR VETERANS ASSISTANCE

2. COMMISSIONER PCT 4 LEON WILSON

CONSIDER AND APPROVE INTERLOCAL AGREEMENT BETWEEN LIBERTY COUNTY PRECINCT 4  
AND THE CITY OF KENEFICK TO PROVIDE SAFE AND WELL MAINTAINED PUBLIC ROADWAYS,  
INCLUDING CITY STREETS, FOR THE BENEFIT OF ITS CITIZENS, AT A REDUCED EXPENSE BY  
AVOIDING COSTLY DUPLICATION OF MAN POWER, EQUIPMENT AND OTHER RESOURCES

3. COMMISSIONER PCT. 2 GREG ARTHUR

CONSIDER AND APPROVE THE RE-APPOINTMENT OF BRETT AUDILET AND MARK NEAL AND  
APPOINT BILL WINGFIELD TO THE ESD NO. 7 BOARD.  
ALL TERMS WILL BEGIN JANUARY 1, 2024 AND END DECEMBER 31, 2026

4. COUNTY JUDGE JAY KNIGHT

CONSIDER AND APPROVE THE ANNUAL DONATION OF \$10,000.00 TO DAYTON SENIOR  
CENTER, INC., AN ORGANIZATION THAT PROVIDES MEALS AND ACTIVITIES TO THE SENIOR  
CITIZENS IN DAYTON AND THE SURROUNDING COMMUNITY

5. PURCHASING AGENT HAROLD SEAY

CONSIDER AND AWARD RFP #24-02 SPRINKLER SYSTEM FOR SUPPLY BUILDING USING ARPA  
FUNDS

6. PURCHASING AGENT HAROLD SEAY

CONSIDER AND APPROVE SOLICITATION OF BIDS / PROPOSALS FOR THE RENOVATION OF THE  
BUILDING AT 1801 TRINITY STREET

7. PURCHASING AGENT HAROLD SEAY

CONSIDER AND APPROVE QUOTE FOR REPAIR OF SIDEWALKS AT 501 PALMER STREET

8. PURCHASING AGENT HAROLD SEAY

CONSIDER AND APPROVE PURCHASE OF RYE BASE FROM OTHER SOURCES

9. PURCHASING AGENT HAROLD SEAY

CONSIDER AND APPROVE QUOTE FOR INSTALLATION OF EQUIPMENT AT RADIO TOWER USING ARPA FUNDS

10. PERMITS & INSPECTIONS - MELINDA SOLIDAY

CONSIDER AND APPROVE THE PURCHASE OF OPENGOV SOFTWARE FOR THE PERMITTING AND INSPECTION DEPARTMENT USING TX DIR. THE INITIAL COST OF THE SOFTWARE WILL BE \$34,823.33, WITH A ONE TIME \$27,300.00 FOR THE SOFTWARE IMPLEMENTATION FEE

11. PERMITS & INSPECTIONS - MELINDA SOLIDAY

CONSIDER AND APPROVE THE REQUEST FROM ENERGY TEXAS TO RELEASE BOND #02223609 - THIS BOND WAS FOR ROAD USE FOR 9 MILES OF COUNTY ROAD 6243

12. PERMITS & INSPECTIONS - MELINDA SOLIDAY

CONSIDER AND APPROVE SANTA FE VILLAGE SECTION 2, CONSTRUCTION PLANS, FINAL DRAINAGE PLANS AND FINAL PLAT. THIS SUBDIVISION IS LOCATED IN PRECINCT 3 AND HAS 168 LOTS - COVERING 08.104 ACRES AND IS FOR SINGLE FAMILY RESIDENCE ONLY. LJA ENGINEERING LETTER OF APPROVAL IS ATTACHED IN THE PACKET

13. PERMITS & INSPECTIONS - MELINDA SOLIDAY

CONSIDER AND APPROVE THE VARIANCE REQUEST FOR SANTA FE SECTION 20. ATTACHED IS THE HARDEY GROUP REQUEST AND DRAWINGS OF THE VARIANCE - LJA ENGINEERING LETTER OF APPROVAL IS ATTACHED IN THE PACKET

14. PERMITS & INSPECTIONS - MELINDA SOLIDAY

CONSIDER AND APPROVE SANTA FE SECTION 20 CONSTRUCTION PLANS, FINAL DRAINAGE PLANS AND FINAL PLAT. THIS SUBDIVISION IS LOCATED IN PRECINCT 3 AND HAS 743 LOTS, COVERING 158.198 ACRES AND IS FOR SINGLE FAMILY RESIDENCE ONLY. LJA ENGINEERING LETTER OF APPROVAL IS ATTACHED IN THE PACKET

15. COUNTY ATTORNEY MATTHEW POSTON / KATHRINE MCCARTY

CONSIDER AND APPROVE WAIVER AND LIMIT OF LIABILITY SIGNED BY TRIPLE S TREE SERVICES HOLDING LIBERTY COUNTY HARMLESS FOR TREE TRIMMING PERFORMED ON COUNTY ROAD RIGHTS-OF-WAY IN PCT 4

16. COUNTY ATTORNEY MATTHEW POSTON / KATHRINE MCCARTY

CONSIDER AND APPROVE EXECUTED SETTLEMENT AGREEMENT FOR CAUSE NO. CV1914895, DALWADI HOPITALITY DAYTON, DBA SUMMIT INN V. CITY OF DAYTON AND LIBERTY COUNTY

17. COUNTY ATTORNEY MATTHEW POSTON / KATHRINE MCCARTY

DISCUSSION AND POTENTIAL ACTION SHALL OCCUR PURSUANT TO CHAPTER 381 OF THE TEXAS LOCAL GOVERNMENT CODE, CHAPTER 312 OF THE TEXAS TAX CODE, AND OTHER AUTHORITY REGARDING THE FOLLOWING MATTERS: (A) A PRESENTATION BY TRINITY RIVER SOLAR 1, LLC ("COMPANY") REGARDING ITS (I) PROPOSED SOLAR ENERGY ELECTRICITY GENERATING FACILITY PROJECT TO BE LOCATED ON CERTAIN REAL PROPERTY, TOTALING APPROXIMATELY 2,400 ACRES MORE OR LESS AND LOCATED IN EASTERN LIBERTY COUNTY, TEXAS NEAR US HIGHWAY 90 EAST AND FM 1009 THEREIN, AND (II) PENDING APPLICATION FOR TAX ABATEMENT REGARDING THE PROJECT; (B) CONSIDERATION OF APPROVAL OF FURTHER NEGOTIATIONS, IF ANY, BY LIBERTY COUNTY, TEXAS WITH SAID COMPANY REGARDING SAID PROJECT AND APPLICATION; AND (C) ALL RELATED MATTERS.

18. COUNTY ATTORNEY MATTHEW POSTON / KATHRINE MCCARTY

DISCUSSION AND POTENTIAL ACTION SHALL OCCUR PURSUANT TO CHAPTER 381 OF THE TEXAS LOCAL GOVERNMENT CODE AND OTHER AUTHORITY REGARDING THE FOLLOWING MATTERS: (A) A PRESENTATION BY INDUSTRIAL KILO PROJECT, LLC ("COMPANY") REGARDING ITS (I) PROPOSED SOLAR ENERGY ELECTRICITY GENERATING FACILITY PROJECT TO BE LOCATED ON CERTAIN REAL PROPERTY, TOTALING APPROXIMATELY 1,069 ACRES MORE OR LESS AND LOCATED IN SOUTHERN LIBERTY COUNTY, TEXAS NEAR COUNTY ROAD 486 THEREIN, AND (II) PENDING APPLICATION FOR AN ECONOMIC DEVELOPMENT AGREEMENT REGARDING THE PROJECT; (B) CONSIDERATION OF APPROVAL OF FURTHER NEGOTIATIONS, IF ANY, BY LIBERTY COUNTY, TEXAS WITH SAID COMPANY REGARDING SAID PROJECT AND APPLICATION; AND (C) ALL RELATED MATTERS.

19. COUNTY ATTORNEY MATTHEW POSTON / KATHRINE MCCARTY

CONSIDER AND APPROVE RESOLUTION LETTER FROM COUNSEL TO LIBERTY COUNTY SOLAR PROJECT, LLC FORMALLY REQUESTING PRELIMINARY REIMBURSEMENT FOR ANY LAND SUITABILITY TESTING ON PROPOSED DONATED LAND PURSUANT TO THE ACTIVE ECONOMIC DEVELOPMENT PROGRAM AGREEMENT AND ACCESS AGREEMENT EXECUTED BY AND BETWEEN LIBERTY COUNTY AND LIBERTY COUNTY SOLAR PROJECT, LLC

20. COUNTY ATTORNEY MATTHEW POSTON / KATHRINE MCCARTY

CONSIDER AND APPROVE RESOLUTION AUTHORIZING DR. RAMON CARRASQUILLO TO APPEAR AND BE DEPOSED AS LIBERTY COUNTY'S CORPORATE REPRESENTATIVE IN CAUSE No. 2020-61765-MDL, TO *In re Arkema Inc. Litigation*, currently pending in the 333<sup>rd</sup> District Court of Harris County, Texas

9. **EXECUTIVE SESSION :**

THE COMMISSIONERS COURT FOR THE COUNTY OF LIBERTY RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTIONS 551.071(CONSULTATION WITH ATTORNEY); 551.072 (DELIBERATION ABOUT REAL PROPERTY); 551.0725 (DELIBERATIONS REGARDING CONTRACT BEING NEGOTIATED); 551.073 (DELIBERATIONS ABOUT GIFTS AND DONATIONS); 551.074 (PERSONNEL MATTERS); 551.076 (DELIBERATIONS ABOUT SECURITY DEVICES); AND 551.087 (ECONOMIC DEVELOPMENT); 418.183 (SECURITY MATTERS).

1. COUNTY ATTORNEY MATTHEW POSTON / KATHRINE MCCARTY

AN EXECUTIVE/ CLOSED SESSION MEETING WILL OCCUR REGARDING THE FOLLOWING MATTERS: PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE (CONSULTATION WITH ATTORNEY), FOR THE COMMISSIONERS COURT TO CONSULT WITH AND SEEK ADVICE FROM ITS ATTORNEY REGARDING EXECUTED SETTLEMENT AGREEMENT FOR CAUSE NO. CV1914895, DALWADI HOSPITALITY DAYTON DBA SUMMIT INN V. CITY OF DAYTON AND LIBERTY COUNTY.

2. COUNTY ATTORNEY MATTHEW POSTON / KATHRINE MCCARTY

AN EXECUTIVE/ CLOSED SESSION MEETING WILL OCCUR REGARDING THE FOLLOWING MATTERS: (A) PURSUANT TO SECTION 551.071(2) AND 551.129 OF THE TEXAS GOVERNMENT CODE (CONSULTATION WITH ATTORNEY), FOR THE COMMISSIONERS COURT TO CONSULT WITH AND SEEK ADVICE FROM ITS ATTORNEY REGARDING CERTAIN APPLICATIONS OR REQUESTS NOW PENDING WITH THE COUNTY FOR ECONOMIC DEVELOPMENT AND/OR TAX ABATEMENT AGREEMENTS; AND (B) PURSUANT TO SECTION 551.087 OF THE TEXAS GOVERNMENT CODE (ECONOMIC DEVELOPMENT NEGOTIATIONS), FOR THE COMMISSIONERS COURT TO (I) DISCUSS OR DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THE COMMISSIONERS COURT HAS RECEIVED FROM CERTAIN BUSINESS PROSPECTS THAT THE COMMISSIONERS COURT IS CONSIDERING TO HAVE LOCATE, STAY, OR EXPAND IN LIBERTY COUNTY, TEXAS AND WITH WHICH THE COMMISSIONERS COURT IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS, AND (II) DELIBERATE THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO OR FROM SAID BUSINESS PROSPECTS FOR THE PROPOSED PROJECTS TO BE LOCATED IN LIBERTY COUNTY, TEXAS.

3. COUNTY ATTORNEY MATTHEW POSTON / KATHRINE MCCARTY

AN EXECUTIVE/ CLOSED SESSION MEETING WILL OCCUR REGARDING THE FOLLOWING MATTERS: PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE (CONSULTATION WITH ATTORNEY), FOR THE COMMISSIONERS COURT TO CONSULT WITH AND SEEK ADVICE FROM ITS ATTORNEY REGARDING PROPOSED RESOLUTION LETTER SEEKING PRELIMINARY REIMBURSEMENT FOR ANY LAND SUITABILITY TESTING ON PROPOSED DONATED LAND PURSUANT TO THE ACTIVE ECONOMIC DEVELOPMENT PROGRAM AGREEMENT AND ACCESS AGREEMENT EXECUTED BY AND BETWEEN LIBERTY COUNTY AND LIBERTY COUNTY SOLAR PROJECT, LLC.

4. COUNTY ATTORNEY MATTHEW POSTON / KATHRINE MCCARTY

AN EXECUTIVE/CLOSED SESSION MEETING WILL OCCUR REGARDING THE FOLLOWING MATTERS: (A) PURSUANT TO SECTION 551.071 (CONSULTATION WITH ATTORNEY), REGARDING CAUSE NO. 22DCCV01445, PENDING LITIGATION INVOLVING LIBERTY COUNTY

5. COUNTY ATTORNEY MATTHEW POSTON / KATHRINE MCCARTY

An executive/ closed session meeting will occur regarding the following matters: pursuant to Section 551.071 of the Texas Government Code (consultation with attorney), for the Commissioners Court to consult with and seek advice from its attorney regarding the execution of RESOLUTION AUTHORIZING DR. RAMON CARRASQUILLO TO APPEAR AND BE DEPOSED AS LIBERTY COUNTY'S CORPORATE REPRESENTATIVE IN CAUSE No. 2020-61765- MDL, TO *In re Arkema Inc. Litigation*, currently pending in the 333<sup>rd</sup> District Court of Harris County, Texas.

10. INTERNET ACCESS INFORMATION :

- The Liberty County Special Meeting of Commissioners Court is accessible by the Public on the following internet link: [https://www.youtube.com/channel/UCb8xervncxOru6g\\_-aLwxVg](https://www.youtube.com/channel/UCb8xervncxOru6g_-aLwxVg)
- Please remember the Liberty County Commissioners Courtroom is tobacco free
- Please turn off all cell phones during the Liberty County Regular Meeting of Commissioners Court

11. ADJOURNMENT :


THE STATE OF TEXAS

COUNTY OF LIBERTY

I hereby certify that this instrument was FILED on the date and the time stamped hereon by me and was duly RECORDED in the Records of Liberty County, Texas.

23-3195 PUBNOTICE

11/21/2023 02:09:52 PM Total Fees: \$0.00

 *Lee Haidusek Chambers*

Lee Haidusek Chambers, County Clerk  
Liberty County, TX