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AUG 04 2023

Commissioners Court of Coryell County, Texas
Notice of Public Meeting

Jennifer T. Newton
COUNTY CLERK, CORYELL CO., TEXAS

Pursuant to Chapter 551, Texas Government Code, Open Meetings Act, the Commissioners Court of Coryell County, Texas will hold a regular meeting to conduct County business.

Date: August 8, 2023

Time: 9:00 am

Location: Commissioners Courtroom, 800 E Main Street, Suite A, Gatesville, Texas 76528

Join by Zoom Meeting at <https://txcourts.zoom.us/j/88691753322>

Meeting ID: 886 9175 3322

Telephone – 1-346-248-7799

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AGENDA

- 1. Call to Order**
- 2. Invocation**
- 3. Pledges of Allegiance** to the flags of the United States and Texas
- 4. Public Forum:** Citizens may address the Court on any matter other than matters concerning County personnel or matters under litigation. Each citizen will be allocated five minutes with a total time not to exceed 30 minutes.
- 5. Consent Agenda:**
 - a. Accept the submission of the July 2023 Financial Summary report by the County Tax Assessor/Collector office.
 - b. Accept the submission of the July 2023 Financial Summary report by the County Clerk's office.
 - c. Approve the minutes for the Coryell County Commissioners' Court meeting held on June 25th, 2023.
 - d. Approve the minutes from the Commissioners' Court July 18-21, 2023.
 - e. Approve the minutes from the Commissioners' Court July 24-28, 2023.
 - f. Approve the minutes from the Commissioners' Court July 31- August 1, 2023.
 - g. Approve the minutes from the Commissioners' Court August 2 and 4, 2023.
 - h. Accept the Continuing Education Transcripts of the Tax Assessor Collector.
- 6. Road and Bridge Report**
- 7. Consider replat of Indian Creek subdivision.**
- 8. Consider replat of Kingston Estate Phase II subdivision.**
- 9. Consider replat of West Moody Farms subdivision.**
- 10. Consider plat for Cedar Bluff Subdivision.**
- 11. Update on Grants – to include but not limited to:**
 - a. SS4A
 - b. HMP
 - c. RCP

d. CDBG-MIT

12. Consider proposals and selection of vendor for the Safer Streets for All (SS4A) Grant program.
13. Consider issuance of Request for Proposal (RFP) for Coryell County Land Use Plan under Resilient Communities Plan (RCP) program.
14. Consider Memorandum of Agreement between Coryell County, Texas and American Conservation Foundation (ACF) for funding under US Army Corps of Engineer (USACE) Continuing Authorities Program (CAP).
15. Consider the appointment of election judges for 2-year term pursuant to Texas Election Code Sec. 32.002.
16. Order of Election for November 7, 2023.
17. Consider Texas Department of Motor Vehicles County fees.
18. Consider Interlocal Agreement to Develop a Regional Habitat Conservation Plan in Bell and Coryell Counties.
19. Update on construction projects.
20. Consider Prime Contract Potential Change Order #004: Updated Security Equipment (SE) Package.
21. Consider actions concerning the jail camera installation contract.
22. Consider actions on items to support construction projects.
23. Discuss/take action to adopt written findings as to collection services contract and approve a contingent fee contract with Perdue, Brandon, Fielder, Collins and Mott, LLP pursuant to Article 103.001, Texas Code of Criminal Procedure, said contract being for the collection of delinquent court fines and fees owed to the Coryell County ("County"), and notice of which is provided with the agenda in accordance with Section 2254.1036 of the Government Code; and
24. Discuss/take action to approve Resolution to establish a 30% statutory contingent fee to defray costs of collecting delinquent fines, fees, court costs, and other debts pursuant to Article 103.0031 of the Texas Code of Criminal Procedure.
25. Consider ratifying contract with Baylor Scott & White for the Coryell County Employee Benefits Trust Proposal Effective October 1, 2023, to September 30, 2024.
26. Pay Bills.

Reports:

27. Commissioners' Reports

- a. Precinct 1 – Commissioner Matthews
- b. Precinct 2 – Commissioner Weddle
- c. Precinct 3 – Commissioner Basham
- d. Precinct 4 – Commissioner Taylor

28. Judge's Report

Closed Meeting/Executive Session


29. Pursuant to Texas Government Code Sec 551.071 the Commissioners Court will conduct a closed meeting to consult with the county attorney regarding pending litigation, and a matter subject to attorney client confidentiality. To include that case *County of Coryell v. Purdue Pharma, Inc.*, et al., MDL PRETRIAL CAUSE NO. 2018-63587, in the 152d District Court of Harris County, Texas.
30. Pursuant to Texas Government Code Sec. 551.072, the Commissioners Court will conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property.

Reconvene Open Meeting

31. Consideration of authorizing the County Judge or other authorized officials to execute the Settlement participation and release forms regarding settlement offers from Walgreens, CVS, and Walmart in the matter of Texas opioid multi-district litigation for the County in the matter of County of Coryell v. Purdue Pharma, L.P. et al.

Adjournment

Signed this the 4th day of August 2023.



Roger A. Miller
Coryell County Judge

AUG 04 2023

NOTICE PURSUANT TO GOVERNMENT CODE SEC. 2254.1036

Jennifer Newton
COUNTY CLERK, CORYELL CO., TEXAS

WHEREAS, CORYELL COUNTY, TEXAS ("County"), will consider entering into a contingent fee contract with the law firm of Perdue, Brandon, Fielder, Collins & Mott, L.L.P. ("Firm") and hereby posts this notice pursuant to Sec. 2254.1036 of the Government Code.

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

A. The County is pursuing a contract with the Firm for the collection of delinquent fines and fees owed to the County and through this contract the County seeks to increase recovery of its delinquent debts in as expeditious a manner as possible. GOVT. CODE § 2254.1036(1)(A).

B. The County believes the Firm has the competency, qualifications, and experience necessary to fulfill this contract. GOVT. CODE § 2254.1036(1)(B). The Firm has collected delinquent government receivables for more than 50 years, and more specifically the collection of delinquent fines and fees for nearly 20 years. The Firm currently has 14 primary offices and multiple satellite offices throughout Texas, Oklahoma and Florida. It employs more than 400 individuals, including 62 attorneys. The firm uses a multi-office, fully integrated team approach allowing the County access to all its offices and resources. Its collection team consists of long-term Firm employees, including attorneys, call center associates, paralegals, law clerks, legal secretaries, collection support personnel and information technology experts. The Firm utilizes proprietary collection software that can be tailored to meet any special need the County may have. This proprietary software also automates many aspects of the collection process, such as: account/debtor research, mailings and phone calls, return mail and address updates, payment notification and processing and work-flow.

C. The nature of any relationship between the County and the Firm is as follows. GOVT. CODE § 2254.1036(1)(C). The Firm does not currently, nor has previously, represented the County.

D. The County is unable to perform the collection of its delinquent fines and fees. GOVT. CODE § 2254.1036(1)(D). The County currently does not have adequate support staff, computer software/programming, or experience to internally conduct these collection services and acquiring these will result in substantial expense to the County.

E. These collection services cannot be provided for an hourly fee. GOVT. CODE § 2254.1036(1)(E). The Criminal Code allows the assessment of a percentage-based fee to recover the costs of collecting delinquent fines and fees. This percentage-based fee is assessed only against the debtor and not the County or taxpayers of the County. The collection of delinquent fines and fees is a high volume practice, requiring a significant amount of research, mailing, and handling of outbound/inbound calls. An hourly fee for such work will likely exceed amount of delinquent fines and fees due. Moreover, the County will bear the cost of these hourly fees and not the debtor, because the Criminal Code does not expressly authorize the County to pay for collection services based on an hourly fee.

F. The County believes this contingent fee contract is in its best interest. GOVT. CODE § 2254.1036(1)(F). Under the contingent fee contract, the Firm will be paid the amount of the percentage-based collection fee, regardless the number of hours the Firm spends researching, contacting and mailing to collect the delinquent debt. Additionally, the percentage-based collection penalty is a pass-through expense to the debtor and not an expense to the County or taxpayers in the County.