



May 20, 2022

Amended NOTICE OF COMMISSIONER'S COURT MEETING

Notice is hereby given that the Erath county Commissioner's Court will meet in Special Session on Wednesday, May 25, 2022 at 9:00 a.m. in the 2nd floor Commissioner's Courtroom at the Erath County Courthouse, Stephenville, Texas to consider the following agenda items for discussion and possible action:

1. Workshop with Joe England on new Erath County Subdivision/Rural Development Rules and related issues.
2. Discussion and action (if any) on Interlocal Agreement with City of Stephenville regarding development and the Extraterritorial Jurisdiction Zone.
3. Closed Executive Session in Accordance with the Open Meeting Act, *Tex. Govt. Code 551.071 through 551.086*, to discuss:
 - a. Personnel
 - b. Legal Matter
 - c. Real Estate
 - d. Reconvene
4. Discuss any new business.
5. Adjourn.



Alfonso Campos

County Judge
Erath County, Texas

Erath County Reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed, as authorized by the Texas Government Code, §551.071 (Consultation with Attorney), subsection 551.071(2) (Consultation with Attorney on legal matters that are not related to litigation), §551.072 (Deliberations regarding Real Property), §551.073 (Deliberations about Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations about Security Personnel or Devices), §551.087 (Economic Development), §551.088 (Deliberation regarding Test Item), and 551.089 (Deliberation regarding Security Devices or Security Audits).

POSTED

A.M. 1:40 P.M.

MAY 20 2022

GWINDA JONES, COUNTY CLERK
ERATH COUNTY, TEXAS

By *G* Deputy

Commissioner's Court
Regular Meeting
May 25, 2022
9:00 a.m.
Courthouse – County Courtroom

Present:

Commissioner Precinct #1 – Dee Stephens - Present

Commissioner Precinct #2 – Albert Ray - Present

Commissioner Precinct #3 – Joe Brown - Present

Commissioner Precinct #4 – Jim Buck - Present

County Judge, Alfonso Campos

County Clerk, Gwinda Jones

Others present in the courtroom: See attached roster

Agenda Item #1 Workshop with Joe England on new Erath County Subdivision/Rural Development Rules and related issues

Motion: To recess until 1:00 p.m. for lunch (12:03 p.m.)

Made By: Commissioner Brown

Second By: Commissioner Ray

Ayes: Stephens X Ray X Brown X Buck X Judge Campos X

Noes: None

Motion Carried

Motion: To reconvene 1:09 p.m.

Made By: Commissioner Stephens

Second By: Commissioner Ray

Ayes: Stephens X Ray X Brown X Buck X Judge Campos X

Noes: None

Motion Carried

Agenda Item #2 Discussion and action (if any) on Interlocal Agreement with City of Stephenville regarding development and the Extraterritorial Jurisdiction Zone.

Number 2022-154

Motion: Approve Interlocal Agreement with City of Stephenville contingent on approval by the City of Stephenville and final review by county engineer

Made By: Commissioner Buck

Second By: Commissioner Brown

Ayes: Stephens X Ray X Brown X Buck X Judge Campos X

Noes: None

Motion Carried

Agenda Item #3 Closed Executive Session in Accordance with the Open Meeting Act, Tex. Govt. Code 551.071 through 551.086, to discuss:

- a. Personnel
- b. Legal Matter
- c. Real Estate
- d. Reconvene

Agenda Item #4 Discuss any New Business

- Leave Burn Ban on
- Interview applicants for IT position
- Posting opening in county judges office

Motion To Adjourn:

Made By: Commissioner Buck

Second By: Commissioner Ray

All Ayes Meeting Adjourned At 3:36 p.m.

STATE OF TEXAS

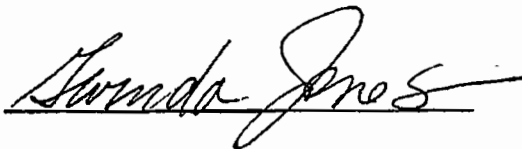
COUNTY OF ERATH

The above and foregoing is a true and complete copy of the minutes taken in my capacity as County Clerk of the Commissioners Court of Erath County, Texas, at the time and place heretofore set forth.

DATED at Stephenville, Texas, this 25th day of May, 2022.

ATTESTED BY:

GWINDA JONES, Erath County Clerk

A handwritten signature in cursive script, reading "Gwinda Jones", is written over a horizontal line. The signature is fluid and includes a long, sweeping tail that extends to the right.

INTERLOCAL AGREEMENT

Copy

STATE OF TEXAS §

COUNTY OF ERATH §

This INTERLOCAL AGREEMENT (“Agreement”) is entered into in accordance with the provisions of the Interlocal Cooperation Act, Chapter 791, Texas Government Code, and Section 242.001, Texas Local Government Code, by and between the City of Stephenville, Texas (“Stephenville”), a political subdivision of the State of Texas and County of Erath, Texas (“Erath County”), also a political subdivision of the State of Texas.

WHEREAS, the Interlocal Cooperation Act allows local governments to contract with one another to perform governmental functions such as platting and approval of related permits; and

WHEREAS, Stephenville and Erath County mutually desire to be subject to the provisions of the Texas Government Code, Chapter 791, the Interlocal Cooperation Act, specifically 791.011 regarding contracts to perform governmental functions and services; and

WHEREAS, Section 242.001, Texas Local Government Code, requires Stephenville and Erath County to enter into a written agreement that identifies the governmental entity authorized to regulate subdivision plats and approve related permits in the extraterritorial jurisdictions (“ETJ”) of Stephenville; and

NOW, THEREFORE, Stephenville and Erath County for the mutual consideration stated herein agree and understand as follows:

Erath County Granted Exclusive Jurisdiction. Erath County shall be granted exclusive jurisdiction to regulate all subdivision plats and approve all related permits in Stephenville’s ETJ, and may regulate subdivisions under Subchapter A of Chapter 232 of the Texas Local Government Code and other statutes applicable to municipalities, and Stephenville shall no longer exercise any of these functions in Stephenville’s ETJ.

ETJ Expansion or Reduction. Should Stephenville expand or reduce its ETJ, Stephenville shall promptly notify Erath County of such expansion or reduction so that this Agreement may be amended to take into account the expansion or reduction in Stephenville’s ETJ. In the event that Stephenville’s ETJ should expand or reduce such that the expansion or reduction of the ETJ necessitates the amendment of this Agreement, both Stephenville and Erath County agree that Erath County shall continue to be granted exclusive jurisdiction to regulate subdivision plats and approve related permits in its ETJ (subject to the terms and conditions found above), and to regulate subdivisions under Subchapter A of Chapter 232 of the Texas Local Government Code and other statutes applicable to counties, until this Agreement is amended to take into account such ETJ expansion or reduction.

Miscellaneous Items:

- a. This Agreement expresses the entire agreement between the parties hereto regarding the subject matter contained herein and may not be modified or amended except by written agreement duly executed by both parties
- b. This Agreement has been duly and properly approved by each party's governing body and constitutes a binding obligation on each party.
- c. This Agreement shall be construed in accordance with the laws of the State of Texas, and venue for all purposes hereunder shall be in Erath County, Texas.
- d. If any provision hereof is determined by any court of competent jurisdiction to be invalid, illegal or unenforceable, such provision shall be fully severable herefrom, and this Agreement shall be construed and enforced as if such invalid, illegal or unenforceable provision never comprised a part hereof; and the remaining provisions shall continue in full force and effect.
- e. The Agreement is not intended to extend the liability of the parties beyond that provided by law. Neither Stephenville nor Erath County waives any immunity or defense that would otherwise be available to it against claims by third parties.
- f. This Agreement may be jointly reviewed and updated at the written request of either Stephenville or Erath County to ensure an updated perpetual agreement.
- g. This Agreement supersedes all prior Agreements concerning the subject matter of this Interlocal Agreement.

This Agreement shall be effective on the ____ day of _____.

APPROVED BY THE CITY COUNCIL OF THE CITY OF STEPHENVILLE, TEXAS, in its meeting held on the ____ day of _____, and executed by its authorized representative.

CITY OF STEPHENVILLE, TEXAS

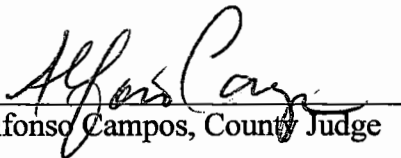
Doug Svien, Mayor

ATTEST:

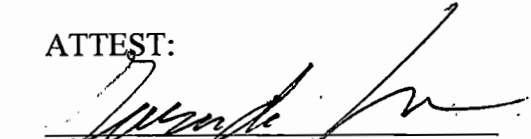
Terri Johnson, Interim City Secretary

APPROVED BY THE COMMISSIONERS' COURT FOR ERATH COUNTY, TEXAS, in its meeting held on the 25th day of May, 2022, and executed by its authorized representative.

ERATH COUNTY

BY: 
Alfonso Campos, County Judge

ATTEST:


Gwinda Jones, Erath County Clerk