#### COLORADO COUNTY COMMISSIONERS COURT NOTICE OF OPEN MEETING

DATE OF MEETING: BUILDING: STREET LOCATION: CITY OF LOCATION: November 22, 2022 – 9:00 A.M. Colorado County Courthouse, County Courtroom 400 Spring Street Columbus, Texas 78934

The Colorado County Commissioners Court Meetings will be broadcast live on Zoom <u>https://txcourts.zoom.us/j/93198500943</u> for those individuals who wish to watch or listen remotely.

Pursuant to the authority granted under Government Code, Chapter 551, the Commissioners Court may convene in a closed meeting to discuss, deliberate and take action on any of the agenda items listed below. Immediately before any closed session, the specific section or sections of Government Code, Chapter 551, which provides statutory authority, will be announced.

On this the 22nd day of November 2022, the Commissioners Court of Colorado

County, Texas met in Regular Session at 9:00 A.M., in their regular meeting place

at the Colorado County Courthouse, County Courtroom, 400 Spring Street, in the

City of Columbus, Texas.

The Following Members were present, to wit:

| Honorable Ty Prause        | County Judge                    |
|----------------------------|---------------------------------|
| Honorable Doug Wessels     | <b>Commissioner Precinct #1</b> |
| Honorable Darrell Kubesch  | <b>Commissioner Precinct #2</b> |
| Honorable Keith Neuendorff | <b>Commissioner Precinct #3</b> |
| Honorable Darrell Gertson  | <b>Commissioner Precinct #4</b> |
| By: Michelle Kollmann      | Deputy Clerk                    |

Honorable Kimberly Menke, County Clerk, was unable to attend.

County Judge Ty Prause called the meeting to order at 9:26 A.M., followed by

Pledges to the United States Flag and Texas Flag.

DELIBERATE AND CONSIDER ACTION ON THE FOLLOWING ITEMS:

\_\_\_1. Agenda as posted.

Motion by Commissioner Wessels to approve Agenda as posted; seconded by Commissioner Kubesch; 5 ayes 0 nays; motion carried; it was so ordered. (See Attachment)

#### COMMISSIONER'S COURT SPECIAL MEETING

November 22, 2022

#### FILED FOR RECORD COLORADO COUNTY, TX

2022 NOV 17 AM 9: 54

KIMBERLY MENKE MK

DATE OF MEETING: BUILDING: STREET LOCATION: CITY OF LOCATION: November 22, 2022 – 9:00 A.M. Colorado County Courthouse, County Courtroom 400 Spring Street Columbus, Texas 78934

COLORADO COUNTY COMMISSIONERS COURT

NOTICE OF OPEN MEETING

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Pursuant to the authority granted under Government Code, Chapter 551, the Commissioners Court may convene in a closed meeting to discuss, deliberate and take action on any of the agenda items listed below. Immediately before any closed session, the specific section or sections of Government Code, Chapter 551, which provides statutory authority, will be announced.

DELIBERATE AND CONSIDER ACTION ON THE FOLLOWING ITEMS:

- \_\_\_1. Agenda as posted.
- \_\_\_2. Public Comments.
- \_\_3. Reconsideration of Commissioners Court vote to pay all compensatory time of employees exceeding 240 hours of accrued unused compensatory time on October 24, 2022.
- \_\_\_4. Approve the official bond for District Clerk Valerie Harmon.
- \_\_5. Adjourn.

#### CERTIFICATION

NAME: Ty Prause TITLE: Colorado County Judge SIGNATURE OF CERTIFYING OFFICIAL: DATE: November <u>17</u>, 2022 TELEPHONE NUMBER: (979) 732-2604 FAX NUMBER: (979) 732-9389

The Colorado County Courthouse is wheelchair accessible and accessible parking spaces are available.

\_\_\_\_2. Public Comments.

#### No public comments.

\_\_\_3. Reconsideration of Commissioners Court vote to pay all compensatory time of employees exceeding 240 hours of accrued unused compensatory time on October 24, 2022.

Judge Prause asked Commissioner Neuendorff to express his concerns to the court. Commissioner Neuendorff felt like the vote that was taken on October 24, 2022, was going to be handled the same way as previous years with each employee having the choice to keep up to 240 hours of comp time or elect to be paid for all or some of the comp hours. After letters were sent out saying employees would be paid for all hours, he realized that there was confusion with the motion from the October 24 meeting. He is asking to send a letter to each employee that is eligible with comp time and have them decide on if they are paid completely. Judge Prause expressed that Commissioner Neuendorff was not aware at the time he made the motion that things would be handled differently. Raymie Kana, County Auditor explained that it was a misunderstanding. Commissioner Wessels said he as well understood it would be up to the department head. He hopes that next year the policy can be changed to employee's having a maximum of 80 hours of comp time to reduce the county's liability. Commissioner Gertson expressed concern over having an employee or two that retire with excessive comp time, and how it could affect the new hire because of the amount of money needed to pay out the retiree. Commissioner Neuendorff quoted the policy manual saying each department head has the right to make the decision of how much comp time is paid off. Erica Kollaja, County Tax Assessor Collector read an email that two of her employees received from Raymie Kana explaining that Commissioner's Court had approved to pay off all compensatory time as of October 31, 2022, and if the employee intended on using these hours before the end of the year to please let Raymie or Cheri Tello with Human Resources know before November 18, 2022. Ms. Kollaja explained it was her understanding from the October 24 Commissioner's Court meeting that it would be up to department head's discretion as it was in previous years. She feels that this should have been handled between each individual and the HR department instead of a group email. Judge Prause said he would support amending the employee manual to automatically

pay any employee with over 80 hours of compensatory time. This would need to be addressed and voted on at a future. It was decided that Raymie Kana will send out letters to eligible employees outlining their options. Employees and department heads must sign these letters showing how the employee has elected to handle the compensatory hours. Compensatory time will be paid on December 15, 2022.

Motion by Commissioner Wessels to allow each department head and their employee to decide if they will be paid for all comp hours, some comp hours, or keep them all since no employee is currently over 240 hours; seconded by Commissioner Gertson; 5 ayes 0 nays; motion carried; it was so ordered.

(See Attachment)

#### COMMISSIONER'S COURT SPECIAL MEETING

#### November 22, 2022

#### MINUTES OF THE COLORADO COUNTY

#### COMMISSIONER'S COURT REGULAR MEETING

October 24, 2022

\_15. Approve payment of compensatory time for sheriff department, jail, dispatch, and other county employees as determined by Commissioners Court. (Kana)

Compensatory time to be paid through October 31, 2022. One employee from Precinct 4 will be added to the list.

Motion by Commissioner Neuendorff to approve payment of compensatory time for sheriff department, jail, dispatch, and other county employees as determined by Commissioners Court; seconded by Commissioner Gertson; 4 ayes 0 nays; motion carried; it was so ordered.

(See Attachment)

## COMMISSIONER'S COURT SPECIAL MEETING

November 22, 2022

#### MINUTES OF THE COLORADO COUNTY

#### COMMISSIONER'S COURT REGULAR MEETING

October 24, 2022

|                        | COMPENSATORY  | HOURLY       | TOTAL AMOUNT     |
|------------------------|---------------|--------------|------------------|
| EMPLOYEE NAME          | HOURS ACCRUED | REGULAR RATE | TO BE PAID 11/30 |
|                        |               |              |                  |
| JEFF ARGO              | 30.0000       | 25.15        | 754.50           |
| ZANE BLAHA             | 27.00         | 22.91        | 618.57           |
| FRANK CANTU            | 5.63          | 22.91        | 128.98           |
| BRENDA HENKES          | 223.50        | 22.06        | 4,930.41         |
| TRAVIS LEIHARDT        | 107.75        | 18.8         | 2,025.70         |
| ANDREW LOPEZ           | 10.87         | 24.71        | 268.60           |
| MARY MAYFIELD          | 0.50          | 24,27        | 12.14            |
| BENJAMIN MELENDEZ      | 28.50         | 24.81        | 707.09           |
| ALLISON MICAN          | 14.75         | 17.95        | 264.76           |
| TROY NEISNER           | 10.50         | 29.73        | 312.17           |
| RYAN OHL               | 9.00          | 24.44        | 219.96           |
| TYLER PAVLICEK         | 27.00         | 22.91        | 618.57           |
| KATLYN PERALES         | 93.5          | 21.52        | 2,012.12         |
| TOMAS RAMIREZ          | 10.87         | 25.71        | 279.47           |
| RACHEL SANJUAN         | 215.77        | 20.28        | 4,375.82         |
| GERI VANDERMARK        | 64.00         | 17.95        | 1,148.80         |
| DAVID WIESE            | 8.00          | 25.25        | 202.00           |
| ROBERT VILLANUEVA      | 47.00         | 23.18        | 1,089.46         |
| JANICE WILLETTE        | 32.5          | 20.03        | 650.98           |
|                        |               |              |                  |
| JOSHUA CADMAN          | 49.50         | 18.34        | 907.83           |
| RACHEAL ESSARY         | 79.50         | 18.34        | 1,458.03         |
| MICHAEL FREY           | 31.50         | 18.34        | 577.71           |
| ASHLEY LAAKE           | 21.00         | 18.34        | 385.14           |
| ROBERT LORMAND         | 33.00         | 18.34        | 605.22           |
| MELBA MINKS            | 32.25         | 19           | 612.75           |
| MICHELLE NUNNELLY      | 70.25         | 18.34        | 1,288.39         |
| CHRISTOPHER VANICEK    | 63.75         | 22           | 1,402.50         |
| LISA WEISS             | 43.13         | 18.34        | 791.00           |
| DANIEL ZAHRADNIK       | 13.87         | 19           | 263.53           |
| TOTAL GENERAL FUND     |               |              | 28,912.18        |
|                        |               |              |                  |
| COUNTY ATTY FORFEITURE |               |              | 2 247 00         |
| KEITH WEBB             | 84.00         | 27.57        | 2,315.88         |

## COMMISSIONER'S COURT SPECIAL MEETING

November 22, 2022

MINUTES OF THE COLORADO COUNTY

#### COMMISSIONER'S COURT REGULAR MEETING

October 24, 2022

| COMPENSATORY HOURS C | DN BOOKS AS OF 09-30-22 | 1            |                  |
|----------------------|-------------------------|--------------|------------------|
|                      | COMPENSATORY            | HOURLY       | TOTAL AMOUNT     |
| EMPLOYEE NAME        | HOURS ACCRUED           | REGULAR RATE | TO BE PAID 11/30 |
| GENERAL FUND         |                         |              |                  |
| CODY NANCE           | 88.77                   | 14.84        | 1,317.35         |
| REBECCA MAYO         | 40.75                   | 18.33        | 746.95           |
| NANCEE LOWRANCE      | 65.62                   | 31.25        | 2,050.63         |
| TAMMY WOOLLS         | 92.88                   | 19.81        | 1,839.95         |
| ANGELICA MORALES     | 68.49                   | 17.73        | 1,214.33         |
| MARICELVA SAENZ      | 21.14                   | 17.82        | 376.71           |
| DIANNE MIKSCH        | 84.12                   | 21.31        | 1,792.60         |
| JOSHUA GUTHMANN      | 231.63                  | 20.96        | 4,854.96         |
| R&B PCT #3           |                         |              |                  |
| DOUGLAS POLASEK      | 68.25                   | 23.38        | 1,595.69         |
| ROBERT SOCHA         | 191.50                  | 26.68        | 5,109.22         |
| TOTAL                |                         |              | 20,898.38        |

## COMMISSIONER'S COURT SPECIAL MEETING

|                        | COMPENSATORY  | HOURLY       | TOTAL AMOUNT     |
|------------------------|---------------|--------------|------------------|
| EMPLOYEE NAME          | HOURS ACCRUED | REGULAR RATE | TO BE PAID 11/30 |
| JEFF ARGO              | 30.0000       | 25.15        | 754.50           |
| ZANE BLAHA             | 27.00         | 22.91        | 618.57           |
| FRANK CANTU            | 5.63          | 22.91        | 128.98           |
| BRENDA HENKES          | 257.25        | 22.06        | 5,674.94         |
| TRAVIS LEIHARDT        | 119.75        | 18.8         | 2,251.30         |
| ANDREW LOPEZ           | 11.87         | 24.71        | 293.31           |
| MARY MAYFIELD          | 0.50          | 24.27        | 12.14            |
| BENJAMIN MELENDEZ      | 28.50         | 24.81        | 707.09           |
| TROY NEISNER           | 10.50         | 29.73        | 312.17           |
| RYAN OHL               | 6.50          | 24.44        | 158.86           |
| TYLER PAVLICEK         | 27.00         | 22.91        | 618.57           |
| KATLYN PERALES         | 93.88         | 21.52        | 2,020.30         |
| TOMAS RAMIREZ          | 16.12         | 25.71        | 414.45           |
| RACHEL SANJUAN         | 226.15        | 20.28        | 4,586.32         |
| PERLA TAYLOR           | 167.38        | 18.65        | 3,121.64         |
| GERI VANDERMARK        | 76.00         | 17.95        | 1,364.20         |
| ROBERT VILLANUEVA      | 47.00         | 23.18        | 1,089.46         |
| DAVID WIESE            | 8.00          | 25.25        | 202.00           |
| JANICE WILLETTE        | 26.5          | 20.03        | 530.80           |
| BRITTANY BUSTAMONTE    | 17.25         | 19           | 327.75           |
| JOSHUA CADMAN          | 49.50         | 18.34        | 907.83           |
| RACHEAL ESSARY         | 79.50         | 18.34        | 1,458.03         |
| MICHAEL FREY           | 31.50         | 18.34        | 577.71           |
| VIRGINIA HARDCASTLE    | 13.13         | 18.34        | 240.80           |
| ASHLEY LAAKE           | 21.00         | 18.34        | 385.14           |
| ROBERT LORMAND         | 33.00         | 18.34        | 605.22           |
| MELBA MINKS            | 33.75         | 19           | 641.25           |
| MICHELLE NUNNELLY      | 70.25         | 18.34        | 1,288.39         |
| CHRISTOPHER VANICEK    | 87.00         | 22           | 1,914.00         |
| LISA WEISS             | 59.63         | 18.34        | 1,093.61         |
| DANIEL ZAHRADNIK       | 13.87         | 19           | 263.53           |
| TOTAL GENERAL FUND     |               |              | 34,562.83        |
| COUNTY ATTY FORFEITURE |               |              |                  |
| KEITH WEBB             | 84.00         | 27.57        | 2,315.88         |

## COMMISSIONER'S COURT SPECIAL MEETING

| COMPENSATORY HOURS | ON BOOKS AS OF 10-31-22 |              |                  |
|--------------------|-------------------------|--------------|------------------|
|                    | COMPENSATORY            | HOURLY       | TOTAL AMOUNT     |
| EMPLOYEE NAME      | HOURS ACCRUED           | REGULAR RATE | TO BE PAID 11/30 |
| GENERAL FUND       |                         |              |                  |
| CODY NANCE         | 101.65                  | 14.84        | 1,508.49         |
| REBECCA MAYO       | 40.75                   | 18.33        | 746.95           |
| GARZA, MELISSA     | 6.25                    | 18.77        | 117.31           |
| GIRNDT, CHRIS      | 6.75                    | 17.42        | 117.59           |
| FIKE, DAWN         | 6.89                    | 16.94        | 116.72           |
| THOMAS, TERESSA    | 3.01                    | 18.57        | 55.90            |
| COWART, VIRGINIA   | 8.75                    | 15.37        | 134.49           |
| STANCIK, JENNIFER  | 3.99                    | 17.72        | 70.70            |
| BEHRENS, EUGENIA   | 23.50                   | 20.82        | 489.27           |
| CHERI TELLO        | 15.65                   | 22.7         | 355.26           |
| TAMMY WOOLLS       | 98.38                   | 19.81        | 1,948.91         |
| ANGELICA MORALES   | 67.49                   | 17.73        | 1,196.60         |
| MARICELVA SAENZ    | 23.27                   | 17.82        | 414.67           |
| DIANNE MIKSCH      | 84.12                   | 21.31        | 1,792.60         |
| JOSHUA GUTHMANN    | 231.63                  | 20.96        | 4,854.96         |
| LOTT, JUSTIN       | 6.62                    | 17.73        | 117.37           |
| TOTAL              |                         | ,            | 14,037.77        |
| R&B PCT #3         |                         |              |                  |
| DOUGLAS POLASEK    | 68.25                   | 23.38        | 1,595.69         |
| ROBERT SOCHA       | 191.50                  | 26.68        | 5,109.22         |
| R&B PCT #4         |                         |              |                  |
| RAMON MOLINA       | 22.00                   | 26.73        | 588.06           |

#### COMMISSIONER'S COURT SPECIAL MEETING

#### November 22, 2022

#### OVERTIME PAY AND COMPENSATORY TIME

- 1. Each department head will determine the number of hours the employee will work for the compensation the employee is to receive.
- 2. Exempt employees generally fall into three major categories: executive, administrative, and professional. These exemptions are based on specific job descriptions and duties of the employee. An exempt employee will not receive overtime compensation except when a state of emergency has been declared. Occasionally, if working abnormally long hours when approved by his/her supervisor, compensatory time-off may be granted.
- 3. Compensatory time shall be granted to salaried non-exempt employees (those not exempt from the provisions of the Fair Labor Standards Act) by the department head for overtime hours worked at a rate of 11/2 hours compensatory time for each hour of overtime worked after 40 hours in a seven-day workweek except for EMS who will receive overtime compensation in lieu of compensatory time. A non-exempt employee will receive overtime compensation in lieu of compensatory time when a state of emergency has been declared.
- 4. Each workweek stands alone, and overtime must be calculated on a weekly basis except for the sheriff's deputies and jailers who are treated in accordance with the 207(k) exemption under the FLSA. Overtime will be due after 171 hours actually worked.
- 5. Paid leave shall not be counted in determining if overtime has been worked in any workweek. Except in emergency situations, an employee shall receive paid compensatory time off at a rate of one and one-half (1 ½) times the amount of overtime worked.
- 6. Each supervisor or their designee shall be responsible for recording any overtime earned or compensatory time taken within a pay period on the time record for that pay period. Except in emergency situations, an employee shall be required to have authorization from their supervisor before working overtime.
- 7. The maximum amount of unused compensatory time an employee shall be allowed to have at any one time is 240 hours. When an employee has reached the maximum accrual of compensatory time, any additional overtime worked shall be compensated at a rate of one and one-half (1 ½) the employees' regular rate of pay until compensatory time has been used to bring the balance below the maximum.

#### COMMISSIONER'S COURT SPECIAL MEETING

- 8. Employees shall be allowed to use earned compensatory time within a reasonable period after it is requested provided that the employee's absence will not place an undue hardship on the operations of the department in which the employee works. Compensatory time may be used for any purpose desired by the employee with supervisor approval. Colorado County shall have the right to require employees to use earned compensatory time at the convenience of the county.
- 9. If an employee terminates employment, for any reason, prior to using all earned FLSA compensatory time, they shall be paid for all unused compensatory time in accordance with the requirements of the FLSA.
- 10. Colorado County shall retain the right to "buy back" all or part of an employee's unused compensatory time by paying the employee for that time at the employee's current regular rate. Colorado County shall retain the right to pay all, or part of the overtime worked in any workweek by paying for that overtime at one and one-half (1 ½) the employee's regular rate of pay.
- 11. Each employee shall be responsible for recording any compensatory time used within a pay period on the time sheet for that pay period.

\_\_\_4. Approve the official bond for District Clerk Valerie Harmon.

Raymie Kana, County Auditor had questions on what District Clerk Valerie Harmon's first official day was so her pay will be correct. Judge Prause said to contact the District Judges to determine this. Under statute she is considered a state employee but paid through the county.

Motion by Commissioner Kubesch to approve the official bond for District Clerk Valerie Harmon; seconded by Commissioner Wessels; 5 ayes 0 nays; motion carried; it was so ordered.

(See Attachment)

## COMMISSIONER'S COURT SPECIAL MEETING

| Texas                  | ESTERN SURETY COMPLANY . ONE OF   |   |   |
|------------------------|---|---|---|
| V                      | Vestern Sur   | ety Com   | pany  |
|                        | OFFICIAL B  | OND AND OATH  |   |
| THE STATE OF TEX       | lo}ss   |   |   |
|                        | NS BY THESE PRESENTS:   | BONE  | No. 72508914  |
| That we, Vale          | rie Harmon  |   | , as Principal, and                                 |
| WESTERN SURETY         | COMPANY, a corporation duly lice  |   |   |
| and bound unto 1Go     | vernor of Texas   |   | , his successors in office,                         |
|                        | Hundred Thousand and 00/10<br>hich we hereby bind ourselves and ou  |   |   |
| Dated this             | <u>3th</u> day of   | November  | , 2022 .  |
| THE CONDITIC           | N OF THE ABOVE OBLIGATION<br>day ofNovember<br>ict Clerk in and for   | IS SUCH, That whereas, the                                  | e above bounden Principal was on<br>, dulyelecter   |
| to the office of Distr | ict Clerk in and for<br>ur year s commencing on   | <sup>3</sup> Colorado                                       | (Elected—Appendial),<br>County, State of Texas, for |
| him by law as the afo  | DRE, if the said Principal shall well a<br>resaid officer, and shall <sup>4</sup><br>rform the duties of office   |   |   |
| JA BURETY A            | o be void, otherwise to remain in full<br>WEVER, that regardless of the num<br>made against this bond, the liabil | ber of years this bond may r<br>ity of the Surety shall not | be cumulative and the aggregate                     |
| PROTI DIVISION         | RTHER, that this bond may be can<br>availe stating that, not less than this<br>equent acts of the Principal.      | celled by the Surety by send                                | ling written notice to the party to                 |
|                        |   | Valerie<br>WESTERN  | Harmon<br>Principal<br>SURETY COMPANY               |
|                        | VOI 1019 134GE 955  | By Tal  | 7. Bufft<br>Paul V. Bruflat, Vice President         |
|                        |   |   |   |

## COMMISSIONER'S COURT SPECIAL MEETING

| ACKNOWLEDGMENT OF PR  | RINCIPAL   |
|---|--|
| THE STATE OF TEXAS  |  |
| County of Colorado  |  |
| Valente Vermen  | on this day, personally appeared<br>o me to be the person whose name is subscribed to  |
| the foregoing instrument and acknowledged to me that he executed th expressed.  |  |
| Given under my hand and seal of office at Columbus, Co<br>16th day of November, 2022  | olorado County , Texas, this   |
| SHAROIA. MARONALIA  | olorado County, Texas  |
| OATH OF OFFICE<br>(COUNTY COMMISSIONERS and Co  | OUNTY JUDGE)   |
| I,, do solen<br>the duties of the office of   | I have not directly nor indirectly paid, offered, or<br>or valuable thing, or promised any public office or<br>election at which I was elected; and I furthermore<br>terested in any contract with or claim against the<br>law and except such warrants as may issue to me |
| ·   | , Texas, this day of   |
| SEAL  | County, Texas  |
| OATH OF OFFICE<br>(General)   |  |
| I, Valerie Harmon<br>execute the duties of the office of District Clerk<br>and will to the best of my ability preserve, protect, and defend the Cons<br>State; and I furthermore solemnly swear (or affirm) that I have not di<br>pay, contributed, nor promised to contribute any money, or valuable th<br>as a reward for the giving or withholding a vote at the election at which<br>Sign | irectly nor indirectly paid, offered, or promised to<br>ing, or promised any public office or employment,<br>a I was elected. So help me God.  |
| November 2022   | ado Count Texas, this 16th day of  |
|   | County, Texas  |

## COMMISSIONER'S COURT SPECIAL MEETING

November 22, 2022

|    | THE STATE OF TEXAS  | \$\$\$                       |                                 |                                     |
|----|---|------------------------------|---------------------------------|-------------------------------------|
| 10 |   | ie Harmon                    |                                 | as                                  |
| 5  | approved in open Commissioner's Cour  | in and for <u>Colorado</u>   | County and                      | State of Texas, this day            |
|    | approved in open commissioner's cour  | 6.                           | Date November 22                |                                     |
|    | ATTEST  | 0                            | Date November 22                | , 2022                              |
|    | - The March 1 Hand  | Clerk                        | Jul -                           | County Judge,                       |
| ۳۱ | County Court Colorado   | County                       | Colorado                        | County, Texas                       |
|    | These we  |                              |                                 |                                     |
|    | THE STATE OF TEXAS  | 1                            |                                 |                                     |
|    | County of <b>Colorado</b>   | _ ) \$\$                     |                                 |                                     |
|    | I, Kimberly Mer   |                              | County Clerk, in and for said C |                                     |
|    | that the foregoing Bond dated the   | Loth day of Nove             | ember 2022<br>day of November   | , with its certificates of 2022, at |
|    | authentication, was filed for record in r<br>11:30 o'clock A.M., and duly r   | ecorded the <b>28th</b>      |                                 | , <u>2022</u> , at<br>2022, at      |
|    | 11:30 o'clock A. M., in the Rec<br>955  |                              |                                 |                                     |
|    | WITNESS my hand and the seal of   | f the County Court of said ( | County at office in Colum       | bus                                 |
|    | Texas, the day and year last above writ   |                              | Kimberly Menke                  | County on h                         |
|    |   |                              |                                 |                                     |
|    | By Amartinez  | Deputy                       | County Court Colora             | do County                           |
|    |   |                              |                                 |                                     |
|    |   |                              |                                 |                                     |
|    |   |                              |                                 |                                     |
|    |   |                              |                                 |                                     |
|    | - P.  | ACKNOWLEDGMENT               | OF SURETY                       |                                     |
|    |   | (Corporate Official          | cer)                            |                                     |
|    | STATE OF SOUTH DAKOTA   |                              |                                 | ,                                   |
|    | County of Minnehaha   |                              |                                 |                                     |
|    | ,   |                              |                                 |                                     |
|    | Before me, a Notary Public, in and  | for said County and State    | on this <u>8th</u> day of       | November ,                          |
|    | , personally appeared   |                              |                                 |                                     |
|    | person who subscribed the name of   |                              |                                 |                                     |
|    | aforesaid officer and acknowledged to a<br>free and voluntary act and deed of such  |                              |                                 | ct and deed, and as the             |
|    |   |                              |                                 |                                     |
|    | + <del>hhistophishophishophishophis</del> tophistophi | E .                          | <u> </u>                        |                                     |
|    | P. DAHL   |                              | DR.                             | 0                                   |
|    |   | 彩                            | P. Dat                          | Notary Public                       |
|    |   |                              | _ P. Dat                        | Notary Public                       |

VOI 1019 MAGE 957

#### COMMISSIONER'S COURT SPECIAL MEETING

November 22, 2022

# Western Surety Company

#### POWER OF ATTORNEY

#### KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

| Paul T. Bruflat | of | Sioux Falls |  |
|-----------------|----|-------------|--|
|                 |    |             |  |

State of South Dakota , its regularly elected Vice President as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One District Clerk County of Colorado

bond with bond number 72508914

for Valerie Harmon

as Principal in the penalty amount not to exceed: \$100,000.00

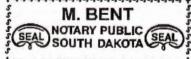
Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its Vice President 8th with the corporate seal affixed this \_\_\_\_ day of \_ November 2022

WESTERNSURETACOMPANY ATTEST eitheiser Assistant Secretary Bruflat, Vice President Lafterienraa. STATE OF SOUTH DAKOTA UTH D COUNTY OF MINNEHAHA HON On this 8th November 2022 , before me, a Notary Public, personally appeared day of . Paul T. Bruflat and P. Leitheiser who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Vice President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the

voluntary act and deed of said Corporation. 



Notary Public

tooonsoonsoonsoonsoonsoon t My Commission Expires March 2, 2026 To validate bond authenticity, go to www.cnasurety.com > Owner/Obligee Services > Validate Bond Coverage. 13

Form F1975-5-2021

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#### COMMISSIONER'S COURT SPECIAL MEETING

November 22, 2022

5716 FILED FOR RECORD COLORADO COUNTY. TX

2022 NOV 23 AH II: 30 KIMBERLY MENKE MK

STATE OF TEXAS COUNTY OF COLORADO I hereby centily than this instrument was FILED on the tage and three statement by this and year of the RECONDED to the "Jolume and Page of the OFFICIAL RECONDED of Colorado County, Texas and clamined hereby year. An

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· 新教会主义的主义。

\_\_\_5. Adjourn.

Motion by Judge Prause to adjourn at 9:49 A.M.; seconded by Commissioner Kubesch; 5 ayes 0 nays; motion carried; it was so ordered.

An audio recording of this meeting of November 22, 2022 is available in the County Clerk's Office.

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The Colorado County Courthouse is wheelchair accessible and accessible parking spaces are available.

Minutes were taken and prepared by Kimberly Menke, County Clerk on the 22nd day of November 2022 with Judge Ty Prause presiding.

I, KIMBERLY MENKE, COUNTY CLERK AND EX-OFFICIO OF THE COMMISSIONERS COURT IN AND FOR COLORADO COUNTY, TEXAS do hereby certify that the foregoing is a true and correct copy of the minutes of the Commissioner Court in session on the 22nd day of November 2022.

Given under my hand and official seal of office this date November 22, 2022.

