

Agenda Item Request Form

BURNET COUNTY COMMISSIONER'S COURT

Meetings – 9:00am – 1stst through 4th Tuesday of Every Month

**NO ITEM WILL BE ON AN AGENDA
WITHOUT PRIOR APPROVAL BY A MEMBER OF COMMISSIONER'S COURT**

All **Contracts** must be approved by County Auditor's
And County Attorney's office prior to being on the Agenda

Agenda items and supporting documents are due to Court Coordinator's Office (Rm. 201) no later than noon on Thursday prior to the meeting date requested.

Ph: 512-715-5276 Fax: 512-715-5217 email: comcrt@burnetcountytexas.org

Presenters are to limit presentation time to no more than 5 minutes.

Today's Date: 1/16/2025
Commissioners Court Date 1/28/2025

Requested by K. Smith/M. Seaman

AGENDA ITEM:

Approval to accept the grant and sign the Gift Agreement for \$60,000 from The Mitte Foundation 2025 funding cycle for the Bertram Library for a conference room pod, patio furniture/awning cover, and mural in the children's area

Commissioner Pct. 1 Luther

Commissioner Pct. 2 Beierle

Commissioner Pct. 3 Wall

Commissioner Pct. 4 Dockery



GIFT AGREEMENT

Between

THE ROY F. & JOANN COLE MITTE FOUNDATION

And

COUNTY OF BURNET

The following sets forth the Gift Agreement (the "Agreement") between the Roy F. & Joann Cole Mitte Foundation (the "Mitte Foundation") and the County of Burnet.

I. Purpose

The Mitte Foundation shall provide recognition and financial assistance to the County of Burnet by providing a grant in the amount of \$60,000.00.

Funds received from the Mitte Foundation will be used for Bertram Library space enhancements to the conference room, awning and patio furniture, and improvements to the children's area.

II. Schedule and Form of Contributions

The Mitte Foundation will fulfill this grant commitment with one payment, in the amount of \$60,000.00, upon receipt of the signed gift agreement. This signed gift agreement must be returned to the Mitte Foundation by 2/14/2025. If there are any outstanding reports due for grants awarded in the previous year, the Mitte Foundation will withhold payment until the report is submitted.

III. Recognition

Any formal press releases or specific articles for the media will be submitted to the Mitte Foundation for approval prior to their release. Use of the Mitte Foundation logo is subject to the approval of the Mitte Foundation.

IV. Administration and Use of Funds

If for any reason the County of Burnet materially alters the original intent of the grant and the project being funded, discontinues the plans for the project, or does not meet the standards set forth in this agreement, the Mitte Foundation, in its sole discretion, shall have the right to withdraw funds, request that unspent funds be returned to the Foundation, or choose to donate funds to another project or program within the County of Burnet. In the event of an alteration or discontinuation of the project or program, the County of Burnet shall notify the Mitte Foundation, in writing.

A Final Report and Financial Summary will be due to the Mitte Foundation on or before 3/13/2026.

It is our understanding that the County of Burnet is a political subdivision of the state of Texas, United States, as described in Section 115 of the Internal Revenue Service (IRS) Code and defined in Section 170(c)(1), to which contributions are deductible. If there is any change in this status and/or classification, please notify us at once. In the event that your tax-exempt status is revoked, expenditure of grant funds should cease, and all unspent funds must be returned to the Foundation.

V. Declaration of Status of the Parties

The Mitte Foundation is a private foundation under section 509(a) of the IRS Code and is designated a 501(c)(3) organization under IRS guidelines, and under its charter which operates in support of nonprofit charitable organizations serving youth, education, health, technology, literacy, and entrepreneurial endeavors.

The County of Burnet is exempt from federal income tax by virtue of IRS Code Section 115. Contributions to the County of Burnet are deductible for federal income tax purposes by virtue of IRS Code Sections 170(c) and 170(b)(1)(A)(ii).

This Agreement shall be governed by and interpreted in accordance with the laws of the State of Texas.

Signed and dated this _____ day of _____, 2025.

By:

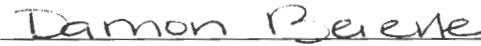


Coleith Molstad
Executive Director
The Roy F. & Joann Cole Mitte Foundation

By:



Authorized Signature



Name [Print]

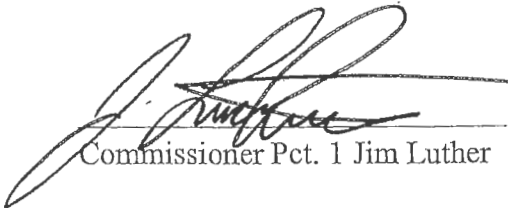
Title [Print]

County of Burnet

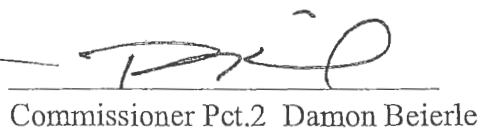
BURNET COUNTY COMMISSIONERS COURT ORDER AUTHORIZING BURNET
COUNTY COMMISSIONER DAMON BEIERLE TO PERFORM ACTIONS ON BEHALF OF
THE BURNET COUNTY COMMISSIONERS COURT DUE TO THE VACANCY OF THE
COUNTY JUDGE DUE TO THE RESIGNATION OF JAMES OAKLEY

On December 18, 2024 Burnet County Judge James Oakley submitted a letter of resignation effective January 2, 2025. The Burnet County Commissioners Court is comprised of five members. Its functions are not limited by the vacancy of one member. The presence of three members continues to constitute a quorum. A majority vote of the members of the Court continues to comprise the approval of an action item voted upon by the Court on any agenda matter that has been publicly posted. The business of the citizens of Burnet County continues unimpeded by the vacancy of one member of the Court. The County Judge leads public meetings of the Court, oversees day-to-day operations of the Court, and signs documents on behalf of the county regarding matters voted upon in public. The daily operations of the Court includes, but is not limited to, the supervision of various county departments that report to the Burnet County Commissioners Court. Until a County Judge is appointed by the Burnet County Commissioners Court, or is resolved or upon further action taken by the Burnet County Commissioners Court, it is hereby ORDERED that Commissioner Damon Beierle shall lead all public meetings of the Burnet County Commissioners Court. Commissioner Damon Beierle is given authority to sign documents on behalf of the county on matters voted upon in public previously and/or into the future. Commissioner Damon Beierle is given authority to oversee the day-to-day management of the Court. This action by the Burnet County Commissioners Court does not designate an interim County Judge. All remaining members of the Court continue their duties as an elected Burnet County Commissioner.

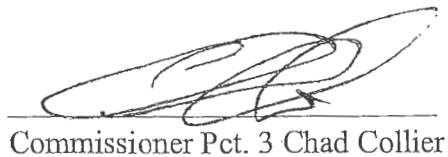
SIGNED ON THIS THE 3RD DAY OF JANUARY, 2025.



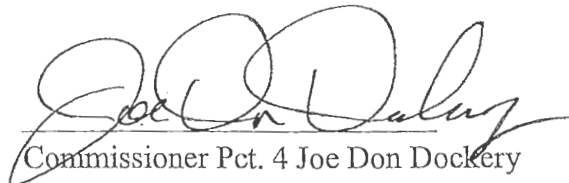
Commissioner Pct. 1 Jim Luther



Commissioner Pct.2 Damon Beierle



Commissioner Pct. 3 Chad Collier



Commissioner Pct. 4 Joe Don Dockery