

THE COMMISSIONERS’ COURT OF ARCHER COUNTY, TEXAS
met in Special Session on Thursday, May 21, 2026 at 2:30 P.M.

Those present:

Randall C. Jackson	County Judge
Wade Scarbrough	Commissioner, Precinct 1
Darin Wolf	Commissioner, Precinct 2
Kendall Coleman	Commissioner, Precinct 3
Todd Herring	Commissioner, Precinct 4
Karren Winter	County Clerk
Jack Curd	Sheriff
Dawn Vieth	Tax Assessor/Collector
Cristi Kellar	Auditor
Patricia Vieth	Treasurer
Justin Coleman	Deputy Sheriff
Jordyn Berend	County Attorney
Kelly Reid	Chief Deputy District Clerk
Lori Rutledge	District Clerk
Tyler Sales	Asst. County Attorney
Jay Franklin	Deputy Sheriff
Christie Mooney	Elections Administrator

Public in Attendance:

Nathan Lawson – Archer County News
Ronnie Meyer – City of Archer City
Lynn Walker; Naomi Skinner– Times Record News
Jim Bobes; Janet Croker; Kelvin Green; Paul Wylie; Jon Hartgraves; Tommy Keeter;
Sam Schenk; Gus Schenk; Dustin Long; Jennifer Lindemann; Lloyd Lowry; Jackie Ditto;
Mark Steel; Eddie Trigg; Janice Jones; Chad Darnbusch; Staci Koetter; Gilbert Koetter;
James Davis; Maddie Reynolds; Stacey Reynolds; Emma Reynolds; Irwin Fogel;
Carolyn Fogel; Denise Galloway; Bronc Jones; Marvin Holder; Dorcyle Hoff; Lynda
Bober; Brock Schenk; Mary Rhoads; Rodney Wilson; Lacey Delcambe; Sarah Stidham;
Bentley Stidhan; Joshua Stidham; J. D. Morrison; Patty Schenk; Janet Dyer; Scott Dyer;
Kristina Stotts; Kellis Warren; Joe Warren; Justine Wolder-Patek; Oscar Bewavides;
Laura Lindemann; Chris Edwards; Johnnie Edwards; David Greer; Leslie Hash; Steve
Tucker; Casey Hoff; John Peysen; Merri Dawn Bolton; Deniese Parson, Bobby
Goodwin; Judy McLemore; Tom Alexander; Ray Baggett; Michelle R Denney

A. CALL TO ORDER

- Greeting and Registration of Attendees
- Determination of Quorum
- Pledge of Allegiance to the United States and Texas Flags

The meeting was called to order by Randy Jackson, and a quorum was noted.

B. APPROVE FINAL AGENDA.

ORDER TO APPROVE AGENDA

The motion was made by Wade Scarbrough and seconded by Kendall Coleman to approve the final agenda. Voting yes 1-2-3-4-Judge

C. PUBLIC COMMENTS—PRESENTATIONS OR MISCELLANEOUS REPORTS—DISCUSSION ITEMS (No vote will be taken on any of these items)

PUBLIC COMMENT NOTE: Anyone wishing to address the Court during Public Comments is required to register your name on the Clerk’s registry prior to the meeting, and indicate which item or subject you wish to address. Speakers are limited to THREE (3) minutes maximum, and if there are more than three speakers who wish to address the same item, the Court reserves the right to limit speakers. THE COURT CANNOT DELIBERATE OR ACT ON MATTERS NOT LISTED ON THE AGENDA.

NON-VOTING ITEMS:

D. AGENDA:

1. Workshop to discuss Tax implications from Industrial projects.

Randy Jackson thanked everyone for coming to the Special Session.

Wade Scarbrough explained that the purpose of the Special Session was to be as transparent with the public as the Court could be. Commissioner Scarbrough stated that no one has a grasp on the mechanics of the new value that will come from the data center or how it would affect the tax value for the county. He asked Dawn Vieth, the Tax Assessor/Collector, to try to explain how the tax rate will be affected.

Dawn Vieth gave a brief explanation as to how property values were determined. As property values increase the tax rate will go down and if the property values decrease the tax rate will go up. Ms. Vieth also discussed new improvement values.

2026 values with oil have gone down, and is valued at 20%. The taxable value has decreased overall.

Dawn Vieth stated that the Battery Storage facility did not ask for a tax abatement, at this time the values are unknown.

Wade Scarbrough passed out Project Raptor Abatement Controls/Requirements (the list is a work in progress) to show what the Court was considering in an abatement. Commissioner Scarbrough stated that the only way the county could put any regulations on the data center is through a tax abatement. Commissioner Scarbrough stated that the bullet points on the list were from other counties that the Court was looking at for some guidance. The only way to regulate the company is through an abatement. If they violate the abatement, it would cost them large amount of funds. If the County does not give an abatement and the company still comes, the county will not have any control over what they can and cannot do.

Jordyn Berend stated at this time there are no 312 abatement agreements. There have been a few industrial project developers that have come to the county expressing their desire to build their projects here in Archer County, and their desire to negotiate a 312 agreement, but we have not even gotten close to an agreement with even one at this time. Ms. Berend stated that there are certain reasons the court has to go into Executive Session for the negotiations. State law requires that the negotiations regarding a tax abatement be held in a closed session to protect the negotiation process. However, once an agreement is made, the Court is required to have a public hearing to notify the public of the agreement and to get public comment prior to a vote being taken.

Tyler Sales agreed with Ms. Berend that the Court is bound by law to keep the negotiations confidential. Mr. Sales reported that there is now information from the two companies on the county website.

Judge Jackson opened the floor for public comments.

Multiple citizens requested to speak, below is the questions that were asked.

1. Citizen requested concerns over Rural Data Centers be put on file.
 - a. Construction
 - b. Electricity usage
 - c. Water usage concerns
 - d. Quality of life
 - e. Alleged Economic Benefits

2. Road repairs or road expansion for 1954? **Commissioner Scarbrough reported that he had met with TXDOT Engineers about Hwy 1954, Three Way Road and Hwy 2224. Scarbrough also discussed having turn lanes installed on Hwy 79 with turn signals.**
3. Stated that the citizens didn't want the Data Center. Asked how much water would be used on a daily basis, and where would the water come from? **Randy Jackson agreed that the Court didn't want the Data Centers either, but could not tell a private land owner how to use their property.**
4. How much noise and light disturbance would the neighboring homes have to deal with? **Wade Scarbrough discussed mitigating a low frequency sound energy approach. All lighting during and after construction comply with International Dark Sky Association guidelines.**
5. Asked for a moratorium be put in place. **Jordyn Berend reported that it was not legal to put a moratorium in place.**
6. Could Google decline a tax abatement? **Jordyn Berend stated at this time the negotiation was not at a point to even consider a tax abatement. The Court was in the beginning stages of negotiation.**
7. Asked the Court to address the water rights. **Judge Jackson reported that the County does not own any water rights.**
8. Has the County hired someone to fight against the Data Center? **Jordyn Berend stated that Scott Sherwood, Attorney at Law, has been hired by the Court.**
9. Wants the citizens and the county to fight together as one. Asked how the property went from Ag land to Industrial property? **Jordyn Berend reported that the State does not grant County's zoning ability. The county can't tell anyone how to use their own property.**
10. Could the City of Holliday expand its city limits to incorporate the data center into the city limits? **Jordyn Berend reported that she would meet with the City of Holliday's attorney.**
11. Fighting at the State level is a way be heard. Ask the commissioners to commit to fight for the citizens.
12. Will the Data Center workers be allowed to access the back of the property going onto Little Lease Road? **Randy Jackson discussed private property rights.**
13. Did the county talk to Prichard and Abbott about the appraisal values, since they appraise all the windmills and other data centers across the state? **Dawn Vieth reported that they were not asked to come to the meeting.**
14. Did the Commissioners know if they were putting in a second Data Center on the other side of the road? **Wade Scarbrough reported that the Court was in the very beginning stages of negotiations at this time. The Court doesn't know all of their plans.**
15. **Jordyn Berend stated that putting in a moratorium would not stop them from building.**

16. Could the County drag out the negotiations and talk to legislatures? **Jordyn Berend stated the County could.**

E. NO ACTION WILL BE TAKEN

Having no further business to consider, the Court adjourned at 3:43 P.M.

I, Karren Winter, County Clerk of Archer County, and Ex-Officio Clerk of the Commissioners Court, Archer County, Texas do hereby certify that the foregoing Commissioners Court Minutes are a true and correct record of the proceedings.

ATTEST: *Karren Winter*

Karren Winter, Archer County Clerk