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Jack County Current Tax Abatement Policy In-Process Quality Auditor Checklist

Built from the County's posted 2025 "Guidelines and Criteria for Granting Tax Abatements in Reinvestment Zones"

VANESSA JAMES, County Clerk
JACK COUNTY, TEXAS

BY _____ DEPUTY

Purpose and Audit Method

This checklist converts the County's current abatement policy into an In-Process Quality Auditor (IPQA) style control plan. The goal is to prevent missed steps before Commissioners Court votes, not to replace the adopted policy, Chapter 312, legal review, or professional judgment.

Auditor rule: do not mark PASS unless objective evidence is present in the project file. A verbal answer, handshake, summary slide, or undocumented assumption should be marked CAR/HOLD until the supporting document is filed or the Court makes a written finding.

PASS	FAIL	N/A	CAR/HOLD	RELEASE
Requirement is met and evidence is in file.	Requirement is not met, inaccurate, or contradicted.	Not applicable and the reason is documented.	Corrective action required. Do not rely on the item until closed.	Gate may advance only when all mandatory items are PASS or documented N/A.

Project Cover Sheet

Field	Project entry	Field	Project entry
Applicant / abatee		Project name	
Facility type requested	☐ Data Center ☐ Energy Facility ☐ Energy Storage ☐ Other	Reinvestment zone name/number	
Project location / parcel IDs		County precinct(s)	
Application received date		Application fee received	☐ Yes ☐ No Amount: _____
Public hearing date		Agreement version/date reviewed	
Requested abatement term		Requested abatement percentage	
Primary county contact		Independent reviewer / counsel	
Current gate status	☐ Intake ☐ Technical review ☐ Hearing ☐ Agreement ☐ Annual audit	Overall disposition	☐ Release ☐ Hold ☐ Reject ☐ Continue review

Master Gate Summary

Gate	Release question	Required disposition	Result	Reviewer/date
0	Is the project file controlled and complete enough to start review?	No missing source documents or untracked versions.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
1	Does the project qualify as an authorized facility under the posted policy?	Authorized facility identified and documented.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
2	Does the application meet minimum content requirements?	Application package complete or CARs opened.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
3	Does the project meet economic, job, fiscal, and community impact standards?	Required findings and evidence in file.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
4	Are road, right-of-way, access, and county-cost obligations controlled?	Road obligations written and enforceable.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
5	Were public notice, public hearing, and affected-jurisdiction steps completed?	Notice and hearing evidence in file.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
6	Are any denial/no-go factors present?	No unresolved no-go issue before vote.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
7	Does the draft agreement contain all required terms and remedies?	Agreement reviewed against policy and Chapter 312 requirements.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	

Working audit tool based on Jack County 2025 Guidelines and Criteria. Not legal advice.

Jack County Tax Abatement IPQA Checklist - Current Posted Policy

Gate	Release question	Required disposition	Result	Reviewer/date
8	Are recapture, default, inspection, annual certification, and assignment controls enforceable?	Compliance plan and enforcement terms in agreement.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
9	Is the item ready for Commissioners Court action?	All mandatory gates released or variances documented.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	

Gate 0 - Document Control and Audit Trail

IPQA principle: no evidence, no pass. Control the file before judging the project.

Ref	Policy / audit requirement	Objective evidence required	Auditor result	Notes / CAR #
0.1	Create a single project file before substantive review begins. The file should include the posted policy, application, maps, notices, hearing record, agreement drafts, staff notes, public comments, and all exhibits relied upon by the Court.	Project file index; version log; file location; responsible custodian.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
0.2	Identify the controlling policy version. The resolution reauthorized guidelines effective for two years unless amended or repealed.	Adopted resolution; adoption date; expiration/review date; any amendments.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
0.3	Confirm all documents used in public discussion are preserved in the project file, including presentations, studies, maps, and handouts.	Commissioners Court agenda packet; clerk filing record; exhibit list.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
0.4	Open a CAR/HOLD entry for every missing document, inconsistent version, unsigned draft, unsupported claim, or undocumented variance.	CAR log with item owner, due date, closure evidence, and final disposition.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	

Gate 1 - Policy Authority, No Entitlement, and Authorized Facility

Ref	Policy / audit requirement	Objective evidence required	Auditor result	Notes / CAR #
1.1	Confirm the County has elected to participate in Chapter 312 tax abatement agreements and adopted guidelines and criteria.	Resolution and adopted Guidelines and Criteria in file.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
1.2	Confirm review treats the abatement as discretionary. The policy states no applicant is entitled to an abatement merely because the guidelines exist.	Staff note or Court finding acknowledging discretionary review.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
1.3	Identify the requested facility type and match it to an authorized category: aquaculture/agriculture, data center, distribution center, manufacturing, office, entertainment/tourism, research, regional service, historic building, renewable/energy facility, energy storage, or other basic industry.	Application facility description; policy category marked; reviewer note.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
1.4	Verify the project is being reviewed individually for both qualification and amount of abatement.	Project-specific analysis; no reliance on prior project approvals alone.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	

Gate 2 - Application Completeness / Incoming Quality Inspection

Ref	Policy / audit requirement	Objective evidence required	Auditor result	Notes / CAR #
2.1	Confirm a written request/application was filed by a present or potential owner, assignee, or lessee of taxable property in the County.	Signed application or request letter; applicant authority documentation.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
2.2	Confirm the \$1,000 non-refundable application fee was received or that the Court documented any additional fees for a complex request.	Receipt, check copy, treasurer record, or fee memo.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
2.3	Verify the application includes a general description of proposed use and the nature and extent of modernization, expansion, or new improvements.	Application narrative; project description.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
2.4	Verify the application includes a descriptive list of improvements that will be part of the facility.	Improvement list; eligible/ineligible property schedule.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
2.5	Verify the application includes a map and list of parcel IDs.	Map, metes/bounds or property description, parcel ID list.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
2.6	Verify the application includes a schedule for undertaking and completing planned improvements.	Construction timeline; milestone chart; commercial operation target date.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
2.7	For modernization/replacement projects, verify assessed value is separately stated for real and personal property for the tax year immediately preceding the application.	Appraisal district records; applicant value statement.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
2.8	Request supplemental financial or other information needed to evaluate financial capacity and other factors.	Financial capacity review request; applicant response; third-party review if used.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	

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Gate 3 - Economic Qualification and Public Benefit

Ref	Policy / audit requirement	Objective evidence required	Auditor result	Notes / CAR #
3.1	Confirm the project is reasonably expected to increase positive net economic benefit to the County by at least \$15,000,000 over the life of the abatement.	Economic impact model; assumptions; tax revenue estimate; abated value estimate.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
3.2	Review new jobs, retained jobs, job type, average payroll, total payroll, and number of local persons expected to be hired.	Jobs/payroll schedule; applicant commitment; annual reporting terms.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
3.3	Apply the 10 full-time employee requirement or documented retention standard unless the project is a data center, energy generation, or energy storage facility whose job requirement is determined case by case by the Court.	Court finding; job requirement set for project; variance if needed.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
3.4	For job retention claims, verify the applicant provided a detailed statement explaining why the project is necessary to prevent loss of employment.	Retention statement and supporting evidence.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
3.5	Verify the project is not expected to solely or primarily transfer employment from one part of the County to another, unless a variance is requested and approved.	Applicant certification; reviewer note; written variance if applicable.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
3.6	Verify the project is necessary because capacity cannot be provided efficiently using existing improved property.	Site/capacity explanation; alternate site analysis; reviewer finding.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	

Gate 4 - Fiscal Impact, Community Impact, and Affected Jurisdictions

Ref	Policy / audit requirement	Objective evidence required	Auditor result	Notes / CAR #
4.1	Review real and personal property value added to the tax roll for both eligible and ineligible property.	Appraised value projection; eligible property schedule; ineligible property schedule.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
4.2	Review direct sales tax generation, if any, and whether the project serves markets outside the County as applicable to the facility type.	Sales tax estimate; revenue source explanation.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
4.3	Identify infrastructure improvements required by the County because of the facility.	County infrastructure impact memo; road/bridge/culvert review.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
4.4	Identify infrastructure improvements made by the facility and whether they benefit the County or only the project.	Developer infrastructure list; ownership/maintenance responsibility.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
4.5	Evaluate compatibility with County development goals.	Court/staff finding; policy crosswalk; project narrative.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
4.6	Evaluate community impacts: pollution, negative environmental effects, health and safety, revitalization, local vendor opportunities, alternative site uses, and impact on other taxing entities.	Community impact review; public comments; affected-jurisdiction comments.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
4.7	Give affected jurisdictions the opportunity to show cause why the abatement should or should not be granted.	Notice list; hearing record; written comments from affected jurisdictions.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	

Gate 5 - Eligible / Ineligible Property and Taxability Controls

Ref	Policy / audit requirement	Objective evidence required	Auditor result	Notes / CAR #
5.1	Confirm only the increase in fair market value directly resulting from development, redevelopment, or improvement specified in the contract is considered for abatement.	Base year value; new value calculation; agreement schedule.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
5.2	Confirm abatement applies only to eligible property improvements made after the application filing and specified in the agreement.	Application filing date; construction commencement evidence; improvement list.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
5.3	Verify eligible property categories: buildings/structures, fixed machinery/equipment, site improvements, necessary office space/fixed improvements, and other permitted real/tangible personal property.	Eligible property schedule reviewed against policy.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
5.4	Verify ineligible property remains fully taxable, including land, animals, inventories, supplies, tools, movable furnishings, vehicles, vessels, aircraft, housing/residential property, fauna, flora, deferred maintenance, certain leased property, and political-subdivision property.	Ineligible property schedule; taxability memo; appraisal coordination.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
5.5	Confirm base year value of existing eligible property remains fully taxable and new eligible property is taxed according to the agreement.	Base year value; appraisal district coordination; agreement clause.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	

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Gate 6 - Roads, Right-of-Way, Bridges, Culverts, Ditches, and Access

Ref	Policy / audit requirement	Objective evidence required	Auditor result	Notes / CAR #
6.1	Verify the owner is wholly responsible for County roads and rights-of-way, including bridges, culverts, ditches, and damage caused by construction, maintenance, operations, or associated facilities.	Road-use clause in agreement; route map; baseline condition report.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
6.2	Confirm County maintenance costs during construction will be tracked and invoiced to the abatee when needed to keep roads safe for the traveling public.	Cost tracking procedure; invoice process; responsible county department.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
6.3	Confirm reconstruction costs will be actual costs to repair County roads and rights-of-way, including construction and related professional services.	Agreement clause; repair cost methodology; bond/financial assurance if used.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
6.4	Confirm driveway permit requirements if the project accesses the site directly from a County road.	Driveway permit application; approval status; conditions.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
6.5	Open CAR/HOLD if haul routes, road condition evidence, or financial assurance are missing before construction traffic begins.	CAR log; hold point before construction or abatement release.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	

Gate 7 - Public Notice, Hearing, and Meeting Controls

Ref	Policy / audit requirement	Objective evidence required	Auditor result	Notes / CAR #
7.1	Confirm the public hearing is clearly identified on a Commissioners Court agenda posted at least 30 days prior to the hearing, as stated in the policy.	Posted agenda; posting date; hearing date.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
7.2	Before designating a reinvestment zone, confirm notice was published in a newspaper of general circulation not later than the seventh day before the hearing.	Newspaper proof of publication; publication date.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
7.3	Before the hearing, confirm written notice was delivered not later than the seventh day before the hearing to the presiding officer of each taxing unit containing property in the proposed zone.	Notice letters/emails; delivery confirmations; taxing unit list.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
7.4	Confirm the applicant and affected jurisdictions were given an opportunity at the public hearing to show cause why abatement should or should not be granted.	Hearing minutes; speaker sign-in; written submissions.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
7.5	Confirm the Court considered affected-jurisdiction concerns about bonds, tax revenue, service capacity, or provision of services.	Court discussion record; findings; written responses if any.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	

Gate 8 - No-Go / Denial Factor Review

Any FAIL or unresolved issue in this gate should be treated as a stop condition until the Court receives adequate evidence, legal review, or a written finding.

Ref	Policy / audit requirement	Objective evidence required	Auditor result	Notes / CAR #
8.1	Do not authorize a reinvestment zone or abatement if there would be a substantial adverse effect on the provision of a government service or the tax base of an affected jurisdiction.	Affected-jurisdiction analysis; service capacity review.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
8.2	Do not authorize if the applicant has insufficient financial capacity to construct and operate the proposed facility or improvements.	Financial capacity review; third-party review; applicant financial statement or guaranty.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
8.3	Do not authorize if planned or potential use would constitute a hazard to public safety, health, or morals.	Safety review; emergency-service review; environmental/health review.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
8.4	Do not authorize if planned or potential use would violate other governmental codes or laws.	Legal review; permit status; regulatory compliance certifications.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
8.5	Flag for Court discretion any environmental, quality-of-life, or economic-goal compatibility concern.	Staff memo; public comments; Court finding.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	

Gate 9 - Variance Controls

Ref	Policy / audit requirement	Objective evidence required	Auditor result	Notes / CAR #
9.1	For any requested variance, verify the request is in written form to Commissioners Court.	Written variance request in project file.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	

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Ref	Policy / audit requirement	Objective evidence required	Auditor result	Notes / CAR #
9.2	Verify the variance request includes a complete description of circumstances explaining why the applicant should be granted a variance.	Variance explanation; supporting evidence.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
9.3	Confirm requested variance approval receives a three-fourths vote of Commissioners Court.	Court vote record; motion language.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
9.4	If the agreement varies from any guideline and is treated as a deemed variance, document the specific requirement varied and why Chapter 312 permits it.	Agreement redline or variance matrix; legal review.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
9.5	Open CAR/HOLD if a variance is hidden inside agreement language without clear Court awareness.	CAR log; corrected agenda item or motion language.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	

Gate 10 - Agreement Content / Contract Quality Audit

Ref	Policy / audit requirement	Objective evidence required	Auditor result	Notes / CAR #
10.1	Agreement includes percentage of value to be abated each year.	Agreement section and abatement schedule.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
10.2	Agreement includes commencement date and termination date.	Agreement date terms.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
10.3	Agreement includes proposed use, nature of construction, schedule, map, property description, and improvement list.	Agreement exhibits; map; property description; improvements schedule.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
10.4	Agreement includes contractual obligations for default, violation of terms/conditions, delinquent taxes, recapture, administration, and assignment.	Agreement remedies/default/recapture/admin/assignment sections.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
10.5	Agreement includes amount of investment, forecast depreciation over abatement period, and/or average number of jobs applicant commits to create during the abatement.	Investment and jobs commitment schedule.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
10.6	Agreement includes any other provisions required by Chapter 312 and any mutually agreed county conditions.	Legal review checklist; final counsel sign-off.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
10.7	If facility or improvements are leased, agreement is executed with the lessor and lessee as required by the policy.	Ownership/lease documents; signature blocks.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	

Gate 11 - Agreement Timing and Taxing-Unit Notice Before Execution

Ref	Policy / audit requirement	Objective evidence required	Auditor result	Notes / CAR #
11.1	County used best efforts to execute the agreement within 45 days after the later of receipt of all necessary information or approval of the application.	Date log; receipt of complete information; approval date; execution date.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
11.2	Not later than the seventh day before entering the agreement, notice was delivered to the presiding officer of each other taxing unit in which the property is located.	Notice letters/emails; delivery confirmations.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
11.3	The notice included a copy of the proposed agreement.	Copy of proposed agreement attached to notice; transmittal record.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
11.4	Each other taxing unit is free to make its own abatement determination, and the County approval/disapproval does not bind them.	Communication note; agreement disclaimer if applicable.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	

Gate 12 - Recapture, Default, Cure, and Tax Delinquency Controls

Ref	Policy / audit requirement	Objective evidence required	Auditor result	Notes / CAR #
12.1	Agreement provides for termination/recapture if the completed facility begins operating and then discontinues operating for more than one year, except force majeure as defined.	Recapture clause; force majeure definition; operating status reporting.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
12.2	Agreement requires abated taxes for the termination calendar year to be paid within 60 days from termination, or otherwise includes recapture as permitted by policy.	Agreement repayment/recapture schedule.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
12.3	Agreement provides written notice of default and a 60-day cure period before termination and recapture, as stated in policy or as varied in agreement.	Default clause; notice address; cure process.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
12.4	Agreement treats delinquency in undisputed taxes owed to any County taxing authority as a default.	Delinquent tax clause; annual tax status check process.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	

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12.5	CAR/HOLD any agreement that has performance promises without an enforceable remedy.	CAR log; legal review comments.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	

Gate 13 - Annual Administration, Inspection, and Certification

Ref	Policy / audit requirement	Objective evidence required	Auditor result	Notes / CAR #
13.1	Chief Appraiser annually determines assessment of real and/or personal property subject to abatement.	Appraisal district process; annual value notice.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
13.2	Party to agreement must furnish information necessary to determine assessment.	Agreement clause; annual request form; response deadline.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
13.3	Chief Appraiser notifies affected jurisdictions of appraised value once established.	Notification record; appraisal district correspondence.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
13.4	Agreement stipulates County employees/designated representatives have access during the abatement term to inspect facility/improvements to determine compliance.	Inspection-rights clause; inspection protocol.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
13.5	County annually evaluates each abated facility and reports possible violations to Commissioners Court.	Annual compliance review calendar; Court report template.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
13.6	Abatee files annual certifications with the County.	Annual certification form; certification due date; prior year submissions.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
13.7	Proprietary monitoring information is handled as confidential as stated in policy while public compliance summaries remain documented where appropriate.	Confidentiality handling protocol; public summary template.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	

Gate 14 - Buy Local / Local Economic Benefit

Ref	Policy / audit requirement	Objective evidence required	Auditor result	Notes / CAR #
14.1	Agreement includes Buy Local provision requiring preference and priority to local manufacturers, suppliers, contractors, and labor where reasonably possible.	Buy Local clause; procurement plan.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
14.2	If local preference is not used, abatee documents added expense, substantial inconvenience, or sacrifice in operating efficiency.	Exception log; procurement records.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
14.3	Annual certification includes local vendor/labor summary.	Annual report section; local spend data if provided.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	

Gate 15 - Assignment, Transfer, Successor, and Outstanding Obligation Controls

Ref	Policy / audit requirement	Objective evidence required	Auditor result	Notes / CAR #
15.1	No assignment/transfer is approved without Commissioners Court approval by resolution unless agreement provides otherwise.	Assignment request; Court resolution.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
15.2	Proposed assignee financial capacity is reviewed.	Financial capacity review for assignee.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
15.3	All conditions and obligations are guaranteed by an assignment and assumption agreement between holder and assignee.	Executed assignment/assumption agreement.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
15.4	No assignment/transfer is approved if existing party or proposed assignee owes outstanding taxes or other obligations to a taxing jurisdiction.	Tax certificate/status check; obligation review.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	

Gate 16 - Conflict, Sunset, Severability, and Final Determination

Ref	Policy / audit requirement	Objective evidence required	Auditor result	Notes / CAR #
16.1	Confirm property owned or leased by a member of Commissioners Court is not subject to a County tax abatement agreement.	Conflict disclosure; property ownership/lease review.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
16.2	Confirm current guidelines have not expired under the two-year sunset provision unless renewed or amended.	Adoption date; two-year review date; renewal/amendment record.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	

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16.3	If mandatory state law requirements were omitted from guidelines, ensure they are incorporated and reviewed.	Legal review memo; Chapter 312 checklist.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
16.4	Court determination expressly recognizes no obligation or duty to provide abatement and reserves right to approve, deny, or make exceptions based on environmental, quality-of-life, and economic-goal compatibility concerns.	Motion language; findings; staff recommendation.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	

Gate 17 - Final Vote Readiness / Release Decision

Ref	Policy / audit requirement	Objective evidence required	Auditor result	Notes / CAR #
17.1	All mandatory checklist items are PASS or documented N/A.	Completed checklist; reviewer signature.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
17.2	All CAR/HOLD items are closed, carried forward in the agreement, or expressly documented as unresolved before the vote.	CAR closure log; agreement clauses; Court finding.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
17.3	Final agreement version, exhibits, maps, notices, public comments, and staff recommendations are in the project file before vote.	Final packet index; file verification.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
17.4	Motion identifies the project, applicant, reinvestment zone, agreement date/version, abatement percentage/term, variances, material conditions, and authorized signatories.	Draft motion; Court minutes.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	
17.5	Post-approval owner is assigned responsibility for annual compliance calendar, certifications, inspections, road invoicing, and recapture/default tracking.	Compliance owner assignment; calendar entry; tracking sheet.	☐ PASS ☐ FAIL ☐ N/A ☐ CAR/HOLD	

Corrective Action / Hold Log

CAR #	Gate/ref	Issue	Risk level	Owner	Due date	Closure evidence	Closed?
1			☐ High ☐ Med ☐ Low				☐ Yes ☐ No
2			☐ High ☐ Med ☐ Low				☐ Yes ☐ No
3			☐ High ☐ Med ☐ Low				☐ Yes ☐ No
4			☐ High ☐ Med ☐ Low				☐ Yes ☐ No
5			☐ High ☐ Med ☐ Low				☐ Yes ☐ No
6			☐ High ☐ Med ☐ Low				☐ Yes ☐ No
7			☐ High ☐ Med ☐ Low				☐ Yes ☐ No
8			☐ High ☐ Med ☐ Low				☐ Yes ☐ No
9			☐ High ☐ Med ☐ Low				☐ Yes ☐ No
10			☐ High ☐ Med ☐ Low				☐ Yes ☐ No
11			☐ High ☐ Med ☐ Low				☐ Yes ☐ No
12			☐ High ☐ Med ☐ Low				☐ Yes ☐ No

Reviewer Sign-Off

Role	Name	Signature	Date
County Judge / designee			
Precinct Commissioner reviewer			
County Attorney / legal reviewer			
County Auditor / finance reviewer			
Road and bridge reviewer			
Appraisal district / valuation contact			
Final project file custodian			

Jack County Tax Abatement IPQA Checklist - Current Posted Policy

Appendix A - Quick Policy Source Map

Policy area	What the auditor should look for
Resolution	County election to participate in Chapter 312 abatements; guidelines effective two years unless amended/repealed.
Purpose / Definitions	No entitlement to abatement; individual review; only increase in fair market value from specified improvements eligible.
Guidelines and Criteria	Authorized facility types; \$15M net economic benefit; jobs, fiscal impact, community impact.
Abatement Authorized	Term limits; new value; eligible/ineligible property; leased facilities; value/term; economic qualifications; road responsibility; taxability.
Application	Written request, \$1,000 fee, required attachments, hearing agenda, notice, variance process.
Public Hearing	Affected jurisdiction show-cause opportunity; no authorization if adverse effects, insufficient financial capacity, hazards, or legal/code violations exist.
Agreement	Required agreement contents, timing, notice to other taxing units, independent decisions by other taxing units.
Recapture	Termination/recapture for discontinued operation; default notice and cure; delinquent taxes as default.
Administration	Annual appraisal, access/inspection rights, annual evaluation, certifications, confidentiality, Buy Local, modify/cancel.
Assignment	Court approval, financial capacity, assignment/assumption agreement, no outstanding taxes/obligations.
Sunset / Severability / Determination	Two-year effectiveness; severability; Commissioner property restriction; mandatory law incorporated; discretion to deny for environmental, quality-of-life, or economic-goal concerns.

Source used: Jack County, Texas, 2025 Guidelines and Criteria for Granting Tax Abatements in Reinvestment Zones, filed June 2025. This checklist is a working quality-audit tool and should be reviewed by County counsel before formal adoption or use as an official county form.

Jack County Good Neighbor Development Policy

Version 2.0 Hill County Review Integration Draft

In-Process Quality Auditor Checklist

Prepared as a working audit checklist for Commissioners Court review, county staff review, independent technical review, agreement drafting, construction monitoring, startup verification, and annual Good Neighbor compliance.

Core audit standard

- Proof before public support. No final county action should move forward until required evidence is submitted, reviewed, and recorded.
- Do not rely on verbal promises. Convert material commitments into written, measurable, enforceable agreement terms.
- Use this checklist as an in-process control tool. Stop, correct, document, and re-verify before the next gate.

Document Control

Source policy	Jack County Good Neighbor Development Policy, Version 2.0 Hill County Review Integration Draft
Checklist version	IQA Checklist v1.0 for GNP v2.0
Project name	
Applicant / owner / operator	
Project location / parcel IDs	
County file number	
Lead county reviewer	
Independent reviewer(s)	
Initial checklist date	
Latest revision date	

How to Use This Checklist

- Each line is an audit point. The auditor should verify objective evidence, mark OK, NOK, or N/A, and record initials, date, and notes.
- A NOK item means the project is not ready to advance through that gate unless Commissioners Court knowingly accepts a written variance or a written corrective action plan with a due date.
- A hold point means the next project step should not proceed until the item is closed, waived in writing, or escalated to Commissioners Court.
- A witness point means the County or independent reviewer should observe, test, inspect, or review records during the process, but work may continue if no issue is found.
- A CAR is a Corrective Action Request. Use one whenever a promise, submittal, study, agreement term, mitigation item, or compliance duty is missing, incomplete, inconsistent, unsupported, or overdue.

Status Codes and Defect Categories

Code	Meaning
OK	Requirement verified with objective evidence.
NOK	Requirement missing, incomplete, unsupported, inconsistent, or not acceptable.
N/A	Applicant provided a written non-applicability explanation and the County accepted it in writing.
OPEN	Item still under review or awaiting evidence.
HOLD	Do not advance to the next gate until closed, waived, or escalated.
CAR	Corrective Action Request opened. Record CAR number, owner, due date, and closure evidence.

Gate Summary and Required Sign-Off

Gate	Audit phase	Release condition	Lead signature/date	Commissioners Court action needed?
Gate 0	Project file setup and audit plan	Before formal review begins		☐ Yes ☐ No
Gate 1	Administrative intake and jurisdictional request review	Before completeness review		☐ Yes ☐ No
Gate 2	Good Neighbor Development Review Packet completeness	Before technical review or final agenda placement		☐ Yes ☐ No
Gate 3	Escrow and independent technical review	Before reliance on technical studies		☐ Yes ☐ No
Gate 4	Public records, notice, and affected jurisdiction review	Before public hearing or final action		☐ Yes ☐ No
Gate 5	Agreement drafting and enforceability review	Before Commissioners Court approval		☐ Yes ☐ No
Gate 6	Pre-construction readiness	Before major construction or heavy haul traffic		☐ Yes ☐ No
Gate 7	Construction in-process surveillance	During construction		☐ Yes ☐ No
Gate 8	Startup and post-startup verification	Before release of startup financial assurance or closeout		☐ Yes ☐ No
Gate 9	Annual certification and compliance administration	Each year during agreement term		☐ Yes ☐ No
Gate 10	Assignment, default, recapture, and closeout	As needed and at closeout		☐ Yes ☐ No

Gate 0. Project File Setup and Audit Plan

Item	Audit question / requirement	Objective evidence to verify	OK	NOK	N/A	Date / Initials	Notes / CAR No.
0.1	Create a single project file and assign a county file number.	County project file folder or project page created; file number assigned.	☐	☐	☐		
0.2	Confirm the project is a covered project under the Good Neighbor Policy.	Project type and requested county action documented.	☐	☐	☐		
0.3	Identify all requested county actions.	Applicant list of abatement, reinvestment zone, road-use agreement, development agreement, support letter, public infrastructure coordination, or other support.	☐	☐	☐		
0.4	Assign lead county reviewer and backup reviewer.	Internal assignment memo or email.	☐	☐	☐		
0.5	Create document index before substantive review begins.	Project document index with date received, document type, submitting party, and confidentiality status.	☐	☐	☐		
0.6	Set up CAR log, variance log, decision log, and public-record log.	Blank logs saved in project file.	☐	☐	☐		
0.7	Confirm County Attorney review path.	Attorney review contact and review milestones documented.	☐	☐	☐		
0.8	Confirm no final action is scheduled before completion review gate.	Agenda calendar checked against review status.	☐	☐	☐		

Gate 1. Administrative Intake and Request Review

Item	Audit question / requirement	Objective evidence to verify	OK	NOK	N/A	Date / Initials	Notes / CAR No.
1.1	Verify legal entity ownership structure, parent company disclosures, registered agent, and site control.	Application, entity chart, Secretary of State records, deeds, leases, purchase agreements, easements.	☐	☐	☐		
1.2	Verify project description, proposed use, campus master plan, phasing, construction schedule, operational schedule, lifespan, expansion acreage, and decommissioning plan.	Complete application package and maps.	☐	☐	☐		
1.3	Confirm financial capacity documentation is submitted.	Financial statements, parent guarantee proposal, financing letter, insurance evidence, bond or LOC proposal.	☐	☐	☐		
1.4	Confirm conflict, ethics, interested-party, and Form 1295 path.	Conflict disclosure forms, Form 1295 checklist, official property ownership screening.	☐	☐	☐		
1.5	Confirm applicant has identified confidential material and legal basis for each claim.	Confidentiality log with specific legal basis and public summaries where possible.	☐	☐	☐		
1.6	Confirm all known affected jurisdictions are listed.	Schools, cities, groundwater districts, emergency-service providers, appraisal district, neighboring jurisdictions, road authorities.	☐	☐	☐		
1.7	Confirm no verbal commitment is being treated as evidence.	All commitments are in written submittals, term sheets, proposed agreement, or correspondence.	☐	☐	☐		
1.8	Open CARs for missing intake items.	CAR log updated with owner, due date, and required closure evidence.	☐	☐	☐		

Gate 2. Good Neighbor Development Review Packet Completeness

Item	Audit question / requirement	Objective evidence to verify	OK	NOK	N/A	Date / Initials	Notes / CAR No.
2.1	Complete Appendix A1 Initial Development Application Package.	Checklist marked complete or written N/A accepted by county.	☐	☐	☐		
2.2	Complete Appendix A2 Site Mapping and Existing Conditions.	Boundary survey, FEMA map, topo, drainage, wells within five miles, receptors, adjacent land use, transmission, pipeline, railroad if applicable.	☐	☐	☐		
2.3	Complete Appendix A3 Land Use, Platting, Easements, and County Development Review.	Plat or N/A, easements, ROW documents, known site constraints.	☐	☐	☐		
2.4	Complete Appendix A4 Roads, Bridges, Traffic, and Heavy Haul Review.	TIA, heavy haul study, construction traffic plan, bridge capacity, road condition survey, school bus review, dust control, financial assurance.	☐	☐	☐		
2.5	Complete Appendix A5 Water Supply, Aquifer, and Private Well Protection.	Water demand, source proof, cooling analysis, drought plan, aquifer studies, provider approvals, five-mile well testing plan.	☐	☐	☐		
2.6	Complete Appendix A6 Wastewater, Sewer, Reuse, and Treatment Residuals.	Wastewater estimates, pretreatment, sewer/septic/package plant, TPDES, reuse approvals, blowdown, chemical list, TCEQ coordination.	☐	☐	☐		
2.7	Complete Appendix A7 Stormwater, Drainage, Floodplain, and Erosion Control.	Hydrologic and hydraulic studies, detention design, 100-year flood analysis, SWPPP, NOI, FEMA/no-rise/CLOMR/LOMR if applicable.	☐	☐	☐		
2.8	Complete Appendix A8 Electrical Infrastructure, ERCOT, and Grid Review.	ERCOT status, transmission study, power demand, backup generation, reliability, substation and utility coordination.	☐	☐	☐		
2.9	Complete Appendix A9 On-Site Generation and Air Quality.	Generator description, emissions inventory, fuel storage, operating hours, air permit analysis, TCEQ determinations, emissions modeling.	☐	☐	☐		
2.10	Complete Appendix A10 Noise, Low-Frequency Hum, and Vibration.	Baseline noise study, modeling, low-frequency analysis, generator/transformer/fan analysis, mitigation, post-startup testing plan.	☐	☐	☐		
2.11	Complete Appendix A11 Light Pollution and Dark-Sky Review.	Photometric study, night-sky, glare, shielded fixtures, property-line illumination, operational controls.	☐	☐	☐		
2.12	Complete Appendix A12 Environmental and Ecological Studies.	NEPA if applicable, species survey, migratory bird, habitat, wetlands, stream impacts, Section 404/401 if applicable.	☐	☐	☐		
2.13	Complete Appendix A13 Fire Protection and Volunteer Department Capacity.	BESS plan if applicable, chemical inventory, fire water, emergency access, responder coordination, written comments, training/equipment proposal.	☐	☐	☐		
2.14	Complete Appendix A14 Public Safety, Continuity, and Emergency Planning.	Emergency Operations Plan, cybersecurity coordination, mutual aid, evacuation, hazard mitigation, disaster recovery, 24/7 contacts.	☐	☐	☐		
2.15	Complete Appendix A15 Economic, Fiscal, and Incentive Review.	Tax impact, abatement request, all incentive disclosures, jobs/payroll, local hiring, fiscal impact for Jack County and affected jurisdictions.	☐	☐	☐		
2.16	Complete Appendix A16 Financial Assurance, Insurance, Assignment, and Enforceability.	Review escrow, road bond/escrow/LOC, emergency service escrow if needed, decommissioning assurance, insurance, default/recapture language.	☐	☐	☐		
2.17	Complete Appendix A17 Public Records, Transparency, and Ongoing Compliance.	Public project file plan, non-confidential studies, confidentiality log, annual certification plan, compliance reporting plan.	☐	☐	☐		
2.18	Confirm no final county action is placed on the agenda until the packet is complete or written exceptions are accepted.	Administrative completeness determination signed by designated county official.	☐	☐	☐		

Gate 3. Applicant-Funded Escrow and Independent Technical Review

Item	Audit question / requirement	Objective evidence to verify	OK	NOK	N/A	Date / Initials	Notes / CAR No.
3.1	County determines independent review scope based on project size, complexity, and impacts.	Reviewer scope memo identifying engineering, hydrogeology, traffic, environmental, acoustic, emergency management, fire, legal, financial, or other review needs.	☐	☐	☐		
3.2	Applicant deposits required funds into county-controlled escrow before technical review begins.	Escrow receipt, account record, amount approved by county.	☐	☐	☐		
3.3	Independent reviewer acts solely for Jack County and not the applicant.	Engagement letter or contract includes independence and county-control language.	☐	☐	☐		
3.4	Technical review evaluates accuracy, adequacy, and completeness of applicant studies.	Reviewer report or deficiency memo.	☐	☐	☐		
3.5	Reviewer recommendations are logged and dispositioned.	Comment-response matrix showing accepted, rejected, modified, or deferred recommendations.	☐	☐	☐		
3.6	Applicant replenishes escrow when requested.	Replenishment request and payment confirmation.	☐	☐	☐		
3.7	CARs are opened for technical deficiencies.	CAR log with owner, due date, closure evidence, and reviewer concurrence.	☐	☐	☐		
3.8	Independent review findings are added to public project file unless legally confidential.	Public file updated; confidentiality log updated for withheld/redacted items.	☐	☐	☐		

Gate 4. Public Records, Notice, and Affected Jurisdiction Review

Item	Audit question / requirement	Objective evidence to verify	OK	NOK	N/A	Date / Initials	Notes / CAR No.
4.1	Maintain one online public project file or project page that is reasonably searchable and accessible without a PIR.	County website project page or online folder; document index posted.	☐	☐	☐		
4.2	Public file includes application, project description, maps, checklist status, notices, agendas, minutes, proposed agreements, final agreements, non-confidential studies, review reports, variance requests, comments, and compliance reports.	Public file contents compared to document index.	☐	☐	☐		
4.3	Documents used to support Commissioners Court action are submitted to County Clerk unless legally confidential.	County Clerk submission record.	☐	☐	☐		
4.4	Documents used in public session are submitted before adjournment when practical.	Meeting packet and post-meeting Clerk submission check.	☐	☐	☐		
4.5	Confidentiality is narrowly applied and tied to specific legal basis.	Confidentiality log; public summaries where possible.	☐	☐	☐		
4.6	Affected jurisdictions received meaningful opportunity to review application, agreement, maps, and non-confidential support documents.	Notice emails or letters; response deadline; comments received.	☐	☐	☐		
4.7	Affected jurisdiction comments are summarized for Commissioners Court before final action.	Staff memo or agenda backup.	☐	☐	☐		
4.8	Cross-county impacts and neighboring road authorities are considered where applicable.	Neighboring county, road authority, emergency provider, groundwater district outreach records.	☐	☐	☐		
4.9	Public notice, agenda, and hearing records are preserved.	Publication affidavit if applicable, agenda, minutes, audio/video link if available.	☐	☐	☐		

Gate 5. Project Agreement Drafting and Enforceability Review

Item	Audit question / requirement	Objective evidence to verify	OK	NOK	N/A	Date / Initials	Notes / CAR No.
5.1	All material Good Neighbor promises are written into enforceable agreement terms.	Agreement sections/exhibits for water, roads, noise, lighting, drainage, emergency services, reporting, assignment, default, recapture.	☐	☐	☐		
5.2	Core obligations use mandatory performance language, not only good-faith or commercially reasonable effort language.	Agreement legal review checklist.	☐	☐	☐		
5.3	Agreement includes measurable performance obligations, milestones, reporting requirements, deadlines, and remedies.	Agreement default and compliance sections.	☐	☐	☐		
5.4	Agreement includes default, cure, suspension, abatement reduction, termination, reimbursement, repayment, and recapture where appropriate.	Default and recapture provisions.	☐	☐	☐		
5.5	Agreement protects future county authority, fees, permits, emergency actions, and lawful requirements unless specifically approved after attorney review.	County Attorney review memo.	☐	☐	☐		
5.6	Agreement distinguishes eligible and ineligible property.	Agreement exhibit identifying land, inventory, supplies, vehicles, residential property, deferred maintenance, and other taxable/ineligible items.	☐	☐	☐		
5.7	Agreement includes annual Good Neighbor certifications and inspection rights.	Annual certification form and inspection clause.	☐	☐	☐		
5.8	Assignment, successor, affiliate, operator, and transfer obligations run with the project where allowed.	Assignment clause and successor assumption form.	☐	☐	☐		
5.9	Financial assurance is not released until obligations and county costs are verified.	Release conditions written into agreement.	☐	☐	☐		
5.10	All variances are written, justified, and separately approved.	Variance log, written requests, Commissioners Court approval record.	☐	☐	☐		

Gate 6. Pre-Construction Readiness Hold Point

Item	Audit question / requirement	Objective evidence to verify	OK	NOK	N/A	Date / Initials	Notes / CAR No.
6.1	Road-use agreement executed before heavy construction traffic begins.	Signed road-use agreement; haul route exhibit; financial assurance posted.	☐	☐	☐		
6.2	Pre-construction road condition survey completed.	Video, photos, measurements, engineering notes, route map.	☐	☐	☐		
6.3	Private well baseline testing program launched before major construction.	Landowner notices, consent forms, lab contract, sampling schedule, privacy-protected reporting process.	☐	☐	☐		
6.4	Baseline noise study and acoustic model completed before final design approval.	Acoustic report using required metrics, including dBA, dBC, Z-weighted/unweighted octave and one-third-octave, tonal and low-frequency analysis.	☐	☐	☐		
6.5	Photometric lighting plan approved before construction.	Lighting plan, shielded fixture specs, property-line illumination levels.	☐	☐	☐		
6.6	Drainage, SWPPP, erosion controls, and floodplain documentation accepted.	SWPPP, NOI, drainage study, floodplain permits or N/A acceptance.	☐	☐	☐		
6.7	Emergency response plan accepted before construction.	ERP, 24/7 contacts, fire water/access plan, responder comments, training/equipment plan.	☐	☐	☐		
6.8	Financial assurance instruments are active.	Bonds, escrow, LOCs, parent guarantee, insurance certificates.	☐	☐	☐		
6.9	Construction communication and complaint process is public-facing and active.	Public contact page, phone/email, complaint log template, response deadlines.	☐	☐	☐		
6.10	Pre-construction hold point released by lead reviewer.	Signed gate release or Commissioners Court authorization.	☐	☐	☐		

Gate 7. Construction In-Process Surveillance

Item	Audit question / requirement	Objective evidence to verify	OK	NOK	N/A	Date / Initials	Notes / CAR No.
7.1	Heavy haul traffic follows approved routes, timing limits, and school bus conflict controls.	Field inspection reports, GPS/traffic records if available, complaint log.	☐	☐	☐		
7.2	Road damage, dust, mud, debris, and traffic hazards are monitored and corrected.	Inspection photos, maintenance records, corrective action records.	☐	☐	☐		
7.3	Erosion and sediment controls are installed and maintained.	SWPPP inspections, rainfall inspection records, photos, TCEQ records if applicable.	☐	☐	☐		
7.4	Drainage and runoff controls do not increase flooding, erosion, sedimentation, or harmful runoff onto neighboring property.	Field checks after rain events, downstream complaints, engineering review.	☐	☐	☐		
7.5	Fences, gates, stock tanks, agricultural operations, livestock movement, and wildlife corridors are protected.	Field inspection notes, landowner complaint log, repair records.	☐	☐	☐		
7.6	Construction noise, vibration, and generator testing follow agreement limits and timing.	Noise logs, testing records, complaints, corrective actions.	☐	☐	☐		
7.7	Hazardous materials, fuel storage, chemical handling, and spill prevention controls are active.	Chemical inventory, spill logs, inspection records.	☐	☐	☐		
7.8	Emergency access, gate access, fire water, responder radio coverage, and 24/7 contacts remain functional.	Responder walkthroughs, access tests, radio checks, contact test log.	☐	☐	☐		
7.9	Unresolved complaints are escalated and tracked through closure.	Complaint log with date, issue, response, resolution, and follow-up verification.	☐	☐	☐		
7.10	Monthly construction status is added to the project file where appropriate.	Monthly report or status memo.	☐	☐	☐		

Gate 8. Startup and Post-Startup Verification

Item	Audit question / requirement	Objective evidence to verify	OK	NOK	N/A	Date / Initials	Notes / CAR No.
8.1	Startup testing verifies operational noise limits at property lines and receptors.	Independent acoustical consultant report; representative worst-case conditions; nighttime testing.	☐	☐	☐		
8.2	Low-frequency noise testing verifies one-third-octave limits from 10 Hz through 160 Hz.	Five-minute Leq,T data in dB re 20 µPa; Z-weighted or unweighted; LCeq minus LAeq review.	☐	☐	☐		
8.3	Tonal noise analysis verifies no pure-tone, prominent-tone, or narrow-band tonal condition.	ISO 1996 or ANSI/ASA S12.9 based analysis where applicable; transformer, fan, generator, substation review.	☐	☐	☐		
8.4	Backup generator testing is measured separately from normal operation.	Generator testing schedule, measured sound data, emissions and operating-hour log.	☐	☐	☐		
8.5	Lighting is inspected after dark for glare, trespass, shielding, controls, and property-line levels.	Night inspection report, corrected fixture list, photos.	☐	☐	☐		
8.6	Water-use reporting begins at startup.	Metering records, source records, water-use report schedule.	☐	☐	☐		
8.7	Post-startup private well testing is performed according to agreement.	Lab reports to landowners, privacy-protected county summary.	☐	☐	☐		
8.8	Emergency drills, responder training, or equipment commitments are completed or scheduled.	Training records, drill reports, equipment receipts.	☐	☐	☐		
8.9	Startup deficiencies are corrected and re-tested.	CAR closure evidence and independent reviewer verification.	☐	☐	☐		
8.10	Startup financial assurance is not released until county costs and obligations are verified.	Release checklist, reviewer concurrence, county approval record.	☐	☐	☐		

Gate 9. Annual Good Neighbor Certification and Compliance Administration

Item	Audit question / requirement	Objective evidence to verify	OK	NOK	N/A	Date / Initials	Notes / CAR No.
9.1	Annual Good Neighbor certification submitted on time.	Signed annual certification.	☐	☐	☐		
9.2	Investment, taxable value, abated value, jobs if applicable, payroll, and local purchasing are reported.	Annual report, appraisal/tax records, payroll/jobs certification, vendor outreach records.	☐	☐	☐		
9.3	Road obligations, road damage, repairs, and unresolved county costs are reported.	Road and bridge report, repair invoices, inspection records.	☐	☐	☐		
9.4	Water use, well testing, drought response, water quality, and corrective action are reported.	Meter records, lab summary, drought response log, corrective action records.	☐	☐	☐		
9.5	Drainage, stormwater, erosion, and downstream complaints are reported.	Annual drainage inspection, SWPPP records if still applicable, complaint log.	☐	☐	☐		
9.6	Noise complaints, lighting complaints, testing, mitigation, and unresolved issues are reported.	Complaint log, acoustic follow-up reports, lighting inspection reports.	☐	☐	☐		
9.7	Emergency incidents, drills, responder coordination, training, and equipment commitments are reported.	Incident log, drill records, responder meeting notes, equipment receipts.	☐	☐	☐		
9.8	Tax payments and delinquency status are verified.	Tax office verification for applicant and covered entities.	☐	☐	☐		
9.9	County inspection rights are exercised or documented as not needed.	Annual inspection report or written rationale.	☐	☐	☐		
9.10	Possible violations are reported to Commissioners Court.	Staff compliance memo and agenda item if needed.	☐	☐	☐		

Gate 10. Assignment, Default, Recapture, and Closeout

Item	Audit question / requirement	Objective evidence to verify	OK	NOK	N/A	Date / Initials	Notes / CAR No.
10.1	Any sale, lease, transfer, restructuring, operator change, affiliate transfer, or refinancing receives required notice.	Notice from project entity; transaction summary.	☐	☐	☐		
10.2	Proposed assignee assumes all obligations in writing and demonstrates financial capacity.	Assumption agreement, financial capacity documentation, insurance, guarantees.	☐	☐	☐		
10.3	No assignment is approved if existing or proposed party owes outstanding taxes or obligations.	Tax and obligation verification.	☐	☐	☐		
10.4	Material Good Neighbor failures are treated as material defaults when required by agreement.	Default notice, cure schedule, CAR log, Commissioners Court record.	☐	☐	☐		
10.5	Recapture is evaluated if operations discontinue for defined period or performance obligations fail.	Operational status records, agreement review, recapture calculation.	☐	☐	☐		
10.6	Corrective action is verified before closing default or releasing remedies.	Independent reviewer verification, county staff sign-off.	☐	☐	☐		
10.7	Decommissioning, restoration, cleanup, and road repair obligations are completed at closeout.	Decommissioning report, restoration photos, road inspection, environmental closeout, financial assurance release request.	☐	☐	☐		
10.8	Final project file includes full decision history and compliance record.	Document index complete, final public project file reviewed.	☐	☐	☐		

Corrective Action Request Log

[illegible]

Variance and Non-Applicability Log

[illegible]

Final Gate Release Sign-Off

Lead county reviewer	Signature / date: _____
County Attorney review	Signature / date: _____
Independent technical reviewer lead	Signature / date: _____
Road and Bridge representative	Signature / date: _____
Emergency Management / Fire representative	Signature / date: _____
Commissioners Court action date	Signature / date: _____

Prepared from Jack County Good Neighbor Development Policy Version 3.0 Hill County Review Integration Draft. This checklist is for discussion and should be reviewed by the County Attorney before use as a binding county procedure or agreement exhibit.

Jack County Good Neighbor Development Policy

Version 2.0 - Hill County Review Integration Draft

Prepared for Commissioners Court discussion of data centers, renewable energy, battery energy storage, power infrastructure, and other large-scale energy-associated projects. This version incorporates lessons learned from Hill County, Texas, including a major industrial development review process, independent technical review, applicant-funded escrow, and a detailed required submittals checklist.

AHABP save point created before this update: original media packet and prior Jack County Good Neighbor draft preserved separately.

Core standard: Jack County is not anti-growth. Jack County is pro-good-neighbor, pro-proof, and pro-public record.

How to Use This Document

- Use this document as the updated policy draft to present to Commissioners Court.
- Attach the project review checklist to each project file so Commissioners can verify each policy section before voting.
- Ask the County Attorney to review final legal language before adoption or execution.
- Use project-specific agreements to make the standards measurable and enforceable.
- Use Section 9, Section 9A, and Appendix A together as the complete front-end review process before any final county action.
- Require the applicant to fund independent review costs through a county-controlled review escrow before technical review begins.
- Do not rely on verbal promises. Put all material Good Neighbor commitments into the project-specific agreement, road-use agreement, abatement agreement, or other enforceable instrument.

Version History

- Version 1.0 - Original Good Neighbor media packet and policy concept.
- Version 1.1 - Jack County Tax Abatement Guidelines crosswalk added to align the Good Neighbor Policy with existing Chapter 312 abatement review items.
- Version 2.0 - Hill County Review Integration Draft. Adds a complete development review gate, applicant-funded independent technical review, stronger required submittals, and Appendix A based on items learned from Hill County, Texas.

Hill County Integration Summary

- The Hill County material is strongest as a front-end review process. This version adopts that idea while keeping Jack County in the safe lane of discretionary county actions, abatement review, road-use agreements, infrastructure protection, and public-support decisions.
- This version does not propose a countywide development ban or zoning scheme. It requires proof before public support, public incentives, road-use agreements, or other discretionary county action.

Jack County Good Neighbor Development Policy - Version 2.0 Hill County Review Integration Draft

- The checklist is intended to make the developer prove road, water, drainage, fire, power, noise, lighting, environmental, fiscal, and public-safety claims on paper before final action.

Good Neighbor / Abatement Crosswalk

This crosswalk shows how the Good Neighbor Policy strengthens and operationalizes items already present in Jack County's 2025 Tax Abatement Guidelines and Criteria.

Current abatement policy item	Good Neighbor policy location
No entitlement to abatement	Section 5: No Entitlement and County Discretion
\$15M positive net economic benefit	Section 6: Positive Net Economic Benefit and Fiscal Impact
Jobs, payroll, retained jobs, local persons hired	Section 7: Jobs, Payroll, Local Hiring, and Buy Local Expectations
Fiscal impact and affected jurisdictions	Sections 6 and 11
Pollution, environmental, health, and safety impacts	Sections 13-20 and 28
Alternative development possibilities and county goals	Section 8
Need for proposed site and existing capacity	Section 8
Road and right-of-way responsibility	Section 14
Complete application and supplemental information	Section 9
Financial capacity	Section 10
Written variances	Section 12
Agreement content, default, recapture	Sections 21 and 22
Annual certifications, inspections, administration	Section 23
Buy local	Section 7
Assignment and successor obligations	Section 24
Conflicts and commissioner-owned property limitation	Section 25
Environmental and quality-of-life discretion	Sections 5 and 28
Complete front-end development review package	Section 9, Section 9A, and Appendix A
Independent technical review paid by applicant	Section 9A: Independent Technical Review and Applicant-Funded Escrow
Detailed Hill County-style required submittals	Appendix A: Major Industrial Development Review Checklist
Electrical, ERCOT, onsite generation, air emissions, wastewater, and ecological review	Appendix A and related project-specific agreement exhibits

Updated Draft Policy and Resolution

AHABP save point: This Version 3.0 draft preserves the prior Good Neighbor media packet and Version 1.1 abatement crosswalk separately. This update incorporates lessons learned from Hill County, Texas by adding a front-end review gate, independent technical review, applicant-funded escrow, and Appendix A required submittals.

Draft Resolution

A RESOLUTION OF THE COMMISSIONERS COURT OF JACK COUNTY, TEXAS, ESTABLISHING A GOOD NEIGHBOR DEVELOPMENT POLICY FOR LARGE-SCALE DATA CENTERS, RENEWABLE ENERGY PROJECTS, BATTERY ENERGY STORAGE SYSTEMS, POWER INFRASTRUCTURE, AND OTHER ENERGY-ASSOCIATED INDUSTRIAL PROJECTS SEEKING TAX ABATEMENTS, COUNTY COOPERATION, ROAD ACCESS, DEVELOPMENT AGREEMENTS, OR OTHER PUBLIC SUPPORT.

Whereas Clauses

WHEREAS, Jack County recognizes that large-scale data centers, renewable energy projects, battery energy storage systems, substations, transmission facilities, power-generation support facilities, and other energy-associated industrial projects may bring investment and economic opportunity; and

WHEREAS, Jack County also recognizes that such projects may create impacts on county roads, private wells, groundwater, drainage, emergency services, noise levels, lighting, rural views, agriculture, livestock, wildlife, public services, affected jurisdictions, and taxpayers; and

WHEREAS, Jack County has adopted Tax Abatement Guidelines and Criteria under Chapter 312 of the Texas Tax Code and reserves discretion to consider, condition, approve, deny, modify, suspend, or recapture public benefits as allowed by law; and

WHEREAS, the County's current abatement policy already recognizes project-specific review, positive net economic benefit, fiscal impact, jobs, environmental and community impacts, financial capacity, public hearing procedures, road responsibilities, recapture, inspections, annual certifications, buy-local expectations, assignment review, and environmental and quality-of-life discretion; and

WHEREAS, Jack County desires to make those existing expectations practical, measurable, and easier to apply to large-scale energy-associated projects through a Good Neighbor Development Policy and project review checklist; and

WHEREAS, clear Good Neighbor standards provide fair notice to developers, protect residents and landowners, support transparent decision-making, and help ensure that public incentives produce public benefits;

WHEREAS, Jack County recognizes its statutory and practical responsibilities relating to county roads, bridges, drainage, floodplain management, emergency access, public safety, public infrastructure, and county-supported agreements;

WHEREAS, Jack County recognizes that large-scale industrial and technology-related facilities may require a level of technical review beyond the routine resources available within county government;

WHEREAS, Jack County has reviewed concepts used by Hill County, Texas, including a major industrial development review policy, independent technical review, applicant-funded escrow, and a detailed required submittals checklist;

WHEREAS, Jack County desires to incorporate those lessons into a local policy framework focused on proof before public support, public incentives, road-use agreements, infrastructure coordination, or other discretionary county action;

Resolution

1. The Commissioners Court adopts the Jack County Good Neighbor Development Policy as a statement of county expectations for covered projects seeking tax abatements, county cooperation, road access, development agreements, public infrastructure coordination, or other public support.
2. The Good Neighbor Development Policy supplements Jack County's Tax Abatement Guidelines and Criteria. Any project seeking a tax abatement should be reviewed under both documents, and project-specific agreements should apply the stronger public-protection standard to the extent allowed by law.
3. Nothing in this policy creates a right, entitlement, expectation, or guarantee that any applicant will receive a tax abatement, reinvestment zone, road-use agreement, county support, or other public benefit.
4. The County Attorney, county staff, and any outside consultants engaged by the county are directed to use this policy when preparing project-specific agreements, checklists, review procedures, tax abatement terms, road-use agreements, and compliance processes where appropriate and lawful.
5. Any variance from this policy should be requested in writing, identify the requirement to be waived or modified, explain the justification, and receive specific Commissioners Court approval. No variance should be treated as automatic merely because a project agreement is approved.
6. The county should maintain a public project file for covered projects, including applications, notices, agendas, minutes, agreements, non-confidential studies, compliance reports, and supporting documents used in public session.
7. This policy shall be posted on the county website and made available to developers and the public as a statement of Jack County's Good Neighbor expectations.
8. The Commissioners Court adopts Appendix A, Jack County Major Industrial Development Review Checklist and Required Submittals, as the minimum review checklist for covered projects unless the County accepts a written non-applicability explanation for a specific item.
9. No covered project should be placed on a Commissioners Court agenda for final action on a tax abatement, reinvestment zone support, road-use agreement, development agreement, county support letter, public infrastructure coordination, or other discretionary county action until the County determines that the applicant has submitted a complete Good Neighbor Development Review Packet.
10. The County may retain independent professional reviewers at the applicant's expense. Reviewers shall act solely on behalf of Jack County and shall not be subject to the direction or control of the applicant.
11. Nothing in this policy shall be construed as prohibiting lawful development or creating regulations beyond the authority granted to counties under Texas law. This policy applies to county discretionary actions, county agreements, county infrastructure protection, road-use coordination, public-support decisions, and tax-abatement review to the extent allowed by law.

Updated Policy Text

Section 1. Purpose

The purpose of the Jack County Good Neighbor Development Policy is to define the standards expected of any large-scale developer, owner, operator, contractor, successor entity, assignee, affiliate, or related project entity seeking tax abatement, county cooperation, road access, development agreements, public infrastructure coordination, or other local benefit from Jack County.

This policy is not anti-development. It is intended to promote responsible development that protects Jack County residents, landowners, taxpayers, groundwater, private wells, county roads, drainage, emergency services, dark skies, rural views, agricultural operations, livestock, wildlife, affected jurisdictions, and long-term economic resilience.

Section 2. Relationship to Jack County Tax Abatement Guidelines and Criteria

- This policy supplements Jack County's Tax Abatement Guidelines and Criteria and should be used as a project-review companion to those guidelines.
- Any project seeking tax abatement shall satisfy the applicable requirements of the Tax Abatement Guidelines and Criteria and the Good Neighbor Development Policy.
- Where this policy provides a higher or more specific public-protection standard, the higher or more specific standard should be considered for inclusion in the project agreement to the extent allowed by law.
- This policy does not limit the Commissioners Court's ability to deny, reduce, delay, condition, suspend, terminate, or recapture public benefits when a project does not provide adequate public benefit or creates unacceptable public burdens.

Section 3. Definition of a Good Neighbor

A Good Neighbor is a developer, owner, operator, contractor, successor entity, assignee, affiliate, or related project entity that does more than comply with the minimum law. A Good Neighbor reduces harm before it happens, pays for the burdens it creates, documents its promises, reports performance publicly, remains accountable after construction is complete, and leaves Jack County better off than it found it.

Section 4. Covered Projects

This policy applies to large-scale data centers, renewable energy projects, battery energy storage systems, energy generation facilities, substations, transmission facilities, power-generation support facilities, industrial energy users, regional service facilities, manufacturing facilities, distribution facilities, and other large-scale projects seeking tax abatements, county cooperation, road access, development agreements, public infrastructure coordination, or other local benefit from Jack County.

Section 5. No Entitlement and County Discretion

- Nothing in this policy creates a property right, contract right, expectation, entitlement, or guarantee that any applicant will receive a tax abatement, reinvestment zone, road-use agreement, development agreement, county cooperation, or other public benefit.
- Each project shall be reviewed individually based on public benefit, public burden, financial capacity, compliance history, local impacts, affected jurisdiction impacts, and consistency with Jack County's development goals.
- Environmental protection, water protection, dark skies, noise control, traffic safety, road preservation, drainage control, emergency-service capacity, rural character, agricultural compatibility, public health, public safety, and quality of life are valid public-interest considerations.

Section 6. Positive Net Economic Benefit and Fiscal Impact

- A covered project seeking tax abatement should demonstrate a positive net economic benefit to Jack County of at least \$15,000,000 over the life of the abatement, or such other standard as may be required by the County's current abatement policy.
- The net economic benefit analysis should include new taxable value, abated value, sales tax if any, direct and indirect public costs, infrastructure costs, road damage, emergency-service burdens, water impacts, drainage impacts, inspection costs, administrative costs, and tax revenue forgone.
- The applicant shall provide a fiscal impact statement addressing Jack County and affected jurisdictions, including school districts, cities, groundwater districts, emergency-service providers, appraisal district considerations, and any neighboring jurisdiction likely to experience material impacts.
- The Commissioners Court may consider whether the project is compatible with county development goals and whether the public benefit justifies the public incentive requested.

Section 7. Jobs, Payroll, Local Hiring, and Buy Local Expectations

- The applicant shall disclose projected new jobs, retained jobs, job types, full-time equivalency, average payroll, total payroll, expected duration of employment commitments, and anticipated local hiring.
- For data center facilities, energy generation facilities, energy storage facilities, and similar low-employment/high-investment projects, job requirements should be reviewed case by case and weighed against the size of the abatement and the project's public burdens.
- A project shall not receive Good Neighbor credit merely for transferring jobs, tax base, or economic activity from one part of Jack County to another unless the Commissioners Court finds a clear net countywide benefit.
- A Good Neighbor shall make good-faith efforts to use Jack County and regional manufacturers, suppliers, contractors, subcontractors, vendors, and labor where reasonably possible without unreasonable added expense, substantial inconvenience, or sacrifice in operating efficiency.
- The project agreement may require annual reporting of local and regional spending, local contractor outreach, local hiring efforts, and vendor opportunities.

Section 8. Project Need, Site Selection, and Alternative Development Review

- The applicant shall explain why the proposed site is needed and why existing improved property, industrial sites, previously disturbed sites, or less-impactful locations cannot reasonably serve the same purpose.
- The Commissioners Court may consider alternative development possibilities for the proposed site, including whether the requested abatement would encourage a lower-value, higher-impact, or less-compatible development pattern.
- The applicant shall identify known site constraints, including nearby homes, churches, schools, cemeteries, public gathering places, agricultural operations, flood-prone areas, water wells, stock tanks, environmentally sensitive areas, existing roads, and utility corridors.
- The county may require setbacks, layout changes, screening, route changes, or other design changes to improve compatibility with surrounding land uses.

Section 9. Complete Application and Required Submittals

- No covered project shall be placed on a Commissioners Court agenda for final action on a tax abatement, reinvestment zone support, road-use agreement, development agreement, county support letter, public infrastructure coordination, or other discretionary county action until the county determines that the applicant has submitted a complete Good Neighbor Development Review Packet.
- The applicant shall submit all items listed in Appendix A unless the applicant demonstrates that a specific item is not applicable and the county accepts that explanation in writing.
- The complete application shall include, at minimum, project description, legal entity information, parent company disclosures, ownership or lease structure, registered agent information, site control documentation, maps, parcel IDs, project boundary, campus master plan, phasing schedule, proposed improvements, construction schedule, operational schedule, estimated operational lifespan, expected expansion acreage, decommissioning plan, and estimated taxable and abated values.
- The county or its designated official shall review submissions for administrative completeness. A submission determined to be incomplete may be returned to the applicant with a request for additional information. No formal technical review should commence until the required materials have been provided.
- The county may require supplemental financial, technical, engineering, environmental, legal, or operational information reasonably needed to evaluate the applicant, the project, and its local impacts.
- All documents used to support action by Commissioners Court should be preserved in the public project file unless legally confidential.

Section 9A. Independent Technical Review and Applicant-Funded Escrow

- Following acceptance of a complete submission, Jack County may retain one or more qualified professional firms to conduct independent review of the information provided by the applicant.
- Independent reviewers may include engineers, hydrogeologists, transportation specialists, environmental consultants, acoustical consultants, emergency management professionals, fire protection specialists, financial analysts, legal counsel, or other technical experts deemed necessary by the county.
- The purpose of independent review is to evaluate the accuracy, adequacy, and completeness of applicant submissions and to identify potential impacts on county infrastructure, public resources, emergency response capabilities, public health, public safety, affected jurisdictions, and neighboring property owners.
- The independent reviewer shall act solely on behalf of Jack County and shall not be subject to the direction or control of the applicant.
- Before technical review begins, the applicant shall deposit funds into a county-controlled escrow account in an amount determined by the county based on the size, complexity, and anticipated impacts of the proposed project.
- If the county determines additional funds are necessary to complete the review, the applicant shall replenish the escrow account upon request. Review activities may be suspended until sufficient funds are available.
- Escrow funds may be used for technical, engineering, hydrogeological, transportation, environmental, acoustic, legal, financial, emergency management, fire protection, or other professional review services related to the proposed development.
- Any unused escrow funds remaining after completion of the review process should be returned to the applicant unless otherwise provided in a project-specific agreement.
- Independent review findings may identify deficiencies, recommend additional studies, propose mitigation measures, or provide professional opinions for Commissioners Court consideration. The findings are advisory unless incorporated into an enforceable agreement.

Section 10. Financial Capacity

- A Good Neighbor applicant shall demonstrate financial capacity to construct, operate, maintain, repair, restore, and decommission the project.
- Financial capacity review should include the ability to meet investment commitments, tax obligations, road repair obligations, water protections, drainage protections, emergency-service commitments, reporting duties, recapture obligations, and corrective-action requirements.
- The county may require bonds, escrow, letters of credit, parent guarantees, insurance, or other financial assurance where appropriate.
- No assignment or transfer should be approved unless the assignee demonstrates financial capacity and assumes all obligations in writing.

Section 11. Public Hearing, Notice, and Affected Jurisdiction Review

- The county should provide the public and affected jurisdictions meaningful opportunity to review the application, proposed agreement, maps, project description, and non-confidential supporting documents before final action.
- Affected jurisdictions should be invited to identify potential adverse effects on bonds, tax revenue, service capacity, infrastructure, emergency response, public safety, groundwater, roads, or the provision of public services.
- The Commissioners Court should consider affected jurisdiction comments before approving, denying, reducing, conditioning, or delaying a project agreement.

- When impacts may cross county lines, the county should consider outreach to neighboring counties, emergency-service providers, groundwater districts, and road authorities.

Section 12. Variances

- Any requested variance from this policy shall be made in writing.
- The written variance request shall identify each requirement to be waived or modified, describe the circumstances, explain the public justification, and propose any substitute protection.
- Approval of a variance should require a three-fourths vote of the Commissioners Court, unless a stricter legal standard applies.
- No variance should be deemed automatic merely because an abatement agreement, road-use agreement, development agreement, or other project agreement is approved.
- A variance should not waive basic public-record, financial-capacity, road-protection, public-safety, or enforceability requirements unless the Commissioners Court makes specific findings explaining why the waiver is justified.

Section 13. Water Use and Private Well Protection

- A covered project shall disclose all expected water sources, including groundwater, surface water, municipal water, purchased water, trucked water, recycled water, reclaimed water, and any backup water supply.
- A covered project shall disclose estimated one-time fill volume, annual water demand, peak construction water demand, peak operational water demand, fire-suppression water needs, drought contingency plans, wastewater handling, blowdown handling, and any water-treatment chemicals.
- Open-loop cooling shall not be used unless separately disclosed, reviewed, and approved as part of a written agreement.
- The developer shall offer and pay for baseline water-well testing for private wells within five miles of the project boundary, subject to landowner consent.
- Testing shall occur before major construction, during construction at reasonable intervals, after startup, and annually for a minimum period established in the project agreement.
- Testing shall be performed by an independent certified laboratory, with results provided to the landowner and a privacy-protected summary provided to the county.
- If project-related contamination, depletion, or material water-quality change is reasonably indicated, the developer shall pay for investigation, mitigation, alternative water, and corrective action as required by the project agreement and applicable law.
- The water review packet should identify total projected water demand, peak water demand, annual water consumption, construction water demand, operational water demand, fire-suppression water demand, cooling technology description, closed-loop versus evaporative cooling analysis, water recycling plan, backup water supply plan, and drought contingency plan.
- The applicant should provide hydrogeological studies as applicable, including aquifer impact study, groundwater availability study, drawdown modeling, neighboring well interference analysis, long-term sustainability study, and recharge impact analysis.
- The applicant should provide water utility commitment letters, groundwater district approvals, water transport agreements, surface water rights documentation if applicable, and documentation of coordination with the Texas Water Development Board, groundwater conservation districts, river authorities, water supply corporations, and other applicable water providers.
- The project agreement should include measurable water-use reporting, drought-response duties, well-protection duties, and corrective-action obligations.

Section 14. Road, Traffic, and Construction Access Protection

- The developer shall submit proposed haul routes, construction traffic routes, oversize and overweight load plans, employee parking plans, and emergency access plans before construction.
- The county may require a road-use agreement before heavy construction traffic begins.
- The project owner shall be wholly responsible for damage to county roads, bridges, culverts, ditches, rights-of-way, and related infrastructure caused by construction, maintenance, operation, or associated facilities.
- County costs may include maintenance, reconstruction, engineering, inspection, professional services, administration, emergency repair, and other reasonable costs caused by the project.
- The developer shall pay for pre-construction road condition surveys, including video, photographs, measurements, and engineering notes where appropriate.
- The developer shall provide financial assurance such as a bond, escrow, letter of credit, or other acceptable instrument to cover road repair and restoration.
- The developer shall repair damage to county roads caused by project traffic and restore roads to equal or better condition.
- The developer shall control dust, mud, debris, and construction traffic hazards.
- Construction traffic may be limited near school bus routes, school times, emergency routes, churches, cemeteries, livestock operations, and residential areas where appropriate.
- If the project is accessed directly by a county road, the developer shall obtain any required county driveway permit before construction access begins.
- Required road and transportation submittals should include Traffic Impact Analysis, heavy haul route study, construction traffic plan, bridge capacity analysis, pavement degradation study, road maintenance agreement, TxDOT driveway or access permit, oversize or overweight route plan, and emergency access analysis.
- The county may require developer-funded road improvements, turn lanes, signage, signalization, road widening, drainage improvements, and dust-control measures where determined necessary by the independent reviewer or Commissioners Court.
- The road-use agreement should apply to contractors, subcontractors, vendors, delivery trucks, employee traffic where appropriate, and all project-related heavy haul activity.

Section 15. Dark-Sky Lighting

- Exterior lighting shall be useful, targeted, low-level, controlled, and warm-colored where practical.
- Lighting shall be fully shielded and directed downward to avoid unnecessary uplight.
- Lighting shall not create unreasonable glare or light trespass onto neighboring property.
- Nonessential lighting shall use timers, motion sensors, dimmers, curfews, or other controls where practical.
- The developer shall submit a photometric lighting plan before construction and shall correct documented lighting problems after startup.
- The lighting packet should include photometric study, night-sky impact analysis, FAA lighting analysis if applicable, glare study, shielded fixture design, operational lighting plan, property-line illumination levels, and security lighting controls.

Section 16. Noise Protection

- The developer shall conduct a baseline noise study before construction and submit acoustic modeling before approval of final design.
- The baseline noise study and acoustic model shall evaluate normal operations, peak operations, startup conditions, backup generator testing, transformer noise, cooling fan noise, substation noise, battery energy

storage noise if applicable, construction noise, and any reasonably anticipated tonal, low-frequency, impulsive, or vibration-related impacts.

- Noise studies, modeling, post-startup testing, and complaint-response testing shall be performed by or under the supervision of a qualified independent acoustical consultant using calibrated Class 1 sound level meters and equipment capable of A-weighted, C-weighted, Z-weighted, octave-band, one-third-octave-band, statistical, and time-history measurements.
- Noise shall not be evaluated by dBA alone. The developer shall provide measurements and modeled limits using all applicable noise metrics, including:
 - dBA, reported as LAeq,T, LMax, and LA90;
 - dBC, reported as LCEq,T and LCmax;
 - Z-weighted or unweighted octave-band and one-third-octave-band sound pressure levels, reported in dB re 20 µPa;
 - low-frequency noise levels in one-third-octave bands from 10 Hz through 160 Hz;
 - tonal noise analysis, including transformer hum, fan tones, generator tones, and other narrow-band or pure-tone conditions;
 - daytime and nighttime noise levels;
 - property-line noise levels;
 - nearest receptor noise levels, including nearby residences, churches, schools, cemeteries, and public gathering places; and
 - construction vibration, where applicable, measured as peak particle velocity in inches per second or millimeters per second.
- The project agreement shall include measurable noise limits at property lines and, where appropriate, at nearby residences, churches, schools, cemeteries, and public gathering places.
- Unless the County accepts a stricter or more project-specific standard recommended by an independent acoustical consultant, project-related operational noise should not exceed the lesser of:
 - the applicable project-specific noise limit established in the project agreement; or
 - 10 dBA above the measured ambient LA90 background level at the receiving property line or nearest affected receptor.
- The project shall not create a pure-tone, prominent-tone, or narrow-band tonal condition at a receiving property line or nearest affected receptor. Tonal noise shall be evaluated by a qualified acoustical consultant using accepted environmental-noise assessment methods, including ISO 1996 or ANSI/ASA S12.9 methods where applicable. Transformer hum, cooling fan tones, generator tones, substation tones, and other narrow-band or pure-tone conditions shall be specifically evaluated and mitigated.
- The project shall not create excessive low-frequency noise. Low-frequency noise shall be evaluated using one-third-octave-band Leq,T measurements from 10 Hz through 160 Hz, measured in dB re 20 µPa, using Z-weighting or unweighted sound pressure levels.
- Low-frequency noise review limits shall be evaluated using a five-minute averaging period unless the independent acoustical consultant recommends a different measurement period based on site conditions, operating conditions, or complaint conditions, and the County approves that measurement period in writing. For low-frequency noise, the project agreement shall include the following one-third-octave-band limits unless the County adopts stricter or more project-specific limits recommended by the independent acoustical consultant.

One-third-octave band center frequency	Limit, 5-minute Leq,T, dB re 20 µPa
10 Hz	92

One-third-octave band center frequency	Limit, 5-minute Leq,T, dB re 20 µPa
12.5 Hz	87
16 Hz	83
20 Hz	74
25 Hz	64
31.5 Hz	56
40 Hz	49
50 Hz	43
63 Hz	42
80 Hz	40
100 Hz	38
125 Hz	36
160 Hz	34

- Because data centers operate continuously, no daytime relaxation of low-frequency limits should apply unless specifically approved in writing by Commissioners Court after review by an independent acoustical consultant.
- A difference of more than 20 dB between L_{Ceq,T} and L_{Aeq,T} at a receiving property line or nearest affected receptor shall be treated as evidence of potentially significant low-frequency content and shall require additional analysis, mitigation, or post-startup testing.
- The agreement shall include separate nighttime noise limits and shall address low-frequency hum, tonal noise, transformer noise, cooling fan noise, substation noise, backup generator noise, and vibration where applicable.
- Backup generator testing shall be limited to reasonable daytime hours except during emergencies or legally required testing conditions. Generator testing shall be modeled and measured separately from normal operations.
- Noise controls may include sound walls, equipment enclosures, mufflers, acoustic screening, building orientation, distance setbacks, vegetative buffers, quieter equipment selection, operational limits, fan-speed controls, transformer design changes, and natural-looking earthen berms.
- The developer shall pay for post-startup noise testing by an independent acoustical consultant selected or approved by the County. Post-startup testing shall include nighttime testing, low-frequency testing, tonal analysis, generator testing analysis, transformer analysis, cooling fan analysis, and measurements during representative worst-case operating conditions.
- If post-startup testing shows that the project exceeds any noise limit or creates a documented tonal, low-frequency, or vibration condition that violates the project agreement, the developer shall pay for corrective action, additional testing, and continued monitoring until compliance is demonstrated.
- Noise complaints shall be tracked as part of the project's annual Good Neighbor certification. The developer shall maintain a public-facing complaint response process and shall report unresolved noise complaints, corrective actions, and follow-up testing to the County.

Section 17. Drainage, Stormwater, and Erosion Control

- The developer shall submit a drainage study, stormwater plan, and erosion-control plan before major construction.

- The project shall not increase flooding, erosion, sedimentation, or harmful runoff onto neighboring property.
- Stormwater features shall be designed to protect creeks, stock tanks, natural drainage ways, low-water crossings, and downstream landowners.
- Where practical, stormwater detention, screening, and sound-control features should be designed as natural-looking earthen berms, landscaped detention basins, or rural-compatible landforms.
- The developer shall comply with applicable TCEQ construction stormwater permitting requirements and maintain a Stormwater Pollution Prevention Plan where required.
- The drainage packet should include hydrologic study, hydraulic study, detention and retention design, 100-year flood analysis, increased runoff analysis, erosion and sediment control plan, and downstream impact study.
- The stormwater packet should include Stormwater Pollution Prevention Plan, Notice of Intent filing documentation, evidence of compliance with applicable construction general permits, FEMA compliance certification, no-rise certification, CLOMR or LOMR documentation if applicable, and floodplain development permit information.

Section 18. Rural Character, Screening, and Visual Compatibility

- Covered projects shall be designed to reduce visual impact on nearby homes, public roads, farms, ranches, churches, cemeteries, and community gathering places.
- The county may require setbacks, native vegetative screening, earthen berms, non-reflective materials, muted building colors, modest signage, and screening of substations, generators, tanks, equipment yards, and utility structures.
- Existing tree lines and natural screening should be preserved where practical.
- Fencing should be rural-compatible where security requirements allow.

Section 19. Agricultural, Livestock, and Wildlife Protection

- The developer shall protect fences, gates, stock tanks, agricultural operations, livestock movement, and wildlife corridors where practical.
- The developer shall promptly repair project-caused fence damage and shall maintain a livestock escape response plan during construction.
- Dust, runoff, lighting, and noise controls shall consider nearby grazing, hay production, wildlife habitat, and working ranch operations.
- The developer shall control invasive weeds and construction debris.

Section 20. Fire, Emergency Response, and Public Safety

- The developer shall submit an emergency response plan before construction and update it before operations begin.
- The plan shall address fire suppression, emergency access, hazardous materials, fuel storage, backup generators, battery storage if applicable, evacuation or shelter procedures, and 24/7 emergency contacts.
- If the project creates specialized emergency-response risks, the developer shall provide or fund reasonable training, equipment, inspections, or planning support for local responders as negotiated in the project agreement.
- The developer shall coordinate with fire, EMS, law enforcement, emergency management, and road and bridge officials.
- The county may deny, delay, reduce, or condition support for a project whose planned or potential use would create an unresolved hazard to public safety, public health, or lawful provision of government services.

- The fire and hazardous materials packet should include Battery Energy Storage System plan if applicable, lithium-ion hazard assessment if applicable, fuel storage plan, chemical inventory, spill prevention plan, fire suppression system design, hazardous materials response plan, onsite fire water supply analysis, emergency access analysis, gate access plan, Knox box or equivalent emergency entry plan, and first responder radio coverage review.
- The applicant should document coordination with the County Fire Marshal if applicable, local volunteer fire departments, EMS, law enforcement, Emergency Management Coordinator, road and bridge officials, mutual-aid partners, and any other affected public-safety entity.
- The applicant should obtain written review comments from affected emergency responders and identify any equipment, training, water supply, access, radio communication, staffing, or mutual-aid limitations identified by those responders.
- The project agreement may require developer-funded training, equipment, inspections, emergency drills, radio improvements, fire water storage, emergency access improvements, specialized PPE, thermal imaging equipment, SCBA support, or other responder needs connected to project-created risk.
- Where specialized fire or hazardous materials risk exists, the county may require annual joint emergency exercises involving the applicant, local responders, emergency management, and mutual-aid partners.

Section 21. Project Agreement Requirements

- No Good Neighbor project agreement should be approved unless all material promises are written into the agreement, including environmental protections, road obligations, water reporting, well testing, noise limits, lighting limits, drainage controls, emergency-service obligations, reporting duties, assignment restrictions, default remedies, and recapture provisions.
- The agreement should identify the abatement percentage, commencement date, termination date, proposed use, nature of construction, time schedule, map, property description, improvement list, investment amount, depreciation forecast if applicable, jobs if applicable, reporting duties, administration, inspection rights, assignment terms, default provisions, tax delinquency provisions, and recapture terms.
- The agreement should distinguish eligible property from ineligible property and should make clear that land, inventories, supplies, vehicles, residential property, deferred maintenance, and other ineligible property remain taxable unless otherwise allowed by law.
- The agreement should include all county-required exhibits, maps, project commitments, mitigation plans, and compliance checklists.
- Core obligations should use mandatory performance language, not only good-faith or commercially reasonable effort language.
- No agreement should waive future county authority or exempt a project from future county rules, fees, permits, policies, emergency actions, or public-safety requirements unless specifically approved by Commissioners Court after County Attorney review.
- Financial assurance should not be released until county staff and any independent reviewers verify that construction-phase and startup obligations are satisfied and no unresolved county costs remain.

Section 22. Taxpayer Protection, Default, and Recapture

- Tax abatements are performance agreements, not gifts.
- Any tax abatement or incentive agreement shall include measurable performance obligations, investment milestones, reporting requirements, compliance deadlines, and remedies for noncompliance.
- Good Neighbor obligations shall be enforceable through default, cure, suspension, abatement reduction, termination, reimbursement, repayment, and recapture provisions.

- Failure to meet material Good Neighbor commitments should be treated as a material default under the agreement.
- The agreement should address recapture if the facility or improvements discontinue operations for a defined period during the abatement term, except for force majeure events as defined in the agreement.
- The agreement should treat delinquent undisputed taxes owed to any taxing authority in the county as a default or approval bar, as appropriate.

Section 23. Annual Certifications, Inspections, and Compliance Administration

- The applicant shall file annual Good Neighbor certifications covering investment, jobs if applicable, taxes, road obligations, water use, well-testing compliance, drainage issues, noise complaints, lighting complaints, emergency incidents, local purchasing, unresolved violations, corrective actions, and other agreement terms.
- The county shall retain inspection rights during the abatement term to determine whether the facility or improvements are meeting agreement terms and Good Neighbor obligations.
- The county should annually evaluate each facility receiving abatement and report possible violations to Commissioners Court.
- Compliance reports should be public to the greatest extent allowed by law, with confidential material limited to information that is legally protected.

Section 24. Assignment, Successors, Assignees, Affiliates, and Operators

- Good Neighbor obligations shall run with the project and remain binding on successors, assigns, affiliates, purchasers, lessees, operators, tenants, transferees, and related project entities to the extent allowed by law and contract.
- No assignment or transfer should be approved unless the new party assumes all obligations in writing and demonstrates financial capacity to perform.
- No assignment or transfer should be approved if the existing party or proposed assignee owes outstanding taxes or other obligations to any taxing jurisdiction in the county.
- The county should receive notice before any sale, lease, transfer, restructuring, operator change, affiliate transfer, or project refinancing that could affect performance obligations.

Section 25. Conflict, Ethics, and Interested-Party Disclosures

- Good Neighbor review should include a conflict-of-interest disclosure identifying whether any property, lease, ownership interest, vendor relationship, consulting relationship, employment relationship, campaign-finance relationship, or financial benefit involves a member of Commissioners Court or any other official, officer, or disclosure party subject to applicable law.
- Property located in a reinvestment zone and owned or leased by a member of Commissioners Court should not be subject to an abatement agreement with the county to the extent prohibited by law.
- The county should require Form 1295 certificates, conflict disclosure forms, and any other legally required disclosures before entering into covered contracts or agreements.

Section 26. Public Records, Documentation, and Confidentiality

- Any report, map, study, presentation, exhibit, application, agreement, correspondence, or other document used to support action by Commissioners Court should be submitted to the County Clerk and preserved as part of the public record unless legally confidential.
- A document used in public session should be submitted before adjournment of the meeting where it is used, when practical.
- If confidentiality is claimed, the submitting party should identify the specific legal basis for confidentiality and provide a public summary when possible.
- For each covered project, the county should maintain a single online public project file or project page on the county website. The online file should be reasonably searchable and accessible to the public without requiring a Public Information Request.
- To the greatest extent allowed by law, the online public project file should include the application, project description, maps, checklist status, public notices, agendas, minutes, proposed agreements, final agreements, non-confidential studies, independent review reports, consultant reports, public presentations, compliance reports, annual certifications, variance requests, affected-jurisdiction comments, and other documents used to support Commissioners Court action.
- The county should maintain a public document index for each covered project identifying each document, the date received or created, the submitting party, the document type, and whether any portion has been withheld or redacted under a specific legal basis.
- Proprietary information that is legally confidential should be protected, but confidentiality should be narrowly applied so public compliance, public costs, public benefits, public burdens, public protections, and compliance status remain visible.
- Basic public-impact information, including water demand, road impacts, emergency-service impacts, noise limits, lighting plans, drainage impacts, public costs, public benefits, public protections, and compliance status, should remain visible to the public unless a specific legal confidentiality basis applies.

Section 27. Project-Specific Agreements and Stronger Protections

This policy is intended to guide county review and negotiation. Project-specific agreements may include additional or stricter requirements based on project size, location, technology, water use, power demand, road impacts, environmental risk, public-service burden, proximity to residences, tax impact, affected jurisdiction input, and other facts. The County Attorney should review all final language before adoption or execution.

Section 28. Final County Discretion

Nothing in this policy requires Jack County to approve any tax abatement, reinvestment zone, road-use agreement, development agreement, public infrastructure coordination, or other project request. The Commissioners Court retains discretion to approve, deny, negotiate, modify, suspend, terminate, or recapture public benefits to the extent allowed by law.

Appendix A. Jack County Major Industrial Development Review Checklist and Required Submittals

Purpose

This appendix establishes the minimum information required for submission to Jack County for covered large-scale industrial, utility, energy, technology, data center, battery energy storage, electrical generation, renewable energy, power infrastructure, and similar developments that may impact county infrastructure, transportation systems, groundwater resources, drainage systems, emergency services, public safety, affected jurisdictions, and surrounding property owners.

Submission of this information does not constitute project approval. The information is subject to independent technical review as determined by Jack County. A specific item may be treated as not applicable only if the applicant provides a written explanation and the county accepts that explanation in writing.

A1. Initial Development Application Package

- Legal entity ownership structure.
- Parent company disclosures.
- Registered agent information.
- Site control documentation, including deeds, purchase agreements, lease agreements, and easements.
- Project description and proposed use.
- Campus master plan and site layout.
- Phasing schedule and expected expansion acreage.
- Expected construction timeline and operational schedule.
- Estimated operational lifespan.
- Decommissioning plan.
- List of all requested county actions, abatements, reinvestment zone actions, road-use agreements, development agreements, support letters, infrastructure coordination, or other public support.

A2. Site Mapping and Existing Conditions

- Boundary survey and ALTA survey if available.
- Existing conditions survey.
- FEMA floodplain map.
- Topographic survey.
- Wetlands delineation.
- Drainage map.
- Utility corridor map.
- Identification of existing water wells located within five miles of the project boundary.
- Existing residences, schools, churches, cemeteries, and public gathering places map.
- Adjacent land use map.
- Transmission infrastructure map.
- Pipeline map.
- Railroad map, if applicable.

A3. Land Use, Platting, Easements, and County Development Review

- Preliminary plat, final plat, or replat if applicable.

- Development agreement draft or term sheet if requested.
- Utility easements.
- Drainage easements.
- Public right-of-way dedication documents if applicable.
- Known site constraints, including nearby homes, churches, schools, cemeteries, public gathering places, agricultural operations, flood-prone areas, water wells, stock tanks, environmentally sensitive areas, existing roads, and utility corridors.

A4. Roads, Bridges, Traffic, and Heavy Haul Review

- Traffic Impact Analysis.
- Heavy haul route study.
- Construction traffic plan.
- Bridge capacity analysis.
- Pavement degradation study.
- Road maintenance agreement or road-use agreement proposal.
- TxDOT driveway or access permit if applicable.
- Oversize or overweight route plan.
- Emergency access analysis.
- Pre-construction road condition survey with video, photographs, measurements, and engineering notes where appropriate.
- School bus route conflict review and construction traffic timing plan.
- Dust, mud, debris, and traffic hazard control plan.
- Proposed financial assurance for road repair and restoration.

A5. Water Supply, Aquifer, and Private Well Protection

- Total projected water demand.
- Peak water demand.
- Annual water consumption estimate.
- Construction water demand and operational water demand.
- Fire-suppression water demand.
- Cooling technology description.
- Closed-loop versus evaporative cooling analysis.
- Water recycling plan.
- Backup water supply plan.
- Drought contingency plan.
- Aquifer impact study.
- Groundwater availability study.
- Drawdown modeling.
- Neighboring well interference analysis.
- Long-term sustainability study.
- Recharge impact analysis.
- Water utility commitment letter.
- Groundwater district approvals.
- Water transport agreements.
- Surface water rights documentation if applicable.

- Documentation of coordination with the Texas Water Development Board, groundwater conservation districts, river authorities, water supply corporations, and other applicable water providers.
- Private well testing plan for wells within five miles of the project boundary, subject to landowner consent.
- Alternative water and corrective-action plan if project-related impacts are reasonably indicated.

A6. Wastewater, Sewer, Reuse, and Water Treatment Residuals

- Estimated wastewater generation.
- Industrial wastewater characterization.
- Pretreatment analysis.
- Sanitary sewer engineering plans.
- Septic feasibility study if applicable.
- Package plant permit documentation if applicable.
- TPDES wastewater permits if applicable.
- Industrial discharge authorizations if applicable.
- Reuse or reclaimed water approvals if applicable.
- Blowdown handling plan.
- Water-treatment chemical list and handling plan.
- Documentation of coordination with the Texas Commission on Environmental Quality.

A7. Stormwater, Drainage, Floodplain, and Erosion Control

- Hydrologic study.
- Hydraulic study.
- Detention and retention design.
- 100-year flood analysis.
- Increased runoff analysis.
- Erosion and sediment control plan.
- Downstream impact study.
- Stormwater Pollution Prevention Plan.
- Notice of Intent filing documentation if applicable.
- Evidence of compliance with applicable construction general permits.
- FEMA compliance certification.
- No-rise certification if applicable.
- CLOMR or LOMR documentation if applicable.
- Floodplain development permit information if applicable.

A8. Electrical Infrastructure, ERCOT, and Grid Review

- ERCOT interconnection status.
- Transmission availability study.
- Power demand forecast.
- Peak load analysis.
- Backup generation plan.
- Blackstart or islanding capability analysis if applicable.
- Reliability assessment.
- Substation location, ownership, and construction plan.
- New transmission line, switching station, or utility corridor needs.

- Utility provider coordination documentation.

A9. On-Site Generation and Air Quality

- Description of any gas turbines, reciprocating engines, emergency generators, backup generators, fuel cells, or other onsite generation.
- Air emissions inventory.
- Fuel storage plan.
- Stack analysis.
- Emergency generator operating hours and testing schedule.
- Generator noise study.
- Air permit applicability analysis.
- TCEQ air permit applicability determinations.
- Minor source permits, standard permits, or Prevention of Significant Deterioration permits if applicable.
- Generator emissions modeling.
- Anticipated emissions of nitrogen oxides, volatile organic compounds, particulate matter, greenhouse gases, and other regulated pollutants.

A10. Noise, Low-Frequency Hum, and Vibration

- Baseline ambient noise study.
- Daytime and nighttime decibel analysis.
- Property-line noise modeling.
- Low-frequency noise analysis.
- Generator testing noise analysis.
- Transformer noise analysis.
- Cooling fan noise analysis.
- Construction vibration plan if applicable.
- Noise mitigation plan.
- Acoustic wall or sound wall design.
- Berm plan.
- Vegetative screening plan.
- Post-startup noise verification testing plan.
- Corrective-action plan if noise limits are exceeded.

A11. Light Pollution and Dark-Sky Review

- Photometric study.
- Night-sky impact analysis.
- FAA lighting analysis if applicable.
- Glare study.
- Shielded fixture design.
- Operational lighting plan.
- Property-line illumination levels.
- Security lighting controls.
- Timer, motion sensor, dimmer, and curfew controls where practical.

A12. Environmental and Ecological Studies

- National Environmental Policy Act review if applicable.
- Environmental Assessment if applicable.
- Environmental Impact Statement if applicable.
- Threatened and endangered species survey.
- Migratory bird analysis.
- Habitat assessment.
- Wetlands delineation.
- Stream impact study.
- Section 404 permits if applicable.
- Section 401 Water Quality Certifications if applicable.

A13. Hazardous Materials, Fire Protection, and Volunteer Department Capacity

- Battery Energy Storage System plan if applicable.
- Lithium-ion hazard assessment if applicable.
- Fuel storage plan.
- Chemical inventory.
- Spill prevention plan.
- Fire suppression system design.
- Hazardous materials response plan.
- Onsite fire water storage and flow analysis.
- Emergency access plan for fire apparatus.
- Gate access, Knox box, or equivalent emergency entry plan.
- First responder radio coverage review.
- Documented coordination with County Fire Marshal if applicable, local volunteer fire departments, EMS, law enforcement, Emergency Management Coordinator, road and bridge officials, and mutual-aid partners.
- Written review comments from affected emergency responders.
- Training, equipment, inspection, emergency drill, and cost reimbursement proposal for project-created response needs.
- Applicant identification of applicable national fire protection standards or other fire safety standards and proposed compliance measures.

A14. Public Safety, Continuity, and Emergency Planning

- Emergency Operations Plan.
- Cybersecurity response coordination plan.
- Mutual aid coordination plan.
- Evacuation route analysis.
- Hazard mitigation analysis.
- Disaster recovery plan.
- Severe weather continuity plan.
- 24/7 emergency contact and incident command liaison information.

A15. Economic, Fiscal, and Incentive Review

- Tax impact analysis.
- PILOT agreement disclosures if any.

- Abatement request and proposed terms.
- Disclosure of all local incentive requests from any taxing entity, utility provider, or public entity.
- Employment projections.
- Permanent job estimates.
- Construction job estimates.
- Projected payroll and job type description.
- Local hiring and buy-local plan.
- Fiscal impact statement for Jack County and affected jurisdictions, including school districts, cities, groundwater districts, emergency-service providers, appraisal district considerations, and neighboring jurisdictions likely to experience material impacts.

A16. Financial Assurance, Insurance, Assignment, and Enforceability

- Applicant financial capacity documentation.
- Review escrow deposit.
- Road repair bond, escrow, letter of credit, or other acceptable financial assurance.
- Emergency services escrow or reimbursement mechanism if project-created needs are identified.
- Decommissioning bond or financial assurance where appropriate.
- Environmental cleanup financial assurance where appropriate.
- Parent company guarantee where appropriate.
- Proof of insurance with coverage levels reviewed by the County Attorney or other county advisor.
- Assignment and successor obligation language.
- Default, cure, suspension, abatement reduction, termination, reimbursement, repayment, and recapture provisions.

A17. Public Records, Transparency, and Ongoing Compliance

- Public project file plan.
- Non-confidential application and checklist status for public review.
- Non-confidential studies and independent reviewer reports.
- Specific legal basis for any confidentiality claim.
- Public summary of any confidential study or document where legally possible.
- Annual Good Neighbor certification plan.
- Annual compliance reporting for investment, jobs if applicable, taxes, road obligations, water use, well testing, drainage issues, noise complaints, lighting complaints, emergency incidents, local purchasing, unresolved violations, and corrective actions.

Appendix B. Hill County Integration Drafting Cautions

- Use Hill County as a checklist model, not as a reason to waive Jack County authority.
- Avoid relying only on phrases such as good-faith effort or commercially reasonable effort for core obligations. Core Good Neighbor obligations should be measurable and mandatory.
- Do not exempt a project from future county authority, policies, fees, permits, public-safety actions, or lawful county requirements unless the County Attorney specifically recommends that language and Commissioners Court approves it with clear findings.
- Do not release financial assurance until county staff and any independent reviewers verify performance and confirm that no unresolved county costs remain.

- Frame the policy as a condition for discretionary county action, public support, public incentives, road-use coordination, infrastructure protection, and project-specific agreements. This is safer than trying to create a general countywide development ban.

Source and Verification Note

This Version 2.0 update incorporates recommendations drawn from Jack County's 2025 Tax Abatement Guidelines and Criteria and from the Hill County, Texas June 4, 2026 Commissioners Court agenda packet, including the Hill County Major Industrial Development Review Policy, required submittals checklist, proclamation concepts, and lessons learned from the Hill County moratorium waiver context. The Hill County material is adapted for Jack County as a discretionary-review, public-support, road-use, infrastructure-protection, and abatement-review framework rather than a development prohibition.

This is a policy draft for discussion and should be reviewed by the County Attorney before adoption or use in a binding agreement.

Created: 2026-08-08

Energy Forge One; may be related energy/data	road/water/fire docs
infrastructure rather than obvious data center	

Commissioner's Court Presentation: Transparency and Record-Keeping Policy

1. The Problem: "The Room of Unmarked Boxes"

Searching for meeting records currently feels like walking into a room full of unmarked, closed boxes. To understand the contents, a citizen must open every single box manually. Because current documents are saved as non-searchable image files (PDFs), even basic keywords like "agenda" are invisible to digital searches. This creates an unnecessary barrier to public oversight and transparency.

2. Current Status and Hurdles

- **The Role of the County Clerk:** The Clerk's office is performing its duties correctly by flagging missing files with placeholder documents. The Clerk can only record the materials that are provided to them.
- **The Source of the Gap:** The issue lies with the departments and officials responsible for presenting agenda items. Supporting materials are frequently not submitted to the Clerk, leading to incomplete public records.
- **Technical Accessibility:** While a software update to make records searchable is available, it has not yet been scheduled. This delays the public's ability to access information efficiently.

3. Recommended Policy Actions

To ensure compliance with the spirit of the Texas Open Meetings Act (TOMA) and to provide true government transparency, I propose the following policy changes:

Recommendation	Objective
Mandatory Submission Policy	No agenda item shall be heard, discussed, or voted upon by the Court until all supporting documentation has been physically or digitally submitted to the County Clerk.
Prioritize Digital Searchability	Schedule the necessary software updates immediately to convert existing image-based documents into searchable, text-readable formats.

4. Conclusion

Public records should be complete from the moment an agenda item is posted. By implementing these standards, the Court will ensure that the record is not just a collection of placeholders, but a transparent and accessible archive for all citizens of Jack County.

This document was not submitted to the Clerk for the Commissioner's Court Record.



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Mark Laird

9:57 PM (5 minutes ago)



to me

BREAKING : 🇺🇸 Stop scrolling. Read every word of this. Because what Wall Street's most powerful insiders are now saying — in public, on the record — should be front page news across America.

It isn't. Because the companies being exposed are the same ones buying the ads.

So we're telling you instead.

🇺🇸 "\$7.6 TRILLION." THAT IS THE NUMBER THAT SHOULD TERRIFY EVERY AMERICAN

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6/7/26, 10:06 PM

(no subject) - lairddeb51@gmail.com - Gmail



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Being spent. On data centers. On AI. In six years.

And Goldman Sachs — the most powerful investment bank in the world — just admitted something that should send shockwaves through state capitol, and every kitchen table in America.

🇺🇸 THE GOLDMAN SACHS CEO JUST SAID OUT LOUD WHAT EVERYONE IN FINANCE ALREADY KNOWS

Goldman Sachs CEO David Solomon — no stranger to financial bubbles — admitted publicly: "A bunch of the capital being deployed in / any returns." When the guy selling you the shovels says the gold mine might be empty — you listen. 🇺🇸

The CEO of Goldman Sachs. Saying AI investments will produce no returns.

Not a blogger. Not a conspiracy theorist. The head of the most influential financial institution in the world.

Goldman Sachs' own chief economist concluded that AI contributed "basically zero" to U.S. economic growth in 2025 — and observed that driving hyperscaler capex." J.P. Morgan calculated that \$650 billion in annual revenue would be required just to deliver a mere 10% return. San Francisco Federal Reserve concluded in February 2026: "While generative AI and related applications are useful, they are not the in promised." 🇺🇸

Basically zero economic growth. From a trillion-dollar investment. In one year.

🇺🇸 "SOME IS DRIVING THIS. NOT ACTUAL RETURNS"

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Morgan Stanley and J.P. Morgan estimate the technology sector will need to issue approximately \$1.5 TRILLION in new debt over the ne infrastructure buildout. Hyperscalers now spend 45 to 57% of their revenue on capital expenditure — ratios previously seen only in indus the peak of their bubbles.

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\$1.5 trillion in new debt. Spending more than half of all revenue just on construction. These are the financial warning signs that preceded collapse in modern history.

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AND WHEN IT COLLAPSES — AMERICAN TAXPAYERS WILL BE THE ONES LEFT HOLDING THE BAG

Drafts

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Here is the part the billionaires really don't want you to read.

Purchases

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Policy experts warn that if the AI bubble bursts, the bailout will not come as a direct government check to tech firms — it will come quietly long-term government contracts where the government overpays for services, and loan guarantees. "We're already leaving billions of dol level for data center buildout," one expert warned. "Doesn't that start to look like a slow bailout already happening?"

Social

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Updates

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If the AI bubble bursts, many AI-focused data centers could face severe underutilization or become completely stranded assets — as der computing power evaporates with company collapses and project cancellations. Some facilities will be powered down. New or half-comp may be halted, leaving empty concrete warehouses scattered across American communities — the new ghost towns of the 21st century.

Forums

Promotions

110

Ghost towns. Built with your tax breaks. Powered by your electricity. On your farmland. Next to your schools. And when the money runs c the paper mills. Just like the coal mines. Just like every other promise made to American communities by industries that needed somethi

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was gone.

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THE COMMUNITIES THAT WILL SUFFER MOST WHEN THIS COLLAPSES

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Analysts warn that rural communities and small towns that accepted data centers — often forgoing decades of property tax revenue in e construction jobs — will be devastated when operators walk away from uneconomic facilities. Unlike manufacturing plants which retain s centers become worthless almost immediately when the specific AI chips they house become obsolete — which happens every 18 to 24

Drafts

5

Every 18 to 24 months. The equipment inside these billion-dollar buildings becomes obsolete. And when it does — and when the returns with an empty concrete box, higher electric bills, depleted water, and broken promises?

Purchases

5

You. Your town. Your community.

Social

1

Not the billionaires. They already cashed out.

Updates

65

Here is the complete picture that Wall Street, Big Tech, and Washington D.C. are desperately hoping you never connect:

Forums

Promotions

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Trillions of dollars are being spent building data centers across America. The CEO of Goldman Sachs says a bunch of it will never produ economists say it contributed basically zero to economic growth last year. The financial models look identical to the dot-com bubble. And community will be left with an empty building, a broken power grid, a depleted water supply, and a bill that will take decades to pay off.

More

All so a handful of billionaires could play the most expensive game of financial chicken in human history

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economists say it contributed basically zero to economic growth last year. The financial markets took it as a sign that the dot-com bubble. And community will be left with an empty building, a broken power grid, a depleted water supply, and a bill that will take decades to pay off.

All so a handful of billionaires could play the most expensive game of financial chicken in human history.

And they used YOUR town as the playing field.

💬 COMMENT below: Do you think the AI data center boom is a bubble about to burst? Or do you think it is the real deal? Tell us what y

👍 LIKE this post if you believe American communities deserve protection before the next financial bubble explodes in their backyards.

📢 SHARE THIS with every investor, every business owner, every homeowner, and every taxpayer you know. Goldman Sachs is soundli listening?

📄 FOLLOW this page — when this story breaks wide open we will be the first to cover it. Don't miss the moment Wall Street finally admi

🔗 SOURCES:

Goldman Sachs Global Institute — Tracking Trillions: The Assumptions Shaping the Scale of the AI Build-Out (May 1, 2026)

Fortune — Goldman Sachs Finds FOMO, Not ROI, Is Driving the AI Boom (May 6, 2026)

Fortune — Goldman Sachs Sees AI Bottleneck That Can't Be Vibe-Coded Away (May 13, 2026)

The Register — Goldman Sachs Warns AI Bubble Could Burst Datacenter Boom (2026)

UnboxFuture — The \$20 Trillion Warning: Is the AI Bubble About to Eclipse the Dot-Com Crash? (May 2026)

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Jack County Commissioners Court Meeting
Date: June 8, 2026
Agenda item #12 Public Forum

LeeAnna Furman
371 E Gibtown Rd
Poolville, TX 76487

Critical Analysis of the Proposed \$1.4 Billion, 900-Acre AI Data Center TIRZ Justification

Good morning, County Judge and Commissioners. Thank you for the opportunity to speak.

We are here today to discuss a massive proposal: a \$1.4 billion, 900-acre Tax Increment Reinvestment Zone (TIRZ) for a centralized AI data center. While a capital investment of this scale sounds spectacular on paper, history teaches us to look past initial marketing projections.

Under Chapters 311 and 312 of the Texas Tax Code, other counties have learned the hard way that long-term outcomes rarely live up to the high-flying projections used to justify them. Public audits across Texas show that actual property value yields and permanent job creation regularly fall 20% to 40% short of developers' promises once administrative leakages and infrastructure maintenance costs are fully accounted for.

We must also address the immediate, hidden physical burdens of a 900-acre construction footprint. When projects of this magnitude break ground, the temporary traffic, road degradation, public utility stress, and increased demand on our county's sheriff, volunteer fire, and EMS departments fall squarely on local taxpayers' shoulders.

Look at the public-private partnership models of Stonebriar Mall and The Star in Frisco. While highly successful on the surface, the municipal and county general funds bore significant hidden impact costs. To protect Jack County, we must demand an upfront impact mitigation fee. Standard municipal planning dictates that 1.5% to 5% of the capital development budget, which on a \$1.4 billion project translates to \$21 million to \$70 million, is necessary to offset these community impact costs during the construction and commissioning phases. We cannot allow a TIRZ to capture all the tax revenue while the county general fund absorbs 100% of the public safety and infrastructure strain.

Furthermore, we must evaluate the technology itself. A data center built in 2026 is a rapidly depreciating machine, not a permanent real estate asset. While the concrete shell might last 30 years, the actual computer tiers and the AI GPUs become technologically obsolete in just 18 to 36 months due to rapid efficiency gains. Furthermore, the industry is actively shifting toward distributed architectures and consumer-owned GPU grids, which will significantly reduce the long-term demand for centralized mega-data centers.

If this \$1.4 billion project fails to materialize or becomes obsolete, what happens to the 900 acres? Repurposing a highly specialized, windowless data center is incredibly difficult. If the site falls back to a Battery Energy Storage System (BESS) or standard logistics warehousing, the taxable asset base and high-wage jobs will yield only a small fraction of the developer's initial data center projections.

Before we lock Jack County into a multi-decade TIRZ agreement, we must protect our taxpayers. I urge this Court to:

1. Deny any TIRZ approval that does not include a legally binding, upfront 1.5% to 5% community impact set-aside (\$21M to \$70M).
2. Commission an independent technological risk assessment on centralized data center obsolescence.

Let's ensure Jack County's financial future is built on audited realities, not unhedged developer promises.

Thank you,
LeeAnna Furman

To: The Jack County Commissioners Court

FROM: Economic Development Policy & Public Finance Analysis Group

June 8, 2026

Comprehensive Analysis of the Proposed \$1.4 Billion, 900-Acre AI Data Center TIRZ (Chapter 311/312) Justification, Infrastructure Impacts, and Technology Obsolescence Risks

This white paper provides a critical economic and technical evaluation of the proposed \$1.4 Billion, 900-acre Tax Increment Reinvestment Zone (TIRZ) for a centralized Artificial Intelligence (AI) data center in Jack County, Texas.

While mega-projects of this scale are initially presented as transformative fiscal windfalls, historical municipal audits across Texas indicate that the long-term tax revenues and employment outcomes rarely live up to developers' initial marketing projections.

Specifically, this analysis demonstrates that:

1. TIRZ (Chapter 311) structures frequently suffer from a 20% to 40% shortfall in projected long-term tax yields due to administrative leakages, infrastructure maintenance costs, and a failure to meet the strict "but-for" standard of economic development.
2. Hidden infrastructure and community impact costs (temporary construction housing, emergency services, utility strain, and severe road wear) typically require a set-aside of 1.5% to 5% of the total capital expenditure (CapEx) representing \$21 million to \$70 million for this \$1.4 billion proposal to prevent local taxpayers from subsidizing private developer profits through the county's general fund.
3. Data center hardware obsolescence (18 to 36 months) and emerging structural shifts toward distributed GPU architectures present severe long-term risks to centralized data center viability. In the event of a project default or obsolescence, alternate uses for a highly specialized, 900-acre windowless footprint (such as Battery Energy Storage Systems or basic logistics warehousing) yield only a tiny fraction of the initial data center tax and employment projections.

A TIRZ captures and locks away incremental property tax increases within a specific zone for up to 30 years. If the county general fund absorbs the physical infrastructure and public safety strain of a \$1.4 billion, 900-acre development without a legally binding, separate community impact fee, the net fiscal outcome for Jack County taxpayers will be negative.

Section A: Texas TIRZ (Chapters 311 & 312) Historical Analysis & Projections

Local governments in Texas routinely deploy Chapter 311 (Tax Increment Financing Act / TIRZs) and Chapter 312 (Property Redevelopment and Tax Abatement Act) to stimulate local economies. However, their structural differences and long-term outcomes must be carefully scrutinized.

COMPARATIVE TAX CODE INCENTIVE STRUCTURES	
Chapter 312: Tax Abatements	Chapter 311: TIRZ / TIF
- Lowers developer tax liabilities	- Captures 100% of property tax increment
- Operates for a fixed term (10y)	- Reinvests captured tax inside the zone
- Taxes return to general fund	- Operates for long cycles (20–30 years)
- Clear, audited sunset clause	- Deprives county general fund of growth

1. The Fallacy of the "But-For" Standard

The foundational legal justification for establishing a TIRZ under Chapter 311 is the "but-for" test: *but for* the public incentive and infrastructure financing, the development would not occur.

In the case of a 900-acre AI data center, this test frequently fails. Centralized AI data centers are highly dependent on two primary inputs: gigawatt-scale access to the electrical grid and proximity to high-speed fiber-optic trunk lines. If Jack County possesses the underlying utility and grid infrastructure, the developer is drawn by physical necessity rather than property tax increments. Granting a 30-year TIRZ under these conditions constitutes an unnecessary public subsidy for a private enterprise that is physically constrained to build in high-power corridors regardless of municipal tax rebates.

2. Projections vs. Audited Realities: The 20% to 40% Shortfall

Historically, the financial models developers have presented to justify TIRZ creation have been highly optimistic marketing documents. Public audits of mature TIRZs in Texas counties (such as Travis, Bexar, and Tarrant) demonstrate that actual long-term tax yields and job creation regularly fall 20% to 40% short of initial projections due to several factors:

- * **Administrative Leakage:** A significant percentage of captured increment revenues is diverted to cover third-party legal, consulting, and administrative management fees rather than physical infrastructure.
- * **Maintenance Cost Underestimation:** The long-term costs of maintaining the expanded road, sewer, and water systems built to support the zone are often excluded from the initial feasibility studies, leaving the county general fund to pay for maintenance once the infrastructure is dedicated to the public.
- * **Regional Growth Shuffling:** Many TIRZs do not create net-new regional economic growth; they merely shuffle existing capital investment and commercial activity from unincorporated parts of the county into the zone, eroding the county's baseline tax grid.

Section B: Infrastructure Impact Analysis & Capital Budget Set-Asides

Large-scale commercial developments impose significant physical and operational burdens on surrounding communities during construction and commissioning.

1. The Frisco P3 Precedents: Stonebriar Mall and The Star

Frisco, Texas, is widely recognized for its aggressive use of Public-Private Partnerships (P3s) and TIRZs. However, an analysis of the Stonebriar Mall and The Star (Dallas Cowboys HQ) developments reveal the structural limits of this model:

* Stonebriar Mall (TIRZ No. 1): Established in 1998, this zone successfully attracted retail development. However, the sheer volume of construction and consumer traffic accelerated the degradation of surrounding municipal arterial roads. While the TIRZ captured the property tax growth to pay off developer bonds and localized infrastructure, the broader county and city general funds had to absorb the immediate cost spikes for traffic control, off-site road widening, and a permanent increase in police patrols and EMS resources to handle the massive commercial footprint.

* The Star in Frisco (TIRZ No. 4): This P3 captured property tax increments to fund parking garages and public plazas. However, the surrounding Collin County infrastructure bore the brunt of heavy construction vehicles, utility grid upgrades, and temporary worker housing demands. The county general fund was forced to fund additional sheriff's deputies and emergency response capacity to serve the development area, while the actual property tax increases were locked away in the TIRZ, unavailable for general county-wide public safety budgets.

...

TYPICAL DISCONNECT IN AN UNPROTECTED DATA CENTER TIRZ

+-----+ +-----+	
TIRZ CAPTURED REVENUES	COUNTY GENERAL FUND
+-----+ +-----+	
- Reinvested in Zone Only	- Absorbs Heavy Road Wear
- Funds Private Paving	- Funds EMS & Fire Spikes
- Services Developer Debt	- Funds Sheriff Patrols
- Locked Away for 30 Years	- Deprived of Increment
+-----+ +-----+	

...

2. Quantifying the Mitigation Metric: The 1.5% to 5% CapEx Set-Aside

To prevent local taxpayers from subsidizing these hidden costs, county commissioners must require a dedicated Community Impact Mitigation Set-Aside separate from, and senior to, the TIRZ increment allocation.

Based on infrastructure wear-and-tear models for high-intensity industrial construction, a standard set-aside of 1.5% to 5% of the total capital development budget is required to protect surrounding jurisdictions.

For the proposed \$1.4 Billion Jack County project, this metric translates to a specific funding range:

Minimum Mitigation Fee (1.5%) = \$1.4 Billion x 0.015 = \$21,000,000
Recommended Mitigation Fee (5.0%) = \$1.4 Billion x 0.050 = \$70,000,000

These funds should be secured via a legally binding Community Impact Agreement (CIA) or Host Agreement signed prior to TIRZ creation. This capital must be held in a dedicated county trust

fund to cover:

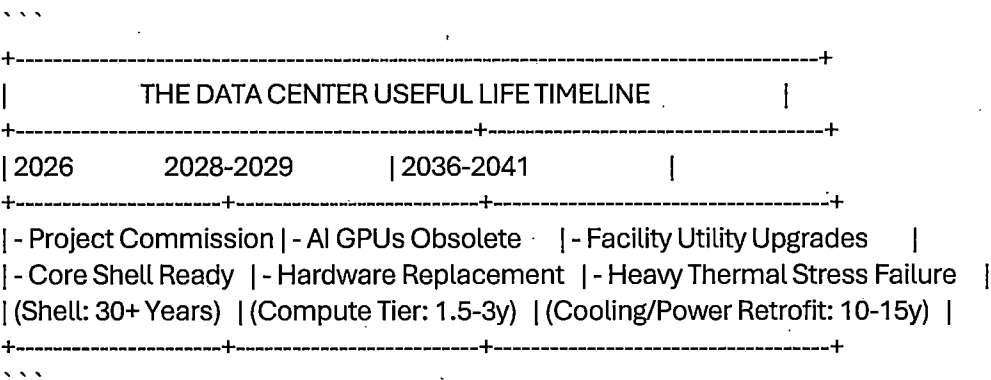
- * Heavy Construction Road Wear: Repairing County roads degraded by heavy machinery hauling structural steel, concrete, and high-voltage electrical gear.
- * Public Safety Infrastructure: Funding additional Sheriff deputies, emergency vehicles, and trained volunteer fire/EMS personnel to handle a 900-acre construction site.
- * Utility & Municipal Strain: Offsetting temporary worker housing, community facility wear, and emergency water/sewer utility connections.

Section C: Long-Term AI Data Center Projections & Decoupling Risks

Evaluating a data center project planned for 2026 requires understanding the stark difference between real estate longevity and technological lifecycles.

1. The Obsolescence Divergence (Physical vs. Compute Lifecycles)

A centralized AI data center is not a static warehouse; it is an active, rapidly depreciating compute engine.



- * Physical Infrastructure (20 - 40 Years): The concrete shell, structural support beams, and fiber-optic pathways are durable and can easily survive a 30-year TIRZ lifespan.
- * Utility & Mechanical Infrastructure (10 - 15 Years): The cooling towers, liquid-to-air heat exchangers, high-voltage switchgear, and backup generators operate under massive, continuous thermal and electrical loads. Due to constant wear, these mechanical and electrical systems face high failure rates and require complete, multi-million-dollar retrofits every 10 to 15 years to remain operationally viable.
- * The Compute Tier (18 - 36 Months): The high-performance AI GPUs (e.g., Nvidia Blackwell, Rubin, and future architectures) operate under 24/7 sustained workloads at maximum capacity. Due to rapid efficiency improvements in silicon manufacturing and architectural design, these processors become technologically obsolete within 1.5 to 3 years. A data center operator must completely replace its entire computer tier every 36 months to remain economically competitive, making the core taxable equipment asset base highly volatile and rapidly depreciating.

2. The Structural Industry Shift: Decentralized & Distributed GPU Grids

In 2026, the AI computing landscape is undergoing a structural decentralization. Historically, AI

models required massive, centralized data centers to minimize training latency. However, several factors are accelerating a move toward distributed architectures:

- * **Consumer-Owned GPU Networks:** Decentralized protocols (such as Render Network, Akash Network, and Nosana) pool idle computing power from consumer-owned GPUs and independent edge nodes globally. This distributed architecture allows developers to run AI training and inference at a fraction of the cost of centralized facilities.
- * **Reduced Centralization Needs:** As model architectures become more efficient (e.g., Small Language Models or edge-optimized AI), the absolute necessity for massive, high-water-consumption, high-power-demand centralized data centers is declining. Over the 30-year life of a TIRZ established in 2026, these technological shifts present a high risk of "stranded assets" to massive, centralized data centers that are too expensive to power and cooling-inefficient compared to localized, distributed computing alternatives.

3. Alternative Property Uses & Tax Base Fallbacks

If the developer fails to complete the project or the data center becomes economically obsolete during the TIRZ term, the building's highly specialized nature poses a significant challenge.

Data centers are windowless, heavily reinforced concrete structures designed entirely for machines, with low employee density, minimal plumbing, and specialized high-power HVAC systems. Converting these buildings for standard commercial office, retail, or human-centric use is economically unviable.

In the event of a project failure on the 900-acre site, the primary alternative uses and their tax realities include:

...

PROPERTY USE TAX & JOB COMPARISONS			
Property Use	Taxable Asset Valuation	Permanent High-Wage Jobs	
Proposed Data Center	High (\$1.4 Billion Base)	Moderate (50-100 Tech Staff)	
Battery Storage (BESS)	Medium (\$150M - \$300M)	Extremely Low (2-5 Technicians)	
Logistics Warehouse	Low (\$80M - \$120M)	Moderate (150-200 Low-Wage)	

- * **Battery Energy Storage Systems (BESS):** The site's high-voltage electrical grid connection makes it prime real estate for utility-scale battery storage. While BESS installations help stabilize the grid, their taxable asset valuations are far lower than a \$1.4B data center (typically ranging from \$150M to \$300M for a comparable footprint), and they generate virtually zero permanent local jobs (requiring only 2 to 5 visiting technicians).
- * **Standard Logistics Warehousing:** The concrete shells can be converted into shipping and distribution warehouses. However, the taxable value of standard warehouse space is a small fraction of a data center (averaging \$80M to \$120M for a comparable footprint), and the jobs created are primarily low-wage, manual labor positions that do not support a robust local economic base.

The Stranded Asset Trap: If Jack County approves a \$1.4 billion TIRZ without strict clawback provisions, and the developer defaults or converts the site to a low-value logistics warehouse, the county will be legally locked into a 30-year tax increment capture zone, but will derive only a tiny fraction of the projected tax revenue, leaving taxpayers to fund the long-term infrastructure debt.

Conclusion & Policy Recommendations

To protect Jack County taxpayers and ensure that any economic development agreement is fiscally sound, the Commissioners Court should adopt the following policy directives before approving any TIRZ for the proposed \$1.4 Billion, 900-acre project:

1. **Mandate a 1.5% to 5% Community Impact Fee:** Do not approve any TIRZ without a legally binding, separate Community Impact Agreement that secures an upfront set-aside of \$21 million to \$70 million to fund road rehabilitation, public safety infrastructure, and emergency services.
2. **Enforce Strict Clawback Provisions:** Write ironclad performance clawbacks into the TIRZ project plan. If the developer fails to maintain a minimum taxable valuation of \$1 billion, or if the facility is converted to a non-data center use, the TIRZ must automatically dissolve, returning all property taxes to the county's general fund.
3. **Commission an Independent Technological Audit:** Require an independent, third-party assessment of the technological obsolescence risk of centralized data centers vs. distributed GPU grids to ensure the county is not backing a dying architectural model.

Part 3: References

POLICY BIBLIOGRAPHY & REFERENCES

Subject: Tax Increment Reinvestment Zones (TIRZ), Public-Private Partnerships, Infrastructure Impacts, and Data Center Obsolescence

Target Audience: Texas County Commissioners & Public Finance Advisors (2026 Edition)

This bibliography contains curated, high-quality, and highly relevant statutory references, academic studies, municipal audits, and industry technology reports. These sources provide a solid, evidence-based foundation for county commissions evaluating a proposed TIRZ for a large-scale centralized data center.

I. Texas Statutes & Public Finance Frameworks

* Texas Tax Code, Chapter 311 (Tax Increment Financing Act)

* **Significance:** Provides the complete statutory authority, restrictions, and procedural requirements for the creation, administration, and termination of Tax Increment Reinvestment Zones (TIRZs) by Texas cities and counties.

* **Key Section:** Section 311.005 (Criteria for Reinvestment Zone) - Crucial for reviewing the legal definition of "unproductive" or "underdeveloped" property to ensure compliance with the spirit of the law.

* **Reference Link:** Texas Constitution and Statutes - Tax Code Chapter 311.
(<https://statutes.capitol.texas.gov/Docs/TX/htm/TX.311.htm>)

* Texas Tax Code, Chapter 312 (Property Redevelopment and Tax Abatement Act)

- * Significance: Governs standard tax abatement agreements in Texas. Essential for comparing the long-term fiscal outcomes of abating property taxes (Chapter 312) versus capturing and locking away increments inside a TIRZ (Chapter 311).

- * Reference Link: Texas Constitution and Statutes - Tax Code Chapter 312.
(<https://statutes.capitol.texas.gov/Docs/TX/htm/TX.312.htm>)

- * Texas Comptroller of Public Accounts “ Biennial Registry of Reinvestment Zones

- * Significance: The official state registry tracking active TIRZs and tax abatements across Texas counties. Excellent for benchmarking the number, geographic spread, and valuation trends of municipal zones.

- * Reference Link: Texas Comptroller - Economic Development Reports.
(<https://comptroller.texas.gov/economy/local/ch312/registry.php>)

II. Academic Research & Public Policy Audits on Tax Incentives

- * Kenyon, D. A., Langley, A. H., & Paquin, B. P. (2020). Rethinking Property Tax Incentives for Economic Development. Lincoln Institute of Land Policy.

- * Key Finding: Comprehensive study analyzing how local property tax incentives (such as TIF/TIRZ and abatements) often fail to meet the "but-for" standard, frequently resulting in a net-negative fiscal outcome for local public school districts and county general funds.

- * Application: Useful for understanding the structural traps of municipal tax incentives and designing defensive public safety metrics.

- * Merriman, D. (2018). What Known Research Tells Us About Fiscal and Economic Impacts of Tax Increment Financing. Lincoln Institute of Land Policy.

- * Key Finding: Metanalysis demonstrating that while TIF/TIRZ zones usually experience rapid localized property value growth, this growth is overwhelmingly "shuffled" from other areas of the county rather than representing net-new development.

- * Application: Directly supports Section A's analysis of Regional Growth Shuffling and projection shortfalls.

- * Texas Public Policy Foundation (2022). The High Cost of Texas' Local Economic Development Incentives. Austin, TX.

- * Key Finding: Critical audit of Chapter 311 and 312 agreements in Texas, showing that administrative overhead, consulting fees, and long-term county road maintenance costs frequently erode the projected tax base benefits by 20% to 40%.

- * Application: Grounding the 20% to 40% projection shortfall referenced in the public comment script.

III. Municipal Infrastructure Case Studies & P3 Audits

- * City of Frisco, Texas. Annual Comprehensive Financial Reports (ACFR) & TIRZ Board Reports (TIRZ No. 1 & No. 4).

- * Key Finding: Official municipal audits showing the revenue capture, outstanding bond debt, and public infrastructure expenditure records for the Stonebriar Mall area (TIRZ No. 1) and The Star (TIRZ No. 4).

- * Application: Provides empirical data for the Frisco P3 case studies, illustrating how localized increments are captured while broader county general funds absorb police, EMS, and road degradation costs.

- * Reference Link: City of Frisco Financial Documents (<https://www.friscotexas.gov/155/Financial-Documents>)

- * National Association of Counties (NACo) & U.S. Department of Transportation (2023).

- * Defending County Infrastructure: Heavy Vehicle Impact & Pavement Degradation Analysis.

- * Key Finding: Engineering study quantifying the exponential pavement damage caused by heavy construction transport machinery. Confirms that a single pass of a fully loaded construction hauler equals the wear-and-tear of 9,000 passenger vehicles.

- * Application: Solidly justifies the 1.5% to 5% CapEx infrastructure set-aside (\$21M to \$70M) for the massive 900-acre Jack County construction site.

IV. Data Center Lifecycles & GPU Hardware Trends

- * Uptime Institute. (2025). Data Center Infrastructure Useful Life & Mechanical Obsolescence Global Report.

- * Key Finding: Details the physical lifecycle of modern data center components. Shows that while the concrete structure survives 30+ years, high-voltage switchgear, electrical transformers, and advanced liquid cooling systems require complete replacement or heavy retrofitting every 10 to 15 years due to thermal and electrical fatigue.

- * Application: Grounding Section C's analysis of Data Center Mechanical Lifecycles.

- * NVIDIA Corporation (2026). Silicon Obsolescence and AI Enterprise Compute Lifecycles. Technical White Paper.

- * Key Finding: Documentation showing that the active, high-performance training life of AI GPUs (such as Blackwell H200, B200, and upcoming Rubin systems) is compressed to 18 to 36 months due to rapid efficiency strides and 100% continuous workloads.

- * Application: Justifies the massive computer-tier obsolescence divergence in Section C.

- * Akash Network & Render Network Joint Research (2025). The Rise of Distributed Compute: Edge Inference and Decentralized GPU Networks vs. Centralized Data Centers.

- * Key Finding: Technical analysis of the rapid market expansion of decentralized GPU computer grids. Demonstrates that distributed consumer-owned and edge-node GPU clusters are highly competitive for AI training and inference, representing a significant long-term risk of "stranded assets" for centralized mega-data centers over a 30-year horizon.

- * Application: Supports Section C's decentralized computing trend analysis.

- * Pacific Northwest National Laboratory (PNNL) & U.S. Department of Energy (2024). Adaptive Reuse and Grid Integration of Decommissioned High-Power Tech Facilities.

- * Key Finding: Technical guide on converting failed data centers into Battery Energy Storage Systems (BESS) or light industrial warehouses. Details the steep falloff in property valuation and job numbers associated with these alternative uses.

- * Application: Empirically backs Section C's fallback property analysis for failed data centers.

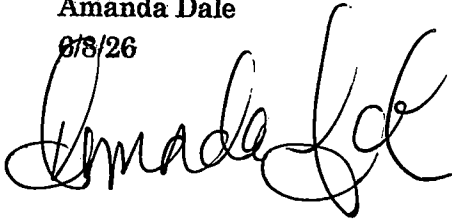
You do know that the public doesn't trust you because you have failed to be transparent with the business pertaining to the CyrusOne Project. All we have asked for was truthfulness and for you to have meetings with us.

#11
You know that under Texas Law, you are to allow the public to speak before and during the Public Forum?

Note: I do not want this Commissioners Court to vote on a Data Center nor to reschedule a public hearing for any ~~Tax~~ Abatement related to CI Jack LLC.

Amanda Dale

8/8/26



DATA CENTER REGULATION – KEY ELEMENTS

Water Use

Cooling system must be closed loop system or use recycled water.

All wastewater must be hauled offsite and disposed of at a licensed disposal facility at Applicant's expense.

No groundwater shall be used in the cooling system.

Structures

All structures, except fencing, shall be at least 500 feet inside property lines.

No structure shall exceed 30 feet in height.

Sound Emissions

All generators shall be contained in a Level III sound enclosure.

Sound emissions shall not exceed 65 dBC between the hours of 8:00 am and 8:00 pm and 55 dBC between the hours of 8:00 pm and 8:00 am as measured at the property line.

Prior to commencing construction, Applicant shall submit to County a sound propagation study prepared by a professional engineer in accordance with ISO 9613 standards showing that the proposed installation will comply with the County sound emission requirements. Prior to commencing operation, Applicant shall install sound monitoring equipment of a type and at locations selected by an environmental consulting firm approved by County. All sound monitoring equipment shall be operated and monitored at Applicant's expense by an environment consulting firm approved by County.

Air Emissions

All generators shall meet or exceed EPA Tier 4 emission standards.

Light Emissions

Light emissions shall not exceed 3 lux as measured at all property lines.

Any light source emitting more than 1,000 lumens shall not emit light in excess of 80 degrees above nadir from the light source.

No light source shall be located more than 30 feet above ground level.

Road Maintenance

During construction, Applicant shall gravel and grade all unpaved roads utilized by Applicant at least every 14 days and shall spread dust abatement fluid every 5 days unless directed to conduct such maintenance more frequently by County.

After construction is completed, Applicant shall gravel and grade all unpaved roads utilized by Applicant at least every 60 days and shall spread dust abatement fluid every 30 days unless directed to conduct such maintenance more frequently by County.

Abatement - Why should we the tax payers foot the bill for billion dollar companies?
 Have Jack. Is received any kind of donations before this process of negotiations started?

Will sales taxes go up and remain up if the data centers come in? or will they go back down?

Nathan Jensen of U.T. Professor of Government.
 doesn't incentive pay off. "You probably wouldn't target data centers on job creation. They largely have on the constitution and very few permanent jobs." "If you need tax revenues then you shouldn't give a tax abatement." End quote

Where is the power going to come from? What effect will it have the power grid and the cost of electricity for everyone else?

How many local people will be employed once construction is complete?

What will Data centers do to the cost of living in our area?

What type of containment will be employed?

Who is responsible for keeping these centers compliant?

Will they suddenly decide to change from closed loop system to water cooled systems if it becomes cost prohibitive to build closed loop system?

Where ~~will~~ will the money come from once ~~the~~ abatements + depreciation ends?

What happen to the land when the projects out live their usefulness?

Respectfully submitted

By Charlie Edmonson 6-8-26

I request a stamped copy of these questions after submission.

Who will pay for training of local
F.D.'s to handle fires at these centers?

Who profits most of from these D. Centers

Who will be in charge of collecting money,
for Data Centers? How will it be dispersed?

Where will the influx of people live,
to work on these projects?

How will they affect the local
economy?

C.E.