

RE: TEA information request Itasca ISD

From: Shutey, Theresa (theresa.shutey@tea.texas.gov)

To: jeffm.tca@yahoo.com

Date: Friday, September 8, 2023 at 09:52 AM CDT

Good morning and happy Friday!

I would like to confirm receipt of your attached documents and complete response. Thank you for the quick reply. You are certainly a very busy man!

Have a wonderful weekend,



Theresa Shutey

Investigator VI, Special Investigations Unit
Division of Compliance and Investigations
Office of Governance & Accountability



512-463-9667



Theresa.Shutey@tea.texas.gov

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From: jeffm.tca@yahoo.com <jeffm.tca@yahoo.com>

Sent: Thursday, September 7, 2023 10:26 PM

To: Shutey, Theresa <Theresa.Shutey@tea.texas.gov>

Subject: Re: TEA information request Itasca ISD

[EXTERNAL EMAIL]

Theresa,

I forgot to attach the following files regarding Itasca ISD.

Jeff

On Thursday, September 7, 2023 at 09:59:46 PM CDT, jeffm.tca@yahoo.com <jeffm.tca@yahoo.com> wrote:

Theresa,

Please see my responses to the questions you asked in the email.

I have a few questions that are popping to mind as I review documents from Itasca ISD.

1. Did you happen to report your concerns with the Chapter 313 Agreement contract and delayed construction/operation of the Files Valley Solar farm to the Texas Comptroller's Office? No, I did not make any contact with the comptroller's office. At the time I made the request and even at this time there are questions regarding who has the final authority and jurisdiction regarding Chapter 313 agreements. I and other taxpayers are currently pursuing this matter. There are questions regarding the relationship between landowners, school officials, public leaders and solar companies whose signatures are on the contracts that have been signed to date. Our concerns and steps taken have not been made known publicly at this time. One other issue regarding the comptroller's office is their position on Performance Contracting. The comptroller's office has refused to answer letters and request going back many years pertaining to several of the school districts where fraud and corruption has occurred with bad energy contracts. As I mentioned in previously fraud and corruption is widespread regarding Performance Contracting. At this time, I would rather not discuss anything with them. The comptroller's office is one of the agencies in Texas being called out in the cases we are pursuing in court.
2. I recall you mentioning that you were not allowed to speak at Board Meetings. Is that accurate? If so, please provide details regarding your attempts to speak during Public Forum and the District's denial of that request. On April 10th, I attended a board meeting to ask the board specific questions pertaining to the Chapter 313 agreements that were signed by district leaders. My attempt to ask questions and receive answers were completely shut down by the board. The board has not been cooperative from the beginning and when the first requests were made to gain copies of the information regarding the energy contract, they signed in 2016 with I-Deal Impact. At this time Mr. Stevens was still the superintendent at the district.
3. On May 1, 2023, you signed a USPS Certified Mail Receipt confirming you received the District's request for clarification to your April 13, 2023, open records request mostly related to Chapter 313 Agreements. Did you submit to the District the clarification that was requested? If so, please provide documents relate to your reply. I did not respond to the letter that was sent. At that time, I was still gathering more information pertaining to the (3) Chapter 313 agreements. After talking to many other taxpayers regarding a district's ability to enter into and sign contracts worth \$965 mil dollars without the public even knowing it is happening has gained the attention of many taxpayers. Due to the arrest of Mr. Stevens on June 1st and the changes in the district taxpayers have delayed our challenges with the district until we have consulted with legal counsel to represent us.

I will be meeting and talking with lawyers over the next couple of weeks regarding Chapter 313 agreements executed by other districts in Hill County. It appears on the surface school boards lack the knowledge and experience to negotiate the terms of these contracts. The Itasca ISD has left hundreds of millions of dollars of eligible taxable property value(s) from solar farms on the table and have not fairly represented the taxpayers of the district. Because these contracts and negotiations are not made public through the media or papers taxpayers do not even know what is going on. I have talked to dozens of taxpayers in Itasca and not a single person even knew what I was talking about! School districts have too much power and control regarding school finances and taxpayer money.

I have been researching and studying the statutes that pertain to Chapter 313 agreements. It is very clear the Itasca ISD did not know how to bargain fairly for the taxpayers of their district. It appears the landowners and solar companies are the ones who came out on top. We are also finding out other districts in several counties have followed suit with Itasca ISD.

What we are trying to stop is school districts from leveraging school bond programs with projected tax revenues from solar farms that are years away from being completed like the Itasca ISD has done. I spoke with the Hill County tax appraiser Mr. Mike Mckibben last week and at this time it appears not a single penny has been collected from a solar farm in Hill County to date. It will most likely be 2024 before tax revenues are realized. What the Itasca ISD advertised in 2021 and 2022

regarding the bond program was based on speculation and a contract that expired in December 2021.

I hope this information answers your questions. Please contact me if you need anything else or I can help.

Jeff Mashburn

Email: jeffm.tca@yahoo.com

Cell: 817-983-3641

On Thursday, September 7, 2023 at 07:54:16 PM CDT, Shutey, Theresa <theresa.shutey@tea.texas.gov> wrote:

Good afternoon, Mr. Mashburn,

I have a few questions that are popping to mind as I review documents from Itasca ISD.

1. Did you happen to report your concerns with the Chapter 313 Agreement contract and delayed construction/operation of the Files Valley Solar farm to the Texas Comptroller's Office?
2. I recall you mentioning that you were not allowed to speak at Board Meetings. Is that accurate? If so, please provide details regarding your attempts to speak during Public Forum and the District's denial of that request.
3. On May 1, 2023, you signed a USPS Certified Mail Receipt confirming you received the District's request for clarification to your April 13, 2023, open records request mostly related to Chapter 313 Agreements. Did you submit to the District the clarification that was requested? If so, please provide documents relate to your reply.

I appreciate your willingness to help bring clarity to this matter. I will be sure to continue to reach out with further questions.

Respectfully,



Theresa Shutey

Investigator VI, Special Investigations Unit
Division of Compliance and Investigations
Office of Governance & Accountability



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From: Shutey, Theresa

Sent: Wednesday, August 9, 2023 9:42 AM

To: jeffm.tca@yahoo.com

Subject: RE: TEA request to interview

Good morning, Jeff,

This is very much appreciated! Thank you again for your willingness to be a resource.

Warm Regards,



Theresa Shutey

Investigator VI, Special Investigations Unit
Division of Compliance and Investigations
Office of Governance & Accountability



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Theresa.Shutey@tea.texas.gov

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From: jeffm.tca@yahoo.com <jeffm.tca@yahoo.com>
Sent: Tuesday, August 8, 2023 10:49 PM
To: Shutey, Theresa <Theresa.Shutey@tea.texas.gov>
Subject: Re: TEA request to interview

[EXTERNAL EMAIL]

Theresa,

I have attached a follow up letter regarding our phone conversation on Monday to recap what we discussed.

Please contact me if you have any questions or need anything else from.

Thanks,

Jeff

On Thursday, August 3, 2023 at 08:46:27 PM CDT, Shutey, Theresa <theresa.shutey@tea.texas.gov> wrote:

Thank you, Jeff!

I appreciate you being available for me. Monday, August 7, 2023, from 1:30 – 2:30 PM CST is perfect. We may have another investigator or two joining us on the call as well. I look forward to speaking with you.

Regards,



Theresa Shutey

Investigator VI, Special Investigations Unit
Division of Compliance and Investigations
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From: Jeffery Mashburn <jeffm.tca@yahoo.com>
Sent: Thursday, August 3, 2023 3:46 PM
To: Shutey, Theresa <Theresa.Shutey@tea.texas.gov>
Subject: Re: TEA request to interview

[EXTERNAL EMAIL]

Theresa,

I can be available at 1:30 PM on Monday, the 7th.

Please confirm if this time works for you. My cell number is:817-983-3641

Look forward to discussing and updating you regarding Itasca ISD.

Thanks,

Jeff

Sent from my iPhone

On Aug 3, 2023, at 3:13 PM, Shutey, Theresa <Theresa.Shutey@tea.texas.gov> wrote:

Greetings,

This message is for Jeff Mashburn. My name is Theresa Shutey and I am an Investigator with the Special Investigation Unit (SIU) for TEA. I am the assigned investigator to the complaint you filed with TEA on April 17, 2023 regarding Itasca ISD. I would like to set up an appointment to speak with you by phone to gather additional information. Early next week would be ideal if that works with your schedule. My calendar is open during the following times:

1. Monday, August 7, all day
2. Tuesday, August 8, 11:00 – 4:00 CST
3. Wednesday, August 9, 8:00 – 12:00 AM CST

Please let me know a 1-hour time slot that would be convenient for you. In addition, please confirm that 817-983-3641 would be a good number to reach you.

Thank you for your time and cooperation on this matter. I look forward to discussing this further with you.

Warm Regards,



Theresa Shutey

Investigator VI, Special Investigations Unit
Division of Compliance and Investigations
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