**The State of Texas §**

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**County of Edwards §**

**BE IT REMEMBERED** that on this 9th day of August, 2016, at 9:00 o’clock a.m. there came on and was held in the City of Rocksprings, Edwards County, Texas, at the Edwards County Courthouse therein, a Regular Open Meeting of the Commissioners’ Court of Edwards County, Texas. The Proposed Agenda for this Regular Open Meeting of the Commissioners’ Court of Edwards County, Texas was posted on August 5, 2016 at 1:49 o’clock p.m.

Present were:

Honorable William Epperson, Commissioner of Precinct One

Honorable Lee Sweeten, Commissioner of Precinct Two

Honorable Matt Fry, Commissioner of Precinct Three, was absent

Honorable Andrew Barnebey, Commissioner of Precinct Four

Honorable Souli Asa Shanklin, County Judge

Honorable Olga Lydia Reyes, County and District Clerk

1. **Determination of quorum; Call to Order.** The Open Meeting was called to order at 9:01 o’clock a.m. by Judge Shanklin. The Pledge of Allegiance was recited. Kenneth Reed was asked to lead the Court in an opening prayer. The roll was then called by Clerk Reyes. All Commissioners, with the exception of Commissioner Fry, were present.

2. **Open Forum.** The following persons spoke in Open Forum:

**Lee Sweeten.** Commissioner Sweeten began the meeting by commending County and District Clerk Reyes for helping the County to attain the required reporting percentage rate of at least 90% completeness. County Attorney Moody, from the audience, spoke to the importance of attaining this reporting percentage as not reaching this percentage could lead to the loss of important grant opportunities for the County as well as the loss of Sec. 501(c)(3) status for local non-profit organizations.

**Diana Sue Calcott.** Mrs. Calcott addressed the Court with regards to the work done on CR 300. She reports that the work completed is wonderful and that Mr. Pena did everything he could to fix this road all the way to their water trough. Her issue today is that the road crew stopped repairs on the road at her house and didn’t finish the area from her home to the highway. She feels that this road work should be completed and is here today to speak on this as she does not have a commissioner that represents her interests on this road; Mr. Sweeten is her commissioner but Mr. Barnebey is the commissioner for the road. She is now asking for consideration of her request by all commissioners.

**Vann Calcott.** Mr. Calcott reports that the area from his house to Hwy. 55 has not been touched. The caliche is worn out and on either side there is a mound about a foot high. In places the road has no crown and, in some places, it slopes left or right; consequently, there are three places that the water comes down across the road and cuts it. He would like the road crew to remove the old worn out caliche so the water can drain off. He believes that a couple of loads of caliche can prevent this. If there is a big rain, this road is going to be cut in a bad way.

3. **Staff Reports.** No staff reports were presented in open court.

a. **Prior Minutes.** Commissioner Barnebey made the motion to approve the minutes from the July 12, 2016 meeting; Commissioner Sweeten seconded the motion. No Commissioner noting any opposition, the motion carried 5/0.

b. **Burn Ban.** The burn ban will be left in place. No action was taken.

c. **Discuss and/or take action to utilize the monies from line item 10-480-491 Detention Center tower to make a payment on COPsync of $20,000.00 and to create a new line item for the payoff of COPsync before July 1, 2017 in the amount of around $18,000.00 in the new budget. – Sheriff Elliott.** Judge Shanklin stated that the correct line items have been determined. He asked that his assistant disseminate this information to the Court. He stated that the Court was being requested to move the monies in Line Item #10-480-489 in the amount of $20,000.00 to line item #10-500-487. Commissioner Sweeten made the motion to move the amount of $20,000.00 in Line Item #10-480-489 to line item #10-500-487. Commissioner Barnebey seconded the motion. No Commissioner noting any opposition, the motion carried 4/0. Judge Shanklin continued by asking for a motion to transfer the amount of $2,300.00. Commissioner Sweeten made the motion to transfer the sum of $2,300.00 from line item #10-500-410 to line item #10-500-487; Commissioner Epperson seconded this motion. This money will be used to pay off the COPsync software in the amount of $20,779.43 to Schertz Bank & Trust. No Commissioner noting any opposition, the motion carried 4/0.

d. **Discuss and/or take action to create a line item for Stray Animals/Livestock under the Law Enforcement section.** Commissioner Barnebey made the motion to create a line item for Stray Animals/Livestock under the Law Enforcement section of the budget; Commissioner Sweeten seconded the motion. No Commissioner noting any opposition, the motion carried 4/0.

e. **Discuss and/or approve of election Judges for Republican Party for November 8th election. – Kathy Walker.**  Commissioner Sweeten made the motion to approve the Republican Party Judges for the November 8th election. Commissioner Barnebey seconded the motion. No Commissioner noting any opposition, the motion carried 4/0.

f. **Discuss and/or approve any needed changes to the Edwards County Sheriffs’ and Constables’ Fees, as required under Texas Local Government Code Section 118.131 – Olga Reyes.** The following changes will be made to the Sheriffs’ and Constables’ Fees:

Writs of Restitution will increase from $75.00 to $200.00 LS WE 4/0.

Writs of Garnishment will increase from $125.00 to $200.00

Orders of Possession will increase from $55.00 to $200.00

Injunctions will increase from $75.00 to $80.00

Temporary Restraining Orders will increase from $78.00 to $100.00

Posting Written Notices will increase from $40.00 to $80.00

Executing a Deed will increase from $78.00 to $80.00

Writs of Possession will increase from $150.00 to $200.00

Writs of Execution will increase from $175.00 to $200.00

Citation by Publication will increase from $75.00 to $80.00

Writ of Re-Entry will increase from $75.00 to $200.00

Writ of Attachment will increase from $75.00 to $200.00

Hauling/per load will increase from $75.00 to $80.00

Writ of Turnover Order will increase from $50.00 to $200.00

Protective Order (to be charged to Respondent) will increase from $50.00 to $80.00

Commission Sweeten made the motion to accept the increases in these fees as recommended by the Clerk; Commissioner Barnebey seconded the motion. No Commissioner noting any opposition, the motion carried 4/0.

g. **Discuss of the CHOMP Grant. – James Crockett.** The proposal that County Agent Crockett sent to the Commissioners (and that was discussed in Court) apportioned the total amount of grant funds that were approved ($12,500) into the following intended expenditures:

Aerial Hunting: $7500 or 70% of the grant money (will abide by trappers recommendations as to location)

Box Traps (4’ x 6’): 10 traps for $3750 or 20% of the total grant money (4’ X 6’)

Hog tail bounties: $1250 or 10% of the total grant money

Commissioner Sweeten made the motion to accept the proposal for expenditures under the CHOMP grant as presented by County Agent Crockett. Commissioner Epperson seconded the proposal. No Commissioner noting any opposition, the motion carried 4/0.

h. **Set time and date for Budget Workshop. – Commissioner Sweeten.** Commissioner Sweeten made the motion to set the time and date of the Budget Workshop at 9:00 a.m. on Thursday, September 18th. The location has yet to be determined due to a possible setting of JP Court. It will be listed on the agenda, but it will either be in the County Courtroom or the District Courtroom. Commissioner Barnebey seconded the motion. No Commissioner noting any opposition, the motion carried 4/0.

I. **Discuss and/or approve to extend the probationary time for Michael Simpson to obtain his CDL. – Judge Shanklin.** Commissioner Fry travels the roads in our County probably more than anyone else due to his job. He has seen Mr. Simpson’s work and he is impressed with his work. Commissioner Sweeten concurs and made the motion to extend the probationary time for Michael Simpson by 60 days to obtain his CDL. Commissioner Epperson seconded the motion. No Commissioner noting any opposition, the motion carried 4/0.

j. **Discuss quotes for the dental and vision benefits to consider, as well as a 3% reduction off both the dental and vision of the initial renewal proposed by current carrier Guardian. – Judge Shanklin.** Commissioner Sweeten made a motion that we allow employees to make their own choice of dental and vision benefit providers. This will be presented to the employees at the time of open enrollment. Commissioner Barnebey seconded the motion. No Commissioner noting any opposition, the motion carried 4/0.

k. **Consider and Act upon matters regarding the Edwards County Transportation Infrastructure Grant – Carl Esser.** The Road Department has completed their work on CR 300. There is still some work to be done on CR 390. We have about $5,000 left in the engineering fund to spend. After some discussion, Commissioner Sweeten asked if this $5000 surplus could be spent on culverts? Esser responded in the affirmative. Commissioner Sweeten made the motion to allow the County Judge to approve the purchase of culverts with these surplus funds and to send this information to TxDOT. Commissioner Barnebey seconded the motion. No Commissioner noting any opposition, the motion carried 4/0.

l. **Consider and Act upon matters regarding the Edwards County TxCDBG 7214177 Barksdale Water Well Grant. – Carl Esser.** Esser stated to the Court that slow progress was being made with regards to this grant. TDA required the County to be in compliance with the 12 month rule. This meant that 50% of the grant funds were to be obligated by September 1st of this year. We concluded that we could not drill the well on the land that the Barksdale Water Well Company proposed as there was not enough space there. Since then, negotiations have started to purchase an acre of land to next to the initial property considered for this project. The new landowner seems to be very cooperative. Since moving right across the fence, we had to restart the process from zero. We are not going to meet the September 1st deadline and we are subsequently requesting consideration for one more extension of the time required to meet the 12 month rule; we still feel like we can meet the end date of January 9th. Esser has created a letter on behalf of the County to TDA in this regard that summarizes what has been done and what is yet to come. Esser recommends that the County approve this letter and he will send it to TDA this afternoon. Commissioner Sweeten made the motion to approve asking for an extension of the September 12 deadline for compliance with the TxCDBG 7214177 Barksdale Water Well Grant. Commissioner Barnebey seconded the motion. No Commissioner noting any opposition, the motion carried 4/0.

m. **Consider and Act upon authorization to request Statements of Qualifications from consultants/firms for Professional Administration & Professional Engineering Services for TxCDBG projects. – Carl Esser.** Esser informed the Court that the deadline to request these statements is in February 2017. There has been some discussion about doing some more improvements out at the Fairgrounds, possibly. HUD is recommending that entities submitting grant applications procure their professional services well before the deadline. Commissioner Sweeten made the motion to approve requesting Statements of Qualifications from consultants/firms for Professional Administration & Professional Engineering Services for TxCDBG projects. Commissioner Barnebey seconded the motion. No Commissioners noting any opposition, the motion carried 4/0.

n. **Consider and Act upon Resolution for LBSP FY 2017 Grant. – Carl Esser.** The County has a preliminary funding announcement from the Governor’s office for the LBSP Grant for 2017. This Resolution is for enhanced patrol activities by the Sheriff’s Depart. The grant amount is $11,000; the funds are on hold until September 1, 2016 and until the County submits a resolution. Judge Shanklin stated that this would cover overtime. Commissioner Epperson made the motion to approve a Resolution for LBSP FY 2017 Grant; Commissioner Sweeten seconded the motion. No Commissioner noting any opposition, the motion carried 4/0.

o. **Consider and Act upon other matters in regards to current projects and/or funding opportunities.** Esser discussed the contract between the Attorney General’s office and Edwards County in the amount of $5,000 for the SAVNS grant. Upon inquiry from Epperson, Shanklin stated that is a victim notification grant that is used for purposes of notifying victims of crime when their perpetrator is released from incarceration. Commissioner Barnebey brought up the fact that this item is not specifically listed on the agenda. Shanklin stated that this is an ongoing grant that is utilized by the county and approval is sufficient under the wording. Commissioner Epperson made the motion to approve the SAVNS grant contract; Commissioner Sweeten seconded the motion. No Commissioner noting any opposition, the motion carried 4/0.

The court then went on to consider the submission of the application for the TCEQ grant for emergency services. This grant will allow for purchase of items for the local emergency operation center or any necessary upgrades that may need to be made to the center. Commissioner Sweeten made the motion to approve submission of the application for the TCEQ grant for emergency services; Commissioner Barnebey seconded the motion. No Commissioner noting any opposition, the motion carried 4/0.

5. **New Business.** No new business was discussed by the court.

6. **Set time and date for next regular time.** The next regular, open meeting of the Edwards County Commissioner’s Court will be on the second Tuesday of September, 2016 (September 13, 2016) at 9:00 a.m. The next budget workshop will be on the 18th day of September, 2016.

7. **Pay bills.** Commissioner Sweeten made the motion to pay bills. Commissioner Barnebey seconded the motion. No Commissioner noting any opposition, the motion carried 4/0.

 8. **Adjourn.** Commissioner Sweeten made the motion to adjourn this regular, open meeting of the Edwards County Commissioner Court. No Commissioner noting any opposition, the motion carried 4/0. The meeting was adjourned at 10:15 A.M.

 APPROVED:

 SOULI ASA SHANKLIN

 Edwards County Judge

Attest:

OLGA LYDIA REYES

Edwards County and District Clerk