**The State of Texas §**

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**County of Edwards §**

**BE IT REMEMBERED** that on this 28th day of October, 2016, at 10:00 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 Special Open Meeting of the Commissioners’ Court of Edwards County, Texas. The Agenda for this Special Open Meeting of the Commissioners’ Court of Edwards County, Texas was posted on October 26, 2016 at 8:23 o’clock a.m.

Present were:

Honorable William Epperson, Commissioner of Precinct One

Honorable Lee Sweeten, Commissioner of Precinct Two

Honorable Matt Fry, Commissioner of Precinct Three

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 10:03 o’clock a.m. by Judge Shanklin. The roll was called by Clerk Reyes. All Commissioners were present. The Pledge of Allegiance was recited.

2. **DELIBERATE, CONSIDER and/or TAKE ACTION ON ANY OF THE FOLLOWING:**

a. **Discuss and take action to approve purchase of IronWolf 1040 Crusher. – Commissioner Fry.** Judge Shanklin stated that the bids had been sent out. Everyone also got a copy of the Treasurer’s report with the fund balances remaining at the end of our last fiscal year. (A copy has been filed with these minutes.) He also stated that we have CERTZ funds coming in: about $18,000 left over from projects in Pct. 3 and about $30,000 left over from the FEMA grant. These funds will be moved over into reserves.

Judge Shanklin stated that Bo Vandergriff, from IronWolf, was here to answer any questions. Commissioner Epperson stated that the County is now out two maintainers and a roller. Shanklin answered that we have received invoices for the maintainer and the roller. Those invoices have been sent to the state – this is part of the relief that we are applying; however, there is no guarantee that we’ll get anything. Epperson stated that in order to get relief, the Governor had to declare our area a “disaster.” Shankin said that we did not qualify for the FEMA grant, we did not meet their threshold. These invoices and our request for assistance was sent to TxDPS, not the Federal Government.

Commissioner Fry stated that he requested that this item be placed on the agenda because he wanted to revisit this topic since our Road Supervisor, Robert Pena, had come to him with this issue once again. Fry reasons that this machine will cost us an amount equivalent to a 7 months rental plan. (The proposal from IronWolf for the purchase of the 1040 Crusher/Cat 980C wheel loader that is currently on rent is $285,000. We are renting it for $40,000 for one month.) Commissioner Epperson asked about the funds to purchase this equipment. Both Shanklin and Sweeten stated that we had $515,000 in the R&B budget in checking and then there were additional funds in the savings account.

Epperson asked how many work hours the loader had. He was told it had 5,000 hours. However, almost every part in it was about 1-1/2 years old. It is a 2006 model but a lot of its parts have been replaced. Vandergriff stated that in its prior life, the loader had been clearing trees for the majority of its time. Epperson expressed his concern over how old the loader was. Shanklin countered that the County does not have enough money to purchase a brand new loader. A new loader without attachment would be in excess of $500,000. Commissioner Fry made the motion to approve the purchase of the IronWolf 1040 Crusher. Commissioner Sweeten seconded the motion.

Epperson stated that he has some questions and concerns. He is concerned that this is an older model and that in 2-3 years it will require maintenance and repairs. Sweeten stated that yes, the loader was older but almost every part in it had been replaced 1-1/2 years ago. Epperson asked if we just couldn’t find a new loader with attachments in San Antonio? Epperson asked Vandergriff what this loader would be worth in 2-3 years, with 1000-1500 work hours added each year? Shanklin stated that Vandergriff could only speak to his loader since he was not a Caterpillar representative. Vandergriff answered that Texas and Canada were IronWolf’s biggest markets for this type of equipment. The value of the loader would go down some but it would still have some trade-in value. Epperson asked what a conservative figure for the loss would be three years from now. Shanklin interjected that there wouldn’t be a loss, it would be a devaluation, because the machine would be making us money. Epperson then rephrased his question to what would the trade-in value of this machine be in three years. Sweeten stated that even if in three years, the trade-in value of the machine was $0 and we had put that many hours on it, it would still have saved us the amount of money that we expended on it in materials and hauling and labor. In three years, the machine would pay for itself.

Judge Shanklin stated that everyone had received an email from Carl Esser yesterday that stated that in Edwards County, which came to the conclusion that the material needed to repair one mile of a county road was approximately $66,000 a mile. (There are approximately 42 miles of damaged roads in Edwards County.) Epperson stated that he was not looking at these types of figures. The issue to Epperson is if this machine were sold in 3 years and the County got $150,000 for it, would we have enough money to buy another one? Barnebey asked if the County was going to get some insurance money on one of the machines that we had lost. Shanklin answered that yes, the County would be receiving about $90,000. This will help offset that price. Then, Barnebey asked, what else would need to be purchased? Shanklin answered that it would be a haul truck and trailer.

Judge Shanklin asked Clerk Reyes to poll the Commissioners on their vote to the currently pending motion made by Commissioner Fry. The votes were cast as follows:

Commissioner Barnebey: Aye

Commissioner Fry: Aye

County Judge Shanklin: Aye

Commissioner Sweeten: Aye

Commissioner Epperson: Abstained from voting.

The vote was then 4 to approve the purchase, 0 against the purchase, and one abstention.

b. **Discuss and/or take action to approve purchase of haul truck and trailer. – Commissioner Fry.** Both of these items have been located in Fort Hood, Texas. They will be sold together. Commissioner Fry made a motion to approve the purchase of this haul truck and trailer; Commissioner Sweeten seconded the motion. No Commissioner noting any opposition, the motion carried 5/0.

c. If above items approved, take action to amend Equipment line item to Road & Bridge Budget. – Lupe Enriquez. Commissioner Sweeten made the motion to move the combined amounts of the purchase price of the IronWolf loader and the haul truck and trailer from line item #26365 to the Road & Bridge budget; the motion was seconded by Commissioner Fry. No Commissioner noting any opposition, the motion carried 5/0.

3. **Time and Date of Next Meeting.** The date for the next open meeting of the Commissioner’s Court will be the 1st Tuesday of November, 2016 (November 1, 2016) at 9:00 o’clock a.m.

4. **New Business.** No new business was discussed.

5. **Adjourn.** Commissioner Barnebey made the motion to adjourn; the motion was seconded by Commissioner Sweeten. No Commissioner noting any opposition, the motion carried 5/0. The meeting adjourned at 10:22 o’clock a.m.

 APPROVED:

 SOULI ASA SHANKLIN

 Edwards County Judge

Attest:

OLGA LYDIA REYES

Edwards County and District Clerk