

The State of Texas

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County of Edwards

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BE IT REMEMBERED that on this 12th day of January, 2021, 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 Amended Agenda for this Regular Open Meeting of the Commissioners' Court of Edwards County, Texas was posted on January 7, 2021 at 3:24 p.m.

Present were:

Honorable Marty Graham, Commissioner of Precinct One

Honorable Lee Sweeten, Commissioner of Precinct Two

Honorable Matt Fry, Commissioner of Precinct Three

Honorable Kenneth Reed, Commissioner of Precinct Four, was absent

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 9:00 o'clock a.m. by Judge Shanklin. The Pledge of Allegiance was recited. The Court was led in prayer by Commissioner Fry. The roll was then called by Clerk Reyes. All Commissioners, with the exception of Commissioner Reed, were present.

2. **Open Forum.** Commissioner Lee Sweeten spoke regarding legislation regarding a proposed bill concerning firearms and the federal government's ability or inability to so regulate. County Judge Shanklin stated that a resolution regarding this issue would be forthcoming before the Edwards County Commissioners Court.

3. **Staff Reports.** There were no questions on the staff reports.

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

a. **Prior Minutes.** Commissioner Sweeten made the motion to approve the minutes from the December 8, 2020 meeting. Commissioner Fry seconded the motion. No Commissioner noting any opposition, the motion carried 4/0.

b. **Burn Ban.** Commissioner Sweeten made the motion to remove the burn ban but to give the County Judge the authority to reinstate it during the month, if needed. Commissioner Graham seconded the motion. No Commissioner noting any opposition, the motion carried 4/0.

c. **Discuss and Act upon the update of Rural Health Care changes for the Rocksprings Clinic. – Duke Young.** Judge Shanklin informed the Court that when the last CARES Act was signed into law, one of the issues that was gutted was the provisions dealing with the rural health care clinics. Duke Young also appeared before the Court to give an update on this issue. He informed the Court that the CARES Act that was signed included the Rural Health Care Clinic Modernization Act and that the final version of the Act had dramatically changed the reimbursement for new rural health clinics established anywhere. The existing rural health clinic in Junction that our local clinic would be affiliated with was grandfathered under the Act. As for our clinic, which has not yet been established, we were normally set to receive \$240-\$260 per visit and this amount is now capped at \$114 per visit. A medical economic index was built into the Act, so that in 5 years, this amount could potentially raise to \$185 a visit. This is still a big reduction from what was formerly in place. Therefore, the Kimble Clinic is having to repencil and readjust our clinic plans to make them work. They are exploring different models that might have some financial benefits that would go another route. Other models being considered include, but are not limited to, the establishment of a federal health care center or making our local clinic a department of the Kimble County Hospital, which is called a provider based clinic. Mr. Young is weighing all options to try to determine which provides more sustainability to start coming here. Also, with that bill just coming out and being over 5,000 pages in length, we are still trying to see which provisions apply to us. Sweeten asked if our terms with the Kimble Hospital would have to be renegotiated. Young confirmed that a bit of renegotiation would have to take place. Sweeten then suggested that we amend our previous agreement to waive

the amount of money they were paying Edwards County for rent and utilities under the lease. Commissioner Sweeten made the motion that the County waives the rent and utilities and that the County absorbs these costs. Judge Shanklin seconded the motion. No Commissioner noting any opposition, the motion carried 4/0. Judge Shanklin asked if the clinic was ready to open. Young replied that it was not as repairs were ongoing; it is projected that the opening day would be next Tuesday. Commissioner Sweeten asked that this opening be announced in the local Rocksprings newspaper and in the Canyon Broadcaster. Sweeten also went on to state that the federal government would rather give Pakistan money to support gender identification than to support rural health care clinics in the State of Texas.

d. Discuss and Approve replat exemption to sell ten acres belonging to Dale and Mary Stow – Commissioner Matt Fry. Commissioner Fry explained to the Court that Mr/Mrs. Stow own property in the Indian Gap subdivision which is off CR 630 on the far west side of the County. These people own 157-162 acres and their cut-off is right by a bluff. Now, their neighbor, which is outside the subdivision, has 40-42 acres and he would like the Stow's 10 acres that are behind the hill to get into his property. Fry has already consulted with County Attorney Moody who didn't see a problem with this because of the way the tracts were laid out. There is also a notarized letter from Ranch Enterprises that states they do not have a problem with a transaction either. Commissioner Fry made the motion to approve the replat exemption to sell the ten acres belonging to Dale and Mary Stow; Commissioner Sweeten seconded the motion to approve. No Commissioner noting any opposition, the motion carried 4/0.

e. Discuss and Act upon Replat of Holcomb Ranch tract 3A. – Benge Bushong. Commissioner Graham addressed the Court. He reported that Surveyor Bushong has previously shown him the map of the land in question that had already been platted. Bushong confirmed to the Court that this action item concerns the replat of a replat. This is a 1,300 acre original lot with about 300 acres off the south end. Commissioner Graham made the motion to approve the replat of Holcomb Ranch tract 3A. Commissioner Sweeten suggested that the County Attorney review the replat and approve the same before the Court voted

on the approval or disapproval of the Replat in question. Moody agreed and stepped out of the courtroom with Bushong to review the proposed replat. Moody reported that this is a preliminary plat. Sweeten then seconded Graham's original motion. No Commissioner noting any opposition, the motion carried 4/0.

f. Consider and Act upon Resolution authorizing submission of STONEGARDEN Grant Program Year 2020 – Edwards County's allocation \$131,136.45 – Carl Esser. Commissioner Sweeten made the motion to approve the Resolution authorizing submission of STONEGARDEN Grant Program Year 2020; Commissioner Fry seconded the motion. No Commissioner noting any opposition, the motion carried 4/0.

g. Consider correspondence Administratively Complete Letter from Texas of Agriculture for TxCDBG Contract No. 7218129 Fairgrounds Project – Carl Esser. Commissioner Sweeten made the motion to approve the correspondence Administratively Complete Letter from Texas of Agriculture for TxCDBG Contract No. 7218129 Fairgrounds Project; Commissioner Fry seconded the motion. No Commissioner noting any opposition, the motion carried 4/0.

h. Discuss and Act upon Resolution Relating to Opposition of Effort to Prohibit County Lobbying. – Commissioner Lee Sweeten. Commissioner Sweeten informed the Court that this resolution disallows public funds from being used for lobbying purposes. Sweeten is in disagreement with this effort and has drafted a Resolution in furtherance of this opposition.

Shanklin stated that State Representative Andrew Murr called him regarding the current position of the Texas Republican Party as it relates to 8 legislative priorities, one of which is banning taxpayer-funded lobbying. Shanklin informed the Court that the intent behind this position is not to go after entities like the Texas Association of Counties. He told Shanklin that the intent behind this effort is to deter the hiring of lobbying firms for hundreds of thousands of dollars. Commissioner Sweeten made the motion to approve the Resolution Relating to Opposition of Effort to Prohibit County Lobbying. Commissioner Fry seconded the motion. No Commissioner noting any opposition, the motion carried 4/0.

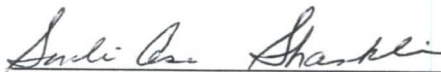
5. **New Business.** Judge Shanklin stated that there will be a special meeting of the Edwards County Commissioners Court on Friday, January 15, 2021 at 9:00 a.m. The main purpose of this meeting is to open bids for water hauling. The approval of the preliminary plat for the Holcomb Valley plat will also be on the agenda. Additionally, the approval of a new member of the Edwards County Historical Commission will also be on the agenda. 9:00 a.m.

6. **Set Time and Date for Next Meeting.** The next meeting of the Edwards County Commissioners Court is scheduled for the second Tuesday of February, 2021 (February 9, 2021).

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

8. **Adjourn.** Commissioner Sweeten made the motion to adjourn. Commissioner Graham seconded the motion. No Commissioner noting any opposition, the motion carried 4/0. This meeting of the Edwards County Commissioners Court was adjourned at 9:38 o'clock a.m.

APPROVED:



SOULI ASA SHANKLIN
Edwards County Judge

Attest:



OLGA LYDIA REYES
Edwards County and District Clerk

