

The State of Texas §

County of Edwards §

BE IT REMEMBERED that on this 14th day of May, 2024, at 9:00 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 Agenda for this Regular Open Meeting of the Commissioners Court of Edwards County, Texas was posted on May 9, 2024 at 1:07 p.m.

Present were:

Honorable Marty Graham, Commissioner of Precinct One
Honorable Steve Smith, Commissioner of Precinct Two
Honorable Matt Fry, Commissioner of Precinct Three
Honorable Mike Grooms, 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 9:00 o'clock a.m. by Judge Shanklin. The Pledge of Allegiance to the United States Flag and to the Texas State Flag were recited. The Court was led in prayer by Commissioner Fry. The roll was then called by Clerk Reyes. All Commissioners were present.

2. Open Forum. Judge Shanklin stated that all testimony given before this Court is testimony that is given before a court of record. If anyone misleads or outright tells falsehoods, they could be charged with and prosecuted for perjury. All testimony must be true and correct. With this being said, he opened the floor for comments.

Tamara Whitworth: Ms. Whitworth stated that she wanted to be here on behalf of Middle Rio Grande. She stated that they had helped so many people. In the summer, they have students that they send to be trained. She stated they have also had homes that have been weatherized and they have sent people here for community members to get assistance with all different types of programs. They

have held health fairs, and have assisted people with paying their water bills and electric bills. She fears that the elderly and people who are low-income will not get as much help as they do now. She really appreciates the Middle Rio Grande and she would like to stay with them.

Tiffany Whitworth: Tiffany Whitworth appeared to address the Court with regards to agenda items “j” and “k” regarding Community Action Month and Mental Health Awareness Month. She stated to the Court that she just became a certified community health worker in our area and she thanked the court for these agenda items and recognizing these needs.

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 Smith made the motion to approve the prior minutes from April 2024. Commissioner Graham seconded the motion. No Commissioner noting any objection, the motion carried 5/0.

b. **Burn Ban.** The burn ban is still in effect. Commissioner Grooms made the motion to allow Judge Shanklin the authority to change the status of the burn ban as needed. Commissioner Fry seconded the motion. No Commissioner noting any objection, the motion carried 5/0.

c. **Discussion of the 452nd Judicial District update from District Attorney Tonya Ahlschwede’s office in the Judicial District, and movement from MRG to the CVC.** Mrs. Ahlschwede appeared to address the Court. She stated that she wanted to reach out and explain what her limited role has been in trying to assist this Commissioners Court in making a decision in finishing a formal move from the Middle Rio Grande COG to the Concho Valley COG.

She started by stating that her office services five counties. Edwards County has skyrocketed to the top of the docket in the number of cases that are due to Operation Lone Star. With Operation Lone Star, there have been significant resources that have been impacted. In this regard, she has been able to assist the Border Prosecution Unit, which she is the Chair of, to assist counties all over the border, from El Paso to Brownsville. She has worked with a number of COGs. She went on to state that the Middle Rio Grande COG is a wonderful COG. Just like

any other COG, they want to make sure that what they are doing serves their communities.

Mrs. Ahlschwede is also involved with the Concho Valley COG. Since 2015, she was nominated and put on the Criminal Justice Advisory Committee for that COG. This Committee is responsible for reviewing all of the grants for law enforcement resources for the Concho Valley. This COG covers a lot of square miles and a lot of communities that are similar to Edwards County in that they have very limited resources. As the Chair of this Committee, one of the things that she can consistently say is that, every year, Edwards County has been awarded numerous grants through the Criminal Justice Advisory Council. The grants are scored through the Criminal Justice Advisory Committee and then this is reviewed by members of the COG Board to approve these recommendations. Edwards County has consistently been ranked #1 in priority for these grants since 2015. This committee is aware of Edwards County's need for some of these resources to be built. This is one of the main reasons that Edwards County continues to receive this grant funding every year.

Mrs. Ahlschwede also spoke on the topic of moving from one COG to another because Edwards County has already been participating in the Concho Valley COG for years now (Judge Shanklin spoke out and stated that it had been since 2013). This was before Ahlschwede's time being elected as DA, but to her, it seems as if Edwards County has been caught in limbo on some things that are an issue, and that moving forward, there is more regional planning that can be done for Edwards County in conjunction with the Concho Valley COG. This has nothing to do with the Middle Rio Grande COG. It has more to do with our Judicial District and those criminal justice planning resources that are going on at a regional level with the Concho Valley COG.

Mrs. Ahlschwede stated that we had recently had a murder trial here in Edwards County. During the testimony at this murder trial, one of the issues was determining the location of where the murder had taken place. Edwards County has a lot of subdivisions and a lot of 9-1-1 addressing issues. It was a challenge for law enforcement, in that case, to determine exactly where this murder had taken place. They knew that someone had been shot, they knew they had to get there, but finding that address was a challenge. These challenges are going to continue to be there for Edwards County, and when it puts into jeopardy not only the citizens who are calling in these calls, but also law enforcement who is responding to these calls, it is something that needs to be looked into. From the information

that Ahlschwede has been given, there are some benefits to moving into an area where it is like what regional planning is with the Concho Valley COG because those responding agencies that are going to come assist are highly likely to be coming from the north and they need to have the same information that they are used to so that we have a uniform response to these calls that are coming in.

Ms. Ahlschwede has also heard of concerns with radio trunking. She relayed to the Court that since she has been the DA, they had similar issues in Kimble County. Kimble County was able to obtain extra grant funding that some other criminal justice advisory committee grantee was not able to use and the Committee met and some of those funds were used to upgrade their radio tower system.

There are a lot of benefits with the Concho Valley COG, as there would be with the Middle Rio Grande. Ahlschwede says some things are really important to moving forward with one COG, but Edwards County has been in limbo for over 10 years (since 2013). So, it's time to move one way or another. And, this has nothing to do with the wonderful resources that Middle Rio Grande has provided in the past. She believes that moving forward with the criminal justice planning, it could be beneficial for Edwards County to move forward. In this regard, Judge Shanklin asked her office, since she is involved in the Border Prosecution Unit and she does have contact with many other county judges and other elected officials in the Middle Rio Grande to ask them and get information about moving from one COG to another. She sent her Assistant DA Nelson Barnes to appear before the Middle Rio Grande COG and her understanding was that this move was formally tabled. So, she wanted to make sure that this Commissioners Court that she serves has all of the benefit of this information and knowledge and can ask her any questions they have to help them make a decision about moving forward from here.

Judge Shanklin interjected that they were going to start the radio trunking system in the Concho Valley COG now and this funding is coming thru TXDOT so Edwards County can talk to Kimble County, Sutton County, Val Verde County, along with Crockett County, Kerr County and all our neighbors to the north via TXDOT. These funds flow through the COG but they are all TXDOT monies.

Shanklin continued that about 2 years ago, they had a pilot program where they virtually mapped the schools in Mason County. This program will be implemented by the Concho Valley COG to all these rural schools. They will virtually map the interior of these rural school so if there is an incident, like in Uvalde, there will be a map of the inside of these schools. In a situation like this, the negotiator and SWAT team that would service Rocksprings is out of San Angelo. They would then have the virtual mapping of our schools here in Rocksprings.

Shanklin stated that no COG creates its own money. They take funds that flow from the Feds and from the State and disburse them to the counties that need them. Shanklin then asked the Court if there were any questions for Mrs. Ahlschwede.

Commissioner Fry asked if the Concho Valley COG would still serve low income and elderly. Mrs. Ahlschwede answered in the affirmative, stating that the COG would make sure that all of the communities will have their needs addressed. They have wonderful staff to address these issues and make sure these needs are addressed. Commissioner Fry stated that he wanted to make sure that this move doesn't sacrifice programs that Edwards County may be involved with now. Mrs. Ahlschwede stated that she doesn't see that at all. Edwards County is moving from one set of programs to a different set of programs but they are all funded through the same funding source. It's not the situation of one being better than another. The Concho Valley COG is willing to move forward and she thinks this is a great thing and speaks volumes about how Edwards County has built up and shown their need, especially through Criminal Justice, and she thinks they are excited about having Edwards County formally come on board. Commissioner Fry responded that this would be the biggest priority, that is the people having to deal with the Concho Valley COG to receive the most money and the ones that are in charge of that will have an easier plan and easier line of communication along with the fact that we won't give up any of our current benefits. Mrs. Ahlschwede agreed, and with this, she concluded her remarks to the Court.

No action was taken as this was an informational item only.

d. **Consider information regarding programs, grant funding and funding allocations from MRGDC COG – Michelle Garcia, Executive Director.** Judge Shanklin stated both Ms. Garcia and Judge Bella Rubio (from Real County) were present. Judge Rubio took the floor and stated that she was currently the Board Chair of the Middle Rio Grande COG. She stated that there was a Middle Rio Grande COG and a Middle Rio Grande Workforce Solution and the COG is the contractor for the programs for the Workforce Solution. It is not controlled by the Middle Rio Grande COG and does not affect weatherization programs or school programs. RISD programs will not lose any services; they will still continue for the school district. These Workforce Solution programs will not be impacted or discontinued by Edwards County moving to the Concho Valley COG. Nor will other benefits like the weatherization program be impacted, but Mrs. Garcia will address that.

Judge Rubio continued on by saying that senior services are provided by other entities, and not the Middle Rio Grande COG. She stated that Michelle Garcia, Executive Director of the Middle Rio Grande COG would now address the Court.

Ms. Garcia took the floor and began her address to the Court by stating that it was the Area Agency on Aging that handles programs such as the home modification program. In this case, if Edwards County were to leave the Middle Rio Grande COG, funding is based on COG population and then that funding would move over to the Concho Valley COG so that they could continue to provide services. Concho Valley would then continue to provide the services.

Judge Shanklin stated that, with regards to the Workforce Solution, the Edwards County Commissioners Court supplements the Gilmer Library (the public library) and the Workforce Solution computers are set up in the library. The City of Rocksprings does not supplement the library. Ms. Garcia stated that this was correct and that a Memorandum of Understanding was signed between the Edwards County Judge and the Workforce Solution Interim Executor Director. This is not with Middle Rio Grande itself; it is with the Board.

Judge Rubio then interjected that both Mr. James Glasscock and Mr. Mike Grooms have a seat on the Board of the Workforce Solutions and these positions would continue. Ms. Garcia reiterated that, yes, these appointments will continue to be made by Edwards County. When asked by Judge Shanklin how long he had been serving on this Board, Mr. Grooms stated that he had been on this Board for roughly 30-40 years.

Ms. Garcia then said that, under the direction of the Middle Rio Grande Executive Board, she wanted to state, for the members of the Commissioners Court and for the City residents, that the Middle Rio Grande COG does not, in any way, shape, or form owe Edwards County, or the City of Rocksprings, the sum of \$800,000. There was a misconception, and she and other Middle Rio Grande board members received numerous calls from residents requesting additional information on money that was owed to the City and the County by the Middle Rio Grande COG. So, she would like to state on the record that the Middle Rio Grande COG does not owe Edwards County or the City of Rocksprings, \$800,000. Judge Rubio interjected that she also received a couple of phone calls asking if the purpose of putting this matter on the Middle Rio Grande COG agenda (entertaining the thought of releasing Edwards County) was because the Middle Rio Grande COG didn't want to pay this sum of \$800,000. Rubio stated that this was totally false information.

Judge Shanklin interjected that this was just an urban legend going around. He asked Judge Rubio if it was stated that the Nueces School District had a letter to provide to the Middle Rio Grande COG that they were in opposition of moving from the Middle Rio Grande COG to the Concho Valley COG. Judge Rubio answered that, yes, this was a statement that was made to her and she confirmed with Kristi Powers, the NCCISD Superintendent, that this letter does not exist. Mrs. Powers has never been contacted by any person from Edwards County inquiring or asking her to produce something in writing stating that they were in opposition to this move. NCCISD has nothing to do with Edwards County moving to the Concho Valley COG because the majority of their school district lies in Real County with another portion in Uvalde County. Just because the High School is located in Edwards County, the majority of their school district will remain in the Middle Rio Grande COG. Judge Rubio stated that any services provided to the high school from this Commissioners Court through the budget process for water infrastructure or for the Sheriff's Department that performs for the welfare and safety of the high school campus were [inaudible].

Judge Shanklin also asked Edwards County Chief Deputy Sheriff Irwin, who was also in attendance, if he served on the NCCISD School Board. Irwin answered in the affirmative. Shanklin asked Irwin if he had ever heard of this letter either and if he could vouch that this never happened and he had never signed a letter stating opposition to this move. Irwin stated that he never had. Shanklin stated this was another legend making its way around town.

Judge Rubio stated that Sheriff Guthrie provided her with a letter from RISD stating the services they received through the Workforce Solutions board. This letter does not state any type of opposition. Shanklin asked Rubio if there had been no opposition from our local school. She answered that there had not been any that she could read.

Shanklin asked Ms. Garcia if all the funds that flow through the Middle Rio Grande follow the City and the County no matter what COG they are in. She replied in the affirmative. Shanklin continued by saying that the funds are allocated by the USDA and the Governor's Office. The COGs don't print money like the Federal government. The funds are allocated to each City and County no matter what COG they are in. The COG is just a source to disburse the money that each City and County is granted, no matter what COG they are in.

Judge Rubio stated that with regards to radio operability, as far as anything current that the Middle Rio Grande COG is working on (i.e., acquiring grants), in the transition period, there will be a Memorandum of Understanding or a Memorandum Agreement where nothing will change as far as radio operability.


Ms. Garcia stated that, at the direction of the Middle Rio Grande Executive Committee, Mr. Diaz was very successful in securing, in the first round, \$5.4 million for the Inter-operability grant and they just received, last month, an award for an additional \$4.6 million. Judge Shanklin stated that Uvalde County was headlining this along with Judge Mitchell and Forrest Anderson. Ms. Garcia stated that they did have some involvement, but that when Mr. Diaz wrote this application, he did include Edwards County. Judge Shanklin stated that the towers should all be connected in adjoining counties throughout this area reaching up into the Permian Basin. This is so if a request for assistance is made, an adjoining county can come help. Ms. Garcia stated that the Middle Rio Grande has started the process of converting everything over to TXDOT. In the meantime, if Edwards County chooses to move to the Concho Valley COG, in order for the Inter-operability to continue and for the Middle Rio Grande to continue to provide maintenance to that equipment, she believes that John Austin is in the process of trying to get a transition between the Middle Rio Grande and the Concho Valley COG. Shanklin stated that everyone in the region would be working together. There will be no interruption of service.

Judge Shanklin asked the Court members if anyone had any questions. No questions being asked, Shanklin stated that we would move along from this information item. No action taken.

e. Consider for approval Edwards County request to leave membership in idle Rio Grande Council of Governments and to provide approval of such move to allow for realignment of Edwards County to Concho Valley Council of Governments and to provide resolution to the Governor supporting said realignment. – Judge Shanklin. Judge Shanklin stated that the County did everything it was supposed to do to withdraw from the Middle Rio Grande COG and sought admission into the Concho Valley COG. It was approved unanimously. So the County has been in the Concho Valley COG since 2013 but we do have a resolution that the Middle Rio Grande COG wanted us to provide them with. Judge Shanklin asked Commissioner Fry to read this Resolution aloud. Commissioner Fry then proceeded to read the Resolution. At the conclusion of the reading, Judge Shanklin asked for a motion to approve this Resolution. Commissioner Grooms made the motion to approve Edwards County's request to leave membership in the Middle Rio Grande Council of Governments and to provide approval of such move to allow for realignment of Edwards County to Concho Valley Council of Governments and to provide resolution to the Governor supporting said realignment. Commissioner Smith seconded the motion. No Commissioner noting any opposition, the motion carried 5/0.


f. Discuss and give an update of the start date for the renovation of the Park Building – Curt Stoddard. Mr. Stoddard appeared to address the Court. The Court entered into a discussion about a possible start date for the renovation of the Park building. After some discussion, it was announced that the project could start in mid-June or mid-July, possibly even August. The time frame for this project is roughly 40 weeks. Judge Shanklin asked Stoddard to begin the project as soon as is possible for him. No action taken as this is an informational item only.

g. Consider and/or Act upon Resolution authorizing the County Judge to sign the Special Warranty Deed conveying Edwards County's one-third undivided interest in a ten-acre tract located at 2098 N TX Hwy 55 to the City of Camp Wood. - Judge Shanklin. Judge Shanklin stated that this property is across from the horse farm on Stewart Mountain Hi Estate road. It has been a dump. He thinks Edwards County had a part of this property so that the people in Barksdale could also dump there too. Shanklin read the "Resolution Authorizing Conveyance



of Real Property to the City of Camp Wood, Texas” to the Court. Commissioner Smith made the motion to approve the Resolution authorizing the County Judge to sign the Special Warranty Deed conveying Edwards County’s one-third undivided interest in a ten-acre tract located at 2098 N TX Hwy 55 to the City of Camp Wood. Commissioner Fry seconded the motion. No Commissioner noting any opposition, the motion carried 5/0.


h. Discussion, Possible Action Submit Request to Texas Comptroller’s Office for Unclaimed Property Capital Credits for Counties – Carl Esser. Commissioner Grooms made the motion to approve the request to the Texas Comptroller’s Office for Unclaimed Property Capital Credits for Counties. Commissioner Fry seconded the motion. No Commissioner noting any opposition, the motion carried 5/0.



i. Discuss and Act upon approval for County Employees to complete the 2024 Cybersecurity Course annual mandatory training. – Judge Shanklin. This is the annual cybersecurity course that all county employees who use a computer must take. JoBeth Smart, the Judge’s Administrative Assistant, is setting up the course and all employees will receive an emailed link to take the course, which must be completed by August 2024. Commissioner Smith made the motion to approve for County Employees to complete the 2024 Cybersecurity Course annual mandatory training. Commissioner Graham seconded the motion. No Commissioner noting any opposition, the motion carried 5/0.

j. Discuss and Act upon Proclamation to declare May 2024 as Community Action Month – Judge Shanklin. Commissioner Grooms made the motion to approve the Proclamation to declare May 2024 as Community Action Month. Commissioner Fry seconded the motion. No Commissioner noting any opposition, the motion carried 5/0.

k. Discuss and Act upon Proclamation to declare May 2024 as Mental Health Awareness Month. – Judge Shanklin. Judge Shanklin invited Tiffany Estrada to come up before the Court to read the Proclamation to declare May 2024 as Mental Health Awareness month. Commissioner Fry made the motion to approve the Proclamation to declare May 2024 as Mental Health Awareness Month. Commissioner Graham seconded the motion. No Commissioner noting any opposition, the motion carried 5/0.



1. **Discuss and Act upon release of Travel Trailer located in Barksdale.** – **Judge Shanklin.** This is an old FEMA trailer that was in place when Judge Shanklin first took office. It was moved to the county yard where it sat for ages. Then it was moved to Barksdale. The Baptist Church there is paying the electricity on it. The Sheriff's Office would like Edwards County to divest itself of this trailer. Additionally, there is a man who lost his home to a fire and he needs it. Judge Shanklin stated that he would entertain a motion for Edwards County to divest itself of this trailer. Commissioner Smith made the motion for Edwards County to divest itself of this trailer; Commissioner Graham seconded the motion. No Commissioner noting any opposition, the motion carried 5/0.

5. **New Business.** Commissioner Fry stated that there is a small building by the County Yard in Barksdale. This building can be used as an office. He is suggesting the County might look into this building being used as an office for the County Constable. Judge Shanklin was in agreement but also suggested that a 20-ft sea container could be obtained to provide an air-tight office space.

6. **Set time and date for next meeting.** The next meeting of the Edwards County Commissioners Court is scheduled for the second Tuesday of June, 2024 (June 11, 2024) at 9:00 a.m.

7. **Pay bills.** Commissioner Graham made the motion to approve the bills; Commissioner Smith seconded the motion. No Commissioner noting any opposition, the motion carried 5/0.

8. **Adjourn.** Commissioner Graham made the motion to adjourn. Commissioner Smith seconded the motion. No Commissioner noting any opposition, the motion carried 5/0. This meeting of the Edwards County Commissioners Court was adjourned at 10:01 a.m.

APPROVED:



SOULI ASA SHANKLIN
Edwards County Judge

Attest:

Olga Lydia Reyes

OLGA LYDIA REYES

Edwards County and District Clerk

