**The State of Texas §**

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**County of Edwards §**

**BE IT REMEMBERED** that on this 14th day of June, 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 June 9, 2016 at 4:21 o’clock p.m.

Present were:

Honorable William Epperson, Commissioner of Precinct One

Honorable Lee Sweeten, Commissioner of Precinct Two, was absent

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 9:04 o’clock a.m. by Judge Shanklin. The Pledge of Allegiance was recited. Judge Shanklin asked for a moment of silence for Jerry Jones, our Fire Chief, who passed away unexpectedly, as he was a blessing to Edwards County. Church of Christ Reverend Dwight Faulk 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 Sweeten, were present.

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

**Paula Kay Epperson:** Mrs. Epperson appeared on behalf of the Edwards County EMS and provided the Court with copies of the EMS’s Annual Financial Reports for the 2013, 2014, and 2015. The EMS will continue to provide these reports every year. The last comprehensive audit cost them $3,115.00. If the Court would also like to be provided a copy of their Form 990, it can be put in this year’s contract.

**Barbara Hocutt:** Ms. Hocutt appeared on behalf of the Edwards County Senior Center. They provide meals and an activity center for our seniors. These services are provided to all citizens ages 50+; however, they are open to everyone in Edwards County. They are requesting that the County consider putting the Senior Center on its upcoming budget to help them cover the Center’s electrical expenses, which at this time are averaging $531.00 per month. If they were to receive the yearly amount of $6,400.00 from the County, this would help them use funds received from other donations as well as fundraiser opportunities to assist them in covering other operating expenses. Ms. Hocutt also stated that the Center could offer yard work or maintenance work to any persons or inmates that may be required to perform community service hours. They are also in the process of opening up a thrift center. They are open to answering any questions that the Court may have. Hocutt ended her remarks to the Court by inviting the Commissioners to come tour the facility and she thanked them for their time. Commissioner Fry stated that he had a few questions to ask of Hocutt. He asked if the Senior Center had Sec. 501(c)(3) status. Hocutt responded that they had. He then asked if, the County chose to consider their budget request, would it be an arrangement similar to that which existed with the EMS and the Fire Department? Judge Shanklin nodded in the affirmative. Fry asked Hocutt if it wouldn’t be a problem then, to see the Financial Reports for the Senior Center. Hocutt responded that it wouldn’t be a problem. Shanklin then stated that all of this could be taken up at the upcoming budget workshops.

3. **Staff Reports.** No action taken.

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

a. **Prior Minutes.** Commissioner Epperson made the motion to approve the minutes from the May 10, 2016 meeting; Commissioner Fry seconded the motion. No Commissioner noting any opposition, the motion carried 3/0. (Commissioner Barnebey had stepped out of the Courtroom and did not vote on this item.)

b. **Burn ban.** No action taken as all of the brush is still green.

(Commissioner Barnebey came back into the Courtroom.)

c. **Consider approving final plat of the Trinidad Ranch in precinct four – Commissioner Barnebey.** Judge Shanklin led the Court’s discussion on this item by asking Commissioner Barnebey if he had met with Sam Poorman regarding this matter and if the plat was to Barnebey’s satisfaction. Barnebey responded that he had met with Poorman. Poorman was asked if this subdivision would have road signs and if the hydrology study had been completed; he answered in the affirmative. Commissioner Fry completed the pumping test. Poorman presented the final plat of Trinidad Ranch for approval. Barnebey made the motion to approve the final plat of the Trinidad Ranch; the motion was seconded by Commissioner Epperson. Commissioner Fry announced that he would abstain from voting on this item as he did some work on this project. No Commissioner noting any opposition, the motion carried 3/0.

d. **Discuss and consider raise for welder, Adrian DeLeon – Robert Pena.** Judge Shanklin asked Road Superintendent Pena what he suggested as far as a raise for Mr. DeLeon. Pena responded that he would leave that to the Court. Shanklin asked if he had any suggestions -- $1.00/hour? Pena responded that this would be fine. DeLeon has been with the County for about 6-7 months and he is doing well in his employment. Commissioner Epperson asked if DeLeon was already running the roller. Pena responded that he was and that he was a fast learner and a quick thinker. Epperson asked if DeLeon had a CDL. Pena responded that he did. Commissioner Barnebey made the motion to increase Adrian DeLeon’s salary by $1.00/hour; Commissioner Epperson seconded the motion. No Commissioner noting any opposition, the motion carried 4/0. This will become effective for the next pay period.

e. **Discuss and take action on acquiring new roller for Road Department – Robert Pena.** Pena informed the Court that a new roller was needed. The motor grader that is running needs a new roller behind it. They have been working on flooded areas. He needs a roller that can keep up with the motor grader. Judge Shanklin asked him exactly what type of roller he needed. Pena responded that he needs an 84-inch steel front roller. He would like an opportunity to start taking bids on the existing roller. Commissioner Fry asked if Pena could use the other rollers that he had. Pena responded that he had another roller that was good for laying asphalt. Pena stated that he also has another roller that he can use but it has some problems and they are having a hard time with it. Judge Shanklin asked who the manufacturer was. Pena responded that it was Case and that he had called them but since the roller was purchased from the military, it was a different kind of setup. Fry made the motion to allow Pena to start taking bids on the roller; Barnebey seconded the motion. No Commissioner noting any opposition, the motion carried 4/0.

f. **Discuss and take action on hiring Michael Owen Simpson for Motor Grader Operator for Road Department – Commissioner Sweeten.** Judge Shanklin stated that Commissioner Sweeten wanted this matter to be put on the agenda. Mr. Simpson has provided his resume, Pena has interviewed him, and he has come to Edwards County twice. Commissioner Fry stated that, after speaking with Pena, he had some reservations. Fry learned that Simpson would not relocate to Edwards County. He would commute from Menard County. Fry asked Pena what time their work day began. Pena responded that they went in at 7:00 a.m. Epperson asked if the County could conduct a health check. Shanklin stated that when he had seen him, Simpson looked healthy. Fry asked if a health check could be done legally. Shanklin responded that Simpson’s references could always be called. Epperson asked if he had presented a health certificate. Shanklin responded that the County doesn’t require a health certificate to be presented before hiring. Pena interjected that Simpson does not have a CDL. When a new hire does not have a CDL, their salary is $10.00/hour. Commissioner Fry made a motion to offer Simpson the motor grader operator position at a salary of $10/hour, with the condition that he needs to obtain a CDL. Commissioner Barnebey seconded the motion. No Commissioner noting any opposition, the motion carried 4/0.

At 9:26 a.m., Commissioner Barnebey announced that he felt ill and needed to leave.

g. **County Resolution and Acceptance of 2016 Edwards County TDA CHOMP Grant - James Crockett.** Crockett stated that he had emailed all of the Commissioners the information on this item. Commissioner Epperson made a motion to approve the County Resolution and Request for a Texas Department of Agriculture Coordinated Hog Out Management Grant Program Application; Commissioner Fry seconded the motion. No Commissioners noting any opposition, the motion carried 3/0. Judge Shanklin signed both the Resolution Authorizing Application -- County Hog Out Management Program and the Request for Grant Application.

h. **Consider and act upon Performance Statement & Budget Modification for TxCDBG 7214177 Barksdale Water Well Project – Carl Esser.** Mr. Esser appeared to address the Court. A test well will be drilled in Barksdale at the same location where the other existing wells are; the existing wells will be turned off. The site is on Dry Creek Rd., 2/10ths of a mile off of Hwy. 55. The only situation that they may encounter is that the location is pretty tight so they may have to contact the neighbors in the area to have a temporary right of entry to get in there with the equipment. Commissioner Fry made the motion to approve the performance statement and budget modification for TxCDBG 7214177 Barksdale Water Well Project; the motion was seconded by Commissioner Epperson. No Commissioner noting any opposition, the motion carried 3/0.

i. **Consider and Act upon bids for ADA handicap parking accessibility for restroom at Fairgrounds – Carl Esser.** There has been no bid submitted for completion of the ADA handicap parking accessibility for the restroom at the Fairgrounds. Shanklin informed the Court that this bid would be outside the grant amount and that the Stock Show Committee has given the County $5,000 towards the completion of this project. Those funds are still being held by the County. Approximately $700 in grant funds is still available. This would cover the cost of this sidewalk. Esser stated that the bid would be for handicap parking; if a sidewalk or ramp was needed, these would be options that could be put out for bid and then considered by the Court. However, as no bids have been received, this item was tabled; no action taken.

j. **Consider and Act upon bids for Base Material Supply Only for FEMA project – Carl Esser.** Judge Shanklin announced that one bid was received. This bid was still sealed and opened in Court. The bid was from Grooms Ready Mix, LLC. The bid amount was 5,200 tons of base material only (no freight or deliveries) at $11.54/ton or 4,550 tons of base material (including delivery to the Edwards County Airport) at $13.1868/ton. Commissioner Fry made the motion to accept the Grooms Ready Mix, LLC bid for the 5,200 tons of base material with the option for the County to pick up the materials; Commissioner Epperson seconded the motion. No Commissioner noting any opposition, the motion carried 3/0.

k. **Discussion/Presentation by with possible action on 2017/2018 TxCDBG Community Development Fund Grant Application and Community Enhancement Fund Grant Application and scheduling of public hearings as required – Carl Esser.** Mr. Esser reports that, historically, there is an opportunity that comes around every 2 years for the TxCDBG Community Development Fund Grant. This would be for the years 2017-2018. The deadline for submission of this grant application is February 2017. The two entities within the jurisdiction of Edwards County that can apply for this grant are the City of Rocksprings and the County of Edwards. It should be rotated between the two entities; the City should take its’ turn for two years and then the County would take its’ turn for the next two years. Historically, though, this has not been the case. The City of Rocksprings has been funded more times than the County has. The City took the grant for the past two years (2015-2016). For 2013-2014, the County applied and this is how the new fairground restrooms got funded. For 2015-2016, the City applied and got funded for some water and/or sewer improvements. It should be Edwards County’s turn to apply for this grant. For 2017-2018, the amount of funding should about around $140-150,000 dollars. Judge Shanklin made the motion for Edwards County to apply for this grant this time and to set the time and date for the required public hearings; Commissioner Fry seconded the motion. No Commissioner noting any opposition, the motion carried 3/0.

Esser continued by informing the Court that another opportunity exists for a grant application. This would be for the Community Enhancement Fund Grant. The deadline to submit the application for this grant is August of this year. The only contention on this is that the County is currently out of compliance with regards to the Barksdale water well project; therefore, these funds would have to be dedicated to the completion on this water well prior to August 16th. There is a proposed timeline or action plan that gives the County until September to get all of this done. Esser stated that the County could have the public hearing on this grant at the same time as the public hearing on the Community Development Fund Grant so that the County could apply for the Community Enhancement Fund Grant if we get our house in order by that time. Judge Shanklin made the motion to apply for the Community Enhancement Fund Grant and to set the time and date for the required public hearings; Commissioner Fry seconded the motion. No Commissioner noting any opposition, the motion carried 3/0.

l. **Consider and Act upon matters regarding TxDOT CETRZ Grant.** Mr. Esser stated that this item is for information only. He stated that the County is wrapping up work under the TxDOT CETRZ grant. This was the project that fixed up the streets in Barksdale. They also worked on County Roads 450, 760, 761 and 890; County Road 300 and 460 are being completed. TxDOT really wants these projects completed by the fall of this year, October if possible.

5. **New Business.** No new business was considered by the Court.

6. **Set time and date for next meeting.** The next regular open meeting of the Commissioner’s Court of Edwards County will be on the second Tuesday of July, 2016 (July 12, 2016) at 9:00 o’clock a.m.

7. **Pay bills.** Commissioner Epperson made the motion to pay the bills; the motion was seconded by Commissioner Fry. No Commissioner noting any opposition, the motion carried 3/0.

8. **Adjourn.** This meeting of the Commissioner Court adjourned at 10: 48 a.m.

 APPROVED:

 SOULI ASA SHANKLIN

 Edwards County Judge

Attest:

OLGA LYDIA REYES

Edwards County and District Clerk