**State of Texas §**

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**County of Edwards §**

**BE IT REMEMBERED** that on this 7th day of September, 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 Annex Building therein, a Special Open Meeting of the Commissioners’ Court of Edwards County, Texas. The Agenda for this Special Open Meeting (Budget Workshop) of the Commissioners’ Court of Edwards County, Texas was posted on September 1, 2016 at 1:40 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

Honorable Andrew Barnebey, Commissioner of Precinct Four

Honorable Souli Asa Shanklin, County Judge

Sabrina Montoya, County and District Clerk, Chief Deputy

1. **Determination of quorum; Call to Order.** The Special Open Meeting was called to order at 9:02 o’clock a.m. by Judge Shanklin. The roll was called by Chief Deputy Clerk Montoya since the clerk was ill and not present. The pledge was recited and Commissioner Epperson led the Court in prayer. All Commissioners were present. The Judge stated that there were no participants in an open forum.

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

a. **Edwards County Budget Workshop – Judge Shanklin.** Judge Shanklin stated that the Court was not having a public hearing because the County did not yet have a proposed budget nor a proposed tax rate. Both need to be completed before public hearings can be scheduled.

b. **Proposed Budget – Judge Shanklin.** Judge Shanklin began by stating that the only dissension that exists with a proposed budget has to do with the 5% salary increase to the Sheriff’s Office and Detention Center. His thought is that the Court would bring up everyone’s salary to start matching up to what we have in our district. His understanding is that everyone else is pretty much okay with the rest of the proposed budget. Commissioner Barnebey interjected that he was still in opposition with this issue. The Judge stated that our county has 36 employees. The Sheriff oversees 17 employees, which is about half of that number. This is about twice what the Road Department has, which is the next largest department in size. Those salaries have been addressed in the past. Commissioner Sweeten has a statement he would like to make in this regard.

Commissioner Sweeten stated that even though it is an election year, he sets aside politics. It matters not politically but when he looks at the Sheriff’s Office budget, but whoever is in that office needs competitive salaries in place. He has never campaigned for anyone. His job is to work with whoever is in that office but when you have people that make statements publically and say that people don’t deserve raises. In his opinion, that is getting close to defamation and possibly slander.

Sheriff Elliott was then recognized. She began her statement to the Court by saying that it was highly unethical to post a political advertisement against her and speak about our budget and speak to it as if it was her budget. Commissioner Barnebey asked if the proceedings were being recorded. Judge Shanklin answered in the affirmative. Sheriff Elliott spoke to her feeling of being personally attacked by Commissioner Barnebey. She went on to relate a conversation of August 28th of this year that transpired at the Detention Center between Barnebey and an inmate by the name of Manuel Rodriguez. She finds it interesting that a Commissioner would have interest in Rodriguez’ case and in questioning this inmate on a recorded line. She requested from the Court that they remain ethical and moral and that Commissioner Barnebey never be allowed to vote on any matter that she is involved in ever again because he cannot morally or ethically set aside his personal views. She asked that, from this point forward, Barnebey remain silent in matters regarding the Sheriff’s office. This concluded her statement.

Shanklin then asked Elliott if both he and Judge Walker were recorded when they were at the Detention Center magistrating defendants. Elliott responded in the affirmative. Sweeten asked if this was true for everybody going into the Detention Center and Elliott again responded in the affirmative. Shanklin stated that this was a business meeting of the Court and that he had always wanted people to leave their personal views to one side. He stated that the Road Department had been worked on in the past to try to bring those salaries up to scale. The problem was now that the wages in the Sheriff’s office needed to be made competitive. The Sheriff and her employees are on call 24 hours a day, unlike any of the other county offices. Shanklin then stated that Barnebey had himself worked at the Detention Center and he should understand what the people who work there go through. Barnebey stated that, yes, he did recall working at the Detention Center and that he left this employment, partly because the pay was not sufficient. Barnebey stated that there were several levels to this discussion but he approached this from a matter of budgeting and not a personal issue.

Sweeten then interjected to clarify a prior statement that Shanklin had made in passing. When comparing Road Department salaries to the Sheriff’s Office salaries, Shanklin stated that the Road Department top salary had been set at $19.00/hour. Sweeten clarified that he had proposed a top salary of $19.00 per/hr but the final proposed salary had been left at the current $17.50/hour.  Sweeten also took the opportunity to address Elliott’s request that Barnebey not have any say in matters that concerned her office. He advised Elliott to contact an attorney or our county attorney on this matter.

c. **Discuss an action on proposed tax rate for Fiscal Year 2017. – Judge Shanklin.** Shanklin stated that the purpose of this meeting was to set a proposed tax rate. He thought that the tax rate was pretty much in agreement to remain at the same rate as it was last year. Sweeten mentioned that this tax rate was .5578%. Commissioner Fry made the motion to leave the current tax rate in effect; the motion was seconded by Commissioner Sweeten. Judge Shanklin asked the Chief Deputy clerk to poll the Commissioners for their vote. The Commissioners indicated their vote as follows:

Commissioner Barnebey voted “aye”;

Commissioner Epperson abstained from the vote;

Commissioner Sweeten voted “yes”;

Commissioner Fry voted “in favor”;

and Judge Shanklin voted “in favor.”

Tax Assessor/Collector Mark Bean asked if this was the adopted tax rate. Sweeten answered that this was the proposed tax rate that was going to be published in the paper. In a discussion about the Road and Bridge tax rate, Shanklin and Sweeten indicated that they thought this rate would also remain the same as it was set last year. Commissioner Sweeten made the motion that the Court approve the same proposed tax rate as last year for the Road Department; the motion was seconded by Commissioner Barnebey. This tax rate was .1191%. Judge Shanklin asked the Chief Deputy clerk to poll the Commissioners for their vote. The Commissioners indicated their vote as follows:

Commissioner Barnebey voted “aye”;

Commissioner Epperson voted “aye”;

Commissioner Sweeten voted “aye”;

Commissioner Fry voted “aye”;

and Judge Shanklin voted “aye.”

The next proposed rate is the “Interest and Sinking” fund. This rate basically stays the same every year. This rate is currently at .0188%. Commissioner Sweeten made the motion to set the “Interest and Sinking” fund rate at the current rate of .0188%; Commissioner Epperson seconded the motion. Judge Shanklin asked the Chief Deputy clerk to poll the Commissioners for their vote. The Commissioners indicated their vote as follows:

Commissioner Barnebey voted “aye”;

Commissioner Epperson voted “aye”;

Commissioner Sweeten voted “aye”;

Commissioner Fry voted “aye”;

and Judge Shanklin voted “aye.”

Shanklin stated that our total tax rate is the .6769%, which is the same as it was for the 2015-2016 fiscal year. Commissioner Sweeten made the motion to approve the proposed total tax rate of .6769%; Commissioner Fry seconded the motion. Judge Shanklin asked the Chief Deputy clerk to poll the Commissioners for their vote. The Commissioners indicated their vote as follows:

Commissioner Barnebey voted “aye”;

Commissioner Epperson abstained from voting;

Commissioner Sweeten voted “aye”;

Commissioner Fry voted “aye”;

and Judge Shanklin voted “aye.”

b. **Proposed Budget.** Commissioner Barnebey stated that he wanted to speak before the proposed budget discussion got underway. He addressed Sheriff Elliott stating that he didn’t think there was any posted sign stating that conversations were being recorded at the jail and she responded that there were signs posted. He then went on to state that he didn’t feel like the Court should be raising elected officials salaries during election season. He is in favor of a raise and perhaps everyone’s salary should be raised like the secretaries at the clerk’s office and Cindy (JP’s office). Judge Shanklin stated that he understood what Barnebey was trying to do. Shanklin then went on to state that in order to adopt a tax rate, the Court needed to have a proposed budget. As far as the budget was concerned, there were some dissensions. Barnebey indicated that he was not in favor of salary increases for the Sheriff’s office. Shanklin asked Epperson if he was going to vote on the matter of the proposed budget since he had abstained on the matter of the tax rate. Epperson stated that he did not want to be part of that. Shanklin stated that if everyone was in agreement when the budget workshops were concluded, then the proposed budget could be approved in the form of one motion; if there was dissension, however, then each individual budget would have to be worked on. Sweeten stated that this might be the case in this instance, since Barnebey had indicated that he was not in agreement with the salary increase. Shanklin stated that, nevertheless, a proposed budget was needed in order to set the tax rate and have the public hearings. Sweeten concurred, stating that, at this time, all the Court needed to do was to make a motion to have public hearing on the proposed budget.

3. **Set Time and Date.** Shanklin announced that the first public hearing on this budget would be on September 13, 2016 at 1:00 p.m. in the afternoon after the regular monthly meeting of the Commissioner’s court. Commissioner Sweeten made the motion to hold the first public hearing on this proposed budget on September 13, 2016 at 1:00 p.m.; the motion was seconded by Commissioner Fry. No Commissioner noting any opposition, the motion carried 5/0.

4. **New Business.** No new business was discussed by the Court.

5. **Adjourn.** Commissioner Sweeten made the motion to adjourn; Commissioner Fry seconded the motion. No Commissioner noting any opposition, the motion carried 5/0. This Special Open Meeting of the Commissioners’ Court was adjourned at 9:32 o’clock a.m.

APPROVED:

SOULI ASA SHANKLIN

Edwards County Judge

Attest:

OLGA LYDIA REYES

Edwards County and District Clerk