**The State of Texas §**

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**County of Edwards §**

**BE IT REMEMBERED** that on this 10th day of January, 2017, 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 5, 2017 at 2:45 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 9:05 o’clock a.m. by Judge Shanklin. The Pledge of Allegiance was recited. The Court was led in an opening prayer by Kenneth Reed. The roll was then called by Clerk Reyes. All Commissioners were present.

2. **Open Forum.** Debra Wolcott appeared to address the Court regarding the Rocksprings Historical Society’s commemoration of the 1927 tornado. On Wednesday, April 12, 2017, there will be a commemorative ceremony of the 90th anniversary of the 1927 tornado. It will be at 6:00 p.m. at the school auditorium. The historical commission is developing a special program for the evening and all of the public is invited to attend.

3. **Staff Reports.** Commissioner Sweeten had a comment with regards to the staff reports. In the past, the Court has requested that the reports be turned in immediately after the first working day of the month. The departments are getting rather lax in following this requirement. Judge Shanklin stated that he would send out a memo from his office to start up a little quicker on this.

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

a. **Prior Minutes.**

**December 13, 2016.** Commissioner Barnebey made the motion to approve the minutes of December 13, 2016; Commissioner Sweeten seconded the motion. No Commissioner noting any opposition, the motion carried 5/0.

b. **Burn Ban.** No action was taken on the Burn Ban since the weather reports indicated that we are heading into a rainy weekend; most areas of the County are still green.

c. **Designation of location to hold foreclosure sales and determination on the place where the clerk’s office is to post the foreclosure notices – Olga Lydia Reyes.** Commissioner Sweeten made the motion to hold the foreclosure sales at the southwest door of the Edwards County Courthouse Annex Building and to post the foreclosure notices at the bulletin board in the foyer of the Courthouse Annex Building; Commissioner Fry seconded the motion. No Commissioner noting any opposition, the motion carried 5/0.

d. **Selection of Salary Grievance Committee members for 2017. – Olga Lydia Reyes.** The names of the prospective salary grievance committee members will be selected from those names of individuals who comprised our grand juries from the previous year. Commissioner Barnebey drew out the names from the envelope that the Clerk had prepared. The names selected were as follows: Iris Smith Garza, Jack Brink Harris, Sandi G. Kirkland, Richard G. Slaughter, and Amada Chavez. The first alternate name selected was Tommy Ray Fry and the second alternate name selected was Richard J. Simone. Commissioner Sweeten made the motion to approve the names selected above to comprise the Salary Grievance Committee for 2017; the motion was seconded by Commissioner Barnebey. No Commissioner noting any opposition, the motion carried 5/0. Judge Shanklin stated that a letter asking if these individuals would accept serving on this committee would be sent out from his office; if anyone declines, then the alternates would be contacted.

e. Motion to Approve First Year Motions:

i. Motion to declare County Court a continuous term

ii. Motion for County Judge to sign vouchers and In Vacation Bills

iii. Motion for County Treasurer to make transfers as needed for payroll, payroll taxes, etc.

iv. Motion for County Treasurer to write checks for County expenses as follows:

Withholding taxes, social security payments, Treasurer’s fees to the State Treasurer, insurance premiums, stamps and postage for County officers from the United States Post Office, all electric bills, fund transfers from government programs, etc., as we have them in operation, and County Trapper salaries.

[Clerk’s Note: These motions are contained in Exhibit A to these minutes and are hereby incorporated by reference into these minutes as if set forth verbatim herein.]

f. **Discuss and/or take action to approve military training Unconventional Warfare Exercise 16 (UWEX17) within our jurisdiction from March 5th to June 1st, 2017 – Judge Shanklin.** Judge Shanklin stated that these types of military exercises have been done within our jurisdiction in the past and that they are conducted at an undisclosed location. We have a standard letter that is sent to the Commander, USASOC which sets out the parameters of the County’s consent. Shanklin read the form letter in open Court. Commissioner Epperson inquired if this was the same type of program that had been conducted here previously; Shanklin answered that it was exactly the same. Commissioner Barnebey made the motion to approve the military training Unconventional Warfare Exercise 17 (UWEX17); Commissioner Fry seconded the motion. No Commissioner noting any opposition, the motion carried 5/0.

g. **Discuss and/or take action to approve bid(s) to fix the 2 maintainers and roller damaged by water. – Commissioner Epperson.** Ben Lawrence from Lawrenco Equipment Specialists down in Sonora appeared to address the Court; his company buys and sells heavy equipment. He was contacted by Commissioner Epperson to look at the County’s water damaged equipment. He was able to go through and make estimates for maintainer and roller. He presented the Court with three estimates; since the equipment was totally submerged in water, he had to go through and estimate every repair from the radiator to the front of the machine. The estimate is for $41,882.75 for the Case SV212 Roller (the average replacement cost for the roller is about $72,000), and $84,200 each for the Volvo G 930B maintainers (the average replacement cost for the maintainer is about $160,000). In Lawrence’s opinion, the roller is a homerun repair as there are not as many electronic repairs needed. The blades would be good to repair too. The County could get $13,000 for its’ tires or the County could repair them, run them for a year, and then try to recover some money by selling them. They are dead assets right now. Shanklin asked if Lawrence guaranteed his work; Lawrence replied that there is a one year guarantee on workmanship and all parts replaced. Lawrence stated that none of us can look to the future and foresee problems; however, he can state that when the County gets back the repaired machines, they will be 100% back to factory specs with a one year warranty which includes him coming back. Shanklin asked how long it would take for the repairs to be completed; Lawrence answered that for all three machines, he needs five months. One blade would take two months. Shanklin then asked if we repair these blades and then run them for a year, is there a possibility to sell them after that year with a guarantee on them to get a maximum value on them? Lawrence responded that in the equipment world, you work off of averages, and you will have a static trade in value. Commissioner Sweeten asked if this water damage and reconditioning would show on the equipment’s record and hurt the trade-in value; in other words, is there a “carfax” on this type of equipment? Shanklin responded that the machines would be run for a year after they were repaired. Fry interjected that as long as Lawrence has a good service of record of the repairs, that this would maybe even help the value of the machines. It is better than a 2000 hour machine because everything has been replaced. Fry is wanting to take one machine and get it back in service and then come back and then move on to the next machine. However, Epperson stated, this equipment is full of water and the longer it sits there, the more detrimental it is to the equipment; we need to determine whether the motor is already locked up. Lawrence concurred. His suggestion is that if the County is going forward, we would get the equipment to his shop and drain the equipment and get some oil into it to stop further corrosion. It will be about $750.00 to pickle each machine. Commissioner Fry made the motion to “pickle” the equipment to avoid further engine corrosion and to work to refurbish the County’s youngest motorgrader with Lawrenco Equipment Specialists at a fee of $84,200.00. Commissioner Epperson seconded the motion. No Commissioner noting any opposition, the motion carried. The equipment will have to be delivered to his shop, which is 8 miles north of Sonora.

h. **Discuss and potential action on hiring personnel for Road Department. – Commissioner Sweeten.** Commissioner Sweeten appeared to address the Court. He reports that the road crew is down by two workers. He would like to see the County advertise for two road hands. Sweeten made a motion that we advertise for two road hands. Fry asked if we should start taking applications for Road Superintendent. Shanklin responded that Schleicher County has a unit system like we are supposed to have and we want to compare our job description for a road supervisor to that one. The motion was seconded by Commissioner Fry. No Commissioner noting any opposition, the motion carried 4/0, with Commissioner Epperson abstaining from the vote.

i. **Consideration and approval of an order authorizing the issuance of Edwards County, Texas limited tax refunding bonds, Series 2017; Levying a tax in payment thereof; Authorizing the redemption prior to maturity of certain outstanding obligations; Providing for the award and sale of said obligations; According to certain parameters; prescribing the form of said bond; And enacting other provisions relating thereto; Authorizing County Judge to sign and act as signature agent. – Judge Shanklin.** Judge Shanklin stated that Bill Avila, the County’s bond counsel was present in Court. He was hired by the County when the annex was built and now he is going to help us recall those bonds and reissue new bonds to save the taxpayers of Edwards County anywhere from $250,000 to $400,000 by paying it off within about 15 years. Commissioner Epperson asked what the principal rate increase is going to be on these bonds. Avila responded that we won’t know that exactly; however, it will be slight. The reason for this is that we need to notify the USDA that our existing obligation is to be paid off. We have to pick a date by which this will occur. However, we won’t have that date until the bonds are sold. Epperson asked what the current interest rate now and by how much it would be reduced. Shanklin responded that our interest rate now is 4.25% and we are hoping to lower it down to somewhere around 2.5%. Epperson was concerned about not presently knowing or having information about what was going to be signed by the Judge. Shanklin stated that the County is not going to sign off on any deal if there’s not a good savings to our taxpayers; if the County’s bond attorneys don’t recommend it, we’re not going to do it. They are working for this County and this Commissioners Court. Commissioner Sweeten made the motion to authorize the County Judge to sign and act as a signature agent in regards to the issuance of the limited tax refunding bonds. The motion was seconded by Commissioner Fry. Mr. Avila informed the Court that the action that the Court will take today will be legally effective for six months. No Commissioner noting any opposition, the motion carried 4/0, with Commissioner Epperson abstaining from the vote.

j. **Consider and Act upon Resolution for submission of TxCDBG Disaster Relief Fund Grant Application. – Carl Esser.** Judge Shanklin read the resolution for submission of TxCDBG Disaster Relief Fund Grant Application aloud to the Court. Commissioner Fry made the motion to approve; the motion was seconded by Commissioner Sweeten. Noting no opposition, the motion carried 5/0.

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

6. **Set time and date for next meeting.** The next regular open meeting of the Edwards County Commissioner Court will be on the second Tuesday of February, 2017 (February 14, 2017) at 9:00 a.m. in the Edwards County Courtroom.

7. **Pay bills.** Commissioner Sweeten made the motion to pay the bills; Commissioner Fry seconded the motion. No Commissioner noting any opposition, the motion carried 5/0.

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

APPROVED:

SOULI ASA SHANKLIN

Edwards County Judge

Attest:

OLGA LYDIA REYES

Edwards County and District Clerk