**The State of Texas §**

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**County of Edwards §**

**BE IT REMEMBERED** that on this 14th day of March, 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 Proposed Agenda for this Regular Open Meeting of the Commissioners’ Court of Edwards County, Texas was posted on March 9, 2017 at 11:28 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 9:03 o’clock a.m. by Judge Shanklin. The roll was called by Clerk Reyes. The Court was led in an opening prayer by Commissioner Epperson. The Pledge of Allegiance was recited. All Commissioners were present.

2. **Open Forum.** There were no participants in Open Forum.

3. **Staff Reports.** Commissioner Sweeten asked for a brief description from new Road Department hand Milton Martin on the happenings at the Road Department. He is taking on the duties of computer and record keeping. Martin addressed the Court and stated that he started employment about 3-4 weeks ago. Upon starting employment, he found the yard in a state of disrepair. There was no itemized inventory list and no maintenance records on the county equipment. He doesn’t know how a lot of equipment passed inspection. Every day, it seems like there is equipment breaking down. Once he got a safety protocol in place for the road hands, he and Commissioner Barnebey attended a training session. The first thing at hand is a safety schedule meeting for the road hands, next will be inventorying all of the equipment used versus what is in the shop that is not used. He will also try to figure out maintenance schedule. Martin has discovered that there are no maintenance records whatsoever for the older equipment. Some equipment has not been inspected for years. He estimates that it will take about another 60 days to get the inventory done. He ended by stating that the Ironwolf was down right now as was the green loader and one dump truck.

Sweeten responded that once Martin finished with the inventory, he would like for him to get with the County Treasurer and look at purchases that have been made to see how much of this equipment is still there. He has a feeling that a lot of items have been done away with without any record of disposal. He’s talking about chainsaws and tools and major pieces of machinery. This is another task to look at down the road. Martin ended by stating that there are no records; he’s working from the ground up. Sweeten stated that he had been pushing for better record keeping from this department for quite a long time. He is not saying that maintenance was not done, but if it was not documented, it’s equivalent.

Commissioner Barnebey stated that he had knowledge about a defoliating job on the extension on the Mitchell road in Precinct 4. He wants to know when this can be scheduled. CR 347 the road is a forest. It needs brush control. Martin stated that he’s just becoming aware of the projects they do have. Sweeten suggested that he talk to Michael Simpson.

Commissioner Epperson then asked about the breakdown of the dump truck. Martin stated that it wouldn’t dump; something is wrong with the hydraulics. He could tell that the hydraulics hose had been previously broken; it had a patch over it. He didn’t know why it hadn’t been properly repaired.

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

a. **Prior Minutes.** Commissioner Sweeten made the motion to approve the minutes of February 14, 2017; Commissioner Barnebey seconded the motion. No Commissioner noting any opposition, the motion carried 5/0. Clerk Reyes notified the Court that Mr. Barnebey had requested that on item (j), a sentence be inserted regarding his volunteering time from his road repair rotation schedule in Pct. 4 so that the school road project could be completed.

b. **Burn Ban.** No action taken.

c. **Discuss and/or take action on moving right of way of Snodgrass Road. – Volney Hough.** Hough appeared to address the Court. He brought forth a preliminary plat of the changes made by moving the right of way. The first part of the road starts at Hwy. 41 and it goes through the middle of his place and comes out on the north end. He is proposing following his west fence line on a straight line; this would move the right of way through a portion of Real County. Sweeten asked if Real County was okay with this change in the right of way; Hough stated that, while he had not discussed this with them officially, he had visited with the Real County Judge and the Commissioners. Sweeten stated that if approval was obtained from Real County, he didn’t see a problem with approving this change, although he would defer to Barnebey on this matter. Shanklin asked what the width of the right of way was. Mr. Hough answered that it really hasn’t been defined. Barnebey stated that we could approve it conditionally, based upon Real County approval. Commissioner Barnebey made the motion to approve moving the right of way of Snodgrass Road pending construction to the appropriate standard; Commissioner Fry seconded the motion. No Commissioner noting any opposition, the motion carried 5/0.

d. **Discuss and/or take action to approve Resolution in Opposition to Senate Bill 2 and Revenue Caps. – Judge Shanklin.** Commissioner Barnebey made the motion to approve the Resolution in Opposition to Senate Bill 2 and Revenue Caps; Commissioner Sweeten seconded the motion. No Commissioner noting any opposition, the motion carried 5/0.

e. **Discuss and/or take action approve Resolution in Opposition to Unfunded Mandates. – Judge Shanklin.** Commissioner Sweeten made the motion to approve the Resolution in Opposition to Unfunded Mandates; Commissioner Epperson seconded the motion. No Commissioner noting any opposition, the motion carried 5/0.

f. **Open and discuss bids to potentially take action on buying truck for Road Department. – Commissioner Fry.** Judge Shanklin stated that Katie called several dealerships for a bid on the purchase of a pickup and we had no return bids from anybody. They also called the place where the Sheriff gets her vehicles, two dealerships in Del Rio, one in San Angelo, and one either in San Antonio or Kerrville. Sweeten asked, as long as it’s under a certain amount of money, couldn’t we just purchase something? His recommendation, since the bidding process didn’t produce results, is to look at a “buy board” or the Houston/ Galveston Council of Governments buying group and see if we can’t purchase one on there. By buying this way, the County would get a discount. Commissioner Fry interjected that we could also ask the telephone company since they purchase fleet vehicles. We could ask who they deal with. What Sweeten would like to do is to ask Milton Martin to start contacting these entities and get the best vehicle at the best price and bring it back to the Judge. The Judge told Martin that what Fry was talking about was Lawrence Hall in Anson, Texas. There is also a dealership on I-10 by Boerne that sells fleet vehicles. Audience member and TxDOT employee Jeff Yeaman stated, upon inquiry from Judge Shanklin, that TxDOT uses the Houston/Galveston COG as well and they will prepare the bid package for you. Sweeten asked Martin to meet with Mr. Yeaman for help regarding this task. The Court will take no action on this item until we get some feedback from Martin.

g. **Discuss and/or take action to approve offer to trade in Road Department surplus equipment toward the purchase of a new bottom dump. – Commissioner Fry.** Commissioner Fry addressed the Court and stated that the offer for trade-in value on our belly dump was $7,000 for a ten year old bottom dump. They offered us $6,900 for the dump trailer. Epperson stated that the only thing wrong with it was the air cylinders and the cost to replace each was $800. Fry stated that Ben, from the place that is servicing our other equipment, quoted us this amount. Epperson stated that others could have a different opinion and a different quote. Epperson stated that, other than the cylinders, the equipment was in good shape. Shanklin asked for the input of the other commissioners since he was led to believe that the bottom dump in question was worn out. Martin stated that this bottom dump hasn’t been serviced since 2002 and he thought it was worn out. We can either replace it and keep working on the roads or patch it up and keep working on *it*. Epperson doesn’t see what is wrong with it. Shanklin asked if we should just keep fixing broken equipment. Martin responded that is what apparently has been done for years. We bandage the equipment and then we have to fix it again. Sweeten asked if we have use for two belly dumps; we can buy a new one and get the other one fixed. Commissioner Fry made the motion to buy a new bottom dump and fix the old one; Commissioner Epperson seconded the motion. No Commissioner noting any opposition, the motion carried 5/0.

h. **Consider and act upon Contract from Esser & Company LLC for Administration Services of TxCDBG 7216005. – Carl Esser.** Judge Shanklin announced that Esser and Co was the only one that applied for this job. Commissioner Sweeten made the motion to approve the Contract from Esser & Company LLC for Administration Services of TxCDBG 7216005; Commissioner Fry seconded the motion. No Commissioner noting any opposition, the motion carried 5/0.

i. **Consider and act upon Contract from TRC Engineers Inc. for Engineering Services of TxCDBG 7216005. – Carl Esser.** Commissioner Sweeten made the motion to approve the Contract from TRC Engineers Inc. for Engineering Services of TxCDBG 7216005. The engineering fees will be paid from the grant funds. Commissioner Fry seconded the motion. No Commissioner noting any opposition, the motion carried 5/0.

j. **Consider and act upon Authorized Signatory Designation Resolution and Signatory Form, Labor Standard Officer Appointment, Civil Rights Officer Appointment, Proclamation March as Fair Housing Month and Schedule 4 Month Conference Call as required per TxCDBG guidelines for TxCDBG 7216005. – Carl Esser.** Esser stated that historically, the County Judge and the Treasurer have been appointed as the signatories for grant documents; as such, Judge Shanklin and Treasurer Enriquez will be the authorized signatories designated by the Court to sign off on all grant forms for this TxCDBG 7216005 grant project. March is to be proclaimed as Fair Housing Month in Edwards County. Sweeten said that all twelve months should be designated as Fair Housing Months. The Labor Standards Officer will be Carl Esser; the Civil Rights Officer will be the County Treasurer. The 4-month conference call is scheduled for March 28th at 10:00 a.m. Commissioner Sweeten made the motion to appoint Judge Shanklin and Treasurer Enriquez as the authorized signatories for TxCDBG 7216005 grant documents, to proclaim March as Fair Housing Month in Edwards County, to appoint Carl Esser as the Labor Standards Officer for TxCDBG 7216005, to appoint Lupe Enriquez as Civil Rights Officer for TxCDBG 7216005, and to schedule the 4-month conference call for March 28, 2017 at 10:00 a.m. Commissioner Fry seconded the motion. No Commissioner noting any opposition, the motion carried 5/0.

k. **Consider and act upon Resolution for Criminal Justice FY 2018 Grant Application – Carl Esser.** Esser indicated that the Sheriff’s Department is applying for funds to purchase a couple of ATV’s. Upon questioning by Epperson, Esser stated that the total price for everything would be about $45,000. Commissioner Sweeten made the motion to approve the Resolution for Criminal Justice FY 2018 Grant Application; Commissioner Fry seconded the motion. No Commissioner noting any opposition, the motion carried 5/0.

l. **Consider and act upon Resolution for LBSP FY 2018 Grant Application. – Carl Esser.** This Resolution deals with the local border security program. This is separate and apart from the Stonegarden grant. Commissioner Epperson made the motion to approve the Resolution for LBSP FY 2018 Grant Application; Commissioner Barnebey seconded the motion. No Commissioner noting any opposition, the motion carried 5/0.

m. **Consider and act upon schedule Public Hearing for proposed 2017 Colonia Construction Fund Application. – Carl Esser.** Commissioner Sweeten made the motion to approve having a public hearing for the proposed 2017 Colonia Construction Fund grant with the time, date, and location to be determined by Carl Esser who will then notify the Court of the time, date, and location. Commissioner Fry seconded the motion. No Commissioner noting any 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 April, 2017 (April 11, 2017) at 9:00 a.m. in the Edwards County Courtroom.

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

8. **Adjourn.** Commissioner Sweeten made the motion to adjourn. Commissioner Barnebey 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 9:53 a.m.

APPROVED:

SOULI ASA SHANKLIN

Edwards County Judge

Attest:

OLGA LYDIA REYES

Edwards County and District Clerk