

MINUTES

The Uvalde County Commissioners Court met in regular session at 10:00 a.m. on November 23, 2009, in the Commissioners Courtroom of the Uvalde County Courthouse with the following members present:

William R. Mitchell, *County Judge*
Randy Scheide, *Commissioner #1*
Daniel Sanchez, *Commissioner #2*
Jerry W. Bates, *Commissioner #3*
Jesse R. Moreno, *Commissioner #4*
Lucille C. Hutcherson, *County Clerk and Ex-Officio Clerk of the Commissioners Court*

Also present were *County Treasurer* Joni Deorsam, *County Sheriff* Charlie Mendeke, *County Auditor* Alice Chapman, and *County Road Administrator* Jesse Garcia.

1. CONSIDER AND ACT UPON CALL TO ORDER AND PLEDGE OF ALLEGIANCE:

The Honorable William R. Mitchell called the meeting of November 23, 2009, to order; gave the invocation; led the pledge of allegiance to the United States of America and Texas flags.

2. CONSIDER AND ACT UPON APPROVAL OF MINUTES:

- Upon motion of Commissioner Moreno
- Second by Commissioner Bates

The Court unanimously (4-0) approved the Minutes of November 9, 2009 and November 13, 2009, as presented.

Commissioner Scheide *yes*
Commissioner Bates *yes*

Commissioner Sanchez *yes*
Commissioner Moreno *yes*

3. CONSIDER AND ACT UPON AWARD OF OPERATOR OF HOTEL/MOTEL OCCUPANCY TAX:

- Upon motion of Commissioner Bates

The motion of Commissioner Bates to award the operator of hotel/motel occupancy tax to Hill Country River Region died from lack of a second.

- Upon motion of Commissioner Scheide
- Second by Commissioner Sanchez

The Court approved (3-1) the award (*Bid #2009-10*) of the operator of hotel/motel occupancy tax to the Uvalde Chamber of Commerce. A copy said proposal is attached to these minutes.

Commissioner Scheide *yes*
Commissioner Bates *no*

Commissioner Sanchez *yes*
Commissioner Moreno *yes*

4. CONSIDER AND ACT UPON PRESENTATION OF TAX ABATEMENT PROPOSAL BY UVALDE CITY COUNCILMAN J. CARNES:

Councilman J. Carnes was not present for this agenda item.

5. CONSIDER AND ACT UPON REQUEST TO VACATE PLAT OF CREEK VIEW ESTATES DBA THEE VIEW PHASE 1 SUBDIVISION:

Judge Mitchell informed the Court that the plat of Creek View dba Thee View has been approved by the Court. The developer is requesting the plat be vacated as there are some issues that need to be changed. By vacating the plat, the developer will then be in a position to file a plat with the desired changes.

- Upon motion of Commissioner Moreno
- Second by Commissioner Sanchez

The Court unanimously (4-0) approved the vacating of the plat of Creek View d/b/a Thee View, as requested by the developer. An Order signed by Judge Mitchell shall be attached to the plat and recorded in the OPR records indicating the action taken by the Court.

<i>Commissioner Scheide</i>	<i>yes</i>	<i>Commissioner Sanchez</i>	<i>yes</i>
<i>Commissioner Bates</i>	<i>yes</i>	<i>Commissioner Moreno</i>	<i>yes</i>

6. CONSIDER AND ACT UPON PRELIMINARY APPROVAL OF THEE VIEW PHASE 1 SUBDIVISION:

- Upon motion of Commissioner Moreno
- Second by Commissioner Sanchez

The Court unanimously (4-0) approved the preliminary plat of Thee View Phase 1 Subdivision, as presented by developer Greg Fry.

<i>Commissioner Scheide</i>	<i>yes</i>	<i>Commissioner Sanchez</i>	<i>yes</i>
<i>Commissioner Bates</i>	<i>yes</i>	<i>Commissioner Moreno</i>	<i>yes</i>

7. CONSIDER AND ACT UPON REQUEST OF DISTRICT ATTORNEY TO EMPLOY AN ASSISTANT UTILIZING GRANT FUNDS:

- Upon motion of Commissioner Moreno
- Second by Commissioner Scheide

The Court unanimously (4-0) approved the request of District Attorney Daniel J. Kindred to employ an Assistant District Attorney utilizing grant funds. This grant will not require any expenditure from Medina, Uvalde, or Real Counties and will fund the position for a period of two years.

<i>Commissioner Scheide</i>	<i>yes</i>	<i>Commissioner Sanchez</i>	<i>yes</i>
<i>Commissioner Bates</i>	<i>yes</i>	<i>Commissioner Moreno</i>	<i>yes</i>

8. CONSIDER AND ACT UPON REQUEST OF SHERIFF TO APPOINT A DEPUTY TO THE DEA TASK FORCE, SERVING AT THE RANK OF SERGEANT NATCOTICS INVESTIGATOR AND INCREASE PAY BY \$2,400 UTILIZING FORFEITURE FUNDS:

In reference to the appointment of an Uvalde County Deputy to DEA task force for the

Uvalde County Sheriff's Office: Sheriff Mendeke requested said position title to read as Sergeant Narcotics Investigator. Also, the Sheriff requested a \$2,400.00 pay increase to be paid out of Uvalde County Sheriff's Office Drug Forfeiture, making the total salary for this position \$37,744.00.

- Upon motion of Commissioner Sanchez
- Second by Commissioner Moreno

The Court unanimously (4-0) approved the request of Sheriff Mendeke to appoint a deputy to the DEA task force, servicing rank of Sergeant Narcotics Investigator. The motion also included an increase of pay in the amount of \$2,400 utilizing forfeiture funds for said position.

Commissioner Scheide *yes*
Commissioner Bates *yes*

Commissioner Sanchez *yes*
Commissioner Moreno *yes*

9. CONSIDER AND ACT UPON AGREEMENT WITH DEA THAT OVERTIME AND FUEL EXPENSES FOR SERGEANT NARCOTICS INVESTIGATOR BE FUNDED WITH FEDERAL FUNDS:

- Upon motion of Commissioner Sanchez
- Second by Commissioner Moreno

The Court unanimously (4-0) approved an agreement with DEA Agent Jesse Hester that overtime and fuel expenses for the Uvalde Sgt. Narcotics Investigator to be funded, upon availability, by the Federal Government, as requested by Sheriff Mendeke.

Commissioner Scheide *yes*
Commissioner Bates *yes*

Commissioner Sanchez *yes*
Commissioner Moreno *yes*

10. CONSIDER AND ACT UPON REQUEST OF SHERIFF TO FUND OVERTIME AND FUEL OF SERGEANT NARCOTICS INVESTIGATOR USING FORFEITURE FUNDS SHOULD FEDERAL FUNDING BE ELIMINATED:

- Upon motion of Commissioner Moreno
- Second by Commissioner Sanchez

The Court unanimously (4-0) approved the request of Sheriff Mendeke in the event that Federal funding was no longer available for overtime for the Sergeant Narcotics Investigator that said funds be paid out of the Uvalde County Sheriff's Office Drug Forfeiture Account.

Commissioner Scheide *yes*
Commissioner Bates *yes*

Commissioner Sanchez *yes*
Commissioner Moreno *yes*

11. CONSIDER AND ACT UPON ROAD ADMINISTRATORS REPORT:

County Road Administrator Jesse Garcia gave the Court the following activity report, with no action taken.

- Road repair in the City of Sabinal complete
- Cutting brush
- Mowing
- Routine maintenance

12. CONSIDER AND ACT UPON LINE ITEM BUDGET AMENDMENTS:

- Upon motion of Commissioner Bates
- Second by Commissioner Sanchez

The Court unanimously (4-0) approved the line item budget amendments for the period ending October 2009, as presented by the County Auditor. A copy of the same is attached to these minutes.

<i>Commissioner Scheide</i>	<i>yes</i>	<i>Commissioner Sanchez</i>	<i>yes</i>
<i>Commissioner Bates</i>	<i>yes</i>	<i>Commissioner Moreno</i>	<i>yes</i>

13. CONSIDER AND ACT UPON PAYMENT OF BILLS:

- Upon motion of Commissioner Bates
- Second by Commissioner Sanchez

The Court unanimously (4-0) approved payment of the bills, as presented. A copy of the same is attached to these minutes.

14. CONSIDER AND ACT UPON PAYROLL APPROVAL:

- Upon motion of Commissioner Moreno
- Second by Commissioner Bates

The Court unanimously (4-0) approved the payroll. A copy of said payroll for this period was not available for recording with these minutes.

<i>Commissioner Scheide</i>	<i>yes</i>	<i>Commissioner Sanchez</i>	<i>yes</i>
<i>Commissioner Bates</i>	<i>yes</i>	<i>Commissioner Moreno</i>	<i>yes</i>

15. CONSIDER AND ACT UPON MONTHLY REPORTS:

- Upon motion of Commissioner Bates
- Second by Commissioner Sanchez

The Court unanimously (4-0) approved the following monthly reports, as presented.

County Auditor: *October 2009*

County Clerk: *May 22-28, 2009; October 30, 2009; October, 2009; October 2009 (Bond); November 2-5, 2009; November 6-12, 2009*

County Compliance: *November 2-6, 2009; November 9-13, 2009*

County Treasurer: *October 2009*

JP #1: *November 1-6, 2009; November 9-13, 2009*

JP #2: *November 1-6, 2009; November 7-13, 2009*

JP #3: *November 1-6, 2009; November 7-13, 2009*

JP #4: *November 2-6, 2009; November 9-13, 2009*

JP #6: *November 2-6, 2009; November 9-13, 2009*

<i>Commissioner Scheide</i>	<i>yes</i>	<i>Commissioner Sanchez</i>	<i>yes</i>
<i>Commissioner Bates</i>	<i>yes</i>	<i>Commissioner Moreno</i>	<i>yes</i>

16. CONSIDER AND ACT UPON RESOLUTIONS/PROCLAMATIONS:

The Court approved resolutions honoring the following individuals, with the meeting being closed in their memory. The Court did not cast votes on this agenda item.

Martina P. Medina
Josephine McCutchen
Jesus Maximo "Jesse" Garcia

With no further business, the meeting of November 23, 2009 was adjourned.

