



MINUTES

The Uvalde County Commissioners Court met in regular session at 10:00 a.m. on December 10, 2012, in the Commissioners Courtroom of the Uvalde County Courthouse with the following members present:

William R. Mitchell, *County Judge*
Randy Scheide, *Commissioner Pct. #1*
Mariano Pargas Jr., *Commissioner Pct. #2*
Jerry W. Bates, *Commissioner Pct. #3*
Raul T. Flores, *Commissioner Pct. #4*
Ramona Esquivel Hobbs, *County Clerk and Ex-Officio Clerk of the Commissioners Court*

Also present were *County Attorney John P. Dodson, County Auditor Alice Chapman, County Treasurer Joni Deorsam, and Road Administrator Jesse Garcia.*

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

The Honorable William R. Mitchell called the meeting of December 10, 2012, 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 Bates.
- Second by Commissioner Flores.

The Court (4-0) approved the Minutes of November 26, 2012.

<i>Commissioner Scheide</i>	<i>Yes</i>	<i>Commissioner Flores</i>	<i>Yes</i>
<i>Commissioner Pargas</i>	<i>Yes</i>	<i>Commissioner Bates</i>	<i>Yes</i>

3. CONSIDER AND ACT UPON ADOPTING COUNTY "REPORT OF EMINENT DOMAIN AUTHORITY":

- Presentation by County Attorney John P. Dodson, reference Senate Bill 18.
- Recommendation to submit required documentation of Eminent Domain Authority:
 - a. Detailing legal authority to exercise power.
 - b. Texas Association of Counties assisted in compiling list.

- Upon motion of Commissioner Flores.
- Second by Commissioner Pargas.

The Court (4-0) approved adopting County “Report of Eminent Domain Authority” and submitting letter to the Comptroller of Public Accounts. (Copy attached.)

<i>Commissioner Scheide</i>	<i>Yes</i>	<i>Commissioner Flores</i>	<i>Yes</i>
<i>Commissioner Pargas</i>	<i>Yes</i>	<i>Commissioner Bates</i>	<i>Yes</i>

4. CONSIDER AND ACT UPON BAN ON OUTDOOR BURNING:

- Recommendation of Commissioner Bates, not to prohibit outdoor burning and authorize Judge Mitchell to reinstate a ban in the event of necessity.
- Upon motion of Commissioner Bates.
- Second by Commissioner Pargas.

The Court (4-0) approved not issuing an order prohibiting outdoor burning.

<i>Commissioner Scheide</i>	<i>Yes</i>	<i>Commissioner Flores</i>	<i>Yes</i>
<i>Commissioner Pargas</i>	<i>Yes</i>	<i>Commissioner Bates</i>	<i>Yes</i>

5. CONSIDER AND ACT UPON REGULATING FIREWORKS IN COUNTY:

- The Local Government Code authorizes the Commissioners Court to regulate fireworks in the unincorporated areas of the county under drought conditions, adopted no later than December 15.
- Upon motion of Commissioner Pargas
- Second by Commissioner Bates.

The Court (4-0) adopted an order prohibiting certain fireworks in unincorporated areas of Uvalde County, Texas. (Copy attached.)

<i>Commissioner Scheide</i>	<i>Yes</i>	<i>Commissioner Flores</i>	<i>Yes</i>
<i>Commissioner Pargas</i>	<i>Yes</i>	<i>Commissioner Bates</i>	<i>Yes</i>

6. CONSIDER AND ACT UPON ADOPTING RESOLUTION IN SUPPORT OF 2013 LOCAL BORDER STAR GRANT:

- Presentation by Carl Esser and Doug Postert:
 - a. Grant application in the amount of \$599,317.00 for overtime and operational costs.
 - b. Local Border Security Program FY 2013, (January 1, 2013 through August 31, 2013.)
- Upon motion of Commissioner Pargas.
- Second by Commissioner Bates.

The Court (4-0) adopted resolution in support of 2013 Local Border Star Grant. (Copy attached).

<i>Commissioner Scheide</i>	<i>Yes</i>	<i>Commissioner Flores</i>	<i>Yes</i>
<i>Commissioner Pargas</i>	<i>Yes</i>	<i>Commissioner Bates</i>	<i>Yes</i>

7. CONSIDER AND ACT UPON AWARD OF BID FOR HIGHWAY 90 COLONIA CONSTRUCTION PROJECT:

- Presentation by Carl Esser:
 - a. Bids (#711315) were opened on December 3, 2012, from Jacco, LLC, Alvin E. Stock Contractor, Ltd., and QroMex Construction Co., Inc.

- b. Reviewing bids for recommendation.
- c. Budgeted amount for construction of first time water and sewage residents, \$400,000.00.
- No action taken on agenda item. (Copy attached.)

8. CONSIDER AND ACT UPON CASTING BALLOTS FOR APPRAISAL DISTRICT BOARD OF DIRECTORS:

- Uvalde County has a total of 712 votes to cast:
Federico M. Flores: 356 votes
Javier Flores: 356 votes
- Upon motion by Commissioner Scheide.
- Second by Commissioner Bates.

The Court (4-0) approved a resolution casting ballots for Appraisal District Board of Directors. (Copy attached.)

<i>Commissioner Scheide</i>	<i>Yes</i>	<i>Commissioner Flores</i>	<i>Yes</i>
<i>Commissioner Pargas</i>	<i>Yes</i>	<i>Commissioner Bates</i>	<i>Yes</i>

9. CONSIDER AND ACT UPON LEASE SPACE CONTRACT RENEWALS:

- The following leases expire on December 31, 2012:
 - a. Justice of the Peace, Pct. 2
 - b. Justice of the Peace, Pct. 3
 - c. Veterans Service Officer
 - d. Uvalde County Attorney
- Upon motion by Commissioner Bates.
- Second by Commissioner Pargas.

The Court (4-0) approved the Lease Space Contract renewals. (Copy attached.)

<i>Commissioner Scheide</i>	<i>Yes</i>	<i>Commissioner Flores</i>	<i>Yes</i>
<i>Commissioner Pargas</i>	<i>Yes</i>	<i>Commissioner Bates</i>	<i>Yes</i>

10. CONSIDER AND ACT UPON COUNTY'S RETIREMENT PLAN AND SETTING LEVEL OF CONTRIBUTION:

- Presentation by County Treasurer Joni Deorsam:
 - a. Employee contribution to remain at 7%.
 - b. Employer contribution will increase to 9.48%.
- Upon motion by Commissioner Scheide.
- Second by Commissioner Flores.

The Court (4-0) approved the County's retirement plan and setting level of contribution. (Copy attached.)

<i>Commissioner Scheide</i>	<i>Yes</i>	<i>Commissioner Flores</i>	<i>Yes</i>
<i>Commissioner Pargas</i>	<i>Yes</i>	<i>Commissioner Bates</i>	<i>Yes</i>

11. CONSIDER AND ACT UPON NULLIFYING CONTRACT WITH LIFE CHECK PHARMACY:

- LifeCheck Pharmacy has sold the pharmacy portion of their store, nullifying the one year contract the court had previously authorized.

- Upon motion of Commissioner Bates.
- Second by Commissioner Scheide.

The Court (4-0) approved nullifying contract with LifeCheck Pharmacy.

<i>Commissioner Scheide</i>	<i>Yes</i>	<i>Commissioner Flores</i>	<i>Yes</i>
<i>Commissioner Pargas</i>	<i>Yes</i>	<i>Commissioner Bates</i>	<i>Yes</i>

12. CONSIDER AND ACT UPON ROAD ADMINISTRATORS REPORT:

- Presentation by Jesse Garcia, Road Administrator.
- No action required on agenda item.

13. CONSIDER AND ACT UPON LINE ITEM BUDGET AMENDMENTS:

- Presentation of transfers by Auditor Alice Chapman.
- Upon motion by Commissioner Flores.
- Second by Commissioner Bates

The Court (4-0) approved the line item budget amendments. (Copy attached).

<i>Commissioner Scheide</i>	<i>Yes</i>	<i>Commissioner Flores</i>	<i>Yes</i>
<i>Commissioner Pargas</i>	<i>Yes</i>	<i>Commissioner Bates</i>	<i>Yes</i>

14. CONSIDER AND ACT UPON PAYMENT OF BILLS:

- Upon motion of Commissioner Bates.
- Second by Commissioner Pargas.

The Court (4-0) approved the bills, as presented. Copies of the same are attached.

<i>Commissioner Scheide</i>	<i>Yes</i>	<i>Commissioner Flores</i>	<i>Yes</i>
<i>Commissioner Pargas</i>	<i>Yes</i>	<i>Commissioner Bates</i>	<i>Yes</i>

15. CONSIDER AND ACT UPON APPROVAL OF MONTHLY REPORTS:

- Monthly reports, as presented:

County Treasurer: *Compliance Deposits November 1-30, 2012. County Clerk Deposits November 1-23, 2012.*

County Clerk Report: *November 26-30, Monthly of November 1-30, 2012.*

Compliance Office Report: *November 19-23, 26-30, 2012.*

County Auditor: *Elected Officials/Department Heads Audit Report October 2012, County Clerk and Compliance Office October 2012.*

District Clerk Report: *Monthly report of November 1-30, 2012.*

Sheriff's Office: *Charge Roster of December 3, 2012. Compliance Report, Commit and Release Audit Report November 26, 2012- December 3, 2012.*

JP #1: *November 13-23, 26-30, 2012.*

JP#2: *November 17-23, 24-30, 2012.*

JP #3: *November 19-21, 26-30, 2012.*

JP #4: *November 13-16, 19-21 (Vacation), 26-30, 2012.*

JP #6: *November 19-23, 26-30, November monthly report, 2012.*

Texas A&M AgriLife Extension Report: *November monthly report, 2012.*

Texas Hill Country River Region, Inc. Annual Financial Statements: *Fiscal Year Ending December 31, 2011.*

- Upon motion by Commissioner Bates.

- Second by Commissioner Pargas.

The Court (4-0) approved the Monthly Reports submitted by the County Clerk's office.

<i>Commissioner Scheide</i>	<i>Yes</i>	<i>Commissioner Flores</i>	<i>Yes</i>
<i>Commissioner Pargas</i>	<i>Yes</i>	<i>Commissioner Bates</i>	<i>Yes</i>

16. CONSIDER AND ACT UPON PAYROLL APPROVAL:

- Upon motion of Commissioner Bates.
- Second by Commissioner Flores.

The Court (4-0) approved the payroll for payment.

<i>Commissioner Scheide</i>	<i>Yes</i>	<i>Commissioner Flores</i>	<i>Yes</i>
<i>Commissioner Pargas</i>	<i>Yes</i>	<i>Commissioner Bates</i>	<i>Yes</i>

17. RESOLUTIONS/PROCLAMATIONS:

The Court approved resolutions in honor of the following individuals, with the meeting being closed in their memory.

Virginia Lee Hughes
 Maybell Williams
 Luisa Coronado Martinez
 Jesus E. Flores
 Marilyn Davenport Weber
 Lonnie F. Meyer
 Patricia Satterfield
 Ervin Willard
 Val Sobieski

Additionally, Judge Mitchell presented a resolution from the City of Uvalde in support in its application to the Texas Water Development Board.

- Upon motion of Commissioner Flores.
- Second by Commissioner Bates.

The Court (3-1) approved resolution from the City of Uvalde in support in its application to the Texas Water Development Board.

<i>Commissioner Scheide</i>	<i>No</i>	<i>Commissioner Flores</i>	<i>Yes</i>
<i>Commissioner Pargas</i>	<i>Yes</i>	<i>Commissioner Bates</i>	<i>Yes</i>

With no further business, the meeting of December 10, 2012 adjourned.

COMMISSIONERS COURT ORDER

On this, the _____ day of _____, 2012, came to be heard the Uvalde County Commissioners Court Minutes of _____, 20____, as prepared by the Clerk of the Court.

IT IS THEREFORE ORDERED, the foregoing be recorded and entered for record in the UVALDE COUNTY COMMISSIONERS COURT MINUTES, as required by law. (ORDER 12-10-12)

APPROVED BY: _____

William R. Mitchell, County Judge

Randy Scheide, Commissioner #1

Mariano Pargas, Jr., Commissioner #2

Jerry W. Bates, Commissioner #3

Raul T. Flores, Commissioner #4

(SEAL)

ATTEST: _____

Ramona Esquivel Hobbs, County Clerk
And Ex-Officio Clerk of the Commissioners Court of Uvalde County, Texas