

MINUTES

The Uvalde County Commissioners Court met in regular session at 10:00 a.m. on August 10, 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*
John P. Dodson, *County Attorney*
Lucille C. Hutcherson, *County Clerk and Ex-Officio Clerk of the Commissioners Court of Uvalde County*

Also present were *County Treasurer* Joni Deorsam, *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 August 10, 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 the regular meeting of July 27, 2009 and the budget workshop of July 27, 2009.

Commissioner Scheide *yes*
Commissioner Bates *yes*

Commissioner Sanchez *yes*
Commissioner Moreno *yes*

3. CONSIDER AND ACT UPON OPENING OF BIDS/PROPOSALS:

The following bids/proposals were opened and acknowledged receipt thereof. The same will be set aside for examination, with the awards scheduled for the next meeting of the court.

<u>2009-04</u>	<u>County Morgue</u>	Rushing-Estes-Knowles
<u>2009-05</u>	<u>Pharmacy</u>	Lifecheck
<u>2009-06</u>	<u>Inmate Telephone</u>	Cen Tex of San Antonio The Phone Company of California Secures Technologies of Dallas Synergy Telecom of San Antonio Legacy Long Distance of California
<u>2009-07</u>	<u>Road Department Uniforms</u>	G&K Services Unifirst
<u>2009-08</u>	<u>Sheriff Department Uniforms</u>	Lawmen & Shooters Supply of Florida G&K Services (no bid) Unifirst

4. CONSIDER AND ACT UPON APPROVAL OF FINAL PLAT OF CREEK VIEW ESTATE SUBDIVISION:

- Upon motion of Commissioner Scheide
- Second by Commissioner Bates

The Court unanimously (4-0) approved the final plat of Creekview Estates Subdivision. The motion also included accepting the roads within said subdivision, as long as the specifications adopted by Commissioners Court were followed.

Commissioner Scheide *yes*
Commissioner Bates *yes*

Commissioner Sanchez *yes*
Commissioner Moreno *yes*

5. CONSIDER AND ACT UPON ADOPTION OF RESOLUTION REQUEST OF COMMUNITY HEALTH DEVELOPMENT, INC.

- Upon motion of Commissioner Scheide
- Second by Commissioner Moreno

The Court unanimously (4-0) approved a resolution requesting the Texas Department of Transportation assign priority consideration to a drainage and street improvement project at the intersection of US 90 and North FM 1435 (Grove Street) and at the intersection of Highway 83 and South FM 1435 (Evans Street). A copy of the said resolution is attached to these minutes.

Commissioner Scheide *yes*
Commissioner Bates *yes*

Commissioner Sanchez *yes*
Commissioner Moreno *yes*

6. CONSIDER AND ACT UPON ENFORCEMENT OF “CELL PHONE USE PROHIBITED” LAW IN SCHOOL ZONES:

- Upon motion of Commissioner Moreno
- Second by Commissioner Sanchez

The Court unanimously (4-0) approved the enforcement of HB 55 which makes it illegal to use cell phones in school zones. This law was passed by the 81st Legislature, with an effective date of September 1, 2009.

Commissioner Scheide *yes*
Commissioner Bates *yes*

Commissioner Sanchez *yes*
Commissioner Moreno *yes*

7. CONSIDER AND ACT UPON INTERLOCAL AGREEMENT WITH THE CITY OF SABINAL FOR POLLING SITE:

- Upon motion of Commissioner Bates
- Second by Commissioner Moreno

The Court unanimously (4-0) approved an amended interlocal agreement with the City of Sabinal for a polling site. Pending approval by the US Justice Department, the polling site for voting precinct #2 will be located in the Sabinal Library. A copy of said contract is attached to these minutes.

Commissioner Scheide *yes*
Commissioner Bates *yes*

Commissioner Sanchez *yes*
Commissioner Moreno *yes*

8. CONSIDER AND ACT UPON ESTABLISHING UTILITY SERVICE AT FAIRGROUNDS AND CREATE BUDGET LINE ITEM:

- Upon motion of Commissioner Scheide
- Second by Commissioner Bates

The Court unanimously (4-0) approved the creation of a line item for utility services at the Fairgrounds. The motion also included the transfer of \$3500.00 from the tobacco fund to said line item.

Commissioner Scheide *yes*
Commissioner Bates *yes*

Commissioner Sanchez *yes*
Commissioner Moreno *yes*

9. CONSIDER AND ACT UPON PUBLIC HEARING REGARDING SUBMISSION OF GRANT APPLICATION TO USDA FOR JAIL/FAIRGROUNDS COMPLEX:

Carl Esser of Esser & Co. conducted the public hearing regarding the submission of an application to the United States Department of Agriculture Rural Development Office for a USDA Loan/Grant Application. The application is being submitted to fund the Uvalde County Jail/Fairgrounds Complex.

Sandy Hurwitz - spoke in favor of the Jail/Fairgrounds complex

No action was taken by the Court under this agenda item.

10. CONSIDER AND ACT UPON PROPOSED 2009-2010 UVALDE COUNTY BUDGET:

The Court discussed travel adjustments and salary increases pertaining to the proposed 2009-2010 County Budget, with no action taken.

11. DISCUSS TAX RATE: IF PROPOSED TAX RATE WILL EXCEED THE ROLLBACK RATE OR THE EFFECTIVE TAX RATE (WHICHEVER IS LOWER), TAKE RECORD VOTE AND SCHEDULE PUBLIC HEARING:

Discussion and action on this agenda item was postponed until noon on August 13, 2009.

12. CONSIDER AND ACT UPON ROAD ADMINISTRATORS REPORT:

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

- Seal coating complete on CR #429
- Starting seal coating on Cenizo Dr. in Uvalde Estates
- Cutting brush
- Routine maintenance

13. CONSIDER AND ACT UPON LINE ITEM BUDGET AMENDMENTS:

The County Auditor did not present any line item budget amendments to the Court for approval.

14. CONSIDER AND ACT UPON APPROVAL OF MONTHLY REPORTS:

- Upon motion of Commissioner Bates
- Second by Commissioner Moreno

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

County Clerk: *July 17-23, 2009; July 24-30, 2009; July 31, 2009; July, 2009; July 2009 (Bond)*
County Compliance: *July 1-31, 2009; July 20-24, 2009; July 27-31, 2009*

Jail: July 28, 2009; July 27-August 3, 2009
JP#1: July 20-24, 2009; July 27-31, 2009
JP #2: July 18-24, 2009 (2); July 25-31, 2009
JP #3: July 18-24, 2009; July 25-31, 2009
JP #4: July 13-17, 2009; July 20-24, 2009 (2); July 27-31, 2009
JP #6: July 20-24, 2009; July 27-31, 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>

15. CONSIDER AND ACT UPON PAYMENT OF BILLS:

- Upon motion of Commissioner Bates
- Second by Commissioner Sanchez

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

16. CONSIDER AND ACT UPON PAYROLL APPROVAL:

- Upon motion of Commissioner Bates
- Second by Commissioner Sanchez

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>

17. CONSIDER AND ACT UPON RESOLUTIONS/PROCLAMATIONS:

The Court approved a resolution in honor of the following, with the meeting being closed in her memory. Members of the Court did not cast a vote under this agenda item.

Sue Lemke

The Court recessed until noon on August 13, 2009.

The Court reconvened at noon on August 13, 2009, with the following being 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 of Uvalde County*

Also present were *County Treasurer* Joni Deorsam and *County Auditor* Alice Chapman.

11. DISCUSS TAX RATE: IF PROPOSED TAX RATE WILL EXCEED THE ROLLBACK RATE OR THE EFFETIVE TAX RATE (WHICHEVER IS LOWER), TAKE RECORD VOTE AND SCHEDULE PUBLIC HEARING:

The County Auditor discussed tax rates which would be required to fund the proposed 2009-2010 Uvalde County Budget.

- Upon motion of Commissioner Scheide
- Second by Commissioner Bates

The Court unanimously (5-0) approved and took a record vote on the following proposed tax rate, as recommended by the County Auditor. The motion also included the schedule for two public hearings on proposed tax rate.

<u>FUND:</u>	<u>2008-09</u>	<u>2009-10</u>	<u>DIFFERENCE</u>
General Fund Tax Rate	\$.4395	\$.4395	\$.0000
FM/Flood Tax Rate	\$.1267	\$.1267	\$.0000
Debt Rate	\$.0000	\$.1500	\$.1500
TOTAL TAX RATE	\$.5662	\$.7162	\$.1500
TOTAL EFFECTIVE RATE		\$.5620	
TOTAL ROLLBACK RATE		\$.7403	

Public hearings on proposed tax rate will be conducted at 10 a.m. on August 24, 2009 and September 14, 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>
	<i>Judge Mitchell</i>		<i>yes</i>

With no further business, the meeting of August 10, 2009 was adjourned.