

ON THIS THE 28<sup>TH</sup> DAY OF NOVEMBER 2016, BEING THE FOURTH MONDAY OF THE MONTH, THE HONORABLE DIMMIT COUNTY COMMISSIONERS COURT CONVENED IN REGULAR SESSION, WITH MEMBERS PRESENT TO-WIT :

FRANCISCO G. PONCE  
COUNTY JUDGE

MIKE URIEGAS  
COMMISSIONER PCT. 1

JUAN R. CARMONA  
COMMISSIONER PCT. 3

ALONSO G. CARMONA  
COMMISSIONER PCT. 2

JOSEFA O. DE LEON  
CHIEF DEPUTY, COUNTY CLERK

VALERIE RUBULCABA  
COMMISSIONER PCT. 4

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**VISITORS SIGNED-IN:** Richie Griffin Carlos Arce James Anderson David Torres Alberto Esquivel Maricela Gonzalez Alfredo P. Martinez Daniel M. Gonzalez Sonia Guerrero Jim Buckner Carlos Pereda Mary Sandoval Ruth A. Ceniseros Leticia Hernandez Eloy F. Rodriguez, Sr. James E. Cabello

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<:> THE FOLLOWING SUBJECTS DISCUSSED, CONSIDERED, PASSED OR ADOPTED TO-WIT : <:>

1. **ADMINISTRATIVE**

1.1 CALL MEETING TO ORDER 1.2 ROLL CALL 1.3 PLEDGE OF ALLEGIANCE AND SALUTE TO THE TEXAS FLAG  
1.4 TESTIMONIAL OATH OF PRESENTERS

County Judge **Francisco G. Ponce** Called the Meeting to Order [10:00 a.m.], Chief Deputy Clerk **Josefa O. De Leon** conducted Roll Call of Court Members w/ a full quorum present and so duly noted for the record. Court Members led the Pledge of Allegiance and Salute to The Texas Flag. County Judge **Ponce** advised courtroom audience of the Oath for all Presenters.

1.5 **PUBLIC COMMENT**

a) **Juan Carmona**-Commsr. Pct. 3, RE:--reported post and sign stolen from Martinez RD

b) **Francisco G. Ponce**-County Judge, RE:--Notice in letter dated 10/17/2016 from **Robert Belcher**, President of Colt Exploration Co., Inc of recent legislation (Texas 84 (R)HB 2521, Natural Resources Code, i.e., "...county shall be paid royalty income on all Oil&Gas leases on county roads that were executed prior to September 1, 2017, through Texas State Comptroller dedicated fund, twice annually" \*attachment

1.6 **APPROVED: MINUTES OF REGULAR MEETING – NOVEMBER 15, 2016**

MOTION: Juan Carmona SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT **APPROVE :**  
**MINUTES** of Regular Meeting held on November 15, 2016 as presented . **MOTION CARRIED.**

1.7 **APPROVED: MINUTES OF SPECIAL MEETING – NOVEMBER 17, 2016**

MOTION: Alonso Carmona SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT **APPROVE :**  
**MINUTES** of Special Meeting held on November 17, 2017 as presented . **MOTION CARRIED.**

2. **PERSONNEL & POLICY**

2.1 **APPROVAL OF BONDS**

[RE:--no Bonds timely submitted for approval ] NO MOTION PRESENTED.

2.2 **APPROVED: MONTHLY REPORT – JP PCT. 1**

MOTION: Mike Uriegas SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT **APPROVE :**  
**REPORT** for Month(s) of September and October 2016 from JP Pct. 1 – **Sonia Guerrero** **MOTION CARRIED. \*attachment**

2.3 **APPROVED: TRAVEL REQUEST – JP PCT. 1**

MOTION: Alonso Carmona SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT **APPROVE :**  
**TRAVEL** request/expenses for JP Pct. 1-**Sonia Guerrero** to attend : Justice of The Peace 20-Hour Seminar, February 28 thru March 3, 2017 in Austin, TX as presented . **MOTION CARRIED. \*attachment**

2. PERSONNEL & POICY, contd.,

2.4 APPROVED: RENEW CONTRACT – CARRIZO SPRINGS CISD CASE MANAGER

MOTION: Valerie Rubulcaba SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :  
Renewal of CONTRACT / Interlocal Cooperation AGREEMENT between County of Dimmit and Carrizo Springs Consolidated  
Independent School District for the contracted Case Manager position (Truancy), effective: December 1, 2016 as presented .  
MOTION CARRIED. \*attachment

2.5 APPROVED: MONTHLY REPORT – JP PCT. 2

MOTION: Alonso Carmona SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :  
REPORT for Month of October 2016 from JP Pct. 2-Alberto Esquivel .  
MOTION CARRIED. \*attachment

2.6 APPROVED: TRAVEL REQUEST – JP PC. 2

MOTION: Alonso Carmona SECOND: Mike Uriegas THAT THE COMMISSIONERS COURT APPROVE :  
TRAVEL request/expenses for JP Pct. 2-Alberto Esquivel to attend : FY'17 Justice of The Peace 20-Hour Seminar, January 29 thru  
February 1, 2017 in Corpus Christi, TX as presented .  
MOTION CARRIED. \*attachment

2.7 APPROVED: MONTHLY REPORT – JP PCT. 3

MOTION: Juan Carmona SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :  
REPORT for Month of October 2016 from JP Pct. 3-Leticia Hernandez .  
MOTION CARRIED. \*attachment

2.8 APPROVED: MONTHLY REPORT – JP PCT. 4

MOTION: Valerie Rubulcaba SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :  
REPORT for Month of October 2016 from JP Pct. 4-Alfredo Martinez as presented. MOTION CARRIED. \*attachment

2.9 APPROVED: MONTHLY REPORT – DISTRICT CLERK

MOTION: Juan Carmona SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :  
REPORT for Month of October 2016 from District Clerk-Maricela Gonzalez .  
MOTION CARRIED. \*attachment

2.10 APPROVED: MONTHLY REPORT – COUNTY CLERK

MOTION: Juan Carmona SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :  
REPORT for Month of October 2016 from Chief Deputy Clerk-Josefa O. De Leon for County Clerk's Office as presented .  
MOTION CARRIED. \*attachment

2.11 APPROVED: MONTHLY REPORT – COUNTY COMMISSIONERS

MOTION: Mike Uriegas SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :  
REPORT(s) for Month of October 2016 from County Commissioners : Pct. 1-Mike Uriegas, Pct. 2-Alonso Carmona, Pct. 3- Juan  
Carmona and Pct. 4-Valerie Rubulcaba as presented .  
MOTION CARRIED. \*attachment(s)

2.12 APPROVED: MONTHLY REPORT – DCVFD FIRE CHIEF

MOTION: Valerie Rubulcaba SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :  
REPORT for Month of October 2016 from Fire Chief David Torres for DCVFD .  
MOTION CARRIED. \*attachment

2.13 APPROVED: ORDER - REINSTATE BURN BAN

MOTION: Alonso Carmona SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :  
To reinstate Burn Ban, i.e., ORDER Prohibiting Outdoor Burning, for 90 days, effective today : November 28, 2016 as presented.  
MOTION CARRIED. \*attachment

2.14 APPROVED: ORDER – PROHIBITING CERTAIN FIREWORKS IN UNINCORPORATED AREAS

[RE:--...“skyrockets on a stick” fireworks ]  
MOTION: Mike Uriegas SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :  
ORDER Prohibiting Certain Fireworks in Unincorporated Areas of Dimmit County, Texas as presented.  
MOTION CARRIED. \*attachment

2.15 APPROVED: (subject to) PURCHASE STORAGE BARN FACILITY FOR JUNIOR LIVESTOCK ASSOCIATION

[RE:-- letter from Homero Castellanos, President Junior Livestock Assoc. ]  
MOTION: Mike Uriegas SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :  
To assist the Dimmit County Junior Livestock Show Association, Inc. with PURCHASE of a Storage Barn Facility to store panels  
and other related equipment...subject to obtaining price for a barn w/dimensions of 60' wide X 90' length with 10' ft. ceilings.  
MOTION CARRIED. \*attachment

**2.16 TABLED: AMEND OR REPLACE INTERLOCAL AGREEMENT BETWEEN DIMMIT COUNTY AND DIMMIT REGIONAL HOSPITAL DISTRICT**  
[RE:--for assessment, collection of property taxes by Dimmit County Tax Assessor-Collector Office ]  
MOTION: Alonso Carmona SECOND: Mike Uriegas THAT THE COMMISSIONERS COURT APPROVE :  
To TABLE this Item . MOTION CARRIED.

**2.17 TABLED: RESOLUTION – AUTHORIZE PERDUE, BRANDON, FIELDER, COLLINS & MOTT, LLP TO ACT AS DELINQUENT TAX ATTORNEY FOR CITY OF BIG WELLS, CITY OF ASHERTON AND DIMMIT REGIONAL HOSPITAL DISTRICT PER THE INTERLOCAL AGREEMENTS SIGNED BY EACH AFOREMENTIONED ENTITY.**  
[RE:--entities need to notify their current delinquent tax attorney for status ]  
MOTION: Juan Carmona SECOND: Mike Uriegas THAT THE COMMISSIONERS COURT APPROVE :  
To TABLE this Item . MOTION CARRIED.

**2.18 TABLED: CONSIDER AWARD OF DIAMOND H PHASE 2**  
MOTION: Mike Uriegas SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :  
To TABLE this Item . MOTION CARRIED.

**2.19 APPROVED: ACCEPT FINAL DESIGN – HENRICHSON ROAD IMPROVEMENTS**  
MOTION: Valerie Rubulcaba SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :  
Acceptance of the Final Design Documents for Henrichson Road Improvements as presented.  
MOTION CARRIED. \*attachment(s)

**2.20 APPROVED: AUTHORIZE RIGHTS-OF-WAY (ROW) SURVEY – ESPANTOSA SUBDIVISION**  
MOTION: Mike Uriegas SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :  
To AUTHORIZE Heil, Lee & Associates, Inc. (HLA) to perform rights-of-way (ROW) survey for certain Espantosa (Subdivision) Roads that are currently platted and dedicated to the County but not cleared and/or improved as presented .  
MOTION CARRIED.

**2.21 APPROVED: RESOLUTION NO. –INDIGENT DEFENSE GRANT**  
[RE:--for eligibility to receive grants from Texas Indigent Defense Commission ]  
MOTION: Alonso Carmona SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :  
RESOLUTION NO. -2017 Dimmit County Indigent Defense Grant Program and designate the County Judge as Authorized Official to apply for, accept, decline, modify or cancel necessary documents and designate the County Auditor as the Financial Officer for this grant, as presented .  
MOTION CARRIED. \*attachment

**2.22 APPROVED: DESIGNEE – PURCHASE OF PROPERTY FOR (COUNTY) LANDFILL**  
MOTION: Alonso Carmona SECOND: Mike Uriegas THAT THE COMMISSIONERS COURT APPROVE :  
To designate County Judge Francisco G. Ponce to negotiate for the purchase of property for a (County) Landfill as presented.  
MOTION CARRIED.

**2.23 APPROVED: TRAVEL REQUEST(S) – COUNTY JUDGE, COUNTY AUDITOR**  
MOTION: Mike Uriegas SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :  
TRAVEL requests/expenses for County Judge Francisco G. Ponce and County Auditor Carlos Pereda to attend : Meeting concerning the Border Patrol matter, in Washington, D.C., date : (TBA) and depending on the schedule of the Congressman as presented .  
MOTION CARRIED.

**ADDENDUM :**

**2.24 APPROVED: HIRING LEGAL COUNSEL – TO REPRESENT DIMMIT COUNTY**  
MOTION: Alonso Carmona SECOND: Mike Uriegas THAT THE COMMISSIONERS COURT APPROVE :  
HIRING of legal counsel , i.e., Attorney Donato Ramos, Jr. to represent Dimmit County in Cause NO. 16-11-13023-DCVAJA, Briscoe Ranch, Inc., Et.Al. vs Dimmit County Et.Al, as presented.  
MOTION CARRIED.

**3. LAW ENFORCEMENT**

**3.1 JAIL STATUS**

[RE:--Jail in good operating condition; HEB Food Store donated 23 Turkeys for the Jail ]  
MOTION: Alonso Carmona SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE:  
JAIL Status Report as presented . MOTION CARRIED.

**4. GRANTS & PLANNING / REGULATORY COMPLIANCE DEPARTMENTS**

**4.1 STATUS REPORTS**

[RE:-- Courthouse "Annex" construction continues on schedule—Espantosa Well operating good—recommend more lighting for the Rodeo Arena ]

MOTION: Mike Uriegas SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :  
Status REPORT as presented MOTION CARRIED.

**5. FINANCIAL**

**5.1 APPROVED: MONTHLY REPORT – COUNTY TREASURER**

MOTION: Alonso Carmona SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :  
REPORT for Month of October 2016 from the County Treasurer Office as presented. MOTION CARRIED. \*attachment

**5.2 APPROVED: MONTHLY REPORT – COUNTY AUDITOR**

MOTION: Alonso Carmona SECOND: Mike Uriegas THAT THE COMMISSIONERS COURT APPROVE :  
Financial REPORT for Month of October 2016 from County Auditor-Carlos Pereda as presented. MOTION CARRIED. \*attachment

**5.3 APPROVED: COUNTY PAYROLL REPORT**

MOTION: Alonso Carmona SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :  
County PAYROLL Report for periods : 10/21/16, 11/04/16 including Employee Comp-Vac-Sick Hours Report as presented . MOTION CARRIED.

**5.4 APPROVED: LIST OF CLAIMS**

MOTION: Mike Uriegas SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :  
List of CLAIMS as presented . MOTION CARRIED. \*attachment

**5.5 APPROVED: CLAIM DOCKET**

MOTION: Mike Uriegas SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :  
GENERAL FUND docket (\$127,857.14) as presented .

**ABSTAIN:** Francisco G. Ponce [any/all claims for Michael Ponce and/or Ponce family-related]

Alonso Carmona, Juan Carmona [ any/all claims for Marina Carmona and/or Carmona family-related]

MOTION CARRIED. \*attachment

MOTION: Mike Uriegas SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :  
LAW LIBRARY FUND docket (\$569.25), the UTILITIES FUND docket (\$5,889.13). MOTION CARRIED. \*attachment(s)

MOTION: Mike Uriegas SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :  
GRANTS & PLANNING docket(\$446.92) as presented . MOTION CARRIED. \*attachment

MOTION: Alonso Carmona SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :  
RCDS/COUNTY CLERK docket (\$1,380.00), the PUBLIC SAFETY FACILITIES docket(\$326.48) and COUNTY PAYROLL FUND docket (\$105,168.52) as presented . MOTION CARRIED. \*attachment

MOTION: Mike Uriegas SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :  
CO's 15 FUND docket (\$57,373.00) as presented . MOTION CARRIED. \*attachment

**6. EXECUTIVE SESSION**

[NON-ACTION ITEM]

**7. RECONVENE IN OPEN SESSION**

[NON-ACTION ITEM]

**8. ADJOURNMENT**

MOTION: Alonso Carmona SECOND: Mike Uriegas THAT THE COMMISSIONERS COURT APPROVE :  
To Adjourn Meeting [12:15 PM] . MOTION CARRIED.

APPROVED:

ATTEST:

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FRANCISCO G. PONCE, COUNTY JUDGE

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MARIO Z. GARCIA, COUNTY CLERK