

ON THIS THE 24TH DAY OF OCTOBER 2016, BEING THE FOURTH MONDAY OF THE MONTH, THE HONORABLE DIMMIT COUNTY COMMISSIONERS COURT CONVENED IN REGULAR SESSION, WITH MEMBERS PRESENT TO-WIT :

MIKE URIEGAS
COMMISSIONER PCT. 1

FRANCISCO G. PONCE
COUNTY JUDGE

JUAN R. CARMONA
COMMISSIONER PCT. 3

ALONSO G. CARMONA
COMMISSIONER PCT. 2

MARIO Z. GARCIA
COUNTY CLERK & EX-OFFICIO CLERK
OF COMMISSIONERS COURT

VALERIE RUBULCABA
COMMISSIONER PCT. 4

VISITORS SIGNED-IN: Joe Robles Mary Perez Mary E. Sandoval David Torres Alfredo Martinez Jose Calzada Alberto Esquivel Norma Carrillo
Maricela Gonzalez Leticia Hernandez Eloy F. Rodriguez, Sr. John Petry Estanislado Z. Martinez Daniel M. Gonzalez
Chien Lee Dan Hejl Carlos Pereda

OTHER VISITORS: Benjamin Factor A. Scott Young James Cabello

<:;> 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/SALUTE TO THE TEXAS FLAG
1.4 TESTIMONIAL OATH TO PRESENTERS

County Judge *Francisco G. Ponce* Called the Meeting to Order [10:00 am]; County Clerk *Mario Z. Garcia* 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. Visitors and Presenters were duly informed that they are under Oath when addressing Commissioners Court.

1.5 **PUBLIC COMMENT(s)**

- a) Norma Carrillo-DCAD Chief Appraiser, RE:--invitation to groundbreaking ceremony for construction of new DCAD Building on Friday, October 28 at 10:00 am
b) Valerie Rubulcaba-Commsr. Pct. 4, RE:--jointly w/Judge and Commissioners expressed appreciation to Ms. Mary Perez for an outstanding job organizing the First Annual Pumpkin Patch Festival at the Rodeo Arena grounds. Commissioners Court presented Perez w/ a Certificate of Appreciation and a potted Plant.
c) Alberto Esquivel-JP Pct. 2, RE:--invitation from Texas Migrant Council (TMC) for him/staff to assist at their annual trick-or-treat event
d) Mario Z Garcia-County Clerk, RE:--Reminder that the courthouse will be Open on Sunday, October 30 for an "extra" day of Early Voting, from 10am to 3pm for the upcoming November 8 General Election

1.6 **APPROVED: MINUTES OF REGULAR MEETING – OCTOBER 7, 2016**

MOTION: Juan Carmona SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :
MINUTES of Regular Meeting held on October 7, 2016 as presented . MOTION CARRIED.

2. **PERSONNEL & POLICY**

2.1 **APPROVAL OF BONDS**

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

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

MOTION: Alonso Carmona SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :
To TABLE this Item . MOTION CARRIED.

2.3 **APPROVED: MONTHLY REPORT – JP PCT. 2**

MOTION: Mike Uriegas SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :
REPORT for Month of September 2016 from JP Pct. 2-Alberto Esquivel as presented. MOTION CARRIED. *attachment

2.4 **APPROVED: HIRING – FULL TIME TRUANCY CLERK**

MOTION: Alonso Carmona SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :
HIRING of Kayla Reaves as new Full Time Truancy Clerk for Dimmit County, effective October 10, 2016 as presented.
Discussion:--Reaves replaces Alicia Aguirre MOTION CARRIED.

2.5 **APPROVED: MONTHLY REPORT – JP PCT. 3**

MOTION: Alonso Carmona SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :
REPORT for Month of September 2016 from JP Pct. 3-Leticia Hernandez as presented. MOTION CARRIED. *attachment

2. PERSONNEL & POLICY, contd.,

2.6 APPROVED: TRAVEL REQUEST – JP PCT. 3

MOTION: Juan Carmona SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :
TRAVEL request/expenses for JP Pct. 3-Leticia Hernandez to attend : Overhead Assessment FY2017 Justice of The Peace Seminar, January 29-February 1, 2016 in Corpus Christi, TX as presented . MOTION CARRIED. *attachment

2.7 APPROVED: MONTHLY REPORT – JP PCT. 4

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

2.8 APPROVED: MONTHLY REPORT – DISTRICT CLERK

MOTION: Alonso Carmona SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :
REPORT for Month of September 2016 from District Clerk-Maricela G. Gonzalez as presented. MOTION CARRIED. *attachment

2.9 APPROVED: MONTHLY REPORT – COUNTY CLERK

MOTION: Juan Carmona SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :
REPORT for Month of September 2016 from County Clerk-Mario Z. Garcia as presented. MOTION CARRIED. *attachment

2.10 APPROVED: TRAVEL REQUEST – COUNTY CLERK

MOTION: Alonso Carmona SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :
TRAVEL request/expenses for County Clerk Mario Z Garcia to attend : 62nd Vital Statistics Conference, December 7-9, 2016 in Austin, TX for CEU credits as presented . MOTION CARRIED. *attachment

JOINT AGENDA ITEMS:

2.11 APPROVED: MONTHLY REPORT – COUNTY TREASURER

2.13 APPROVED: CONCERNING INVESTMENTS

[RE:--monies inverted in CD's, consider longtime CD's (?); no CD's now, all into regular General Account-- correct balance for Bond Series 2015(?), Court Advisory(s): do not let (amount) go less than \$5M, County Investment Officers, Judge Ponce to schedule Meeting w/Auditor, Treasurer for a Fund Balance Plan--TxDOT CERTZ Grant balance, Transportation Reinvestment Zone]

MOTION: Juan Carmona SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :
REPORT for Month of September 2016 from County Treasurer-Estanislado Z. Martinez as presented and concerns regarding Investments as presented . MOTION CARRIED. *attachment(s)

2.12 APPROVED: TRAVEL REQUEST – COUNTY TREASURER

MOTION: Mike Uriegas SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :
TRAVEL request/expenses for County Treasurer-Estanislado Z Martinez to attend: Texas Public Funds Investment Conference, November 17-18, 2016 in Houston, TX as presented . MOTION CARRIED. *attachment

2.14 APPROVED: MONTHLY REPORT(s) – COUNTY COMMISSIONERS

MOTION: Alonso Carmona SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :
REPORT(s) for Month of September 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)

2.15 APPROVED: 1) ANALYSIS and COMPARISON OF SUPPLEMENTAL TAX REVENUE, 2) REQUEST FOR ANALYSIS FROM CAPITOL APPRAISAL GROUP, INC

[RE:--County Tax A&C Mary Sandoval addressed court members w/Analysis, i.e., 1) Monthly Collections FY2015-2016, 2) summary of all Supplements imported from Dimmit Central Appraisal District(CAD) since 2010 and 3) summary of Minerals only supplements imported from CAD—i.e., no running history w/real properties, these not on Certified Roll and no statements sent. Norma Carrillo, Chief Appraiser : the 2013-2014 Listings provided to CAD from CDS(Creative Development Solutions) cannot determine if listings were missed; this same List submitted to the County Judge; Supplements are on a daily basis--Sandoval added that Listings are only for the county, not for the other Entities. Consensus of Court Members agreed to revisit this Item at the next regular Meeting]

MOTION: Juan Carmona SECOND: Mike Uriegas THAT THE COMMISSIONERS COURT APPROVE :
1) The County to require the CDS List be credited for the work on supplements and invite a representative from Capital Appraisal Group for a analysis of their comparison from the CDS List, as presented . MOTION CARRIED. *attachment

2.16 APPROVED: ACCEPT DONATION FROM COMMUNITY SERVICES AGENCY (CSA) – ROAD & BRIDGE PRECINCTS

MOTION: Valerie Rubulcaba SECOND: Juan Carmona THAT THE COMMISSIONERS COURT APPROVE :
To accept DONATION of commercial refrigerators from CSA to be used for Commodities Program by Road & Bridge Precincts as presented. MOTION CARRIED.

2.17 APPROVED: HIRING – ROAD & BRIDGE PCT. 3 and 6

MOTION: Valerie Rubulcaba SECOND: Juan Carmona THAT THE COMMISSIONERS COURT APPROVE :
HIRING of two(2) part-time Employees for Road&Bridge Pct. 3 & 6 (4 to 6 weeks) as presented. MOTION CARRIED.

2.18 APPROVED: SPEED BUMPS – DUNCAN STREET [ESPANTOSA SUBDIVISION]
[RE:--w/concern for heavy weight vehicles using Duncan St., advisory from project engineer (Dan Hejl) explained quality of the material used should safeguard the surface—priority centered on speed “bumps”]
MOTION: Valerie Rubulcaba SECOND: Juan Carmona THAT THE COMMISSIONERS COURT APPROVE :
Speed “Bumps” every 200’ feet on Duncan Street, Espantosa Subdivision as presented. MOTION CARRIED.

2.19 NON-ACTION ITEM : R & B PCT. 4 - LOWERY ROAD EASEMENT; NOT A COUNTY ROAD
[RE:--Sanitation Truck issues when entering after rainfall—COURT ADVISORY: it is not a county road, property owners have to make own repairs,maintenance—county vehicles can enter but county cannot repair NO MOTION PRESENTED.

2.20 APPROVED: MONTHLY REPORT – DCVFD ASSISTANT FIRE CHIEF
MOTION: Mike Uriegas SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :
REPORT for Month of September 2016 from DCVFD Assistant Fire Chief-*David Torres* as presented. MOTION CARRIED. *attachment

2.21 APPROVED: DISTRICT ATTORNEY GENERAL BUDGET, FY’2016-2017
MOTION: Mike Uriegas SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :
General BUDGET FY’2016-2017 for the District Attorney Office as presented . MOTION CARRIED. *attachment

2.22 APPROVED: ACCEPTANCE OF CONSTRUCTION COMPLETION – REFINERY RD and ESCONDIDO RD w/WARRANTY
[RE:--final inspection on 07/25/2016; contractor: Dirt Boys, Inc.]
MOTION: Mike Uriegas SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :
Acceptance of Construction PROJECT completion for the Refinery ROAD and Escondido ROAD and acceptance of the Contractor’s One-Year (1) Warranty, as presented . MOTION CARRIED. *attachment

2.23 APPROVED: ACCEPTANCE OF CONSTRUCTION COMPLETION – DUNCAN ST, FINAL CHANGE ORDER and WARRANTY
[RE:--Change Order amount: \$730.00]
MOTION: Mike Uriegas SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :
Acceptance of Construction PROJECT completion for the Duncan St. ROAD, approval of the Final Change ORDER and acceptance of the Contractor’s One-Year(1) Warranty as presented . MOTION CARRIED. *attachment

2.24 NON-ACTION ITEM : PURCHASE BLINDS FOR 3-WINDOWS – NEW JP PCT. 3 OFFICE BUILDING
[RE:--COURT ADVISORY: to consider blinds from Home Depot, Lowe’s etc] NO MOTION PRESENTED. *attachment

2.25 APPROVED: RE-SALE BID(S) ON TRUSTEE PROPERTY(S) – JAMES E. CABELLO, DELINQUENT TAX ATTORNEY
A) MOTION: Mike Uriegas SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :
Re-Sale BID from *Conrado Rodriguez* (\$1,000)for “Lot 6,Block 230, Original Townsite,City of Big Wells, Dimmit County, TX, tax office property ID No. 11665(Tax Suit 00-03-01927-DTX, City of Big Wells vs. John David Brady, Et Ux) as presented. MOTION CARRIED. *attachment
B) MOTION: Alonso Carmona SECOND: Mike Uriegas THAT THE COMMISSIONERS COURT APPROVE :
Re-Sale BID from *Conrado Rodriguez* (\$1,000)for “Lot 4, Block 230, Original Townsite,City of Big Wells, Dimmit County, TX, tax office property ID No.11663(Tax Suit 03-04-02204-DTX, Dimmit County vs. Pedro Perez) as presented . MOTION CARRIED. *attachment
C) MOTION: Mike Uriegas SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :
Re-Sale BID from *Sabino and San Juanita F. Cruz*(\$1,888.00)for”Lot 37, Block 2, Elm Lake Addition, City of Asherton, Dimmit County, TX”, tax office property ID 10613 (Tax Suit 11-09-2508-DTX, Dimmit County vs. Esteban Padron) as presented. MOTION CARRIED. *attachment

2.26 APPROVED: LEASE –SN COTULLA ASSETS, LLC – COUNTY AIRPORT PROPERTY OF 429.66 ACRES
[RE:--Attorney *John Petry* w/update for court members]
MOTION: Juan Carmona SECOND: Mike Uriegas THAT THE COMMISSIONERS COURT APPROVE :
Oil and Gas LEASE between County of Dimmit (Lessor) and SN Cotulla Assets, LLC (Lessee) and surface use AGREEMENT on Airport/County Property of 429.66 acres as presented.
Discussion:--entrance only on Lowery RD--county contacts : Commissioner *Valerie Rubulcaba*, Regulatory Compliance Officer *Eloy F. Rodriguez, Sr.* MOTION CARRIED. *attachment

2.27 APPROVED: TRAVEL REQUEST – COUNTY JUDGE
MOTION: Valerie Rubulcaba SECOND: Juan Carmona THAT THE COMMISSIONERS COURT APPROVE :
TRAVEL request/expenses for County Judge *Francisco G. Ponce* to attend : 2016 Fall Judicial Session, November 15-18 in Corpus Christi, TX as presented . MOTION CARRIED. *attachment

3. LAW ENFORCEMENT

3.1 APPROVED: ADVERTISE FOR BIDS – INMATE TELEPHONE and COMMISSARY SYSTEM FOR JAIL
MOTION: Alonso Carmona SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :
Advertise for BIDS for inmate telephone and commissary system for the Jail as presented. MOTION CARRIED.

3.2 TABLED: PURCHASE 2017 CHEVROLET TRUCK AND 2017 CHEVROLET CAMARO (OPSG15 GRANT)
MOTION: Mike Uriegas SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :
To TABLE this item . MOTION CARRIED.

3.3 Tabled: PAYMENT TO SKY COP FOR LICENSE PLATE READER REPAIRS

MOTION: Alonso Carmona SECOND: Valerie Rubulcaba
To TABLE this Item .

THAT THE COMMISSIONERS COURT APPROVE :
MOTION CARRIED.

3.4 Tabled: JAIL STATUS

MOTION: Alonso Carmona SECOND: Mike Uriegas
To TABLE this Item .

THAT THE COMMISSIONERS COURT APPROVE :
MOTION CARRIED.

4. GRANTS & PLANNING / REGULATORY COMPLIANCE DEPARTMENTS

4.1 STATUS REPORTS

[RE:-purchase of Canales Property in Catarina agreed; Stewart Title for paperwork] NO MOTION PRESENTED.

5. FINANCIAL

5.1 APPROVED: REIMBURSEMENT – 365TH JUDICIAL DISTRICT COURT COORDINATOR

MOTION: Valerie Rubulcaba SECOND: Juan Carmona THAT THE COMMISSIONERS COURT APPROVE :
Travel REIMBURSEMENT for 365th Court Coordinator-Erika V. Mancha for expenses incurred w/meals, June 6 thru June 28, 2016 .

MOTION CARRIED.

5.2 APPROVED: REIMBURSEMENT – 365TH JUDICIAL DISTRICT COURT COORDINATOR

MOTION: Mike Uriegas SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :
Travel REIMBURSEMENT for 365th Court Coordinator-Shelby Del Rio for expenses incurred w/meals, 08/31/2016. MOTION CARRIED.

5.3 APPROVED: FINANCIAL MONTHLY REPORT – COUNTY AUDITOR

[RE:-COURT ADVISORY: County Auditor and County Treasurer Monthly Reports, side-by-side Agenda Items—\$4M under revenues from last year; missed the projected income]

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

5.4 APPROVED: COUNTY PAYROLL REPORT

MOTION: Mike Uriegas SECOND: Juan Carmona THAT THE COMMISSIONERS COURT APPROVE :
County PAYROLL Report for periods: 09/23/16 and 10/07/16 including Employees Comp-Vac-Sick Hours Report. MOTION CARRIED.

5.5 APPROVED: LIST OF CLAIMS

MOTION: Mike Uriegas SECOND: Juan Carmona THAT THE COMMISSIONERS COURT APPROVE :
List of CLAIMS as presented . MOTION CARRIED. *attachment

5.6 APPROVED: CLAIM DOCKET

MOTION: Valerie Rubulcaba SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :
GENERAL FUND docket(\$370,171.76) as presented .

ABSTAIN: Francisco G. Ponce [any/all claims for Michael Ponce and/or Ponce family-related member]
Alonso Carmona, Juan Carmona [any/all claims for Marina Carmona and/or Carmona family-related member]

MOTION CARRIED. *attachment

MOTION: Alonso Carmona SECOND: Juan Carmona THAT THE COMMISSIONERS COURT APPROVE :
GRAN FUND docket (\$2,691.67), the RCDS/COUNTY CLERK docket (\$1,380.00) as presented. MOTION CARRIED. *attachment(s)

MOTION: Valerie Rubulcaba SECOND: Mike Uriegas THAT THE COMMISSIONERS COURT APPROVE :
LAW LIBRARY docket (\$2,043.92), the TZONE docket w/corrections as presented . MOTION CARRIED. *attachment(s)

MOTION: Mike Uriegas SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE :
TECHNOLOGY FUND docket (\$34,000.00) and UTILITIES FUND docket (\$25,275.57) . MOTION CARRIED. *attachment(s)

MOTION: Valerie Rubulcaba SECOND: Juan Carmona THAT THE COMMISSIONERS COURT APPROVE :
PAYROLL FUND docket (\$3,150.00), the CO's 15 docket (\$750,914.05) as presented. MOTION CARRIED. *attachment(s)

6. EXECUTIVE SESSION [12:55 PM]

7. RECONVENE IN OPEN SESSION [1:08 PM]

[RE:- TIF Account, March 22, 2016 Invoices
CDS (Ben) :...we do not collect until it gets paid in the tax office and put into the TIF Account (\$5M)
Auditor :... \$4.5M, error in valuations when making calculations
CDS (Ben) : ...we followed the Formula based on statute; Auditor did not
Auditor : ...takes what falls in the zone as accurate; county overpaid— Notice from Shannon last month

COURT ADVISORY: to County Auditor : use their Formula, calculate and pay amount (the difference) to CDS
NO MOTION PRESENTED.

8. ADJOURNMENT

MOTION: Alonso Carmona SECOND: Valerie Rubulcaba THAT THE COMMISSIONERS COURT APPROVE :
To Adjourn Meeting [1:20 PM] . MOTION CARRIED.

APPROVED :

ATTEST :

FRANCISCO G. PONCE, COUNTY JUDGE
OCTOBER 24, 2016

MARIO Z. GARCIA, COUNTY CLERK

REGULAR SESSION