

ON THIS THE 28TH DAY OF SEPTEMBER 2020, BEING THE SECOND MONDAY OF THE MONTH, THE HONORABLE DIMMIT COUNTY COMMISSIONERS COURT CONVENED IN REGULAR SESSION, AT THE DIMMIT COUNTY COURTHOUSE "ANNEX", 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

VISITORS SIGNED-IN: Chris Plaster **Alfredo Martinez** Christine Guerrero Leticia Carmona Rosa Martinez Alberto Martinez **Mary Sandoval**
Carlos Pereda **Marion Boyd** Daniel Estrada Dan Hejl **Daniel M. Gonzalez**

OTHER VISITORS: Robert Tijerina Alma DeLeon Rodriguez Romelia Frausto Charles R. Kimbrough

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

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1.

ADMINISTRATIVE

1.1 CALL MEETING TO ORDER

1.3 PLEDGE OF ALLEGIANCE AND SALUTE TO THE TEXAS FLAG

1.2 ROLL CALL

1.4 TESTIMONIAL OATH OF 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 with a Quorum present and the Absence of Commissioner Pct. 4-**Valerie Rubalcaba** so duly noted for the Record. Court Members led the Pledge of Allegiance and Salute to The Texas Flag. Presenters addressing the Court acknowledged the Testimonial Oath.

1.5 PUBLIC COMMENT

a) **Juan Carmona**-Commsr. Pct. 3, RE:--only relate to public that his COVID-19 testing revealed him as negative

1.6 APPROVED: MINUTES OF REGULAR MEETING – SEPTEMBER 14, 2020

MOTION: Alonso Carmona SECOND: Mike Uriegas

THAT THE COMMISSIONERS COURT **APPROVE :**

MINUTES of regular Meeting held on September 14, 2020 as presented and ...subject to modify Item 4.1 to read : "...plus allow the \$500 deposit (\$50 each dumpster) as a credit and allow payment of half the total amount and City of Asherton to pay balance (\$2,500.0) as presented .

MOTION CARRIED.

2.

PERSONNEL & POLICY

2.1 APPROVED: RECESS REGULAR MEETING TO ENTER PUBLIC HEARING

MOTION: Alonso Carmona SECOND: Mike Uriegas

THAT THE COMMISSIONERS COURT **APPROVE TO :**

Recess Regular Meeting, to-date, and go into PUBLIC HEARING as presented.

MOTION CARRIED.

PUBLIC HEARING ON BUDGET : FY' 2020-2021

2.2 PUBLIC HEARING ON PROPOSED BUDGET FOR FY'2020-2021

[RE:--County Judge **Francisco G. Ponce** w/general Welcome to Visitors and County Officials ; opened floor for anyone to address concerns, questions regarding the proposed budget being presented. Judge **Ponce** initiated discussion w/ the modifications made to 1) District Attorney Office (\$165,000.- next year will not unless funds are available and will match what Zavala County provides(\$150,000.-) , 2) Sheriff Dept. : reducing 2 slots (1 Jailer, 1 Deputy positions) and 3) JP Pct. 4 : allowing the \$3,000.- stipend and travel—new incoming JP salary @ \$30,000.-, Martinez resigned to file for a seat on the CSCISD Board of Trustees, Public Announcement confirmed automatic resignation; he then withdrew and had to file for an “unexpired” term on the November 3 General Election; presently is a “hold over” official until the Election; for now keeps earning same salary. JP Martinez, w/15 years experience, requested court to consider changing the Pay Scale Policy (approved: 12/09/2019) which lowered annual salaries for newly elected county officials, first year in office, with no experience—consensus of court members agreed to maintain the Pay Scale Policy, as is (LGC Chapter 152) and [sic] allow the budget to reflect to put (allocate) funds (\$8,000.-) in the budget if this (policy) changes---NOTED: Commsr. Uriegas in favor of keeping current JP 4 salary at \$38,135.- and modify the Pay Scale for all new elected officials—Commsr. Alonso Carmona [sic] if this human error occurs again ? this court sets policies, by one error we all learn; when county set policy it is hard to go back and change.
R&B Pct. 3 : only to confirm : funds for Supplies Recreational Facility reduced from \$5000,- to \$3500.-

NO OTHER COMMENTS ADDRESSED.

2.3 PUBLIC HEARING ON PROPOSED 2020-2021 TAX RATE

[RE:--County Judge **Francisco G. Ponce** opened floor for anyone to address concerns, questions regarding the proposed tax rate of .2927 (last year : .2929) and Maintenance & Operations of .1822]

NO COMMENTS ADDRESSED.

2.4 APPROVED: RECONVENE MEETING TO-DATE FROM PUBLIC HEARING

MOTION: Alonso Carmona SECOND: Mike Uriegas
Reconvene Meeting from the Public Hearing as presented

THAT THE COMMISSIONERS COURT APPROVE TO :
MOTION CARRIED.

THE FOLLOWING AGENDA ITEMS TAKEN OUT OF SEQUENCE :

6. PUBLIC HEARING

[RE:--per Chapter 312, Texas Tax Code, Commissioners Court conducts Public Hearing for the proposed Dimmit County, Texas Guidelines and Criteria for Tax Abatement and Other Economic Development for members of the public given opportunity to be heard regarding the proposed Guidelines. Update from Attorney **Charles R. Kimbrough** adding, Guidelines expired on 09/24/20 and need new guidelines and criteria-- Guidelines may be inspected; copies obtained from the office of the County Judge, Courthouse Annex, 212 N. 4th St., Carrizo Springs, TX 78834 or from the county website, www.dimmitcounty.org]

NO COMMENTS ADDRESSED

7. EXECUTIVE SESSION

[10:35 A.M.]

[RE:-- proposed Dimmit County Texas Guideline and Criteria for Tax Abatement and other Economic Development and any Other matter described in this Meeting Agenda]

8. RECONVENE IN OPEN SESSION

[10:54 A.M.]

MOTION: Mike Uriegas SECOND: Alonso Carmona

THAT THE COMMISSIONERS COURT APPROVE :

Dimmit County, Texas Guidelines and Criteria for Tax Abatement and other Economic Development as presented

MOTION CARRIED.

AGENDA ITEMS CONTINUE IN SEQUENCE :

2.5 APPROVED: ORDER – ISSUANCE OF CERTIFICATES OF OBLIGATION, SERIES 2020, et al.

[RE:--Financial Advisor **Robert Tijerina** addressed court w/summary of Bids (recommendation : Truist) received, final pricing results and Timetable to achieve Funds(\$5M) on October 27 adding this the lowest interest rate the county has ever seen...below 1%]

2. PERSONNEL & POLICY, contd.,

2.5 ORDER - ISSUANCE OF CERTIFICATES OF OBLIGATION, SERIES 2020, et al.

MOTION: Juan Carmona SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT **APPROVE :**

ORDER authorizing the Issuance of "Dimmit County, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2020", providing for the payment of the Certificates by the Levy of an Ad Valorem Tax upon all Taxable Property within the County and further securing the Certificates by a Lien on and Limited Pledge of the Revenues of the County's Solid Waste Management System; and providing for other Matters related thereto as presented .

NOTED:--only outstanding are CO's-2019

MOTION CARRIED.

***attachment**

2.6 APPROVED: ADOPT BUDGET FISCAL YEAR ENDING SEPTEMBER 30, 2020

[RE:--Motion entertained to approve budget as proposed, as is, with modifications...**died for lack of a Motion---**

Discussion resumed w/focus on affects of the Pay Scale Policy for new elected officials(ref:12/09/2019) at start of new fiscal year budget --

NOTED: Mike Uriegas--[sic] not right to reduce (my) salary for 3 months; should remain same

Judge Ponce-[sic] policy not set in stone; no problem changing

JP Martinez-[sic] cannot change policy just for one person

MOTION: Alonso Carmona SECOND: Juan Carmona

THAT THE COMMISSIONERS COURT **APPROVE :**

Dimmit County BUDGET for Fiscal Year Ending September 30, 2021 with all changes...subject to modifying Commissioner Pct. 1 Salary to \$35,000.00 as presented .

FOR : Francisco G. Ponce, Alonso Carmona, Juan Carmona

AGAINST : Mike Uriegas

ABSENT : Valerie Rubalcaba

MOTION CARRIED.

***attachment**

2.7 APPROVED: ADOPT TAX RATE 2020', M&O, and I & S

MOTION: Alonso Carmona SECOND: Juan Carmona

THAT THE COMMISSIONERS COURT **APPROVE TO :**

Adopt TAX Rate of .2927 for Year 2020', approve the Maintenance & Operation and the Interest & Sinking as presented .

MOTION CARRIED.

2.8 PUBLIC COMMENT

2.9 APPROVAL OF BOND(s)

[RE:--no Bonds timely submitted for approval]

NON-ACTION ITEM

JOINT AGENDA ITEMS :

[Court Advisory : effective next Regular Session of Commissioners Court; Elected County Officials must be present to address their Monthly Report(s)]

2.10 APPROVED: MONTHLY REPORT – JUSTICE OF THE PEACE PCT. 1

2.11 APPROVED: MONTHLY REPORT – JUSTICE OF THE PEACE PCT. 2

2.12 APPROVED: MONTHLY REPORT – JUSTICE OF THE PEACE PCT. 3

2.13 APPROVED: MONTHLY REPORT – JUSTICE OF THE PEACE PCT. 4

MOTION: Alonso Carmona SECOND: Juan Carmona

THAT THE COMMISSIONERS COURT **APPROVE :**

REPORT(s) for Month of August 2020 from JP 1-Sonia Guerrero-Perez, JP 2-Alberto Esquivel, JP 3-Leticia Hernandez and JP4-Alfredo Martinez as presented .

MOTION CARRIED.

***attachments**

JOINT AGENDA ITEMS :

2.14 APPROVED: MONTHLY REPORT – DISTRICT CLERK

2.15 APPROVED: MONTHLY REPORT – COUNTY CLERK

2.16 APPROVED: MONTHLY REPORT – COUNTY COMMISSIONERS

MOTION: Juan Carmona SECOND: Alonso Carmona

THAT THE COMMISSIONERS COURT **APPROVE :**

REPORT(s) for Month of August 2020 from District Clerk-Maricela Gonzalez, County Clerk Mario Z Garcia and County Commissioners: Pct. 1-Mike Uriegas, Pct. 2-Alonso Carmona, Pct. 3-Juan Carmona and Pct. 4-Valerie Rubalcaba as presented .

MOTION CARRIED.

***attachment(s)**

2.17 APPROVED: DRAWDOWN –METAL STRUCTURE ROOF AT ROAD & BRIDGE PCT. 3 YARD

MOTION: Alonso Carmona SECOND: Juan Carmona

THAT THE COMMISSIONERS COURT **APPROVE :**

Drawdowns for Federico Jimenez Metal Structure Roof at R&B Pct 3 Yard as presented .

NOTED:--Jimenez asking to get paid in 2-payments; COURT: will pay as work completed **MOTION CARRIED. *attachment(s)**

2. **PERSONNEL & POLICY, contd.,**

2.18 **APPROVED: CONTRACT – INSTALLATION OF FENCE AT ROAD & BRIDGE PCT. 3 YARD**

[RE:--compliance w/ Quotes obtained]

MOTION: Juan Carmona SECOND: Alonso Carmona THAT THE COMMISSIONERS COURT APPROVE TO :
award CONTRACT (Johnny Gloria, Jr. - \$8,500.-)for Installation of Fence at R&B Pct. 3 Yard as presented. MOTION CARRIED.

2.19 **APPROVED: DONATION – FOR BOWMAN FIELD FACILITY & SPRINKLER SYSTEM**

MOTION: Alonso Carmona SECOND: Mike Uriegas THAT THE COMMISSIONERS COURT APPROVE :
DONATION from Gates Mineral Company, Coyote Firearms and "JUST DIG IT" Nursery for the Bowman Field Facility and
Sprinkler System as presented MOTION CARRIED.

2.20 **APPROVED: MONTHLY REPORT – DCVFD ASSISTANT FIRE CHIEF**

MOTION: Alonso Carmona SECOND: Mike Uriegas THAT THE COMMISSIONERS COURT APPROVE :
REPORT for Month of August 2020 from DCVFD Assistant Fire Chief David Torres. MOTION CARRIED. *attachment

2.21 **TABLED: INSTALL UPGRADE CAMERA, RADAR – CONSTABLE PCT. 4 UNIT**

MOTION: Alonso Carmona SECOND: Mike Uriegas THAT THE COMMISSIONERS COURT APPROVE TO :
TABLE this Item for more Information MOTION CARRIED. *attachment

2.22 **TABLED: APPLICATION and ORDER TO DISCONTINUE PORTION OF A COUNTY ROAD; ALLOW LANDOWNER TO PLACE GATE ACROSS THE COUNTY ROAD TO PROTECT HIS PROPERTY.**

[RE:--Attorney to Amend documents]

MOTION: Alonso Carmona SECOND: Mike Uriegas THAT THE COMMISSIONERS COURT APPROVE TO :
TABLE this Item

NOTED:--Commsr. Juan Carmona [sic].. will remain open til 8pm; if gate is locked when county goes to maintain road it (gate) will be knocked down
MOTION CARRIED. *attachment

2.23 **APPROVED: FINAL CONSTRUCTION, ACCEPT ROADWAY – PCT. 2 WILLIAMS ROAD CONSTRUCTION PROJECT**

MOTION: Alonso Carmona SECOND: Juan Carmona THAT THE COMMISSIONERS COURT APPROVE :
Final Construction of Dimmit County 2019 Road Bond PROJECT, Precinct 2 Williams Road constructed by J&J Excavating &
Materials, accept Roadway into County Operation and Maintenance and accept contractor's One-Year Warrantee for defects
in material and workmanship as presented MOTION CARRIED.

2.24 **APPROVED: (subject to) PROFESSIONAL SERVICES AGREEMENT – PCT. 3 ROAD BOND PROJECT**

MOTION: Alonso Carmona SECOND: Juan Carmona THAT THE COMMISSIONERS COURT APPROVE :
Professional Services AGREEMENT with Heil, Lee & Associates, Inc., to assist Precinct 3 with 2019 Road Bond PROJECT to
improve Martin Avenue and Carey Lane in the Espantosa SUBDIVISION ...subject to County Attorney review/approval as
presented. MOTION CARRIED. *attachment

2.25 **APPROVED: HIRING – FULL TIME CUSTODIAN FOR COURTHOUSE BUILDINGS**

MOTION: Alonso Carmona SECOND: Juan Carmona THAT THE COMMISSIONERS COURT APPROVE :
HIRING of Cindy Martinez as full-time Custodian for Courthouse Buildings, effective: 09/15/2020. MOTION CARRIED.

3. **LAW ENFORCEMENT**

3.1 **STATUS REPORTS**

[RE:--Code Compliance Officer : --provide Commsrs. Court with work Schedule—current truck belongs to the Utilities Dept.—
NEXT AGENDA ITEM : Executive Session, Personnel Matters] [NON-ACTION ITEM]

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

4.1 **APPROVED: DISCONTINUE COUNTY EXECUTIVE ORDER, ADOPT GOVERNOR'S ORDER – LOCAL DISASTER**

MOTION: Alonso Carmona SECOND: Juan Carmona THAT THE COMMISSIONERS COURT APPROVE TO :
Follow CDC Guidelines, Discontinue Dimmit County's(county wide) Executive ORDER Declaration of Local Disaster for Public
Health Emergency and adopt all Executive Orders from Governor's Office, as presented .

NOTED:--Governor's Orders also on State website **MOTION CARRIED.**

4.2 APPROVED: FLU SHOT CLINIC – PHARM HOUSE DRUG

MOTION: Alonso Carmona SECOND: Juan Carmona

THAT THE COMMISSIONERS COURT **APPROVE :**

Pharm House Drug (local pharmacy) to administer the Flu Shot Clinic for Dimmit County Employees on Thursday, October 1, 2020 at the Courthouse Annex, 9:00 am as presented .

MOTION CARRIED.

4.3 APPROVED: PURCHASE WELDER – METROPLEX SHOP

[RE:--compliant with Quotes obtained]

MOTION: Juan Carmona SECOND: Alonso Carmona

THAT THE COMMISSIONERS COURT **APPROVE :**

PURCHASE of a [sic] Welder (Ranger 250 GXT, vendor: TIMS South Texas, LLC-\$4,600.-) for use at the Metroplex Facility Shop as presented .

MOTION CARRIED.

***attachment**

4.4 APPROVED: INCREASE WATER RATES – BRUNDAGE WATER SYSTEM

[RE:--due to demand from non-residential customers, costs increase to maintain]

MOTION: Juan Carmona SECOND: Alonso Carmona

THAT THE COMMISSIONERS COURT **APPROVE TO :**

Increase Brundage Water System Water Rates, i.e., base rate of \$27.-Non-Residential, \$6.00 for every 1,000 gallons more----- \$27.-Residential, \$2.00 for every 1,000 gallons more, effective: October 1, 2020 as presented. MOTION CARRIED. *attachment

4.5 APPROVED: PURCHASE AIR COMPRESSOR – METROPLEX SHOP

[RE:--compliant with Quotes obtained]

MOTION: Alonso Carmona SECOND: Juan Carmona

THAT THE COMMISSIONERS COURT **APPROVE :**

PURCHASE of an Air Compressor (vendor: Carrizo Auto Supply,\$2,427.-) for use at the Metroplex Facility Shop as presented .

MOTION CARRIED.

***attachment**

4.6 APPROVED: AUTHORIZATION – OPEN BANK ACCOUNT FOR NEW GRANT FUNDS

[RE:--compliance for County Treasurer and County Auditor to proceed, maintain grant funds]

MOTION: Alonso Carmona SECOND: Juan Carmona

THAT THE COMMISSIONERS COURT **APPROVE :**

AUTHORIZATION to open Bank Account for the Coronavirus Relief Fund Grant as presented. MOTION CARRIED.

4.7 STATUS REPORTS

[RE:--LANDFILL: (Dan Hejl) Project Manager w/report of one (1) comment received from a landowner; statutory allows 30 more days from date of notification—FIRE STATION: doors have been repaired; sensors installed at top of panel]

[NON-ACTION ITEM]

5.

FINANCIAL

JOINT AGENDA ITEMS :

5.1 APPROVED: BUDGET ADJUSTMENT NO. 79 – SHERIFF DEPARTMENT

5.2 APPROVED: BUDGET ADJUSTMENT NO. 80 – SHERIFF OFFICE

5.3 APPROVED: BUDGET ADJUSTMENT NO. 82 – ROAD & BRIDGE PCT. 3

5.4 APPROVED: BUDGET ADJUSTMENT NO. 94 – ROAD & BRIDGE PCT. 4

5.5 APPROVED: BUDGET ADJUSTMENT NO. 91 – COUNTY JAIL

MOTION: Juan Carmona SECOD: Alonso Carmona

THAT THE COMMISSIONERS COURT **APPROVE :**

BUDGET Adjustments NO. 79 (\$41,500.-), NO.80 (\$7,000.-), NO. 82 (\$21,000.-), NO. 94 (\$23,300.-), NO. 91 (\$22,000.-) as presented .

MOTION CARRIED.

***attachments**

JOINT AGENDA ITEMS :

5.6 APPROVED: MONTHLY REPORT – COUNTY TREASURER

5.7 APPROVED: MONTHLY FINANCIAL REPORT – COUNTY AUDITOR

MOTION: Alonso Carmona SECOND: Juan Carmona

THAT THE COMMISSIONERS COURT **APPROVE :**

REPORT for Month of August 2020 for the County Treasurer Office and Financial REPORT for Month of August 2020 from County Auditor Carlos Pereda as presented .

MOTION CARRIED.

***attachments**

5.8 APPROVAL OF CLAIMS

[NON-ACTION ITEM]

5.9 APPROVED: CLAIM DOCKET

MOTION: Juan Carmona SECOND: Alonso Carmona

THAT THE COMMISSIONERS COURT **APPROVE :**

GENERAL FUND (\$650,171.21), RCDS/MGMT COUNTY CLERK (\$564.31), COURTHOUSE SECURITY (\$3,193.95), UTILITIES (\$54,453.11), F-ACCOUNT (\$5,000.-), EQUITABLE SHARING (\$2,282.47), RODEO ARENA (\$1,460.90), STONE GARDEN (\$336,498.39), LOCAL BORDER SEC SHERIFF (\$57,538.38), DC PAYROLL (\$414,403.60), CO's-2019 (\$2,764.94)...GRAND TOTAL : \$1,528,331.26....as presented .

MOTION CARRIED.

***attachment**

09 : 28 : 20

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9. **PUBLIC SAFETY CORPORATION**

9.1 **NEW BUSINESS** [NON-ACTION ITEM]

9.2 **APPROVED: REPAIR FIRE SPRINKLER SYSTEM – BORDER PATROL STATION**

MOTION: Alonso Carmona SECOND: Juan Carmona THAT THE COMMISSIONERS COURT APPROVE :
Repairs on the Fire Sprinkler System (\$2,315.00 plus \$300 to certify) at the Border Patrol Station as presented .

MOTION CARRIED. *attachment

9.3 **PERSONNEL AND EXPENDITURES**

[NON-ACTION ITEM]

9.4 **APPROVED: CLAIM DOCKET**

MOTION: Alonso Carmona SECOND: Juan Carmona
PUBLIC FACILITY (\$2,831.74) as presented .

THAT THE COMMISSIONERS COURT APPROVE :
MOTION CARRIED. *attachment

10. **ADJOURNMENT**

MOTION: Alonso Carmona SECOND: Juan Carmona
Adjourn Meeting [12:36 PM] .

THAT THE COMMISSIONERS COURT APPROVE TO :
MOTION CARRIED.

APPROVED:

FRANCISCO G. PONCE, COUNTY JUDGE

ATTEST:

MARIO Z. GARCIA, COUNTY CLERK