



MINUTES

The Uvalde County Commissioners Court met in regular session at 10:00 a.m. on March 25, 2013, 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 Auditor Alice Chapman, County Treasurer Joni Deorsam, County Tax Assessor-Collector Maggie Del Toro and Road Administrator Jesse Garcia.*

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

- The Honorable William R. Mitchell called the meeting of March 25, 2013, 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 MARCH 11, 2013 AND MARCH 21, 2013 MINUTES:

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

The Court (4-0) approved the Minutes of March 11 and March 21, 2013.

<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 PRESENTATION AND ADOPTION OF INDEPENDENT AUDIT BY BEYER AND COMPANY:

- Presentation by Wayne Beyer, Beyer and Company, Certified Public Accountants.
- Consideration and adoption of the independent audit for year ending September 30, 2012.
- Review of Audit report:
 - a. Pg. 18 Statement of Revenues, Expenditures and changes in Fund balance.

- b. Pg. 20-21 Detail of Budget
- c. Pg. 25 County Employee Insurance
- d. Pg. 46 Schedule of Debt
- e. Pg. 56-57 Equity Funds
- f. Pg. 127-128 Grants
- Noted concerns/issues have been addressed.
- Upon motion of Commissioner Pargas.
- Second by Commissioner Bates.

The Court (4-0) approved adoption of Independent Audit by Beyer and Company. (Copies 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 BRIEFING OF EDWARDS AQUIFER AUTHORITY REGARDING LULAC LAWSUIT:

- Presentation by Luanna Buckner, chairman of the board of the Edwards Aquifer Authority, briefing of a lawsuit filed by LULAC against the Edwards:
 - a) Requesting “amicus brief” to be filed by Uvalde County, joining Medina County.
 - b) Control of the board issue.
 - c) Federal Court suit.
- Upon motion of Commissioner Bates.
- Second by Commissioner Pargas.

The Court (4-0) approved authorizing Judge Bill Mitchell to visit with Medina County Judge Barton in reference to briefing of Edwards Aquifer Authority, regarding LULAC Lawsuit.

<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 PUBLIC HEARING CONCERNING COUNTY CLERK’S PRESERVATION AND RESTORATION OF ARCHIVED RECORDS PLAN FOR 2013-2014:

- No action taken, set for next meeting.

6. CONSIDER AND ACT UPON ADOPTION OF THE COUNTY CLERK’S PRESERVATION AND RESTORATION OF ARCHIVED PLAN:

- No action taken, set for next meeting.

7. CONSIDER AND ACT UPON PROCLAIMING APRIL AS FAIR HOUSING MONTH:

- Presentation by Carl Esser, annual requirement, necessary for the application.
- Upon motion of Commissioner Bates.
- Second by Commissioner Scheide.

The Court (4-0) approved proclamation of April as Fair Housing Month. (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>

8. CONSIDER AND ACT UPON CHANGE ORDER #2 FOR UVALDE COUNTY EVENT CENTER:

- Presentation by John S. Graves, John S. Graves & Associates, Inc., Architects:
 - a. Review of amount of contract.
 - b. Change order in the amount of \$75,090.25
- Upon motion of Commissioner Scheide.
- Second by Commissioner Bates.

The Court (4-0) approved the change order #2 for Uvalde County Event Center. (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 FINAL PAYMENT TO KRUEGER CONSTRUCTION FOR THE EVENT CENTER:

- Presentation by John S. Graves, John S. Graves & Associates, Inc., Architects:
 - a. Application and certification for payment to Krueger Construction for Event Center.
 - b. Request for the final payment in the amount of \$280,210.50.
 - c. Payment of \$275,210.50 will be submitted, retaining \$5,000.00.
 - d. Written approval will be sent to Auditor for payment.
- Upon motion of Commissioner Flores.
- Second by Commissioner Scheide.

The Court (4-0) approved the final payment to Krueger Construction for the Event Center. (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 CHANGE ORDER #1 FOR THE MULTI-PURPOSE BUILDING AND THE PAVILLION:

- Presentation by John S. Graves, John S. Graves & Associates, Inc., Architects:
 - a. Detail of change order for Multi-purpose Building and the Pavillion.
 - b. New Contract amount \$2,593,003.66.
- Upon motion of Commissioner Pargas.
- Second by Commissioner Bates.

The Court (4-0) approved the change order #1 for the Multi-purpose building and the Pavilion. (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 FINAL PAYMENT TO KRUEGER CONSTRUCTION FOR THE MULTI-PURPOSE BUILDING AND THE PAVILLION:

- Presentation by John S. Graves, John S. Graves & Associates, Inc., Architects:
 - a. Application and certification for payment to Krueger Construction for Multi-purpose Building and the Pavillion.

b. Recommendation, amount of payment: 115,772.26, retaining \$5,000.00.

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

The Court (4-0) approved the final payment to Krueger Construction for the Multi-purpose Building and the Pavillion. (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>

12. CONSIDER AND ACT UPON AWARD OF BID/QUOTES FOR REINFORCING STEEL FOR CR 416 PROJECT:

- Presentation by Carl Esser:
 - a. Bids/Quotes received from CMC Construction Services (\$889.00) and Alamo Iron Works (\$1,057.00).
 - b. Recommendation to award CMC Construction Services.
- Upon motion of Commissioner Bates.
- Second by Commissioner Flores.

The Court (4-0) approved award to CMC Construction Services for reinforcing steel for CR 416 Project. (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>

13. CONSIDER AND ACT UPON CRITERION FOR APPLICANT ELIGIBILITY FOR NEW ON-SITE SEPTIC SYSTEM FACILITY FUNDED BY TXCDBG (TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS) COLONIA CONSTRUCTION FUNDS:

- Presentation by Carl Esser:
 - a. Recommends application for available grant of \$500,000.00.
 - b. Funding available for replacing or installing on on-site facility septic system.
 - c. Criterion for qualifications outlined in length.
 - d. Deadline for application June 2013, with applicants documents attached to document beneficiary of grant.
- Upon motion of Commissioner Pargas.
- Second by Commissioner Scheide.

The Court (4-0) approved criterion for applicant eligibility for new on-site septic system facility funded by TXCDBG Colonia Construction Funds. (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 OUTDOOR BAN ON BURNING:

- No action taken on agenda item, ban continues.

15. CONSIDER AND ACT UPON ROAD ADMINISTRATORS REPORT:

- Presentation and report submitted by Road Administrator Jesse Garcia. (Copy attached)
- No action required on agenda item.

16. CONSIDER AND ACT UPON RESOLUTION SUPPORTING INDIGENT DEFENSE DISCRETIONARY GRANT:

- Presentation by Auditor Alice Chapman:
 - a. Continuation and enhancement of Video Technology Grant with Medina and Real County.
 - b. Proposed funding for positions of Indigent Defense Technology Director and Indigent Defense Pretrial Services Coordinator.
 - c. Grant application amount is \$85,000.00/ annually.
- Upon motion of Commissioner Scheide.
- Second by Commissioner Bates.

The Court (4-0) approved resolution supporting indigent defense discretionary 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>

17. CONSIDER AND ACT UPON APPROVAL OF MONTHLY REPORTS:

- Monthly reports, as presented:
 - County Auditor: *Elected Official, County Clerk and Compliance Office Audit Report February 2013.*
 - Compliance Office: *March 4-8, 11-15, 2013.*
 - County Clerk: *March 4-8, 11-15, 18-22, 2013.*
 - JP #1:
 - JP #2: *March 1-8, 8-15, 2013.*
 - JP #3: *March 1-8, 11-15, 2013.*
 - JP #4: *March 1-8, 11-15, 2013.*
 - JP #6: *March 4-8, 11-15, 2013.*
- Upon motion by Commissioner Bates.
- Second by Commissioner Scheide.

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>

18. CONSIDER AND ACT UPON PAYROLL APPROVAL:

- Upon motion of Commissioner Bates.
- Second by Commissioner Pargas.
- The Court (4-0) approved the payroll.

<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>

19. CONSIDER AND ACT UPON PAYMENT OF BILLS:

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

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

20. RESOLUTIONS/PROCLAMATIONS:

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

Michael Anthony Ramos
Nicholas Rey Hernandez
Sophie Beard
Cristina G. Espinoza
Hazel Stitts Baylor
Armando M. Sanchez
Herbert F. Dirksen
Juan Jesus Rodriguez Jr.

With no further business, the meeting of March 25, 2013 adjourned.

COMMISSIONERS COURT ORDER

On this, the _____ day of _____, 2013, 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 03-25-13)

APPROVED BY: _____
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

(SEAL)

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