



## MINUTES

The Uvalde County Commissioners Court met in regular session at 10:00 a.m. on August 12, 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, Tax Assessor-Collector Maggie Del Toro, County Treasurer Joni Deorsam, District Clerk Christina Ovalle, Constable Pct. 1 Johnny J. Field 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 August 12, 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 JULY 22 AND 31, 2013 MINUTES:

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

The Court (4-0) approved the Minutes of July 22 and 31, 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 APPROVAL OF COUNTY CLERK'S FEES AS AUTHORIZED BY THE 83<sup>RD</sup> LEGISLATURE:

- Presentation by County Clerk Ramona "Mona" Esquivel Hobbs:
  - a. Overview of fees and bills affecting the County Clerk's Office.
  - b. Request increase of County Clerk's Records Management Fee (LGC 118.0216) and Records Archive Fee (LGC 118.025) from \$5.00 to \$10.00. HB1513.
  - c. No action taken on request of establishing statewide electronic e-filing fees, HB2302, until further clarification is provided. (Mandated year: 2016)

- Recommendation: Increase County Clerk’s Records Management Fee and Records Archival Fee to \$10.00 with effective date of September 1, 2013.
- Upon motion of Commissioner Pargas.
- Second by Commissioner Bates.

The Court (4-0) approved the recommendation to increase the County Clerk’s Records Management Fee and Archival Fee, effective September 1, 2013. (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 ADOPTING HTS DATA RECOVERY PLAN:**

- Presentation by County Auditor Alice Chapman:
  - a. Recommendation: Payment for plan to be made from County Clerk’s Records Management Fund and Uvalde County Records Management Fund.
  - b. Recommendation: Implement Disaster Recovery plan.
- Review of plan by Senior Account Executive Lydia McCloskey:
  - a. Data security and encryption of data.
  - b. Two secured data centers at opposite ends of the country.
  - c. Data billing and data percentage stored.
  - d. Recovery response of data.

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

The Court (4-0) approved adopting HTS Data Recovery Plan. (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>

**5. CONSIDER AND ACT UPON INMATE HOUSING AGREEMENT BETWEEN UVALDE COUNTY AND KINNEY COUNTY:**

- Proposed housing agreement submitted by Sheriff Charles Mendeke, for the housing of Kinney County female prisoners, at the rate of \$51.00 per day per prisoner.
- Upon motion of Commissioner Bates.
- Second by Commissioner Pargas.

The Court (4-0) approved Inmate Housing Agreement between Uvalde County and Kinney County. (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>

**6. CONSIDER AND ACT UPON INDIGENT PRESCRIPTION SERVICE AGREEMENT WITH WALGREENS:**

- Agreement is for the provision of prescriptions to indigent patients which are not covered by our current agreement with Uvalde Community Health Development Inc.
- Upon motion of Commissioner Scheide.
- Second by Commissioner Bates.

The Court (4-0) approved Indigent Prescription Service agreement with Walgreens. (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>

**7. CONSIDER AND ACT UPON REQUEST TO APPOINT RESERVE DEPUTY CONSTABLE FOR PRECINCT #1::**

- Presentation by Constable Pct. 1 Johnny Field, with recommendation of Everardo Serna.
- Upon motion of Commissioner Scheide.
- Second by Commissioner Bates.

The Court (2-1-1) denied the request to appoint Reserve Deputy Constable for Precinct #1.

<i>Commissioner Scheide</i>	<i>No</i>	<i>Commissioner Flores</i>	<i>Abstain</i>
<i>Commissioner Pargas</i>	<i>Oppose</i>	<i>Commissioner Bates</i>	<i>No</i>

**8. CONSIDER AND ACT UPON PUBLIC HEARING ON PROPOSED 2013-2014 UVALDE COUNTY BUDGET:**

- Judge Mitchell opened the floor for the Public Hearing at 10:39 for comments on Proposed Budget.
- 10:40 Public Hearing closed, no comments.
- No action taken on agenda item. (Copy attached)

**9. CONSIDER AND ACT UPON ADOPTION OF 2013-2014 UVALDE COUNTY SALARY FUND:**

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

The Court (4-0) approved adoption of 2013-2014 Uvalde County Salary Fund. (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 VOTE OF BUDGET INCREASE IN TAX REVENUE FROM PREVIOUS YEAR AS PRESCRIBED BY SB 656:**

- SB656 requires the court to take a vote if the revenue generated in the proposed budget will be an increase over the previous year.
- Record vote on revenue increase of 4%
- Upon motion of Commissioner Scheide.
- Second by Commissioner Bates.

The Court (5-0) took a record vote for approval of Budget increase in Tax Revenue from previous year as prescribed by SB656.

<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>
	<i>County Judge Mitchell</i>	<i>Yes</i>	

**11. CONSIDER AND ACT UPON ADOPTION OF 2013-2014 UVALDE COUNTY BUDGET AND TAKE RECORD VOTE:**

- Overview of Reserve Fund Balance and Fund Balance for adoption of Budget by Auditor Alice Chapman.
- Upon motion of Commissioner Scheide.
- Second by Commissioner Pargas.

The Court (5-0) took a record vote for approval of adopting the 2013-2014 Uvalde County Budget. (Copy attached)

<i>Commissioner Scheide</i>	<i>Yes</i>	<i>Commissioner Flores</i>	<i>Yes</i>
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<i>Commissioner Pargas</i>	<i>Yes</i>	<i>Commissioner Bates</i>	<i>Yes</i>
	<i>County Judge Mitchell</i>	<i>Yes</i>	

**12. CONSIDER AND ACT UPON DISCUSSING PROPOSED TAX RATE, IF THE PROPOSED TAX RATE WILL EXCEED THE ROLLBACK RATE OR THE EFFECTIVE TAX RATE (WHICHEVER IS LOWER), TAKE RECORD VOTE AND SCHEDULE PUBLIC HEARING:**

- Presentation by County Auditor Alice Chapman:
  - a. Recommendation: Adopting the tax rate of \$.7626.
  - b. Discussion of M&O Tax rate, Rollback Rate and Debt obligation totals.
  - c. Discussion of providing the public with transparency of rates.
- Public Hearings set for (1<sup>st</sup>) August 26, 2013 and (2<sup>nd</sup>) September 9, 2013, during scheduled Commissioner Court meetings.
- Upon motion of Commissioner Scheide.
- Second by Commissioner Bates.

The Court (5-0) took a record vote to approve the proposed tax rate and scheduled the public hearings. (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>
	<i>County Judge Mitchell</i>	<i>Yes</i>	

**13. CONSIDER AND ACT UPON ROAD ADMINISTRATORS REPORT:**

- Presentation by Road Administrator Jesse Garcia.
- No action required on agenda item.

**14. CONSIDER AND ACT UPON LINE-ITEM BUDGET AMENDMENTS:**

- Presentation by County Auditor Alice Chapman, outline of Revenues (\$457,646.71) and Expenditures (\$249,295.17) listed.
- Upon motion of Commissioner Bates.
- Second by Commissioner Scheide.

The Court (4-0) approved the line item budget amendments. (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>

**15. CONSIDER AND ACT UPON APPROVAL OF MONTHLY REPORTS:**

- Monthly reports, as presented:
  - County Treasurer: *County Clerk Office Deposits Receipts July 1-7, 2013 and Compliance Office Deposit Receipts July 1-11, 2013.*
  - Compliance Office: *July 15-19, 22-26, 29-31, August 1-2, 2013.*
  - County Clerk: *July 15-19, 22-26, 29-31, (Monthly) July 1-31, August 1-2, 2013.*
  - District Clerk: *Monthly report for July 1-31, 2013.*
  - Sheriff's Office: *Compliance/ Release/Commit Audit Report July 15-22, July 29- August 5, 2013, Inmate Charge July 22 and August 5, 2013.*
  - JP #1: *July 22-26, 29-31, 2013.*
  - JP #2: *July 13-19, 20-26, 27-31, 2013.*
  - JP #3: *July 22-26, 29-31, August 1-9, 2013.*
  - JP #4: *July 15-19, 22-26, 22-26 (Corrected), 29-31, 2013.*

JP #6: July 15-19, 22-26, 29-31, 2013.

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

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>

**16. CONSIDER AND ACT UPON PAYMENT OF BILLS:**

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

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>

**17. CONSIDER AND ACT UPON PAYROLL APPROVAL:**

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

The Court (4-0) approved the payroll for payment.

<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. RESOLUTIONS/PROCLAMATIONS:**

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

Laura Guadalupe Acuna  
Yale "Leland" Kerby  
Nora Elia Barragan Reyes  
Kempner "Bill" Story Jr.  
Petra Vasquez  
Gloria C. Valdez  
Maria Teresa Martinez

With no further business, the meeting of August 12, 2013 adjourned.

**COMMISSIONERS COURT ORDER**

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 2013, came to be heard the Uvalde County Commissioners Court Minutes of \_\_\_\_\_, 2013, 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 08-12-13)

**APPROVED BY:** \_\_\_\_\_

William R. Mitchell, County Judge

\_\_\_\_\_  
Randy Scheide, Commissioner Pct. #1

\_\_\_\_\_  
Mariano Pargas, Jr., Commissioner Pct. #2

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Jerry W. Bates, Commissioner Pct. #3

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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