



COMMISSIONER'S COURT MINUTES

NOVEMBER 29TH REGULAR TERM, A.D. 2017

- 1. CALL TO ORDER.
- 2. DETERMINATION THAT A QUORUM IS PRESENT:

BE IT REMEMBERED that on this the 29th day of November A.D. 2017 at 9:00 o'clock A.M., after due notice was given by posting of the attached Agenda; the Honorable Val Verde County Commissioners' Court convened in **REGULAR SESSION**. The meeting was called to order, the following members being present and constituted a quorum: Efrain V. Valdez, County Judge, Presiding; Martin Wardlaw, Commissioner of Precinct No. 1; Lewis Owens, Commissioner of Precinct No. 2; Robert "LeBeau" Nettleton; Commissioner of Precinct No. 3; Gustavo Flores, Commissioner of Precinct No. 4; and Generosa Gracia-Ramon, County Clerk; when the following proceeding was had to wit:

- 3. Pledge of Allegiance.
- 4. Citizens' Comments.

1) _____

2) *NONE* _____

3) _____

[Clerk's Note: Item #9 done here]

NOTICE IS HEREBY GIVEN TO THE PUBLIC THAT THE FOLLOWING ITEMS WILL BE DISCUSSED AND POSSIBLE ACTION MAY BE TAKEN BY THE VAL VERDE COUNTY COMMISSITIONERS COURT:

MOTION KEY:
 EFRAIN V VALDEZ= EVV
 COMM WARDLAW=W
 COMM OWENS=O
 COMM NETTLETON=N
 COMM FLORES= F

QUORUM

- COUNTY JUDGE
- _____ Judge's Staff
- _____ Judge's Staff
- COMM. PRCT# 1
- COMM. PRCT# 2
- COMM. PRCT# 3
- COMM. PRCT# 4

ATTENDING

COUNTY STAFF/DEPTS:

- JASON COUNTY ATTY
- N/A COUNTY ATTY STAFF
- N/A COUNTY ATTY STAFF
- _____ DISTRICT CLERK
- IT
- SHERIFF
- _____ SHERIFF'S STAFF
- AUDITOR
- A TREASURER
- PURCHASING
- HR
- TAX COLLECTOR
- RISK MGMT
- FIRE DEPT
- _____ EMERGENCY MGMT
- _____ JP #1
- _____ JP #2
- _____ JP #3
- _____ JP #4

1 OTHER CONTABLES:
BERG & HERNANDEZ

MOTION KEY: EFRAIN V VALDEZ= EVV; COMM WARDLAW=W; COMM OWENS=O; COMM NETTLETON=N; COMM FLORES=F

5. Roger Cerny, holding Public Hearing regarding the re-plat of Lot 9, Rancho Los Venados, Unit 2, Phase 1 subdivision establishing Lots 9A and 9B.

ORDER	Motion	2 nd	Amend	Amendment/Notes	Accept	Ayes	Noes	Abst
17-529				Judge opened public		W, O, N, F, EVV		
				hearing @ 9:12 AM -				
				hearing closed @ 9:14				
				AM with no comments				
				received.				

NOTICE IS HEREBY GIVEN TO THE PUBLIC THAT THE FOLLOWING ITEMS WILL BE DISCUSSED AND POSSIBLE ACTION MAY BE TAKEN BY THE VAL VERDE COUNTY COMMISSIONERS COURT:

Rogelio R. Musquiz Jr., County Purchasing Agent

6. Discussion and possible action regarding the transfer of funds from a court selected account to Contract Services in the amount of \$500.26 to cover TRANE filter contract.

ORDER	Motion	2 nd	Amend	Amendment/Notes	Accept	Ayes	Noes	Abst
17-530	O	N		Motion to approve and		W, O, N, F, EVV		
				pay from contingency.				

7. Discussion and possible action regarding the approval to purchase the following Capital expenditures and to include payment on current bills to be paid list.

60 HP Tractor \$27,500.00 Pct. #4
 Tractor Accessories \$4,250.00 Pct. #4
 6' Cutter \$1,495.00 Pct. #4
 18' Trailer \$1,900.00 Pct. #4
 Plus Freight

ORDER	Motion	2 nd	Amend	Amendment/Notes	Accept	Ayes	Noes	Abst
17-531	F	N		Motion to approve		W, O, N, F, EVV		
				expenditures (with a				
				\$6,500 discount) for a				
				total cost of				
				\$28,595.00				

MOTION KEY: EFRAIN V VALDEZ= EVV; COMM WARDLAW=W; COMM OWENS=O; COMM NETTLETON=N; COMM FLORES=F

8. Discussion and possible action regarding the payment of executed purchases not complying with current purchasing policy.

ORDER	Motion	2 nd	Amend	Amendment/Notes	Accept	Ayes	Noes	Abst
N/A				No Action.				

Roger Cerny, Health Inspector & Juanita Barrera, HR Director

9. Discussion and possible action regarding the authorization and funding for CPR training for county employees. Ms. Melissa Merkle and/or Mr. Michael Keaton will be present to provide the court with information for the CPR class.

ORDER	Motion	2 nd	Amend	Amendment/Notes	Accept	Ayes	Noes	Abst
17-532	W	N		Motion to approve and pay out of contingency.		W, O, N, F, EVV		

Roger Cerny, County Health Inspector

10. Discussion and possible action to define duties of the county rabies control authority.

ORDER	Motion	2 nd	Amend	Amendment/Notes	Accept	Ayes	Noes	Abst
N/A				Presentation only.				

Jerry Rust, County Fire Chief

11. Discussion and possible action on enacting a 90 day burn ban for Val Verde County.

ORDER	Motion	2 nd	Amend	Amendment/Notes	Accept	Ayes	Noes	Abst
17-533	N	F		Motion to approve.		W, O, N, F, EVV		

MOTION KEY: EFRAIN V VALDEZ= EVV; COMM WARDLAW=W; COMM OWENS=O; COMM NETTLETON=N; COMM FLORES=F

Juanita Barrera, County HR Director

12. HR Monthly Report: October 28, 2017 through November 22, 2017.

- A. Joe Frank Martinez, Sheriff, requesting that Matthew Weingardt, County Auditor start issuing checks to Reynalda Alvarez, Telecommunicator. With an annual salary of \$24,000.00 effective October 30, 2017. Ms. Alvarez is replacing Sari Perez who resigned.

- B. Joe Frank Martinez, Sheriff, requesting that Matthew Weingardt, County Auditor start issuing checks to Alexandro Delgado, who has been promoted to HIDTA/Deputy Sheriff. With an annual salary of \$45,336.00 effective November 6, 2017. Mr. Delgado is replacing Joaquin Palacios who has been promoted to Sergeant.

- C. Jerry Rust, Fire Chief, requesting that Matthew Weingardt, County Auditor stop issuing checks to David Kinsey, Fire Fighter, effective November 7, 2017. Mr. Kinsey has resigned.

- D. Jerry Rust, Fire Chief, requesting that Matthew Weingardt, County Auditor start issuing checks to Jeffrey Martinez, Fire Fighter with an annual salary of \$29,737.50 effective November 20, 2017. Mr. Martinez is replacing David Kinsey who resigned.

ORDER	Motion	2 nd	Amend	Amendment/Notes	Accept	Ayes	Noes	Abst
17-534	N	F		Motion to approve.		W, O, N, F, EVV		

Matthew Weingardt, County Auditor

13. Discussion and possible action on the following items:

- A. Refund of Specialty Court Program fees.

- B. District Attorney Audit update.

ORDER	Motion	2 nd	Amend	Amendment/Notes	Accept	Ayes	Noes	Abst
17-535	N	F		Motion to approve "A" with payment of \$2,907.13 to State Comptroller and \$3,566.36 to Specialty Court to be paid from Contingency.		W, N, F, EVV	O	

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Ana Markowski Smith, County Attorney

Executive Session items that may result in action in open session thereafter:

14. Ana Markowski Smith, County Attorney, requesting Executive Session pursuant to Texas Government Code §551.071(1)(A), attorney/client consultation regarding contemplated litigation and possible action in open session thereafter.

15. Ana Markowski Smith, County Attorney, requesting Executive Session pursuant to Texas Government Code §551.071(2), consultation which is governed by the attorney/client privilege and possible action in open session thereafter.

EXECUTIVE SESSION: _____ v _____ §551.071(1) (A) _____ §551.071(1) (A) _____ v _____ §551.071(2) _____ §551.071(1) (B) _____ 551.072 _____
OTHER _____ BEGAN @ 9:15 AM DED @ _____ BREAK @ _____ RESUMED @ 9:55 AM ACTION AFTER EX: _____

ORDER	Motion	2 nd	Amend	Amendment/Notes	Accept	Ayes	Noes	Abst
N/A				No action taken on agenda Item #13 (b) or agenda Item #14 or Item #15.				

[Clerk's note: District Attorney, Mr. Bagley submitted documents to be included in the minutes on agenda item]

Commissioners Court reserves the right to hear any of the above agenda items that qualify for an executive session in an executive session by publicly announcing the applicable section number of the Open Meetings Act (Chapter 551 of the Texas Government Code) that justifies executive session treatment.

16. Approval of subdivision plats.

ORDER	Motion	2 nd	Amend	Amendment/Notes	Accept	Ayes	Noes	Abst
17-536	N	F		Motion to approve Rancho Los Venandos Subdivision plat as presented.		W, O, N, F, EVV		

17. Approval of Certificates of Compliance.

ORDER	Motion	2 nd	Amend	Amendment/Notes	Accept	Ayes	Noes	Abst
N/A				None.				

MOTION KEY: EFRAIN V VALDEZ= EVV; COMM WARDLAW=W; COMM OWENS=O; COMM NETTLETON=N; COMM FLORES=F

18. Approval of monthly reports from elected officials.

ORDER	Motion	2 nd	Amend	Amendment/Notes	Accept	Ayes	Noes	Abst
17-537	N	F		Motion to approve.		W, O, N, F, EVV		

19. Approval of bills for payment.

ORDER	Motion	2 nd	Amend	Amendment/Notes	Accept	Ayes	Noes	Abst
17-538	N	O		Motion to approve and include:		W, O, N, F, EVV		
				1. Trailer delivery service-\$500				
				2. Kaufman Trailers -\$5,048.85				
				3. Tim's South Texas, LLC-\$4,800				
				4. DKM Enterprises LLC-\$2,077				

20. County Judge's m comments: Received City of Del Rio letter for relief effort during Hurricane Harvey.

21. Adjourn. 9:59 AM

The foregoing, recorded in Volume 50, pages 169-185, inclusive, was on this the 27th day of December A.D. 2017, read and is hereby **APPROVED**.

ATTEST:

Generosa Gracia-Ramón
 GENEROSA GRACIA-RAMON
 COUNTY CLERK



Respectfully submitted,

Efrain Valdez
 Efrain Valdez, County Judge
 Val Verde County, Texas

MOTION KEY: EFRAIN V VALDEZ= EVV; COMM WARDLAW=W; COMM OWENS=O; COMM NETTLETON=N; COMM FLORES=F

County of Val Verde



Efrain V. Valdez
County Judge

P.O. Box 4250
Del Rio, TX 78841
Email: evaldez@valverdecountry.org

Phone (830) 774-7501
Fax (830) 775-9406

AGENDA/NOTICE
VAL VERDE COUNTY COMMISSIONERS COURT
NOVEMBER 29, 2017 REGULAR TERM

Old County Court at Law
207 B East Losoya Street
Del Rio, TX

November 29, 2017 at 9:00 AM

1. Call to order.
2. Determination that a quorum is present.
3. Pledge of allegiance.
4. Citizens' Comments.

PUBLIC HEARING
NOVEMBER 29, 2017 AT 9:15A.M.
COUNTY COURT AT LAW BUILDING 207 e. LOSOYA ST.
DEL RIO, TEXAS

5. Roger Cerny, holding Public Hearing regarding the re-plat of Lot 9, Rancho Los Venados, Unit 2, Phase 1 subdivision establishing Lots 9A and 9B.

**NOTICE IS HEREBY GIVEN TO THE PUBLIC THAT THE FOLLOWING ITEMS
WILL BE DISCUSSED AND POSSIBLE ACTION MAY BE TAKEN BY THE VAL
VERDE COUNTY COMMISSIONERS COURT:**

Rogelio R. Musquiz Jr., County Purchasing Agent

6. Discussion and possible action regarding the transfer of funds from a court selected account to Contract Services in the amount of \$500.26 to cover TRANE filter contract.

7. Discussion and possible action regarding the approval to purchase the following Capital expenditures and to include payment on current bills to be paid list.

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Roger Cerny, Health Inspector & Juanita Barrera, HR Director

9. Discussion and possible action regarding the authorization and funding for CPR training for county employees. Ms. Melissa Merkle and/or Mr. Michael Keaton will be present to provide the court with information for the CPR class.

Roger Cerny, County Health Inspector

10. Discussion and possible action to define duties of the county rabies control authority.

Jerry Rust, County Fire Chief

11. Discussion and possible action on enacting a 90 day burn ban for Val Verde County.

Juanita Barrera, County HR Director

12. HR Monthly Report: October 28, 2017 through November 22, 2017.

P.O. Box 4250 • Del Rio, TX 78841

- A. Joe Frank Martinez, Sheriff, requesting that Matthew Weingardt, County Auditor start issuing checks to Reynalda Alvarez, Telecommunicator. With an annual salary of \$24,000.00 effective October 30, 2017. Ms. Alvarez is replacing Sari Perez who resigned.
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- D. Jerry Rust, Fire Chief, requesting that Matthew Weingardt, County Auditor start issuing checks to Jeffrey Martinez, Fire Fighter with an annual salary of \$29,737.50 effective November 20, 2017. Mr. Martinez is replacing David Kinsey who resigned.

Matthew Weingardt, County Auditor

13. Discussion and possible action on the following items:
- A. Refund of Specialty Court Program fees.
 - B. District Attorney Audit update.

Ana Markowski Smith, County Attorney

Executive Session items that may result in action in open session thereafter:

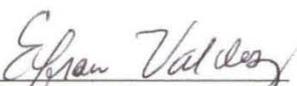
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16. Approval of subdivision plats.
17. Approval of Certificates of Compliance.
18. Approval of monthly reports from elected officials.
19. Approval of bills for payment.
20. County Judge's m comments.
21. Adjourn.

Our next Regular Commissioners Court Meeting will be December 13, 2017, @ 9:00 a.m.;
Agenda Items are due Friday, December 8, 2017 @ 12: 00 noon.


Efrain Valdez, County Judge
Val Verde County, Texas

THIS NOTICE OF THE AGENDA WAS POSTED ON THE BULLETIN BOARD ON
November 22, 2017: AT 2:09 PM

FILED

2017 NOV 22 P 2:09
GENEROSA GRACIA-RAMON
VAL VERDE COUNTY CLERK
BY MA DEPUTY

P.O. Box 4250 • Del Rio, TX 78841

CERTIFICATE

I, the undersigned County Clerk, do hereby certify that the above AGENDA/NOTICE/ADDENDUM of the Val Verde County Commissioner's Court is a true and correct copy of the AGENDA/NOTICE/ADDENDUM as posted on the courthouse door of Val Verde County, at a place readily accessible to the general public at all times on the 22ND day of NOVEMBER, 2017, at 2:09 o'clock P. M. and said AGENDA/NOTICE/ADDENDUM remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.



Generosa Gracia Ramon
GENEROSA GRACIA RAMON
VAL VERDE COUNTY CLERK

STATE OF TEXAS

§
§
§

#11

COUNTY OF VAL VERDE

ORDER PROHIBITING OUTDOOR BURNING

WHEREAS, the Texas Forest Service has determined that drought conditions exist within Val Verde County; and

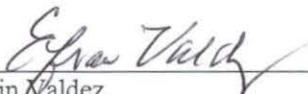
IT IS HEREBY ORDERED by the Commissioners Court of Val Verde County that all outdoor burning is prohibited in the unincorporated area of the county for 90 days from the date of adoption of this Order, unless the restrictions are terminated earlier based on a determination made by: (1) the Texas Forest Service that drought conditions no longer exist; or (2) the Commissioners Court, based on a determination that the circumstances that required the Order no longer exist.

This Order is adopted pursuant to Local Government Code §352.081, and other applicable statutes. This Order does not prohibit outdoor burning activities related to public health and safety that are authorized by the Texas Commission on Environmental Quality for: (1) Firefighters training; (2) public utility, natural gas pipeline or mining operations; (3) planting or harvesting of agricultural crops; or (4) burns that are conducted by a prescribed burn manager certified under Natural Resources Code §153.048 and meet the standards of Natural Resources Code §153.047.

In accordance with Local Government Code §352.081(h), a violation of this Order is a Class C Misdemeanor, punishable by a fine not to exceed \$500.00.

Burning will be allowed only with written permission from Val Verde County Fire Chief or Val Verde County Judge.

ADOPTED this 29th DAY OF September, 2017.


Efrain Valdez
Val Verde County Judge


Martin Wardlaw, Commissioner Pct. 1


Lewis G. Owens, Commissioner Pct. 2


Robert Beau Nettleton, Commissioner Pct. 3


Gustavo Flores, Commissioner Pct. 4

Attest:

Generosa Gracia-Ramon
Val Verde County Clerk





VAL VERDE COUNTY
HUMAN RESOURCES DEPT

#12

MEMORANDUM

To: Efrain Valdez, County Judge
From: Juanita Barrera, HR Director
Date: November 20, 2017
Subject: **AGENDA ITEMS FOR NOVEMBER 2017**

Listed below are several personnel matters which need to be part of the upcoming November agenda for HR reporting period from October 28, 2017 through November 22, 2017.

- A. Joe Frank Martinez, Sheriff, requesting to have Matthew Weingardt, County Auditor start issuing checks to Reynalda Alvarez, Telecommunicator. With an annual salary of \$24,000.00 effective October 30, 2017. Ms. Alvarez is replacing Sari Perez who resigned.
- B. Joe Frank Martinez, Sheriff, requesting to have Matthew Weingardt, County Auditor start issuing checks to Alexandro Delgado, who has been promoted to HIDTA/Deputy Sheriff. With an annual salary of \$45,336.00 effective November 6, 2017. Mr. Delgado is replacing Joaquin Palacios who has been promoted to Sergeant.
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26. Specialty Court Program (SCP)

Courts	County & District only
Effective	06-15-07 forward
Due date	Quarterly
Collection Fee	10% upon timely filing
Statute	Code of Criminal Procedure, Art. 102.0178
Report Form	Form # 40-147
Purpose	Drug Court Account in the General Revenue fund to fund drug court programs established under Chapter 469, Health and Safety Code, and later transferred to Government Code, Chapter 123.

Rate:

Offense	06-15-07 through 12-31-09	01-01-10 forward
Per conviction	\$50.00	\$60.00

Court cost on offenses punishable as a Class B misdemeanor or any higher category of offense under Penal Code, Chapter 49, or Health and Safety Code, Chapter 481.

If the county has established a drug court program or establishes a drug court program before the expiration of the calendar quarter, they are also allowed to retain, **in addition to the 10% collection fee, another 50% of the funds collected.** This is to be used exclusively for the development and maintenance of drug court programs operated within the county.

This means that the County may remit one of the following amounts:

Situation	06-15-07 through 12-31-09	01-01-10 forward
County does not operate a drug court program and files the return late	\$50	\$60
County does not operate a drug court program and files the return timely and retains a 10% collection fee	\$45 (\$50-\$5)	\$54 (\$60-\$6)
County operates a drug court program but files the return late	\$25 (\$50 X ½)	\$30 (\$60 X ½)
County operates a drug court program and files the return timely and retains a 10% collection fee	\$20 (\$50 X ½ = \$25-\$5)	\$24 (\$60 X ½ = \$30-\$6)

Description:

Applies to offenses committed on or after June 15, 2007.

Effective June 14, 2013, district, county, and statutory county courts collect criminal court costs based on conviction date rather than offense date.

Chapter 49 sections included:

- Sec. 49.04: Driving while intoxicated (Class B misdemeanor)*
- Sec. 49.045: Driving while intoxicated with child passenger (felony)
- Sec. 49.05: Flying while intoxicated (Class B misdemeanor)*
- Sec. 49.06: Boating while intoxicated (Class B misdemeanor)

- Sec. 49.065: Assembling or operating an amusement ride while intoxicated (Class B misdemeanor)*
- Sec. 49.07: Intoxication assault (felony)
- Sec. 49.08: Intoxication manslaughter (felony)

* may be enhanced to Class A misdemeanor or felony upon subsequent convictions

These sections are NOT included:

- Sec. 49.02: Public intoxication (Class C misdemeanor)
- Sec. 49.031: Possession of alcoholic beverage in motor vehicle (Class C misdemeanor)

Historical background:

This fund was added by House Bill 530, 80th Session (2007). The bill provided an effective date of June 15, 2007.

This fund is included on the 3rd quarter return for 2007, but only for offenses on or after June 15, 2007.

House Bill 666, 81st Session (2009), increased the court cost to \$60. The bill was effective 9-1-09, but the \$60 fee was postponed to January 1, 2010, due to the provisions of Government Code, Sec. 51.607.

Senate Bill 462, 83rd Session (2013), transferred Health & Safety Code, Ch. 469 to Ch. 123 in Government Code effective 9-1-13. And, the fund is known as Specialty Court Program Fund instead of Drug Court Program Fund.

Specialty Court Program				
Report for Quarter	Drug Court Fees Collected	50% Amount Retained	10 % Service Fee for Timely Filing	Amount due to State
QUARTER #4 Dec 2011	\$456.83	\$228.42	\$45.68	\$182.73
QUARTER #1 Mar 2012	\$1,135.52	\$567.76	\$113.55	\$454.21
QUARTER #2 June 2012	\$681.25	\$340.63	\$68.13	\$272.49
QUARTER #3 Sept 2012	\$290.60	\$145.30	\$29.06	\$116.24
QUARTER #4 Dec 2012	\$410.80	\$205.40	\$41.08	\$164.32
QUARTER #1 Mar 2013	\$425.70	\$212.85	\$42.57	\$170.28
QUARTER #2 June 2013	\$120.20	\$60.10	\$12.02	\$48.08
QUARTER #3 Sept 2013	\$581.00	\$290.50	\$58.10	\$232.40
QUARTER #4 Dec 2013	\$370.60	\$185.30	\$37.06	\$148.24
QUARTER #1 Mar 2014	\$727.30	\$363.65	\$72.73	\$290.92
QUARTER #2 June 2014	\$744.30	\$372.15	\$74.43	\$297.72
QUARTER #3 Sept 2014	\$648.00	\$324.00	\$64.80	\$259.20
QUARTER #4 Dec 2014	\$540.60	\$270.30	\$0.00	\$270.30
Sub Total	\$7,132.70	\$3,566.36	\$659.21	\$2,907.13
Due To State		\$3,566.36		
QUARTER #1 Mar 2015	\$780.30	\$390.15	\$0.00	\$390.15
QUARTER #2 June 2015	\$433.00	\$216.50	\$43.30	\$173.20
QUARTER #3 Sept 2015	\$420.10	\$210.05	\$42.01	\$168.04
QUARTER #4 Dec 2015	\$466.00	\$233.00	\$46.60	\$186.40
QUARTER #1 Mar 2016	\$1,064.81	\$532.41	\$106.48	\$425.92
QUARTER #2 June 2016	\$417.30	\$208.65	\$41.73	\$166.92
QUARTER #3 Sept 2016	\$533.80	\$266.90	\$53.38	\$213.52
QUARTER #4 Dec 2016	\$259.49	\$129.75	\$25.95	\$103.79
QUARTER #1 Mar 2017	\$444.10	\$222.05	\$44.41	\$177.64
QUARTER #2 June 2017	\$268.40	\$134.20	\$26.84	\$107.36
Total	\$5,087.30	\$2,543.66	\$430.70	\$2,112.94
Total Due To SCP		\$2,543.66	\$430.70	