

STATE OF TEXAS:

COUNTY OF MILAM:

BE IT REMEMBERED, that on Monday, the 14th day of December A. D. 2015, the Commissioners' Court of Milam County, Texas, convened in Regular Session in the Commissioners' Courtroom, Milam County Courthouse, 102 S. Fannin, Cameron Texas, with the following members of the Court present, to-wit:

DAVID BARKEMEYER, COUNTY JUDGE

RICHARD "OPEY" WATKINS, COMMISSIONER PRECINCT NO.1

DONALD SHUFFIELD, COMMISSIONER PRECINCT NO. 2

JOHN FISHER, COMMISSIONER PRECINCT NO. 3

JEFF MUEGGE, COMMISSIONER PRECINCT NO. 4

JODI MORGAN, DEPUTY COUNTY CLERK

**Others present, to-wit
John Redington, Legal Counsel**

**Absent
Barbara Vansa, County Clerk**

And the proclamation having been made the Court was in session, the following business came on to be considered:

#1 – CALL MEETING TO ORDER & ESTABLISH QUORUM – 10:00 a.m. – All present

#2 – PLEDGE OF ALLEGIANCE – U. S. Flag. "Honor the Texas Flag", I pledge allegiance to thee, Texas, one State, Under God, one and indivisible

#3 – MINUTES – Motion by Commissioner Shuffield, seconded by Commissioner Megge to approve the minutes as presented to the court. This motion having been put to vote prevailed, the vote being unanimous.

- **November 23 2015 – Regular Meeting**
- **November 24, 2015- Health Department Quarterly Report**
- **November 30 2015 – Public Hearing for Countywide Polling Place Program**

#4 – PUBLIC PARTICIPATION –

- **Franklin Stewart- There is a lot of speculation going on about the Milam County Tax Office and taxpayers money. This investigation has been going on for seven months? We need to be assured our money is being**

taking care of. I will wait two weeks and come back and address this again.

#5 – AUDITORS REPORT – See power point @ www.milamcounty.net

#6 – TREASURERS REPORT – See power point @ www.milamcounty.net

- **\$6,029,925.17**
- **\$6,594,500.00 – Ad Valorem Tax collected in November**
- **\$105,000.00 – November Sales Tax received by Auditor but not included in this report**

#7 – COMMISSIONER’S PRECINCT UPDATE –

- **Pct 1 – grading roads & doing repairs from rains; Working on CR 414 & CR 412; 3 roads under water in Maraksville**
- **Pct 2 – about same as Precinct 1 – fixing wash outs; trying to play catch up**
- **Pct 3 – Same playing catch up; Gause got 4 inches of rain**
- **Pct 4 – Patching; filling in pot holes**
- **Commissioner Shuffield talked to Tift people; we have three years from the day you start to finish; finish date would be in 2017**

#8 – COURT CASE UPDATE – See power point @ www.milamcounty.net

#9 – UTILITY INSTALLATIONS – Motion by Commissioner Shuffield, seconded by Commissioner Muegge to approve the utility installation request by North Milam Water Supply Corporation to place a water line within the right-of-way of County Road 137 & 137A. This motion having been put to vote prevailed, the vote being unanimous.

#10 – PERMISSION FOR ENTRY AND WAIVER OF CLAIMS – none

#11 – PRIVATE ROADS 3530 & 2360 – Motion by Commissioner Fisher, seconded by Commissioner Muegge to approve Private Road 3530. This motion having been put to vote prevailed, the vote being unanimous.

Motion by Commissioner Fisher, seconded by Commissioner Muegge to approve Private Road 2360. This motion having been put to vote prevailed, the vote being unanimous.

- **Muegge- The private roads will start with the county road they come off of and then we will add 1-9 for 911.**
- **Susan Reinders-This will be so that dispatch can find where the roads are.**
- **Judge- Jeff Muegge will be the lead contact on the private roads.**

- **Susan R- Jeff chairs the 911 board, then once assigned we will send over to CTCOG.**

#12 – JUDGE PRO TEM 2016 – Motion by Commissioner Fisher, seconded by Commissioner Watkins to appoint Commissioner Jeff Muegge to be Judge Pro Tem for 2016. This motion having been put to vote prevailed, the vote being unanimous.

#13 – TAX ASSESSOR/COLLECTOR RESIGNATION – Motion by Commissioner Shuffield, seconded by Commissioner Muegge to approve the Resignation of Kolette Morgan Tax Assessor/Collector. This motion having been put to vote prevailed, the vote being unanimous.

- **Judge- Comptroller’s office has been there since last week, taking care of the Vehicle Registration.**

#14 – INTERNAL AUDITS FOR TAX OFFICE – DANICA LARA

- **Danica- We did a preliminary external audit. We went in last week and audited the Receipts and Refunds. We did this in both departments the Vehicle Registration and Ad Valorm department. The Ad Valorm department did need some tweaking on procedures. My main concern is the Rockdale Office; they need a secure place for the money. I would ask the court to consider approving a purchase of a fire proof safe to be placed over in the Rockdale Office.**

#15 – EXTERNAL AUDITOR FOR TAX OFFICE – Motion by Commissioner Muegge, seconded by Commissioner Shuffield to approve the Pattillo, Brown and Hill to conduct an audit on the Tax Office with terms listed below. This motion having been put to vote prevailed, the vote being unanimous.

- **Judge- Before we make this nomination are there any comments on our nomination?**
- **Franklin Stewart- Is this the same company that Audits every year? Will there not be a conflict?**
- **John Redington- That is a good point**
- **Danica Lara- They conduct a general overall audit of the county. Unless they are told to look at a certain office they will go back and do a more in depth audit for that office.**
- **John Redington – The court could make sure they don’t have any conflict. If they do we would resolve.**
- **Judge- The prosecutor office and with my presence could make sure they are comfortable doing the kind of audit we need. If we feel they are not the proper one we can come back to court.**

- **John Redington- We can appoint them; they could then meet with our investigators to see if they can make an unbiased audit.**
- **Wayne Horkheimer- I agree with Franklin Stewart. You also want to make sure they are Certifiable Fraud Examiners.**
- **John Redington to Danica Lara- Are they fraud examiners?**
- **Danica Lara- Yes**
- **Judge- Lets make sure we get the proper audit.**
- **Donald Shuffield- Even though they do the same audit they can still perform the current audit then.**
- **Danica Lara- Yes**
- **John Redington- We can conditionally appoint with terms.**
- **Jeff Muegge- They Must meet with District Attorney's office and meet with their criteria.**

**RESOLUTION FOR APPOINTMENT OF PATTILLO, BROWN AND HILL
Court Appoints Pattillo, Brown & Hill as external auditor of the Milam County Tax Office, expressly on the condition that no evidence of conflict exists in consideration of Pattillo, Brown and Hill's prior audits of said office.**

#16 – SECRETARY OF STATE SEMINAR CERTIFICATE FOR SHERRY MUECK – Motion by Commissioner Muegge, seconded by Commissioner Shuffield to approve the Certificate of Sherry Mueck from the Secretary of State Seminar. This motion having been put to vote prevailed, the vote being unanimous.

#17 – OPEN AND ACCEPT R&B BIDS – JUDGE- Will review and reward bids next meeting.

#18 – DISCUSS NEW OPEN CARRY LAW – JOHN REDINGTON

- **Here is a lay of the legal landscape on the open carry law that takes effect January 1, 2016. No handguns were allowed on premises by the court unless you had permission. January 1 you can openly carry on the sidewalks and etc. You cannot carry in courtrooms or Judge's chambers. Would be up to other county offices if they would allow it. Our only security is a bailiff when we have court. Court needs to decide how we want to approach this. Our courthouse is a multi function courthouse.**
- **Bell County is multipurpose they have metal detectors and security staff. If you are carrying, you have to wait for a deputy to escort you to your destination.**
- **Smith County has stated they will put out signs of no guns allowed. They will deal with a suit if it should come up.**
- **San Jacinto County – Only gun carrying in specific areas.**
- **Nothing much has changed; CHL (Concealed Handguns License) will now change to LTC (License to Carry), you can carry openly but it has to be holstered.**
- **Don Shuermann- What about a long gun; like an AR15.**

- **John Redington- Probably held the same way**
- **Don Shuermann- AR15 you can carry it openly?**
- **Judge- What do we want to do in the courtroom? Concealed or not concealed in the hallways?**
- **John Redington- That is a Gray Area**
- **Judge- Do we want to put up a sign?**
- **John Fisher- Don't know if they have any reason to carry in the courthouse**
- **John Redington- There is no non-court related activity on the second and third floors so those are not related to this.**
- **Judge- I think we should put signs on the doors**
- **John Redington- You could be sued or the state could fine you. We are still waiting on the AG opinion. You may want to wait and think about the overall courthouse safety.**
- **Donald Shuffield- Let's wait for clarity on it.**
- **Judge to John Redington- Will you keep an eye out on the AG opinion and keep us updated?**
- **John Redington- Yes**

#19- QUITCLAIM DEED – JOHN REDINGTON- Motion by Judge Barkemeyer seconded by Commissioner Watkins to approve the Order Abandoning/Vacating Road between blocks 17 and 18 in the original township of Davilla, TX. This motion having been put to vote prevailed, the vote being unanimous.

- **John Redington- Judge this was not a quitclaim deed it was a road abandonment, just wanted to clarify since the agenda stated it was**

#24- BILLS – Motion by Commissioner Muegge, seconded by Commissioner Shuffield to approve the payment of bills in the amount of \$285,918.27 as presented to the court. This motion having been put to vote prevailed, the vote being unanimous.

#25 - ADJOURN – Motion by Commissioner Fisher, seconded by Commissioner Muegge to adjourn @ 11:20 A.M. This motion having been put to vote prevailed, the vote being unanimous.

The above and foregoing Minutes examined and approved in Open Court this 28th day of December 2015.

County Judge

**State of Texas:
County of Milam:**

I, Barbara Vansa, County Clerk, Milam County, Texas, attest that the foregoing is a true and correct accounting of the Commissioners' Court authorized proceedings for December 14, 2015.

**County Clerk and Ex-Officio Member of
Commissioners' Court, Milam County, Texas**

STATEMENT OF APPROVAL

December 14, 2015

Commissioner of Precinct No. 1

Commissioner of Precinct No. 3

Commissioner of Precinct No. 2

Commissioner of Precinct No. 4

**POWERPOINT
PRESENTATION
December 14,
2015**

**Minutes from the December 14, 2015 Milam County
Commissioners Court meeting ends on**