

STATE OF TEXAS:

COUNTY OF MILAM:

BE IT REMEMBERED, that on Tuesday, the 15th day of December A. D. 2015, the Commissioners' Court of Milam County, Texas, convened in a Workshop 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 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:

BARBARA VANSAN, COUNTY CLERK

JOHN REDINGTON, LEGAL COUNSEL

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 - 2:00 p.m. - Quorum established

#### Appointment of Milam County Tax Assessor Collector

Judge- Today we are here to discuss appointing a Tax Assessor Collector, John Redington has done some research on this so I will turn it over to him.

John Redington- I have here an AG opinion, it is an old opinion but it does talk about when a vacancy occurs.

The AG opinion states:

Article 6252-1- When there shall occur a physical vacancy in a public office in this State, by reason of death or otherwise, the duties and powers of such office shall immediately devolve upon the first assistant or chief deputy if there be one, who shall conduct the affairs of the office until the vacancy in the term thereof shall be filled by the appointment or election and qualification of a successor to the principal officer.

Article 7251- No collector shall enter upon the discharge of the duties of the office until all of the bonds required of him by law for the collection of any taxes, State, county or special, shall have been given and approved.

Judge- Lydia Cervantes is the Chief Deputy there; she is one person we could consider.

Judge to John Redington- Are there any qualifications?

John Redington- There is certifications and bonds that have to be filed, but there is a grace period.

Judge- Melanie Reed is here, she has said she is willing to serve. She is another one that we could consider. We now have two people that have filed for Tax Assessor/Collector; Melanie Crook and Sherry Mueck could both be considered too. Melanie Crook currently is employed there and Sherry Mueck worked there in the past. We waited until today to have this meeting because we needed to see how many people we have file for that office.

Judge- I nominate Lydia Cervantes for the position. I feel she has the experience and she is currently the Chief Deputy. She is well qualified to fill the intern period. Have her fill in since Melanie Crook and Sherry Mueck are both on the Republican Ticket. We then could appoint a Tax Assessor/Collector with whoever wins that race.

Jeff Muegge- What about the bonds?

Barbara Vansa- Kolette Morgan's bonds are no longer effective. The appointed person needs to get bonds for their selves and the office. The Tax Assessor has to have two \$100,000.00 bonds. The bond for the office; if it is in Kolette's name they will need to replace that one, if it is under Milam County Tax Office then they should still be covered.

Donald Shuffield- Is there still an ongoing investigation?

John Redington- Yes

Donald Shuffield – I think we should look as Melanie Crook and Sherry Mueck as just candidates. Since we are still being investigated we should look at hiring someone from the outside. Because if it leads to her being involved we will be right back to where we are at. Melanie Reed is here, she is the only one from the outside that is here. I nominate Melanie Reed for the position.

Barbara Vansa- I would like one thing to be considered, Nepotism. With Lydia's daughter Laura working there; will that be a problem if Lydia is appointed?

John Redington- No, since there are special circumstances and Lydia did not hire Laura. To address Donald's concern about the investigation Lydia is not suspected in any of our concerns in the investigation.

Judge- Lets handle this one at a time. Is there a second to my nomination?

Jeff Muegge- I have some questions before we move on.

Jeff Muegge to Melanie Reed- Where are you employed?

Melanie Reed- I do consultant work for a business out of Hutto.

Lydia Cervantes- I currently work at the Tax Office. I am the Chief Deputy and I have my Tax Assessor/Collector's certification that I received in 2012.

Jeff Muegge- Since this is just for 2 months are you both ok with this?

Melanie Reed- Yes

Lydia Cervantes- Yes

Jeff Muegge to Lydia- So you are ok with going back to being Chief Deputy when the new person takes over?

Lydia Cervantes - Yes

Motion by Judge Barkemeyer, seconded by Commissioner Muegge to appoint Lydia Cervantes as Tax Assessor/Collector. This motion having been put to vote prevailed, the vote being a vote of 3 to 2; the motion passed.

For:

Judge Barkemeyer  
Commissioner Fisher  
Commissioner Muegge

Against:

Commissioner Watkins  
Commissioner Shuffield

Motion by Commissioner Muegge, seconded by Commissioner Fisher to adjourn. This motion having been put to vote prevailed, the vote being unanimous.

ADJOURN - 2:15p.m.

The above and foregoing Minutes examined and approved in Open Court this 28<sup>th</sup> 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 15th 2015.

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

#### STATEMENT OF APPROVAL

December 15, 2015

\_\_\_\_\_  
Commissioner of Precinct No. 1

\_\_\_\_\_  
Commissioner of Precinct No. 3

\_\_\_\_\_  
Commissioner of Precinct No. 2

\_\_\_\_\_  
Commissioner of Precinct No.4

Minutes from the December 15th 2015 Milam County  
Commissioners Court meeting ends on

