

STATE OF TEXAS:

COUNTY OF MILAM:

BE IT REMEMBERED, that on Monday, the 14th day of March A. D. 2016, 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

BARBARA VANSAN, COUNTY CLERK

**Others present, to-wit
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 – 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 Muegge to approve the minutes as presented to the court. This motion having been put to vote prevailed, the vote being unanimous.

- **February 22, 2016 – Regular Meeting**
- **March 07, 2016 – Special Meeting Appointing Interim Tax Assessor Collector, Sherry Mueck**

#4 – PUBLIC PARTICIPATION – none

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

- **Luminant taxes received end of January**
- **Luminant trial scheduled to start in May**
- **General Fund Expenditures are actual not prorated**

- **Road & Bridge Departments are getting some money from their TIF and FEMA projects**
- **Non Budget Funds – one Debt Service payment left in September**

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

- **\$10,571,151.20**
- **All J.P.'s are increasing**

#7 – COMMISSIONER'S PRECINCT UPDATE –

- **Pct 1 – CR102 & 103 and cutting brush**
- **Pct 2 – CR335**
- **Pct 3 – hauling lot of gravel, roads were getting better until rains**
- **Pct 4 – patching, hauling gravel; all of us met with Susan & CITCOG**
- **Judge – I have received calls since the rains again. The impression I get is we are not concerned about our county roads and we are. County roads are a little different than the State roads, the county roads do wash out. We try the best we can. I don't like to say we don't have enough money but we do not have the resources some counties do.**

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

#9 – UTILITY INSTALLATIONS – None

#10 – PERMISSION FOR ENTRY AND WAIVER OF CLAIMS – Motion by Commissioner Fisher, seconded by Commissioner Shuffield to approve the Permission for Entry and Waiver of Claims – Consent given by Glenda Seivert for Milam County and its employees to enter her property located at CR344 Loop in Precinct 3. This motion having been put to vote prevailed, the vote being unanimous.

#11 – DISCUSS RISK CONTROL REIMBURSEMENT PROGRAM THROUGH TAC -

Isaac Garcia, M.E., Risk Control Consultant made presentation to the Court in reference to the Risk Control Reimbursement Program.

The TAC Risk Management Pool's new RISK CONTROL REIMBURSEMENT PROGRAM (RCRP) assists Texas counties in creating, enhancing and maintaining effective risk control programs. This voluntary program allows TAC RMP members participating in qualified lines of coverage to see reimbursement for the costs associated with implementing approved risk control projects.

Milam County qualifies for \$29,000 workers comp, vehicles and property; \$11,000 Law enforcement

- **July 01 – Application should be received by TAC**
- **August 01 – TAC RMP notifies applicant if they have been approved**
- **December 01 – receipts due**
- **January 01 – TAC will mail reimbursement checks**
 - **Application must be signed by the Judge**
 - **Ideas submitted by anyone**

Vansa stated she had students come in Saturday to move the books that Garcia visited with her about that did not meet fire code standards. Vansa asked if rearranging the shelves would be something we could get help on for the cost & Garcia said yes but have to submit it.

#12 – CONSIDER APPROVAL OF UPDATED FLOOD DAMAGE PREVENTION COURT ORDER – Motion by Commissioner Watkins, seconded by Commissioner Muegge to approve the Flood Damage Prevention Court Order. This motion having been put to vote prevailed, the vote being unanimous.

Jay Beathard, Milam County Floodplain Administrator made presentation to the court.

This was last looked at in 2000; we participate in flood plain; we need a court order update; nothing much has changed except the wording. The application & court order need to be posted on the county website. We are a 60.3(a) county so we are not provided flood maps.

#13 – APPROVE PITNEY BOWES SERVICE AGREEMENT FOR SHERIFFS DEPARTMENT – Motion by commissioner Muegge, seconded by Commissioner Fisher to approve the Pitney Bowes Global Financial Services Agreement. This motion having been put to vote prevailed, the vote being unanimous.

#14 – UPDATE ON EXTERNAL AUDIT OF THE TAX OFFICE –

John Redington stated we asked that the audit be privileged and we don't think it needs to be privileged anymore. We are turning it over to the court and there are some security concerns that need to be addressed and suggest you sit down with Sherry (Interim Tax Assessor Collector) – also if you want the auditing firm to present the findings I can arrange that but it will cost.

Judge – John & I met with Sherry and gave her a copy of the report; you guys (to the commissioners) have had yours only a couple days.

- **In the findings there was a set of recommendations to changes to improve & secure operation.**
- **Sherry wanted to have a chance to go over and respond to her terms; wants time to review & report to the public**
- **Judge to the Commissioners – do we want to release or restrict information; may need to keep amount non public; I would like the public to see the recommendations and for Sherry to announce her plans to the recommendations.**
- **Judge to Commissioners – what do ya'll want to do?**
 - **Shuffield – I would think wait for Sherry and others agreed**

- **Workshop, Executive session then make public**

Redington – if you have questions for the External Auditors their information is there.

Mueck – training this week

Judge – March 28 Commissioners Court - Sherry will do report for public

#15 – DAVILLA FIRE STATION – Motion by Commissioner Shuffield, seconded by Commissioner Muegge to table the Davilla Fire Station. This motion having been put to vote prevailed, the vote being unanimous.

#16 – APPROVE REAPPOINTMENT OF JUDGE BARKEMEYER TO HLL COUNTRY TRANSIT DISTRICT BOARD – Motion by Commissioner Fisher, seconded by Commissioner Muegge to approve the reappointment of Judge Barkemeyer to the Hill Country Transit District Board. This motion having been put to vote prevailed, the vote being 4 yes and the Judge abstaining.

#17 - APPROVE PRIVATE ROADS 3745 AND 3585 – Motion by Commissioner Fisher, seconded by Commissioner Muegge to approve Private Roads 3745 on CR 374 and Private Road 3585 on CR 358. This motion having been put to vote prevailed, the vote being unanimous.

#18 – APPROVE ELECTION CONTRACTS WITH CITIES AND SCHOOLS – Motion by Commissioner Muegge, seconded by Commissioner Fisher to approve the Contract between Milano ISD and Milam County for the use of election equipment. This motion having been put to vote prevailed, the vote being unanimous.

#19 – APPROVE THE OFFICIAL BOND OF SHERRY MUECK, TAX ASSESSOR COLLECTOR – Motion by Judge Barkemeyer, seconded by Commissioner Fisher to approve the Official Bond of Sherry Mueck, Tax Assessor Collector. This motion having been put to vote prevailed, the vote being unanimous.

- **\$100,000 bond payable to the Commissioners Court of Milam County**
- **\$100,000 bond payable to the Governor of Texas**

#20 – APPROVE THE TAX ASSESSOR COLLECTOR DEPUTATIONS – Motion by Commissioner Fisher, seconded by Commissioner Shuffield to approve the Tax Assessor Deputations of *Lydia Cervantes, Melanie Crook, Nancy Tucker, Laura Cervantes and Cindy DeLaRosa*. This motion having been put to vote prevailed, the vote being unanimous.

#21 – DISCUSS AND CONSIDER TAKING ACTION TO LIFT MILAM COUNTY’S FORMAL PROTEST O APPLICATION FOR PERMIT TO OPERATE A RECLAMATION FACILITY BY BOUNDARY VENTURES, MILANO FACILITY, WITH THE TEXAS RAILROAD COMMISSION – Motion by Commissioner Fisher, seconded by Commissioner Watkins to approve the Resolution to resolve to lift the protest to the Texas Railroad Commission. This motion having been put to vote prevailed, the vote being unanimous.

David York, one of the new owners made a presentation to the court and provided pictures of the plant.

John Redington said the Railroad notified us of application and salt water disposal already there.

York – Railroad Commission, TCEQ, and Commissioner Fisher have been out. Levy being built to protect CR 342. Will help with truck traffic off the county roads. Have already spent \$400,000 for clean up. It is not going to be a landfill. We have 23 employees and needing about 4 or 5 more.

#22 - BILLS – Motion by Commissioner Muegge, seconded by Commissioner Fisher to approve the payment of bills in the amount of \$391,033.24 as presented to the court. This motion having been put to vote prevailed, the vote being unanimous.

- Atchley & Associates - \$13,168.96 – External Audit of Tax Assessor Collector Office**
- Bell County Public Health District - \$5000 – Infectious Disease Plan**
- 20th Judicial Dist: Pattillo, Brown & Hill LLP - \$4000 – CSCD Annual Audit**

#23 - ADJOURN – Motion by Commissioner Fisher, seconded by Commissioner Muegge to adjourn @ 11:10 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 March 2016.

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 March 14 2016.

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

STATEMENT OF APPROVAL

March 28 2016

Commissioner of Precinct No. 1

Commissioner of Precinct No. 3

POWERPOINT PRESENTATION

March 14 2016

**Minutes from the March 14 2016
Milam County Commissioners Court meeting
and Volume 77 ends on Page 848.**