STATE OF TEXAS:

COUNTY OF MILAM:

BE IT REMEMBERED, that on Tuesday, the 25th day of November A. D. 2013, 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

CHUCK BALCH, COMMISSIONER PRECINCT NO.1

KENNETH HOLLAS, COMMISSIONER PRECINCT NO. 2

JOHN FISHER, COMMISSIONER PRECINCT NO. 3

JEFF MUEGGE, COMMISSIONER PRECINCT NO. 4

BARBARA VANSA, 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 ALLEGIENCE – 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 Muegge, seconded by Commissioner Balch to approve the November 12 and 14, 2013 and Motion by Commissioner Balch, seconded by Commissioner Muegge to approve the November 18, 19 & 25 2013 regarding the Post Oak Savannah Groundwater Board of Directors Appointments meeting minutes as presented to the court. This motion having been put to vote prevailed, the vote being unanimous.

#4 – PUBLIC PARTICIPATION –

- **BILLY M. MCCUTCHEN – Post Oak Savannah Water District Appointments – THANKS to Court for opening up appointment process.**
    - **THANK YOU to the Court for making it available to the people. Groundwater is part of what we are Blessed with. Opening process for opening up to those interested in learning more. THANK YOU for all your efforts.**

- **COLLEEN G. WARING – Appointment of POSGCD directors. Against reappointment of incumbents.**
    - **The Commissioners have the opportunity to do the right thing.**

- **BARBARA VANSA – Milam County Clerk's Office – 2014 Budget / Terminating Employee**
    - **I know the court cannot act on this but it gives you two meetings before the end of the year to make "line item adjustments for the 2014 Budget ".**
    - **As most of you know the Cotton Murder Trial is complete after the defendant plead out to the court.**
    - **On July 17 a statement was made regarding the "outcome of the murder trial a line item transfer could be made to keep our employees".**
    - **November 17 – letter to the Court I ask that you reinstate the salaries & positions.**
    - **November 27 received a letter from Judge Barkemeyer regarding his opinion & concern of the Reduction of employees & tax rate; I respect his opinion but have mine also.**
    - **I was put in this position to give public service to those needed & without my employee that will be hard to do.**
    - **Again I ask that you "reinstate the salaries & positions" of not only my employee but the Tax Assessors, District Clerks & JP3. THANK YOU!**

- **ANDY ISAACS – Precinct 3 – no subject**
    - **I too am here for the same reason Barbara is.**
    - **To John Redington – I appreciate the work ya'll did (referencing the murder trial).**
    - **Reduce taxes back to 60cents – probably going back to to 60cents is not easy to say.**

- **Employee is a service to you; no salaries in 4 years**
- **Looks like end up with $800,000**
- **Need concerned leadership, what are your solutions, put it out on the table**
- **Obamacare**
- **I to want to keep our employees, not only are they our employees but our friends,neighbors**
- **Economic Development – tax abatement? Gotta get out & tell people about Milam County; need concerned, positive, direct leadership**

- **CURTIS CHUBB – Central Texas Aquifer Coalition - Groundwater Director Appointment –**
  - **Last weeks interviews were good, THANK YOU!**
- Three-minute presentation to the Milam County Commissioners Court – Curtis Chubb
- 25 Nov 2013
- Last week's interviews were extremely important. Thank you for making the selection process more open – and more inclusive.
- With the new process, you now know that two incumbents, Starnes and Hodson, have missed almost 25% of the meetings. A fact that can be confirmed by checking the Post Oak Minutes for the last ten years. That is like you missing 3 months of commissioners court meetings in a year. If for no other reason, Starnes and Hodson should not be reappointed because they missed so many meetings – they have already shown that they are not committed.
- What you must understand about the interviews is they represent the first time in ten years that the incumbents had to answer questions in public.
- It was like lifting a rock and shining a light on the Post Oak operation – not a pretty sight.
- Their answers highlighted what is wrong with Post Oak. Because they work in complete isolation and tell each other the same propaganda so many times – they eventually start to believe it. I hope that you noted that they all said the same thing during the interviews – sometimes used the exact same phrases.
- Let me give you three examples from the interviews of what I mean.
- First example, the incumbents stated that nothing has to be changed because "we are ahead of the curve"- everybody wants to be just like us – we're doing it right.
- If they had ever taken the time to attend other groundwater meetings they would have found that Post Oak is considered among the worst groundwater districts. In fact, the groundwater district in Lee and Bastrop counties considered taking legal action against Post Oak because of their groundwater policies – especially the ridiculed 'approve-all-permits' policy.
- In contrast to the incumbent mindset, nominee Ann Stanislaw said, "It is wrong to say Yes or to say No to all permit requests. The decisions have to be made while thinking about our children and grandchildren."

- Second example, the incumbents stated that Post Oak has to approve all groundwater export permits because of State law. In actuality, State law does not require Post Oak to approve all export permits. It states that the impact on the district's groundwater users has to be considered first.
- In contrast to the incumbent mindset, nominee Durwood Tucker said, "We have to take care of Milam County first."
- Third example, the incumbents stated that anyone against the Post Oak policies "just don't understand what is going on" and "they are misinformed." In fact, someone said that anyone in Milam County who doesn't agree with what Post Oak is doing is both misinformed and ignorant.
- The incumbents' answers revealed the problem with Post Oak. If someone has a different viewpoint about how to manage our groundwater, that person is labeled ignorant – an evil person - someone to be slandered.
- Because of the new selection process, you were able to hear all of what I just talked about directly from the incumbents – first-hand.
- The problem is that they have been directors too long. When they were first appointed directors, they probably said "I will do what is right. " Now, they say, "What I do is right."
- Nominee Allen Hejl's simple statement underlined what is wrong with the incumbents. When talking about the Alcoa permit hearings he attended with another 200 people, he said, "The only ones who were not highly upset were the directors."
- The incumbents need to be retired – we need new directors who are independent thinkers and who will listen to us instead of calling us misinformed and ignorant.

- **DONALD SCHUERMAN – Groundwater**
    - **I want to THANK Commissioners & Judge for making this an open process; current board are not currently attending meetings; if you are pleased with POSGD rules put new director in & see if they think the rules are right / good or make changes**

#5 – MILAM COUNTY APPRAISAL DISTRICT – Motion by Judge Barkemeyer, seconded by Commissioner Muegge to approve the Official Ballot nominating Don Culp with 582 votes, Mike Marek with 428 votes and Travis Yoakum with 548 votes as candidates to serve on the Milam Appraisal District Board. This motion having been put to vote prevailed, the vote being unanimous.

- **MILAM COUNTY APPRAISAL DISTRICT RESOLUTION - Motion by Judge Barkemeyer, seconded by Commissioner Balch to approve the Resolution nominating Don Culp with 582 votes, Mike Marek with 428 votes and Travis Yoakum with 548 votes as candidates to serve on the Milam Appraisal District Board. This motion having been put to vote prevailed, the vote being unanimous.**

#6 – SHERIFF'S DEPARTMENT DEPUTATION – Motion by Commissioner Hollas, seconded by Commissioner Muegge to approve the Sheriff's Department Deputation of JOHN TORRES. This motion having been put to vote prevailed, the vote being unanimous.

#7 – MILAM COUNTY INDUSTRIAL DEVELOPMENT – Motion by Judge Barkemeyer, seconded by Commissioner Muegge to approve the appointment of KARA CLORE to the Rockdale Municipal Development District Director to replace Deedra Jacobs on the Milam County Industrial Development Board of Directors. This motion having been put to vote prevailed, the vote being unanimous.

#8 – TAX ABATEMENT / LITTLE RIVER HEALTHCARE – Motion by Judge Barkemeyer, seconded by Commissioner Hollas to approve the Tax Abatement for Little River Healthcare – Central Texas dba Little River Healthcare – Cameron Hospital. This motion having been put to vote prevailed, the vote being unanimous.

- **Capital investment - $1.4 million**
- **37 jobs in year 1 with an additional 31 jobs in year 2**

#9 – POST OAK SAVANNAH GROUNDWATER DISTRICT ANNUAL REPORT – Presented by Gary Westbrook – Presentation recorded in Minute Book

- **WESTBROOK**
  - **I respect the opinion of others**
  - **"2003" pumped before posting rules**
  - **Can't tell people what they can & cannot do**
- **DON SCHUERMAN**
  - **I like you as a person but totally disagree with couple things; water went down, went back up, had to come from somewhere**
- **WESTBROOK**
  - **Yes it had to come from somewhere; recharge**
- **SCHUERMAN**
  - **Do you support the directors?**
- **WESTBROOK**
  - **I'm not answering – I work for them, these guys (Commissioners Court) will do that**
- **JUDGE**
  - **Ok, Job performed by all 10 board members is not an easy task, we should be thankful for the service to the citizens of Milam County.**

#10 – POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT –

An interview of candidates for the POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT BOARD OF DIRECTORS took place. A Motion made by Commissioner Balch to nominate Kerry Starnes, and a motion made by Commissioner Fisher to nominate Steven Wise for the MUNICIPAL REPRESENTATIVE.

Motion to cease nomination was made by Commissioner Hollas, seconded by Commissioner Muegge. After the votes were cast KERRY STARNES was appointed the MUNICIPAL REPRESENTATIVE.

An interview of candidates for the POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT BOARD OF DIRECTORS took place. A Motion made by Commissioner Balch to nominate Sidney Youngblood, and a motion made by Commissioner Muegge to nominate Jim Hodson for the INDUSTRIAL REPRESENTATIVE.

Motion to cease nomination was made by Commissioner Balch, seconded by Commissioner Muegge. After the votes were cast SIDNEY YOUNGBLOOD was appointed the INDUSTRIAL REPRESENTATIVE.

An interview of candidates for the POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT BOARD OF DIRECTORS took place. A Motion made by Commissioner Hollas to nominate Jay Tumlinson, and a motion made by Commissioner Fisher to nominate Ann Stanislaw, and a motion made by Commissioner Muegge to nominate Durwood Tucker for the AGRICULTURAL REPRESENTATIVE.

Motion to cease nomination was made by Commissioner Balch, Seconded by Commissioner Fisher. After the votes were cast, a tie occurred between Candidate Jay Tumlinson & Candidate Durwood Tucker. After the votes were cast DURWOOD TUCKER was appointed the AGRICULTURAL REPRESENTATIVE.

ENTITY	CANDIDATE	NOMINATED BY
MUNICIPAL	ALLEN HEJL	THORNDALE
	KERRY STARNES	ROCKDALE
	STEVEN WISE	CAMERON & MILANO
	NO NOMINEE	BUCKHOLTS
INDUSTRIAL	JIM HODSON	ALCOA
	BRAD MASEK	LUMINANT
	SIDNEY YOUNGBLOOD	INDEPENDENT AG PRODUCER
AGRICULTURAL	ANN STANISLAW	
	DURWOOD TUCKER	
	JAY TUMLINSON	
	KATHY JOHNSTON	

ENTITY	CANDIDATE	NOMINATED BY	VOTE & BY WHOM	APPOINTEE	
MUNICIPAL	STARNES	BALCH	4 – BALCH HOLLAS JUDGE MUEGGE	**STARNES**	
	WISE	FISHER	1 – FISHER		
INDUSTRIAL	YOUNGBLOOD	BALCH	3 – BALCH JUDGE FISHER	**YOUNGBLOOD**	
	HODSON	MUEGGE	2 – MUEGGE HOLLAS		
AGRICULTURAL	TUMLINSON	HOLLAS	2 – HOLLAS BALCH		
	STANISLAW	FISHER	1 – FISHER		
	TUCKER	MUEGGE	2 – MUEGGE JUDGE		
RUNOFF	TUMLINSON	------	2 – HOLLAS BALCH		
	TUCKER	------	3 – FISHER JUDGE MUEGGE	**TUCKER**	

#11 – ROAD & BRIDGE MATERIALS / BIDS – Motion by Commissioner Hollas, seconded by Commissioner Balch to receive Road & Bridge Material Bids through December 6 and open bids on December 9. This motion having been put to vote prevailed, the vote being unanimous.

#12 – CULVERTS COST – Motion by Commissioner Balch, seconded by Commissioner Fisher to increase the $5 per foot to $7.50 per foot for installing culverts in driveways. This motion having been put to vote prevailed, the vote being unanimous.

Commissioner Balch stated the increase won't cover the cost but will help.

Commissioner Hollas & other commissioners agreed.

#13 – TREE OF ANGELS RESOLUTION – Motion by Judge Barkemeyer, seconded by Commissioner Muegge to approve the Tree of Angels Resolution – the Commissioners Court proclaims December 5, 2013 as Tree of Angels Day and urges the citizens of Milam County to participate in the Tree of Angels event at 7:30 p.m. This motion having been put to vote prevailed, the vote being unanimous.

Judge stated this is a very emotional event.

#14 – VINE – Motion by Commissioner Muegge, seconded by Commissioner Balch to approve the R-10 Service Agreement Renewal Notice for the Milam County VINE Service. This motion having been put to vote prevailed, the vote being unanimous.

- **Project pricing - $6203.28 (Quarterly amount $1550.82)**
- **Service Agreement Renewal Date – September 1 2013**
- **Service Agreement Renewal Term – 12 months**
- **Next Service Agreement Renewal Date – August 31 2014**
- **John Redington, Assistant District / County Attorney stated to the Court VINE helps notify victims of crime of parole, release**

#15 – UTILITY INSTALLATION REQUEST PRECINCT 2 – Motion by Commissioner Hollas, seconded by Commissioner Muegge to approve the Utility Installation Request on CR229, Precinct 2, Marlow WSC to place a water line. This motion having been put to vote prevailed, the vote being unanimous. (Warrick)

#16 - UTILITY INSTALLATION REQUEST PRECINCT 1 – Motion by Commissioner Balch, seconded by Commissioner Hollas to approve the Utility Installation Request on CR104, Precinct 1, Bell-Milam-Falls WSC to place a water line. This motion having been put to vote prevailed, the vote being unanimous. (Barron)

#17 - UTILITY INSTALLATION REQUEST PRECINCT 1 – Motion by Commissioner Balch, seconded by Commissioner Muegge to approve the Utility Installation Request on CR104B, Precinct 1, to replace a damaged cable located under CR104B. This motion having been put to vote prevailed, the vote being unanimous. (Barron)

#18 – FAIR HOUSING – Motion by Judge Barkemeyer, seconded by Commissioner Muegge to approve the Resolution Promoting Fair Housing. This motion having been put to vote prevailed, the vote being unanimous.

- **The Commissioners Court urges all the citizens of the locality to become aware of and support the Fair Housing law.**

#19 – LINE ITEM ADJUSTMENTS – Motion by Commissioner Balch, seconded by Commissioner Muegge to approve the Line Item Adjustments as presented to the Court. This motion having been put to vote prevailed, the vote being unanimous.

#20 - BILLS – Motion by Commissioner Muegge, seconded by Commissioner Balch to approve the payment of bills in the amount of $185,676.21 as presented to the court. This motion having been put to vote prevailed, the vote being unanimous.

#21 - ADJOURN – Motion by Commissioner Muegge, seconded by Commissioner Balch to adjourn @ 11:40 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 9th day of December 2013.

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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 November 25, 2013.

_____

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

STATEMENT OF APPROVAL

_____ _____

Commissioner of Precinct No. 1 **Commissioner of Precinct No. 3**

_____ _____

Commissioner of Precinct No. 2 **Commissioner of Precinct No.4**

P O W E R P O I N T

P R E S E N T A T I O N

November 25, 2013

Minutes from the November 25, 2013 Milam County Commissioners Court meeting ends on