

*Agenda*  
**Medina County Commissioners Court**  
1100 16<sup>th</sup> Street, Room 102  
Hondo, Texas 78861  
August 14, 2006  
9:00 a.m.

FILED IN MY OFFICE  
ELVA MIRANDA

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COUNTY CLERK, MEDINA CO.

1. Meeting called to order
2. Discuss and consider approval of July 31, 2006 minutes
3. Discuss and consider approval of certain budget amendments
4. Discuss and consider approval of certain line item transfers
5. Discuss and consider approval of certain bills for payment
6. Discuss and consider approval of certain personnel changes
7. County Auditor monthly report
8. Discuss and consider approval of monthly report submitted by the County Treasurer
9. Visitors

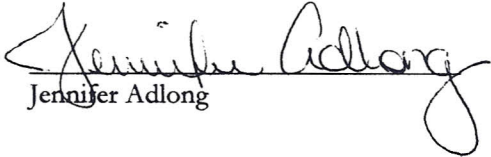
10:00 A.M.

10. Discuss and consider final approval to J. Iltis Subdivision; Located in Precinct 1 off of FM 2676; (Paul Carey, Surveyor)
11. Discuss and consider vacating and replatting lot 1 of Sheppard Hill Subdivision; Located in Precinct 3 off of CR 662 and PR 6621 (Tim Hardt, Realtor)
12. Discuss and consider preliminary approval to vacating and replatting lots 112 and 113 of Fawn Valley Subdivision; Located in Precinct 1 off of CR 4638 (John Howard, Surveyor)
13. Discuss and consider preliminary and final approval to Stuart Addition Subdivision; Located in Precinct 1 off of FM 2676 (Charlie Rothe, Surveyor)
14. Discuss and consider preliminary approval to Dancing Bear Subdivision Unit 6; Located in Precinct 1 off of FM 1283 (Charlie Rothe, Surveyor)
15. Discuss and consider increasing dollar amount and number of change drawers in Justice of the Peace Precinct 4 Office
16. Discuss and consider final approval to DHS Document Number: 537537537D\*2008K-01 with Department of State Health Services for database services for vital records; County Clerk's Office
17. Discuss and consider approval of Election Services Contract between Medina County and Devine ISD
18. Discuss and consider acceptance and award of sealed bids; WIC/Health Unit renovations
19. Discuss and consider confirming the granting of the petition and ordering elections to confirm the creating of and to authorize the imposition of a tax not to exceed the rate allowed by the Texas Constitution (Article III, Section 48-E) in each of the Emergency Service Districts as follows:
  - a. Emergency Service District No. 2 – Devine VFD
  - b. Emergency Service District No. 3 – Community EMS
  - c. Emergency Service District No. 4 – Devine EMS
  - d. Emergency Service District No. 5 – Natalia VFD
  - e. Emergency Service District No. 6 – Hondo VFD

20. Discuss and consider authorizing the County Clerk to seek preclearance from the Department of Justice for the elections to create the five Emergency Service Districts enumerated in the foregoing agenda item plus the issue of annexation of certain areas into Emergency Service District No. 1
21. Commissioners' Court / Court Members Announcements
22. Adjourn

**NOTE:** *Items will not necessarily be dealt with in the order that they are listed*

On this 11<sup>th</sup> day of August 2006, not later than 9:00a.m., this notice was posted on a bulletin board located at the place readily accessible and convenient to the public at the Medina County Courthouse, Hondo, Texas.

  
Jennifer Adlong

Christine Mitchell  
Commissioner Precinct No. 1

James Barden  
County Judge

Arturo Barrientes  
Commissioner Precinct No. 3

Beverly Keller  
Commissioner Precinct No. 2

Kelly Carroll  
Commissioner Precinct No. 4

MEDINA COUNTY COMMISSIONERS' COURT  
AUGUST 14, 2006  
9:00 A.M.

ITEM #1  
MEETING CALLED TO ORDER

County Judge James Barden called the meeting to order at 9:00 a.m. and stated that all court members were present with the exception of Commissioner Kelly Carroll who is absent due to illness.

Other officials/department heads in attendance for today's meeting were Sheriff Gilbert Rodriguez, County Treasurer Rita Moos, County Auditor Teresa Martinez and County Clerk Elva Miranda.

ITEM #2  
DISCUSS AND CONSIDER APPROVAL OF JULY 31, 2006  
MINUTES

After review of the minutes, a motion was made by Commissioner Keller and second by Commissioner Barrientes to approve the minutes as written.

The motion carried. Commissioner Mitchell abstained due to her absence from that day's meeting.

ITEM #3  
BUDGET AMENDMENTS

There were no budget amendments presented at today's meeting.

ITEM #4  
LINE-ITEM TRANSFERS

There were no line-item transfers presented at today's meeting.

ITEM #5  
DISCUSS AND CONSIDER APPROVAL OF CERTAIN WEEKLY BILLS

After review of the weekly bills, a motion was made by Commissioner Keller and second by Commissioner Mitchell to approve the payment of bills with the exception of any bills pertaining to the County Clerk's Restitution Fund, District Attorney's Forfeiture/Seizure Fund, Medina County's Forfeiture Fund, and "demand" checks. The motion carried.



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ITEM #5 WEEKLY BILLS – Continued

Mention was made that the court recognizes receipt and payment of bills from the County Clerk's Restitution Fund, District Attorney's Forfeiture/Seizure Fund, Medina County's Forfeiture Fund, and "demand" checks, but does not have authority to approve payments from these accounts.

ITEM #6  
DISCUSSION AND POSSIBLE ACTION ON GRANTING APPROVAL TO  
PERSONNEL CHANGES

Court members reviewed proposed personnel action forms as submitted by County Treasurer/Personnel Director Rita Moos. (See attachments)

After discussion, a motion was made by Commissioner Keller and second by Commissioner Mitchell to grant approval to the personnel action forms as presented. The motion carried unanimously.

ITEM #7  
COUNTY AUDITOR'S MONTHLY REPORT

As per Local Government Code, Sections 114.025 and 115.002, court members reviewed the June, 2006 monthly report as submitted by the County Auditor. No action required. (See attachment)

ITEM #8  
DISCUSS AND CONSIDER APPROVAL OF MONTHLY REPORT SUBMITTED  
BY THE COUNTY TREASURER

To satisfy Article 114.026, Subsection C, Local Government Code, a motion was made by Commissioner Keller and second by Commissioner Mitchell to grant approval to the County Treasurer's Monthly Report and reports presented by her for the other elected officials/department heads, for the month of June, 2006.

The motion passed unanimously. (See attachment)

ITEM #9 Vol. 66 Pg. 359  
VISITORS

Mary Walpole – Quihi  
Cynthia Ivy – Hondo  
Tim Hardt – Rep for Terry Lyn Baca  
Christina Barbee – M.V. Times

Dr. Bob Fitzgerald – Quihi  
Paul Carey – J. Iltis Subdivision  
Elizabeth Craft – Anvil Herald  
John Howard – Hondo

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ITEM #10

DISCUSS AND CONSIDER FINAL APPROVAL TO J. ILTIS SUBDIVISION;  
LOCATED IN PRECINCT 1 OFF OF FM 2676, (PAUL CAREY, SURVEYOR)

Court members reviewed the proposed final plat which contains 2 lots. It was noted that the eastern portion of both lots are partially located in the flood hazard area.

After consideration, a motion was made by Commissioner Mitchell and second by Commissioner Keller to grant final approval to J. Iltis Subdivision. The motion carried unanimously.

ITEM #11

DISCUSS AND CONSIDER VACATING AND REPLATTING LOT 1 OF  
SHEPPARD HILL SUBDIVISION; LOCATED IN PRECINCT 3 OFF OF CR 662  
AND PR 6621 (TIM HARDT, REALTOR)

Mr. Tim Hardt stated that the landowner is requesting to vacate Lot 1 which contains 19.77 acres and replat into Lot 1-A and 1-B. An existing well is located on Lot 1-A and Lot 1-B will also have its own water well. (See attachment)

After discussion, a motion was made by Commissioner Keller and second by Commissioner Barrientes to grant approval to the replat of Lot 1 into Lot 1-A and 1-B of Sheppard Hill Subdivision. The motion carried unanimously.

ITEM #12

DISCUSS AND CONSIDER PRELIMINARY APPROVAL TO VACATING AND  
REPLATTING LOTS 112 AND 113 OF FAWN VALLEY SUBDIVISION;  
LOCATED IN PRECINCT 1 OFF OF CR 4638 (JOHN HOWARD, SURVEYOR)

Court members reviewed the proposed plat as submitted. Lot 112 presently consists of 1 acre, as well as, Lot 113. The proposed replat eliminates Lot 112 and increases Lot 113 to 1.647 acres. The remaining acreage is being reserved for a roadway.

After consideration, a motion was made by Commissioner Mitchell and second by Commissioner Keller to grant preliminary approval to vacating and replatting of Lots 112 and 113. The motion carried.

ITEM #13

DISCUSS AND CONSIDER PRELIMINARY AND FINAL APPROVAL TO (S.I.C.  
STEWART) STUART ADDITION SUBDIVISION; LOCATED IN PRECINCT 1  
OFF OF FM 2676 (CHARLIE ROTHE, SURVEYOR)

Court members reviewed the proposed 1 lot subdivision plat which originated from larger acreage. The lot consists of 1.501 acres and has an existing structure with septic system, water and electric services.

After consideration, a motion was made by Commissioner Mitchell and second by Commissioner Keller to grant preliminary and final approval to the Stewart Addition Subdivision. The motion carried.



ITEM #14

DISCUSS AND CONSIDER PRELIMINARY APPROVAL TO DANCING BEAR  
SUBDIVISION UNIT 6; LOCATED IN PRECINCT 1 OFF OF FM 1283 (CHARLIE  
ROTHE, SURVEYOR)

This item has been deleted from today's meeting.

ITEM #15

DISCUSS AND CONSIDER INCREASING DOLLAR AMOUNT AND NUMBER  
OF CHANGE DRAWERS IN JUSTICE OF THE PEACE PRECINCT 4 OFFICE

County Auditor Teresa Martinez informed court members that the Justice of the Peace  
Precinct 4 Office in Devine has been operating with only one (1) cash drawer. A  
request is being submitted for two (2) additional cash drawers with beginning cash of  
\$50.00 each, and increase the original cash drawers' beginning cash from \$42.50 to  
\$50.

After consideration, a motion was made by Commissioner Keller and second by  
Commissioner Mitchell to increase the number of cash drawers, as requested, in the  
Justice of the Peace Office, approve \$50 beginning cash for each drawer, and increase  
the original drawers' beginning cash to \$50. The motion was approved by a  
unanimous vote.

ITEM #16

DISCUSS AND CONSIDER FINAL APPROVAL TO DHS DOCUMENT NUMBER  
537537537D\*2008K-01 WITH DEPARTMENT OF STATE HEALTH SERVICES  
FOR DATABASE SERVICES FOR VITAL RECORDS; COUNTY CLERK'S  
OFFICE

After review, a motion was made by Commissioner Keller and second by  
Commissioner Barrientes to grant final approval to the DHS Bureau of Vital Statistics  
Contract, for implementing the Remote Birth Access System in the County Clerk's  
Office. The motion carried unanimously. (See attachment)

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ITEM #17

DISCUSS AND CONSIDER APPROVAL OF ELECTION SERVICES CONTRACT  
BETWEEN MEDINA COUNTY AND DEVINE ISD

Judge Barden stated that Devine ISD and only a handful of other ISD's in the State  
conduct their trustee elections in November. Due to a new State mandate, any political  
subdivision that conducts elections in November are mandated to use the County's  
polling sites. Due to this mandate, a meeting between County Clerk Elva Miranda,  
Devine ISD Representative Marie Talamantes and himself had been held to discuss the  
possibility of Medina County conducting Devine ISD's trustee election by adding their  
issues on the November General Election ballot. He further stated that Ms. Miranda is  
willing to conduct their election, and a preliminary agreement was reached.

ITEM #17 ELECTION SERVICES CONTRACT – Continued

Both Judge Barden and County Clerk Elva Miranda were in agreement on the fact that due to the HAVA compliant requirement mandating political subdivisions to use County polling sites, we were headed towards conducting elections for other political subdivisions in the county.

After discussion, a motion was made by Commissioner Keller and second by Commissioner Mitchell to grant preliminary approval to the contract between Medina County and Devine ISD for the conducting their election, and for the use of Medina County's polling sites. The motion carried unanimously. (See attachment)

ITEM #18  
DISCUSS AND CONSIDER ACCEPTANCE AND AWARD OF SEALED BIDS;  
WIC/HEALTH UNIT RENOVATIONS

Judge Barden reported that two (2) bids had been received. They were from W.R. Griggs Construction Company, Inc. and DeLeon Contracting Co. (See attachment)

After discussion, a motion was made by Commissioner Keller and second by Commissioner Mitchell to postpone this item until the next meeting date. The motion carried unanimously.

ITEM #19  
DISCUSS AND CONSIDER CONFIRMING THE GRANTING OF THE PETITION  
AND ORDERING ELECTIONS TO CONFIRM THE CREATING OF AND TO  
AUTHORIZE THE IMPOSITION OF A TAX NOT TO EXCEED THE RATE  
ALLOWED BY THE TEXAS CONSTITUTION (ARTICLE III, SECTION 48-E) IN  
EACH OF THE EMERGENCY SERVICE DISTRICTS AS FOLLOWS:  
A. EMERGENCY SERVICE DISTRICT NO. 2 – DEVINE VFD  
B. EMERGENCY SERVICE DISTRICT NO. 3 – COMMUNITY EMS  
C. EMERGENCY SERVICE DISTRICT NO. 4 – DEVINE EMS  
D. EMERGENCY SERVICE DISTRICT NO. 5 – NATALIA VFD  
E. EMERGENCY SERVICE DISTRICT NO. 6 – HONDO VFD

Judge Barden stated the required public hearing on the above noted proposed emergency service districts had been conducted, and the petitions had been granted. The next step needed for confirming the district's creation and imposing a tax not to exceed the rate allowed by the Texas Constitution is by placing the issues on the November General Election ballot.

After discussion, a motion was made by Commissioner Keller and second by Commissioner Mitchell to order an election confirming the creation of the above noted emergency service districts, and authorize the imposition of a tax not to exceed the rate allowed by Section 48-e, Article III of the Texas Constitution.

The motion carried unanimously.



ITEM #20

DISCUSS AND CONSIDER AUTHORIZING THE COUNTY CLERK TO SEEK  
PRECLEARANCE FROM THE DEPARTMENT OF JUSTICE FOR THE  
ELECTION TO (S.I.C. CONFIRM) CREATE THE FIVE EMERGENCY SERVICE  
DISTRICTS ENUMERATED IN THE FOREGOING AGENDA ITEM PLUS THE  
ISSUE OF ANNEXATION OF CERTAIN AREAS INTO EMERGENCY SERVICE  
DISTRICT NO. 1

A motion was made by Commissioner Keller and second by Commissioner Barrientes to authorize the County Clerk to seek pre-clearance from the U.S. Justice Department for placing the proposed Emergency Service Districts on the General Election ballot, as well as the issue on the annexation of a certain area into Emergency Service District No. 1. The motion was approved by a unanimous vote.

ITEM #21

COMMISSIONERS' COURT/COURT MEMBERS ANNOUNCEMENTS

Judge Barden reminded everyone that a budget workshop was scheduled for tomorrow (Tuesday) at 9:30 a.m. Also, an invitation to participate in the Medina County Fair Parade had been received. Commissioner Keller was appointed to organize this year's entry. The parade is scheduled for Saturday, September 16<sup>th</sup>.

ITEM #22

ADJOURN

There being no further business to address, the Honorable James Barden, County Judge, declared the meeting adjourned.