

Agenda
Medina County Commissioners Court
1100 16th Street, Room 102
Hondo, Texas 78861
November 13, 2006
9:00 a.m.

1. Meeting called to order
2. Discuss and consider approval of October 23 & 30, 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.

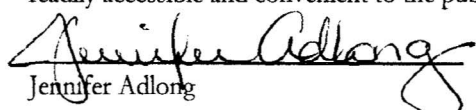
10. Discuss and consider county's interest in ownership of abandoned LaCoste Refinery property (Chris Schuchart, Attorney)
11. Discuss and consider final approval to Rolling Hills Ranch Subdivision; Located in Precinct 1 off of Hwy 173 (John Howard, Surveyor)
12. Discuss and consider revised preliminary approval to Valentine Ranch Subdivision Unit 2; Located in Precinct 1 off of Park Road 37 (Charlie Rothe, Surveyor)
13. Public hearing – Vacating and replatting lots 138 & 139 Forest Woods Subdivision Unit 3
14. Discuss and consider vacating and replatting lots 138 & 139 of Forest Woods Subdivision Unit 3; Located in Precinct 4 off of IH-35 (Charlie Rothe)
15. Discuss and consider 2006-2007 Medina County Community Action Plan
16. Public hearing – Placement of stop signs in Precinct 3 on:
 - a. County Road 676
 - b. County Road 664
17. Discuss and consider approval of placement of stop signs in Precinct 3 on:
 - a. County Road 676
 - b. County Road 664
18. Discuss and consider bid specifications for County collection sites
19. **Discuss and consider creation of independent Elections Administrator position**
20. Discuss and consider contribution to the Quihi/New Fountain Historical Society
21. Executive Session – Deliberation regarding real property
22. Commissioners Court / Court Members Announcements
23. Adjourn

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

Executive Session: Texas Government Code, Chapter 551, Subchapter D
Deliberation regarding real property – Chapter 551.072

On this 9th day of December 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
NOVEMBER 13, 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 noted that all members were present except for Commissioner Mitchell who was absent due to illness.

Other officials/department heads in attendance for all or part of the meeting were Sheriff Gilbert Rodriguez, Chief Deputy County Treasurer Tammy Cook, County Auditor Teresa Martinez, County Attorney Ralph Bernsen, Assistant County Attorney Kim Havel, Judge May Kempf Lathe, Chief Juvenile Probation Officer Linette Dury and Jennifer Adlong, Administrative Assistant to the County Judge.

ITEM #2
DISCUSS AND CONSIDER APPROVAL OF OCTOBER 23 & 30, 2006
MINUTES

After review of the minutes, a motion was made by Commissioner Keller and second by Commissioner Carroll to approve the minutes with corrections to October 23, minutes on item #7, change "Landfear" to "Lanfear" under visitors, item #8, correct misspelling of "Vacating" in agenda item and correct misspelling of "Rothe" in first sentence, item #9 correct misspelling of "Bogert" in first paragraph, item #10 correct misspelling of Resolution in agenda item, item #12 change second sentence in first paragraph to "The current plan Commissioners Court previously adopted to stay with is 7%." item 17 add in times of executive session. The motion carried.

ITEM #3
BUDGET AMENDMENTS

No budget amendments were presented at today's meeting.

ITEM #4
LINE-ITEM TRANSFERS

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

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ITEM #5
DISCUSS AND CONSIDER APPROVAL OF CERTAIN WEEKLY BILLS

Court members reviewed the weekly bills as presented. After review, a motion was made by Commissioner Keller and second by Commissioner Carroll to approve the payment of all bills. The motion carried unanimously.

Mention was made that the court recognizes receipt and payment of bills from the Medina County Forfeiture Fund on page 36, but does not exercise authority of approval.

ITEM #5 WEEKLY BILLS – CONTINUED

Commissioner Carroll and Judge Barden asked for the payment to DeLeon Construction be held until they have a chance to inspect the work on the WIC Building.

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 attachment)

Sheriff Rodriguez asked for the personnel action form for Richard Puenta be removed from the list of personnel changes

After discussion, a motion was made by Commissioner Keller and second by Commissioner Barrientes to grant approval to the regular personnel actions excluding that for Mr. Puenta, as submitted. The motion carried unanimously.

ITEM #7
COUNTY AUDITOR'S MONTHLY REPORT

As per Local Government Code, Section 114.025 and 115.002, the September 2006 monthly report was received and reviewed by Court Members as presented by the County Auditor. No action required. (See attachment)

Ms. Martinez mentioned the County ended with a positive fund balance and this is the final report for FY 2005-2006.

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 Carroll and second by Commissioner Keller to approve the County Treasurer's monthly report and reports presented by her for the other Elected Officials and/or Department Heads for the month of September 2006. (See attachment) The motion carried.

ITEM #9
VISITORS

Cindy Ivy – Medina County
Joyce Landrum – Quihi / New Fountain
Dr. Bob Fitzgerald – MCEAA
Patrick Lummus – Devine CR 664
Joe Balzen – Quihi / New Fountain
Reggie Winters – City of LaCoste
Linda Gerdes – Quihi
Chris Schuchart – City of LaCoste
Charles Rothe – Forest Woods Sub.
Dawn Steubing – Hondo
Christina Barbee – M.V. Times
Ann Peden – Hondo
Will Bogert – Rolling Hills Ranch Sub.
Glenda Stark

Necy Schulte – Quihi / New Fountain
Lester Landrum – Quihi / New Fountain
Sally Lummus – Devine CR 664
Erna Balzen – Quihi / New Fountain
Joe Manak – Quihi
Anna Aguilar – Forest Woods Subd.
David Caldwell – Devine
Mary Walpole – Quihi
Wayne Jones – Valentine Ranch Sub.
Elizabeth Craft – Hondo Anvil Herald
Morris Baxter – Quihi
John Howard – Rolling Hills Ranch Sub.
Alyne Fitzgerald – Quihi

ITEM #10
DISCUSS AND CONSIDER COUNTY'S INTEREST IN OWNERSHIP OF ABANDONED
LACOSTE REFINERY PROPERTY (CHRIS SCHUCHART, ATTORNEY)

Mr. Chris Schuchart, Attorney for the City of LaCoste came before Commissioners Court to inquire if the County would be interested in ownership of the abandoned LaCoste Refinery Property. A contract exists from September of 1997 for the Sale of Real Estate, Refinery, Improvements and Personal Property to Medina County, Medina Valley Independent School District and the City of LaCoste from Western Environmental of Oklahoma, LLC. All parties have signed the contract and the City of LaCoste would like to purchase the property. The abandoned property sits on 38.425 acres adjacent to the City's sewer plant. The main reason the City is interested in buying, is the City would be able to expand their sewer plant. The property has been cleaned and environmental studies have been done and the property is clean enough for commercial/industrial use, but the environmental study recommended that homes not be built on the property.

Court Members were concerned since the property has gone into foreclosure that the County would not be able to collect back taxes owed. If the City of LaCoste purchases the property then the City would be responsible for paying those back taxes owed to the County.

Judge Barden and Commissioner Keller both stated that the County should not be in the land development business and a motion was made by Commissioner Keller and second by Commissioner Carroll to waive any interest in pursuit of ownership in the abandoned LaCoste Refinery property. The motion was passed by unanimous vote.

ITEM #11
DISCUSS AND CONSIDER FINAL APPROVAL TO ROLLING HILLS RANCH SUBDIVISION;
LOCATED IN PRECINCT 1 OFF OF HWY 173 (JOHN HOWARD, SURVEYOR)

Court Members reviewed the final plat to Rolling Hills Ranch Subdivision. The final plat consists of 35 lots ranging from 18.18 acres down to 2.00 acres. Roads have been paved and Richard Johnson, Foreman for Precinct 1, has inspected the paving and he is satisfied with the work that has been done. TXDOT's concern regarding the entry off Highway 173 has been resolved according to a letter received by the developer.

A motion was made by Commissioner Carroll and second by Commissioner Keller to grant final approval to Rolling Hills Ranch Subdivision. Motion carried.

ITEM #12
DISCUSS AND CONSIDER REVISED PRELIMINARY APPROVAL TO VALENTINE RANCH
SUBDIVISION UNIT 2; LOCATED IN PRECINCT 1 OFF OF PARK ROAD 37 (CHARLIE
ROTHE, SURVEYOR)

Mr. Rothe presented Court Members with a revised preliminary plat to Valentine Ranch Subdivision Phase 2. The revised plat consists of 23 lots ranging from 2.322 acres to .816 acres. Mentioned was made that the roads have been "pushed out" and electrical lines are underground. Public water service will be provided by Aqua Systems of Texas.

After review of the revised preliminary plat a motion was made by Commissioner Carroll and second by Commissioner Keller to grant approval to the revised preliminary plat of Valentine Ranch Subdivision Phase 2. The motion was passed by unanimous vote.

ITEM #13
PUBLIC HEARING – VACATING AND REPLATTING LOTS 138 & 139 FOREST WOODS
SUBDIVISION UNIT 3

Judge Barden opened the hearing at 10:48am for public comment. Since no one wished to speak, it was closed at 10:50am.

ITEM #14
DISCUSS AND CONSIDER VACATING AND REPLATTING LOTS 138 & 139 OF FOREST
WOODS SUBDIVISION UNIT 3; LOCATED IN PRECINCT 4 OFF OF IH-35 (CHARLIE
ROTHE)

Mr. Rothe presented court members with a plat vacating and replatting lots 138 and 139 in Forest Woods Subdivision. Lot 138 (2.00 acres) will change to Lot 138A (1.781 acres) acres and Lot 139 (2.00 acres) will change to Lot 139A (2.219 acres). The same owner owns both lots, and when building her home on Lot 139 the new home encroached over a few feet onto the adjacent Lot 138. In order for the lot owner to close on the home, she needed to have the lot lines adjusted.

After review of the plat, a motion was made by Commissioner Carroll and Second by Commissioner Keller to approve vacating and replatting of Lots 138 & 139 of Forest Woods Subdivision Unit 3. Motion carried by unanimous vote.

ITEM #15
DISCUSS AND CONSIDER 2006-2007 MEDINA COUNTY COMMUNITY ACTION PLAN

Linette Dury, Chief Juvenile Probation Officer was the Chair Person for the Community Planning Committee this year. The Committee consisted of various members of the community from Medina Community Hospital, Bluebonnet Children's Center, Medina County Health Unit, City Police Departments, Alamo Workforce, School Districts, Sheriff Rodriguez and County Judge Jim Barden. The Committee met several times through out the year to determine problem areas in the county.

The issues that the Committee determined needed to be addressed were Juveniles, Victims, Law Enforcement/Public Safety, and Homeland Security. The Action Plan outlines all the priorities of each issues from both the existence and severity of the problems found in the county. (See attachment)

This action plan will be posted online with Alamo Area Council of Governments. The plan will be available to different granting agencies that would be assisting Medina County in receiving various types of grants.

A motion was made by Commissioner Keller and second by Commissioner Carroll to approve the 2006-2007 Medina County Community Action Plan. Motion carried by unanimous vote.

ITEM #16
PUBLIC HEARING – PLACEMENT OF STOP SIGNS IN PRECINCT 3 ON: A. COUNTY ROAD
676 B. COUNTY ROAD 664

Judge Barden opened the public hearing at 11:06am for public comment.

Three land owners on County Road 676 and 664 came to the court to speak. Mr. David Caldwell would like for the new stop sign on CR 664 not be put back up. In his opinion it is a dangerous intersection that most of the residents that drive that intersection are not looking for the new stop sign and are running through it or stopping in the middle of the road after they have seen the stop sign. Mr. Patrick Lummus would like for the new stop sign on CR 664 be put back up since there was a terrible accident at the intersection Memorial weekend. Ms. Sally Lummus is also in agreement to keep the sign up. Past this intersection is a dangerous curve. Many people driving too fast

ITEM #16 PUBLIC HEARING STOP SIGNS - CONTINUED

occasionally miss the curve and go into private property. Ms Lummus also spoke with many landowners around this intersection and most were in favor of keeping the stop sign up on CR 664.

The public hearing closed at 11:20am.

ITEM #17

DISCUSS AND CONSIDER APPROVAL TO PLACEMENT OF STOP SIGNS IN PRECINCT 3
ON: A. COUNTY ROAD 676 B. COUNTY ROAD 664

After listening to the Citizens comments a motion was made by Commissioner Barrientes and second by Commissioner Carroll to approve the placement of a stop sign only on County Road 676. Motion carried by unanimous vote.

Commissioner Keller suggested to Commissioner Barrientes to consider placing "dangerous intersection signs" up to warn drivers and clear brush around the intersection. Notifying law enforcement to watch for speeders along the two roads was another suggestion.

ITEM #18

DISCUSS AND CONSIDER BID SPECIFICATIONS FOR COUNTY COLLECTION SITES

Since the Court was not getting much response from potential bidders to bid on the management of the various collection sites in the County, the bid specifications needed to be updated. The Court decided the bid specification need to be adjusted. Since some of the major companies that are in the garbage collection business do not want to supply employees to oversee collection days, the bid specifications should be separated between contractor providing employees and county providing employees to oversee the sites.

A motion was made by Commissioner Carroll and second by Commissioner Keller to change the bid specification to include contracts having the option to bid with providing employees or not. Motion carried.

ITEM #19

DISCUSS AND CONSIDER CREATION OF INDEPENDENT ELECTIONS ADMINISTRATOR
POSITION

Commissioners Court received a letter (see attached) from the County Clerk that she would not be able to finish the November 7, 2006 post election duties due to a family medical emergency that will keep her out of the county for several weeks. The Court asked Mr. Bernsen, County Attorney to assist the court in determining the next step, including the possibility of hiring an Elections Administrator to finish the duties and get ready for the run-off election in December.

Mr. Bernsen has spoken with the County Clerk and she has been out with her sister that has terminal cancer and has been hospitalized. He does not think hiring an Elections Administrator is going to solve the issue of finishing up the General Election duties. By the time the court will be able to hire someone the duties that need to be done will already be past due. Mr. Bernsen has also spoke with the County Clerk and her Staff and believes they can handle the duties that need to be done regarding the run-off election.

If someone is needed to take care of election duties another option is for the Tax Assessor Collector to take over with the consent of the County Clerk.

No action taken this week, this item will possibly be put on a later agenda.

ITEM# 20
DISCUSS AND CONSIDER CONTRIBUTION TO THE QUIHI/NEW FOUNTAIN HISTORICAL
SOCIETY

Judge Barden received a letter from Necey Schulte, President of the Quihi/New Fountain Historical Society requesting \$1,000 commitment to preserve and protect Quihi/New Fountain areas. The Historical Society has been working on a book and is in need of getting film developed for the pictures to be published in the book.

Several citizens in the area came to Commissioners Court in support of the Historical Society.

Joe Manak expressed his concerns about the promotion of the historic sites of Medina County and urged the Court to grant the request of the Historical Society. Mr. Manak brought with him a piece of history from the civil war that he passed around for the audience to inspect. If the Historical Society was supported, some of these similar historic memorabilia may be found and preserved.

Alyne Fitzgerald informed the Court that in 2003 eighty (80) documented sites have been determined in the Quihi/New Fountain Area, such as schools, churches, homes and an Indian Cemetery. She also mentioned that Quihi is the oldest name in Medina County, and was given by Indians to the area.

Court Members were concerned since this was not accounted for in the budget and the budget year just started. There is a Countywide Historical Commission that Commissioners Court has a service agreement with that could possibly help with the Quihi/New Fountain Historic project.

Dr. Bob Fitzgerald stated that the County Historical Commission has been verbally helpful but not financially.

This item died for lack of motion.

ITEM #21
EXECUTIVE SESSION – DELIBERATION REGARDING REAL PROPERTY

Commissioners Court went into Executive Session approximately 11:58am until 12:17pm. Judge Barden stated that no action will be taken following the session.

ITEM #22
ADJOURN

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