

**Agenda**  
**Medina County Commissioners Court**  
1100 16<sup>th</sup> Street, Room 102  
Hondo, Texas 78861  
September 24, 2007  
9:00 a.m.

FILED IN MY OFFICE  
LISA J. WERNETTE

SEP 21 '07 AM -9 50

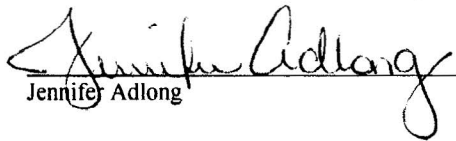
COUNTY CLERK, MEDINA CO

1. Meeting called to order
2. Discuss and consider approval of September 10,2007 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. Public Comment / Visitors  
  
10:00AM
8. Discuss and consider approval of Medina County 911 Emergency Communications District 2007-2008 Budget (Robert Rothe, Executive Director)
9. Discuss and consider adoption of the 2007 Medina County Tax Rate
10. Discuss and consider Courthouse Preservation grant application including configuration of Courthouse
11. Discuss and consider resolution for the 2008 Indigent Defense Grant Program
12. Discuss and consider Interlocal Participation Agreements with Texas Association of Counties Risk Management Pool
13. Discuss and consider proposed lease agreement for additional office space
14. Discuss and consider Agreement with South Texas Refuse for operation of Citizen Collection Sites
15. Discuss and consider contracts for assessment and collection services:
  - Medina County Emergency Services District No. 3 – Community EMS
  - Medina County Emergency Services District No. 5 – Natalia VFD
16. Discuss and consider contract number 2008-024499 RLSS-Local Public Health System; Health Unit
17. Discuss and consider TCDRS proposed plan provision changes; Plan Year 2008
18. Discuss and consider Personnel Policy Manual updates for FY 2007-2008
19. Discuss and consider approval of the purchase of additional voting equipment from Hart Intercivic
20. Discuss and consider early voting dates for the November 6, 2007 Constitutional Amendment Election
21. Discuss and consider consolidation of polling locations for November 6, 2007 Constitutional Amendment Election
22. Discuss and consider \$15.00 District Court filing fee for Family Protection (Eva Soto, District Clerk)
23. Update report from Veterans Service Officer, Gary Bartelt
24. Discuss and consider Order to waive County Judge's approval of requisition
25. Discuss and consider designation of Commissioner to chair meetings in Judge's absence
26. Discuss and consider Commissioners Court Date for FY 2007-2008

27. Discuss and consider approval of newly assigned private roads into the 911 mapping system
  - PR 6747 – Precinct 3
  - PR 3412, PR 4322, PR 3609, PR 2480, PR 2520, PR 4562, PR 2416, PR 2110 – Precinct 1
28. Discuss and consider speed limits on:
  - CR 271 – Precinct 1
  - CR 674, CR 429 – Precinct 3
  - CR 761 – Precinct 4
29. Commissioners Court / Court Members Announcements
30. Adjourn

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

On this 21<sup>st</sup> day of September 2007, 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

Ronald J. Ulbrich  
Commissioner Precinct No. 1

James E. 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  
September 24, 2007  
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 with the exception of Commissioner Keller. There was a quorum for business.

Other officials/department heads in attendance for all or part of the meeting were Tammy Cook for the County Treasurer, County Auditor Teresa Martinez, County Clerk Lisa Wernette, Sheriff Randy Brown and Administrative Assistant Jennifer Adlong.

ITEM #2  
DISCUSS AND CONSIDER APPROVAL OF SEPTEMBER 10, 2007 MINUTES

After review of the minutes, a motion was made by Commissioner Carroll second by Commissioner Ulbrich to approve the minutes with corrections as follows: Item #12 change "present" to "presented", #16 change "mentioned" to "mention", #20 remove "through" in paragraph one, #27 remove "to" and in Commissioners Announcements change "raining" to "raising".

ITEM #3  
DISCUSS AND CONSIDER BUDGET AMENDMENTS

County Auditor Teresa Martinez submitted to the Court Members four Budget Amendments for approval. A motion was made by Commissioner Carroll second by Commissioner Barrientes to approve the Budget Amendments. Motion carried. (See attached)

ITEM #4  
DISCUSS AND CONSIDER LINE-ITEM TRANSFERS

County Auditor Teresa Martinez submitted to the Court Members a list of Line-Item transfers (see attached). A motion was made by Commissioner Carroll second by Commissioner Ulbrich to approve Line-Item transfers. Motion carried.

ITEM #5  
DISCUSS AND CONSIDER APPROVAL OF CERTAIN BILLS FOR PAYMENT

Court members reviewed the weekly bills as presented.

After review, a motion was made by Commissioner Carroll second by Commissioner Ulbrich to approve bills for payment with the exception of Ulbrich's True Value bills on page 13, 23 & 34 as well as page 35 - Sheriff Forfeiture and page 32 Restitution fund. Motion carried.

A motion was made by Commissioner Carroll second by Commissioner Barrientes to pay Ulbrich's True Value bills as listed on page 13, 23 & 34. Commissioner Ulbrich abstained from voting. Motion carried.

ITEM #6  
DISCUSS AND CONSIDER APPROVAL OF CERTAIN PERSONNEL CHANGES

Court members reviewed proposed personnel action forms as submitted by Tammy Cook with County Treasurer's office. (See attachment)

Upon motion of Commissioner Ulbrich second by Commissioner Barrientes the personnel action forms were approved.

ITEM #7  
PUBLIC COMMENT/VISITORS

Dolly Walwer – Tomerlin Cemetery  
Joe Manak – Quihi  
Bobbie Lassiter – Leader News  
Will J. Ney, Jr. – Hondo  
Elizabeth Croft – Hondo Anvil Herald

Ben Walwer – Tomerlin Cemetery  
Mary Walpole – Quihi  
Evelyn Barbutti – Chamber of Commerce  
Gary Bartelt – VSD  
Tony VanDebur – Community EMS

Dolly Walwer spoke to the Court Members concerning the Tomerlin Cemetery. Mrs. Walwer advised the Court Members that Mr. Walwer and she had been maintaining the Tomerlin Cemetery for 43 years and now they find themselves in need of some help. Judge Barden advised Mrs. Walwer that the Court Members appreciated all the hard work over the years and that he would be happy to speak with them at a later time.

ITEM #8  
DISCUSS AND CONSIDER APPROVAL OF MEDINA COUNTY 911 EMERGENCY  
COMMUNICATIONS DISTRICT 2007-2008 BUDGET (ROBERT ROTHE, EXECUTIVE  
DIRECTOR)

Robert Rothe reported to the Court Members the Medina County 911 Emergency Communications District 2007-2008 Budget. A motion was made by Commissioner Ulbrich second by Commissioner Barrientes to approve the 2007-2008 Budget of Medina County 911 Emergency Communications District. Motion carried.

ITEM #9  
DISCUSS AND CONSIDER ADOPTION OF THE 2007 MEDINA COUNTY TAX RATE

Court Members opened discussion concerning the adoption of the 2007 Medina County tax rate. Judge Barden reported to the Court Members the \$.5750 per \$100 valuation is \$.05 less than the previous year. The County anticipates receiving additional revenue even with the tax reduction.

A motion was made by Commissioner Carroll as follows: "I move that property taxes be increased by the adoption of a tax rate of \$.5750". Motion was second by Commissioner Ulbrich. Motion carried. Judge Barden pointed out that while total tax revenue will increase the actual tax rate for 2007 is \$.05 less than the 2006 tax rate of \$.6250. The increase in tax revenue is attributable to significant new development in the county as well as increased values of existing properties.

ITEM #10  
DISCUSS AND CONSIDER COURTHOUSE PRESERVATION GRANT APPLICATION  
INCLUDING CONFIGURATION OF COURTHOUSE

Item #10 was tabled until a later date.

ITEM #11  
DISCUSS AND CONSIDER RESOLUTION FOR THE 2008 INDIGENT DEFENSE GRANT  
PROGRAM

A motion was made by Commissioner Carroll second by Commissioner Ulbrich to authorize County Judge Jim Barden to apply for, accept, decline, modify or cancel the 2008 Indigent Defense Fund Grant as discussed. The motion carried.

ITEM #12  
DISCUSS AND CONSIDER INTERLOCAL PARTICIPATION AGREEMENTS WITH TEXAS  
ASSOCIATION OF COUNTIES RISK MANAGEMENT POOL

Court Members opened discussion concerning the Interlocal Participation agreement with Texas Association of Counties Risk Management Pool. A motion was made by Commissioner Carroll second by Commissioner Ulbrich to approve Interlocal Participation Agreements with Texas Association of Counties Risk Management Pool. (See attached) Motion carried.

ITEM #13  
DISCUSS AND CONSIDER PROPOSED LEASE AGREEMENT FOR ADDITIONAL OFFICE  
SPACE

Judge Barden opened discussion concerning the proposed additional office space for the County Auditor's office. The price is \$.95 per square foot with a total of 1120 square feet. This lease will be effective October 1, 2007 and the \$.95 per square foot will be effective for 3 years. In addition the County will pay a pro-rata portion (30%) of utility bills for the building. Also, there are two one-year options to extend the lease. This property is located at 1616 Ave. M, Hondo, TX, also known as Park Place.

A motion was made by Commissioner Carroll second by Commissioner Ulbrich to approve the proposed lease agreement for additional office space. Motion carried.

ITEM #14  
DISCUSS AND CONSIDER AGREEMENT WITH SOUTH TEXAS REFUSE FOR OPERATION OF  
CITIZEN COLLECTION SITES

A motion was made by Commissioner Carroll second by Commissioner Ulbrich to approve the agreement with South Texas Refuse for operation of citizen collection sites including new prices of \$6500/month for all sites. The other contractual conditions are unchanged from the current agreement. Motion carried.

ITEM #15



**DISCUSS AND CONSIDER CONTRACTS FOR ASSESSMENT AND COLLECTION SERVICES:  
\*MEDINA COUNTY EMERGENCY SERVICES DISTRICT NO. 3 – COMMUNITY EMS  
\*MEDINA COUNTY EMERGENCY SERVICES DISTRICT NO. 5 – NATALIA VFD**

**Court Members opened discussion concerning the following contracts for tax assessment and collection services: Medina County Emergency Services District No. 3 – Community EMS and Medina County Emergency Services District No. 5 – Natalia VFD. A motion was made by Commissioner Carroll second by Commissioner Ulbrich to approve the contracts for tax assessment and collection services. Motion carried.**

ITEM #16  
DISCUSS AND CONSIDER CONTRACT NUMBER 2008-024499 RLSS-LOCAL PUBLIC  
HEALTH SYSTEM; HEALTH UNIT

A motion was made by Commissioner Carroll second by Commissioner Barrientes to approve new fiscal year contract number 2008-024499 RLLSS-Local Public Health System: Health Unit for \$56,964 to be paid by the State for support of the Medina County Health Unit. Motion carried.

ITEM #17

DISCUSS AND CONSIDER TCDRS PROPOSED PLAN PROVISION CHANGES; PLAN YEAR  
2008

Judge Barden opened discussion concerning proposed TCDRS plan provision changes for plan year 2008. Judge Barden recommended an increase from 180% match to a proposed match of 200% on future deposits of employees and to provide a cost of living increase of 3% to already retired personnel with both changes to be effective January 1, 2008.

A motion was made by Commissioner Carroll second by Commissioner Ulbrich to approve the proposed TCDRS plan provision changes. Motion carried.

ITEM #18

DISCUSS AND CONSIDER PERSONNEL POLICY MANUAL UPDATES FOR FY 2007-2008

A motion was made by Commissioner Carroll second by Commissioner Ulbrich to approve the personnel policy manual updates to reflect wage increases of 5% effective in the first full payroll period in the fiscal year for FY 2007-2008. Motion carried.

ITEM #19

DISCUSS AND CONSIDER APPROVAL OF THE PURCHASE OF ADDITIONAL VOTING  
EQUIPMENT FROM HART INTERCIVIC

County Clerk Lisa Wernette presented to the Court Members a proposal for additional election equipment at the cost of \$38,257.00. This election equipment can be upgraded to accommodate a paper trail. A motion was made by Commissioner Carroll second by Commissioner Ulbrich to approve the purchase of additional voting equipment from Hart Intercivic. Motion carried. (See attached)

ITEM #20

DISCUSS AND CONSIDER EARLY VOTING DATES FOR THE NOVEMBER 6, 2007  
CONSTITUTIONAL AMENDMENT ELECTION

The Court Members opened discussion concerning early voting dates for the November 6, 2007 Constitutional Amendment election. A motion was made by Commissioner Carroll second by Commissioner Barrientes to approve early voting dates as follows: October 22, 2007 through November 2, 2007 from 8:00am – 5:00pm Monday through Friday as well as Saturday, October 27, 2007 from 9:00am – 1:00pm. Early voting will be conducted only at the Old Jail building adjacent to the Courthouse.

ITEM #21

DISCUSS AND CONSIDER CONSOLIDATION OF POLLING LOCATIONS FOR NOVEMBER 6,  
2007 CONSTITUTIONAL AMENDMENT ELECTION

Lisa Wernette submitted to the Court Members a list of consolidated polling locations for November 6, 2007 Constitutional Amendment Election. A motion was made by Commissioner Ulbrich second by Commissioner Barrientes to approve the list of consolidated polling locations for November 6, 2007 election. Motion carried. (See attached)

ITEM #22

DISCUSS AND CONSIDER \$15.00 DISTRICT COURT FILING FEE FOR FAMILY PROTECTION  
(EVA SOTO, DISTRICT CLERK)

Court Members opened discussion concerning a \$15.00 District Court filing fee for family protection services to be collected only in the dissolution of a marriage case filed effective October 1, 2007. A motion was made by Commissioner Carroll second by Commissioner Barrientes to approve said \$15.00 District Court filing fee. Motion carried.

ITEM #23

UPDATE REPORT FROM VETERANS SERVICE OFFICER, GARY BARTELT

Gary Bartelt gave a presentation on the status of the VA and Medina County. He stated Veterans need to be taken care of both physically and mentally. Mr. Bartelt also reported to the Court Members there are approximately 4609 Veterans in Medina County with \$11,082,000.00 paid out in benefits in 2006. (See attached)

ITEM #24

DISCUSS AND CONSIDER ORDER TO WAIVE COUNTY JUDGE'S APPROVAL OF  
REQUISITION

A motion was made by Commissioner Carroll second by Commissioner Barrientes to approve order to waive County Judge's approval of requisition for fiscal year 2007-2008. Motion carried. (See attached)

ITEM #25

DISCUSS AND CONSIDER DESIGNATION OF COMMISSIONER TO CHAIR MEETINGS IN  
JUDGE'S ABSENCE

Court Members opened discussion concerning the designation of Commissioner to chair meetings in Judge's absence. A motion was made by Commissioner Ulbrich second by Commissioner Barrientes to designate Commissioner Carroll to chair meetings in Judge's absence. Commissioner Carroll abstained from vote. Motion carried.

ITEM #26

DISCUSS AND CONSIDER COMMISSIONER'S COURT DATE FOR FY 2007-2008

After discussion considering Commissioner's Court date for FY 2007-2008, a motion was made by Commissioner Carroll second by Commissioner Ulbrich to approve the second and fourth Monday of each month for Commissioner's Court meetings as well as the fifth Monday of each month if there is one. Motion carried.

ITEM #27

DISCUSS AND CONSIDER APPROVAL OF NEWLY ASSIGNED PRIVATE ROADS INTO THE  
911 MAPPING SYSTEM: PR 6747 – PRECINCT 3, PR 3412, PR 4322, PR 3609, PR 2480, PR 2520,  
PR 4562, PR 2416 AND PR 2110 – PRECINCT 1

Court Members opened discussion concerning the approval of newly assigned Private roads into the 911 mapping system. A motion was made by Commissioner Ulbrich second by Commissioner Barrientes to approve PR 6747 – Precinct 3, PR 3412, PR 4322, PR 3609, PR 2520 and PR 4562 – Precinct 1 to be added into the 911 mapping system. PR 2480, PR 2416 and PR 2110 are held back since there is only one residence on each road and there must be at least two or more residences. Motion carried.

ITEM #28

DISCUSS AND CONSIDER SPEED LIMITS ON: CR 271 – PRECINCT 1, CR 674 AND CR 429 –  
PRECINCT 3 AND 761 – PRECINCT 4

Court Members opened discussion concerning the speed limits on CR 271 – Precinct 1, CR 674 and CR 429 – Precinct and CR 761 – Precinct 4. Court Members decided to take no action at this time. Died for lack of a motion.

ITEM #29

COMMISSIONERS COURT/COURT MEMBERS ANNOUNCEMENTS

Judge Barden reported to the Court Members the Indigent Health Care's final total is \$287,071.97 which is at 4.22%, well below the 8% of the General Fund Tax Revenue levy.

ITEM #30

ADJOURN

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



STATE OF TEXAS

COUNTY OF MEDINA

**CONTRACT FOR ASSESSMENT AND COLLECTION SERVICES**

On this the 24 th day August, 2007, **Medina County Emergency Services District No. 5- Natalia VFD ("the District")** and Medina County entered into the following agreement whereby Medina County will collect the District's current and delinquent *ad valorem* taxes under the terms that follow below.

Pursuant to Section 776.075(e) of the Texas Health and Safety Code, the Medina County Tax Assessor-Collector ("the Tax Collector") is the designated Tax Assessor-Collector for the District.

Medina County will collect the current and delinquent taxes, penalty and interest owing to the District and will further perform all duties relating to the assessment and collection of taxes as provided by the laws of the State of Texas. The District will comply with all lawful and reasonable procedures that the Tax Collector establishes to clarify and expedite the collection of the District's taxes.

The Tax Collector will remit all taxes, penalty and interest that Medina County collects for the District bi-weekly. The District will pay the Tax Collector 1.5% of all taxes, penalty and interest collected on its behalf as a fee for the services provided. The Tax Collector will deduct the fees from its remittances to the District and will provide the District an accounting therefore. The parties agree that the fee is reasonable and does not exceed the costs of collection.

The District agrees to adopt its tax rate no later than September 24<sup>th</sup>, or by the date that Medina County sets its tax rate, whichever is later. If the District fails to adopt its tax rate at the appropriate time and it becomes necessary for Medina County to mail an additional statement for the District's taxes, such additional statement and mailing shall

be "extra work". The District agrees to pay the Tax Collector for such extra work, provided, however, that the Tax Collector shall notify the District in writing that it considers such service to be extra work and the proposed costs therefore, which will be deducted from the remittances along with the regular fees.

At the District's option and expense the District may obtain a surety bond for the Tax Collector. Such bond shall be payable to the District, and shall be in the amount of one year's collections, and in no event less than \$10,000.

Medina County will provide an attorney of its choosing to assist in the collection of delinquent taxes, penalty and interest. The District will use Medina County's attorney. The Tax Collector will deduct the contractual attorney fees from its remittances and will provide the District an accounting therefore. The District understands that the attorney fees are paid by the delinquent taxpayers.

EXECUTED AND AGREED on the date noted above.

Medina County Emergency Services District No. 5 – Natalia VFD

By: *Jane Haliscak*  
Jane Haliscak, President

Medina County, Texas  
By: *James B. Barden*  
James Barden, County Judge

Approved: *Lorraine Neuman*  
Lorraine Neuman, Tax Assessor-Collector

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