

## COMMISSIONERS' COURT REGULAR MEETING

**SEPTEMBER 11, 2017**

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THE STATE OF TEXAS  
COUNTY OF SUTTON

**BE IT REMEMBERED** that on this the 11<sup>TH</sup> day of September, 2017, the Honorable Commissioners' Court of Sutton County, Texas, was duly convened in a Regular Meeting in the Sutton County Annex Meeting Room, Sonora, Texas, with the following officers of the Court present to wit:

COUNTY JUDGE	STEVE SMITH
COMMISSIONER	MIKE VILLANUEVA, PRECINCT NO 1
COMMISSIONER	BOB BROCKMAN, PRECINCT NO 2
COMMISSIONER	CARL TEAFF, PRECINCT NO 3
COMMISSIONER	FRED PEREZ, PRECINCT NO 4
COUNTY CLERK	RACHEL CHAVEZ DURAN

The Court having duly opened, the following proceedings were had, to-wit:

### **PRAYER**

### **APPROVAL OF MINUTES OF PRIOR MEETINGS**

Motion to approve the minutes was made by Commissioner Brockman and seconded by Commissioner Teaff. Motion carried unanimously.

### **ACCOUNTS PAYABLE**

Motion was made by Commissioner Villanueva, seconded by Commissioner Perez to approve for payment the accounts listed on Exhibit A. Motion carried unanimously.

### **AUDITORS REPORT**

No Action

### **J.P. REPORT**

Justice of the Peace, Jody Harris reported collections for the month as follows:

Collections: \$205,230.14  
County retained: \$92,917.89  
State portion: \$45,133.93  
OMNI: \$2860.00  
McCreary & Veslka: \$10,896.00  
Refund: \$49.90

### **SHERIFF'S REPORT**

Sheriff Oscar Chavez presented the report as follows:

Number of inmates: 10.08  
Meal cost: \$1.88  
Number of dispatch calls: 447  
Fees Collected: \$445.00  
Miles driven: 10,734.00

### **TREASURER'S REPORT**

Motion was made by Commissioner Brockman, seconded by Commissioner Villanueva to accept the report submitted for the month of August reflecting an ending balance of \$7,530,683.15. Motion carried unanimously. Aforementioned report is attached as Exhibit B.

**EXTENSION OFFICE REPORT**

The report was accepted as submitted.

**LIBRARY REPORT**

The report was accepted as submitted.

**RURAL TRANSIT SERVICES INTERLOCAL AGREEMENT**

Motion was made by Commissioner Villanueva, seconded by Commissioner Brockman authorizing Judge Smith to sign the Rural Transit Services Interlocal Agreement one-year contract. Motion carried unanimously.

**COUNTY SCALES**

No Action

**COUNTY ATTORNEY'S REPORT**

County Attorney Wallace reported total collections for the month of August was 56.13.

**COUNTY AND DISTRICT CLERK'S REPORT**

Rachel Chavez Duran, County Clerk, reported total collections as follows:

District Court: \$5,057.28

County Court: \$6635.10

Real Property/vitals: \$4344.00

**CONSTITUTIONAL AMENDMENT ELECTION PRECINCT CONSOLIDATION**

Motion was made by Commissioner Perez, seconded by Commissioner Villanueva to consolidate election day precincts 101, 201, 301 and 401 to one polling place location, the Sutton County Annex meeting room, for the Constitutional Amendment Election on November 7, 2017. Motion carried unanimously.

**FRONTIER COMMUNICATIONS AGREEMENT**

Motion was made by Commissioner Teaff, seconded by Commissioner Brockman authorizing the County & District Clerks' Office to enter into a 2-year agreement with Frontier Communications for telephone, internet and long-distance services. Motion carried unanimously.

**COUNTY COMMISSIONERS' REPORT**

Commissioner Villanueva asked County Attorney Wallace if whenever the commissioners' hire personnel, do they interview the people or does the Judge. Judge Smith clarified to the court that this question is regarding hiring of the Librarian. Wallace replied that it depends on whether it is an elected position or an appointed position. Commissioner Villanueva informed the court that he had called Austin and spoke with several people and was informed that the Commissioners should conduct the interviews if they are responsible for hiring. Further stating that the Judge was the only one who conducted the interviews. Wallace stated that he did not have the answer readily available, since the question was just posed to him and asked to be excused to research the law.

Commissioner Teaff complemented the road and bridge department on the great job they did paving the walkway at the ballpark.

**COUNTY JUDGE REPORT**

Judge Smith opened the floor to Lillian Memorial Hospital's Chief Financial Officer, Mickey Schaefer and EMT Director, TJ Thorp. Schaefer submitted a preliminary EMT budget proposal to the court. The proposal was accepted as presented.

**APPRAISAL DISTRICT BOARD OF DIRECTORS NOMINATIONS**

Motion was made by Commissioner Villanueva, seconded by Commissioner Brockman to nominate Maura Weingart to the Sutton County Appraisal District's Board of Directors. Motion carried unanimously.

**BURN BAN RESOLUTION**

The court unanimously agreed to authorize a Burn Ban Resolution.

**RECESS – 10:35am**

**RECONVENE – 11:34**

**COMMISSIONERS’ REPORT CONTINUED**

County Attorney Wallace reported to the court his findings regarding hiring procedures of the Sutton County Librarian. He stated that he found nothing in the statues that reference replacing the county librarian so he contacted the Texas Association of Counties legal department. He was informed that the ultimate decision is to be made by the Commissioners Court as a group and that there is no statutory procedure in place one way or the other and no legal requirement. With that, he stated that at best for purposes of hiring in today’s meeting, a recommendation could be made and if the commissioners’ wanted to review resume’s, applications or conduct interviews, they could table the matter until the next meeting. Judge Smith asked Wallace that what he had assumed in the announcement of the vacancy and retirement, that he would put out notice, get applications, review them and then conduct interviews, he, by stating the plan in court, delegated that responsibility to himself to be able to do it. Wallace responded that that’s a procedure that could be done. Judge Smith continued that if he presents a recommendation today and the Commissioners’ accept his recommendation, would it be legal to do so? Wallace stated that it would be legal to take action or table the matter should they choose to do so. The matter then moved into agenda topic of Hiring of a New Librarian.

**HIGHER OF NEW LIBRARIAN**

Motion was made by Commissioner Teaff, seconded by Commissioner Brockman to accept the recommendation made by Judge Smith to hire Debra Brown as the Sutton County Librarian. Commissioner Teaff, Brockman and Perez voted aye. Commissioner Villanueva voted nay.

Motion was made by Commissioner Teaff, seconded by Commissioner Perez to set Debra Brown’s salary at \$33,000 per year along with setting her bond at \$1000.00, effective October 1, 2017. Commissioner Teaff, Brockman and Perez voted aye. Commissioner Villanueva voted nay.

**PUBLIC COMMENT**

Judge Smith reported that Juvenile Probation Officer, Jerry Jimenez submitted contracts from Kerr County, Tom Green County and Garza County to hold Juveniles for detention. The court authorized Judge Smith to sign the contract on behalf of Sutton County.

**ADJOURN TO FLORIE’S RETIREMENT PARTY**

Judge Smith announced that Florie had declined participating in the retirement party, so he invited all to stay and the gathering would be to remember 9/11 instead. Commissioner Teaff lead the court in the Pledge of Allegiance. Motion to adjourn was made by Commissioner Perez and seconded by Commissioner Brockman. Motion carried unanimously.

**ATTEST:** \_\_\_\_\_  
**RACHEL CHAVEZ DURAN, COUNTY CLERK**

**APPROVED:** \_\_\_\_\_  
**STEVE SMITH, COUNTY JUDGE**

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**MIKE VILLANUEVA, COMMISSIONER PCT. 1**

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**BOB BROCKMAN, COMMISSIONER PCT. 2**

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**CARL TEAFF, COMMISSIONER PCT. 3**

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**FRED PEREZ, COMMISSIONER PCT.**