**The State of Texas §**

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**County of Edwards §**

**BE IT REMEMBERED** that on this 23rd day of August, 2016, at 9:00 o’clock a.m. there came on and was held in the City of Rocksprings, Edwards County, Texas, at the Edwards County Courthouse therein, a Special Open Meeting of the Commissioners’ Court of Edwards County, Texas. The Agenda for this Special Open Meeting of the Commissioners’ Court of Edwards County, Texas was posted on August 19, 2016 at 9:17 o’clock a.m.

Present were:

Honorable William Epperson, Commissioner of Precinct One

Honorable Lee Sweeten, Commissioner of Precinct Two

Honorable Matt Fry, Commissioner of Precinct Three, was absent

Honorable Andrew Barnebey, Commissioner of Precinct Four

Honorable Souli Asa Shanklin, County Judge

Honorable Olga Lydia Reyes, County and District Clerk

1. **Determination of quorum; Call to Order.** The Open Meeting was called to order at 9:05 o’clock a.m. by Judge Shanklin. The Pledge of Allegiance was recited. The roll was then called by Clerk Reyes. All Commissioners were present.

2. **DELIBERATE, CONSIDER and/or TAKE ACTION ON ANY OF THE FOLLOWING:**

[Clerk’s Note: The agenda items were considered out of order.]

c. **Discuss and/or approve to move monies, $5,000.00 from line item 10-500-495 to 10-500-395. – Sheriff Elliott.** After explanation of this matter by Judge Shanklin, a motion was made by Commissioner Sweeten and seconded by Commissioner Fry to move funds in the amount of $5,000.00 from the line item for Equipment Repair and Maintenance (10-500-495) to the Special Investigative Fund (10-500-395). These funds are in the Sheriff’s Office budget. No Commissioner noting any opposition, the motion carried 5/0.

a. **Discuss and/or approve Edwards County Budget Workshop. – Judge Shanklin.**

As the discussions got underway for the budget workshop, Shanklin stated that most of the departments in the proposed budget had already been taken care of. Commissioner Barnebey stated that if the Court chooses not to change the tax rate, we will bring in more money anyway. Commissioner Fry asked if we would bring in more than last year and Barnebey responded in the affirmative. The general fund would go up about $90,000.00 and the lateral fund would go up about $20,000.00. Shanklin stated that to get the same amount as last year, the County would have to set the effective tax rate at .5452%. What it was last year was .55785; what the Court is proposing to do is leave it at the rate of .5578%, which would generate a $93,000 surplus over what it was last year. This will also allow us to give a 5% salary increase to the people at the Sheriff’s Office and the Detention Center. If these rates go up next year, then all of the offices will be able to get a salary increase. Commissioner Barnebey stated that instead of giving the Sheriff’s Office a raise, that he proposed cutting this amount in half to 2.5% and giving everybody a raise. Judge Shanklin explained that there have been many complaints about the conditions of the County Roads but, at the same time, people are not wanting an increase on their taxes. What he is trying to do is get the salaries up at the Sheriff’s Office to make them more competitive. We are below average everywhere and the problem is that once we get good people in these jobs, they leave for better paying jobs. As an example, he stated that the County and District Clerk was an attorney and also the Clerk. Barnebey stated that she should get a raise.

The Clerk interjected and stated that she was of the position that her department should also get a raise. She spoke of the reporting requirements which she kept on top of so that grants could be obtained by the County and of all of the demands which were placed on her office routinely which she felt went above and beyond the scope of her duties and how she responded to these demands. She stated she was not saying that the Sheriff’s Office should not get raises, but that she thought her budget should be considered for one too. No other offices stay on top of the criminal history reporting requirements like her office does. She asked the Court to consider who did their job correctly so that these grants could be obtained. Judge Shanklin answered that Carl Esser did.

Judge Shanklin continued by stating that the County has always said that we have to start somewhere and that he did not want any dissension. This was not fair to anybody. When people run for offices and take one of these jobs they know what the salary is. Commissioner Barnebey stated that they also know that one department got a raise and the others did not. He doesn’t understand why there cannot be a 2.5% increase for everyone this year and next year. Sweeten interjected that the only way this could be done was to then just bump up the tax rate and give everyone a raise. Barnebey stated that what had been discussed during the last budget workshop as far as budgets was only a tentative agreement. Shanklin stated that it had been voted on. Sweeten stated that he knew that the clerk always went above and beyond and that he appreciated her. Commissioner Epperson stated that if the Court would look at the tax rate, there would still be a surplus of funds into the general and the road and bridge. His take is that the jailers are way behind on what they are paid. He is not for giving the Sheriff’s Office a raise, but he is in favor of giving the Detention Center employees a raise. He stated that the Clerk was also asked to step up and do some work that the JP was doing and he thought her office deserved a raise. From the audience, Tax Assessor Collector Mark Bean interjected that his workload increases greatly every time someone new moves into the County. Commissioner Fry stated that we could also do something like one year give all the employees a raise and then the next take care of the elected officials. This would make people feel like everyone is equal. Sweeten stated that if we raise the rate from last year, we would have the means to do this. But, when you are looking at the Sheriff’s Office and consider that those employees can go to another county not much bigger than our own and get paid much more, he believe pay increases are in order. It’s the same with the road and bridge department. Barnebey stated that the recidivism over at the Sheriff’s office might not be because of salary.

Judge Shanklin had left the courtroom and he returned at this point. Shanklin stated that he could guarantee that it was because of salary. A discussion ensued regarding the duties of the sheriff’s deputies and the competing salaries in surrounding counties. The Judge and Commissioner Sweeten stated that we have a large county and the Sheriff Office’s presence should be spread out through this vast county. Barnebey inquired what the 5% increase would provide in terms of an amount of money per year. His thinking was that it was a small amount of money and still all of the other employees were being left out. Why don’t you give them 2.5% this time? Shanklin stated that 2.5% increase did not amount to hardly anything. He continued by stating that the appraisal district is the most important office in the county. Once they do their job, everybody can be paid. One of the issues that Sweeten had was that they lowered the tax rate last year. He is of the belief that we should not ever drop the least effective tax rate. A discussion of the tax rates ensued. Fry would like to see the figures of funds that the County has been working with for the past several years. Mark Bean interjected that the collection rate is the highest it has ever been; it is over 97%. A county this size should be able to run pretty well. Sweeten believes that this is outstanding. Epperson is for sustaining the effective tax rate. Sweeten responded that this will generate the same amount of money this year as last year. Sweeten also stated that he is for leaving the tax rate at what it is. This discussion was concluded so that other departments’ budgets could be addressed.

**Road and Bridge Department.** Commissioner Sweeten led the Court’s discussion on the road and bridge department. The Court discussed the salary structure of the road department and decided to structure it as follows:

Starting salary: $13.00/hour with a CDL

1-5 years of experience: $15.50/hour

5+ years of experience: $19.00/hour

These employees would also get their full-time employee benefits. Looking at the budget, we have funds for 3 employees at 1-5 years of experience and 3 employees at 5+ years of experience plus the funds for the road superintendent’s salary. We need to be able to hire these people and we cannot hire them unless we have the money available to hire them. If we went from our rate that we had last year to the rollback rate, we’re looking at .0065% increase. Even with his rollback rate proposal, putting $60,000 in there for material and $35,000 for equipment, we are $50,000 over. Sweeten estimates that the County needs these $50,000 to be able to hire everyone that we need.

Therefore, if we take out $15,000 for material and $35,000 from equipment because we have surplus funds in savings that we can purchase equipment with if we need it. This would make up the $50,000 that we need.

Epperson interjected that we should get closer to $16.50 per hour because this is the rate of pay at TxDOT. This would keep us from losing employees to TxDOT. Sweeten stated that he doesn’t necessarily disagree with him, but we’re limited with our tax rate. He’s hoping that our County benefits/incentives will make up for this wage gap between the County and TxDOT.

Sweeten states that we have already looked at this salaries and this is what we approved last year. A discussion ensued regarding how many miles of county roads were in each precinct. Our roads need to be maintained; we should not accept any more of these subdivision roads to the county.

Sweeten stated that the bottom line was that the County has to do what’s got to be done. The road department is a mess. He has found out that the last two or three times that the road crew has been in his precinct, they’ve left the area by 2:00 or 2:30 in the afternoon and they were back up here in the yard by 3:30 in the afternoon. That’s being charged against his time and this should not happen anymore. He’s tired of not getting his share for his precinct and tired of seeing all of this material piled up in the yard and never getting taken up to his precinct.

We’ve asked our Robert Pena to train someone to work the crusher, we’ve told him we want the signs put out (regarding our liability). He does as he chooses to do and this should stop as well. Epperson said that he had asked Robert about putting out these signs and that Robert told him that he has been. Sweeten stated that he had not seen them. Epperson again raised his concerns about the salary comparison with TxDOT; he brought up the $16.50/hourly rate of pay again. Shanklin told him that now that the County got an excellent blade man, wouldn’t Epperson want to protect him? Epperson stated that he wasn’t going to protect anybody. Shanklin stated that we had an excellent blade man working for us that can operate every piece of machinery that we have and we have one guy that can’t operate any machinery and can only drive a truck. Shanklin stated that you need to protect your assets. The Road Department needed to be run like a business; it needed to be looked at and set up like a construction company. We have 290+ miles of county roads in Edwards County.

Moving on, Shanklin stated that this budget presents several increases like material. Sweeten stated there were also increases in salaries. Fry stated that there was also a $250,000 surplus from last year; Shanklin countered that you can’t always rely on that.

Sweeten and Fry led the discussion to cut $20,000 off the proposed diesel line item amount of $67,100 (which would take this amount down to $47,100) and move this over to the line item for materials. Fuel is currently proposed at $15,180 and no one really wants to reduce this amount. We have only expended $7,005 in fuel so far this year, but Sweeten is of the opinion that when the County starts running more maintainers, there will be more vehicles running out to them and the fuel expense will increase.

The line items for Tubes and Flats are proposed at $450.00 and this proposed amount should not be changed. Fry stated that there is a big difference between what was budgeted for tires and what was actually spent, but acknowledged that the Road Department had just got lucky in this regard. Bump gate repairs is proposed at $2,000.

Fry stated that every year we keep adding to these figures and increasing these amounts, but then we have leftover funds because we don’t have the employees to do all of the work needed. He’s not arguing the point about the Road Department being beefed up. We’ve done that for three years. He does not see a need to raise the tax rate, nor to drop it; he thinks it just needs to be maintained. According to Fry, we are in the position to do this already, we just need to use what we’ve got and put everything into execution. He’s not talking about reserves, he’s talking about using what’s already there, what’s already budgeted.

Sweeten increased the proposed line item for culverts from $3,000 to $9,000. The line item for rails on bridge/tin horns can be dropped back down to a proposed amount of $5,000. The clerk asked for some clarification regarding the line item for culverts; a line item number could not be determined but the proposed amount for this item should be set at $9,000. It was determined that Sweeten was looking at a different spreadsheet than the proposed budget provided by the Treasurer; he’s looking at a spreadsheet that he did on his own. The proposed line item for pipes is $3,000. Fry again reiterated that we just need to use what we’ve got and put everything into execution; we cannot sit here for another couple of hours to try to predict how much money will be needed for each specific line item. What we have here is fine, we just need to execute it. Sweeten believes that it is still not fine unless you go to the rollback rate. Just because we have enough money this year, doesn’t mean that we will have it every year. We need to have enough money put into this budget so that we will be taken care of year after year, at least to the point we agreed to last year. The Court then entered into a discussion about resulting surplus and projections.

The County Treasurer clarified to the Court that Robert Pena’s salary has been paid from the Road Supervisor salary line item. His salary ($45,000.00) should have been coming from Road Employee’s Salary. His salary will need its own code and line item or it will need to be included in the Road Employee’s Salary line item. The Road Superintendent’s line item would need to be for a true road superintendent who could fulfill the statutory requirements of this position.

Fry is of the opinion that we need to see the inventory of the equipment that we already have. This should include VINS and value, and years and hours. We need to know who can operate what machinery and what that machinery can do, for starters.

Sweeten then concluded the discussion by stating that two public hearings were going to be required. Shanklin stated that first, we would need to vote on the budget and then the budget could be published. Shanklin stated that he was not changing his opinion on anything that had happened last week; Sweeten stated that he wasn’t either.

The Court reached the following consensus on the following items:

* Partial consensus on Road and Bridge: Same tax rate as last fiscal year 2015-2016.
* Consensus to leave the general fund rate the same as it was during fiscal year 2015-2016.
* Consensus to leave the bottom line of the budget at the same tax rate as fiscal year 2015-2016.

Sweeten stated that this is still subject to change after the public hearings.

b. **Discuss and/or approve Dental and Vision renewals – Bobby Zesch.** Commissioner Sweeten made the motion for Edwards County employees to be allowed to keep their insurance coverage with Guardian for their Dental and Vision plans; Commissioner Barnebey provided a second to the motion. No Commissioner noting any opposition, the motion carried 4/0, (Commissioner Fry did not vote as he had momentarily stepped out of courtroom.)

3. **Set time and date for next regular time.** The next regular, open meeting of the Edwards County Commissioner’s Court will be on the second Tuesday of September, 2016 (September 13, 2016) at 9:00 a.m. The next budget workshop will be on the 18th day of September, 2016 at 1:00 p.m.

4. **New Business.** No new business was discussed.

5. **Adjourn.** Commissioner Sweeten made the motion to adjourn. Commissioner Barnebey seconded the motion. No Commissioner noting any opposition, the motion carried 5/0.

APPROVED:

SOULI ASA SHANKLIN

Edwards County Judge

Attest:

OLGA LYDIA REYES

Edwards County and District Clerk