

**FRIO COUNTY COMMISSIONERS COURT MINUTES FOR
DECEMBER 9TH, 2019**

On the 9th day of December, 2019, at 3:00 p.m., the Commissioners Court of Frio County met in a regular meeting with the following members either absent or present, to-wit: Arnulfo C. Luna, Frio County Judge was present; Vicki Camacho, Commissioner Pct 1 present; Richard "Dicki" Graf, Commissioner Pct 2 present; Ruben Maldonado, Commissioner Pct 3 present; Jose Asuncion, Commissioner Pct 4 present; Joseph A. Sindon, Legal Counsel for Frio County Commissioners Court present; and Aaron Ibarra, Frio County Clerk present when the following meeting was held, to-wit:

- I. Invocation and Pledge of Allegiance
- II. Adopt Agenda
Motion by: Commissioner Graff
Seconded by: Commissioner Maldonado
Voted Aye: All Motion Carried

- III. Old Business: **None**

PRESENTATION

ACTION AGENDA ITEMS

- IV. General Discussion: **None**
- V. Citizens To Be Heard: **None**

Please note that the Rules of Procedure, Conduct and Decorum at Meetings of the Commissioners Court of Frio County, Texas limit each speaker to a maximum of three (3) minutes to make his or her remarks. Inappropriate conduct or comments during this time, including but not limited to disruptive behavior, insults, personal attacks, and inappropriate language, may result in the speaker being ordered to leave the meeting and forfeit any remaining speaking time. For more information regarding the above-mentioned rules, please see the complete Rules of Procedure, Conduct and Decorum at Meetings of the Commissioners Court of Frio County, Texas, which is available upon request.

- VI. New Business

PRESENTATION

ACTION AGENDA ITEMS

- (1) Frio County Commissioners Court, requests:
 - 1.1 Open public hearing regarding the proposed adoption of the Frio County Texas Tax Code Chapter 312 Tax Abatement Policy.
Motion made to open public hearing at 3:04 p.m.
Motion by: Commissioner Graff

Seconded by: Commissioner Camacho
Voted Aye: All Motion Carried

1.2 Close public hearing regarding the proposed adoption of the Frio County Texas Tax Code Chapter 312 Tax Abatement Policy.

Motion made to close public hearing at 3:17 p.m.
Motion by: Commissioner Camacho
Seconded by: Commissioner Asuncion
Voted Aye: All Motion Carried

1.3 Consider/take action on adopting the Frio County Tax Abatement Policy pursuant to Texas Tax Code Chapter 312.

Motion made to approve 1.3
Motion by: Commissioner Graff
Seconded by: Commissioner Asuncion
Voted Aye: All Motion Carried

1.4 In accordance with Texas Government Code 551.071 (Consultation with Attorney) Commissioners' Court shall convene in closed session to receive a presentation from Special Counsel Blakely Fernandez regarding the parameters of Frio County's possible participation in Chapter 312 Tax Abatement Agreements in Frio County.

Motion made to enter closed session at 3:17 p.m.
Motion by: Commissioner Graff
Seconded by: Commissioner Camacho
Voted Aye: All Motion Carried

After conveying for some time, a motion was made to return back to regular session.

Motion made to return to normal session at 3:40 p.m.
Motion by: Commissioner Camacho
Seconded by: Commissioner Graff
Voted Aye: All Motion Carried

(2) Mary Martinez, requests:

Consider/take action on waiving park reservation fees for a medical benefit to be held at the Fireman's Park on January 11, 2020

Motion made to approve 2
Motion by: Commissioner Maldonado
Seconded by: Commissioner Graff
Voted Aye: All Motion Carried

(3) Gilbert Ortiz, requests:

3.1 I Gilbert Ortiz would like to request my services to be used to help Frio County recover monies owed to the county. Farmers and ranchers that are claiming the agriculture exemption need to be checked to see if they are really needing the exemption and are farming on the exempted property. I have seen many ranches that have the exemption and have no farming activity or livestock. I am willing to go out there on the fields and ranches to collect all the evidence needed so Frio County can get it to the Tax Attorney. I know Frio County has four Appraisers to do the job, but I have evidence that they have not been doing their job for many years. I will submit this request to the Pearsall ISD, Dilley ISD, State Auditor as well because the schools are the ones that are being affected the most. Thank You.

3.2 Consider/take action on the above.

Motion made to dismiss/deny

Motion by: Commissioner Graff

Seconded by: Commissioner Maldonado

Voted Aye: All Motion Carried

(4) Robert Carter, Leal & Carter, P.C., requests:

Discussion regarding engagement letter with Leal & Carter, P.C. for a set of agreed upon procedures to be carried out in regards to bank accounts of the Frio County Clerk.

Discussion was done concerning the bank account of the Frio County Clerk's Office and inconsistencies noticed by Robert Carter from Leal & Carter, P.C. when an audit was conducted. Particularly in regards to cash bonds and how they are issued. The time period that was discussed was from 2018 to early 2019. It was decided that more information was needed and more research was required. No action.

(5) Frio County Commissioners Court, requests:

Discussion with the Frio County Sheriff regarding the status of the Frio County Jail.

No representative from the Sheriffs office was present. The Commissioners moved on to the next item on the agenda.

(6) Roxanna Garcia, P.E., Frio County Engineer, requests:

6.1 Consider/take action on signing Order form and agreeing to Terms of Service between FleetIQ and Frio County for the provision of vehicle monitoring hardware and software for use by the Frio County Road and Bridge Department on a monthly basis for an initial cost of \$9,744.53 and a monthly cost of \$1,983.42.

6.2 If the Order Form and Terms of Service are approved, consider/take action on signing resolution allowing Frio County Judge Arnulfo C. Luna to enter into same on behalf of Frio County.

Motion made to approve 6.1 and 6.2

Motion by: Commissioner Graff

Seconded by: Commissioner Camacho

Voted Aye: All

Motion Carried

- (7) Hon. Ofilia M. Trevino, Frio County District Clerk, requests:

Consider/take action on promoting Crystal Leigh Dunford from Clerk I to Clerk II once she completes her probationary period on January 8, 2020. Ms. Dunford was hired based upon her eleven (11) years of experience with the Atascosa County District Clerk's Office.

No action was taken by the Commissioners as Commissioner Asuncion stated he was under the impression there was a committee created by Judge Luna to over see this sort of questions and quandaries regarding the advancement of pay. The item was tabled for now.

- (8) Hon. Vickie Camacho, Frio County Commissioner, Precinct No. 1, requests:

Consider/take action on appointing Ray Luna to the vacant position on the Frio County ESD Board.

Motion made to approve (8)

Motion by: Commissioner Camacho

Seconded by: Commissioner Graff

Judge Arnulfo Luna abstained from voting due to being related to Ray Luna

Voted Aye: All save for Judge Luna Motion Carried

- (9) Roxanna Garcia, P.E., Frio County Engineer, requests:

Consider/take action on submitting an application to the Medina Electric Cooperative to relocate the overhead electrical line at the R&B Dillely Yard so that power can be provided to the new trailer.

Motion made to approve (9)

Motion by: Commissioner Camacho

Seconded by: Commissioner Graff

Voted Aye: All Motion Carried

- (10) Roxanna Garcia, P.E., Frio County Engineer, requests:

10.1 Consider/take action on approving and adopting a resolution granting a permit to Select Energy Services to lay, construct and maintain a water pipeline in the CR 4871 and 4828 rights-of-way for a permit fee of \$300.00.

10.2 If the resolution is approved and adopted, then authorize Frio County Judge Arnulfo C. Luna to execute the permits on behalf of Frio County, Texas to Select Energy Services.

Motion made to approve (10)

Motion by: Commissioner Graff

Seconded by: Commissioner Camacho

Voted Aye: All Motion Carried

- (11) Receive in person from the following county officials the following reports as mandated by law:
- 11.1 Presentation by Frio County Treasurer of detailed report as mandated by Section 114.026, Local Government ("Code") (this report is to be presented at each **regular term of commissioners court**).
 - 11.2 Frio County Treasurer to exhibit the books and accounts of that office for the inspection of the commissioners court (**to be done at each regular term of commissioners court**).
 - 11.3 Consider/take action on authorizing the execution by Frio County Commissioners Court (the Judge and each commissioner) of an affidavit stating the requirements of the treasurer's report have been met as mandated by section 114.026 of the Code.
 - 11.4 Consider/take action on execution of an order of the commissioners court approving the county treasurer's report and order their publication in the Frio-Nueces Current as mandated by Section 114.026 of the Code or publication on the county's website.

Reports received and reviewed by the Commissioners

- (12) Frio County Commissioners Court requests:

Presentation, pursuant to Section 114.044 of the Local Government Code, by:

1. Frio County District Clerk;
2. Frio County Clerk
3. Frio County Treasurer
4. Frio County Attorney
5. Frio County Judge
6. Frio County Sheriff
7. Frio County Auditor
8. Frio County Justice of the Peace
9. Frio County Constables

(who collects or handles any money for the use of the county) of all fines imposed, judgments rendered and collected, and all jury fees collected by the respected courts in favor of or for the use of the county and at that time when the reports are presented to present receipts vouchers that show disposition of the money, fines or judgments.

After examination by the commissioners court as to the correctness of the reports, consider/action on directing the county clerk to enter information in county finance records as mandated by Section 114.044 of the Code.

Motion made to approve (12)

Motion by: Commissioner Graff

Seconded by: Commissioner Asuncion

Voted Aye: All Motion Carried

- (13) Documents (resolutions, orders, contracts, etc.) to be signed.
Reviewed and signed.

(14) Allow bills payable

Motion made to approve

Motion by: Commissioner Maldonado

Seconded by: Commissioner Graff

Voted Aye: All Motion Carried

(15) Adjourn

Motion made to adjourn

Motion by: Commissioner Graff

Seconded by: Commissioner Camacho

Voted Aye: All Motion Carried

Approved:

[Signature]
[Signature]
[Signature]
Queen Maldonado
[Signature]

Attest:

FILED

At 6:45 o'clock P M

This 16 day of February 2020

Aaron T. Ibarra

Clerk County Court FRIO COUNTY, TX

BY: *[Signature]* DEPUTY