INVESTIGATION SYNOPSIS

On 09/07/2016, I, Texas Ranger Brent Barina, met with Bastrop County Auditor Lisa Smith and was informed of possible criminal violations committed by Bastrop County Precinct #4 Commissioner Gary 'Bubba' Snowden.

SUPPLEMENTAL SYNOPSIS

S1 12/12/2016 Report Writer: Brent Barina
12/19/2016 Approved by: MATTHEW LINDEMANN

On 09/07/2016, I, Texas Ranger Brent Barina, met with Bastrop County Auditor Lisa Smith and was informed of possible criminal violations committed by Bastrop County Precinct #4 Commissioner Gary 'Bubba' Snowden. I discussed these possible criminal acts committed by Commissioner Snowden with Bastrop County District Attorney Bryan Goertz and was requested by Bastrop County DA Goertz to conduct an investigation into these criminal acts.

S2 01/18/2017 Report Writer: Brent Barina
01/31/2017 Approved by: MATTHEW LINDEMANN

This supplemental report serves to document my, Texas Ranger Brent Barina, interviews with Bastrop County Precinct #4 Road and Bridge employees, interviews with Commissioner Snowden, and interviews with vendors.

S3 07/06/2018 Report Writer: Brent Barina
07/12/2018 Approved by: MATTHEW LINDEMANN

This supplemental report serves to disposition the charges filed against Commissioner Gary Snowden and close this investigation.

SUPPLEMENTAL DETAILS

S1 1.1 On Wednesday, 09/07/2016, I, Texas Ranger Brent Barina, met with Bastrop County Auditor Lisa Smith at the request of Smith to discuss possible criminal violations committed by Bastrop County
Precinct #4 Commissioner Gary "Bubba" Snowden, WM, DOB:  

1.2 Smith advised me a low water crossing had washed out on a private road known as Wilbarger Creek Drive during the floods of 2015 in Bastrop County. Smith advised pursuant to numerous federal and state codes, the Commissioner’s Court can approve to spend funds on private property for flood plain management, flood damage prevention, and to allow the egress and ingress of emergency vehicles.

1.3 Smith advised on 05/29/2015, the Commissioner’s Court voted and approved to expend $200,000 to repair the low water crossing on Wilbarger Creek Drive, resurface Squirrel Run Road, and the remediation of pond dams on Cottle Town Road and Cardinal Lane. Smith stated Commissioner Snowden fixed the low water crossing, but also resurfaced 8/10 of a mile of Wilbarger Creek Drive with recycled asphalt millings as well. Smith advised the scope of the order did not allow Commissioner Snowden to resurface Wilbarger Creek Drive.

1.4 Smith provided me with a copy of this order and noted the order did approve the expenditure of $200,000 for these projects and stated “Whereas, certain private property exists in Bastrop County, Texas, same being a private bridge or culvert structure ("Bridge Property") located on a private road and on or over a tributary to Wilbarger Creek, near 215 Wilbarger Creek Drive, Elgin, Bastrop County, Texas 78621, said Bridge Property being located in the Joseph Rogers Survey (A-55) of Bastrop County, Texas, and further said property being located at approximately latitude 30.228564 and longitude 97.41536.”

1.5 “Whereas, the Bridge Property was destroyed or substantially damaged in the past few days by a flood event on the tributary to Wilbarger Creek cause by the aforesaid storm events thereby (1) trapping and denying road access and a flood evacuation escape route to approximately 12 family residences located on the now land locked side of the Bridge Property, and (2) denying road access by emergency service provider vehicles (including law enforcement,
rescue, ambulance, and fire vehicles, public utility service provider vehicles, and mail service provider vehicles to the now land locked side of the Bridge Property where said family residences are located.”

1.6 I noted the order also described the scopes of resurfacing Squirrel Run Road and the pond dam projects. I further noted the order was specific to the “Bridge Property” and made no mention of resurfacing Wilbarger Creek Drive. For complete details see this order.

1.7 Smith also provided me with an additional order signed by the Commissioner’s Court on 01/11/2016 to approve an additional $28,000 to complete the Wilbarger Creek crossing. I reviewed this order and noted it did not approve the resurfacing of Wilbarger Creek Drive with recycled asphalt millings. For complete details see this amendment to order dated 01/11/2016.

1.8 Smith provided me with approximately 14 photographs she had obtained of the road before it was resurfaced and after the road had been resurfaced.

1.9 Smith provided me with a Recycled Asphalt Millings Cost Estimate that Commissioner Snowden had sent to FEMA, where Commissioner Snowden valued the recycled asphalt millings at $23.97 a cubic yard. I was also provided a FEMA Schedule of Equipment Rate documenting the value of equipment per hour or per mile that FEMA will reimburse.

1.10 Smith also provided me with a document she had created detailing the approximate cost the county paid to resurface Wilbarger Creek drive. Smith’s values were based off the FEMA Schedule of Equipment rates and the Recycled Asphalt Millings Cost Estimate submitted to FEMA by Commissioner Snowden.
1.11 Smith estimates the recycled asphalt millings cost Bastrop County $27,661.38 based on an estimated .86 miles of roadway at 16 feet wide and .33 feet deep. Smith estimated it took 888 cubic yards or 1,154 tons of asphalt millings. Smith multiplied $23.97 with 1,154 tons to get the $27,661.38. I noted the price from Commissioner Snowden was per cubic yard not per ton and should have been multiplied by 888 cubic yards not 1,154 tons for a price of $21,285.36.

1.12 Smith estimated three (3) dump trucks hauled for three (3) days or 30 hours at a FEMA reimbursement rate of $76.00 per hour for a total of $6,840.00. Smith also estimated the three (3) truck drivers' salary for three (3) days at $1,910.40.

1.13 Smith included one (1) motor grader and one (1) roller for 30 hours work each for a total of $2,970.00 and estimated the two (2) operators' salary for 30 hours to be $1,458.00. Smith estimated the total cost to resurface Wilbarger Creek Drive to be $40,839.78. Smith advised she believed her estimate was very conservative and believes the project probably cost more than what she estimated. For complete details review the documents provided by Smith.

1.14 On this same date, I met with Bastrop County District Attorney Bryan Goertz and reviewed the documents provided by Smith with DA Goertz. DA Goertz advised he would further review the documents and get back with me regarding a criminal investigation.

1.15 On Thursday, 09/08/2016, Smith provided me with receipts and invoices from various companies that did work on the low water crossing for fiscal year 2014-2015 and fiscal year 2015-2016. I did note on 05/18/2016, Ergon Asphalt and Emulsions delivered 3,036 gallons of emulsions to the Bastrop County Precinct #4 Barn and these emulsions were billed to the Wilbarger Creek crossing repair in the amount of $5,371.80. Emulsions are used when resurfacing a road. I noted these emulsions were not included in Smith's estimate.
1.16 On Tuesday, 10/18/2016, DA Goertz provided me with a letter requesting the Texas Rangers conduct an investigation into possible criminal acts committed by Commissioner Snowden.

1.17 This investigation continues.

S2  2.1 On Tuesday, 11/15/16/2016, at approximately 9:00 AM, I, Texas Ranger Brent Barina conducted an audio recorded interview with Bastrop County Precinct #4 Road and Bridge Foreman Myles Milburn, WM, DOB: [redacted], regarding the resurfacing of Wilbarger Creek Drive. I met with Milburn at a job on Paint Creek Road and noted upon my arrival Milburn was talking to Bastrop County Precinct #4 Road and Bridge employees.

2.2 Milburn stated the road was resurfaced due to the poor condition of the road and needed to be resurfaced to get equipment down to the low water crossing. Milburn stated the road was resurfaced when the excavator was brought in to clean out the low water crossing channel prior to the low water crossing being constructed.

2.3 Milburn stated the asphalt millings were received free from TX DOT and TX DOT wanted the millings removed from the TX DOT right of ways where the material was dumped at after being milled from the highway. Milburn stated they never would have done the work on Wilbarger Creek Drive but were under pressure from the news media and Bastrop County Judge Paul Pape to help the residents along Wilbarger Creek Drive.

2.4 Milburn stated he knows of no benefit received by Commissioner Snowden for resurfacing Wilbarger Creek Drive. Milburn stated the millings were put down about two (2) inches deep and the job took approximately two (2) weeks to complete. Milburn stated a

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maintainer, a roller, a water truck and two (2) belly dumps were used during the project.

2.5 When questioned Milburn stated they could not have just bladed the road to fix it due to large rock under the surface. Milburn stated the blade would have brought up the rock and cause damage to tires. For complete details see the interview with Milburn.

2.6 On this same date, at approximately 9:15 AM, I conducted an audio recorded interview with Bastrop County Precinct #4 Road and Bridge employee Gustavo Navejas, WM, DOB: [redacted]. While interviewing Navejas, I noted Milburn was talking to Charlie Vizcarra.

2.7 Navejas stated Wilbarger Creek Drive is a private drive and was resurfaced in the summer of 2016. Navejas stated the road was resurfaced because the low water crossing needed to be re-built and the road was in poor condition and needed to be resurfaced to get equipment in. Gus stated he ran the maintainier and stated it was not possible to just blade the road with a maintainier and stated there was no existing material to work with.

2.8 Navejas stated they began to resurface Wilbarger Creek Drive just prior to the contractor re-building the low water crossing. Navejas stated it took approximately 20 to 30 days to complete the resurface project. Navejas stated a maintainier, a water truck, a roller, an oil truck, and two (2) belly dumps. Navejas stated a 12 yard dump truck started the project and then the two belly dumps completed it. Navejas stated he put the millings down approximately three (3) inches deep and approximately 16 feet wide.

2.9 Navejas stated he does not know of any benefit received by Commissioner Snowden and stated the families that live down Wilbarger Creek Drive are predominately lower income families.
For complete details see the interview of Navejas.

2.10 On this same date, at approximately 9:30 AM, I conducted an audio recorded interview with Bastrop County Precinct #4 Road and Bridge Assistant Foreman Charlie Vizcarra, WM, DOB: [redacted]

2.11 Vizcarra stated he did not work on the Wilbarger Creek re-surface project until the end of the project. Vizcarra stated it was his understanding the Wilbarger Creek Drive was re-surfaced due to the poor condition of the road and stated it needed to be re-surfaced to get equipment back to the low water crossing for the crossing to be repaired. Vizcarra stated he did not think the road could have been bladed to fix the road due to the large rocks under the surface. Vizcarra had little information about the project. See the interview with Vizcarra for details.

2.12 On this same date, at approximately 9:40 AM, I conducted an audio recorded follow-up interview with Miles Milburn. I questioned Milburn as to who approves the jobs completed by Precinct #4 Road and Bridge and Milburn stated Commissioner Snowden approves the projects and decides what projects are completed.

2.13 I questioned Milburn about the time line of the re-surface project and Milburn stated prior to the order being approved to fix the low water crossing, Precinct #4 hauled dirt to the crossing to temporarily repair the crossing so residents could cross the creek. Milburn stated a contractor brought in an excavator and cleaned out the channel and set new pipe in the channel. Milburn thought the re-surface project started some time while the excavator was down in the low water crossing working.

2.14 On this same date, at approximately 11:15 AM, I conducted an audio recorded interview with Commissioner Gary "Bubba" Snowden regarding the resurface of Wilbarger Creek Drive.
2.15 Snowden stated when he first took office his road foreman took him down Wilbarger Creek Drive and showed him the low water crossing and explained to him (Snowden) Wilbarger Creek Drive was a private drive and work on this road could not be completed by Bastrop County. Snowden stated he was informed that the residents along the road have been requesting help from the county for years, but since the road was a private road no help could be given.

2.16 Snowden stated after the floods in 2015 and 2016 the residents began complaining the low water crossing had been washed out and they were stranded. Snowden stated the residents got the media involved and he and his foreman drove down Wilbarger Creek Drive and met with the residents and explained the road was private and he could not work on the road. Snowden stated later that day Bastrop County Judge Paul Pape went and talked to the residents and told them he would get them help fixing the low water crossing.

2.17 Snowden stated Judge Pape brought it before the commissioner’s court to approve funds to fix the crossing and three commissioners voted no and the order did not pass. Snowden stated Judge Pape was upset and went to Commissioner Willie Pena and convinced Commissioner Pena to change his vote and the order then passed to expend funds to fix the low water crossing on Wilbarger Creek Drive. Snowden stated he planned on resurfacing the road from the start and Judge Pape knew the road was going to be re-surfaced.

2.18 Snowden stated he received free millings from TX DOT and used some of these millings on the low water crossing. Snowden stated the road down to the crossing was in such bad condition he could not get equipment down the road, so he brought millings to Wilbarger Creek Drive and re-surfaced the road. Snowden stated he received no benefit from this and did not want to do it, but had to put the millings down to get equipment in.

2.19 Snowden stated he felt Bastrop County Auditor Lisa Smith was on a witch hunt and stated Smith did not like him and stated Smith has accused him of other misconduct that was not true.
2.20 Snowden stated it was his decision to put the millings on the road due to the large washed out hole in the road. Snowden did state the re-surface was done after the low water crossing re-build was completed. Snowden stated he had emails that he wanted to provide to me regarding communications between himself and the residents on Wilbarger Creek Drive.

2.21 Snowden stated he wasn’t sure how many loads of millings were put down on Wilbarger Creek Drive and stated the belly dumps hauled on it and they carry approximately 22 yards at a time. For complete details see the interview with Snowden.

2.22 On Friday, 11/18/2016, I was contacted by Commissioner Snowden advising he had the emails ready that he wanted to provide me. On this same date, I met with Commissioner Snowden and he provided me with the emails. I noted he also included photographs of Wilbarger Creek Drive and the low water crossing after the work had been completed. I noted one of the photographs depicted a new barbed wire fence along Wilbarger Creek Drive and “new fence” was written on the photograph.

2.23 Included with the emails and photographs was a document with seven issues to include Precinct #2 Commissioner Clara Beckett hauling gravel to the low water crossing before any work was done and not getting approval and numerous points showing Commissioner Snowden did not want to do the work on Wilbarger Creek Drive and implicated Judge Pape as the driving force for getting the work done.

2.24 I reviewed the emails provided by Snowden and noted an email dated 05/29/2016 to [REDACTED] saying “I have more plans than just fixing the low water crossing. I have other plans to improve the situation. This is in addition and not part of the low water crossing.” This indicates to me Snowden likely had already planned on re-surfacing Wilbarger Creek Drive as he indicated in his interview on 11/15/2016.
2.25 I also noted in an email to resident [illegible] on 04/20/2016; Snowden promises to bring a maintainer down and grade Wilbarger Creek Drive. For complete details see the emails provided by Commissioner Snowden.

2.26 On Monday 11/21/2016, at approximately 10:20 AM, I received a telephone call from Bastrop County Precinct #3 Commissioner John Klaus; Commissioner Klaus advised Squirrel Run off SH 21 was a private road and was re-surfaced by Precinct #2 Commissioner Clara Beckett. Klaus also stated he was not in Commissioner’s Court when the order was voted on to approve funds be expended to re-build the low water crossing at Wilbarger Creek Drive and had no information on the order.

2.27 I reviewed the order and noted the re-surface of Squirrel Run Road was approved in the order dated 05/29/2015 and specifically stated road base was to be spread the full length of the private roadway.

2.28 On Monday 12/05/2016, at approximately 12:55 PM, I conducted an audio recorded interview with Bastrop County Precinct #4 Road and Bridge Employee Roy Williams, BM, DOB: [illegible].

2.29 I questioned Williams about the Wilbarger Creek Drive re-surface project and Williams stated the project was done in June or July of 2016. Williams stated he worked on the project for approximately seven (7) days operating the water truck, oil truck, and the roller some. Williams stated he worked on the project the last seven days and stated the project took two (2) weeks to a month to complete. Williams stated when he began working on the project the low water crossing was already complete.

2.30 Williams stated Gus ran the maintainer on the project, Jerry Taylor and Thomas Chandler drove the belly dump trucks, and he (Williams) and Gilbert Briones drove the water truck and roller. Williams stated the same truck was used to put water and oil down.
Williams stated he remembered Lee Vasquez driving one of the belly dumps toward the end of the project.

2.31 I questioned Williams if he has ever done any other work on private property and Williams stated he bladed Moon Break Road after the Wilbarger Creek Drive project was completed.

2.32 On this same date, at approximately 1:05 PM, I conducted an audio recorded interview with Bastrop County Precinct #4 Road and Bridge employee Jerry Taylor, BM, DOB: ______________.

2.33 Taylor stated the Wilbarger Creek Drive re-surface project was done in July of 2016. Taylor stated he drove one of the belly dumps and further stated millings were taken down to fix the road to get down to the low water crossing. Taylor stated after the low water crossing was re-built then Wilbarger Creek Drive was completely re-surfaced.

2.34 I questioned Taylor about doing any other work on private property and Taylor stated he hauled millings to Big Wrench in trade for mechanic work. Taylor stated this was done a couple of months ago. Taylor stated Myles Milburn and Commissioner Snowden instructed him to haul the millings to Big Wrench.

2.35 Taylor also stated he hauled six to seven loads of limestone base to Moon Break Road on a Friday. Taylor stated the road was graded and he ran the roller after hauling the road base in. For complete details see the interview with Taylor.

2.36 On this same date, at approximately 1:20 PM, I conducted an audio recorded interview with Bastrop County Precinct #4 Road and Bridge employee Thomas Chandler, BM, DOB: ______________.
2.37 Chandler stated he drove one of the belly dumps during the re-surface project of Wilbarger Creek Drive. Chandler stated he believes the project was done in July of 2016. Chandler stated the project occurred after the low water crossing was complete. Chandler stated he did haul some millings before the project to the low water crossing, so residents could get across the creek. Chandler stated the road was in poor condition and the first millings were brought in with dump trucks, because the road was too bad for the belly dumps to get down. For complete details see the interview with Chandler.

2.38 On this same date, at approximately 1:33 PM, I conducted an audio recorded interview with Bastrop County Precinct #4 Road and Bridge employee Lee Vasquez, WM, DOB: ____________.

2.39 Vasquez stated the Wilbarger Creek re-surface project was done in July of 2016 and lasted approximately one (1) month. Vasquez stated he drove a dump truck, belly dump, the water truck, and the roller during this project. Vasquez stated the project started as the contractors were working on the low water crossing and once the crossing was finished they continued putting millings down past the low water crossing. Vasquez stated he remembered the cement trucks coming down the road to the low water crossing as they were putting the millings down on the road. Vasquez stated he worked on the project from start to finish.

2.40 I questioned Vasquez if he had done other work on private property and Vasquez stated he picked up a roller from Moon Break Road on a Monday after millings were put down on the previous Friday. Vasquez stated the work on Moon Break Road was done after the Wilbarger Creek Drive project.

2.41 When questioned, Vasquez also stated he was told Jerry Taylor hauled about 20 loads of millings to Big Wrench to pay off a bill Bastrop County owed Big Wrench.

2.42 Vasquez also stated Fenske Trucking and 4G Sumner Trucking
may have hauled material to other places he does not know about and stated he has seen 4G Trucking at the millings pile at US 290 and SH 95. Vasquez stated he saw Fenske drop a load of rock at the Precinct #4 barn and Vasquez stated this rock was loaded onto a Bastrop County dump truck and delivered to Commissioner Snowden’s house to be used on his septic system. Vasquez stated John Cordova loaded the rock and Johnnie Reese hauled the rock to Snowden’s house.

2.43 Vasquez stated he also took a county vehicle to Snowden’s house to take a flat tire off Snowden’s antique car and took the tire to Jay’s Automotive in Elgin. Vasquez stated Gilbert Briones went with him. For complete details see the interview with Vasquez.

2.44 On this same date, at approximately 1:55 PM, I conducted an audio recorded interview with Bastrop County Precinct #4 Road and Bridge employee Juan “Gilbert” Briones, WM, DOB: [redacted].

2.45 Briones advised he worked on the Wilbarger Creek Drive re-surface project in June of 2016 and then went into the hospital on 07/04/2016 and did not work on the project after going into the hospital. Briones stated he hauled millings in the first two (2) days of the project and then the belly dumps began hauling the millings in. Briones stated after the first two (2) days he operated the water truck and the roller. Briones stated this project started about the same time the cement trucks began delivering concrete to the low water crossing project.

2.46 I questioned Briones if he has ever done any other work on private property and Briones stated when Commissioner Snowden first came into office, he and Gus delivered a water pump to Snowden’s house for Snowden to pump his swimming pool.

2.47 Briones stated he and Lee Vasquez went to Snowden’s residence and took a flat tire off an antique car and took the tire to Jay’s Automotive to be fixed. Briones advised he believed Snowden paid to have the tire fixed.
2.48 Briones also stated he went to Snowden’s house and took a piston off Snowden’s John Deere tractor approximately three (3) months ago. Briones stated he drove the piston to Coufal-Prater John Deere in Taylor in a Bastrop County vehicle. Briones stated he dropped off the piston to be repaired.

2.49 On this same date, at approximately 2:12 PM, I conducted an additional audio recorded interview with Myles Milburn.

2.50 I questioned Milburn about any other work done on private property and Milburn stated Commissioner Snowden helped the residents on Moon Break Road and Milburn stated millings were put down and bladed out after the Wilbarger Creek Drive project.

2.51 I questioned Milburn about the millings hauled to Big Wrench and Milburn stated Commissioner Snowden traded Big Wrench millings in exchange for mechanic work approximately three (3) to four (4) weeks ago. Milburn stated the mechanic work was done before the millings were hauled.

2.52 Milburn stated Commissioner Snowden doesn’t know how to tell people no and frequently takes material to driveways and stated it has gotten so bad he (Milburn) has had to tell the Precinct #4 employees to stop because there too busy. For complete details see the interview with Milburn.

2.53 On this same date, at approximately 2:32 PM, I conducted an audio recorded interview with Bastrop County Precinct #4 Road and Bridge employee John Cordova, WM, DOB:______________.

2.54 Cordova advised he did not work on the Wilbarger Creek Drive project. I questioned Cordova about any work he has done on private property and Cordova stated he hauled some road base to a

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driveway at a house across the street from Commissioner Snowden’s house. Cordova stated he hauled an 8 yard load of limestone base and then hauled three 8 yard loads of millings to a neighbor that lives before Commissioner Snowden’s house.

2.55 Cordova also advised he and Juan Briones took a piston off Commissioner Snowden’s tractor and Juan took the piston in a county vehicle to Coufal-Prater John Deere in Taylor. Cordova stated he and Juan put the piston back on the tractor.

2.56 Cordova also stated he took a county backhoe over to Commissioner Snowden’s house to pull the same John Deere tractor out of the mud. Cordova stated Michael Flores was also with him when they pulled out the tractor.

2.57 Cordova stated he has also on numerous occasions taken a county pickup and trailer to Snowden’s house to pick up Snowden’s riding lawn mower and brought it to the Bastrop County Precinct #4 shop where he and Johnnie Reese have worked on the lawn mower on several occasions.

2.58 Cordova also stated he took a county pickup and trailer to Coufal Prater John Deere in Taylor and picked up a John Deere Gator that Coufal-Prater loaned to Snowden for a high school reunion. Cordova stated he brought the John Deere Gator to the county barn and filled it with gas and delivered it to Snowden’s house and picked it up the following day and took it back to Coufal-Prater.

2.59 Cordova also advised David Fenske Trucking delivered a load of rock to the county barn and he re-loaded it into an 8 yard truck and Johnnie Reese delivered the rock to Snowden’s house for Snowden to use on a septic system repair.

2.60 Cordova also stated his cousin Gus Navejas has also built pipe gates and swing sets for Snowden. Cordova further stated a
previous employee named Daniel had also worked on Snowden's tractor. For complete details see the interview with John Cordova.

2.61 On this same date, at approximately 2:47 PM, I conducted an audio recorded interview with Bastrop County Precinct #4 Road and Bridge employee Johnnie Reese, BM, DOB: [REDACTED].

2.62 Reese stated he did not work on the Wilbarger Creek Drive Project. I questioned Reese about doing any work on private property and Reese stated he has not. I questioned Reese about hauling rock to Snowden's house and Reese stated he did. Reese stated John Cordova loaded the rock on an 8 yard dump truck and he (Reese) hauled the rock to Snowden's house and dumped it by his barn.

2.63 Reese also stated he had put blades on a zero turn John Deere lawn mower that did not belong to Bastrop County. Reese stated he did not know who the mower belonged to, but was instructed to put the blades on by Snowden. Reese stated this work was done a couple of months ago. For complete details see the interview with Reese.

2.64 On this same date, at approximately 2:57 PM, I conducted an audio recorded interview with Bastrop County Precinct #4 Road and Bridge employee Ronald "Ronnie" Roberts, WM, DOB: [REDACTED].

2.65 Roberts advised he worked on the Wilbarger Creek Drive project only a couple days and could not remember a lot about the project. Roberts was questioned about working on private property and Roberts stated he borrowed a backhoe from his ex-boss and went to Snowden's house on his day off and extended Snowden's septic system. Roberts stated he did this work last summer.

2.66 On this same date, at approximately 3:05 PM, I conducted an audio recorded interview with Bastrop County Road and Bridge employee Alfonso Vasquez, WM, DOB: [REDACTED]. Bastrop County Precinct

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#4 employee Michael Flores translated this interview since Vasquez could not speak English. Vasquez advised he did not work on the Wilbarger Creek Drive project and had no information of any work done on private property.

2.67 On this same date, at approximately 3:10 PM, I conducted an audio recorded interview with Bastrop County Precinct #4 Road and Bridge employee Michael Flores, WM, DOB: [redacted].

2.68 Flores stated he did not work on the Wilbarger Creek Drive project. I questioned Flores about doing work on private property and Flores stated he has gone to Snowden’s house with John Cordova in a county pickup and trailer and hauled Snowden’s John Deere zero turn lawn mower and hauled it to the shop to be worked on. Flores thought this was in March or April of 2016.

2.69 Flores also stated he took a county pickup to Snowden’s house to pull Snowden’s tractor out of the mud, but the pickup could not pull it out. Flores was not sure if anybody went back to Snowden’s house with a backhoe to pull the tractor out again around early to mid-2016. For complete details see the interview with Flores.

2.70 On this same date, at approximately 3:15 PM, I conducted an audio recorded interview with Bastrop County Precinct #4 Road and Bridge employee Pedro Navejas, WM, DOB: [redacted].

2.71 Navejas advised he has not worked on private property, but has heard of the other employees talking about doing work on private property. For complete details see the interview of Navejas.

2.72 On this same date, I contacted Bastrop County Auditor Lisa Smith and requested Smith provide me with copies of invoices from Coufal-Prater John Deere, Jay’s Automotive, David Fenske Trucking, and We Rent It.
2.73 On this same date, at approximately 3:45 PM, I traveled to Big Wrench located at 134 FM 696 in Elgin and conducted an audio recorded interview with owner David Baueries, WM, DOB: 


2.74 As I entered the property, I noted asphalt millings were on the driveway, a parking area to the left of the driveway before the shop, and a parking area to the right of the shop.

2.75 I questioned Baueries as to how he obtained the asphalt millings and Baueries advised he traded Bastrop County Commissioner Bubba Snowden two (2) oil changes. Baueries provided me with two (2) invoices where the two (2) 2012 Freightliner Coronado's that pull the belly dumps had the oil changed, oil filter replaced, fuel filters replaced, and the air filter replaced. I noted one invoice was invoice number 3081 dated 05/18/2016 and listed truck number 8236 and [redacted] License Plate [redacted] for a total of $1,120.15. I noted the second invoice was invoice number 3083 dated 05/19/2016 and listed truck number 3296 with [redacted] License Plate [redacted] for a total of $1,273.47. I noted the total work done was valued at $2,393.62.

2.76 I questioned Baueries as to how much millings were received by him and Baueries advised he received 11 belly dump loads. I noted the belly dumps carry approximately 22 yards and based on the value of the millings of $23.97 per yard, estimated by Commissioner Snowden, the millings had a value of $5,800.74, not to include the cost of fuel to run the truck and the cost of the driver to operate the truck.

2.77 Baueries stated he went to Commissioner Snowden to get the asphalt millings and Commissioner Snowden stated he could trade the millings out, but could not sale them. Baueries stated the millings were hauled in by Bastrop County approximately one (1) month ago. Baueries advised the work was done before the millings were hauled because he needed to clear his yard to make room for the millings. For complete details see the interview with Baueries.
2.78 I obtained the video recording of the millings put down at Big Wrench.

2.79 On this same date, at approximately 4:10 PM, I made contact with Catherine Trullender, WF, DOB: [redacted] at Coufal-Prater John Deere and requested Trullender provide me a copy of all invoices for Bastrop County Precinct #4 for calendar year 2016. I received these invoices this same date from Trullender.

2.80 I reviewed the invoices and noted on 09/29/2016 a cylinder repair on a 400X front end loader was charged to Bastrop County Precinct #4 for a total of $769.06. I noted a 400X front end loader is a front end loader that attaches to a smaller compact size tractor and this invoice is likely the repair of the piston Cordova and Briones mentioned in their interviews. It appears the piston was actually a hydraulic cylinder.

2.81 On Wednesday, 12/07/2016, I received the requested invoices from Lisa Smith regarding Coufal-Prater, Big Wrench, Jay’s Automotive, We Rent It, David Fenske Trucking, and Paige Tractors.

2.82 I reviewed the invoices for Coufal-Prater and noted the invoice dated 09/29/2016 for the cylinder repair on the 400X loader had not been billed to Bastrop County.

2.83 I reviewed the invoices for David Fenske and noted on 06/03/2016, David Fenske delivered a truck and trailer load of white ballast #4 rock to the Bastrop County Precinct #4 Barn. I also noted an invoice dated 08/10/2015 for a load of sandy loam that was delivered to Pleasant Grove Road (same road Commissioner Snowden lives on) for a washout.

2.84 On Thursday, 12/08/2016, I went to the Bastrop County Precinct #4
Barn and met with Gus Navejas and obtained an inventory of the chainsaws, weed eaters, and lawn mowers owned by Bastrop County Precinct #4. I also questioned Gus if Bastrop County Precinct #4 owned any tractors with a 400X front end loader and Gus advised Bastrop County Precinct #4 did not, but stated Commissioner Snowden did have a tractor with a front end loader.

2.85 On Sunday, 12/11/2016, John Cordova provided me with a photograph of a Coufal-Prater invoice #P83580 dated 07/22/2015 totaling $411.21 charged to Bastrop County Precinct #4. On Monday, 12/12/2016, I talked to Cordova via telephone and Cordova stated these were parts bought for Snowden’s tractor and put on by a former employee named Daniel. I also questioned Cordova as to the part he and Briones changed on Snowden’s tractor was a piston or a hydraulic cylinder and Cordova stated it was a hydraulic cylinder.

2.86 Cordova stated it was the hydraulic cylinder on the right side of the front end loader if you were sitting on the tractor and stated it was the hydraulic cylinder on the arm closest to the radiator of the tractor. Cordova stated the tractor sits behind a barn on top of a hill.

2.87 I checked the Coufal-Prater invoices provided to me by Lisa Smith and found an invoice dated 09/21/2015 where the $411.21 had been credited back to Bastrop County.

2.88 On Monday, 12/19/2016, I drove by Commissioner Snowden’s residence located at 391 Pleasant Grove Road in Elgin and observed a John Deere tractor with a front end loader behind a barn. I also observed a John Deere zero turn lawn mower and an antique car behind his residence.

2.89 On Wednesday, 12/28/2016, I contacted Catherine Trullender, with Coufal-Prater John Deere, back and Trullender advised she found an additional invoice dated 10/04/2016 showing the $769.06 had been credited back to Bastrop County and the $769.06 was charged to Commissioner Snowden’s personal charge account.
2.90 On this same date, I learned through Bastrop County Human Resources the previous Bastrop County Precinct #4 employee Daniel was identified as Daniel Noska, WM, DOB: [redacted].

2.91 On this same date, I made contact with Noska and set up an interview with Noska for the following date.

2.92 On this same date, at approximately 2:20 PM, I conducted an audio recorded phone call to William “Ed” Sumner, WM, DOB: [redacted]. I advised Sumner that I had obtained information that he (Sumner) had hauled asphalt millings from the Bastrop County piles and Sumner stated he did one (1) time for Randy Woolery.

2.93 Sumner stated he was told by Woolery that Woolery had traded Commissioner Snowden some fence work for some Millings. Sumner stated Woolery paid him (Sumner) for the hauling. Sumner stated he hauled approximately five (5) loads and picked up two (2) loads at the county barn and picked up approximately two (2) to three (3) 12 yard loads at a pile on SH 95N.

2.94 Sumner stated he hauled the millings to Woolery’s house on FM 1704 on the right side just before Monkey Road. Sumner stated he hauled the millings to Woolery sometime in September of 2016.

2.95 On this same date, at approximately 3:05 PM, I spoke to Renee Fenske via telephone to see where the load of sandy loam was dumped at on Pleasant Grove Road. Fenske advised the load was dumped in the ditch at a house past Commissioner Snowden’s residence in a washed out area.

2.96 On Thursday, 12/29/2016, I traveled to 1536 FM 1704 in Elgin, the residence of Shane Woolery. I noted asphalt millings were on the driveway and I obtained photographs of these asphalt millings. I
attempted to make contact with Woolery, but was unable to do so.

2.97 On this same date, at approximately 12:35 PM, I conducted an audio and video recorded interview with Daniel Noska.

2.98 Noska stated he quit employment with Bastrop County Precinct #4 in December of 2015. I questioned Noska if he ever worked on Commissioner Snowden's personal equipment and Noska advised he worked on Commissioner Snowden's equipment at both the Bastrop County Precinct #4 shop and at Commissioner Snowden's house.

2.99 Noska stated he worked on Snowden's John Deere zero turn lawn mower, doing a lot of maintenance work to include changing the oil and blades. Noska stated he picked it up from Snowden's house and took it to the shop, did the work, and then hauled the mower back to Snowden's house.

2.100 Noska also stated he worked on Snowden's John Deere Tractor with a front end loader and shredder. Noska stated Snowden brought it to the shop and he worked on it there and a couple of times at Snowden's house. Noska stated he did go to Coufal-Prater and pick up parts for Snowden's tractor. Noska stated he picked up a stabilizer arm for the shredder. I asked Noska if he was referring to the invoice dated 07/22/2015 and Noska stated this was the correct invoice. I then advised Noska the items listed on the invoice and Noska stated all the items were for Snowden's tractor and that he put the items on and serviced the tractor by changing the oil and filters. Noska stated he drove to Taylor in a Bastrop County vehicle to pick up the parts. For complete details see the interview of Noska.

2.101 On this same date, I drove to the Bastrop County Precinct #4 Barn to conduct a follow-up interview with Gus Navejas. Upon my arrival, I was met by Commissioner Snowden and Snowden stated he had heard I was told about gravel being on his property. Snowden stated the gravel was supposed to have been loaded onto a flatbed
to go down the road to a washout, but was loaded into a dump truck and
dumped on his property by accident.

2.102 Snowden also stated his employees have worked on his John
Deere mower, but stated he has used his lawn mower at the
Bastrop County Animal Shelter.

2.103 At approximately 1:45 PM, I conducted an audio recorded follow-up
interview with Gus Navejas. I questioned Navejas if he knew of any
other work done on private roads or private property. Navejas
stated they put down asphalt millings on Moon Break Road just after
the Wilbarger Creek Drive project. Navejas stated this was not the
first time work has been done on this road. Navejas stated when
Commissioner Dildy was in office they would go down and blade the
road to help the residents out.

2.104 When questioned, Navejas stated he welded a swing set and gates
out of pipe from the Bastrop County Precinct #4 barn and took them
to Commissioner Snowden’s residence. Navejas stated most of the
work was done after hours or during lunch, but stated the county
welding machine was used. Navejas also stated Commissioner
Snowden paid him for making and hanging the gates. Navejas
stated he remembered someone telling him he could not do that,
and remembered telling them he was doing it on his lunch break.

2.105 On Tuesday, 01/03/2017, at approximately 12:15 PM, I conducted
an audio recorded interview with Shane Woolery, WM, DOB:
[redacted] and with Shane’s father, Randy Woolery, WM, DOB:
[redacted].

2.106 I questioned Shane and Randy about the asphalt millings on
Shane’s driveway at 1536 FM 1704 in Elgin. Randy stated he ran
into Ed Sumner at the coffee shop and asked about getting some
millings for Shane’s driveway and Sumner advised Bastrop County
had a pile of millings. Randy stated at the time he and Shane were
doing some fence work for Bastrop County, so he talked to
Commissioner Snowden about getting some millings.
2.107 Shane stated they had fixed a gate at the animal shelter and decided not to invoice Bastrop County for the gate repair since Commissioner Snowden gave them the millings. Randy advised the animal shelter called about the gate needing repair, so they just fixed it since Commissioner Snowden gave them the millings. Randy advised Sumner hauled about four (4) loads and charged them $360.00 to haul the millings. Shane provided me with a copy of the check he paid Sumner for hauling the millings. I noted the check was dated 09/02/2016. For complete details see the interview with Randy and Shane Woolery.

2.108 On Wednesday, 01/04/2017, at approximately 12:50 PM, I conducted an audio recorded interview with Commissioner Gary Snowden in the presence of his attorney Neal Pfeiffer.

2.109 I questioned Snowden about the work done on Moon Break Road and Snowden advised he knew there would be issues with him working on the road, but stated he wanted to help the residents with fixing the road and stated he put asphalt millings on the road to help the seven (7) to eight (8) families that live down Moon Break Road.

2.110 I questioned Snowden about the gravel taken to his residence and Snowden stated he asked Milburn to fill in a culvert with rock down the road at a neighbor’s house two doors down that had washed out. Snowden stated he did not have any rock at the yard so he ordered a load of white sewer rock from Texas Crushed Stone and this rock was delivered by Fenske Trucking to the yard. Snowden stated he asked Milburn to put the rock down at the neighbor’s house and it didn’t get done due to Snowden getting sick.

2.111 Snowden stated he had the rock brought to his house and he was going to use his tractor to haul it down to the neighbors. Snowden stated he only wanted one small truck load, but his employees brought a whole truck load. Snowden stated the rock is still at his house and he still plans to put the rock down at his neighbors. Snowden stated the rock was brought out approximately one (1) month ago. Snowden stated Fenske delivered the rock prior to this
and the rock has been sitting at the precinct #4 barn.

2.112 I questioned Snowden about having septic system work done at his house and he stated he had some septic work done approximately 10 to 12 months ago by Tony LNU and stated Tony replaced about 20 feet of septic line.

2.113 I questioned Snowden about work being done to his John Deere lawn mower and Snowden stated he drove the lawn mower to the Precinct #4 barn to change the blades and stated John Cordova was there, so John Cordova and Johnnie Reese put the blades on. Snowden then stated he has used his lawn mower at the animal shelter. I advised Snowden I had received information the lawn mower was picked up with a Bastrop County pickup and trailer and Snowden stated that did happen one (1) time. Snowden stated again he spent a whole week at the animal shelter with his lawn mower. Snowden stated his lawn mower is a John Deere zero turn. Snowden stated he thinks the Bastrop County employees have put blades on the lawn mower approximately two (2) times. Snowden advised he paid for the blades and bought them from Coufal-Prater.

2.114 I questioned Snowden about the hydraulic cylinder that was replaced on his tractor and Snowden stated the cost of the cylinder was billed to Bastrop County Precinct #4, but he called Coufal-Prater and had them credit the charge back to Bastrop County and re-bill it to him. When questioned, Snowden stated John Cordova and Gilbert Briones put it on after 5:00 and it took them 10 minutes to put it on. Snowden stated maybe he should not have had them working out there, but he did and stated he was guilty of that. Snowden stated he paid Cordova $35.00 to take it off.

2.115 Snowden stated Gilbert Briones took the cylinder to Coufal-Prater and got a new one and then Cordova and Briones put the cylinder back on. When questioned, Snowden stated he did not remember if Briones used a Bastrop County vehicle to take the cylinder to Coufal-Prater. Snowden stated he had used his tractor to remove a tree off Pleasant Grove Road and has removed two (2) dead hogs off county roads.
2.116 I questioned Snowden about the repairs to his shredder and tractor by Daniel Noska and Snowden stated Noska re-leveled his shedder deck and changed the oil in the tractor. Snowden stated Noska was paid $50.00 and was not supposed to work on the tractor during work hours and stated Noska did the work on his (Noska's) lunch break.

2.117 I questioned Snowden about the pipe swing sets and pipe gates on his property and Snowden stated the swing set was made by Gus Navejas with scrap pipe at the Precinct #4 barn. Snowden stated the gates were built by Gus with some old pipe he (Snowden) had on his property and paid Gus $150.00 to $175.00.

2.118 I questioned Snowden about what does he do with the scrap pipe at the Precinct #4 barn and questioned him if he recycles the pipe and Snowden stated once they get a large enough pile of pipe he sells it to the scrap yard and turns the check into the Bastrop County Treasurer's Office.

2.119 I questioned Snowden about the asphalt millings that were delivered to Big Wrench and Snowden stated he traded out the millings for them to fix two Bastrop County trucks. Snowden stated he thought 10 belly dump loads were taken to Big Wrench. Snowden stated he probably should have had Big Wrench sign a contract or put the agreement in writing. Snowden stated Big Wrench did about $2,000.00 worth of work in trade for the millings. Snowden stated the belly dumps haul approximately 22 yards of material.

2.120 Snowden stated this was probably not the way things should have been done, but stated he needed to get rid of the millings and thought it was a good deal for Bastrop County. Snowden stated he caught the City of Manor taking the millings and told them they were stealing and could not take the millings.

2.121 I questioned Snowden about the millings given to Shane Woolery
and Snowden stated he gave Shane one (1) load for fixing a gate at the animal shelter. Snowden stated he later found out Shane got several more loads when he caught Sumner loading the millings. Snowden stated he routinely gives people a load of millings when their driveways washout.

2.122 I questioned Snowden about a flat tire being taken off an antique car and Snowden stated he did have a flat on his Model A antique car about three (3) years ago.

2.123 I questioned Snowden about his tractor getting stuck and Snowden stated it did and a Bastrop County pick-up was brought out and pulled the tractor out. Snowden stated he should not have done that, but needed to get the tractor out.

2.124 I questioned Snowden about a Bastrop County pickup and trailer being taken to Coufal-Prater to pick up a John Deere Gator for a high school reunion and Snowden stated he did not know a county vehicle was used to pick it up. Snowden stated he didn’t think he was home when they brought it out to his house.

2.125 Snowden continued to state he has paid a lot of money out of his pocket for county things and has used his equipment for county use. I requested to travel to Snowden’s residence and photograph his equipment on his property. Commissioner Snowden agreed to allow me to take photographs of his equipment. For complete details see the interview with Commissioner Snowden.

2.126 On this same date, at approximately 2:40 PM, I traveled to 391 Pleasant Grove Road and Commissioner Snowden signed a Consent to Search Form allowing me to search his property. I obtained photographs of his John Deere 4320 tractor with a 400X front end loader. I noted a John Deere MX6 shredder was attached to the rear of the tractor.
2.127 I also photographed two (2) pipe gates, his John Deere Z930M zero turn lawn mower with a 7iron 54” deck, and an antique Model A car. I noted a swing set was also behind the residence that is visible in one of the photographs taken.

2.128 Snowden drove me toward the back of his pasture and showed me the white sewer rock. I noted the rock was approximately 250 yards east of the barn in a pasture and was not directly behind the barn. I obtained photographs of the rock.

2.129 On this same date, I traveled to the Bastrop County Animal Shelter and photographed a John Deere 300X riding lawn mower.

2.130 I contacted John Cordova via telephone and questioned Cordova about where the rock was dumped on Snowden’s property. Cordova stated he thought the rock was dumped directly behind Snowden’s barn. I further questioned Cordova about who did the septic work for Snowden and John stated he thought it was a guy named Curtis.

2.131 I also questioned Cordova about picking up the John Deere Gator from Coufal-Prater and whether Snowden was at his residence when it was dropped off and Cordova stated Snowden was at his residence and stated when they unloaded the Gator he took what he believed to be Snowden’s grandchildren for a ride. Cordova stated he was instructed to go pick it up and fill it with gas and drop it off at Snowden’s residence and stated Snowden knew a Bastrop County pickup and trailer were used to haul the John Deere Gator.

2.132 Cordova also stated Snowden had brought two (2) weed eaters back to the shop this same morning. Cordova provided me a photograph of these two (2) weed eaters.
2.133 Cordova also provided me a photograph of a Bastrop County flatbed truck pulling a trailer with Snowden’s John Deere zero turn lawn mower loaded onto the trailer. Cordova provided me with three (3) photographs of Snowden’s tractor stuck in the mud and a Bastrop County Backhoe pulling out the tractor and a Bastrop County flatbed pickup can be seen in the back ground in one (1) of the photographs.

2.134 Cordova further provided me with a photograph of Johnnie Reese working on Snowden’s John Deere zero turn mower at the Bastrop County Precinct #4 shop. Cordova also stated he had videos of him loading the rock onto a dump truck to go to Snowden’s residence, but stated he would have to find a way to get the videos to me.

2.135 On 01/05/2017, I obtained a list of on-site sewage facility installers and noted no installers by the name of Curtis or Tony were listed as licensed installers for Bastrop County. I contacted Bastrop county Auditor Lisa Smith to see if any bills had been paid to anyone named Curtis or Tony. Smith advised Curtis Oltmann has done backhoe work for Bastrop County.

2.136 On this same date, at approximately 9:50 AM, I conducted a recorded telephone call to Curtis Oltmann, WM, DOB: [redacted], and questioned Oltmann if he had ever done any septic system repairs on Commissioner Snowden’s septic system and Oltmann advised he had not and stated he is not licensed to do work on septic systems. Oltmann did state he removed some trees off Snowden’s property and stated he was paid by Commissioner Snowden.

2.137 Shortly after calling Oltmann, I received a telephone call from Snowden’s attorney Neal Pfeiffer inquiring as to why I had contacted Curtis Oltmann. I explained to Pfeiffer it was to see if Oltmann did the septic system repairs at Snowden’s property. Pfeiffer advised I should speak to Bastrop County employee Ronnie Roberts.

2.138 On Monday, 01/09/2017, at approximately 8:55 AM, I conducted a
recorded telephone call to Ronnie Roberts, WM, DOB: [redacted]. I questioned Roberts about the septic system work done on Snowden’s property. Roberts stated he did not know where the rock came from and stated he only dug the trenches and doesn’t know who actually completed the work. Roberts stated the trenches he dug were in front of the house to the right of the driveway. Roberts stated he believes he dug the trenches in November of 2015.

2.139 On this same date, I requested John Cordova to contact me regarding the septic system work. I later received a call from Cordova and Cordova stated the gravel was hauled to Snowden’s property on 08/11/2016 and stated Snowden’s septic system had been repaired twice. Cordova stated the first repair was not done properly and stated a second repair was made around the time they hauled the gravel to Snowden’s property, but did not know who made the repairs. Cordova stated he knew the second repair had been done because Ronnie Roberts told Snowden how to repair the septic system the first time and Snowden did not do it that way, so it had to be repaired again.

2.140 On this same date, I contacted Leslie Crosby with the Bastrop County Environmental and Sanitation Department to see if a septic system permit had been obtained at 391 Pleasant Grove Road to assist me with identifying who completed the septic work at that address. Crosby advised no septic permit has been issued since 1976 when the original septic system permit was issued.

2.141 On Tuesday, 01/10/2017, at approximately 10:30 AM, I conducted a recorded telephone call to Johnnie Reese to obtain additional information about the rock being hauled to Snowden’s residence. Reese advised he was instructed to haul the rock to Snowden’s residence by Myles Milburn. Reese stated the rock he hauled was white rock and he hauled the entire pile at the barn and stated he hauled approximately 12 yards in an 8 yard dump truck and had to make two (2) trips. Cordova stated he dumped the rock directly behind Snowden’s barn.

2.142 I questioned Reese as to how long the rock had been at the yard before he hauled it off and Reese stated it was there approximately

DPS SENSITIVE
a month before he hauled it over to Snowden's house. I questioned Reese about being told to load the rock on a flatbed truck and Reese stated he was told to use the F-550, but Reese stated it would have taken all day to haul all the rock in the F-550, so he used the 8 yard dump truck. I questioned Reese about where he was instructed to dump the rock and Reese stated he was told to dump the rock behind the barn and was not instructed to take it to any washout area.

2.143 On Wednesday, 01/11/2017, at approximately 1:20 PM, I conducted an audio recorded interview with Thomas Owens, WM, DOB: [redacted]. Owens is the neighbor of Commissioner Snowden located at 417 Pleasant Grove Road. This interview was conducted to follow-up on information provided by Snowden that the rock hauled to his house was for a washout area for a neighbor two (2) doors down from Snowden.

2.144 I questioned Owens about any rock being hauled to his residence or any rock that was supposed to be hauled to his residence by Bastrop County Precinct #4. Owens stated no rock was supposed to be hauled to his residence. Owens did state he talked to Snowden last spring about the washout area in the ditch and Snowden told Owens that he might be able to put some large rip rap rock in the washout. Owens stated Snowden never put any rock in the washout or told Owens he was going to put any rock in the ditch.

2.145 Owens stated a long time ago a load of sand was dumped in the ditch and it sat in the ditch for a couple of days. Owens stated he was afraid due to the rain it was going to stop the drainage, so he checked with his neighbor to see who put the dirt there and the neighbor did not know, so Owens stated he hauled the dirt into his yard with his tractor. Owens stated Snowden came down to him and told Owens the load of dirt was dumped in the wrong spot by Fenske Trucking and should have been dumped at his (Snowden's) residence. For complete details see the interview with Owens.

2.146 On this same date, at approximately 2:00 PM, I conducted an audio recorded interview with Renee Fenske, WM, DOB: [redacted], to see if Fenske delivered a second load of sand to Pleasant Grove.
Road. Fenske checked invoices for the time period the load was hauled to Pleasant Grove Road on 08/10/2015 and could not locate an invoice for a second load under Bastrop County Precinct #4 or Gary Snowden. For complete details see the interview with Renee Fenske.

2.147 On this same date, at approximately 5:40 PM, I conducted an additional audio recorded interview with John Cordova to obtain video recordings he had of him loading the rock that was hauled to Commissioner Snowden's residence and a video of him and Briones replacing the hydraulic cylinder on Snowden's tractor.

2.148 Cordova was unable to email or send me the videos, so I had Cordova play the videos and I made a video recording of the videos Cordova had on his phone. See these videos for complete details.

2.149 I obtained a photograph of the time and date stamp of when the video of the hydraulic cylinder was recorded and noted it was recorded on 09/26/2016 at 3:35 PM. I noted this would have been during Cordova and Briones normal work hours. I noted the invoice from Coufal-Prater is dated 09/29/2016, but shows the work was performed on 09/26/2016 and 09/27/2016.

2.150 I obtained a photograph of the time and date stamp for the video Cordova made of him loading the rock taken to Snowden's house. I noted the video was recorded on 08/11/2016 at 1:52 PM.

2.151 I had Cordova provide me with the time and date stamps for the previous photographs he had sent me on 01/04/2017. The photograph of the weed eaters was taken on 11/01/2016 at 1:42 PM. The photograph of Snowden's John Deere lawn mower loaded on a trailer pulled behind a Bastrop County pickup was taken on 04/28/2016 at 11:38 AM. The three (3) photographs of Snowden's tractor in the mud were taken on 01/28/2016 at 10:50 AM, and the photograph of Johnnie Reese fixing Snowden's John Deere lawn mower at the shop was taken on 05/03/2016 at 7:30 AM.
2.152 I questioned Cordova about the John Deere Gator he picked up for Snowden. Cordova stated Snowden asked Cordova to pick up the John Deere Gator. Cordova stated his personal truck was not running good, so Snowden told Cordova to use a Bastrop County pickup and trailer to get the John Deere Gator. Cordova stated he then took the Gator to the Bastrop County Precinct #4 barn and filled it with gas at the request of Snowden and then dropped it off at Snowden's house and Snowden was at this residence when he dropped off the John Deere Gator.

2.153 Cordova stated he went back to Snowden's residence with a Bastrop County pickup and trailer and loaded the John Deere Gator back up and hauled it back to Coufal-Prater after the high school reunion. Cordova stated Snowden was at his residence when he picked up the John Deere Gator.

2.154 I questioned Cordova about the rock hauled to Snowden's residence and Cordova stated he only loaded one (1) 8 yard dump truck. When questioned, Cordova stated he did not ride with Reese to Snowden's residence when the rock was dumped. I asked Cordova if Snowden was having septic system work done at the time the rock was hauled and Cordova stated everyone knew it was for Snowden's septic system and stated Jerry Taylor was asked to haul the rock first and he refused to haul the rock. For complete details see the interview with Cordova.

2.155 On Friday, 01/13/2017, at approximately 8:25 AM, I conducted an audio recorded interview with Kellie Rice, WF, DOB: [redacted]. Rice is the administrative assistant to Commissioner Snowden.

2.156 I questioned Rice about doing any personal work or errands for Snowden on Bastrop County time and Rice advised she has printed Snowden's rent house leases about four (4) to five (5) months ago.
2.157 I questioned Rice if Snowden told her that he (Snowden) was contacting vendors ahead of me to tell the Ranger what to say and Rice stated Snowden's former assistant Rachael Frost told her Snowden was. For complete details see the interview with Kellie Rice.

2.158 On this same date, at approximately 8:30 AM, I conducted an audio recorded interview with Rachel Frost, WF, DOB: [redacted]. I questioned Frost about her ever doing any personal work or errands for Snowden on Bastrop County time and Frost stated she has done property tax protest research for Snowden's rent houses on county time.

2.159 Frost also stated she photocopied numerous photographs of Snowden's swimming pool with a Bastrop County photocopier and sent the photographs to contractors to fix the swimming pool. Frost stated she has also typed rental property leases for Snowden's rent houses. Frost further stated Snowden had her doing so much of his personal business on county time she finally had to tell him no several times because she did not have time to get her county work done.

2.160 I questioned Frost if Snowden had told her that he (Snowden) was contacting vendors ahead of me and Frost stated Snowden told her he was calling vendors ahead of me and telling them they will be contacted by the Texas Rangers. Frost stated Snowden did not tell her he was telling them what to say and did not know what vendors he had contacted. Frost stated Snowden told her this on 01/04/2017. For complete details see the interview with Rachel Frost.

2.161 On Wednesday, 01/18/2017, at approximately 11:30 AM, I conducted a recorded telephone call to Curtis Oltmann. This telephone call was conducted to follow-up on invoices submitted by Oltmann to Bastrop County for excavator work on the Wilbarger Creek Drive low water crossing project. I reviewed the invoices and noted Oltmann charged Bastrop County $2,250.00 for 15 hours of excavation work at $150.00 per hour under invoice 1116 dated 06/10/2016. I noted Oltmann submitted a second invoice 1117.
dated 06/27/2016 for $12,200.00 for work done on 06/28/2016 and 06/29/2016. I noted that was for two (2) days' work comparable to the previous 15 hours of work, but the amount invoiced was 5 times the amount previously billed.

2.162 I questioned Oltmann if his normal hourly rate was $150.00 per hour and he confirmed it was. I questioned Oltmann about the two (2) invoices and the difference in price for a similar number of hours worked. Oltmann stated his excavator sat at the job site for three (3) weeks to a month. I questioned Oltmann if he continued to charge the Bastrop County for the time his machine sat at the job site, but was not being used and Oltmann stated no he bid the job and began to explain all the work he did on the job. I explained to Oltmann that he billed the county $2,250.00 for 15 hours work and then billed them $12,200.00 for two (2) days' work and explained that 15 hours is comparable to two (2) days' work. Oltmann again stated his excavator sat on the job site for three (3) weeks.

2.163 I again asked Oltmann if the excavator was actually working or was it sitting and Oltmann began to stutter and stated I was confusing him.

2.164 I questioned Oltmann about any personal work he has done for Commissioner Snowden and Oltmann stated again he had just knocked some trees over at Snowden's residence. I questioned Oltmann about how he was paid for the tree work and Oltmann stated that was between him and Snowden. I asked Oltmann if the payment for him knocking the trees down was worked into the invoice for the work he did on Wilbarger Creek Drive and Oltmann stated that was between him and Commissioner Snowden.

2.165 I explained to Oltmann that if he did not tell how he was paid, he could be called before the grand jury to answer the question. Oltmann stated Snowden traded him a pistol for knocking the trees down. For complete details see the interview with Curtis Oltmann.

2.166 On this same date, I met with Kellie Rice and obtained a copy of
nine (9) emails from Commissioner Snowden or his wife Donna Snowden containing attachments of rental house leases for Rice to print for Commissioner Snowden for his rental houses. These emails were dated 08/03/2015 to 11/08/2016. See these emails for complete details.

2.167 I met with Rachel Frost and Frost provided me with an email dated 06/30/2014 where a Jarrett Namken emailed Frost and Donna Snowden about a campaign letter that Frost stated needed to be printed off and photocopied. I noted Frost replied back to Namken the same date telling Namken he would have to go through Commissioner Snowden and Donna and stated she could not use county resources for campaign stuff.

2.168 On Thursday, 01/19/2017, at approximately 7:50 AM, I conducted an audio recorded interview with Charles Stephens, WM, DOB: [REDACTED], regarding asphalt millings he had obtained from Commissioner Snowden.

2.169 Stephens advised he saw Snowden at a store approximately three (3) to four (4) months ago and asked if he could get some asphalt millings from the pile at US 290 and SH 95 and Snowden advised Stephens he could, but Snowden stated Bastrop County could not haul the millings, so Stephens advised he took molasses tubs and filled four (4) molasses tubs with millings and took the millings to his residence.

2.170 On this same date, at approximately 11:30 AM, I conducted an audio recorded interview with Wesley Schroeder, WM, DOB: [REDACTED] regarding asphalt millings he had obtained. Schroeder advised he obtained two (2) dump truck loads from Wheeler paving when Wheeler was milling the asphalt off the road and did not get his from Commissioner Snowden.
S3 3.1 On 12/12/2017, Commissioner Snowden was indicted by a Bastrop County Grand Jury for Abuse of Official Capacity (Cause #16403).

3.2 On 06/29/2018, Commissioner Snowden pled guilty to Abuse of Official Capacity and was fined $2,000.00, ordered to pay Bastrop County $2,500.00 in restitution, and ordered to serve one (1) day in the Bastrop County Jail.

3.3 I retain no evidence and anticipate no further investigation, thus closing this case file.

INVESTIGATION REQUESTED BY
DISTRICT ATTORNEYS OFFICE BASTROP (TX011015A)
804, PECAN
BASTROP, TX
78602
External to DPS Requestor Name: Bryan Goertz

SUSPECTS

S1 Snowden, Gary Lynn - White/Male -
Hair: Brown  Eyes: Brown  Weight: 205 lbs  Height: 5' 09"

SSN:  SID:  DL#:  DL State:
Home:

WITNESSES

DPS SENSITIVE
OFFENSES

S1 MISAPP FIDUC/FINAN PROP >= $30K< $150K 32.45(c)(5) PC F3
Bastrop County, Unincorporated, TX, US
05/01/2016 ( Sunday )
Suspect: Snowden, Gary

S2 ABUSE OF OFFICIAL CAPACITY >= $30K< $150K 39.02(c)(5) PC F3
Bastrop County, Unincorporated, TX, US
01/01/2016 ( Friday )
Suspect: Snowden, Gary

CHARGES

S3 ABUSE OF OFFICIAL CAPACITY 39.02 (a)(1) 39.02a1 MA
Location: Bastrop County, Bastrop, TX, US
Charge 21st District Court Bastrop County
Court:
Date of 01/28/2016 Charges 12/12/2017
Offense: Filed Date:

Cause / 16403 Charge Phil Grant
Complaint #: Judge:

Disposition 06/29/2018 Court: 21st District Court
Date: Bastrop County
Days Sentenced: 1

Death: □ Life: □
Fine: $2,000 Restitution: $2,500

Defendant: Snowden, Gary
Offense: S2 - 23990188 ABUSE OF OFFICIAL CAPACITY >=150K 39.02(c)
(5) F3

PERSONNEL

S1 Brent Barina, Texas Rangers "F"
Texas Dept of Public Safety

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S3 Brent Barina, Texas Rangers "F"
Texas Dept of Public Safety

EVIDENCE

ATTACHMENT NAME(S)

END OF REPORT

DPS SENSITIVE

05/09/2021 16:00