

**REGULAR MEETING OF THE BREWSTER
COUNTY COMMISSIONERS COURT
TUESDAY, JANUARY 26, 2016 AT 1:00 P.M.
ALPINE, TEXAS**

Judge Cano called the meeting to order and the following Elected Officials were present:

Eleazar Cano	County Judge
Luc Novovitch	Commissioner Pct. 1
Hugh Garrett	Commissioner Pct. 2
Ruben Ortega	Commissioner Pct. 3
Mike "Coach" Pallanez	Commissioner Pct. 4
Berta Rios-Martinez	County Clerk
JoAnn Salgado	District Clerk
Steve Houston	County Attorney

1. Invocation, Pledge of Allegiance

Judge Cano led the Invocation and the Pledge of Allegiance.

2. Public Comment

No Public Comments.

3. Minutes / additions / corrections / approval

The Minutes from December 14th, 2015, December 22nd, 2015, December 29th, 2015 and January 12th, 2016 meetings were presented for approval. The Court reviewed the minutes making minor grammatical corrections. Commissioner Novovitch noted the January 12th minutes, under Treasurer Item C. Matters related to 2015 End of Year Closeout paragraph 4 of page 7, should clearly state that the funds transfer is from the utilities line item to the jailer salaries line item within the County Jail Budget. Commissioner Garrett noted on the January 12th minutes, under the Treasurer's Office, paragraph 3, the sentence should state the budget "analysis" will be placed on the County website.

Commissioner Pallanez requested that the minutes in the Commissioners' binders be page numbered for easier referencing.

Commissioner Garrett made a motion to approve the minutes which was seconded by Commissioner Ortega, and passed unanimously.

County Clerk Berta Rios-Martinez recommended to the Court that corrections to the minutes be provided in a timely manner to her office prior to Commissioners Court. This will enable her office to make corrections well in advance to the Commissioners Court meeting and thus avoid having to make extensive corrections during the meeting.

Judge Cano went on to further comment about the process of having the minutes ready by the Friday of the week of Court in order for the Commissioners and himself to make their edits and corrections and have a final draft ready by Wednesday of the following week. Judge Cano informed the Court his Administrative Assistant, Julie Morton, would take over the duties of preparing the minutes, which would address the timeliness and would also provide extra help for Election Clerk, Jerri Jones, who is currently preparing for the March Primary.

4. Road & Bridge Department / Community Facilities

- A. Road & Bridge Superintendent's Report, General updates on maintenance and repairs for all county roads & state of County Roads System; road materials including, fuel, supplies including usage & inventories & future needs; budgetary matters; equipment including heavy equipment, (maintenance repairs, future needs, replacement and additions), pickups, trailers and other light vehicles and accessories, and small equipment, (usage, future needs), equipment rentals; facilities (yards in Alpine, Marathon and S. County) cattle guards, fences and other means of containing livestock; safety issues and equipment; and community facilities (assistance with maintenance and other related issues); assistance to other governmental entities and emergency responders; personnel issues, (vacancies, new hires, discipline, performance, safety and other general personnel matters); permits for boring or trenching for utilities across County Roads / Discussion and appropriate action**

Road & Bridge Superintendent Frenchie Causey provided an update on the work being done by his crew. Superintendent Causey stated crews trimmed brush away from the roadways, working on the shoulders, cleaning turnouts and prepped for paving on Wagon Trail Road and also bladed Park Road in the Southern part of the County. The Crew also installed a table and chair in one of the jail cells at the County Jail, putting it back in service and in compliance with the Jail Standards. Superintendent Causey also received a complaint on the water heater at the South County ERC; Road & Bridge Crew drained and cleaned it and it appears to be working fine now. Road & Bridge also repaired two benches from the District Court Room. Superintendent Causey further commented that most of the benches in the Courtroom were not in good shape. Road & Bridge Crews also hauled off all tree limbs and wood logs that were cut by the Tree Trimming Service on the Courthouse grounds. Crews also fixed two light switches and one toilet seat as well as the regular maintenance at Pena Park. Superintendent Causey stated he replaced the lock on front door of Marathon Justice Center because there were issues unlocking it with the keys. Road & Bridge Crews also replaced road and street signs that had been knocked down in all Precincts. The Crew also hauled Grade 3 and Grade 5 paving rock material from Ver Halen to build up the Road & Bridge inventory. Crews also checked all roads in North Double Diamond, South Double Diamond and Veterans Edition. Everything was satisfactory, stated Superintendent Causey. Superintendent Causey also explained the worksheet he gave to the Court is for the C.A.S.I. Agreement showing County costs to estimate the amount of material the County will receive in return for the work Road & Bridge did during the event.

Judge Cano thanked Superintendent Causey, the Crew and Commissioner Ortega for all their good work around the Courthouse, stating he has gotten some really positive feedback on the grounds and will be looking nice for the Spring.

B. Discussion and appropriate action for general work of Road & Bridge Department to go forward

5. Brewster County Tourism Council

A. Presentation by Ron Sanders of donated funds to the Museum of the Big Bend in the amount of \$5,000 and Archives of the Big Bend in the amount of \$5,000

Ron Sanders, President of the Brewster County Tourism Council, first introduced Travis Roberts, who is part of the sign committee; further explaining Mr. Roberts is an intricate part of everything they do. Mr. Sanders went on to introduce Butch Worley, Vice President of External Affairs at Sul Ross State University and Malleta Bell and Miranda Wauson, also from Sul Ross. Mr. Sanders explained there are 12 road side exhibit signs throughout Brewster County. Mr. Sanders further explained the important role the Museum and the Archives play in making these Historical Signs possible and wanted to compensate their work with a donation of \$5000 each.

B. Presentation by Ron Sanders of the new display sign Big Bend Snapshot History the early Spanish Entrada

Mr. Sanders presented sign no. 13, thanking the Court for their support. Mr. Sanders further commented they have plans for 5 more signs, 3 ranching and an additional Spanish Entrada and will be deciding soon on the theme for the 5th sign.

Judge Cano explained he recently attended the Annual Chamber of Commerce Banquet where Dr. Bill Kibler, President of Sul Ross State University, was the guest speaker. Judge Cano further commented he agreed with Dr. Kibler's message stating the significance and importance of the collaboration efforts between Sul Ross, City of Alpine and Brewster County.

Dr. Worley further commented, stating it has been a major priority for him and Dr. Kibler to improve the relations among Sul Ross and the Community and thanked the Court for being so accommodating with the University.

6. Brewster County Central Appraisal District / Introduce the new Chief Appraiser Denise Flores

Tom Mangrum, County Representative for the Appraisal District Board, introduced Ron Sanders representing San Vicente School District, and Mayor Avinash Rangra, City Representative to the board. Mr. Mangrum further explained Matt White, Chief Appraiser for over 10 years, resigned at the end of December. Mr. Mangrum stated the Board has hired Denise Flores as the new Chief Appraiser. He explained Ms. Flores has been with the Appraisal District for 8 years and has her Chief Appraiser Certification and all required training.

Ms. Flores thanked the Court for their support and informed them her door is always open for them.

Judge Cano stressed the important role of a Chief Appraiser, stating it takes a lot of training, commitment and continuing education to be a Chief Appraiser and thanked and welcomed Ms. Flores in her position. Judge Cano thanked all those for attending.

7. County Emergency Management Office

A. General Report including:

Recent emergency responses; emergency planning update; recent work with cooperating emergency responders: (ESD #1, all VFD's and EMS); update on needs, programs, training, recent work with other governmental entities; equipment for emergency response and updates regarding needs, maintenance, repairs, replacement and additions; emergency management issues related to burn bans; emergency management issues related to communications & public information; emergency management issues related to County insurance coverage; personnel issues related to emergency response, exercises & drills; matters related to pending & future Homeland Security & FEMA Grants and other funding, matters related to 911 EMS in County and matters related to 911 & 911 addressing / Discussion and appropriate action

Emergency Management Coordinator Matt Van Ostrand reported to the Court on an update from Chris Weber, Area Engineer for TXDOT. Van Ostrand informed the Court TXDOT had begun to do road treatments to prepare for the incoming snow and ice accumulations. Van Ostrand also informed the court he has yet to hear from FEMA on the environmental assessment report for the new generators in Terlingua and Marathon, further commenting this was the last step before the generators could be installed. Van Ostrand also stated he and Superintendent Causey made a trip to Terlingua and met with Chief Hennington, Terlingua Fire & EMS, regarding some work and repairs needed for the ERC. Van Ostrand further commented the ERC is a County Building and the County is responsible for major repairs to the building. Chief Hennington asked for some assistance getting an area at the ERC cleaned out to make room for the new vehicle fire prop used in training. Van Ostrand further commented they identified a couple of issues that need to be fixed on the building as well. Van Ostrand also reported he is currently working on the County's Emergency Operation Plan, editing it and bringing it up to compliance in order to submit it to the State. Van Ostrand also stated he touched base with Chief Wilson, Marathon Volunteer Fire Department, and they and the Red Cross are coordinating scheduling for installation of smoke detectors for low income families in the community.

Commissioner Ortega inquired about where the vehicle burn site would be at the Fire Station in Terlingua. Superintendent Causey informed the Court it would be on the property, beside the large container by the sheds. Superintendent Causey further commented they would be running a gas line from the propane tank to the site and the Fire Station would do the work for the gas line. Commissioner Ortega suggested putting an additional propane tank there instead of running

a line from the existing tank. Van Ostrand stated the Fire Station also received their 3000 gallon Engine Tender, which is much needed because of the limited water supply. Commissioner Ortega also stated Terlingua Fire & EMS donated all their weights and aerobic equipment to Marathon ISD to make room for the Engine Tender.

Judge Cano stated the Court would be holding a called meeting in Terlingua and March would be the likely time.

Commissioner Novovitch asked the status of the Communication lapses during the recent AT&T outages, further commenting all the surrounding entities were supposed to submit letters to the Public Utilities Commission on the issue. Van Ostrand stated the County Judge's Office has sent these letters out. Judge Cano's Assistant, Morton, informed the Court letters were also sent to Senator Uresti's Office and Representative Nevarez's Office. We are expecting word from their office soon wheather they can assist with AT&T and the Public Utilities Commission.

B. Discussion and appropriate action for general administrative work of the Emergency Management Department to go forward

8. Treasurer's Office

A. General Bills / Discussion and appropriate action

Assistant Auditor Babbett Mann presented the bills for January. Mann reported the totals for the period, which was \$34,287.28 from the General Fund. Mann continued with the other Fund totals, \$2842.39 from Road & Bridge Fund, \$2,200 from Records Management Fund, \$1339 from Sheriffs Abandon Vehicle Fund, \$112.26 from HIDTA Fund, \$10611.92 from Hotel/Motel Fund, and \$213 from Jail Infrastructure Fund, totaling \$17318.57.

Commissioner Novovitch questioned a bill from GRP for \$8000, asking if the County was still within the budget of the audit. Auditor Watson said that she would look into it and report back to the Court. Commissioner Novovitch also questioned the Hill Country Software bill for training in the amount of \$550, asking why Hill Country was still providing training services. Mann explained it was a past due bill for the training Auditor Watson received.

Judge Cano went on to further explain the County does have a maintenance contract with Hill Country through the end of February. Judge Cano stated it would be necessary to keep Hill Country until June adding the data needed for the audit is on Hill Country. He also stated the conversion and transference to NetData is going well. Judge Cano also stated that the County is still on track for February 9th as the target date for the 2014 audit, stating he spoke with Vanessa Alarcon, with GRP, and is confident the County will make the deadline.

Auditor Watson presented the walk-ins for approval, stating the bill for the Jail tax collected for the Inmate Commissary has to be paid to the State. Auditor Watson further commented the tax collections have been sitting there for a while and has now accrued late penalties totaling \$344.60. Auditor Watson also said we owed late penalties for the 941s in first quarter of 2015, which was due in March, totaling \$3658.37. Auditor Watson explained the TCEQ Bill was for

Road & Bridge, which is regular inventory fee for chemicals, and also there was a Juvenile Detention Bill for \$3630 and the final bill was for services provided by Tedford Locks.

Commissioner Ortega made a motion to approve the bills as presented and the walk-in bills, which was seconded by Commissioner Novovitch, and passed unanimously.

B. Financial Reports / Updates, Discussion, Review and appropriate action concerning the following:

**Specified Activity Report
Cash Flow Predictions
Budget Analysis Usage Report
Receipt File Listings
Cash Report
Grant Reports**

**Payroll Reports
Check Register
Transfers
Personnel/Overtime Reports
Other Financial Reports as Requested
by Commissioners**

C. Other general administrative & procedural matters related to Treasurer's Office / Discussion and appropriate action for work of Treasurer's Office to go forward

County Attorney Steve Houston informed the Court of the information he received from the Secretary of State regarding the Treasurer vacancy. The election code states the position of the County Treasurer has to be on the November 8th ballot. County Attorney Houston also stated after June 13th the County Party Chairs can nominate a candidate to be on the ballot for the November 8th Election. County Attorney Houston also explained to the Court it is under their discretion as to whether or not the Court would want to appoint an interim until the November Election. County Attorney Houston also informed the Court that under the Open Meetings Act, no discussion nor action can be taken on the Treasurer vacancy, under this agenda item. County Attorney Houston further recommended the agenda item must be specific so the public will know 72 hours in advance what would be discussed and also recommended having a Called Meeting for Monday. Further Discussion continued amongst the Court.

Judge Cano announced a Called Meeting will be set for Monday February 1st, 2016 at 9:00 a.m.

9. Security Benefit Restatement of the Brewster County 457 Plan 612372000 / Request to approve Adoption Agreement and Resolution / Discussion and appropriate action

Judge Cano explained to the Court the Brewster County 457 Plan as an option for retirement investment for employees. Judge Cano further explained the County currently utilizes the Security Benefit Plan and recommended approving the adoption agreement and resolution required, stating there is a January deadline.

Commissioner Ortega provided some background, explaining it has been in place for over 4 years.

Auditor Watson stated she was familiar with 457 Plans, explaining it is a deferred compensation program that employees can choose to invest in. It is a retirement plan and the contribution can be deducted from employee's payroll. It is a tax-deferred product. Further discussion continued amongst the Court.

Commissioner Ortega made a motion to approve the Adoption Agreement and Resolution, which was seconded by Commissioner Novovitch, and passed unanimously.

10. Criminal Justice Information System (CJIS) Reporting

A. Update

Judge Cano explained Chief Deputy Ryan Skelton was to report on the agenda item but was currently testifying in District Court. Judge Cano further explained the current percentage is not in compliance and needed to identify which offices had discrepancies that needed to be addressed. Further Discussion continued amongst the Court.

B. Discussion and appropriate action

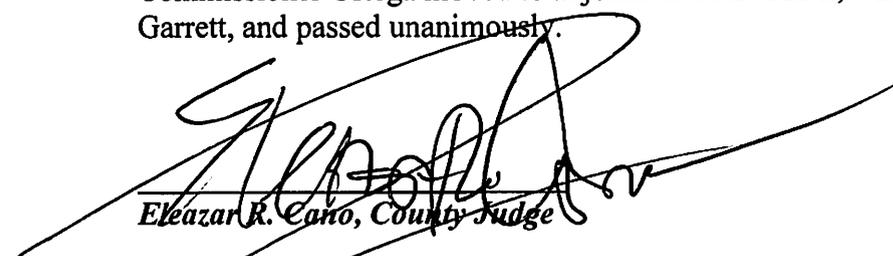
Commissioner Garrett moved to table the item, which was seconded by Commissioner Ortega, and passed unanimously.

11. Schedule next Commissioners Court Meeting (February 9, 2016, at 9:00 A.M.)

Judge Cano announced to the Court the date and time of the Called Meeting (Monday, February 1st, 2016 at 9:00 A.M.) Judge Cano also announced to the Court the date and time of the next regular Commissioners Court Meeting (February 9, 2016, at 9:00 A.M)

12. Adjourn

Commissioner Ortega moved to adjourn at 10:24 A.M., which was seconded by Commissioner Garrett, and passed unanimously.



Eleazar R. Cano, County Judge

ATTEST:



Berta Rios-Martinez, County Clerk