

**CALLED MEETING OF THE BREWSTER COUNTY COMMISSIONERS COURT
MONDAY, FEBRUARY 01, 2016 AT 9:00 A.M.
BREWSTER COUNTY COURTHOUSE, COMMISSIONERS COURTROOM
6TH & AVE E
ALPINE, TEXAS**

Judge Cano called the meeting to order at 9:04 a.m. 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. Criminal Justice Information System (CJIS) Reporting

A. Update

Chief Deputy, Ryan Skelton, reported to the Court on the current status of the County for CJIS. He informed the Court, the January report showed the County at 87%. Skelton said the County must operate at 90%. Chief Deputy Skelton added that county grants are dependent on the percentage and the Court must be aware of it. Skelton stated the percentage has fallen a bit, but all the departments were currently working on bringing it back up. The 2011 percentage is currently at 95%. It had previously been at 91%, the 2012 percentage is at 90%, the 2013 percentage is at 85%. 2013 has gone down from 88%, the 2014 percentage is at 83%, which was at 63%, and the 2015 percentage is currently at 54%, reported Skelton. Skelton added that the County is still dealing with cases from 2015 and he has been working on clearing the cases from the Sheriff's Office in order to move from the Jail into the Court system. Skelton also informed the Court the County has until August to make sure the percentage is 90% or above for that is when grant sources look at the percentages.

Commissioner Ortega asked for clarification on where the shortfalls are. Skelton stated every office has data entry that needs to be done. Commissioner Ortega also asked who currently oversees the CJIS reporting, mentioning Shaun Barak used to keep up with it for the County. Skelton stated that in the past, having someone in charge overall did not work very efficiently, due to the fact that every office involved should have someone designated in the office to input the data and make sure their office is in compliance. Skelton further commented that each office needs to stay on top of their CJIS reporting and work together overall as a team because if one office is lacking it affects the County as a whole. Commissioner Ortega requested regular reports to the Court. Further explanation of the sequence of steps of reports

being generated from the Jail to the Prosecutors' Office to the Clerks' Office was provided by Chief Deputy Skelton.

Commissioner Novovitch stated that while each department handles its own administrative end of the reporting, the Court is at the bottom of the funnel and it is the Courts job to analyzing the numbers. Commissioner Garrett agreed, stating the enforcement end of the reporting must be done by the Court.

District Clerk, Joann Salgado, explained that the Clerk's Office does the final reporting on each case and explained that each office will never be at 100% because of pending cases not yet brought up for indictment. District Clerk Salgado added that her office is currently up to date as of Friday. District Clerk Salgado further explained the process in her office.

Judge Cano further commented that he would like an overview of the whole process and identify the procedure for each office, commenting it is a collaborative effort on everyone's part in the reporting system and he will be visiting with each office.

County Attorney Steve Houston clarified the County Attorney's Office and the District Attorney's office and the role that they play. County Attorney Houston stated that the Prosecutor's should always know what the status of the cases are as it is their discretion when warrants are issued and they decide when to leave the case open or closed. He also stated that one of the downsides of this whole program is that the Office of the Governor Requests dispositions within 2 years on every case and it is not for them to decide. County Attorney Houston further commented if you have several files where people did not show up or the addresses are wrong and there are warrants out for arrest, the Governor's Office recommends dismissal after 2 years, but that basically takes away the judgement from the Prosecutor's Office.

Commissioner Pallanez inquired on the deadline to be at 90% for the County. Chief Deputy Skelton added that August is usually when the County starts applying for new grants and that is when the grant sources start looking at the percentages.

Judge Cano requested Chief Skelton turn in an updated report to his office on a monthly basis. Chief Skelton also commented Judge Cano can gain access to the online reporting system to be able to check on it on a regular basis. Judge Cano replied that he will sign up to have access to the reporting system.

B. Discussion and appropriate action

No action taken.

2. Treasurer's Office / Discussion and appropriate action on Treasurer Vacancy

Judge Cano presented to the Court a short version of the position description of the Treasurer vacancy for the newspaper ad, as well as a detailed version, along with the 2016 Budget for the Treasurer's Office. Judge Cano recommended posting and advertising for the position immediately. Judge Cano further commented it is becoming a hardship for the

Auditor's Office handling the duties of the Treasurer's Office, as the separation of duties is necessary, adding he is suggesting the position be filled by the end of the month. Judge Cano stated according to the 2016 Budget, the base pay of the Treasurer is \$40,867 and the individual needs to be eligible to run for office, if they so choose to, in the November General Election.

Commissioner Ortega commented, the individual should be willing to run for office, because of the time and money that would be necessary for training purposes, stating if the individual is not willing to run, the County would have to spend more time on training if another individual does run for office and wins the Election. Further discussion and edits of the job description for the Treasurer's position occurred amongst the Court.

Commissioner Ortega made a motion to post for the County Treasurer's Vacancy immediately, which was seconded by Commissioner Novovitch, and passed unanimously.

3. Approval of Brewster County Texas Certificates of Obligation Series 2008 bondholder payment / Discussion and appropriate action

Auditor Watson presented a bill for the Brewster County Texas Certificates of Obligation Series that were taken out for the Fire Station in Marathon and the Emergency Response Centers in Terlingua and Alpine. Auditor Watson stated that the principal is \$155,000 and the interest is \$60,952.00 plus \$750.00 administration fee. Auditor Watson clarified that the obligation will be paid out of the Interest & Sinking Fund. She added that at this time, the fund does not have enough money in the account to pay what is owed. She added that if there is a shortfall of funds, they would have to make up the balance from another fund, but is expecting more tax payments to come in throughout the week.

Commissioner Novovitch asked for clarification on the balance of the principal and the interest. Auditor Watson stated the principal for the bill is an annual payment on the total debt of the loan payment and it pays off in 2028 and believes the original principal is approximately 3 million dollars.

Commissioner Ortega made a motion to give Auditor Watson authority to pay the Brewster County Texas Certificates of Obligation Series 2008 payment, which was seconded by Commissioner Pallanez, and passed unanimously.

4. Commissioner Pallanez, County/City Liaison/ Update

Judge Cano welcomed City Council Member for Ward 4, Julian Gonzales, who is also the City's liaison to the County.

Commissioner Pallanez, who is the County's liaison to the City, stated he and Council Member Gonzales have been reviewing requests of the County from the City. Commissioner Pallanez stated he has gone through the list of recommendations and have met with different departments in the County and is ready to provide an update for the Court.

Commissioner Pallanez read the first recommendation ensuring Brewster County has plans and resources in place for emergencies that would have a potential impact on the City of Alpine, and that the City and County have agreements in place about the levels and types of services that the County will support. Commissioner Pallanez explained one of the agreements would be emergency management agreements between the City and the County to ensure common understanding based on the agreement that the County will notify, based on the agreement, the City on any potential changes that would affect the City. Commissioner Pallanez suggested a meeting with Emergency Management Coordinator Matt Van Ostrand and Council Member Gonzales and himself to go over these issues related to emergency management matters that affect the City.

Commissioner Pallanez read the second request to the Court. This request is related to the Alpine-Casparias Municipal Airport, which provides support and services to the residents of Alpine and the County. The request stated that owners of the facilities pay property taxes to the City of Alpine and to Brewster County. Commissioner Pallanez further explained there has been discussion for the County to provide financial support to the airport for the value collected in property taxes, not exceeding the amount of the payment, for operations and maintenance of the Airport. Commissioner Pallanez stated that the amount collected in property taxes is approximately \$1000. Commissioner Ortega said that an informal agreement has been in place in which the County does not provide financial support to the airport and in return the County does not seek payment for the county jail services utilized by the City. Commissioner Pallanez informed the Court that he has asked for an answer on whether or not the City is requesting this from the School District and the other taxing entities.

Council Member Gonzales clarified that he is not aware of the City requesting the other taxing entities to provide the same type of financial support they are asking of the County. He added that the list of requests was submitted by one councilman and agreed to by the others but believes the council did not give the list full thought and consideration. He stated that he would communicate the Court's discussion back to them and will point out that the dollar amount requested is minimal compared to the jail services provided by the County.

Commissioner Pallanez moved on to item 4. This item summarizes that while the City and the County both pay for and provide ambulance services in their respected areas, there needs to be an alignment of the contracts and that the overall contract structure should benefit the City and the County equally. Commissioner Pallanez stated the Court has taken care of their end and is not familiar with what and how much the city provides or what their contract calls for. Commissioner Novovitch clarified that the City pays \$86,000 per year for their ambulance service and the County over \$112,000 per year, which is more than 50%. Commissioner Novovitch added that the County's contribution covers the northern part of the County. He also added that most of the calls are within the City limits. Judge Cano commented on the importance of the RFP process for ambulance services which is coming up in July for both entities and stated the County has been in collaboration for ambulance services with the city throughout the last year along with Big Bend Regional Medical Center and the Hospital District. Judge Cano reminded the Court that this is an initiative which Commissioner Novovitch spearheaded. Commissioner Ortega agreed, adding he has been in collaboration with the Marathon Volunteer Fire Department and 10 of the volunteers are currently going through

training to be EMS Certified and would like to explore options for an ambulance that would cover the Marathon area. Commissioner Ortega added that the current response time for EMS in Marathon is 40 minutes and relayed to the Court that is not acceptable for the citizens. He added that the volunteer services provided by the fire department would alleviate not only some of the cost related to EMS, but also may help in pursuing the possibility of adding an ambulance for Marathon.

Commissioner Pallanez presented the fourth item. The City is exploring the planning and zoning process, specifically the relation of an ETJ, extra territorial jurisdiction. The ETJ jurisdiction encompasses a 1 mile area around the perimeter of the city. Everyone living in that designated area would have to comply with City of Alpine regulations. Some areas discussed were park regulations, septic tank regulations, and manufactured home regulations. Councilman Gonzales also added that the city would require everyone in the one mile radius to be hooked up to the city's sewer system. He reminded the Court that the requested items are intended for discussion only and the City is not requesting action on any item. Further discussion occurred amongst the Court and Councilman Gonzales.

Commissioner Pallanez reported on the fifth issue on the list. Item number 5 speaks of the significance of our water reserves. Councilman Gonzales stated that the City has invested in city owned water wells and has been very sensitive to water levels and water utilization. The City has asked the Environmental Review Board to provide recommendations to the City Council for water wells within the City's ETJ. Commissioner Pallanez also read the following into the record: "the City should discuss with the Brewster County Groundwater Conservation District their scope and gain a better understanding of water supply along with usage and a long term plan for water resources under its jurisdiction" so the City can plan accordingly. Commissioner Pallanez recommended following up with the BCGCD. Commissioner Novovitch added that the BCGCD was established by the State of Texas and the County does not have authority but can suggest and try to follow up on the City's behalf. Commissioner Garrett added the only duties of the Court are to appoint the board members.

Commissioner Pallanez read the last item to the Court. Item 6 states that the City relies on the Brewster County Appraisal District for their collection of ad valorem taxes and city needs to ensure that the property value assessment and collective process made by the County is in the best interests of the City, the item further states that the City should review the agreement with the County and ensure that the agreement is aligned with City expectations. Councilman Gonzales added it is every property owner's duty to visit the appraisal district, not necessarily the City officials. Commissioner Garrett added that the appraisal district is composed of the different taxing entities and that the board sets the rules and standards, not the County.

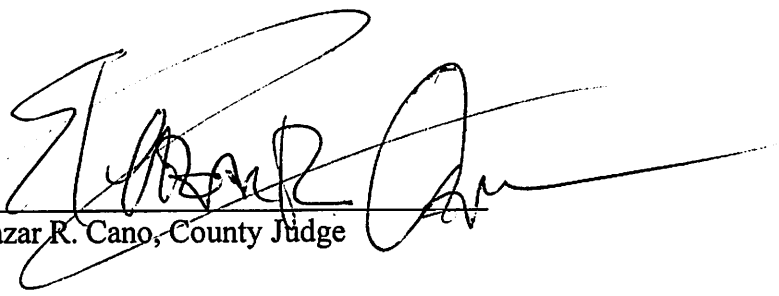
Judge Cano reviewed the list with the Court and added that the Court feels encouraged by the collaborative efforts between the City and the County. Judge Cano further clarified that while some of the concerns and questions presented were posed to the wrong entity, the County will continue to assist the City in any way they can.

Commissioner Pallanez summarized the benefits from the County the City receives and thanked Councilman Gonzales for his liaison efforts with the County and believes this is a

positive direction for future collaborative efforts. Councilman Gonzales concurred and thanked the Court for their time and discussion.

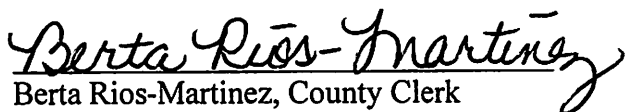
Judge Cano stressed the importance of continuity and added that the County is committed to building relations with the City and thanked Councilman Gonzales. Councilman Gonzales informed the Court that this message be communicated to the City Council as well as the City of Alpine.

Commissioner Ortega made a motion to adjourn at 11:03 a.m., which was seconded by Commissioner Novovitch, and passed unanimously.



Eleazar R. Cano, County Judge

ATTEST:



Berta Rios-Martinez, County Clerk