

**REGULAR MEETING OF THE BREWSTER
COUNTY COMMISSIONERS COURT
MONDAY, FEBRUARY 9, 2015 AT 9:00 A.M.**

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

Eleazar Cano	County Judge
George Johnson	Commissioner Pct. 1
Hugh Garrett	Commissioner Pct. 2
Mike Pallanez	Commissioner Pct. 4
Berta Rios- Martinez	County Clerk
Betty Jo Rooney	Tax Collector Assessor
Ruth Staton	County Treasurer
Steve Houston	County Attorney

To discuss and take action as appropriate on the following:

1. Invocation, Pledge of Allegiance

Judge Cano led the Court in Prayer and the Pledge of Allegiance.

2. Public Comment

Dr. Sharon Clark spoke in reference to item 11 and what the Red Pattillo center in Terlingua is used for. She purposed that a generator be purchased for this facility for emergency situations. Dr. Clark stated that the power was out during the Tax Rollback Election as well as another time. Dr. Clark stated that there was another instance where having a generator would be beneficial.

3. Minutes / additions / corrections / approval

Judge Cano stated that he has been out of town with no time to review any minutes and would like to table this item to next meeting.

Commissioner Johnson moved to table the minutes until next meeting. Commissioner Garrett seconded the motion and the motion passed unanimously.

4. Treasurer

A. General Bills / Discussion and appropriate action

Treasurer Staton stated she provided a report to the Judge and Commissioners but no report was reported for the record. Mrs. Staton provided a report of the monthly contract bills that are not presented to Court for approval. Mrs. Staton reviewed with Judge a few specifics on walk-ins. Judge Cano informed Mrs. Staton that a reimbursement will be sent from the meeting he attended. Commissioner Pallanez asked about the open invoices to Texas Disposal. Treasurer Staton interrupted and said she was going to review that during the invoices and then explained what it was for. She said it had to do with the Post Park and was waiting on Commissioner Ortega to confirm the agreement with Texas Disposal to determine that payment.

Discussion continued about invoices regarding books that have been sent to Brewster County for the Law Library. The invoices are billed to the District Clerk and County Attorney Steve Houston explained his

part of the invoices but could not speak for the District Clerk and has no explanation on why payment was not made.

Judge Cano reviews the invoices for clarity. Commissioner Pallanez asked if the books are sent automatically and Steve Houston stated that they are and are in the Law Library for anyone in the public to review and suggested to look into the number of people who use the Law Library and see if it is worth paying for the continuation of these books. Treasurer Staton stated that the books are no longer being delivered because of non-payment. Judge Cano stated he would look into all the options available. Steve Houston recommended to touch base with all of those who use the materials for research.

Commissioner Pallanez moved to table the Texas Disposal and approve the bills as presented. Commissioner Garrett seconded the motion, and passed unanimously.

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

Specified Activity Report	Payroll Reports
Cash Flow Predictions	Check Register
Budget Analysis Usage Report	Transfers
Receipt File Listing	Personnel/Overtime Reports
Cash Report	Other Financial Reports
Grant Reports	Requested by Commissioners

Nothing reported at this time.

C. Discuss and consider new copier and lease of courthouse xerox machine

Treasurer Staton informed the Court that the lease is up on the current copier and Brewster County was paying \$184.00 and the new copier in question would be \$158.85. This would be a savings of about \$300.00 a year, with free service and free cartridges, Treasurer Staton stated. Treasurer Staton informed the court it is a 5 year service agreement.

Commissioner Johnson moved to approve the purchase of a new copier. Commissioner Pallanez seconded the motion, and the motion passed unanimously.

D. Asset Inventory

Treasurer Staton informed the Court that the inventory will begin today at 1:30 P. M. and will be completed in about a week. Judge Cano asked if there was an itinerary and Treasurer Staton stated that would happen at 1:30.

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

Treasurer Staton informed the court about the general funds from 12 down is always in the negative and have no budget from anyone, including the Grants or the Tourism Council. If these have been provided, it cannot be located in the Treasurer Office, informed Treasurer Staton. Commissioner Garrett stated that the Tourism Council has presented their budget and treasure Staton said it was presented but it is not in the Treasurer Office has no documentation and would like the copies. Treasure Staton stated that some grants where almost lost due to no record in the Treasure Office and she spoke with those over the grants and had them resolved. Commissioner Johnson asked which grants and Treasurer Staton listed off a few of the Grants. Commissioner Johnson then asked who was in charge of the grants, and Treasure Staton said the Treasurer Office. Judge Cano voiced his concerns on the issue and how it effect the County as a whole. Treasurer Staton asked for the bonds of her staff be increased by an additional \$20,000.00. Judge Cano

asked what increase would that be an addition \$300.00 a year. Commissioner Pallanez asked what it would cost if it was increased to \$10,000, Treasurer Staton every \$5,000.00 is \$50.00. Commissioner Garrett asked if she would go to TAC and ask their recommendation on the staff.

Treasurer Staton continued to ask the court permission to open an account at TransPecos Banks in the amount of \$5,000. The reason for this has to do with the credit card activity and to keep track of who has the card and where it is being used, stated Treasurer Staton. Commissioner Johnson asked why this was not started on January 1 and he was informed that his would be given to him at the beginning of the year. Commissioner Pallanez stated the previously all charges were under his name. Commissioner Johnson asked if Brewster County had an account with TransPecos, Treasurer Staton stated yes, it was bonds. Treasurer Staton added that there was an account of this nature but it was closed. Commissioner Pallanez stated that there were problems with the credit card company and the account had to be closed. Further discussion was had and it was recommended to look further into this.

The last thing Treasure Staton asked, was to have a locksmith to come look at the vault in her office to look at to see if it could be functional. Commissioner Garrett asked if it was needed for secure storage. Treasurer Staton replied in the affirmative.

5. Officials' Monthly Reports

Commissioner Pallanez read the report as presented.

Commissioner Johnson moved to approve the December 2014 report as read. Commissioner Pallanez seconded the motion, and passed unanimously.

6. 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

Superintendent Frenchie Causey informed the court that he has been working with a skeleton crew due to illnesses. Road and Bridge has been working on Del Norte Road, patching pot holes in County, patching entrances from county roads. Frenchie stated that someone had changed the battery on the fire truck in Marathon and it ended up causing some damage to the truck taken to Sixto's in Marathon to have it looked at further and will go to Odessa, if necessary. Superintendent Causey continued by stating his crew worked on Cathedral Mountain Road, and was asked from home owner for the County to reopen the road around a pen. The letter was presented and the work was done. Work on electrical wires in Judge Ferguson Office and finished Bengé Road.

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

Nothing to report at this time.

7. Sheriff's Office/Jail

A. Review of Five Star Food Service for Brewster County Jail / Discussion and appropriate action

Sherriff Dodson reported that the Five Star Food Service is not adequate food and would like to change to local vendors. This would cost about .02 cents more than the current vendor, stated Sherriff Dodson. Sherriff Dodson continued by stating that there is a current contract with Five Star and the contract states that a 30 day written notice be provided before the contract could end. Sherriff stated that he looked into Presidio and they are doing the same thing. Five Star menu is \$1.40 per meal per inmate but the jail is never at full capacity, Sherriff Dodson stated. Judge Cano recommended to have County Attorney review the current contract. Steve Houston reviewed and stated all he needs to do is send a letter on letterhead stating the contract would end.

Commissioner Pallanez moved to approve to end the contract with Five Star with a 30 day notice and use local vendors to be used. Commissioner Garrett seconded the motion, and passed unanimously.

B. Proposed Jail Inmate Telephone System Contracts / Discussion and appropriate action concerning awarding Jail Inmate Telephone System Contract

Sherriff Dodson asked the court if they had a chance to review. The Court responded yes and the Judge asked Sheriff for his input. Sherriff Dodson pointed out the difference in cost on making a call and the difference in the percentage of the commission. Sherriff Dodson stated the current vendor that is used is under an automatic renewal and they are offering a hands free phone with a new contract, some of the other vendors are offering \$1,500.00 free minutes and Crown has already provided that for Brewster County so it was not in the proposal. Crown has provided adequate service for as long as they have served Brewster County and there is no charge for new equipment to be added and removed, stated Sherriff Dodson. Crown now offers a third party security and this has helped with cases, and Sherriff Dodson stated it is a must. Judge Cano clarified the fee of \$4.95 with Crown. Commissioner Garrett asked about the International calls and a Crown Representative who was in the Court stated that the cost are the same. Sherriff Dodson stated that he contacted the other vendors who submitted proposals and was unable to reach them and Crown has been in the court each time. Commissioner Pallanez asked Sherriff Dodson what the reason he has to have proposals if the contract has renewed automatically in the past. Sherriff Dodson stated that they missed submitting the paper work for automatic renewal.

Commissioner Garrett moved to approve Crown to serve as the Jail Inmate System Contract. Commissioner Johnson seconded the motion, and the motion passed unanimously.

8. Court Management Software

A. Presentations by iDocket

County Clerk Berta Rios-Martinez stated that iDocket presented in August of 2014 as well as four other vendors. The County has a Court Management Program, Hill Country Software. County Clerk Berta Rios-Martinez informed the court of who all was present during the presentation and continued by informing the Court that those using the current program are dissatisfied with the program and the service. She also stated that E-filing will begin in our county and it will be soon. Armando Balderrama, representative from iDocket, informed the court of their history and the capability of what they can do for the County.

With E-Filing deadline in April there is a short window to proceed. Armando asked for approval of the contract for the District Clerks office, County Clerk, Treasurers Office and place the county attorney's office in with the rest of the county. County Clerk Berta-Rios Martinez gave explanation of the problems that her office has been happening. Treasurer Ruth Staton and District Clerk JoAnn Salgado state the problems they have when entering in the Hill Country Software. Judge Cano asked if any action was taken place on this and Berta Rios-Martinez stated that they were waiting on the November Election to be behind the County before making a decision. County Attorney Steve Houston provided explanation as far as his office is concerned. Judge Cano confirmed that Judge Roy Ferguson was using iDocket and if he was pleased with the program. District Clerk Salgado stated he does use it but is not suggesting that her office sign a contract. Luz with iDocket informed the Court of the capability Judge Ferguson has with iDocket when he is away from his office.

Commissioner Johnson asked what the cost would be and Armando stated with all JP office and the current offices that were discussed it would be \$48,500.00. Judge Cano asked Mrs. Martinez if Hill Country would be cancelled from her office and only use iDocket and she stated she would do away with Hill Country. Commissioner Garrett asked what obligation we have with Hill Country. Berta-Rios Martinez said in August she knew but would need to look into where it is now. Steve Houston said he would need to look at the clauses in the current contract to guide the court in the right direction. Judge Cano added that it might just be a modification since the Treasurer's Office would still need to use it. Steve Houston asked on the payment of the new program, is it by department or as a whole. Treasurer Staton explained how Hill Country is divided out. Judge Cano asked what the transition time would be and Armando stated it would not take long. Berta stated that if we meet this deadline then her office would not have to learn two programs.

Commissioner Johnson moved to table item A & B for further research. Commissioner Garrett seconded the motion, and passed unanimously.

Jerry Sotello asked about the back up and Armando stated all information is backed up in their office every evening.

B. Consideration of upgrading current software

Tabled at this time.

9. Discuss and consider the failure to publish in a newspaper of general circulation the proposed increases in salaries, expenses, or allowances in the 2015 budget for elected county and precinct officers pursuant to sec. 152.013 (b) of the Texas Local Government Code

Judge Cano asked Steve Houston to explain. Mr. Houston stated that he received an email from citizen, Ken Durham, regarding a violation with the Elected Officials 5% pay increase. This was researched by Mr. Houston and he read the code this references and discovered this notification should have been in the press and published. If it is not it nullifies the salary increase. Mr. Houston stated that the Treasurer Office has been notified and discussion on how to repay what was issued to all Elected Officials during January payroll. Commissioner Johnson asked if this effects the Longevity and Mr. Houston stated based on the code it only covers salaries. Commissioner Johnson stated that the car allowance needs to be rescinded. John Waters was called on to confirm that it was not published in the paper he works for as well as Jim Street with the paper he works for. Steve Houston explained further what Commissioner Johnson was stating. The car allowance agenda item does need to be formally rescinded at future meeting.

10. Discuss and consider an error in the longevity pay for Evans Knott

Treasurer Staton explained that there was a year, equivalent of \$50.00, of longevity left off of Evans Knott check and asked the court to approve her office to make that correction.

Commissioner Johnson moved to approve the \$50.00 correction to Evans Knott Longevity check. Commissioner Pallanez seconded the motion, and passed unanimously.

Treasurer Staton added that on February 26, 2015 TAC will have a sexual harassment class.

11. 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

Commissioner Garrett stated that he met with City Manager about splitting the cost of an Emergency Management Coordinator and how it could and would benefit both the County and the City. He also stated that the first step was to be in agreement and City Manager was in agreement for this to move forward. Commissioner Garrett further stated that the EMC would be employed as a Brewster County Employee and all the cost, salary and expenses would be split between the County and the City. Commissioner Johnson asked why no other Commissioner was included in this meeting or notified that it was taking place. He also stated that this item needed to be tabled until all Commissioners could be present and be filled in on what was going on with this matter.

Commissioner Johnson moved to table item A, B & C until next meeting. Commissioner Pallanez seconded the motion, Commissioner Garrett was against this motion. Vote was 3 to 1 to table motion.

B. Emergency Management Coordinator / Discuss collaborative effort between Brewster County and the City of Alpine to create a joint County/City EMC position consistent with County and City goals and objectives; discuss shared costs for the position, to include salary range/benefits package, and office, equipment, travel, training, communication, and vehicle operation expenses.

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

Commissioner Johnson moved to adjourn at 11:35 A.M.. Commissioner Pallanez seconded the motion and all were in favor.

Eleazar Cano, County Judge

ATTEST:

Berta Rios- Martinez, County Clerk

