

**CALLED MEETING OF THE BREWSTER COUNTY COMMISSIONERS COURT
WEDNESDAY, MAY 20, 2015 AT 10:00 A.M.
J.W. "RED" PATILLO COMMUNITY CENTER
53633 STATE HIGHWAY 118, STUDY BUTTE, TEXAS**

*Eleazar Cano
Luc Novovitch
Hugh Garrett
Ruben Ortega
Mike "Coach" Pallanez
Berta Rios-Martinez
Ruth Staton
Betty Jo Rooney
Ronny Dodson*

*County Judge
Commissioner Pct. 1
Commissioner Pct. 2
Commissioner Pct. 3
Commissioner Pct. 4
County Clerk
County Treasurer
County Tax Collector
County Sheriff*

1. Invocation, Pledge of Allegiance

Judge Cano led the Court in an Invocation. No flag was available to say the Pledge of Allegiance.

Judge Cano thanked those in attendance.

2. Public Comment

Public Comments were made in the following order: Donna Wood, Dale Wood, Betsy Blayde, Scott Watkins, David W. Beebe, and Angie Dean.

Donna Wood asked why the \$53,000 lost on the TFEMS for service vehicle has not been replaced by bond. It was paid without the permission of the court. Judge Cano informed Mrs. Wood that it was not on the agenda and could not discuss. Commissioner Pallanez stated that the matter is being researched and investigated.

Dale Wood voiced his concerns regarding South County Road and the capability of traveling the road during inclement weather. Mr. Wood also voiced his concern that the Commissioner in that area is not overseeing the project to know what work need to be done for the safety of those who live on that road. Commissioner Pallanez asked what Precinct South County Road was in and after brief discussion it was confirmed that it is County Commissioner Precinct 2.

Betsy Blayde stated that she is against the Trans Pecos Pipeline and treasures the land in the area. Suggested the Court to say "NO" to the Pipeline and offered up a couple of options regarding the pipeline.

Scott Watkins expressed his thanks to the Court and the staff of Brewster County for holding Court in their area.

David Beebe, JP of Marfa, shared his experience with Perdue, Brandon, Fielder, Collins & Mott Law Firm and how pleased Marfa has been with this Law Firm.

Angie Dean thanked the court for coming and her not having to drive to Alpine. She also stated that she was against the pipeline and would appreciate the court for anything they could do.

3. Minutes / additions / corrections / approval

Commissioner Ortega moved to table the minutes of May 11, 2015 so all Commissioners can review. Commissioner Pallanez seconded the motion, and the motion passed unanimously.

With the Courts permission, Judge Cano moved to item 11.

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**

Superintendent Frenchie Causey reported that several County roads have been bladed in Terlingua. Mr. Causey stated the Road & Bridge crew do the best they can maintain the roads for the residents as they regularly haul supplies to maintain the roads. Frenchie also informed the court they hauled 42 loads of base from Lone Star Mine to Lajitas based on the agreement, A/C filters have been changed out, McElroy Ranch Road was bladed, and mowing in Alpine and in Marathon. Mr. Causey informed the Court of the auction on May 23, 2015 at 10:00 A.M. with the gates open at 9:00 A.M.

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

Nothing further to discuss.

4. Treasurer

- A. General Bills / Discussion and appropriate action**

Treasurer Staton read into record the General Bills to total \$4778.28

Commissioner Ortega moved to approve the General Bills as presented. Commissioner Garrett seconded the motion, and the motion passed unanimously.

Treasurer Staton had a turnover in her office. As she was doing the payroll she discovered a file that was going to be transferred and did not know who the names on the account were. She followed protocol by contacting the Attorney General's Office who suggested that she contact the Texas Rangers, which she did. She handed the court a list of those checks in question and they totaled \$48,900.00.

Commissioner Novovitch asked who these employees are and Ruth Staton did not know who they were but they were not employees of Brewster County.

Treasurer Staton continued by informing the Court that they would not receive an Official's Monthly Report until May 26, 2015 and it would be complete. She stated that it was done wrong and her office was getting things straightened out. Berta Rios-Martinez asked if the report would be from February through May.

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 Commissioner**

Nothing was reported

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

Nothing further to discuss.

6. Officials' Monthly Reports

This item was brought up under General Bills, item 5A.

7. Delinquent Property and Delinquent Fine & Fees Tax Collections / Discuss and take action to employ Law Firm for Delinquent Property and Delinquent Fine & Fees Tax Collections (presentations by Law Firms on May 11, 2015)

Commissioner Garrett read the names of the Law firms that presented on May 11, 2015.

Judge Cano asked for any discussion; Commissioner Garret stated that all the Firms that presented are capable of doing a good job and this was a hard decision for him to make, he chose McCreary, Veselka, Bragg & Allen, P.C. Law Firm.

Commissioner Ortega voiced the same as Commissioner Garrett, it was a tough decision, but continued, Mr. Ivey did not offer help to JP #3 and his selling point was not accurate and his choice is Lineberger. Commissioner Novovitch expressed his selection to be McCreary and provided his reason to support his selection. Commissioner Pallanez stated that all three firms were convincing and he selected McCreary for the history with the County. Judge Cano expressed his thoughts on selecting the best option for Brewster County and voiced he selected McCreary, Veselka, Bragg & Allen, P.C... .

Commissioner Garrett moved to accept the proposal of McCreary, Veselka, Bragg and Allen to represent Brewster County in a one year contract for collecting delinquent property taxes and delinquent fines & fees tax collections. Commissioner Novovitch seconded the motion, and the motion passed unanimously.

8. 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

Judge Cano informed the Court the new EMC will show up on Tuesday, May 26, 2015. Commissioner Garrett stated that nothing pressing to present at this time.

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

Nothing to discuss at this time.

9. Discuss Solid Waste Management Grants for Scrap Tires Transporter (performance period ends June 30, 2015) and Recycling Trailer (performance period ends July 31, 2015)

Commissioner Ortega informed the Court while searching for what is needed, the trailer that he found was only a storage trailer and it would need to have hauling capabilities as well. There is a trailer that can be purchased for what we need but it was \$8,500 and the COG will only provide \$3,500 - \$5000, stated Commissioner Ortega. He asked the Courts permission to proceed with the COG to see what could be done.

This will be brought up at the next meeting, after discussion from the Court.

10. Brewster County Sheriff's Office / Request to formalize Mutual Aid Law Enforcement Agreement with Jeff Davis County / Discussion and appropriate action

Sheriff Ronny Dodson informed the Court of the Mutual Aid Law Enforcement Agreement with Jeff Davis County and the process and the procedures that are in place.

Commissioner Ortega moved to approve the request to formalize the Mutual Aid Law Enforcement Agreement with Jeff Davis County. Commissioner Pallanez seconded the motion, and the motion passed unanimously.

Judge Cano read the agreement into record and signed the agreement.

11. Discuss and consider the submission of a program year 2015, TXCDGB Colonia Construction Fund Application to the Texas Department of Agriculture

Jerry Carvajal stated that the 2015, TXCDGB Colonia Construction Fund Application is due on July 13, 2015 and asked the Courts permission to proceed with the process. Discussion took place with the court being satisfied for the process to begin.

Commissioner Novovitch moved to proceed with the application process of the 2015, TXCDGB Colonia Construction Fund Application to the Texas Department of Agriculture. Commissioner Ortega seconded the motion, and the motion passed unanimously.

12. Discuss Rio Grande Electric CO-OP Plans to improve service to South County

Commissioner Garrett stated that he is asked about the electricity in South County and he informed the Court he spoke with the main office and with Frank Rodriguez in the Alpine Office. Commissioner Garrett informed the Court of the results based on his conversations with the Rio Grande Electric CO-OP. The timeline is estimated to start in early 2016, stated Commissioner Garrett.

A brief discussion took place among the court and constituents.

Commissioner Novovitch provided information to those who raised concerns on the TransPecos Pipline.

13. Schedule next Regular Commissioners Court Meeting (Tuesday, May 26, 2015)

Judge Cano informed the Court of the next meeting to be in Alpine on May 26, 2015.

14. Adjourn

Commissioner Ortega moved to adjourn at 11:40 A.M... Commissioner Pallanez seconded the motion

Eleazar Cano, County Judge

ATTEST:

Berta Rios-Martinez, County Clerk

