

**REGULAR MEETING OF THE BREWSTER
COUNTY COMMISSIONERS COURT
TUESDAY, JUNE 23, 2015 AT 9:00 A.M.**

*Eleazar Cano
Luc Novovitch
Hugh Garrett
Ruben Ortega
Mike “Coach” Pallanez
Berta Rios-Martinez*

*County Judge
Commissioner Pct. 1
Commissioner Pct. 2
Commissioner Pct. 3
Commissioner Pct. 4
County Clerk*

Judge Cano called the meeting to order at 9:00 A. M.

1. Invocation, Pledge of Allegiance

Judge Cano led the Court in an Invocation and the Pledge of Allegiance

2. Public Comment

Sara Kennedy Mile, Manfred Fritshe, and Virginia Brotherton spoke against the pipeline and their concerns with the location it will run and voiced their opinion of the lack of communication from the Engineers overseeing the project. They asked for the Courts support in any way they could offer it.

3. Minutes / additions / corrections / approval

Minutes of May 20, 2015 and May 26, 2015 were discussed with grammatical changes to be made to each.

Commissioner Garrett moved to approve the minutes of May 20, 2015 and May 26, 2015 with corrections. Commissioner Ortega seconded the motion, and the motion passed unanimously.

4. Recognitions

A. 28th Annual Goat Day, which took place on the Courthouse Lawn June 16, 2015

Judge Cano and the Court expressed their thanks and gratitude to Ike Roberts of Marathon, TX on the 28th Annual Goat Day. He stated it was a great success and provided a brief history of the event.

B. Brewster County Historical Commission, a recipient of the Distinguished Service Award for outstanding preservation work accomplished in 2014

Travis Roberts with the Texas Historical Commission provided the history of what the Historical Commission does and what they have done in the past.

Judge Cano and the Court showed their appreciation for all the volunteer work that he does for the Historical Commission and Brewster County.

Judge Cano read the letter Mr. Roberts received as recipient of Distinguished Service Award, Judge Cano then presented Travis Roberts the Award.

5. Brewster County Historical Commission / Travis Roberts, Chairman

A. Update on work of Commission

Travis Roberts provided a handout on the work that the Texas Historical Commission has done as well as an update on the work in progress and the terms they work under.

B. Discussion and appropriate action for general work of County Historical Commission to go forward

Nothing further at this time.

6. Consider Resolution authorizing the submission of a program years 2015-2016 TXCDBG Colonia Fund Application through the Texas Department of Agriculture

Jerry Carvajal reviewed the resolution for the 2015-2016 TXCDBG Colonia Fund Application through the Department of Agriculture. He informed the Court that there is an In-Kind match for the Colonia Fund and asked the Court to authorize Judge Cano to execute the application for the Colonia Fund.

Commissioner Ortega stated that there have been several projects completed in the past and have been helpful.

Commissioner Ortega moved to authorize Judge Cano to execute the application for the TXCDBG Colonia Fund for the years 2015-2016. Commissioner Pallanez seconded the motion, and the motion passed unanimously.

Judge Cano moved to item 15 in order for District Attorney Rod Ponton to be able to attend his next meeting.

7. 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 updated the Court on the work Road & Bridge has done over the past two weeks. He stated that several roads have been bladed in South County and North County, a load of base taken to Ross Road. Road & Bridge hit a water line that was shallow and fixed it before end of day, fixed a cattle guard at Cathedral Mountain, mowed the baseball field in Marathon as well as replaced the wire on the tennis court, and patched holes in Sunny Glenn. Superintendent Causey also stated they are moving equipment to Terlingua Ranch Road in order to finish the work on that Road.

Judge Cano asked about the streets around the Courthouse and the finishing of the repairs and Superintendent Causey informed him that the City was to lay a base before his crew completed the roads and he will follow up with the City to see what help he can offer to help complete the work before the July 4th Holiday.

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

Nothing further at this time.

8. Brewster County Central Appraisal District / Presentation by Thomas Y Pickett & Co., Inc. / Discussion and appropriate action

Chief Appraiser Matt White with Brewster County Appraisal District introduced Danny Hendryx, appraiser for Thomas Y Pickett & Company that represents the County.

Danny Hendryx informed the Court of his estimate of the money that will be coming into Brewster County if the pipeline is to come through.

Judge Cano expressed to the Court that Mr. Hendryx hesitated to provide an estimate because of the lack of complete information on the pipeline and the complete clarifications on a few things.

9. Treasurer

A. General Bills / Discussion and appropriate action

Hatem Merhi with the Treasurer Office provided the handout of General Bills to the Court, no numbers were provided for the record.

Skinner Well Service was questioned the payment in the amount of \$107,010.00 and the Court was informed it was payment for the Water Well Grant Project in Marathon.

Travis Roberts then provided an update on the project.

Commissioner Ortega moved to approve the General Bills to include Skinner Well Service. Commissioner Novovitch seconded the motion, and the motion 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 Listings	Personnel/Overtime Reports
Cash Report	Other Financial Reports as
Grant Reports	Requested by Commissioner

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

10. Officials' Monthly Reports

No reports provided for presentation.

11. 2015 Salary Grievance Committee / Draw names for Citizen Members of committee

Judge Cano drew the names for the 2015 Salary Grievance Committee, the names included: Andres Terrazas, Jacob Molinar, and Linda McAnally.

12. 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 that 92% of the project for two generators is paid for and the remaining \$2800.00 would need to be covered by Brewster County.

Commissioner Ortega stated that with the fund raisers in Marathon, there is enough to cover that remaining amount and will take care of it.

He also informed the Court of the cost to maintain the radios for Brewster County and the City of Alpine and feels that the City of Alpine should pay for the up keep of their radios; Brewster County radios will cost \$800.00 and the City of Alpine would be \$3500.00.

Matt Van Ostrand stated that there is no burn ban in effect at this time and that he has contacted the Rio Grande Council of Government on providing a list of streets listed in the county and where they are located.

Commissioner Novovitch asked him about an alternative emergency route out of Sunny Glen 1703. Matt Van Ostrand stated he is looking into that to see what the options are based on the pipeline and where they will run the pipe, if they do.

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

Nothing further at this time.

13. County Judge / Discuss and approve Air conditioning Unit replacement in the County Judge's Office

Judge Cano informed the Court of the air conditioning being out in his office and certain parts of the building and recommended changing it out. He provided quotes from two different local companies, they included: EZ A/C and TW A/C. EZ A/C quoted \$5,783 to replace the unit with a 10 year warranty and \$3,393 to replace the pump with a 5 year warranty. TW A/C quoted \$6,748.78 to replace the unit and \$3,129.67 to replace the pump.

Judge Cano stated that it was recommended to replace the unit with it being as old as it is.

Commissioner Garrett moved to replace the A/C unit in the Judges area using the EZ A / C Company. Commissioner Ortega seconded the motion, and the motion passed unanimously.

14. Commissioners Precincts 1 & 2 / Resolution regarding proposed gas pipeline through Brewster County / Discussion and appropriate action

Commissioner Novovitch and Garrett put together a Resolution to respond on the pipeline and where the Court and the community stand on the pipeline and the direction of the safety, where it will possibly run and the non-transparency of the project. With the Resolution to Federal Energy Regulatory Commission, this will allow the Federal Government to get involved.

Commissioner Garrett read the Resolution into record.

Further discussion took place and some explanation of the order of who oversees the project and Judge Cano stated he would like to meet with the Judges of Presidio and Pecos County so that all Counties involved will be on the same page and know where the accountability lies.

Commissioner Ortega moved to approve the Resolution regarding the oversight of the proposed gas pipeline. Commissioner Pallanez seconded the motion, and the motion passed unanimously.

15. 83rd District Attorney's Office / Update on bills previously discussed on June 8th Meeting in regards to the State of Texas v Tony Flint, Cause No. 4319, in the 394th Judicial District Court of Brewster County, Texas

District Attorney Rod Ponton presented an update on the El Capitan Hotel final bill in the amount of \$10,977.00 and after review the balance will be \$8,237.32.

Judge Cano asked for clarity and the process of the reimbursement process and Rod Ponton explained.

With approval of the El Capitan invoice at a previous meeting no action was needed.

16. Schedule next Regular Commissioners Court Meeting (Monday, July 13, 2015)

Judge Cano stated that the next meeting will be on July, 13, 2015 at the Brewster County Commissioner Court Room in Alpine, TX.

Supplemental Agenda

1. Contracts for cleaning/maintenance services for County Facilities / Approval to renew yearly contracts / Discussion and appropriate action.

Judge Cano informed the Court of the contracts that expire Juana Hernandez in Terlingua, Able Galindo in Marathon, Jean Sierra in Alpine.

Commissioner Ortega asked that he be added as a contact for the contract in Terlingua since the building is in his Precinct.

Commissioner Garrett moved to approve the cleaning/maintenance contracts. Commissioner Ortega seconded the motion, and the motion passed unanimously.

17. Adjourn

Commissioner Ortega moved to adjourn. Commissioner Garrett seconded the motion, and the motion passed unanimously.

Eleazar Cano, County Judge

ATTEST:

Berta Rios-Martinez, County Clerk