

**REGULAR MEETING OF THE BREWSTER
COUNTY COMMISSIONERS COURT
TUESDAY, OCTOBER 27, 2015 AT 9:00 A.M.**

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

<i>Eleazar Cano</i>	<i>County Judge</i>
<i>Luc Novovitch</i>	<i>Commissioner Pct. 1</i>
<i>Hugh Garrett</i>	<i>Commissioner Pct. 2</i>
<i>Ruben Ortega</i>	<i>Commissioner Pct. 3</i>
<i>Mike "Coach" Pallanez</i>	<i>Commissioner Pct. 4</i>
<i>Berta Rios-Martinez</i>	<i>County Clerk</i>
<i>Betty Jo Rooney</i>	<i>County Tax Collector/Assessor</i>

1. Invocation, Pledge of Allegiance

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

2. Public Comment

No public comments.

3. Minutes / additions / corrections / approval

Judge Cano presented the minutes from October 13, 2015 and asked the Court for approval. Commissioner Garrett suggested minor changes to item 5 and 13.

Commissioner Garrett moved to approve the minutes for October 13, 2015 with the corrections. Commissioner Ortega seconded the motion and the motion passed unanimously.

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 was not in attendance and in his absence, Commissioner Ortega provided the report. Commissioner Ortega reported that Road and Bridge had been blading roads and filling in washouts in Precinct 2, 3 and 4. Mowing in Marathon and completed the Judges' Office and moved the Auditor Office and the Treasure Office, as well as loaded the trailer with tires and are still loading the trailer, stated Commissioner Ortega. Road and Bridge repaired the roll up doors at South County EOC, fixed the roof at the Extension Office and roof on Sheriff Office for inspection, with work for preparing for the Chili Cook-Off.

Discussion of having a "Dump Day" took place and having it on December 5, 2015 and what the cost would be. Commissioner Novovitch asked if it was for a specific area in Brewster County. Commissioner Garrett added that it should happen where ever it is needed. Commissioner Ortega stated that it needed to be done County-wide and agreement with the City needs to take place and make sure the fees will be waived from TDS. Further discussion took place concerning the details and the cost if the fees are not waived and setting up meeting with people.

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

Nothing further to discuss.

5. 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 an AT&T line went down and all 911 service went down and all calls in the area were re-directed to Alpine Police Department. Sheriff Dodson stated that he was not notified of anything and that the Sheriff Office has a command center to handle situations such as these. Judge Cano suggested to have

a plan in place at a County level so that all those that need to be informed are properly informed. Especially since the Sheriff Office has the back-up.

Van Ostrand stated that the Hospital is running a drill for mass casualties to see what the capacity of the ER would be and will receive a report in order to see how the County can assist in case it is needed.

The request for bids for the generators have been submitted and are waiting on the last one to come in at the end of the week.

The burn ban has been in place for 90 days and is up to reconsider. Van Ostrand suggested with all the rain we have had and the future forecast he would suggest lifting the burn ban and re-visit at next Commissioner Court.

Commissioner Garrett moved to approve the expiration of the burn ban in Brewster County. Commissioner Ortega seconded the motion and the motion passed unanimously.

Commissioner Ortega updated the Court on the M2M and the Marathon Fire Department fund raiser of \$6,000. Judge Cano suggested to send a letter to the Marathon Fire Department and the Sheriff Office for their participation in helping the Marathon go smoothly.

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

Nothing further at this time.

6. Discussion and action regarding approval of tax abatement agreement between Brewster County and River Rock Solar LLC.

Judge Cano updated the Court on the tax abatement where the terms were concerned and the agreement just needed to be approved given there is no further discussion from previous meeting. Commissioner Garrett stated the retainer for Hudson & O'Leary will remain should the ownership of River Rock Solar LLC should change owners.

Commissioner Ortega moved to approve the Tax Abatement agreement between Brewster County and River Rock LLC. Commissioner Novovitch seconded the motion.

7. Treasurer

A. General Bills / Discussion and appropriate action

Auditor Treva Watson reported in behalf of Treasure Ruth Staton's absence. The general bills were presented to Court prior to Court. Commissioner Novovitch asked if the Nectar Computer payment of \$12,003.70 brings the County up to date. Auditor Watson stated that this should bring the County current. Judge Cano informed the Court the he met with Mark Hanna with Nectar Computers and he agreed to discard years 2013 and 2014.

Commissioner Pallanez asked about the Valles Investigation that was discussed at the previous meeting and was informed it is from Judge Ferguson's Office.

Commissioner Novovitch asked about the item 4978. It was explained the it is the current power company.

Commissioner Ortega moved to approve the general bills as presented. Commissioner Garrett abstained from his travel reimbursement.

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
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 reported.

B. Other general administrative & procedural matters related to Treasurer's Office

Nothing further to discuss.

8. Officials' Monthly Reports

Commissioner Garrett read into record the Official Monthly Report for September.

Commissioner Ortega moved to approve the report as read. Commissioner Novovitch seconded the motion and the motion passed unanimously.

9. Texas Historical Commission / Announce that the 84th Texas Legislature has allocated almost \$20 million in general revenue funding for the Texas Historic Preservation Program (THCPP) / Discussion only

Judge Cano discussed the funds and how the resources could be used. He also explained that his office was remodeled with these funds and plan on the District Court be priority for the next major remodel as well as the outside. Judge Cano explained how the funds for the original Courthouse could be remodeled as Historical Preservation.

Discussion of the funds and the process of updating the buildings on the block of the Courthouse.

10. Commissioner Precinct 3 / Discuss and consider extending the hours of sale, offer to sell, and delivery of mixed drinks, wine and beer in the unincorporated areas of Brewster County to 2:00 A.M. on any day

Commissioner Ortega explained that he has a couple of business owners come to him in extending the hours of sale alcohol on certain days. Commissioner Ortega spoke with County Attorney Steve Houston and with TABC and as long as requirements are met and Commissioner Court makes the approval there was no problem.

Representative from The Boathouse and the Starlight Theater explained the reason for the request is for revenue based only. They stated that tourist that come through the area are there to enjoy their time and are asked to leave early due to the time of the cut-off. Both representative expressed that if approved they would not be able to begin the extended hours but would begin after additional filings with TABC are completed.

Judge Cano asked what the negative aspect this would have. Neither representative would not anticipate any negatives. Judge Cano asked how communication would be provided to the Sheriff Office on the dates establishments would be open late.

Sheriff Dodson stated the he did not have the man-power to cover the extra hours as the Deputies in the area or extended as it is. He also stated that the longer hours will increase the incidents in the area.

Further discussion took place among the Court on the best thing to do.

Commissioner Ortega moved to approve an order to put in place for the extended hours to sell alcohol with the intention to re-visit if incidents increase and the order will be rescinded. Commissioner Novovitch seconded the motion and the motion passed unanimously.

Court recessed at 10:50 A.M.

Court reconvened at 11:00 A.M.

11. Commissioner Precinct 2 / Presentation of ESD #1 Annual Financial Report

Commissioner Garrett stated that he attended the meeting and explained the process and read into record the financial report for the Emergency Services District. This presentation included a letter of Independent Accountant' Compilation Report from Daniela C. Lara, CPA, P.C.

Discussion and explanation took place.

12. Discuss and consider Courthouse Management Software for Courthouse and Tax Office

Judge Cano explained that there were three (3) separate vendor come in and present their management software. This is due to the fact that the County is trying to locate a program that works best for all departments in the County, informed Judge Cano. Judge Cano expressed that Net Data was visited as well as other Counties that use the program and based on his conversation with other Counties in the surrounding area the program works for them.

Judge Cano asked for any thoughts from department heads.

District Clerk, JoAnn Salgado, feels that Net Data would work for her office.

Tax Collector/Assessor, Betty Jo Rooney, expressed that she would like to stay with the program that they use with the Appraisal District. Judge Cano talked to the Net Data about having the Tax Office stay and they informed him it could be done and it would be cheaper.

Auditor Treva Watson spoke on the transition and the timeline of changing to Net Date. It would begin in January and would take about 30-45 days depending on how ready the County is,

Auditor Watson informed. Auditor Watson expressed her experience with the program and the simplicity of the use.

Commissioner Ortega asked if this will replace Hill Country Software and the cost.

Auditor Watson said it would replace Hill Country Software and the cost would be \$10,000.

Commissioner Ortega asked about the \$98,000 costs.

Judge Cano explained that there is a \$50,000 line item for this particular item.

Judge Cano stated that each department would be visited to see if Net Data would work well for all and the \$98,000 would not come out of the budget until 2017 and the bill would not be presented until it is all complete.

Steve Houston stated that Net Data should provide a breakdown by department so that everyone knows where they stand. This is due to the fact that not all departments might not be included in the transition and will have to wait.

Commissioner Ortega suggested to get the amount of money spent on Hill Country to see what savings may occur, if any. Houston explained that a transfer of a line item could take place from Hill Country to Net Data, if Hill Country is no longer a provider for the County.

Judge Cano stated that an outline of the process would be provided so everyone knows when the transition would take place.

Suggestion of a breakdown of the order of the transition took place.

Auditor Watson presented the expense of Hill Country to be over \$20,000 and Commissioner Ortega stated that you can't compare this year as it has not been a normal year for the County with all the challenges the Treasure Office has faced. Commissioner Ortega suggested running those numbers from 213 and 2014.

Commissioner Ortega stated that to approve the financial management would be fine but not for the County.

Commissioner Novovitch stated that he has not heard or seen from any other vendor and does not feel comfortable voting on something he has not seen.

Berta Rios-Martinez stated that it was hard decision and three vendors provided a presentation and only one vendor is being discuss. April 2016 is the deadline for E-filing in the County Clerk, stated County Clerk, Berta Rios-Martinez and Net Data could not meet that deadline.

Commissioner Ortega asked the Court if Net Data was the vendor that was selected or if there were others. County Clerk, Rios-Martinez stated there should be two others.

Judge Cano stated that he was trying to move forward with this since it has been sitting on hold for so long and that Auditor Watson is in need of getting something done for the financial end.

Commissioner Ortega moved to approve Net Data to serve as the Management Software for the Treasurer Office and the Auditor Office. Commissioner Garrett seconded the motion, Commissioner Novovitch abstained, and the motion passed three to one.

13. Announce date of next Commissioners Court Meeting (Monday, November 9, 2015)

Judge Cano stated that the next meeting will be on November 13, 2015 at 9:00 A.M.

14. 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