

**CALLED MEETING OF THE
BREWSTER COUNTY COMMISSIONERS COURT
TUESDAY, APRIL 7, 2009
10:00 A.M.**

Judge Beard called this meeting to order. Officers present are listed as follows:

VAL CLARK BEARD	COUNTY JUDGE
ASA STONE	COMMISSIONER PCT. 1
RUBEN ORTEGA	COMMISSIONER PCT. 3
MATILDE PALLANEZ	COMMISSIONER PCT. 4
CAROL OFENSTEIN	TREASURER
JERRY SOTELLO	J.P., PRECINCT 1

1. Brewster County Tourism Council / Request to take County Hotel/Motel Tax (3%) to same rate as most surrounding local government entities which collect Hotel/Motel Tax (other entities collect at 7%)

A. Consideration of whether or not legislative authorization is required to modify tax rate

Judge Beard noted that the legal situation before the Court today is "in flux." She and Ron Sanders have both spent lots of time on the phone in the last couple of days gathering information. The meeting may be very general due to the changing nature of the issue.

Tourism Council Chair Ron Sanders said he found out last week that there was Legislation authorizing the Commissioners Court to raise the tax from 3% to 7%. Attorneys agreed that the Commissioners had the authority to do so. However, the City of Alpine would be included, although it would have raised the City tax from 7% to 14%, which is unfair for city hoteliers. The County and the Tourism Council have never intended to tax in the City of Alpine or its extra-territorial jurisdiction (ETJ).

The County Tourism Council asked those at work on the Bill to exclude Alpine from the issue.

Mr. Sanders spoke last night with Scott Joslove, the president/CEO of the Texas Hotel Lodging Association, about excluding the City of Alpine from the tax and learned that the Bill will have to start over from the beginning, including 30 days of advertising in the local newspaper. If it doesn't get in the newspaper this week, the Tourism Council will have to wait two years for the next Legislative Session.

The Avalanche is holding a spot for the ad, in case authorization is received in time.

Also, if the Bill is the not heard by the Committee next month, including enough

people to testify, etc., then the Bill is dead.

Chairman Sanders asked Commissioners for authorization for the Council to act as they need to in the next few days so that things can move forward, if possible.

B. Consideration of other issues related to altering Hotel/Motel Tax rate

Mr. Sanders reviewed the present Legislation and events which brought about the request for the amendment.

Judge Beard said the original Legislation was capped at 3%. The County does not collect in Alpine, or in the ETJ of Alpine, and never intended to.

Mr. Sanders said they noticed that several towns had large drops in visitation. Times are not good. The Tourism Council has the need to increase the emergency reserves. They wanted to have a 5% reserve for historic preservation, more print advertising, going to bus shows, billboards, public relations for press trips, increasing summer business, website expenditures, visitor contact stations, updating the survey, etc.

He said this technical correction from 3% to 7% has backfired.

Tom Williams said the Tourism Council has been operating at a disadvantage when compared to surrounding areas. In the present economy, the tourism level must be kept as high as possible. To do that, more money is necessary for advertising and those other things Mr. Sanders outlined earlier.

Mike Davidson noted that increasing the rate at the same time others are seeing a hit will put the County at a distinct advantage.

C. Discussion and appropriate action concerning altering County Hotel/Motel Tax

Commissioner Stone made a motion to endorse the efforts of the Tourism Council in their legislative efforts to allow for collection of up to 7%. Commissioner Ortega seconded the motion, which passed unanimously.

Commissioner Ortega made a motion to adjourn, which was seconded by Commissioner Stone, and passed unanimously.

VAL CLARK BEARD, COUNTY JUDGE

ATTEST:

BERTA RIOS MARTINEZ, COUNTY CLERK