

**CALLED MEETING OF THE
BREWSTER COUNTY COMMISSIONERS COURT
WEDNESDAY, JULY 22, 2009, AT 9:00 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. 2
KATHY KILLINGSWORTH	COMMISSIONER PCT. 2
MATILDE PALLANEZ	COMMISSIONER PCT. 4
CAROL OFENSTEIN	TREASURER
BETTY JO ROONEY	TAX ASSESSOR COLLECTOR
BERTA RIOS MARTINEZ	COUNTY CLERK

1. Treasurer

A. General Bills / Discussion and appropriate action

Treasurer Ofenstein said there is nothing unusual about the bills being presented.

Commissioner Ortega made a motion to accept the bills as presented, which was seconded by Commissioner Killingsworth, and passed unanimously.

B. Infrastructure Projects Bills / Discussion and appropriate action

Mrs. Ofenstein said the bills include one that was actually presented at the last meeting. Caliche was purchased for the Alpine site for \$4,315.

Bills under Item B were approved in the above vote.

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

Mrs. Ofenstein said she is sending Deputy Treasurer Megan Antrim to a TCDRS conference on Aug. 4.

Judge Beard said that as the annual audit has been pushed further back in the summer, the Treasurer's Office has been left with the task of working on the audit at the same time that they are beginning budget preparations.

She and Mrs. Ofenstein have asked CPA Shaw Skinner if the audit can be done in May. He has agreed.

2. 2010 Budget Workshop / No action

A. Discussion concerning matters related to 2009 Budget including revenues, department expenditures and projected new needs

Judge Beard explained that the Commissioners have a draft of a budget; it is not a version or a proposal. It is a starting point only.

Her goal is to at least keep the tax rate flat, maybe better. The most significant points she outlined include the fact that all of the County's short-term debt is paid off, and the first payment for the new infrastructure is already in Interest and Sinking.

The draft includes a 3.5 percent COLA for all officers and employees. Job classification increases have been set, at this point, at \$750 per employee per department.

Treasurer Ofenstein quickly reviewed revenue and expenditures, including debt and salaries.

Judge Beard noted that for the second year, interest rates are very low.

Mrs. Ofenstein said the tax revenue will be up because the debt service is down. More tax revenue will be placed in M&O funds than I&S funds. She has lowered delinquent taxes and penalties and interest, and has included \$15,000 from tax suits.

Judge Beard said she thinks Commissioners need to consider the rollback tax rate.

She said the budget cannot be considered with any precision without the certified tax roll, which is supposed to be ready tomorrow.

Mrs. Ofenstein said she has not changed the tax contract amount, and she has brought the annual total for federal prisoners down to \$575,000.

Judge Beard said the jail updates will be finished very soon. She said that when substantial work has been done at a jail, the County may be eligible for a per prisoner rate increase.

The hotel/motel tax is increasing from 3 percent to 7 percent, which will be reflected in the budget.

Mrs. Ofenstein said she has, as a starting point, included everything the department heads asked for, a 3.5 percent salary increase and \$750/person job classification increase.

Judge Beard said that only the Sunshine House, as a contracting agency, made a request for an increase. She said she spoke with the board president, who said an increase is unnecessary.

She asked Commissioners if they would like to hear from the contracting agencies at the next meeting. They agreed that since increases are not necessary for any of them, they don't need to hear from them.

Commissioner Killingsworth said it may be a good idea to review the County benefits policy with all of the employees.

Commissioners discussed janitorial services and maintenance at the new facilities. Commissioner Killingsworth suggested \$300/month for once-a-week cleaning at the South County ERC.

B. Discussion concerning reallocation of County Funds for Electoral Function between County Clerk & Tax Assessor Collector

Mrs. Ofenstein said the Elections budget has been put in with the Clerk's budget, including a salary supplement for the County Clerk, and an \$18,000 salary for the Election Clerk. That budget also includes medical insurance, job classification increases and operating expenses.

Commissioner Ortega said he doesn't feel like the salary is high enough to retain an employee for a very long period of time.

Judge Beard and Treasurer Ofenstein explained that, as the Elections Clerk is a part of the County Clerk's budget, the County Clerk needs to work through salary issues; it is her call.

Mrs. Ofenstein said the figure could be reviewed.

Judge Beard said Commissioner Ortega's point is well-taken, but the responsibilities of elections will be shared by the Elections Clerk and the County Clerk, whose salary is being supplemented.

Commissioner Killingsworth asked if the position is considered hourly. Mrs. Ofenstein said it is.

C. Judge's schedule for adoption of Budget and setting Tax rate and other matters related to 2010 Budget

3. Road & Bridge Planning & Budget Workshop

Judge Beard said she thinks that the R&B Department will probably need to dip into the fund balance at the end of the year in order to complete seal-coating.

She asked Commissioner Stone and Supt. Causey to review the budget, and added that revenue is flat.

The overtime line in the budget needs to be addressed to make up for work on the infrastructure projects.

Mr. Causey said he feels pretty comfortable with the budget, although he and Commissioner Stone have talked about getting a new haul truck.

Judge Beard said it would be best to do it now and take advantage of the favorable market for trucks. The funds are available in this year's budget. She said the bid limit is now \$50,000.

Treasurer Ofenstein asked if she should continue to budget for a temporary employee who is actually retired. If he works longer than six months, he must be reclassified as part-time. Mrs. Ofenstein believes he has been working longer than six months, and she will study the issue.

Commissioners and Mr. Causey further discussed seal-coating County roads. Mr. Causey wants to finish roughly four miles this year. He also reviewed what he wants to get done next year.

Judge Beard said the paved roads are falling apart. Commissioners have been talking about this project for three years; she said it's time to put the money in the budget and push to get it done.

Judge Beard noted that Mr. Causey is doing a good job of staying within the budget.

She asked Mr. Causey to come back to the next meeting with a number and proposal for seal-coating for 2010. She said it probably won't all get done, but they can figure out what is prudent.

Mr. Causey said if he finished out this year's budget in Marathon, including Post Road, he could probably get it all done. He has the materials available.

Commissioner Killingsworth said she would like to include in the plan paving the road to the South County Community Center.

To finish Double Diamond roads will probably cost \$25,000, said Mr. Causey, including \$11,000 for oil, \$9,000 for paving rock and \$5,000 for base materials.

Judge Beard said she and Treasurer Ofenstein need to look at fund balances for possible Road & Bridge budget amendments in 2009, one for road materials and another for a haul truck.

Commissioner Killingsworth asked how long the roads will be good for one they are seal-coated. Mr. Causey said 5-7 years.

Parking lot paving for the new buildings will be paid for out of the infrastructure budget.

4. Performance and Compensation of County Department Heads and employees in 2010 Budget

County Clerk

Tax Assessor Collector

District Clerk

Emergency Management

County Commissioners

County Judge

County Attorney

County Treasurer

Sheriff

Justice of the Peace, Pct. 1, 2 & 3

Road & Bridge Department

Constables, Pct. 1, 2 & 3

A. Executive Session Pursuant to Section §551.074, Government Code, VTCA, to discuss the appointment, employment, evaluation, reassignment, duties, compensation, or dismissal of a public officer or employee

At 11:25 a.m., Judge Beard called an executive session related to the 2010 budget to discuss the appointment, employment, evaluation, reassignment, duties, compensation or dismissal of a public officer or employee, pursuant to Section §551.074. The courtroom was cleared.

Reconvene in Open Session

At 11:55 a.m., Commissioners reconvened in open session. Judge Beard said they had been in executive session to discuss personnel issues, pursuant to Section §551.074. Judge Beard asked Commissioners if they wished to take any action.

No action was taken.

B. Discussion Only / No Action

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

[Val Clark Beard]

VAL CLARK BEARD, COUNTY JUDGE

ATTEST:

Berta Rios Martinez
BERTA RIOS MARTINEZ, COUNTY CLERK