

**REGULAR MEETING OF THE
BREWSTER COUNTY COMMISSIONERS COURT
MONDAY, OCTOBER 11, 2010, AT 10:00 A.M.**

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

VAL CLARK BEARD	COUNTY JUDGE
ASA "COOKIE" STONE	COMMISSIONER PCT. 1
KATHY KILLINGSWORTH	COMMISSIONER PCT. 2
RUBEN ORTEGA	COMMISSIONER PCT. 3
BETTY JO ROONEY	TAX ASSESSOR
JERRY SOTELLO	J.P., PRECINCT 1
CAROL OFENSTEIN	TREASURER
BERTA RIOS MARTINEZ	COUNTY CLERK

Commissioner Pallanez was not present due to the death of his brother.

AGENDA

To discuss and take action as appropriate on the following:

1. Invocation and Pledge of Allegiance

Judge Beard led the invocation and Pledge of Allegiance.

2. Minutes / additions / corrections / approval

The minutes from the September 13, 2010, and September 28, 2010, meetings were presented for approval.

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

3. Treasurer

A. General Bills

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

B. Infrastructure Projects Bills / Discussion and appropriate action

Commissioner Ortega made a motion to approve one infrastructure bill for 7,800 from Skelton Trucking for hauling road materials to the South County site. Commissioner Stone seconded the motion, which passed unanimously.

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

4. Official's Monthly Reports / Discussion and appropriate action

Commissioner Stone read the reports for the record.

Commissioner Killingsworth made a motion to approve the reports, which was seconded by Commissioner Ortega, and passed unanimously.

5. Road & Bridge Department / Community Facilities

A. General updates on maintenance and repairs for all county roads; road materials including, fuel, supplies including usage & inventories & future needs; 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) and community facilities (assistance with maintenance and other related issues); assistance to other governmental entities and emergency responders; personnel issues, (vacancies, new hires, performance and safety); permits for boring or trenching for utilities across County Roads

Supt. Frenchie Causey said a couple of the guys have been working on roads in South County all week. Crews were also working at the CASI site getting ready for the cook-off.

The posts have been set for the fence at the Fire Station in Alpine. They sprayed the trees at the Post for webworms.

Crews also patched potholes at Mosley Lane and Wagon Road.

B. TxDOT Border Colonia Access Paving Grant

1. General Update

Judge Beard said bids for the paving grant were opened Oct. 4.

2. Bids for Marathon Street Improvements opened on October 4, 2010

a. Review bids and receive engineer's recommendation

Grant Administrator Jerry Carvajal said four bids were received from Jarratt Dirt Work, 90 West, Reese Albert and Jones Brothers. The low bid came from Jarratt Dirt Work at \$253,110. The high bid came from Jones Brothers at \$356,022.

Engineer Travis Robert is recommending going with the low bidder, Jarratt Dirt Work.

b. Award bids or other appropriate action

Commissioner Ortega made a motion to approve the bid from Jarratt Dirt Work, which was seconded by Commissioner Killingsworth, and passed unanimously.

c. Opportunity for any low bidder not receiving award to address Commissioners Court

3. Discussion and appropriate action to go forward with grant project

C. South County Yard Parking Shed

1. Assessment of materials on hand for shed

Judge Beard said they need to assess the materials on hand which they may be able to use.

Supt. Causey said he needs to go through the materials, which are stored in Alpine, to see what they have.

2. Discussion and appropriate action to move forward with planning project

D. County contract to perform site preparation for City Animal Shelter

1. Review of completion of contract in a timely fashion and Road & Bridge's experience in performing site preparation

Judge Beard said the County entered into an interlocal agreement. The County was not asked, nor was it a part of the contract, to perform pad construction and compaction of the dirt at the site.

There were some comments made at the last City Council meeting by City management and the City's construction manager about the completion of the work by the County, and some expenditures for change orders related to compaction/pad preparation to complete the work were laid at the feet of the County.

Judge Beard said the County did what it was asked to do.

Commissioner Stone noted that A.G. Hayes had assisted in clearing and leveling the site. Commissioner agreed that Mr. Hayes should be thanked.

2. Discussion concerning terms of contract, completion of work and related matters

3. Discussion and appropriate action concerning contract

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

6. Emergency Management Department

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 public and private insurance coverage and personnel issues related to emergency response / Discussion and appropriate action

EMC Tom Santry said a CodeRed phone notification drill will be held this afternoon. It is just a drill.

B. Proposals to provide Ambulance / EMS Service to North Brewster County and City of Alpine (Proposals received on September 30, 2010)

1. Review proposals, hear and discuss recommendations from County EMC

Judge Beard said that Mr. Santry has spent a great deal of time on this issue. He worked with attorney Greg Hudson to define the necessary criteria for the proposals.

Mr. Santry said the advertisement began running Sept. 9. A pre-proposal meeting was held Sept. 16, and the deadline for proposals was Sept. 30, 2010.

Two proposals were received, which Mr. Santry has analyzed and compared.

The proposals came from West Texas Ambulance Service and O'Hara Flying Service of Amarillo.

No references were provided for O'Hara, and the O'Hara application was incomplete.

Mr. Santry explained to Commissioners how he graded the applications. He went through both applications in great detail, and commented on how each application met or did not meet each criteria.

Mr. Santry recommended that West Texas Ambulance Service be awarded the contract.

2. Discussion and appropriate action concerning award of County Proposal for EMS service in North Brewster County

Based on the recommendation, Commissioner Ortega made a motion to contract with West Texas Ambulance. Commissioner Killingsworth seconded the motion.

Judge Beard said there was no dissatisfaction with West Texas Ambulance Service. However, another company was interested in making a proposal and Commissioners and Greg Hudson agreed that it was appropriate and good business practice to periodically seek proposals.

The contract is for a period of one year, but it may be extended.

The motion passed unanimously.

C. Need for Radio Console for Brisbin Emergency Operations Center / Discussion and appropriate action

Judge Beard said they are working on getting a radio console. Until it is in place, the EOC is not fully operational.

D. Discussion and appropriate action for general work of Emergency Management Department to go forward

7. Pending Community / Public Safety Infrastructure Projects / Discussion and appropriate action to go forward with all projects, including:

Major Projects:

***South County Emergency Response Center (Housing for Terlingua Medics, Terlingua VFD, Deputy, J.P. & related support space)
Alpine/N. Brewster County Area Emergency Response Center
(Fire Station for Alpine VFD & Brewster County Emergency***

***Operations Center), Brewster County Jail Update
Marathon Law Enforcement Facility (Housing for Deputy, J.P. Pct.
3 & training room), Brewster County Jail Renovation***

***Construction Assistance for Alpine Public Library, a non profit
corporation***

Smaller Projects:

***Vehicle & Equipment Storage Building (shed design) for South
Brewster County on 23221 FM 170, near Terlingua & Study Butte,***

covered porches for Marathon Community Center, Multipurpose slab for Pattillo Community Center & Terlingua Fire & Medics

A. Project Updates

1. Marathon Justice Center / Discussion and appropriate action to complete project

The signage is in place, and Commissioner Ortega said they are working on the last few things.

2. Alpine VFD Fire Station & Emergency Operations Center / Update on final matters necessary to complete and close out Project, including installation of signage / Discussion and appropriate action to close project

The chain link fence should be finished today, and the signage is in place. Supt. Causey said they need to put some concrete pads in front of a few doors, and they should be complete.

3. South County Emergency Response Center / Update on occupancy and any remaining work to be done / Discussion and appropriate action to go forward & complete project

Commissioner Killingsworth said they are still working on the locks for the doors. She said they will be working on some of the technology issues tomorrow.

4. Brewster County Jail / Update on completing refurbishment of control room & other repairs / Discussion and appropriate action to complete project

Judge Beard said there are some technical issues related to 911 that are being addressed.

5. Alpine Public Library Project / Construction for Alpine Public Library, a non profit organization / Update

a. Update on plumbing, HVAC & insulation

Judge Beard said the plumbing is stacked out, and the HVAC is partially done. The insulation has been sprayed in.

b. Discussion concerning County's role as Construction Manager in project / Discussion and appropriate action

regarding continuing construction assistance to APL

6. Multipurpose concrete pad at Pattillo Community Center

a. Update

Commissioner Killingsworth said there are several other things that need to be completed before they can move on with the pad.

b. Discussion and appropriate action to go forward with project

B. General Discussion concerning remaining public dedication events for Marathon Justice Center and Alpine Fire Station and Emergency Operations Center

Commissioner Ortega said he is looking at November for the dedication in Marathon, probably on a Friday or Monday.

8. Pending Infrastructure Grant Matters

A. Colonia Construction Fund Application / (2nd Septic Tank Replacement Grant Application for S. Brewster County)

1. Update on Project & Application Process

Mr. Carvajal said he hopes to sign contracts with the first 12 applicants in the next two weeks.

2. Approval of Additional Applicants for Program / Discussion and appropriate action

3. General and administrative matters related to going forward with program including approval of additional applicants, bids & proposals & other matters / Discussion and appropriate action to go forward with grant project

Judge Beard said there is some misinformation about how the grants work and what they are for that needs to be cleared up.

B. 2009/2010 Texas Department of Rural Affairs Community Grant Program (Study Butte Water Tank Project)

1. Update

A pre-construction conference will be held Oct. 25 at 10 a.m. with the Study Butte Water Corp.

He has received the contract amendment for the additional \$92,000 in funding.

2. Discussion and appropriate action to go forward with grant program

C. Upcoming 2011 / 2012 Texas Department of Rural Affairs Grant Program / Discussion and appropriate action to approve projects / Discussion and appropriate action to go forward with grant application

Mr. Carvajal said he received the application last Thursday. It has been submitted, and he will hopefully know something by January.

D. State Comptroller's Energy Efficiency Grant (Energy Efficient upgrade of Annex HVAC System)

1. Update / Conrad Arriola

Mr. Arriola said he is still working with the state on the paperwork for the equipment.

2. Discussion and appropriate action concerning going forward with project

9. County Clerk / 2010 November 2nd General Election

A. Update

Election Clerk Alicia Garcia addressed polling times and places for remote early voting.

B. Election Judges Selection / Discussion and appropriate action

Ms. Garcia and County Clerk Berta Rios Martinez explained that there are issues with finalizing a list of judges for the general election. There have been some issues with lining up judges. The party chairs nominate election judges; however, unlike the primary, the party chairs are not in charge of the general election. The County Clerk is in charge of the general election.

Ms. Garcia said she will test the electronic voting machines next week, before early voting begins. ES&S was here a couple of weeks ago doing any repairs necessary.

Commissioner Ortega made a motion to approve the election judges as submitted by the clerk, which was seconded by Commissioner Stone, and passed unanimously.

Training for election judges will be held shortly.

10. County Judge / Review of pending grant funded and County funded & cooperative infrastructure projects, law enforcement grants and other pending projects related to County personnel and policies / Discussion concerning how these projects and programs impact County personnel, workload, finances and related issues / Discussion only

Judge Beard said that for the last 18 months, work has been roughly doubled due to the infrastructure projects. Even as they wind down, the workload in various offices has increased substantially.

Judge Beard reviewed the grants and projects which are current or are pending.

The renovation of the old library building is upcoming.

She said there are some other projects which are still in the idea stage, such as the Quiet Zone in Alpine, further assistance on the Alpine Animal Shelter, help with the rehabilitation of the Train Depot, which is dependent upon the possibility of crew changes taking place outside of the city limits.

All of this represents a huge workload, particularly on the Treasurer's Office.

There are also ongoing law enforcement and Homeland Security grants which require substantial time, especially by the Treasurer's Office.

11. 2009 Operation Stonegarden Sub-Recipient Agreement for Brewster County / Request for ratification/ Discussion and appropriate action

Treasurer Ofenstein said this combines 2009 Stonegarden and a 2009 Stonegarden supplement, which was actually approved in April.

Commissioner Killingsworth made a motion to approve the agreement and to authorize Judge Beard as the signator. Commissioner Stone seconded the motion, which passed unanimously.

12. AEP Commercial Solution Program for energy efficiency in County facilities / Discussion and appropriate action concerning participation in program

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

13. Declaration of November 10, 2010, as Homecare and Hospice Month / Discussion and appropriate action

Commissioner Killingsworth made a motion to approve the declaration,

which was passed by Commissioner Ortega, and passed unanimously.

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

VAL CLARK BEARD, COUNTY JUDGE

ATTEST:

BERTA RIOS MARTINEZ, COUNTY CLERK