

**REGULAR MEETING OF THE
BREWSTER COUNTY COMMISSIONERS COURT
TUESDAY, OCTOBER 26, 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
MATILDE PALLANEZ	COMMISSIONER PCT. 4
BETTY JO ROONEY	TAX ASSESSOR
JERRY SOTELLO	J.P., PRECINCT 1
CAROL OFENSTEIN	TREASURER

To discuss and take action as appropriate on the following:

1. Minutes / additions / corrections / approval

The minutes from the October 11, 2010, meeting were presented for approval.

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

2. Treasurer

A. General Bills

Treasurer Ofenstein noted an \$5,325 payment for furniture for the Marathon Justice Center. There was also a \$197,000 payment from Stonegarden for CopSync.

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

Commissioner Killingsworth abstained from 68450 and 68451.

Two walk-in bills were presented; the first was a reimbursement of \$134.96 to Commissioner Stone for his hotel room for the Far West Texas Commissioners and Judges conference; the second was for a \$5,000 down payment to Roberts Mechanical.

Commissioner Killingsworth made a motion to approve the walk-in bills, which was seconded by Commissioner Ortega, and passed unanimously.

B. Infrastructure Projects Bills / Discussion and appropriate action

Her office has received a \$70,327 reimbursement for the library building, and has billed the ESD for \$26,901 for furniture. Brewster County will cover the remaining \$19,000.

C. Indigent Defense Grant Resolution / Discussion and appropriate action

Treasurer Ofenstein said they receive about \$9,000 annually from the State. Commissioner Ortega made a motion to approve the resolution, which was seconded by Commissioner Killingsworth, and passed unanimously.

D. Other administrative matters related to Treasurer's Office / Discussion and appropriate action

3. Officials' Monthly Reports / Discussion and appropriate action

No reports were presented for approval.

4. 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 they finished the pads in front of the doors at the Alpine Fire Department. They have a little more to do to complete the fencing at the site.

They finished cleaning up the CASI site, and are hauling those materials up to the Water Tank site to use for road fill.

Some crews moved to Marathon and have hauled away some trash from the Justice Center and brought in dirt. They installed the gutters and have been doing some painting. A stop sign was installed in Sunny Glen.

Mr. Causey watched while Old Marathon Hwy. was bored under to make sure it was done correctly.

B. TxDot Border Colonia Access Paving Grant

Engineer Travis Roberts said the contract was awarded at the last meeting to Jarratt Dirt Work. The contractor should bring the contracts back to the Judge's office soon.

Mr. Roberts said they'll probably be ready to start the second week in November.

He is going to review the placement of the waterlines in Study Butte next week.

Commissioner Killingsworth asked about the easements. Mr. Roberts said they are working on four different documents, and he'll probably have them ready in the next couple of weeks.

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

5. 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

Judge Beard said Mr. Santry is ill, so general report will be given.

B. Ambulance Contract for N. Brewster County approved on October 11, 2010 / Update / Discussion and appropriate action to conclude process

Judge Beard said the city has approved the contract with West Texas Ambulance, as well. Both the County and City contracts have been signed.

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

6. 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***

Commissioner Ortega said the signage has been installed.

- 2. Alpine VFD Fire Station & Emergency Operations Center / Update on final matters necessary to complete and close out Project / Discussion and appropriate action to close project***

Judge Beard said the chain-link fence which has been installed was recycled. It was there when the property was purchased. The crew moved it before construction began, and it now has been installed along the U.P. right-of-way and west boundary of the property.

- 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 have a few things to wrap up, and they are on the final punch list.

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

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

a. Update on last phases of insulation / HVAC

Judge Beard said the library project is in a holding phase right now. The building was cleaned up last week, and a formal check presentation from AEP for \$100,000 was held. That money should pay up to dry-walling.

b. Discussion concerning County's role as Construction Manager in project / Discussion and appropriate action regarding continuing construction assistance to APL

c. Discussion concerning drywall and interior finish / (No action)

6. Multipurpose concrete pad at Pattillo Community Center

a. Update

Judge Beard said these projects should pick-up fairly shortly.

b. Discussion and appropriate action to go forward with project

7. Porches for Marathon Community Center

a. Update

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 / Discussion and appropriate action

Commissioner Ortega is still looking at dates.

7. U.S. / Mexico Border Counties Coalition / Update

Judge Beard said Brewster County has been a part of this organization for the last few years. It is a group comprised of Border counties across the U.S. border with Mexico. It's primary purpose is to lobby Congress for the special needs of border counties.

The State Criminal Assistance Program (SCAP) was discussed. SCAP provides reimbursement for costs incurred by counties when illegal aliens are charged and prosecuted. It was noted on the Border Prosecution Initiative that there is a presidential initiative to do away with the program. Judge Beard suspects that doing away with that Initiative may have something to do with publicity in Arizona and Texas.

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

Commissioner Killingsworth said there have been some changes in TDRA staff. Before contracts are issued, they are making sure that everything is in compliance.

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

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

1. Update

Mr. Roberts said a pre-construction meeting is scheduled for Nov. 1. After that, they intend to issue a Notice to Proceed. The tank contractor in Austin is working on assembling all the parts.

The money for the Terlingua Springs waterline is included in this grant. Commissioner Killingsworth said that part of the reason they had to wait on this project is because they were waiting on approval for the waterline.

Mr. Roberts said they could start construction in March. During construction, the old line will be kept in service while each individual line is transferred onto the new line. The old like will then be "killed off."

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 go forward with grant application

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

1. Update / Conrad Arriola

Mr. Arriola said he didn't have anything new to report.

2. Discussion and appropriate action concerning going forward with project

9. I.T. Department Report and Update

A. Infrastructure Projects / installation & wiring for computers / Networking and related issues

Commissioner Killingsworth said the ports are wired in on the South County project. They still finish out three or four.

IT Director Leo Ofenstein said they are working on connectivity from the buildings to the Sheriff's Office. He said the telephone coverage drops from time to time, but he doesn't expect it to be a large problem because usage is not large-scale.

Commissioner Killingsworth asked if the server will reboot itself if the power goes out. Mr. Ofenstein said it would.

Commissioner Ortega said he needs to get the order in for the phone lines in Marathon.

B. Networking / Jail and Law Enforcement Update

Mr. Ofenstein said the jail's system has been installed. They are waiting on the Sheriff's Office to get it finished on their side.

C. County Road Map Project / Discussion and appropriate action to commence work on Digitizing Road Map

Mr. Ofenstein said County maps are available on demand with a day or two of lead time. They are able to access data from the Federal and State governments, and 911 data. They can get aerial photos from the COG, although they have to be "stitched" together.

Judge Beard said there is a large need for a map of just County Roads. It doesn't need to include any other data, only the County Roads.

Mr. Ofenstein said the data is available; he needs a specific definition, and it can be done in a few days. Judge Beard said she will work on that definition.

Mr. Ofenstein said it can be placed on the website.

Judge Beard asked Mr. Ofenstein to work with Frenchie Causey on the Road map.

D. Discussion concerning development of schedule for replacement of County owned hardware / (No action)

Commissioner Killingsworth said developing a schedule would help with budgetary needs, as would knowing in detail all that the County actually owns in the way of hardware.

She asked Mr. Ofenstein to begin developing a plan, and he said he would.

Commissioner Killingsworth asked Mr. Ofenstein if he has any concerns or anything to add.

He said he has a pretty good idea of what the County has and what it needs.

He said he would contact the Department Heads to talk about what they have and what their needs are.

10. Announce November 2010 Meeting Schedule / Discussion and appropriate action

Due to the holiday schedule, Judge Beard is proposing one November meeting on Monday, Nov. 15. The last day available for canvassing the General Election is also Nov. 15, so the Canvass would also be held on Nov. 15.

Commissioner agreed that the schedule would work as proposed by Judge Beard.

Commissioner Killingsworth made a motion to authorize the Treasurer to pay all the standard, recurring bills in the month of November. Commissioner Ortega seconded the motion, which passed unanimously. (See agenda item 2D.)

SUPPLEMENTAL AGENDA

1. Upcoming TCEQ Solid Waste Grant for Roll Off Containers / Alpine Area, Marathon & S. County

A. Review Past History of County Community Cleanups, including previous roll off containers placement

Judge Beard recognized Commissioner Pallanez for his work on the COG's Solid Waste Advisory Committee.

*Judge Beard noted that the County and City worked together in 2005 for the first Dump Day. It was not grant-funded. Commissioner Ortega noted a large clean-up effort in Marathon as well. **Ongoing efforts for community cleanups were noted, up through 2009, including placement of roll-off containers.***

In 2006, a Dump Day was held for Terlingua Ranch, and twice for South County, Alpine and Marathon. The effort continued in 2008, and grant funding in the amount of \$18,300 is forthcoming for additional clean-up efforts, including placement of roll-off containers in Alpine, Marathon, and at the South County yard. Commissioner Killingsworth mentioned the metal recycling program which the County conducted several years back. Judge Beard mentioned that the County R&B Crew had recently taken loads of tires for recycling.

Judge Beard noted, and Commissioners agreed, that they plan to continue and that there is still a lot to be done.

B. Review upcoming grant / Discussion and appropriate action

Commissioner Pallanez noted that the County had been approved for over \$18,000 for roll-off containers in 2011.

Commissioner 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