

**REGULAR MEETING OF THE
BREWSTER COUNTY COMMISSIONERS COURT
TUESDAY, FEBRUARY 22, 2011. AT 10:00 A.M.**

Judge Beard called this meeting to order. Commissioner Pallanez was absent due to illness. 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
JERRY SOTELLO	J.P., PRECINCT 1
BERTA RIOS MARTINEZ	COUNTY CLERK
CAROL OFENSTEIN	COUNTY TREASURER

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 Jan. 31, 2011, meeting 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 / Discussion and appropriate action

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

Commissioner Ortega abstained from 69867; Commissioner Killingsworth abstained from 70095; and Judge Beard abstained from any KALP bills.

B. Infrastructure Projects Bills / Discussion and appropriate action

C. Quarterly Reports / Approval

Treasurer Ofenstein reviewed the quarterly reports, which were presented in a new format.

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

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

4. Officials' Monthly Reports / Discussion and appropriate action

Commissioner Stone read the monthly reports for the record.

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

5. Road & Bridge Department / Community Facilities

A. Road & Bridge Superintendent's Report

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

Judge Beard and Supt. Causey discussed a possible source of tire clean-up funds through the Chihuahuan Desert RC&D. Supt. Causey will look into applying for the funds.

Supt. Causey said he's been a little short-handed due to illness. Crews hauled sand to the high school, and also worked on the locker rooms there.

They have serviced six vehicles total for the Sheriff's Office.

Crews worked on pipes in the restrooms at the Post which were effected by the winter storm.

They are sheetrocking at the library as fast as they can.

Commissioner Killingsworth attended a conference in Austin last week, and learned that State Lateral Road funds will likely not be funded at all; these funds are not included in the budget at all at this point.

B. TxDot Border Colonia Access Paving Grant / General Update / Discussion and appropriate action to go forward with project

Commissioner Ortega said they have started paving in Marathon. They are getting the caliche down on 8th Street, and things will move quickly if the weather holds.

Jerry Carvajal said the engineer is still working on easements for the Terlingua Springs portion of the project in South County.

The contract for this project was signed in June 2008 with a three-year term. Judge Beard noted that we are getting very close to the deadline for expending these funds. Commissioner Killingsworth said we are running about a year behind projections.

Mr. Carvajal said he will speak with the engineer.

C. 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, personnel issues related to emergency response, matters related to pending & future Homeland Security Grants / Discussion and appropriate action

EMC Tom Santry said Hwy. 67 was closed for a short period yesterday due to smoke from a grassfire. It was extinguished quickly.

B. Update on Emergency Operations during extremely cold weather of February 2nd & 3rd

Mr. Santry explained that due to the possibility of rolling blackouts, it was agreed that shelter should be opened during the period of extreme cold. The OLOP Catholic Church Parish Hall was opened. Cots were provided, and the Red Cross was available. One elderly lady came and slept almost all day Wednesday, but her family came and picked her up that evening.

Commissioner Killingsworth said the Code Red call worked well for the most-part. But the message should include what shelters are available in Marathon and South County. She said the ERC in South County was available as well.

Commissioners discussed issues with the Code Red system with Mr. Santry and PIO Betse Esparza. The system can be difficult to use. Everyone concurred that other options should be investigated. Esparza said that putting the word out about the shelter on Facebook was successful.

Commissioner Killingsworth said she would like more cots for South County. Commissioner Ortega said he doesn't have any in Marathon. He would like some to store at the Community Center.

C. Update on ISO Inspection for Alpine and surrounding area in North Brewster County

Mr. Santry said the inspection was scheduled for Feb. 8, but it has been rescheduled for Feb. 24. The inspector will be at the water department at the City, and will inspect the fire department as well.

7. Recognitions / Memorial Resolution for Judge Tom Connor

Judge Beard read the resolution for the record.

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

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

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

Mr. Carvajal presented 12 new applicants, bringing the total to 24.

Commissioner Killingsworth made a motion to approve the phase two applicant list, which was seconded by Commissioner Ortega, and passed unanimously.

Funds are available for a total of 50 replacements.

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 on Project

Mr. Carvajal said the pad was poured last week. Things are moving along quickly.

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

Mr. Carvajal said the application is being reviewed by TDRA.

State budget cuts could decrease the amount of funding available.

Judge Beard noted that everybody needs to keep the grants budget in the forefronts of their minds. It is highly likely that grant money is going to be cut in a big way, and that will make for hard choices at both the County and City levels.

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

1. Update by Conrad Arriola, Project Coordinator

Mr. Arriola said Kevin Teague is working on the project in the courthouse annex now.

2. Discussion and appropriate action to go forward with program

9. Brewster County Groundwater Conservation District / Recommendation to fill vacancy for rural position on board / Discussion and appropriate action to fill vacancy

Mr. Arriola said that at last week's meeting of the GWCD board, they approved recommending to Commissioners Court that Tom Beard be placed on the board as the Rural District Precinct 1 member.

Commissioner Killingsworth made a motion approving the recommendation, which was seconded by Commissioner Stone, and passed unanimously.

Judge Beard recused herself from discussion and vote.

10. Completion of Public Safety Infrastructure Projects / General Discussion concerning management & maintenance of facilities and related issues / No action

Judge Beard said she wants Commissioners input for management. She asked Commissioners Killingsworth and Ortega if they want to be the point person, or if they think utilizing a committee is a good idea.

Both said they think it works best for one person to be in charge, and it works well if it's the Commissioner because only they can approve the use of County funds.

Commissioner Killingsworth said she thinks that a contract with the ESD is critical so that everyone is on the same page and understands who is managing the property. Judge Beard said that a proposed lease agreement is in progress.

Judge Beard agreed, and said the lines of authority need to be kept simple and clear.

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