

**REGULAR MEETING OF THE
BREWSTER COUNTY COMMISSIONERS COURT
TUESDAY, MARCH 27, 2012, 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
BERTA RIOS-MARTINEZ	COUNTY CLERK
JERRY SOTELLO	J.P., PRECINCT 1
CAROL OFENSTEIN	COUNTY TREASURER

1. Minutes / additions / corrections / approval

No minutes were presented for approval.

2. Treasurer

A. General Bills / Discussion and appropriate action

Treasurer Ofenstein said she is providing two reports: one for unpaid bills, and one for those already paid.

She explained some of the current bills and invoices. She noted that she was just paying grand jurors for meetings in September and October of last year. No list had been submitted to her by the District Clerk. She and Judge Beard both expressed the need to make sure those fees are paid on a timely basis.

Treasurer Ofenstein noted a payment to Memorial Funeral Home for a transport of \$525. Another payment of \$892 is due. Also, food was purchased for a stray animal. Treasurer Ofenstein said there is not a budget item for such expenses, and she would like to know how to code it. In theory, said Judge Beard, the animal would be auctioned and the invoice could be coded as such.

Dues to TAC were paid, as was a workman's compensation claim.

Scanner and computers for the voting booths are being purchased. Those purchases will be reimbursed by HAVA.

Deputy Treasurer Megan Antrim is still working on the phone systems, trying to find out if there are phone numbers, etc. that are going unused. She said she believes there are several. Judge Beard would like to review her research.

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

Commissioner Ortega abstained from 75595-96; Commissioner Killingsworth abstained from 75587; Judge Beard abstained from any KALP bills.

Walk-in bills were presented as follows: \$4,125 for a new dishwasher at the jail, as budgeted; \$18.81 for BJ Gallego for mileage; \$281 to TruAutomation for maintenance.

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

B. Financial Reports / Updates, Discussion, Review and appropriate action

***Specified Activity Report
Cash Flow Predictions
Budget Analysis Usage Report
Receipt File Listings***

***Cash Report, February, 2012
Payroll Reports
Check Register
Other Financial Reports as
Requested by Commissioners***

Treasurer Ofenstein reviewed the reports, which are attached and made a part of these minutes.

C. Law Enforcement Grant Reimbursements / Request for Pre-Submission Approval

***2009 Operation Stonegarden Grant
Operation Linebacker***

***HIDTA / Lonestar
Border Star JAG***

Deputy Treasurer Megan Antrim said she's only been able to process the reimbursement packet for Lonestar. She hopes to have packets ready for Commissioners to review at the next meeting.

She said they are also waiting on the State for permission to begin submissions for reimbursement.

She is also seeking approval for submission of Stonegarden reimbursement requests, depending on when the State sets the deadline.

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

Ms. Antrim said Linebacker, HIDTA and Border Star Jag are all up to date.

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

3. Officials' Monthly Reports

Commissioner Stone read the reports for the record.

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

4. 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; budgetary matters, 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, discipline, performance, safety and other general personnel matters); permits for boring or trenching for utilities across County Roads / Discussion and appropriate action

Commissioner Stone reported that crews have been working mostly on hauling road base materials.

B. TxDot Border Colonia Access Paving Grant

1. Update on concluding construction & paving in Terlingua Springs area

Engineer Travis Roberts gave Commissioners a copy of the final paperwork. Commissioner Killingsworth said she has had lots of comments from people. The contractor did a good job, as did Mr. Roberts, she said.

2. Report on payments to contractors and professionals / Discussion and appropriate action concerning payment for project

He said 90 West Contractors have not yet been paid, although the paperwork has been submitted to TxDOT.

3. Discussion and appropriate action to complete Terlingua Springs paving project, including other appropriate action regarding construction, inspections and concluding project

5. County Facilities / Matters Related to Maintenance and Improvement of County Facilities, Including Offices, Law Enforcement Facilities and

Emergency Response Centers, Community Centers, Parks & Recreational Facilities, Grounds, and Parking for the above

A. General Update on facilities

B. Courthouse Square painting project

1. Update

Judge Beard said the Courthouse painting project should be done by Friday.

2. Discussion and appropriate action to conclude project

C. Refurbishment of Old Library for County Offices (“In house” work only) / Update on progress / Discussion and appropriate action for work to go forward

6. County Emergency Management Office

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; burn bans, emergency management issues related to public and private insurance coverage, personnel issues related to emergency response, exercises & drills, matters related to pending & future Homeland Security & FEMA Grants / Discussion and appropriate action

EMC Tom Santry said the gate at the EOC has been installed and is powered by a solar battery. Reflection stickers still need to be placed on the gate.

A third emergency communications exercise was held yesterday. He said it went very well. He said the next drill will probably include some actual response.

B. Discussion and appropriate action for work of Emergency Management Office to go forward

7. Sheriff’s Department

A. Department of Justice Equitable Sharing Program Compliance Letter/ (Before funds can be distributed, Sheriff’s Department must be in compliance with reporting requirements outlined in the Guide to

***Equitable Sharing for State and Local Enforcement Agencies)/
Discussion and appropriate action***

Sheriff Dodson said the report explains what is received and what is spent. Treasurer Ofenstein said the report is done each year, along with a beginning balance. She said no treasury funds were received this year, only justice funds.

Commissioner Killingsworth made a motion to approve the equitable sharing agreement for 2011, which was seconded by Commissioner Ortega, and passed unanimously.

B. FY 2011 Chapter 59 Asset Forfeiture Report by Sheriff's Department submitted to Office of the Texas Attorney General/ Discussion and appropriate action for approval

Sheriff Dodson explained that Chapter 59 outlines how much of a cash forfeiture the County is allowed to keep, when appropriate.

This report states that no cash money was kept in 2011.

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

C. 2012 HIDTA Award / Request for Approval

Ms. Antrim said this covers two deputies, including an analyst, vehicles and fuel. Sheriff Dodson said the analyst assists DEA intelligence officers. These individuals technically work for the Sheriff's Office, but really do not.

Commissioner Killingsworth made a motion to approve the award in the amount of \$209,385, which was seconded by Commissioner Ortega, and passed unanimously.

8. Request for Correction Deed by Attorney Kirk Meade related to Tax Sale / Correction related to Tract 2336 / Terramar / Discussion and appropriate action

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

9. County Historical Commission

A. 125th Brewster County Birthday Celebration on March 30, 2012 / Brewster County Courthouse Lawn

Mr. Roberts provided Commissioners with a list of sponsors so far. He also showed them the lay-out for a poster. He also reviewed some history; for example, the original courthouse and jail cost \$27,000 to construct.

B. Update on plans for event

C. Discussion and appropriate action to support March 30, 2012 Event

10. County IT Issues

A. Commissioner Pct. 2, IT Committee Chair / Update on recent meetings, planning, progress related to County IT Issues, including meetings and initial work with Nectar Computers, County Officials & Employees

Commissioner Killingsworth said she and Steve Houston met with Mark Hannan and a representative from Hill Country Software. Mr. Hannan will handle all things related to all departments.

B. Other general matters related to going forward with New IT Services provider / Discussion and appropriate action to continue transition in IT Services

11. Workshop Session regarding County Position of Bookkeeper shared by various County Departments / Review of history of this position and general review and discussion concerning who does what for whom now in regard to bookkeeping for various County departments / Discussion only

Judge Beard said the current bookkeeper currently shares functions with the Emergency Management Department, Public Information and website maintenance.

The position was created in 1993 at a time when court costs had not been properly calculated for some time. The situation highlighted a need for better record keeping in the clerk's office.

She said the position is a creature of commissioner's court.

12. Matters related to Commissioners Court's Procedures & Responsibilities / Discussion only

A. Review of Timelines & Procedures for County Departments requesting items being placed on Commissioners Court Agendas

Judge Beard said a memo was sent to department heads. It is important that they adhere to the procedures for getting on the agenda in order for meetings to go smoothly. Commissioners need to time to review matters in order to make sound decisions, so must have access to relevant materials well in advance.

B. Duties of Commissioners as related to IT and other Departments without Elected Heads

Judge Beard said that these types of departments ultimately answer to Commissioners Court.

C. Commissioners Court as sole contracting authority for County

Judge Beard said all contracts must be brought to Commissioners Court for approval. Commissioners Court is the only entity which can enter into contracts.

SUPPLEMENTAL AGENDA

1. Prairie Crossing Addition / Final Plat Approval / Discussion and appropriate action

Commissioner Killingsworth made a motion for final approval of the Prairie Crossing Addition, which was seconded by Commissioner Ortega, and 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