

**REGULAR MEETING OF THE  
BREWSTER COUNTY COMMISSIONERS COURT  
TUESDAY, AUGUST 28, 2012, AT 10:00 A.M.**

*Judge Beard called this meeting to order. Commissioner Killingsworth is out of town for a TAC meeting. Officers present are listed as follows:*

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

***To discuss and take action as appropriate on the following:***

***1. Minutes / additions / corrections / approval***

*The minutes from the Aug. 13, 2012, 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 / Discussion and appropriate action***

*Treasurer Ofenstein said there is nothing unusual about the general bills. A \$15,500 grant payment was made and reimbursed. Commissioner Stone made a motion to approve the bills as presented, which was seconded by Commissioner Ortega, and passed unanimously.*

*Commissioner Ortega abstained from 77659 and Judge Beard abstained from the KALP bill.*

*Several walk-in bills were presented: two \$23 payments for jail transports; \$225 for travel to Commissioner Killingsworth; a \$5,800 payment for the courthouse termite treatment; and a \$4.62 meals reimbursement for Judge Beard.*

*Commissioner Ortega made a motion to approve the walk-in bills, which was seconded by Commissioner Stone, 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***

***Payroll Reports***

***Check Register***

***Other Financial Reports as  
Requested by Commissioners***

*Treasurer Ofenstein reviewed the reports with Commissioners. She noted that there is \$834,000 in the bank now, and she believes that the County will make it through the year without drawing on reserves.*

***C. State mandate to change method of child support payments / Request to establish separate fund for use of "Expert Pay" to withdraw child support payments / Discussion and appropriate action***

*Treasurer Ofenstein said she would like to open an account at the bank for Expert Pay to draw from. She does not want them to have access to the general fund. Commissioners agreed that is a prudent solution.*

*Commissioner Ortega made a motion to authorize the opening of an account, which was seconded by Commissioner Stone, and passed unanimously.*

***D. County Telephone & Data Transmission Line Services / Request for authorization to pursue changing the current local services, long distance, and DSL plans and rates with AT&T, & to disconnect dormant or infrequently used phone lines / Discussion and appropriate action***

*Treasurer Ofenstein said someone needs to be designated for negotiations with AT&T in the interest of time and getting the best deal.*

*She said she will be that person, and will keep Judge Beard informed throughout the process. Any big decisions will be brought to Commissioners.*

*Commissioner Ortega made a motion designating Treasurer Ofenstein, which was seconded by Commissioner Stone, and passed unanimously.*

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

*Treasurer Ofenstein said she needs permission to transfer \$7,262.41 from the Courthouse Preservation fund to the General Fund.*

*Commissioner Stone made a motion approving the transfer, which was seconded by Commissioner Ortega, and passed unanimously.*

### **3. Officials' Monthly Reports / Discussion and appropriate action**

*Commissioner Stone read the reports for the record.*

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

### **4. 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; emergency management issues related to burn bans, insurance coverage, personnel issues related to emergency response, exercises & drills, matters related to pending & future Homeland Security & FEMA Grants and matters related to 911 & 911 addressing / Discussion and appropriate action***

*EMC Tom Santry explained that the 911 service was again down yesterday. He said a new system was installed last December. Since then, the service has been down four times due to lines being cut in various locations in Far West Texas.*

*Judge Beard said we have learned that there is an automatic rollover when one 911 system goes down; however, the magnitude of the territory impacted yesterday was so great that a rollover was not possible.*

*Mr. Santry said that yesterday, we went through a long process of trying to get things repaired. The system was not completely back online until 8 pm last night.*

*Judge Beard suggested launching a regional effort between the El Paso and Midland area COGs with a united voice to AT&T. The response this time was better, but AT&T doesn't have any redundancy in the system to serve this rural area.*

*Commissioner Stone suggested using the assets of Big Bend Telephone Co. in an emergency situation.*

#### **B. Discussion and appropriate action for general administrative work of Emergency Management Office to go forward**

### **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; 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) cattle guards, fences and other means of containing livestock, safety issues and equipment 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 said crews are working on the Old Library and on the parking lot at Buck Stadium. They've also been blading roads.*

## ***B. TxDot Border Colonia Access Paving Grant / Matters related to concluding Project / Discussion and appropriate action to complete Terlingua Springs paving project, including other appropriate action regarding construction matters, payments, inspections and concluding project***

*Engineer Travis Roberts said he received an email from Reese Albert, and they are working on the paperwork. He said there is plenty of time, but things do need to get wrapped up.*

## ***C. Internet use for Road & Bridge / Consider changing provider from Verizon Data Card to Big Bend Telephone Company / Discussion and appropriate action***

*Treasurer Ofenstein said Supt. Causey is currently using a Verizon data card because they previously weren't able to get internet service at the yard. Big Bend Telephone is now available there. However, if he needs to use the internet outside of the barn or on a job, he'll still need the data card.*

*The issue will be re-visited after Treasurer Ofenstein can visit with Mr. Causey.*

## ***6. Pending Infrastructure Grant Matters***

### ***A. Colonia Construction Fund Application / (2<sup>nd</sup> Septic Tank Replacement grant***

*for S. Brewster County)*

**1. Update on Project**

*This project is in the final phase.*

**2. General and administrative matters related to concluding program, payments to contractors and professionals & other related matters / Discussion and appropriate action to close out grant project**

**B. 2011/2012 Texas Department of Rural Affairs Grant Program (R.O. facility for Study Butte Water Corp.)**

**1. Update / Bid schedule including award date & other matters related to engineering and acquisition**

*Mr. Roberts said the advertisement for bids has been published. They are scheduled for opening Sept. 7. He has reviewed the project with the sole bidder at this point. He has been asked for a set of plans from firms in El Paso and Little Rock.*

*Mr. Roberts reviewed the basic bid items for a new R.O. unit identical to the one that is already in place.*

*Alternate items include new membranes and a new filter for the existing unit.*

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

**C. 2013-2014 TXCDBG Application Process**

**1. Update**

*Commissioner Ortega said he is working on the income survey, and should have it done in the next 7-8 days.*

**2. Discussion and appropriate action to go forward with application**

**7. Texas Department of Public Safety Interlocal Cooperation Contract by the Driver License Division under Transportation Code Chapter 706 / Discussion and appropriate action**

*J.P. Precinct 1 Jerry Sotello explained the contract. He said using his own court software, the DPS is notified, and then the defendant is notified that his/her drivers license will not be renewed if they don't take care of their tickets.*

*He said he supports renewing the contract.*

*Commissioner Stone made a motion to renew the contract, which was seconded by Commissioner Ortega, and passed unanimously.*

***8. FY 2013 Grant Contract from the Office of the Attorney General for Statewide Automated Victim Notification Service (SAVNS)/Discussion and appropriate action to ratify contract***

*Judge Beard explained that the system notifies victims of violent crime when a defendant is going to be released from jail. She recommended renewal of the contract and said it is a good system.*

*Commissioner Ortega made a motion to renew the contract, which was seconded by Commissioner Stone, and passed unanimously.*

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

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***VAL CLARK BEARD, COUNTY JUDGE***

***ATTEST:***

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***BERTA RIOS MARTINEZ, COUNTY CLERK***

