

**REGULAR MEETING OF THE  
BREWSTER COUNTY COMMISSIONERS COURT  
MONDAY, AUGUST 12, 2013, AT 9:00 A.M.**

*Judge Beard called this meeting to order. Commissioner Stone was absent due to a family illness. Officers present are listed as follows:*

<b>VAL CLARK BEARD</b>	<b>COUNTY JUDGE</b>
<b>KATHY KILLINGSWORTH</b>	<b>COMMISSIONER PCT. 2</b>
<b>RUBEN ORTEGA</b>	<b>COMMISSIONER PCT. 3</b>
<b>MIKE PALLANEZ</b>	<b>COMMISSIONER PCT. 4</b>
<b>BERTA RIOS MARTINEZ</b>	<b>COUNTY CLERK</b>
<b>BETTY JO ROONEY</b>	<b>TAX ASSESSOR</b>
<b>JERRY SOTELLO</b>	<b>J.P. PRECINCT 1</b>

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

***1. Invocation, Pledge of Allegiance and Welcome to Renovated Courtroom***

*Judge Beard lead the invocation and Pledge of Allegiance.  
She welcomed everyone to the new courtroom, and said literally everything was done with our own hands. She thanked the crew for their hard work.*

***2. Recognitions***

***A. Tom Williams for Significant Public Service to Brewster County /  
Discussion and appropriate action***

*Judge Beard said for as long as she can remember, Mr. Williams has been available to help when needed. He has been a friend on many South Brewster County issues, and those of the Terlingua CSD, as well.*

*Judge Beard read a proclamation for the record thanking Mr. Williams for his many contributions.*

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

*Mr. Williams spoke briefly, saying he appreciated the work of many County officials.*

***B. Big Bend Ranch Rodeo, for Preservation of County's Ranching H***

***Heritage / Discussion and appropriate action***

*Judge Beard said she appreciates the work of these folks in helping to preserve our ranching heritage.*

*Commissioner Ortega made a motion to express thanks to the organizers, which was seconded by Commissioner Killingsworth, and passed unanimously.*

### **3. Treasurer**

#### **A. General Bills / Discussion and appropriate action**

*Deputy Treasurer Megan Antrim reviewed the bills with Commissioners. She said there are two walk-in bills, one for stray boarding and another for the tourism council.*

*Commissioner Killingsworth made a motion to approve the bills, which was seconded by Commissioner Ortega.*

*After some discussion, the motion was unanimously approved.*

*Judge Beard abstained from the In & Out Rental bill, and any KALP bills.*

#### **B. Financial Reports / Updates, Discussion, Review and appropriate action concerning the following:**

***Specified Activity Report***

***Cash Flow Predictions***

***Budget Analysis Usage Report***

***Receipt File Listings***

***Cash Report***

***Grant Reports***

***Payroll Reports***

***Check Register***

***Transfers***

***Personnel/Overtime Reports***

***Other Financial Reports as***

***Requested by Commissioners***

*Ms. Antrim reviewed the reports with Commissioners.*

#### **C. Texas County & District Retirement System (TCDRS) / Presentation by**

##### ***TCDRS Representatives***

*Ms. Antrim introduced Roxanne Bitá, who has been working with the Treasurer's Office for some years.*

##### **1. Update concerning TCERS System & County's Plan**

*Ms. Bitá explained that TCERS provides Responsible Plan Funding, meaning the minimum amount must be paid in. Commissioners, of course, always have the option of decreasing or increasing benefits based on what they can afford.*

*Ms. Bitz reviewed how the plan works and how benefits are calculated.*

2. Review of possible modifications to County's plan

*Several options are available. Modifications must be made by Dec. 16, 2013.*

**3. Discussion and appropriate action concerning retaining or modifying County's plan**

*Commissioners agreed that it would be good to have TCDRS in for a presentation on an annual basis. Commissioner Killingsworth said that sessions with individual employees were also beneficial. Judge Beard said that a session like this which was held in February 2013 was well-received.*

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

**Office to go forward**

*Ms. Antrim said she needs to pay the 2005 and 2007 obligation series for a total of \$69,604.75.*

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

**4. Officials' Monthly Reports / Discussion and appropriate action**

*Commissioner Pallanez read the reports for the record.*

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

**5. 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; emergency management issues related to communications & public information; emergency management issues related to County insurance coverage;***

*personnel issues related to emergency response, exercises & drills;*

*matters related to pending & future Homeland Security & FEMA Grants and other funding, matters related to 911 EMS in County; and matters related to 911 & 911 addressing / Discussion and appropriate action*

*EMC Betse Esparza said that a Table Top drill will be held Thursday, Aug. 22, at the Gallego Center. She said she received several reimbursement notifications from the Homeland Security grant late last week, so vendors should be paid soon. The Big Bend Amateur Radio Club is moving the location of their repeater on Elephant Mountain and would like for the County to continue to pay for the electricity. Mrs. Esparza checked with the Treasurer's Office, but they don't have any electric accounts for Elephant Mountain. Judge Beard said she will review the list. Mrs. Esparza said she is going to attend the "J" RAC meeting in Kermit on Wednesday.*

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

## ***6. Road & Bridge Department / Community Facilities***

### ***A. Road & Bridge Superintendent's Report***

*General updates on maintenance and repairs for all county roads & state of County Roads System; 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*

*Supt. Frenchie Causey said they have completed Loma del Norte Road. They have been working on blading roads around the County, and have been mowing, as well, including in Marathon. They cleaned up Pena Park.*

*Mr. Causey has received a permit application to bore into the intersection of Mosley Lane and Mosley Loop to put in a water meter.*

*He said the road would have to be closed and this will tear up the entire road as the pipeline is right in the middle of the intersection.*

*Judge Beard said that we need to work through this carefully to make sure we aren't subsidizing a decision which should have been made when the road was previously torn up for paving.*

*Commissioners concurred that some numbers are needed to make certain of the cost; this should not be the County's obligation.*

*Mr. Causey should then come back to Commissioners Court and enter into a dialogue with the applicants concerning the applicants' payment of the costs.*

*Commissioner Ortega said Verizon is planning to bore almost all the way through Marathon on County rights-of-way. He said that in many Texas counties, they pay an annual fee. Commissioners agreed we should find out more.*

*They also want to make sure that there isn't any interference with County or Marathon Water Supply utilities.*

*Mr. Causey said Presidio County contacted him last week and asked for his help in completing some paving on a grant project as they are running out of time.*

*Judge Beard said she thinks it's just a matter of scheduling and making sure there are no conflicts. Mr. Causey will get more information; the Road and Bridge Department has helped out with a Presidio County grant paving project once before.*

## ***B. Cooperative Project***

### ***1. Update on Terlingua CSD Track Construction***

### ***2. Discussion and appropriate action to complete project***

## ***C. Designation of Brewster County as a Strategic Training Outpost County by Texas Engineering Extension Service (TEEX) / Discussion and appropriate action***

*Judge Beard said that, with the designation, Brewster County becomes listed as an official training outpost.*

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

## ***D. Purchase of 2013 Crew Cab 4X4 2500 HD Heavy Duty Pickup as authorized on July 23, 2013 / Discussion and appropriate action concerning purchase***

*Mr. Causey said the truck should be here after lunch today.*

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

**7. Association of Rural Communities in Texas (ARCIT) / Renewal of Membership Dues / Discussion and appropriate action**

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

**8. Pending Infrastructure Grant Matters**

**A. 2011/2012 Texas Department of Rural Affairs Grant Program (R.O. facility for Study Butte Water Corp.) / Discussion and appropriate action to complete & closeout this grant project**

*Engineer Travis Roberts said he was waiting for one signature to complete the final form.*

*Judge Beard said Mr. Roberts is very generous with his time. She said if a suggested road easement for the Study Butte Water Corp. moves forward, he should be compensated for the work by the Study Butte Water Corp.*

**B. 2013-2014 TXCDBG Application Process / Marathon Water Supply Corp. Improvements**

**1. Update**

*Commissioner Ortega said he has nothing new to report.*

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

**9. Pending Renovation & Maintenance Projects**

**A. Old Library Building Renovations / Update**

*Judge Beard said crews are back at work at the Old Library to do some final completion, plus punch list. It should be finished shortly.*

**B. Annex Renovations & upcoming work on other County Buildings**

**1. Commissioners Courtroom renovations**

**a. Acquisition of AV/Tech equipment for Commissioners Court/Discussion and appropriate action regarding acquisition of AV/Tech items for courtroom**

*Judge Beard said this work is still pending. The wiring is available and ready, but a lot of work is necessary to get to the point where we're "paperless."*

*Commissioner Killingsworth will work with Mark Hannan on AV equipment.*

*Judge Beard said we can do things in phases.*

- b. Discussion and appropriate action to go forward with and complete Commissioners Courtroom renovations***
- c. Discuss / set dates for dedication of new Courtroom & Old Library facilities***

## ***2. County Judge & Brewster County Historical Commission / Historical Displays in Courthouse & County buildings / Update***

*Mr. Roberts said there is a historical commission meeting this Thursday when they will further discuss options. One thing that has been discussed is a timeline beginning in the pre-historic era to be placed on the wall between the doors.*

*The Tourism Council may work on an informational card about old buildings, and also on a brochure of the historical documents in the Courthouse.*

## ***3. Planning for completion of Old Library Renovations (exterior) and planning for work on Old Jail roof/interior repairs & maintenance / Review schedule of work and related matters / Discussion and appropriate action***

*Judge Beard said scheduling for repairs on the jail roof needs to be addressed. Work on the exterior of the Old Library is minor type work, but there is a lot of it.*

## ***10. Brewster County Tourism Council 2013 Budget Amendments (within Revenues) and Line Item transfers / Discussion and appropriate action***

*Ron Sanders said they need to amend the budget by \$48,000, adding \$31,000 for advertising and \$17,000 for Public Relations. (These are amendments within revenues.) The tourism budget will be adjusted as follows: move \$15,000 from Administrative and General to Public Relations; move \$12,000 from Internet Advertising to Survey Expense; move \$10,000 from Internet Maintenance and Construction to Marathon Visitor Center (\$9,000) and Survey Expense (\$1,000). (These are line items transfers.)*

*Commissioner Killingsworth made a motion to approve the amendment and line item transfers, which was seconded by Commissioner Ortega, and passed unanimously.*

## ***12. Matters concerning adoption of 2014 Budget & 2013 Tax Rate***

### ***A. 2014 Salaries for Elected Officials***

1. Review of salaries as proposed by Commissioners Court on July 23, 2013 and published notices on July 25, 2013, August 1, 2013 & August 8, 2013

*Judge Beard noted that the salaries had been properly proposed and advertised.*

2. Consider Adoption of proposed salaries / Discussion and **appropriate action**

*Commissioner Killingsworth made a motion to adopt the proposed salaries, which was seconded by Commissioner Ortega, and passed unanimously.*

**C. Other administrative matters related to adoption of Budget and setting Tax Rate, including notices and other matters**

*Judge Beard reviewed the schedule for public hearings and action.*

**D. Budget Workshop / Hear presentations for any Departments submitting late or an ended Budget requests / Discussion only**

*District Attorney Rod Ponton reviewed the work and employees in his office.*

*He had asked that his budget be raised from \$60,000 to \$72,000 this year.*

**13. Personnel Matters, Treasurer's Office**

**A. Executive Session Pursuant to Section § 551.074, Government Code, VTCA, to discuss the appointment, employment, evaluation, reassignment, duties, compensation, or dismissal of a public officer or employee**

*At 11:12 a.m., Judge Beard announced that Commissioners Court was going into executive session, pursuant to Sections §551.074 of the Government Code, to discuss the appointment, employment, evaluation, reassignment, duties, compensation or dismissal of a public officer or employee in the Treasurer's Office. The courtroom was cleared of all but Commissioners Court.*

**Reconvene in Open Session**

*At 11:45 a.m., Commissioners reconvened in open session. Judge Beard announced that they had been in executive session to discuss personnel issues in the Treasurer's Office. She asked if there was any action to be taken.*



*No action was taken.*

C. Discussion and appropriate action resulting from Executive Session

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

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

***ATTEST:***

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