

**CALLED MEETING OF THE  
BREWSTER COUNTY COMMISSIONERS COURT  
FRIDAY, AUGUST 16, 2013, AT 10:00 A.M.**

*Judge Beard called this meeting to order. 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>MIKE PALLANEZ</b>	<b>COMMISSIONER PCT. 4</b>
<b>BETTY JO ROONEY</b>	<b>TAX ASSESSOR</b>

***1. Public Hearings regarding Budget & Tax Rate***

***A. PUBLIC HEARING ON PROPOSED 2014 BREWSTER  
COUNTY BUDGET***

***1. Review of 2014 Proposed Budget***

*Judge Beard reviewed the budget process, which was the same as has been followed for many years. Statutorily, no workshops or presentation are required. The law requires that the budget officer produce the budget; in other words, lead the process and make sure that a proposed budget gets done. Historically, Brewster County has gone through a consensus-based process with a number of workshops, including presentations from department heads, citizens, non-profit agencies, etc. They engage in helpful discussions, and rely on help and support from the Treasurer's Office and information from all County departments.*

*Judge Beard said we had a lot of challenges this year. The overriding factor is that we are still in an environment where we haven't had substantial growth in our tax base. This is another tight year. We have to maintain a basic level of services for our employees, including health insurance. Employees may, if they elect to do so, have their family members covered at their own cost. The plan is through the Texas Association of Counties and is very sound. We generally get a small rebate from TAC at the end of each year. Obamacare has created great uncertainty amongst employers. In the face of rising costs, Commissioners were challenged to keep employees' pay from declining in the face of rising insurance costs.*

*Commissioners were able to include a 3 percent cost of living increase, and which will likely only cover insurance increases.*

*No new positions were added.  
Elections costs increased substantially due to an active election year.  
Budget notes were included about the hotel/motel tax to promote transparency, even though it isn't a part of the General Fund.  
The budget was filed timely and there have been a number of published notices, which Judge Beard reviewed.  
Judge Beard said there will be a two-part hearing today, as required by new legislation, to include the first public hearing on the tax rate.*

**2. Public Comment regarding 2014 Proposed Budget (Any citizen may comment)**

*Mary Bell Lockhart, the Brewster County Democratic Party chairman, said that a number of people who have worked elections had a series of meetings regarding the conduct of elections. A compilation of the problems they considered was given to Commissioners in July, and recommended hiring an Elections Administrator.*

*Commissioner Pallanez asked if this was a joint effort. Ms. Lockhart said it was, that both the Democratic and Republican parties were involved.*

*Ms. Lockhart said that if it can't be done this year, they will keep asking.*

*Dale Christophersen said he wants to endorse what Ms. Lockhart said, and to congratulate Commissioners Court on their budget efforts. He said the payments which go to ES&S, the voting machines firm, are very large. He would like to look at the data and see if there are any other options.*

*Judge Beard waited for a couple of minutes before moving to see if anyone else arrived and wished to comment. No other comments were made.*

**3. Discussion among members of Commissioners Court and Public**

***NOTE: This budget will raise more total property taxes than last year's Budget by \$157,880, (7.33%), and of that amount \$23,303, is tax revenue to be raised from new property added to the tax roll this year.***

***B. PUBLIC HEARING REGARDING TAX RATE***

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

***1. Public Hearing regarding the Proposed 2013 Tax Rate***

<b><i>Maintenance &amp; Operation</i></b>	<b><i>.28994</i></b>
<b><i><u>Interest &amp; Sinking</u></i></b>	<b><i><u>.09269</u></i></b>

**Total Rate Proposed .38263**

**a. Opportunity for Public Comment**

*Judge Beard called for comment. No comment was made.*

**b. Discussion among Members of Commissioners Court and Commissioners Court and Public**

**2. Announce date and time to set Tax Rate and give notice of 2<sup>nd</sup> hearing regarding Tax Rate and other matters related to notice and scheduling**

*Judge Beard said the second hearing will be held Tuesday, Aug. 20, at 10 a.m. in the Commissioners Courtroom. Adoption is scheduled for the regular meeting on Aug. 27.*

**2. Consideration of the 2014 Proposed Brewster County Budget, as discussed in the Budget Hearing**

**A. Discussion**

**B. Adoption, Amendment or other appropriate action concerning 2014 Budget**

*Commissioner Stone made a motion to approve the 2014 budget as presented. Commissioner Pallanez seconded the motion.*

*Commissioners Pallanez, Stone, Killingsworth and Judge Beard voted in favor of the motion.*

*Commissioner Killingsworth made a motion to ratify the property tax increase reflected in the 2014 Brewster County budget. Commissioner Stone seconded the motion.*

*Commissioners Pallanez, Stone, Killingsworth and Judge Beard voted in favor of the motion.*

**3. Review Schedule for 2<sup>nd</sup> Hearing on 2013 Tax Rate & Adoption of Tax Rate**

*Judge Beard said the second hearing will be held Tuesday, Aug. 20, at 10 a.m. in the Commissioners Courtroom. Adoption is scheduled for the regular meeting on Aug. 27.*

*Commissioner Stone made a motion to affirm those dates, which was seconded by Commissioner Pallanez, and passed unanimously.*

#### **4. Minutes / additions / corrections / approval**

*The minutes from the Aug. 1, 2013, and Aug. 12, 2013, were presented for approval.*

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

#### **5. Las Montañas Plat / Administrative Matters / Request for Signatures (post approval)**

##### **A. Review that final approval was granted on July 14, 2008, but that copies for signature were not provided, at time of that approval**

*Judge Beard said the plat was originally submitted by the Lajitas Interest, and was under consideration for some time. It was finally approved in 2008, but the copy with Commissioners signatures was never submitted.*

##### **B. County Judge's request to ratify approval and sign recently provided Plat documents**

*Commissioner Killingsworth made a motion to ratify the Las Montanas plat in Lajitas, which was seconded by Commissioner Stone, and passed unanimously.*

#### **6. 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 10:25 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 11:05 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.*

***B. Discussion and appropriate action resulting from Executive Session***

*Judge Beard said that we are sad to learn that our long-time Treasurer, Carol Ofenstein, is retiring. Judge Beard said she has been a very diligent and loyal elected official. She will be missed.*

*Judge Beard said there are many administrative functions which are housed in the Treasurer's Office which aren't legally required to be housed in that office. It is a situation that has evolved over many years. These functions can be performed by other departments or directly for Commissioners Court.*

*Commissioners have had some lengthy and detailed discussions about how to ensure that all of these functions are performed.*

*Judge Beard called for open discussion or action.*

*Commissioner Killingsworth made a motion to investigate the possibility of re-structuring the numerous administrative functions of the Treasurer's Office, and to advertise and accept applications for those interested. Commissioner Stone seconded the motion, which passed unanimously.*

*Commissioner Killingsworth reviewed some of the functions of the Treasurer's Office, including bill payment, bank reconciliation, human resources, risk management, etc. The statutory function of the Treasurer is to maintain financial records and bank accounts. Commissioners would like to consider transferring the human resources and risk management functions to a different administrative position.*

*Judge Beard asked how best to explain this to the public. Commissioners concurred that they would be interested in looking at resumes from those with experience in human resources and those things associated with payroll and personnel issues. Commissioner Stone suggested including grant administration. Commissioner Killingsworth said we should include current Treasurer's Office employees in the discussion. Commissioners concurred.*

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

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

***ATTEST:***

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