

**CALLED MEETING OF THE
BREWSTER COUNTY COMMISSIONERS COURT
FRIDAY, NOVEMBER 15, 2013, AT 10:00 A.M.**

Judge Beard called the meeting to order. Officers present are listed as follows:

VAL CLARK BEARD	COUNTY JUDGE
ASA "COOKIE" STONE	COMMISSIONER PCT. 1
TOM WILLIAMS	COMMISSIONER PCT. 2
RUBEN ORTEGA	COMMISSIONER PCT. 3
MIKE PALLANEZ	COMMISSIONER PCT. 4
BERTA RIOS MARTINEZ	COUNTY CLERK
JERRY SOTELLO	J.P. PRECINCT 1

To discuss and take action as appropriate on the following:

1. Treasurer

A. General Bills / Discussion and appropriate action

Treasurer's Assistant Linda Arndt said there were two walk-in bills, one for \$1,000 for the District Court, and another for \$36.01 for travel reimbursement.

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

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

Specified Activity Report	Payroll Reports
Cash Flow Predictions	Check Register
Budget Analysis Usage Report	Transfers
Receipt File Listings	Personnel/Overtime Reports
Cash Report	Other Financial Reports as
Grant Reports	Requested by Commissioners

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

2. Pending vacancy in County Judge's Office / Discussion and appropriate action concerning appointment to fill unexpired term

Judge Beard said she is not going to take a lot of time on legal review as that has already been done in previous meetings. That information can be obtained in her office if anyone wants it.

Judge Beard said there is a list of questions which has been prepared, and she is going to take a few minutes with Commissioners to review those before conducting interviews. Both candidates will be asked the same questions to make sure we have a level playing field.

A. Conduct interviews of applicants

1. 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 (Conduct interviews and discuss applications and interviews)

At 10:15 a.m., Judge Beard announced that Commissioners Court was going into executive session, pursuant to Section §551.074 of the Government Code, to discuss personnel issues in the County Treasurer's Office. The courtroom was cleared of all but Commissioners Court. Attorney Greg Hudson was contacted and participated telephonically.

At about 10:20 a.m., applicant Eleazar Cano was called in for his interview.

At 11:35 a.m., Commissioners reconvened in open session. Judge Beard explained that Commissioner Tom Williams had a medical issue and had to leave for a doctor's appointment, and would not be participating in the second interview or possible vote.

At 11:41 a.m., Commissioners went back into executive session, and Commissioner Killingsworth was called in for his interview.

Reconvene in Opens Session

At 1:03 p.m., Commissioners reconvened in open session. Judge Beard announced that they had been in executive session to conduct interviews of applicants interested in the County Judge's position. Judge Beard asked if there was any action to be taken as a result of the executive session.

2. Discussion and appropriate action concerning filling vacancy and making appointment to fill unexpired term as County Judge or other action

Judge Beard said the Legislature has charged Commissioners Courts with filling a vacancy in the office of the County Judge. She said Commissioners have tried to conduct the process in a

systematic fashion. She said she believes Commissioners are ready to take action today.

Commissioner Stone made a motion to appoint Kathy Killingsworth to fill the unexpired term of Val Beard beginning Jan. 2, 2014. Commissioner Ortega seconded the motion. Judge Beard called for the vote by asking for a show of hands. Commissioners Ortega, Stone and Pallanez, and Judge Beard raised their hands in the affirmative.

B. General Administrative matters related to filling vacancy / Discussion and appropriate action

SUPPLEMENTAL AGENDA

To discuss and take action as appropriate on the following:

1. Request for Proposals to provide Food Services for Brewster County Jail/Discussion and appropriate action

Review RFP and Proposals from the Review Committee selected by the Commissioners Court on October 15, 2013, Lora Nussbaum, Treasurer's Office representative and the Sheriff / Hear recommendations and take action as appropriate

Commissioners had received only one proposal from Five Star Services, which was opened Oct. 15, and sent for review by the Sheriff Dodson, Jail Administrator Lora Nussbaum and Treasurer Ofenstein.

Sheriff Dodson said Mrs. Nussbaum asked the jail's cook to review the menu. The cook was able to lower the total amount. It was re-sent to the original proposer. They sent a new proposal, and it was the same dollar amount, although it does include paper goods for the kitchen, which is a savings of \$27,000. The proposal is based on retaining the current cook.

The current budget includes \$85,000 for groceries at the jail.

Commissioner Ortega asked about the level of the quality of food we are currently buying. The Sheriff and Mrs. Nussbaum were unsure.

Mrs. Nussbaum said she received very good references from several places around the state for Five Star Services.

Sheriff Dodson and Mrs. Nussbaum recommended participating in this program and entering into a contract with Five Star Services.

Commissioner made a motion to approve a contract with Five Star Services on a preliminary basis until reviewed by the County Attorney. Commissioner Stone seconded the motion, which passed unanimously.

2. End of Year Schedule/Closeout and Transition Matters/ Discussion and

Appropriate Action

3. Personnel / County Treasurer's Office

As Treasurer Ofenstein is out of the office today, Judge Beard asked Commissioners if they want to proceed with the session. Commissioner Stone suggested moving it to the Nov. 19 meeting; however, Judge Beard said that, at this point, there doesn't appear to be enough business to hold that meeting, and Commissioners have already authorized the payment of bills in the interim.

Commissioners concurred that it could wait until the first meeting in December, and so the

- 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***

Reconvene in Open Session

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

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