

**REGULAR MEETING OF THE BREWSTER
COUNTY COMMISSIONERS COURT
MONDAY, AUGUST 10, 2015, AT 9:00 A.M.**

The Judge called the meeting to order and the following were present:

<i>Eleazar Cano</i>	<i>County Judge</i>
<i>Luc Novovitch</i>	<i>Commissioner Pct. 1</i>
<i>Hugh Garrett</i>	<i>Commissioner Pct. 2</i>
<i>Ruben Ortega</i>	<i>Commissioner Pct. 3</i>
<i>Mike "Coach" Pallanez</i>	<i>Commissioner Pct. 4</i>
<i>Berta Rios-Martinez</i>	<i>County Clerk</i>
<i>Ruth Staton</i>	<i>County Treasurer</i>

1. Invocation, Pledge of Allegiance

Judge Cano led the Court in an Invocation and the Pledge of Allegiance.

2. Public Comment

No public comments.

3. Minutes / additions / corrections / approval

No minutes available at this time.

4. 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**

Superintendent Frenchie Causey informed the Court that he has been shorthanded the past week and the work was minimal. Superintendent Causey stated that Road & Bridge had bladed Cathedral Road, Agua Fria Road and have been working on the boxes around the trees behind the Val Clark Beard Office Complex. Superintendent Causey informed the Judge that remodel work in his office would begin the following week. Lights at the Tax Office were replaced and trimmed trees around the Tax Office and cleaned up the fountain behind the Tax Office, stated Superintendent Causey. Superintendent Causey reported the progress on the mowing in the County and the repairs on the equipment in the shop.

Commissioner Novovitch asked about the job at the Sheriff Office that was discussed in a previous meeting. Superintendent Causey stated that he looked at the job and that a lot of stuff would have to be moved by the Sheriff Office in order to work in the space.

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

Nothing further at this time.

5. Treasurer

A. General Bills / Discussion and appropriate action

Treasurer Staton reported general bills to total 57,886.16. Judge Cano asked for a complete reconciliation of accounts for the budget purpose as a few accounts appear to be over-drawn and other accounts appear to have too much money based on line item.

Commissioner Garrett asked about item 49503 and 49512. Berta Rios-Martinez informed Commissioner Garrett that item 49503 was for her office. It is the Property Management Program. Treasurer Staton stated that item 49512 is an annual charge.

Commissioner Garrett asked about the property assessment and Treasurer Staton informed the Court that John Quincy was the representative and looked at all the properties. Commissioner Garrett asked for all Commissioners to review the report upon receipt of it.

Commissioner Pallanez asked how much Virgil Clark was getting paid, he made reference to page 2 of the "unpaid invoice review listing", and Treasurer Staton stated that he gets paid 220.00.

Commissioner Ortega moved to approve the bills as presented abstaining from item 91322. Commissioner Garrett seconded the motion and the motion passed unanimously.

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**

**Payroll Reports
Check Register
Transfers
Personnel/Overtime Reports**

**Cash Report
Grant Reports**

**Other Financial Reports as
Requested by Commissioner**

Nothing reported at this time.

D. Distribution of Payment in Lieu of Tax Revenues from U.S. Department of Interior to Brewster County, San Vicente ISD, & Terlingua CSD

Treasurer Staton asked for permission to write the checks for the amount presented. Commissioner Garrett stated that the commitment was based on the amended budget and less PILT than budgeted.

Commissioner Garrett moved to make a 2015 distribution in lieu of Taxes in the amount of 97,920.81 to San Vicente ISD and 50,803 to Terlingua CSD and 177,000 to Road and Bridge Fund. Commissioner Ortega seconded the motion and the motion 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

Nothing further to report.

6. Officials' Monthly Reports

Nothing to report.

7. 2015 Tax Collection Contracts / Discussion and appropriate action

Judge reviewed the contracts with the Hospital District, City of Alpine, Marathon ISD, San Vicente ISD, and Terlingua CSD. Please see attached contracts.

Commissioner Garrett asked how the numbers became available and suggested that next year the Court look further into the contracts and the bottom line number.

Commissioner Ortega moved to approve the contracts as presented. Commissioner Novovitch seconded the motion and the motion passed unanimously.

Moved to item 9

8. 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

Emergency Coordinator Van Ostrand reported that he has received reports from all Emergency Services and from their reports it has been slow in the County. Very few fires as well as emergency calls, informed Van Ostrand.

B. Texas Department of Public Safety / Request to approve Resolution and Pending Adoption of the Brewster County's Local Multi-Jurisdictional Hazard Mitigation Plan

Discussion of the Mitigation Plan took place and the Court was informed by Van Ostrand that this plan is to protect the people and would provide tools for him to improve his job. Van Ostrand recommended to approve the Resolution for the Hazard Mitigation Plan.

Commissioner Ortega moved to adopt the Resolution for Brewster County Multi-Jurisdictional Hazard Mitigation Plan. Commissioner Novovitch seconded the motion and the motion passed unanimously.

C. Discuss Texas Local Government Code Title 11 Subtitle B Chapter 325 Subchapter D Section 352.081, The County can restrict or ban burning in areas of the county instead of the county as a whole / Discussion and appropriate action

Matt Van Ostrand explained to the Court what this Title 11 B Chapter 325 Subchapter D Section 352.081 means and the example was given such as Alpine received rain and did not need to be under a burn ban but Marathon received no rain and needed to remain under a burn ban. Commissioners asked how the notification would be given to inform the County. Van Ostrand stated that all and any publication would be done.

Judge Cano suggested to set up a phone line for the specific burn bans in the area. Van Ostrand stated it would cost about 1,000 for this to occur and he believes that this needs to happen. The Judge would need to sign off on and the process would move forward, stated Van Ostrand.

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

Nothing further to discuss.

9. Presentation by Greg Hudson, Hudson & O'Leary LLP, on Tax Abatement Process

Mr. Greg Hudson provided a brief history and the terms of the last Tax Abatement. Hudson stated the process of a Tax Abatement as well as the rules and guidelines. Hudson provided information about other Counties that he is representing in the surrounding area. All applications must meet the requirements of the

application process and at this point they are met with the current applicant stated Hudson. There were two solar energy projects looking at Brewster County, River Rock and Hecate, informed Hudson. Mr. Hudson stated that the application for River Rock was approved at a previous meeting and met all the requirements. The same must be done with Hecate, stated Hudson. Negotiations will be undertaken at Commissioners Court can decide what is best for the county. Hudson stated that he will provide a draft to the Commissioners for review.

Judge Cano stated that he would put together a committee for Solar Energy. The committee will provide information and communication to the Court and the Community.

10. Presentation by Hecate Energy Representative – Solar Energy Project

Todd Kikes, representative for Hecate Energy, provided the location of his company as well as some of the locations they have developed. The location for this project is 18 miles North on Highway 67, informed Kikes. Todd explained that even though they are a young company they have a lot of experience in the company. Hecate hopes to come back in the future to make a more detailed presentation.

Questions were asked about certain aspects of the negotiation process and the time-line of the project.

Court recessed at 10:45 A.M.

Court reconvened at 10:56 A.M.

11. Schedule next Regular Commissioners Court Meeting (Tuesday, August 25, 2015)

Judge Cano informed the Court that the next regular scheduled meeting on Tuesday, August 25, 2015.

12. 2016 Budget Workshop / Discussion concerning all aspects of County revenues/expenditures & current finances and upcoming financial needs for all county departments and other entities funded by the County / Scheduling issues related to adoption of Budget and setting Tax Rate & other matter related to 2016 budget / public comment

Mary Bell Lockhart discussed the Election Administrator position and said she spoke with a representative with the Secretary of State on the guidelines of procedure since the position has been voted on by the Court. Judge Cano explained that the position has been created and approved and is planned to be filled in October of 2016.

Sheriff Ronny Dodson strongly asked for help in South County and stated the importance of these positions. Sheriff Dodson also expressed his concern on hiring a County Auditor and stated that though it may be necessary it is an unnecessary expense. Sheriff Dodson also is concerned for a Deputy losing 1,000.00 of his pay and is asking the Court to look into this.

Commissioner Garrett asked what an additional deputy would cost and Sheriff stated it was 55,000 without a vehicle.

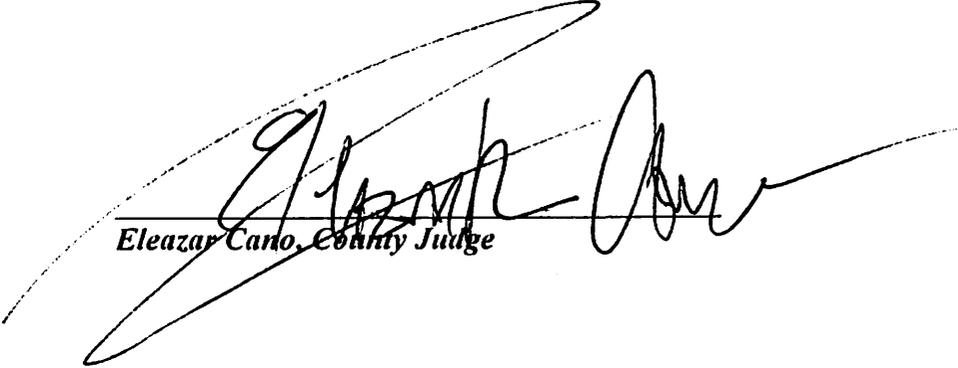
There was further discussion on the number of Deputies with a breakdown of how they are paid whether it be through the County or through grants.

The Court reviewed and discussed the budget for 2016.

See attached budget that was reviewed.

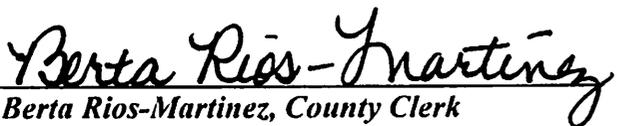
13. Adjourn

Commissioner Ortega moved to adjourn at 12:25 P. M.. Commissioner Novovitch seconded the motion and the motion passed unanimously.



Eleazar Cano, County Judge

ATTEST:



Berta Rios-Martinez, County Clerk