

**REGULAR MEETING OF THE BREWSTER  
COUNTY COMMISSIONERS COURT  
TUESDAY, AUGUST 25, 2015, AT 9:00 A.M.**

*Judge Cano 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>Huge 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>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**

*Carlos Lujan expressed his concern on the minutes, the price of copies in the District Clerks Office and the County Clerk's Office and the situation with the Treasurer Office.*

*Jim Burr thanked the Court and Commissioner Garrett for setting up the recycling trailer for the South County area.*

**3. Minutes / additions / corrections / approval**

*Minutes for July 13, 2015 and July 23, 2015 were approved.*

*Commissioner Novovitch stated a change to the Hill Country invoice for 4,980, was discovered that it came from the Clerk's Office, versus the treasurer's office.*

*Commissioner Garrett addressed a change to item 4 and after discussion left it as it was.*

*Commissioner Ortega moved to approve the minutes of July 13, 2015 and July 23, 2015 with corrections. Commissioner Garrett seconded the motion and the motion passed unanimously.*

**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 was not in attendance but provided a report to Commissioner Ortega. Commissioner Ortega reported that Road & Bridge cleaned Pinyon Park and Post Park. Also, replaced lights in the Tax Office and hauled top soil to Holy Angel Cemetery to fill some holes due to the rain, Commissioner Ortega reported. In addition to that, Road & Bridge remarked handicap parking at the County Office.*

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

*Judge Cano informed the Court on the collaboration with working with the City of Alpine on the roads and other small things around the County. The County does not pay for the material if it is City related however, the Road & Bridge and the City workers work together get the job done for our County, City and Constituents as well as save money.*

*Commissioner Ortega stated that the City and the County are considering working together on renting a Rock Crusher as this would be a cost savings on road materials.*

**5. Treasurer**

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

*Treasurer Ruth Staton reported that the general bills total 71,265.16.*

*Judge Cano questioned check number 49577 to Hill Country Software. It was taken out of Capital Equipment and questioned if it was taken out of the correct department given that it was for training. He then questioned the pre invoice for June and July in the amount of 183572.44 to TAC, Texas Association of Counties. Judge Cano stated that the total amount due was 197,950.87 and asked why wasn't the full amount paid. Judge Cano then asked why this wasn't paid in June and July when they were due. Treasure Staton stated that the money is gathered to make the payment and this month will be paid on time. She then explained that the invoice comes to her password protected and someone went into her desk and took her password and had to get a new password.*

*Judge Cano stated that a few employees that are no longer with Brewster County, some since May and the County is still paying up to 4,248.00 in insurance. Treasure Staton claimed she could not get into the software to take care of this matter. Treasurer Staton stated that her office called to have them cancelled but was not done.*

*Commissioner Ortega asked where the County is on Expenditures. Treasurer Staton said they should be okay. Commissioner Ortega asked for a copy to be provided at the next meeting. Commissioner Novovitch asked why Commissioner Garrett was reimbursed for mileage to Terlingua and Commissioner Ortega was not. Commissioner Novovitch asked if there was a policy in place. Commissioner Garrett stated there is a policy in place and clearly states that if*

*you are on business you are reimbursed and if you attend a social event there is no reimbursement. Commissioner Novovitch asked for a copy of the policy. Commissioner Garrett asked about check 49584 and wants clarity on if this is an actual autopsy. Treasurer Staton stated that it depends on where the transportation is and if it is transportation then reflect that line item and if it is actual autopsy for the report to reflect autopsy. Discussions were held on who the reports are generated for and if the Treasurer's Office can generate the reports in a way that can be more clear to the Court. Commissioner Ortega stated that a report presented by department would be clearer and he stated that he has asked for that for some time now. Commissioner Garrett asked if the Budget Analysis Report can be clarified.*

*Treasurer Staton informed the Court of the walk-ins for TAC 82,252.06 and Hudson & O'Leary 10,436.20.*

*Commissioner Ortega moved to approve the general bills as presented. Commissioner Garrett seconded the motion and the motion passed unanimously.*

*Commissioner Ortega moved to approve the walk-in bills for TAC 82,252.06 and Hudson & O'Leary 10,436.20. Commissioner Garrett seconded the motion and the motion passed. Commissioner Novovitch abstained from this motion.*

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

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

*Nothing reported.*

**C. 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 at this time.*

**6. Officials' Monthly Reports**

*Treasurer Staton stated that she would have all reports by the first meeting in September.*

*Discussion of the process of getting the Official's Monthly Reports complete and where things are not getting done.*

*Mrs. Jones informed the Court of the process as far as the Clerk's office is concerned and that all daily and monthly reports are up to date.*

*District Clerk, JoAnn Salgado, explained the process as far as her office is concerned.*

**7. McCreary, Veselka, Bragg & Allen, P.C. / Consideration and approval of Resolution requesting a Sheriff's Resale of Property acquired by the County of Brewster, Texas. Trustee, at Delinquent Tax Sale held on October 1, 2013**

*Commissioner Garrett explained the history of this Resolution and the process that will occur.*

*Commissioner Ortega moved to approve the Resolution requesting a Sheriff's Resale of Property acquired by the County of Brewster, Texas. Trustee, at Delinquent Tax Sale held on September 1, 2013. Commissioner Novovitch seconded the motion and the motion passed unanimously.*

**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 Management Coordinator Matt Van Ostrand reported that the County is in a burn ban and that all 3 emergency facilities agreed to a 911 test. This alert can come through the web and phone, informed Van Ostrand. He further explained the process of this test and the capabilities.*

*There is a meeting in Marathon on September 16, 2015 at 9:00 A.M.*

*Commissioner Ortega informed the Court of a CPR class in Marathon with 10 participants.*

*Court recessed at 10:44 A. M.*

*Court reconvened at 11:02 A.M.*

**B. Discussion and appropriate action for general administrative work of the**

## **Emergency Management Department to go forward**

*Nothing further at this time.*

### **9. Perdue Brandon Fielder Collins & Mott LLP / Discuss and consider tax sale of properties and bids held in March 2015**

*Judge Cano informed the Court of the meeting that took place with Perdue Brandon Fielder Collins & Mott LLP. Martin Lujan was representing the Law Firm and added brief explanation about one change since the meeting. He stated that the proper forms were filed with the District Judge. Commissioner Garrett asked if having something in writing on the Firms responsibility to the Court would be available. Lujan stated that it is part of the contract but that they could certainly have something drafted separately.*

*Commissioner Ortega motioned to approve the tax sale of properties and bids held in March 2015. Commissioner Garrett seconded the motion and the motion passed unanimously.*

*District Clerk, JoAnn Salgado asked if she could provide information regarding the cost of copieis in her office and the County Clerk's Office. She present the Local Government Code 181.011 that reflected the cost set for copies in this Code and the fee is set by the State.*

*Commissioner Ortega suggested to place the Local Government Code for this specific issue on the County website.*

### **10. Sheriff's Office / Discuss and consider the retirement and adoption of current drug dog, Balak**

*Sheriff Ronny Dodson explained to the Court that the dog Balak has been with the department for 10 years and is ready for retirement. Sheriff Dodson informed the Court that a jailer is interested in adopting Balak to give him a good home.*

*Commissioner Ortega asked what the procedure is and the Sheriff explained that Balak was purchased through a grant and that upon retirement the books will reflect the retirement of Balak.*

*Commissioner Garrett stated to have paperwork to reflect the purchase of Balak and the paperwork for retirement and the adoption.*

*Commissioner Garrett moved to acknowledge the retirement of Balak and the adoption to Aaron Macias. Commissioner Ortega seconded the motion and the motion passed unanimously.*

*Judge Cano and the Court convened in executive session at 11:20 A.M.*

### **11. Treasurer's Office**

#### **A. Executive Session pursuant to Section § 551.071, Government Code, to confer**

with legal Counsel about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter concerning the County Treasurer

- B. Executive Session pursuant to Section §551.074, Government Code, to discuss the appointment, employment, evaluation, reassignment, duties compensation, or employment related issues pertain to the County Treasurer**

*Court reconvened into open session at 12:19 P.M.*

- C. Reconvene in Open Session and discussion and appropriate action following Executive Session concerning the County Treasurer**

*Judge Cano stated for the record that no action was taken.*

*Court recessed for lunch at 12:20 P.M.*

*Court reconvened to open session at 1:34 P.M.*

- 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 matters related to 2016 budget**

*Judge Cano and the Court reviewed and discussed the 2016 Budget by department.*

*Specific items discussed were having offices present quarterly reports, such as the Veterans Office, the Extension Office and the Tri-County Probation.*

*Commissioner Novovitch asked that the Alpine Library Fund be decreased to 20,000 from 30,000. Discussion took place on the reason behind the requested change.*

*Commissioner Novovitch motioned to change the Alpine Library Fund from 30,000 to 20,000 Please see the attached budget that was reviewed. Commissioner Ortega seconded the motion, Commissioner Garratt abstained and Commissioner Pallanez voted against the motion. The motion passed with a three to one vote.*

- 13. Matters related to 2015 Tax Rate & 2016 Budget**

- A. 2016 Salaries for Elected County Officials**

- 1. Review proposed salaries**

*Questions and discussion of the salaries took place among the Court.*

*Commissioner Garrett read the salaries into record.*

*Please see attached salaries.*

- 2. Propose salaries & appropriate notices / Discussion and appropriate action**

*Commissioner Ortega moved to approve the proposed salaries and supplements for the 2016 budget. Commissioner Novovitch seconded the motion and the motion passed unanimously.*

**14. Propose Tax Rate & Set Dates for Hearing & Date of Vote to set rate / Discussion and appropriate action**

*Commissioner Garrett moved that the proposed tax rate be .03727. Commissioner Ortega seconded the motion and the motion passed unanimously.*

*Commissioner Garrett read the schedule of the meetings and hearings into record. Please see attached schedule.*

**15. Schedule next Regular Commissioners Court Meeting (Monday, September 14, 2015)**

*Judge Cano stated that the next meeting will be on September 14, 2015 at 9:00 A.M.*

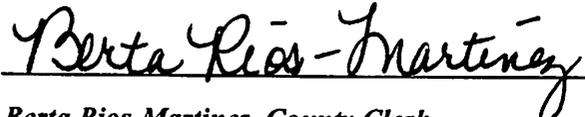
**16. Adjourn**

*Commissioner Ortega moved to adjourn at 3:55 P.M... Commissioner Novovitch seconded the motion and the motion passed unanimously.*



*Eleazar Cano, County Judge*

**ATTEST:**



*Berta Rios-Martinez, County Clerk*