

**PUBLIC NOTICE**

**REGULAR MEETING OF THE BREWSTER COUNTY COMMISSIONERS COURT  
TUESDAY, APRIL 11, 2017, 9:00A.M.  
BREWSTER COUNTY COURTHOUSE, COMMISSIONERS COURTROOM  
ALPINE, TEXAS**

**Judge Cano called the meeting to order at 9:01a.m., the following Elected Officials were Present:**

<b>Eleazar R. Cano</b>	<b>County Judge</b>
<b>Betse Esparza</b>	<b>Commissioner Pct. 1</b>
<b>Hugh Garrett</b>	<b>Commissioner Pct. 2</b>
<b>Ruben Ortega</b>	<b>Commissioner Pct. 3</b>
<b>Mike "Coach" Pallanez</b>	<b>Commissioner Pct. 4</b>
<b>Babett Mann</b>	<b>County Treasure</b>
<b>Berta-Rios Martinez</b>	<b>County Clerk</b>

**1. Invocation, Pledge of Allegiance**

Invocation and Pledge were led by Judge Cano.

**2. Public Comment- Comments are limited to 3 minutes per person. Pursuant to the Texas Open Meetings Act, the Court is limited in its ability to respond to comments**

No public comments

**3. Recognitions & Announcements**

**A. County Judge / Update on workshop for Spring Judicial Session attended on March 29<sup>th</sup>, 30<sup>th</sup> & 31<sup>st</sup> in Lubbock, Texas**

Judge Cano reported on the workshop he attended on March 29<sup>th</sup>, 30<sup>th</sup> and 31<sup>st</sup> in Lubbock, Texas.

**B. County Veteran's Service Office / Update on upcoming Veteran's Fair**

Dennis Yancy stated the Veteran's Fair is getting bigger and hopes to have a good turn out. He also stated the planning for the Veteran's Fair is done.

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

Judge Cano stated he didn't have time to review the minutes for March 28,2017.  
Commissioner Garrett moved to approve to the minutes for March 14,2017.  
Commissioner Esparza seconded the motion; motion passed unanimously. Also, the

March 28, 2017 minutes were tabled by Commissioner Garrett. Commissioner Pallanez seconded the motion; motion passed unanimously.

## **5. Brewster County TxCDBG 7216035 Grant**

### **A. Discuss, consider and adopt resolution to designate administration and engineering service providers for TxCDBG Contract No. 7216035 / Discussion and appropriate action**

Jerry Carvajal read the resolution to designate administration and engineering service providers for TxCDBG Contract No. 7216035. Judge Cano read the resolution to designate Jacob & Martin to provide service for TxCDBG Contract No. 7216035. Commissioner Ortega moved to approve the resolution to designate administration and engineering service providers for TXCDBG Contract No. 7216035. Commissioner Esparza seconded the motion; Commissioner Pallanez opposed.

### **B. Discuss, consider and adopt resolution to designate authorized signatorys for TxCDBG Contract No. 7216035 / Discussion and appropriate action**

Judge Cano read the resolution into record. Commissioner Ortega moved to approve the resolution to designate authorized signatorys for TxCDBG Contract No. 7216035. Commissioner Esparza seconded the motion; motion passed unanimously.

### **C. Discuss and consider proclaiming April as Fair Housing Month / Discussion and appropriate action**

Judge Cano read the proclamation for April as Fair Housing Month. Commissioner Esparza moved to approve the proclamation for April as Fair Housing Month. Commissioner Ortega seconded the motion; motion passed unanimously.

### **D. US Department of Agriculture Community Development Block Grant Program / Proposed federal budget calls for the elimination of the program / Update**

Jerry Carvajal read the reports of the US Department of Agriculture Community Development Block Grant Program. Judge Cano stated we need to send letters to our representatives supporting the Agriculture Community Development Block Grant. Commissioner Ortega moved for the court to send letters to our representatives supporting the Grant. Commissioner Esparza seconded the motion; motion passed unanimously.

## **6. Treasurer's Office**

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

Treasurer Mann read the reports of the general bills and walk-ins. Commissioner Ortega moved to approve the general bills and walk-ins as presented. Commissioner Esparza seconded the motion; 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  
Cash Report  
Grants Reports**

**Payroll Reports  
Check Register  
Transfers  
Personnel/Overtime Reports  
Other Financial Reports as Requested  
by Commissioner**

Treasurer Babett read the Financial Reports and stated they have received other donations for the Fire Departments.

**C. Donations**

- 1. Accept \$500 Donation from the Vanguard Charitable, non-profit organization that administers a donor-advised fund for the Alpine Volunteer Fire Department / Discussion and appropriate action**

Treasurer Mann stated West & Victoria Banister Fund donated to the Alpine Volunteer Fire Department. Commissioner Ortega moved to accept the donation from Wes & Victoria Bannister Fund. Commissioner Esparza seconded the motion; motion passed unanimously.

- 2. Accept \$300 Donation from Texas Farm Bureau Mutual Insurance Company / Discussion and appropriate action**

- a. Terlingua Fire Department \$100.00**
- b. Alpine Fire Department \$100.00**
- c. Marathon Fire Department \$100.00**

Treasurer Mann reported the donations from Texas Farm Bureau Mutual Insurance Company. She also stated they received three separate checks for the Fire Departments for Terlingua, Alpine and Marathon from Texas Farm Bureau Mutual Insurance. Commissioner Ortega moved to accept the donations from Texas Farm Bureau Mutual Insurance Company. Commissioner Esparza seconded the motion; motion passed unanimously.

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

Treasurer Mann read other general administrative & procedural matters related to Treasurer's Office. She also stated she will be gone all next week for her Annual Treasurer's Conference.

**7. Officials' Monthly Reports**

Commissioner Garrett read the Officials' Monthly Reports. Commissioner Ortega moved to approve the Officials' Monthly Reports as presented. Commissioner Esparza seconded the motion; motion passed unanimously.

## **8. 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**

R & B Superintendent Frenchie Causey reported on the Road & Bridge Department maintenance and repairs for the County Roads System.

Court recessed at 10:15 A.M.

Court reconvened at 10:33 A.M.

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

## **9. 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**

Judge Cano stated the EMC is out of town in a Conference, so no EMC report. He also stated there will be a Fireman's Ball for TEEMS on April 22, 2017 at La Kiva, in Terlingua.

**B. Discuss and consider quote for AlphaCard Program Identification Machine for County Employees to be expended from Courthouse Security / Discussion and appropriate action**

No Action

**C. Discuss and consider agreement with Hyper-Reach, Rochester, NY, as the County's emergency notification system / Discussion and appropriate action**

No Action

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

No Action

**10. Alex Whitmore Plat / Request for Preliminary Plat Approval**

**A. Presentation of Plat / Discussion**

**B. Opportunity for public comment**

**C. Discussion and appropriate action regarding request for preliminary approval**

Alex Whitmore read the Request for Preliminary Plat Approval. Commissioner Garrett moved to approve the Preliminary Plat as presented to the county at G-4 Lot 3 Texas Highway 170 in Terlingua. Commissioner Ortega seconded the motion; motion passed unanimously. Final Plat will be considered at May 9, 2017 Commissioners Court Meeting.

**11. Brewster County Elections Administrator / Matters related to the May 6<sup>th</sup>, 2017 Elections**

**A. Election Agreement between the City of Alpine and Brewster County Elections Administrator for Election Equipment and Election Services /**

**Discussion and appropriate action**

Commissioner Garrett made a motion to approve the Election Agreement between the City of Alpine and Brewster County. Commissioner Esparza seconded the motion; motion passed unanimously.

**B. Election Agreement between Alpine Independent School District and Brewster County Elections Administrator for Election Equipment and Election Services /**

### **Discussion and appropriate action**

Commissioner Esparza made a motion to approve the Election Agreement between Alpine Independent School District and Brewster County Elections Administrator for Election Equipment and Election Services. Commissioner Garrett seconded the motion; motion passed unanimously.

### **12. 83<sup>rd</sup> District Attorney's Office**

#### **A. Office of Attorney General Victim Assistance Grant Program / Discuss and consider approving application and resolution for Grant Application 0126-18-0205 / Discussion and appropriate action**

Sandy Wilson, 83<sup>rd</sup> District Attorney, read the yearly review for General Victim Assistance Grant Program. Commissioner Ortega moved to approve the resolution for Grant Application 0126-0205 General Victim Assistance Grant Program. Commissioner Esparza seconded the motion; motion passed unanimously.

#### **B. Alpine Office Grand Opening located at 210 N 6<sup>th</sup> St / Invitation to attend reception on April 13<sup>th</sup> 3:00 p.m. to 6:00 p.m.**

Sandy Wilson stated they will have a Grand Opening at 210 N. 6<sup>th</sup> St.

### **13. Brewster County Jail / Matters related to pending infrastructure issues**

#### **A. Southwest Architects, Inc / Presentation by Jeff Heffelfinger / Discuss and consider process for Brewster County to assess its current jail facility and develop a master plan for the future / Discussion**

Jeff Heffelfinger presented the process for Brewster County to assess its current jail facility and develop a master plan for the future, which he suggested a contractor must be involved. Judge Cano stated they will have to review this process but will keep in contact with Jeff Heffelfinger.

#### **B. Discuss and consider awarding a contract to Southwest Architects, Inc. of Fort Worth, TX under the Discretionary Exemption for Professional Architectural Services (Discretionary Exemption Order was approved by Commissioners Court on March 28<sup>th</sup>, 2017) / Discussion and appropriate action**

Judge Cano suggested to table the contract to Southwest Architects, Inc. of Fort Worth, TX. under the Discretionary Exemption for Professional Architectural Services. Commissioner Esparza moved to table the contract to Southwest Architects, Inc. of Fort Worth, TX. Commissioner Ortega seconded the motion; motion passed unanimously.

#### **C. Specialized Public Finance, Inc. / Presentation by Vince Viaille / Discussion**

Vince Viaille suggested delaying the Presentation. Commissioner Ortega moved to table the Presentation by Specialized Public Finance, Inc. Commissioner Esparza seconded the motion; motion passed unanimously.

**D. Discuss and consider contract with Specialized Public Finance, Inc. of Dallas, TX for Financial Advisor Services / Discussion and appropriate action**

No Action

**14. Pending Litigation/Cause No. 1:17cv-44, Ben Elmore, Plaintiff, vs. Brewster County, Texas, Defendant, In The United States District Court for the Western District of Texas Alpine Division/Confer with County Attorney**

**A. Executive Session - § 551.071, Government Code, VTCA, Pending Litigation and Consultation on a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this Chapter (Privileged Matters)**

Court recessed into Executive Session at 11:47 A.M.

**Reconvene in Open Session**

Court was reconvened at 12:10 P.M.

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

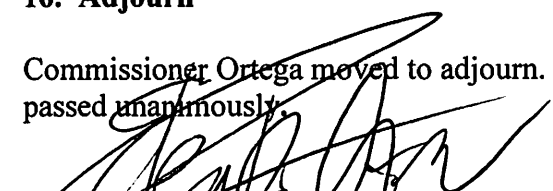
No actions taken at this time.

**15. Schedule next Regular Commissioners Court Meeting on April 18, 2017, instead of Regular scheduled meeting April 25, 2017**

Judge Cano informed the Court of the next Regular Meeting on April 18, instead of Regular scheduled meeting April 25, 2017.

**16. Adjourn**

Commissioner Ortega moved to adjourn. Commissioner Esparza seconded the motion; motion passed unanimously.

  
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Eleazar B. Cano, County Judge

ATTEST:  
  
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Berta-Rios Martinez, County Clerk