

State of Texas

County of Brewster

Order Establishing
Brewster County Tourism Board

The Brewster County Commissioners Court has by order dated September 8, 1997, established a Countywide Hotel Motel Tax. The Brewster County Commissioners Court has determined that a Brewster County Tourism Board shall be established to advise and assist the County in all matters related to the Countywide Hotel Motel Tax, its collection and its expenditures. The Brewster County Tourism Board may herein be referred to as the "Board".

Therefore, the Court on this the 23rd day of 1997, by a unanimous vote, adopts the following order establishing the Brewster County Tourism Board:

I. Establishment of Board and Membership

- A. This order creates the Brewster County Tourism Board.
- B. This Board shall consist of a total of eleven (11) voting members and three (3) ex officio non voting members.
- C. Membership shall be balanced and representative of the areas from which the tax is collected. The Board shall be comprised of the following classifications of membership:
 1. Six (6) members shall be representative of the hotel motel industry.
 - a. These members shall be owners, managers, operators, or key employees of hotels or motels located in the County in the areas where the County tax is collected.
 - b. At least one of these members shall be from each of the following areas: Big Bend National Park, Lajitas, Study Butte/Terlingua, Terlingua Ranch, and Marathon. One shall be at large, from Brewster County.
 2. Three (3) members shall be from the general Tourism, and Travel and Hospitality Industry and shall be knowledgeable concerning matters related to Tourism and Travel in Brewster County. These members may or may not be directly involved in the operation or ownership of a hotel or motel. At least one of these members shall reside outside any incorporated City in the County.

3. Two (2) members shall be at large and may or may not be directly involved in the Tourism industry but shall be persons who have demonstrated an interest in promoting tourism and travel in Brewster County, Texas. At least one of the Members at Large shall reside outside any incorporated city in the County.

4. Ex Officio nonvoting members shall be:

- a. One representative of Big Bend Area Tourism Association
- b. One representative of the Marathon Chamber of Commerce
- c. One representative of the Alpine Chamber of Commerce

5. The Ex Officio Voting Member shall be the Chairman of the Brewster County Historical Commission. (As Amended 7/23/2013)

E. Board terms shall be two (2) years and staggered. (As Amended 8/24/2004)

F. Appointment

1. The Commissioners Court shall appoint the initial Countywide Board. By lot, five (5) of the initial Board members shall serve a one (1) year term, and the remainder shall serve a two (2) year term.
2. Thereafter, members of the Board shall be selected yearly by Commissioners Court from a slate of nominees, five (5) members one year, then five (5) members the next year on an alternating basis. Nominations may be from the Board itself, a Brewster County Hotel or Motel in the area in which the tax is collected, or from a County business directly involved in the tourism industry.

II. Functions of the Board - The Board shall advise and assist Brewster County in all matters related to the Countywide Hotel Motel Tax.

A. The Board will prepare or cause to be prepared plans for appropriate disbursement of the Hotel Motel Tax for the County.

B. Contracts

1. The Board may contract with other entities for programs and expenditures related to the tax. Any contracts for \$5,000 or more shall be approved by Commissioners Court, prior to execution of the contract by the Tourism Council. (As Amended 7/23/2013.)

2. By agreement with Commissioners Court, the Board may contract with the County for the Board itself to undertake the promotion of tourism and travel in the County.
3. The Board shall advise the County in regard to mechanics of the tax and collection procedures.
4. The Board shall prepare an annual budget to be approved by Commissioners Court. The Board shall report to Commissioners Court concerning its activities and expenditures at least quarterly. Reports may be made by personal appearance or in writing.
5. The Board shall keep Brewster County Hoteliers informed about the Hotel Motel Tax and the Board's activities.

III. Meetings

- A. The Board shall meet not less than quarterly and shall establish regular meeting dates.
- B. Meetings shall be posted pursuant to the Texas Open Meetings Act and shall be open to the public. Posting shall be in the Brewster County Courthouse, and such other places as the Board may determine. Board Members shall receive written or telephonic notice of all meetings, not less than seventy two (72) hours prior to meeting time.
- C. The Board shall determine the location of meetings; meetings may be held at varying locations within Brewster County.
- D. Quorum and Action. Five (5) voting members of the Board shall constitute a quorum. Board action shall be taken upon majority vote of those present.
- E. The Board may hold called meetings at the request of four (4) or more members, or on the call of the President.

IV. Offices and Committees

- A. The Board shall elect its own officers by majority vote.
- B. Officers and their duties shall be as follows:
 1. A President who shall call meetings, prepare agendas, and preside at meetings. The President may vote and participate in deliberations.

2. A Vice President who shall preside and fulfill the President's duties in the President's absence and shall fulfill such other functions as the President requires.
3. A Secretary/Treasurer who shall keep public minutes of Board meetings and shall convey financial information to the Board from the offices of the County Tax Assessor and Treasurer and vice versa.

C. The Board may establish committees of its members as the Board deems appropriate.

V. Conflicts

No Board member shall receive a direct financial benefit from any contract or expenditure made by the Board.

VI. Vacancies

Vacancies are filled by the Commissioners Court, on recommendation of the Board.

VII. Personnel

The Board, with approval of Commissioners Court, may employ clerical or administrative personnel.

VIII. Removal

Members may be removed by the Commissioners Court for three (3) repeated absences without good excuse, or for any cause for which a public official may be removed under the laws of the State of Texas.

IX. Consultation

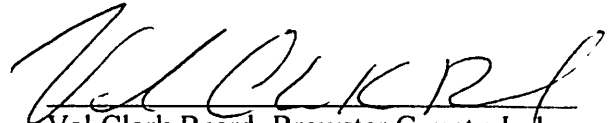
The Brewster County Commissioners Court will consult with the Brewster County Tourism Board on matters related to the Hotel Motel Tax, to its collection or to its expenditure, prior to taking action on matters related to the Hotel Motel Tax.

X. Amendment and Severability

This Order may be amended by majority vote of Commissioners Court. Prior to any amendment of this Order, the Commissioners Court shall provide the President of the Tourism Board with not less than ten (10) days notice of any proposed amendments to this Order.

If any portion of this Order is determined to be unenforceable or illegal, then the remaining portion shall remain in full force and effect.

9/8/1997 Adopted
8/24/2004 Amended
7/23/2013 Amended
9/09/2013 Amendments incorporated, administrative corrections
made and present Order ratified.


Val Clark Beard, Brewster County Judge

Attest Berta Rios-Martinez
Berta Martinez, Brewster County Clerk