

**REGULAR MEETING OF THE  
BREWSTER COUNTY COMMISSIONERS COURT  
MONDAY, AUGUST 11, 2014, AT 9:00 A.M.**

*Judge Killingsworth called this meeting to order. Officers present are listed as follows:*

<b>KATHY KILLINGSWORTH</b>	<b>COUNTY JUDGE</b>
<b>ASA "COOKIE" STONE</b>	<b>COMMISSIONER PCT. 1</b>
<b>RUBEN ORTEGA</b>	<b>COMMISSIONER PCT. 3</b>
<b>MIKE PALLANEZ</b>	<b>COMMISSIONER PCT. 4</b>
<b>JERRY SOTELLO</b>	<b>J.P., PRECINCT 1</b>
<b>DELLA SHACKELFORD</b>	<b>COUNTY TREASURER</b>

**1. Invocation and Pledge of Allegiance**

*Judge Killingsworth led the invocation and Pledge of Allegiance.*

**2. Minutes / corrections / additions / corrections**

*The minutes from the July 30, 2014, meeting were presented for approval.*

*Commissioner Ortega made a motion to approve the minutes, which was seconded by Commissioner Stone, and passed unanimously.*

**3. Treasurer**

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

*Commissioner Stone asked about traffic cones and parking signs coded to the County Clerk's Office. These items were for elections.*

*Commissioner Pallanez asked about a \$1,300 water bill from the City. It is likely for the Courthouse sprinkler system.*

*Commissioner Ortega made a motion to approve the general bills, which was seconded by Commissioner Stone, and passed unanimously.*

**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>

***Receipt File Listings  
Cash Report  
Grant Reports***

***Personnel/Overtime Reports  
Other Financial Reports as  
Requested by Commissioner***

*Treasurer Shackelford reviewed the reports with Commissioners. She noted that the August debt payments have all been made. We have enough now in I&S to cover the December payment.*

*Commissioner Stone asked about the “miscellaneous” account heading. Treasurer Shackelford said she would look into it and get back to him with an explanation.*

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

***4. Officials’ Monthly Reports / Discussion and appropriate action***

*No reports were given.*

***5. 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***

*Supt. Frenchie Causey was unable to attend the meeting.*

*Commissioner Ortega said crews spent last week hauling trash from the Dump Day.*

***B. Terlingua CSD Track Construction Cooperative Project***

***1. Update***

*Judge Killingsworth said they are still working on the fencing plan.*

**2. Discussion and appropriate action to conclude project**

**C. Commissioner Pct. 4 Mike Pallanez / Double Diamond Veterans Addition / Initial Discussion concerning taking satellite roads into the County Road System / Discussion and appropriate action**

*Judge Killingsworth said that this item mistakenly listed the Veterans Addition, so she moved in the supplemental agenda.*

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

**6. County Clerk / Elections**

**A. Approval of Hart Intercivic ePB Upgrade**

*Elections Clerk Jerri Jones said we've had this system for a couple of years, although it hasn't been used. It requires an upgrade at a cost of \$2,430 for five machines.*

*Commissioner Stone made a motion to approve the upgrade, which was seconded by Commissioner Ortega, and passed unanimously.*

**B. Approval of Election Systems & Software Contract**

*Ms. Jones said she previously attended Commissioners Court to request that services not being used be cancelled at a cost savings to the County.*

*She has since received a breakdown of the cost of the last three elections, and explained the savings of a three-year maintenance contract compared to a one-year contract.*

*Commissioner Ortega made a motion to approve a three-year contract with ES&S, which was seconded by Commissioner Stone, and passed unanimously.*

**C. Approval of Precinct Polling locations**

*Ms. Jones reviewed the Election Day polling locations. Early voting will be held at the Judge Val Beard County Complex. She reviewed the remote voting times and locations.*

*Commissioner Ortega made a motion to approve the November locations, which was seconded by Commissioner Stone, and passed unanimously.*

**7. Texas Community Development Block Grant Program (TX CDBG) grant / Update on Marathon Well Grant, TX CDBG 71304**

*Engineer Travis Roberts said they have completed the plans and specifications. The easements have been signed and recorded in the Clerk's Office. Additional signatures will be required after the bidding process. He won't have any additional information until he hears back from TCEQ, which could take up to two months.*

**8. Brewster County Emergency Service District #1 / Annual Financial Report**

*Judge Killingsworth reviewed the ESD financial reports. She said the ESD has been a great deal for South Brewster County, and said they currently have ample cash in the bank.*

*Commissioner Ortega made a motion to approve the annual financial report, which was seconded by Commissioner Stone, and passed unanimously.*

**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***

*EMC Betse Esparza said the rural members of the COG region met last week and voted to distribute the \$50,000 excess in Homeland Security funding to Presidio and Hudspeth counties.*

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

***10. Develop landscaping and parking lot plans for the Judge Val Clark Beard Office  
Complex / Recognize Judge Beard's donation of plants for the landscaping project***

*Judge Killingsworth thanked Judge Beard for her donation.*

*Judge Beard said that she and her husband, Tom, are proposing that they purchase all of the plants and trees. She said they understand that the County's finances are tight, so they are also willing to donate the necessary equipment for a drip irrigation system, top soil, etc. She is hopeful that the Road & Bridge Department will assist with the plan.*

*Mr. Roberts said he would be happy to assist with the plans for the grounds.*

*Commissioner Ortega made a motion to develop plans and to accept the Beards' donations of landscaping and a drip system for the office complex. Commissioner Stone seconded the motion, which passed unanimously.*

***11. 2014 Tax Collection Contracts***

*Judge Killingsworth reviewed the amounts of the contracts with the various taxing entities.*

*Commissioner Ortega made a motion to approve the 2014 tax collection contracts in the amounts stated, which was seconded by Commissioner Stone, and passed unanimously.*

***12. Mills Road***

***A. Executive Sessions – Pursuant to Section § 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), and Pursuant to Section § 771.072, Government Code, VTCA, Deliberation regarding real property***

*At 9:40 a.m., Judge Killingsworth announced that Commissioners Court was going into executive session, pursuant to Section §551.071, Government Code, VTCA, pending litigation and consultation, and §551.072, deliberation regarding real property. The courtroom was cleared of all but Commissioners Court and the County Attorney.*

***Reconvene in Open Session***

*At 9:55 a.m., Commissioners reconvened in open session. Judge Killingsworth announced that they had been in executive session to deliberate regarding real property. Judge Killingsworth asked if there was any action as a result of the executive session.*

*No action was taken.*

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

### ***13. Public Comment***

*Robert Patterson of South Double Diamond said that he believes we do not have ambulance service in South Double Diamond at this time. He said that it is of concern to his and other residents. Judge Killingsworth noted that Commissioners cannot respond at this time, but that she will contact him soon.*

*Fran Sage, who dealt with ambulance service recently, said that Double Diamond cannot be unique. There must be other areas in Brewster County which have trouble receiving service. She said she hopes that a solution can be found.*

## **SUPPLEMENTAL AGENDA**

### ***1. Commissioner Pct. 4 Mike Pallanez / South Double Diamond Addition / Initial Discussion concerning taking satellite roads into the County Road System / Discussion and appropriate action***

*Commissioner Pallanez said the roads we are considering are Posey Gulch, Yucca Draw and Hidden Valley.*

*He noted that many of the connecting drives to these main roads are in very bad shape.*

*Commissioner Pallanez said that in an incident a couple of weeks ago, our ambulance was unable to respond to the residence. The patient had to be transported down the road to the waiting ambulance.*

*He said he asking that a total of about 9/10 of a mile be brought into the County Road System. He spoke with Supt. Causey, who said he didn't have any problem with adding the roads.*

*Commissioner Pallanez made a motion to take Posey Gulch, Yucca Draw and Hidden Valley into the County Road System. Commissioner Stone seconded the motion.*

*Commissioner Pallanez said the county attorney has reviewed the proposal. The motion passed unanimously.*

*Commissioner Ortega made a motion to adjourn, which was seconded by Commissioner Stone, and passed unanimously.*

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***KATHY KILLINGSWORTH, COUNTY JUDGE***

***ATTEST:***

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***BERTA RIOS- MARTINEZ, COUNTY CLERK***