

**REGULAR MEETING OF THE BREWSTER COUNTY COMMISSIONERS COURT  
MONDAY, SEPTEMBER 8, 2014, AT 9:00 A.M.  
BREWSTER COUNTY COURTHOUSE, COMMISSIONERS COURTROOM  
6<sup>TH</sup> & AVE E  
ALPINE, TEXAS**

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

**KATHY KILLINGSWORTH  
ASA "COOKIE" STONE  
RUBEN ORTEGA  
MIKE PALLANEZ  
JERRY SOTELLO  
DELLA SHACKELFORD**

**COUNTY JUDGE  
COMMISSIONER PCT. 1  
COMMISSIONER PCT. 3  
COMMISSIONER PCT. 4  
J.P., PRECINCT 1  
COUNTY TREASURER**

**To discuss and take action as appropriated on the following:**

**1. Invocation, Pledge of Allegiance**

*Judge Killingsworth offered a prayer and Pledge of Allegiance.*

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

*No minutes were approved at this time.*

**3. Treasurer**

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

*Treasurer Shackelford reviewed the General Bills and informed the Court of a few walk-in-bills, a Visa bill for \$10.98, Morrison Supply for \$2,827.83 for jail infrastructure, Brewster County Appraisal District for \$8,176.41 and Virgil Clark, for septic tank inspection for \$1,321.00.*

*Commissioner Ortega moved to approve payment of bills, as well as walk-in bills listed above. Commissioner Stone seconded the motion, and was passed unanimously.*

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

**Specified Activity Report**

**Payroll Reports**

**Cash Flow Predictions  
Budget Analysis Usage Report  
Receipt File Listings  
Cash Report  
Grant Reports**

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

*Treasurer Shackelford reviewed all the August financials, all bills paid and the receipts collected. Shackelford provided a breakdown of the numbers.*

**B. Designate County Treasurer, Della Shackelford as the County Investment Officer.**

*Judge Killingworth recognized Treasurer Shackelford for her completion of the Investment Officer training.*

*Commissioner Stone moved to approve Treasurer Shackelford as the County Investment Officer, Commissioner Ortega seconded the motion, and was 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**

*There was no discussion or action related to this matter.*

**4. Alpine Housing Authority / Request to waive payment in lieu of taxes / Discussion and appropriate action**

*A representative from Alpine Housing Authority explained the request of the waiver of the payment –in-lieu of tax and where the monies would be used if the waiver was approved. She stated indigent occupants would benefit.*

*Commissioner Ortega motioned to grant the waiver of payment- in- lieu of taxes for Alpine Housing Authority, Commissioner Stone seconded the motion, and was passed unanimously.*

**5. Officials' Monthly Reports / Discussion and appropriate action**

*No reports were available at this time.*

**6. 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 updated the Court on the last few weeks of work that has been done around the County. With the rain the County has experienced, there have been a few roads that have washed out, stated Causey. Causey also provided a list of the work that was done in Terlingua.*

**B. Pct. 3/ Consider contract with Republic Services to provide trash dumpsters at Post Park/Discussion and appropriate action**

*Commissioner Ortega explained entering into a contract with Republic Services could save the County about half of what we are currently paying for the dumpsters at Post Park. Ortega continued by stating the contract will be effective immediately, if approved.*

*Commissioner Ortega motioned to enter in a contract with Republic Service to provide 2 dumpsters for Post Park, Commissioner Stone seconded the motion, and passed unanimously.*

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

*No further discussion or action was taken at this time*

**7. County Tax Assessor/Collector**

**A. Discussion on 2014 adopted Tax Rate/Exceeds rollback rate due to adjusted sales tax/Discussion and appropriate action to move forward**

*Tax Collector Betty Jo Rooney explained she made a mistake in calculating the effective rate and the rollback rate for the County. She stated that she did not subtract out the sales tax adjustment rate of .0761 from the rollback rate of .4488. The total rollback rate including M&O and I&S should have been .3727. She said the rate adopted by Commissioners Court was .398576 which was .025876 over the rollback rate.*

**8. Amend County's investment policy to bring into compliance with the Public Funds Investment Act**

*Commissioner Ortega motioned to amend the County's Investment Policy to be in compliance with the Public Funds Investment Act. Commissioner Stone seconded the motion and was passed unanimously.*

**9. Brewster County Clerk**

**A. Elections / Request to approve the Joint General School Election with Marathon I.S.D. & Terlingua C.S.D.**

*Commissioner Ortega moved to approve the joint Election Agreement with Marathon I.S.D. and Terlingua C.S.D. Commissioner Stone seconded the motion and passed unanimously.*

**B. Texas Comptroller of Public Accounts / 2015 Sheriffs' and Constables' Fees Report as required under Texas Local Government Code Section 118.131**

*Judge Killingsworth asked Sheriff Ronny Dodson if he had reviewed and agreed to the fee schedule. He stated that he had not reviewed it and would like to make changes.*

*Commissioner Ortega moved to table the 2015 Sheriff's and Constables' Fee Report for the 2015 year until the September 23, 2014 meeting. Commissioner Stone seconded the motion, and passed unanimously.*

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

*Commissioner Ortega stated there was no update at this time.*

**11. Discussion and appropriate action regarding employee salaries for FY 2015**

*Commissioner Stone moved to approve the salaries for employees for FY 2015. Commissioner Ortega seconded the motion, and passed unanimously.*

**12. Presentation of 2013 Audit by Gibson Ruddock Patterson LLC / Discussion and appropriate Action**

*Ms. Briones from Gibson Ruddock Patterson LLC presented the audit for the period of January 1, 2013 through December 31, 2013. Ms. Briones discussed the overall financial condition of the County. She also discussed the deficiencies that needed to be corrected. The major deficiencies include: a complete inventory listing, a requisition and purchasing procedure including the issuance of purchase orders, contracts for contracted services, and an investment policy that is in compliance with the Public Funds Investment Act. Judge Killingsworth discussed the Corrective Action Plan that*

*she had written that is part of the audit report. She also stated that many things had already been corrected beginning in January 2014. County Treasurer presented a document to the Court outlining the internal control procedures she has implemented in the Treasurer's Office, correcting one of the deficiencies observed by the external auditors.*

*A motion was made by Commissioner Ortega, seconded by Commissioner Stone, and passed unanimously.*

### **13. Public Comment**

*Julianne Braun spoke of her concerns on the Tax Rate that was adopted by the Court that exceeded the rollback rate and stated that she has a petition being circulated for a rollback election..*

---

Kathy Killingsworth, County Judge

**ATTEST:**

---

Berta Rios-Martinez, County Clerk