

**REGULAR MEETING OF THE BREWSTER COUNTY COMMISSIONERS COURT
TUESDAY, SEPTEMBER 23, 2014, AT 9:00 A.M.
BREWSTER COUNTY COURTHOUSE, COMMISSIONERS COURTROOM
6TH & 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. Minutes / additions / corrections / approval

Minutes for August 18, 2014 were presented.

Commissioner Ortega moved to approve the minutes of August 18, 2014. Commissioner Stone seconded the motion, and passed unanimously.

2. Treasurer

A. General Bills / Discussion and appropriate action

Treasurer Shackelford reported the bills to be paid, including the Tri-County Juvenile Probation's current bills.

Commissioner Ortega moved to approve the general bills abstaining from item 87647. Commissioner Stone seconded the motion, and 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**

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

Grant Reports

Requested by Commissioner

Treasurer Shackelford reviewed specific financial reports for the Court from the list above: the Specified Activity Report, Budget Analysis Usage Report, Check Register, and the Receipt File Listings.

C. Texas Association of Counties Risk Management Pool / 2015 Insurance renewal / Discussion and appropriate action

Treasurer Shackelford stated that the 2015 Insurance is up for renewal and asked for the Court to approve. Judge Killingsworth explained this includes auto liability, auto physical liability, general liability, Public official liability and law enforcement liability.

Commissioner Ortega motioned to approve the 2015 insurance renewal with the Texas Association of Counties. Commissioner Stone seconded the motion, and passed unanimously.

D. Texas Association of Counties / 2015 Workers' Compensation Renewal / Discussion and appropriate action

Commissioner Ortega moved to approve the renewal of the 2015 Workers' Compensation with the Texas Association of Counties. Commissioner Stone seconded the motion. The motion passed unanimously.

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

Nothing to discuss at this time.

3. Officials' Monthly Reports / Discussion and appropriate action

Commissioner Stone provided the Monthly Financial Reports for August 14, 2014.

Commissioner Ortega moved to approve the Officials' Monthly Reports, Commissioner Pallanez seconded the motion, and 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 provided an update on the work his Department has done around the County. Mr. Dodds of Alpine ISD discussed with Causey about having the County help build a new bus loop for the Elementary. This would happen in the spring, Causey said. The Court expressed desire to assist AISD by no formal action was taken.

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

5. Tax Abatement Applications / Consider and act upon tax abatement applications for projects located in the August Reinvestment Zone pursuant to chapter 312 of the Tax Code and the County's tax abatement guidelines and criteria / Discussion and appropriate action

Mr. Randy Sowell briefly provided an update on the solar project. Judge Killingsworth asked questions pertaining to the application submitted by Solair Homan, LLC.

Commissioner Stone motioned to accept the application for Tax Abatement, for the August Reinvestment Zone from Solair Holman, LLC, and Commissioner Ortega seconded the motion, and passed unanimously.

6. County Clerk / Elections / Approval of Elections Judges & Alternates for the 2014 General November Election / Revised list

Election Clerk Jerri Jones provided changes that have occurred in the Judges and Alternate Judges for the November 4, 2014 General Election. These changes occurred in Precincts 2 & 5 stated Ms. Jones.

Commissioner Ortega motioned to approve the changes to the Judges and Alternate Judges for the November 4, 2014 General Election. Commissioner Stone seconded the motion, and passed unanimously.

7. Landscape & Site Improvements for Judge Val Clark Beard Office Complex / Consideration of the solicitation of bids for tree removal and/or other improvements

Mr. Travis Roberts drafted a proposal for the tree removal for the Judge Val Clark Beard Office Complex. Mr. Roberts explained that the proposal required the contractor to provide proof of insurance and the permits that will be needed from the City of Alpine for the work to be done. Price quotations will be sought.

Commissioner Ortega motioned to approve the site improvements for the Judge Val Clark Beard Office Complex. Commissioner Stone seconded the motion, and passed unanimously.

8. Consideration of Retiree Health Insurance for the County Surveyor elected official Position

Judge Killingsworth explained what changes would need to be made to the Employee handbook to reflect retirement for the County Surveyor. Since the County Surveyor position is unpaid, but will receive health insurance only. He/she does not pay into the TCDRS and would not qualify for health insurance under the current policy.

Commissioner Stone made a motion to amend the Employee Handbook to reflect the following, a County Surveyor who has served in the County for a minimum of 8 years and reaches the age of 60 will receive a life time health insurance benefit. Commissioner Ortega seconded the motion, and passed unanimously.

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

Mr. Travis Roberts provided an update stating that the paper work is in Austin and we are waiting on approval of the plans from TCEQ.

10. Presentation from Big Bend Regional Hospital District representatives regarding indigent care program and health services in Brewster County

Ms. Maria O'Bryant informed the Court of the changes that will be occurring with the Indigent Program for the area. Ms. O'Bryant gave a brief history of the program and then provided the current program that will be in place in October of 2014. The current changes will benefit the patients and all parties involved, stated O'Bryant.

Commissioners Court recessed at 9:34

Commissioners Court reconvened at 9:45

11. County Tax Assessor/Collector

A. Review delinquent tax accounts for all taxing entities in the County

Judge Killingsworth reviewed the delinquent tax accounts for the last 4 years for all taxing entities. A total of \$1,930,506 is due for advalorem and penalties & interest for all entitles as of August 2014.

B. Delinquent Tax Collections / Presentation by Tax Collection Law Firms

1. McCreary, Veselka, Bragg & Allen, P.C.

The McCreary, Veselka, Bragg & Allen, P.C. chose not to present before the Court.

2. Perdue, Brandon, Fielder, Collins & Mott, LLP

Presenters provided what their goals are in helping to provide the County with adequate collection of delinquent taxes. They provided the rate of their collection in past years with other clients as well as introducing a local representative from the area.

Commissioners asked a few questions to find out whether specific plan would be to remedy the delinquent tax problems in the County, specifically Terlingua Ranch properties.

The Perdue firm did not have a specific plan. They discussed some possibilities, however they have not implemented them in the sixteen months they have been collecting delinquents for Alpine ISD.

3. Linebarger, Goggan, Blair & Sampson, LLP

David Albridrez and Mark Flowers, representatives from Linebarger, Goggan, Blair & Sampson, LLP provided goals, time frame and possible percentages of the collections they could provide the County. They also provided history of their performance and the dedication they provide.

Commissioners asked a few questions to find out what their specific plan would be to remedy the delinquent tax problems in the County, specifically Terlingua Ranch properties. Mr. Albridrez and Mr. Flowers described in detail how their firm would approach the Terlingua Ranch tax accounts. They have experience in dealing with these problems.

12. Public Comment

There was no public comments.

Commissioner Ortega made motion to adjourn at 10:46, Commissioner seconded the motion, and passed unanimously.

13. Dedication of the Judge Val Clark Beard Office Complex / Ribbon cutting at 11:30 a.m.

The members of the Commissioners Court went across the street for the dedication of the Judge Val Clark Beard Office Complex and luncheon.

Kathy Killingsworth, County Judge

ATTEST:

Berta Rios- Martinez, County Clerk