

**REGULAR MEETING OF THE BREWSTER COUNTY COMMISSIONERS COURT
TUESDAY, OCTOBER 28, 2014, AT 9:00 A.M.
BREWSTER COUNTY COURTHOUSE, COMMISSIONERS COURTROOM
6TH & AVE E
ALPINE, TEXAS**

**KATHY KILLINGSWORTH
ASA "COOKIE" STONE
RUBEN ORTEGA
MIKE PALLANEZ
DELLA SHACKELFORD
BERTA RIOS-MARTINEZ**

**COUNTY JUDGE
COMMISSIONER PCT. 1
COMMISSIONER PCT. 3
COMMISSIONER PCT. 4
TREASURER
COUNTY CLERK**

To discuss and take action as appropriate on the following:

1. Minutes / additions / corrections / approval

No minutes were available to be approved.

2. Recognitions / Recognize Commissioner Mike Pallanez's upcoming induction into the Texas High School Baseball Coaches Association Hall of Fame

Judge Killingsworth recognized Commissioner Mike "Coach" Pallanez's induction into the Texas High School Baseball Coaches Association Hall of Fame.

Commissioner Pallanez expressed what an honor it was to be nominated and that he appreciates the support he has received from Alpine patrons.

3. Accept resignation of Pct. 1 Commissioner Asa "Cookie" Stone

Judge Killingsworth stated that Commissioner Stone submitted his resignation on October 14, 2014 and because it was not on the agenda, it could not be approved. Judge Killingsworth read the resignation letter submitted and expressed how he would be missed.

Commissioner Ortega motioned to approve the resignation of Commissioner, Pct. 1 Asa "Cookie" Stone to be effective on October 31, 2014. Commissioner Pallanez seconded the motion, and passed unanimously.

4. Resolution/Recognize Asa "Cookie" Stone, Commissioner Precinct 1 upon his retirement from Brewster County Commissioners Court / Discussion and appropriate action

Judge Killingsworth read a resolution and recognized the work that was done by Commissioner Stone during the time he served on Brewster County Commissioners Court.

Commissioner Ortega motioned to accept the resolution for the retirement of Asa “Cookie” Stone, Commissioner Pct. 1. Commissioner Pallanez seconded the motion, and passed unanimously.

Judge Killingsworth asked Retired Judge Val Clark Beard to be part of signing the resolution of Commissioner, Pct. 1, Asa “Cookie” Stone.

5. Rollback Petition Pursuant to Section §26.07, Tax Code

A. Consider and act upon petition for tax rollback election, including determination of validity of petition in accordance with section 26.07(b) of the Texas Tax Code.

Judge Killingsworth stated the rollback petition was received on October 14, 2014. The signatures were reviewed and verified by the Tax Collector/Voter Registrar Betty Jo Rooney. Betty Jo Rooney reported there were 931 valid registered voter signatures, seventy-five individuals signed the petition and were not registered voters, and nine registered voters signed the petition twice..

Judge Killingsworth read the order to determine the validity of the petition in accordance with section 26.07(b) of the Texas Tax Code.

Commissioner Ortega motioned to approve order determining the validity of the petition for a tax rollback election in accordance with section 26.07(b) of the Texas Tax. Commissioner Stone seconded the motion, and passed unanimously.

B. Consider and act upon an order calling a tax rollback election in accordance with section 26.07(d) of the Texas Tax Code and matters related to said election.

Judge Killingsworth read the order for the tax rollback election.

Commissioner Ortega made a motion to approve the order to call a special tax rollback election to be held December 6, 2014 in accordance with 26.07(d) of the Texas Tax Code. Commissioner Pallanez seconded the motion, and passed unanimously.

6. Treasurer

A. General Bills / Discussion and appropriate action

Treasurer Shackelford presented the general bills.

Judge Killingsworth pointed out there will be additional costs for the audit and explained why. It was due to the condition of the financial records in FY 2013.

Commissioner Ortega moved to approve the general bills. Commissioner Pallanez 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
Grant Reports

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

Treasurer Shackelford reviewed the Budget Analysis Usage Report and thanked the department heads for staying within their budget. Treasurer Shackelford also reviewed the Specified Activity Report.

C. Fund position in Treasurer's Office for an assistant to begin a complete inventory for the county and implement a requisition process

Judge Killingsworth explained that through the audit process it was determined that a complete inventory is needed as well as maintenance of the inventory. Also, purchasing procedures need to be put in place including the issuance of purchase orders. This will require an additional person in Treasurer's Office. Killingsworth explained the money was in the budget for FY 2015 for the position and funds for the two months would come from amending the budget and using funds that were unexpended in the Emergency Management.

Commissioner Ortega motioned to approve an assistant for the Treasurer's Office to begin a complete inventory for the county and implement a requisition process. Commissioner Pallanez seconded the motion, and passed unanimously.

D. Budget Amendments

Judge Killingsworth explained that the budget amendments would be from the Emergency Management Department to the County Treasurer and Non-Departmental to help pay for conducting the inventory.

Commissioner Pallanez motioned to amend the Emergency Management, County Treasurer and Non-Departmental Budgets. Commissioner Ortega seconded the motion, and passed unanimously.

E. Line-item transfers / County Judge's Office / Emergency Management

Commissioner Ortega moved to table this until a future Court date. Commissioner Pallanez seconded the motion, and passed unanimously.

F. Consider Della Shackelford serving as the JAG Grant Administrative Specialist

Judge Killingsworth explained that this grant should begin November 1, 2014. Treasurer Shackelford explained the grant process and that the grant is for an additional Sherriff's Deputy.

Commissioner Ortega motioned to approve Della Shackelford to serve as JAG Grant Administrative Specialist. Commissioner Pallanez seconded the motion, and passed unanimously.

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

There were no matters to discuss at this time

7. Officials' Monthly Reports / Discussion and appropriate action

There were no reports presented.

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

Superintendent Frenchie Causey provided an update on work done at the Marathon Cemetery and the Alpine Cemetery. They hauled base to certain areas and had a crew cleaning out the garage at the Judge Val Clark Beard Office Complex. Also, crews worked at Courthouse during the rain. Causey also worked with A.G. Hays to remove the concrete slab where Re-reads Bookstore used to be located.

B. Update five year county road maintenance plan

There were no updates at this time.

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

There was no discussion at this time

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

Travis Roberts reported we are still waiting on approval of the plans from TCEQ.

10. Lease Agreement between Brewster County and Big Bend Post 79 for use of shared parking

Judge Killingsworth explained the lease agreement with the Big Bend Post 79 for shared parking for a term of 50 years. In return for use of the parking space, the County will pave the parking lot located West of Big Bend Post 79. Travis Roberts described the location as the lots due West of the Judge Val Clark Beard Office Complex.

Commissioner Pallanez motioned to approve Lease Agreement between Brewster County and Big Bend Post 79. Commissioner Ortega seconded the motion, and passed unanimously.

11. Resolution on Hyperbaric Oxygen Therapy for Traumatic Brain Injury (TBI) and Post-Traumatic Stress Disorder (PTSD)/Care for Veterans

Judge Killingsworth provided a description of the resolution and the benefits to veterans.

Commissioner Pallanez moved to approve the Resolution of Hyperbaric Oxygen Therapy for Traumatic Brain Injury (TBI) and Post Traumatic Stress Disorder (PTSD)/Care for Veterans. Commissioner Ortega seconded the motion, and passed unanimously.

12. FY2015 Budget Cover Page / Update/ Discussion and appropriate action

Commissioner Ortega moved to approve the revised Budget Cover Page FY 2015. Commissioner Pallanez seconded the motion, and passed unanimously.

13. Tax abatement agreement with Solaire Holman I, LLC, in the “August” Reinvestment Zone pursuant to property Tax Code Section § 312

Judge Killingsworth reported that negotiations are still under way.

Commissioner Pallanez motioned to table this item until a future date. Commissioner Ortega seconded the motion, and passed unanimously.

14. Audit engagement letter with Gibson, Ruddock, Patterson, LLC for 2014 external audit

Judge Killingsworth reviewed the engagement letter with the Court. Treasurer Shackelford explained that the auditors did a thorough job and recommended them to perform the FY 2014 external audit.

Commissioner Ortega motioned to approve the Audit engagement letter with Gibson, Ruddock, Patterson, LLC for 2014 external audit. Commissioner Stone seconded the motion, and passed unanimously.

15. Update on landscaping plan for the Judge Val Clark Office Complex

Travis Roberts provided the update for the landscaping plan for Judge Val Clark Beard Office Complex. He provided the suggested price quotations made for the tree removal. Roberts also provided the suggested list of plants to be used to best suit the area.

Commissioner Ortega motioned to approve Tree Loving Care for the tree removal of designated trees for the landscaping at the Judge Val Clark Beard Office Complex. Commissioner Stone seconded the motion, and passed unanimously.

Court recessed at 10:00 a.m.

Court reconvened at 10:15 a.m.

16. Duties of County Employees / Request to compensate employees for production of minutes and website content

A. Executive Session Pursuant to Section §551.074, Government Code, VTCA, to discuss the appointment, employment, evaluation, reassignment, duties, compensation, or dismissal of a public officer or employee

Commissioners went in to executive session at 10:16 a.m.

Commissioners Reconvened in Open Session at 10:32 a.m.

B. Discussion and appropriate action resulting from Executive Session

Commissioner Stone moved to approve salary supplements of \$125.00 monthly for Jerri Jones to produce the minutes and \$125.00 monthly to Conrad Arriola to update the website for Brewster County. Commissioner Ortega seconded the motion, and passed unanimously.

Judge Killingsworth clarified that the funds had been designated under Beste Esparza and no funds are being added.

17. Public Comment

Dale Christophersen stated his issues and concerns.

Commissioner Ortega moved to adjourn at 10:37 a.m., Commissioner Stone seconded the motion, and passed unanimously.

Kathy Killingsworth, County Judge

ATTEST:

Berta Rios- Martinez, County Clerk