

PUBLIC NOTICE

**SPECIAL MEETING OF THE BREWSTER COUNTY COMMISSIONERS COURT
WEDNESDAY, NOVEMBER 14, 2018, AT 9:00 A.M.
BREWSTER COUNTY COURTHOUSE, COMMISSIONERS COURTROOM
ALPINE, TEXAS**

Judge Cano called the meeting to order at 9:04 a.m., the following Elected Officials were present:

**Eleazar R. Cano
Betse Esparza
Hugh Garrett
Ruben Ortega
Mike "Coach" Pallanez
Babett Martin**

**County Judge
Commissioner Pct. 1
Commissioner Pct. 2
Commissioner Pct. 3
Commissioner Pct. 4
County Treasurer**

1. Invocation, Pledge of Allegiance

Invocation and Pledge were led by Judge Cano.

2. Minutes / additions / corrections / approval

No action.

3. Public Comment – Comments are limited to 5 minutes per person. Pursuant to the Texas Open Meetings Act, the Court is limited in its ability to respond to comments

No action.

4. Recognitions & Announcements

Judge Cano announced Dr. Luecke is hosting a Thanksgiving Dinner today at 5:00 p.m. at the Middle School and everyone is invited. He also announced Gallery Night will be Friday and Saturday. Judge Cano congratulated the new elected Commissioner, Sara Allen Colando, Precinct 2, and Commissioner Pallanez on his re-election.

9. Review agreement with AISD for School Resource Officers / Payroll and overtime / Discussion and appropriate action

Commissioner Esparza voiced her concern that the School Resource Officer's timesheets reflect 8 to 5 working hours which are not the actual hours they are working. She said they are also working overtime but there is some confusion on how to pay that. Commissioner Esparza wants to get that settled so they can turn in an accurate timesheet and get paid what they are due. Mrs. Martin, County Treasurer, said the new employee is turning in timesheets from 7:30 to 4:30 with lunches in between that looks more to her like what would represent school hours,

but the other two officers are still exactly the same. She said she thinks the officers are waiting on the county to make a decision before she makes any kind of changes. Mrs. Martin said they did also start working Stonegarden and she does not think it is a problem because they are still law enforcement officers under the Sheriff's office, but she has not seen anything overtime related. If overtime is worked, the county will pay it and bill the school district for reimbursement.

Becky McCutchen, Alpine Superintendent, introduced Tucker Durham, Chief Financial Officer, from AISD. Ms. McCutchen said she had already met with Treva Watson, County Auditor, and Babett Martin, County Treasurer about this situation. She said is it confusing because the school district pays for them to work the 10 month time period just like any other employees in the school. Ms. McCutchen said when they pay their employees they work for 10 months but distribute their pay in 12 months. She also said what their contract says it is more how the county can get it done. Ms. McCutchen said it makes them nervous when they bring the timesheets reflecting 8 to 5 five days a week and they have to sign on that, but they really did not. They actually worked 8 to 4:30. She said the SRO's provide security for the football or basketball games but that is separate pay. They are paid hourly just like any other deputy that would work those hours.

Commissioner Ortega said that those four hours would be overtime so it will be over the 40 hour pay period. Ms. McCutchen said she was not sure about that.

Judge Cano said the overtime should not be the county's responsibility. Commissioner Ortega said the SRO's are still under the county so legally they are working for the county. Ms. McCutchen said Commissioner Ortega is correct on that case. Commissioner Ortega said the overtime should be billed as overtime through the county and billed to the school for the overtime because they are not working for the school but for the county. Ms. McCutchen said she is just nervous about the whole situation.

Treasurer Martin said if there is a problem if they are accruing vacation because she wants to make sure it is done correctly and if they were to leave and have two months during the summer while they do not use their vacation time they are accumulating. If they were to leave then she does not see how it is fair for them to have that huge vacation time when other people are not able to take it. Commissioner Ortega said that the Sheriff said with these people working only 10 months, then the other two months they would serve a relief for vacation for the Sheriff's employees. Treasurer Martin said she thought the same thing and she was getting the timesheets during the summer that looked exactly like the timesheets throughout the entire school year, but were not actually working those hours.

Judge Cano said the confusion is that they are treated like a teacher or school employee that that work 10 months but get paid for 12 months. Commissioner Esparza said in the 10 months their timesheets need to accurately reflect what they are working. If they work overtime they need to get paid overtime and in those other two months then they would have a timesheet from the county that would reflect that pay and come out of the Sheriff's budget.

Ms. McCutchen mentioned the school employees get five state days and three local days per year. She said the only days that are accruable over the years are the state days.

Commissioner Ortega said we need to clear it up because the SRO's are still county employees. Commissioner Garrett suggested that we need to figure it out right now and the CFO from AISD, our treasurer and County Auditor should come up with what they see is the proper and legal way to do this and come back before the court. Mrs. Martin said she will reach out to Omar Holguin and the three SRO's and have them start actual and then that will

help us get an idea of what they are really doing and take it from there. Judge Cano said that seeing what other counties are doing for TAC it is more a financial issue and we do not want to get in trouble because we are paying people for what they are doing but the timesheets do not reflect what they are doing. He said that is the problem. Mrs. Martin said she does not think the issue is with the contract at all, the issue is that when they are not working at the school and it is two months then they should report accurate hours and if there is overtime then the county will pay. She said the issue is when the school is off and the county is not they need to be working or use their vacation time. Mrs. Martin said that is the only issue. Judge Cano asked Ms. Watson for her input in this situation. Ms. Watson thinks nothing needs to be changed because that is a separate contract they have with the school.

Ms. Watson asked Ms. McCutchen if other officers do security besides the county. Ms. McCutchen said it is normally just the county deputies and every now and then the Sheriff. Ms. Watson said then the county officers have been paid that way for that time if they contracted with the school, so that portion and the contract with the school seems to be fine. Commissioner Garrett said the SRO's are still under the county. He said the court agreed they do not want to change the contract but they want to make sure everything is good as far as the liability for the SRO's. Both the school and the county want to make sure when they get audited everything will be fine on both sides.

Ms. McCutchen said the Sheriff has been able to provide two of the deputies with vehicles because he had extra vehicles. She said the third deputy that was hired does not have a vehicle so the school purchased a vehicle that will be outfitted with lights and decals. Judge Cano said the plan is for the school to meet with the SRO's and then come back if we need to revisit. Mrs. Martin said she will call the SRO's as soon as she can and let them know about the timesheets. Judge Cano told Ms. McCutchen to let him know if something is not working as far as the contract. Ms. McCutchen said the only thing they would change is if they could pay them for 10 months because we are dividing their pay in 12 months, but if the school needs to pay them only for the 10 months the county can step in to pay them for the two months. Mrs. Martin suggested waiting until budget time because currently the county does not have the budget to pay them in those two months. Judge Cano suggested maybe all the SRO's can come to the court and introduce themselves. Ms. McCutchen mentioned their new budget starts July 1, 2019 and maybe in May we can start discussing the new contracts so they can be approved by both entities in June. Judge Cano said it will be in March or April. He told Ms. McCutchen she can get a hold of the treasurer at that time.

5. Treasurer's Office

A. Financial Reports / Updates, discussion, review and appropriate action concerning the following:

**Combined Statement of Revenues & Expenses
Check Register
Personnel/Overtime Reports
Other Financial Report as Requested
by Commissioner**

**Payroll Reports
Receipt File Listings
Cash Reports
Grants Reports**

Mrs. Martin presented the Financial Reports. She said she gave her financial reports to

Susan last week. Mrs. Martin said those are different from the ones she has presented. She said she will do the financial reports which she gave to Susan and then present the ones she has. Mrs. Martin said the first report is a combined statement of revenues and expenses for October. This is the first month of the new 2018-2019 year. She said it gives a break down of the month to date and year to date revenues. First is expenses for each fund. Commissioner Garrett asked what month will the 2019 budget money for the jail infrastructural fund actually be moved into the fund. Mrs. Martin said she will do it and they will see it on November's report. She asked if it is the one that is budgeted in non departmental which is 409. Commissioner Garrett said it is \$25,000. Mrs. Martin said when the money gets transferred it will not be in this report because this is not based on budget this is based on monies coming in and out. She also said revenues in the general fund were \$355,000,000.00 received in the beginning for the first month of October property taxes. Mrs. Martin said we usually get those big checks around at the end of December and January, usually after Christmas. Commissioner Esparza asked Mrs. Martin what has been paid out of the ETP account and if the Stonegarden money is gone. Mrs. Martin said Julie Morton was supposed to present that but that she does not know what the balance is as of right now. She said as of October we used around \$20,800. Mrs. Martin said Julie is supposed to do our report when she comes back tomorrow for October.

Commissioner Esparza said there is grant overtime on the payroll. Mrs. Martin said the new grant is going to overlap even if we expend all of the \$20,000 that was left over from the previous. She also said the JAG grant is actually extended also so the new one is going to overlap as well. Mrs. Martin said we had money left over for equipment that they are able to use but the new grant is for salary only. The two will overlap as well. Judge Cano said that the current Stonegarden will be done at the end of the month and the 2017 Stonegarden starts December 1. Mrs. Martin said she will look it up after court and will let them know.

Mrs. Martin said the second report that the court has is the receipt register for the month of October. She said it gives you a breakdown by vendor account number, description and the date it was received. Mrs. Martin said she did not see anything that was different than our normal revenues coming in. She asked the court if they had any questions. Mrs. Martin said the final Financial Report is the state comptroller register comptroller and register and will list all the checks written out of every fund for the month of October. She said any checks from the vendor's clearing account, general fund and payroll are transfers between accounts that are not truly expected to be paid out until November. She said these are based on what was approved in the courts in October.

Mrs. Martin presented the Investment Report which is the first packet she gave to the court. She also presented the Investment Report for the third quarter which is from July 30, 2018 through September 30, 2018. This will be the last quarter of the 2018 year. She said we will not have a fourth quarter because we changed to fiscal year fourth quarter because we changed to fiscal year. Mrs. Martin said the interest earned for this time period for the checking account at West Texas National Bank was \$18,185.44 and the Tex Pool account was \$6,795.44 and in the Texas Class account which is for three different accounts is \$2,378.95. The balances held in those accounts as of September 30, 2018. She said the last page will give a summary of every single

account. The average rate at West Texas National Bank for this quarter was 1.73 percent and that was up from 1.56 percent last quarter. The Tex Pool average rate is 1.94 percent which is up to 1.73 percent. The Texas Class rate is 2.25 percent and that was up from 2.04 percent last quarter. She said the report will give the breakdown of the beginning balance, any quarterly deposits, quarterly withdraws, and quarterly accrued interest as well as the year to date for interest for each of these accounts. Mrs. Martin said the last quarter the Inmate Trust account was on there but it is not on this quarter because those trust accounts are not suppose to accrue interest so she called the bank to reverse that interest earned prior.

Commissioner Esparza asked Mrs. Martin if, on the first report for quarter ending September 30, 2018 the totals for just a quarter or for the year to date. Mrs. Martin said they are the quarter. The report for WTNB interest earned, then second to the last column on the last page will show quarterly accrued interest. The total is \$18,185.44 and that is general, payroll and all our accounts that accrued interest with West Texas National Bank. The Texas Class has the Historic Preservation, the Jail Infrastructural Fund and the Tourism also has a Texas Class Fund. The total interest earned on all accounts for the quarter is \$27,359.83. The total account balances is 5 million. Mrs. Martin said the starting balance on July 1, 2018 is the ending book balance for September 30, 2018 which includes the quarter of interest that was earned.

Judge Cano questioned Mrs. Martin on the customer services at West Texas National Bank. Mrs. Martin said it was not ideal currently but that she does need to meet with someone soon. Judge Cano asked when the contract with WTNB was up. Mrs. Martin said it would be in May. She suggested early in the year to go out for that because she waited too long the last time she did it and it was a very stressful process to get all the information and visit with someone within the time period. Mrs. Martin suggested to do it early in the year way before May. She said it is a tough process to switch but maybe we can express our concerns to WTNB that we can always move if we do not get what we need from them. She said she does need to meet with someone before she leaves about the issue with the audit and other issues. Commissioner Ortega moved to approve the financial reports as presented. Commissioner Esparza seconded the motion; motion passed unanimously.

**B. Approve Payroll for pay period October 29, 2018 – November 11, 2018 /
Discussion and appropriate action**

Treasurer Martin presented the payroll for pay period October 29-November 11, 2018. Mrs. Martin said the employer paid benefits for this time period for check date November 16, 2018 are \$99,299.27 including FICA, Medicare, Worker's Comp, Unemployment, Health Insurance, Life Insurance, AD&D Insurance & Retiree Health Insurance. The total gross wages for this time period are \$152,856.17. Of that \$18,857.68 is overtime. The \$11,979.75 is county paid overtime. She said a lot of that is from the Chili Cook-Off on the sheriff's office but they still are working a lot of overtime.

Judge Cano said he and Treva Watson will meet with Sheriff Dodson and discuss their concerns on the overtime the employees have accrued throughout the past few months. He also wants to make sure the Stonegarden is used wisely. Commissioner

Ortega moved to approve payroll as presented from October 29-November 11, 2018. Commissioner Esparza seconded the motion; motion passed unanimously. Mrs. Martin said the auditors will be here Thursday and Friday to do their visit for the 2018 audit.

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

No action.

6. Brewster County Auditor

A. General Bills / Discussion and appropriate action

Paty Saenz presented the General Bills. Paty said the total general fund is \$212,162.73 and the other budgets are \$345,194.59. The grand total is \$557,357.32 and no walk-in. Commissioner Ortega moved to approve general bills as presented. Commissioner Pallanez seconded the motion; motion passed unanimously. Commissioner Ortega abstained from Pinnacle Propane. Commissioner Esparza abstained from Printco.

B. Consider reallocating \$100,000 of 2017 Surplus Funds previously designated to pay down the TCDRS Unfunded Liability to create a TCDRS COLA Account to fund an annual 10% TCDRS COLA / Discussion and Appropriate Action

Commissioner Garrett said last January we designated \$100,000.00 from the 2017 Surplus Funds to pay down a possible TCDRS Unfunded Liability. We had seen it increase slightly local years. He said they had someone who gave a good presentation on the TCDRS COLA Fund. Commissioner Garrett said she explained even though we had an unfunded liability, it was well in the range considered acceptable. They do not see a concern because we are at 88 or 89 and the system automatically increases our payments to keep our liability in the right place. Commissioner Garrett said with that we have set the \$100,000 with TCDRS. Over the years, Commissioner Ortega has been discussing COLA's for our retirees, especially long-time retirees that probably are not benefiting as much as we would like for their pensions.

He said we had the \$100,000 available with TCDRS packages, which gives us options if we want to do a COLA or not, including the cost. Commissioner Garrett said it is based on 10 percent, 20 percent and 60 percent COLA. He said he talked to Ms. Watson and Commissioner Ortega and they all agreed to using the \$100,000 with good long-term plan if we set a 10 percent Then we can create a TCDRS that will pay a 10 percent COLA for the next eight years. Commissioner Garrett said they should look COLAS annually. Commissioner Garrett moved to reallocate \$10

Commissioner Garrett moved to reallocate \$100,000.00 of the 2017 Surplus Funds previously designated to pay down the TCDRS Unfunded Liability to create a TCDRS COLA account to fund an annual 10 percent TCDRS COLA. He said the percentage COLA is what most affects long term retirees and that is what TCDRS recommends over a flat percent. Commissioner Ortega seconded the motion; motion passed

unanimously.

After the discussion, Judge Cano asked Ms. Watson if there is a problem moving forward with this issue. Ms. Watson said there is no problem. She said the new program on the new TCDRS begins January 1, 2019, so whenever we receive the paperwork we can note our changes. Ms. Watson said the money was approved with TCDRS and she is reallocating it in a different way. Judge Cano voiced his concern on transparency of when it happens and where it ends up, because he talked about other funds and where the information is on the spread sheet. He just wants something to look at for the sake of transparency and knowing the outcome. He said he would like to be provided with some type of report. Mrs. Martin said it would be on budget analysis and they can be done quarterly or monthly or however. She said if it is in Investment Pool it will show up. Judge Cano said because of the transition that we are getting ready to go through in the Treasurer's office he wants to make sure everything goes smoothly. Mrs. Martin said she will help Julie Morton in every way that she can to make it as easy as possible before she leaves.

Judge Cano said as long as the commissioners are aware on what is happening on the transition everything will be fine. Treasurer Martin said her Investment report has to be reported at least quarterly. She said that is something the treasurer has to report to the court at least quarterly. Those balances will be there but will not accrue interest.

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

No action.

7. Officials' Monthly Reports

Commissioner Ortega read the Officials' Monthly Reports. County Tax Assessor/Collector \$78,684.58, County Clerk \$12,447.75, District Clerk not available, Justice of the Peace #1 \$22,715.10, Justice of the Peace #2 not available and Justice of the Peace #3 not available. Commissioner Ortega moved to approve Officials' Monthly Reports for the 1st Report for November 2018. Commissioner Pallanez seconded the motion; motion passed unanimously. Commissioner Esparza stepped out during the vote.

8. Road & Bridge Department / Community Facilities

A. Road & Bridge Superintendent's Report

General updates on maintenance and repairs for all county roads; road materials including, fuel, supplies including usage & inventories & future needs; 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) and community facilities (assistance with maintenance and other related issues); assistance to other governmental entities and

emergency responders; personnel issues, (vacancies, new hires, performance and safety); permits for boring or trenching for utilities across County Roads

Superintendent Frenchie Causey gave a brief update on the Road & Bridge Department. He said they bladed all roads in North Double Diamond. In Precinct 4 they bladed roads in Cotton Creek. In Precinct 2 they bladed all roads in Veteran's addition, Double Diamond, Hidden Valley road in South Double Diamond. R & B also bladed Lone Star Road, South County Road and several other roads. They also patched some potholes at Terlingua Ranch Road. Superintendent Causey said he sent a truck to pick up a dump truck that was getting worked on and is dropping another truck off to get worked on. The truck that was dropped off was not broken down but does need a little work on it. He said there are a couple of things that were not working on the truck.

B. Proposal to Purchase Property in Terlingua Ranch for R & B Yard and associated expenses of the purchase / Discussion and appropriate action

Judge Cano said this is the property that belonged to Tom Williams. Commissioner Ortega said they had a few discussions on this property and is having trouble finding a surveyor. He said he looked into three or four different surveyors but all of them charge from \$1,600 to \$2,000. Commissioner Ortega said they decided on a gentleman who lives in South County to survey the property. Commissioner Ortega wants to get the property surveyed to make it legal so they do not trespass or encroach on other people's property. Judge Cano asked Commissioner Ortega when he can do the surveying. Commissioner Ortega said he does not mind paying the person to survey the property and will get it done as soon as possible. He just wants the court to be aware of this situation. Judge Cano mentioned Mr. Williams is having health problems and wants to make sure the purchase of the property goes through before anything happens. He wants to make sure it does not end up in probate because then that will be another issue with heirs.

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

Judge Cano said he did have a report from Johnny Valencia. He said Jose Guterrez and Merced Hernandez have been cleaning outside of the jail, doing some interior and exterior work at the Tax Office and doing some painting as well. Johnny and his employees replaced some windows at the District Clerk's Office and installed a heating unit. Commissioner Ortega said Frenchie and his employees hauled some sand to the post and they helped make a concrete and do a retaining wall. He said there is more concrete work to be done at the post.

Court recessed at 10:25 a.m.

Court reconvened at 10:43 a.m.

10. Brewster County Groundwater Conservation District / Board Appointments / Discussion and appropriate action

Judge Cano asked Commissioner Garrett if he could give the court an update on the people he talked to and the terms that we are looking at for the Brewster County Groundwater Conservation District. Commissioner Garrett said this is a seven person board that the court Appoints. He said there are three members whose terms are coming to an end this year. Commissioner Garrett said they talked to the chairman of the board, general manager and Judge Cano about this issue. He said the board is tight right now and they feel good about what they are doing and are working great together. Commissioner Garrett said he talked with the three members whose terms are coming to an end- Tim Leary, Kevin Urbanczyk and Tom Mengram. They have done a great job and agreed to serve another term. Commissioner Garrett moved to reappoint Tim Leary, Kevin Urbanczyk and Tom Mengram to terms. Commissioner Ortega seconded the motion; motion passed unanimously. Commissioner Esparza voiced her concern that South County does not have representation on this particular board and was wondering if now would be a good time to see if someone would take one of those spots. Commissioner Garrett addressed that and they actually found someone willing to serve but the leadership of this board says they are happy with what they have now. He told Commissioner Esparza she can try to get a South County member on it as soon as possible but it is not the right time. Commissioner Garrett said Tom Mengram who has been so involved with this board and gotten out of his way to get astute in his regards. Commissioner Garrett said in this case it is in the best interest of Brewster County to keep these three men on the board.

11. Brewster County Emergency Services District #1 / Board Appointments for 1, 2 & 3 / Discussion and appropriate action

Commissioner Garrett said this board also serves at the pleasure of the Commissioners Court. He said these are two year terms. He said there are two positions open and their terms are ending this year. Commissioner Garrett said Marcos Paredes' term is up but he is doing a fine job and there is no reason to replace him. The other position is currently filled by Lisa Hendy, Director at Big Bend National Park. He said traditionally this position is filled by the Superintendent Big Bend National Park and now Big Bend National Park has a new superintendent so we can appoint him to fill the position for the ESD Board. Commissioner Garrett recommended to reappoint Marcos Paredes to another two year term starting January 1, 2019 and reappoint Robert Krumenaker, Superintendent for Big Bend National Park. Commissioner Ortega seconded the motion; motion passed unanimously.

12. Veterans Service Officer / Approve application and resolution for the Texas Veterans Commission Fund for Veterans' Assistance for the 2019-2020 General Assistance Grant

No action.

13. Reaffirm 2019 Brewster County Application and Resolution for the Texas Indigent Defense Grant Program / Discussion and appropriate action

Judge Cano said this is just information on the 2019 Brewster County Application and Resolution for the Texas Indigent Defense Grant Program. Judge Cano read the Resolution into record. Commissioner Ortega moved to approve Application and Resolution for the Texas Indigent Grant Program. Commissioner Esparza seconded the motion; motion passed unanimously.

14. Emergency Management Department

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; burn bans, emergency management issues related to public and private insurance coverage, personnel issues related to emergency response, matters related to pending & future Homeland Security & FEMA Grants / Discussion and appropriate action

Stephanie Elmore gave an update on the Emergency Management Department. She said she talked to the Alpine Volunteer Fire Department and they said they would be more than happy to refill the water tanks after they use them. Ms. Elmore said TXDOT is hosting a meeting on November 19, 2018 at 6:30 p.m. in case any of the commissioners want to attend. She also said she worked on the Preventive Care Services. Commissioner Pallanez voiced his concern on the water tanks. He wants to make sure all the water tanks are full in case of an emergency. Judge Cano said since Ms. Elmore is the EMC he wants to make sure she is on top as far as the maintenance and the testing on the water tanks. Ms. Elmore said she will keep track of that for safety reasons. Judge Cano voiced his concern about when the electricity went out last year due to bad weather. He recommended for Ms. Elmore have a backup plan on who and where to call for generators. Judge Cano also asked her if she can have a spreadsheet to present to Commissioners Court as far as which water tanks are currently operable in case of any emergencies.

B. Presentation by Al Talavera, District Coordinator for Texas Division of Emergency Management

Al Talavera, District Coordinator for Texas Division of Emergency Management, gave a presentation. Mr. Talavera said he assists local jurisdictions during emergencies, disasters and training. He said he provides training the EMC might need. Mr. Talavera provides basic training and Incident Command System training which is mandated by Homeland Security Presidential Directive #5 that every county and every jurisdiction has to adopt some type Incident Management System. He said they can bring training to this jurisdiction. Mr. Talavera said there is a website to get a file that is called the Executive Guide, which tells you exactly how Emergency

Management works in the State of Texas. It outlines the director for the county and everything he can do within the county such as evacuations, curfew etc. He also said there is a DPS website that has a lot of information for emergency issues as well. Mr. Talavera said if the county needs extra cots or generators to let him know. He said before asking for help from the state, you have to deplete your resources then the state can step in to help out. Mr. Talavera said the person who approves these requests is Captain Matthew Skells from the Texas Highway Patrol. Mr. Talavera thanked the court for giving him the opportunity to give a presentation.

C. Marathon Volunteer Fire Department / Approve purchase of Motorola Solutions APX6500 All Band HP Radio for Fire Department Vehicle / Discussion and appropriate action

Sheriff Ronny Dodson requested approval to purchase a Motorola Solutions APX6500 All Band HP Radio for the Marathon Fire Department vehicle. Judge Cano said the purchase price is \$6,164.40 for one radio. Commissioner Ortega asked Sheriff Dodson where the money coming from to purchase the radio. Sheriff Dodson said that is why he is at court. Judge Cano said he will look at how much money we have set aside for the Volunteer Fire Department. He said he knows we have at least that much and we combine the monies we allocated for fire services. Judge Cano and the commissioners discussed what funds they can use to purchase the radio. Commissioner Ortega moved to approve the purchase of the Motorola Radio APX 8500 All Band HP Radio for the Fire Department to be paid out of line item 411. Commissioner Esparza seconded the motion; motion passed unanimously.

D. Marathon Repeater Sites / Approve purchase of SXPS 24V Systems for each site and approve labor for installation / Discussion and appropriate action

Sheriff Dodson requested approval for purchase of SXPS 24V Systems for each site and to approve labor for installation. Commissioner Ortega moved to approve the purchase of the SXPS 24V Systems for labor and installation for the Marathon Repeater Sites for radio service and the Sheriff will move money from line item 411 to pay for that expense. Commissioner Pallanez seconded the motion; motion passed unanimously.

E. Discussion and appropriate action for work of Emergency Management Department to go forward

No action.

17. Brewster County Jail / Discussion on Generator for Brewster County Jail / Discussion and appropriate action

Judge Cano asked Sheriff Dodson to give an update on how the generator issue came up. He said it was during the jail inspections actually two years in a row. We have talked about possibly purchasing a new generator and setting it outside instead of being like it is now.

Sheriff Dodson said he visited with Commissioner Ortega and thinks we had some people to come look at it. He said it was quite expensive. Sheriff Dodson said he still has a 3,000 plus contract with Warren Powers System and who will come and service it for the next two years. He suggested that because we have about nine days before we are in non-compliance with jailing issues. They are going to come and do it and Commissioner Ortega will be working on some grants. Commissioner Ortega said he looked at purchasing one through the infrastructural money that the county has. He said he reached out to the COG and there is actually a grant right that we can probably qualify for.

Commissioner Ortega said the generator will cost about \$50,000 and that does not include installation. He said it is going to be a 125kw to run the whole structure and will be outside. It will be a diesel because they do not make anything else that will run that size.

Commissioner Ortega said we have a 40kw right now and does not work on the air conditioner. It only works the lights and the control center. Commissioner Ortega said it affects the power because the generator is not strong enough and he thinks we need to fix the problem. Commissioner Ortega said he would like to apply for the grant and we should know by March if we get approved, and would then get funded. If we do not get approved he wants to go ahead and purchase the generator if the court approves of it. Commissioner Ortega said he has enough bids on it. Commissioner Ortega said the contractor that Sheriff Dodson got, he talked to him and told him the county is doing what needs to be done as far as the jail issues. Judge Cano said he spoke to Johnny Valencia yesterday afternoon and asked him about the generator. Mr. Valencia told Judge Cano the generator will work but just to a certain limit. He said there is an electrical issue with the generator. Sheriff Dodson said the locks on the doors do not work. They are all electrical and that is the jail standards. He said if the generator failed we cannot lock or unlock the doors. He said if you push the button then all the doors open and all the prisoners can come out if there is a fire or other emergencies and head out the back door. Commissioner Ortega said they signed the contract. Commissioner Ortega said they signed the contract to purchase a new generator and he approved of it for Jose Gutierrez to send a purchase order last week on Thursday. Judge Cano stated two things the jail inspection brought to our attention are in the process of getting resolved. Sheriff Dodson said they still have the door issues. He said they have the hinges and the frame, but do not have the door. Sheriff Dodson said the jail standards assistant director from Austin keeps calling him to find out the status on the door. He said he should have the door by Thanksgiving.

15. Contracts for Service with local Non-Profits entities for October 1, 2018 to September 30, 2019 (Alpine Public Library, Marathon Public Library, Big Bend Library, The Sunshine House, Inc., Family Crisis Center of the Big Bend, Inc., Frontier CASA, Inc., The Children's Advocacy Center of the Big Bend, Child Welfare Board, The Big Bend Amateur Softball Association, and Big Bend Little League) concerning contracts for services in 2019 / Discussion and appropriate action

Judge Cano said the reason this is on this time of the year is because we changed from calendar to fiscal year. He said nothing has changed as far as the amounts. The only thing different is the time frame. Commissioner Ortega moved to go forward with contracts for Services with Non-Profits for period of October 1, 2018 through September 30, 2019. Commissioner Esparza seconded the motion; motion passed unanimously.

16. Contracts for cleaning maintenance services for County Facilities / Approval to renew yearly contracts / Discussion and appropriate action

Judge Cano said there is a change on the contracts for cleaning maintenance services for County Facilities. Commissioner Garrett said the contract did not clearly address what is required of the custodians. He said it needs to be changed to make sure it is still a weekly thing for the person responsible. It is cleaning after every use in the Red Pattillo Center. Before, it said a weekly cleaning. Commissioner Garrett said that is a change on the contract required of the custodial service from Juana Hernandez, and we raised the monthly compensation for taking care of the two buildings to \$450 a month as budgeted. Judge Cano mentioned prior to that amount it was \$300. Commissioner Garrett moved to approve the contract with Juana Hernandez to take care of South Brewster County Response Center and the Red Pattillo Community Center. Commissioner Ortega seconded the motion; motion passed unanimously.

18. Texas Communities Group, LLC. / Discuss and consider bids for purchase of properties held in trust by Alpine ISD and Big Bend Regional Hospital District / Discussion and appropriate action

Parcel # 15988 - \$1,000.00

Parcel # 20941 - \$153.00

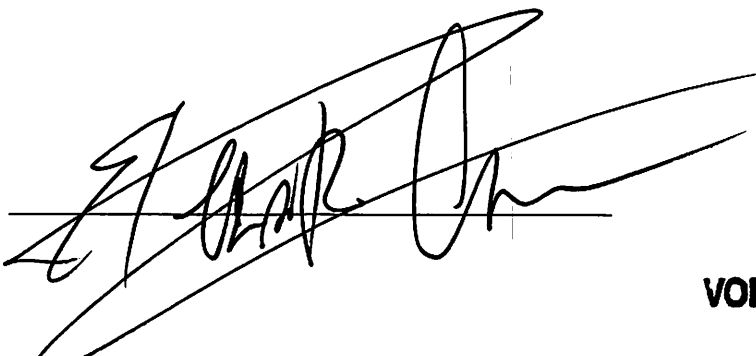
Commissioner Garrett said we have been doing these for couple of months now and these are the last two parcels. He said both fall in tracts in Terlingua Ranch. They both got multiple bids so they are satisfied with what is required. For parcel #15988, the bid is \$1,000 from Jaime and Marisol Ramirez, and parcel #20941, the bid is \$153 from Henry Tarango. Commissioner Garrett moved to approve the bids for parcel #15988 and parcel #20941. Commissioner Ortega seconded the motion; motion passed unanimously.

19. Schedule next Commissioners Court Regular Meetings, November 28, 2018 at 9:00 A.M.

Judge Cano said the next Commissioners Court Regular Meeting is November 28, 2018, at 9:00 a.m. He also said there is a Canvass for the election tomorrow at 9:00 a.m.

20. Adjourn

Commissioner Ortega moved to adjourn. Commissioner Pallanez seconded the motion; motion passed unanimously.



Eleazar R. Cano, County Judge

ATTEST:

Berta Rios-Martinez
Berta Rios-Martinez, County Clerk