

**PUBLIC NOTICE**

**REGULAR MEETING OF THE BREWSTER COUNTY COMMISSIONERS COURT  
 WEDNESDAY, FEBRUARY 10, 2021 AT 9:30 A.M.  
 BREWSTER COUNTY COURTHOUSE, COMMISSIONERS COURTROOM  
 201 W AVE E  
 ALPINE, TEXAS**

Judge Cano called the meeting to order at 9:35 a.m., the following Elected Officials were present:

Eleazar R. Cano	County Judge
Sara Allen Colando	Commissioner Pct. 2
Ruben Ortega	Commissioner Pct. 3
Mike “Coach” Pallanez	Commissioner Pct. 4
Sarah Vasquez	County Clerk

Jim Westermann, Commissioner Pct. 1, was absent.

**In accordance with section 418.016 of the Texas Government Code, Governor Abbott has suspended various provisions that require government officials and members of the public to be physically present at a specified meeting location. As a result, all or some government officials may participate via Zoom.**

**Additionally, members of the public are encouraged to watch the meetings live online, at the [www.brewstercountytexas.com](http://www.brewstercountytexas.com) or [Brewster County, Texas \(County’s Facebook page\)](#). Members of the public are also encouraged to participate in public comment by calling telephone number 432-538-2028. This temporary suspension will leave important Open Meetings Act (Section 551.043, Texas Government Code) protections in place:**

**AGENDA**

**1. Invocation, Pledge of Allegiance**

Invocation and Pledge were led by Judge Cano.

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

Commissioner Ortega moved to approve January 27, 2021, minutes. Commissioner Pallanez seconded the motion; motion passed 4-0.

**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**

Evin Hanke of Terlingua commented on building codes in the unincorporated area of the County.

**8. Recognitions & Announcements**

Sheriff Dodson reported the Brewster County Jail had passed its recent inspection and is in compliance with Texas Minimum Jail Standards.

Texas Department of Transportation addressed a letter to the Judge granting Brewster County 138 cubic yards of base through the County Assistance Program. Commissioner Ortega recognized David Luce, Alpine Maintenance Section Supervisor, for helping coordinate this project.

Commissioner Ortega recognized Judge Shuster, Terrell County, who reached out to Brewster County to offer available vaccine doses. Volunteers, firefighters, and school teachers from Alpine made the trip.

Commissioner Pallanez recognized Guadalupe “Lupe” Hoffman for her great custodian cleaning.

Commissioner Colando recognized the Deputies in Terlingua, Butch & Patrick, for doing a great job.

**4. Consultation with legal counsel regarding title to County owned property described as a 0.377 acre tract of land out of Block 27, Original Townsite, currently the site of the County Jail**

**A. Executive Session 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**

Executive Session at 9:59 AM

**Reconvene in Open Session**

Reconvened in Open Session at 10:49 AM

**B. Discussion and appropriate action resulting from Executive Session as may be needed, on matters discussed in closed session; including, but not limited to, possible authorization of suit to clear title**

Judge Cano moved to authorize the attorney, Sara Leon, to proceed as discussed in Executive Session, up to and including a possible suit to clear title, but instructing our attorney to solve issues if at all possible, amicably. Commissioner Ortega seconded the motion; motion passed 4-0.

**5. Update on Coronavirus (COVID-19) by Brewster County Judge, Eleazar R. Cano & Stephanie Elmore, Emergency Management Coordinator / Discussion and appropriate action**

Stephanie Elmore, Emergency Management Coordinator, presented an update on Coronavirus (COVID-19). Next testing site will be conducted at the Alpine Fire Station on February 17, 2021, from 9 am to 4 pm. Vaccines will be available in Terrell County on March 8, 2021. Please call (432) 345-2421 to get signed up. DSHS is behind on active cases and not updating. Brewster County Facebook page is updated frequently.

**6. 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, Emergency Management Coordinator, presented General Reports.

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

No action.

**7. Bickerstaff Heath Delgado Acosta, LLP / General Obligation Refunding Bonds Series 2021**

**A. Consider and take action on an order authorizing the issuance of Brewster County, Texas General Obligation Refunding Bonds, Series 2021; authorizing certain parameters for the bonds; authorizing the redemption prior to maturity of certain outstanding obligations; authorizing the County Judge or the County Auditor to approve the amount, the interest rate, price, and terms thereto and certain other procedures and provisions related thereto; authorizing the refunding of certain outstanding obligations and the execution and delivery of an escrow deposit agreement; and enacting other provisions relating to the purposes of this order / Discussion and appropriate action**

Vince Viaille, Managing Director of Specialized Public Finance, Inc., presented an order authorizing the issuance of Brewster County, Texas General Obligation Refunding Bonds, Series 2021.; authorizing certain parameters for the bonds; authorizing the redemption prior to maturity of certain outstanding obligations; authorizing the County Judge or the County Auditor to approve the amount, the interest rate, price, and terms thereto and certain other procedures and provisions related thereto; authorizing the refunding of certain outstanding obligations and the execution and delivery of an escrow deposit agreement; and enacting other provisions relating to

the purposes of this order. Commissioner Ortega moved to approve the order as presented. Commissioner Pallanez seconded the motion; motion passed 4-0.

**B. Hiring of Bond Counsel / Consider and take possible action to approve the hiring of bond counsel for contingent fee basis / Discussion and appropriate action**

Greg Miller, Attorney for Bickerstaff Heath Delagado Acosta LLP, presented an order authorizing hiring of bond counsel on a contingency fee basis. Commissioner Ortega moved to approve the hiring of Bond Counsel. Commissioner Pallanez seconded the motion; motion passed 4-0.

**9. 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 Causey reported an update for the Road and Bridge Department.

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

No action.

**10. Community Facilities Report**

**A. General Report**

Judge Cano presented the Community Facilities Report on behalf of Johnny Valencia.

**B. Discussion and appropriate action for general work of Community Facilities to go forward**

No action.

**11. Treasurer’s Office**

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

<b>Combined Statement of Revenues &amp; Expenses</b>	<b>Payroll Reports</b>
<b>Check Register</b>	<b>Receipt File Listings</b>
<b>Personnel/Overtime Reports</b>	<b>Cash Reports</b>
<b>Other Financial Report as Requested by Commissioners</b>	<b>Grants Reports</b>

No reports.

**B. Discuss and consider renewal of the Families First Coronavirus Response Act (FFCRA) for Employee Paid Leave extending to December 31st, 2021 / Discussion & appropriate action**

Julie Morton, County Treasurer, presented the renewal of the Families First Coronavirus Response Act for Employee Paid Leave extending from January 1, 2021 to December 31, 2021. Commissioner Ortega moved to approve the renewal of the Families First Coronavirus Response Act to be effective February 10, 2021 to April 1, 2021. Commissioner Colando seconded the motion; motion passed 4-0.

**C. Discuss and consider amendment to the Brewster County Handbook Section 2A-9 Employee Payroll Overtime Calculations & Rules / Discussion & appropriate action**

Julie Morton, County Treasurer, asked to consider an amendment to the Brewster County Handbook, Section 2A-9: Employee Payroll Overtime Calculations & Rules. Commissioner Ortega moved to approve the amendment. Commissioner Pallanez seconded the motion; motion passed 4-0.

**D. Discuss and consider the advertisement for bids for a County Depository Bank / Discussion & appropriate action**

Julie Morton, County Treasurer, requested approval to advertise for bids for a County Depository Bank. Commissioner Colando moved to approve the advertisement for bids. Commissioner Pallanez seconded; 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**

No action.

**12. Brewster County Auditor**

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

Patty Roach, County Auditor, presented general bills and walk-ins. Commissioner Ortega moved to approve the general bills as presented including walk-ins. Commissioner Pallanez seconded the motion; motion passed 4-0.

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

<b>Budget Amendments Other Financial Reports as Requested by Commissioners</b>	<b>Line Item Transfers</b>
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Patty Roach, County Auditor, presented multiple line item transfers. Commissioner Pallanez moved to approve line items transferred as presented. Judge Cano seconded the motion; motion passed 4-0.

Patty Roach, County Auditor, presented a budget amendment for revenues for the Tourism Council to increase due to the anticipation of increased activities. Commissioner Colando moved to approve the budget amendment as presented. Commissioner Ortega seconded the motion; motion passed 4-0.

Patty Roach, County Auditor, presented a budget amendment for expenditure accounts for the Tourism Council. Commissioner Ortega moved to approve the budget amendment as presented. Commissioner Pallanez seconded the motion; motion passed 4-0.

**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.

**13. Approve Revised Travel Policy / Discussion and appropriate action**

Patty Roach, County Auditor, presented a revised Travel Policy. Commissioner Ortega moved to approve the revised Travel Policy as presented. Commissioner Pallanez seconded the motion; motion passed 4-0.

**14. Officials' Monthly Reports**

Commissioner Ortega presented the Officials' Monthly Reports. Commissioner Ortega moved to approve the Officials' Monthly Report as presented. Commissioner Pallanez seconded the motion; motion passed 4-0.

**15. Update / Retainer Agreement with Law Firm Big Bend Law, Rod Ponton, Attorneys At Law, in re Cause No. CVB20433; Marcia Ann Sykes and the Estate of Marcia Ann Sykes and all Unknown Heirs, Devisees, and Assigns of Marcia Ann Sykes; Phillip Joseph Smith; Dymphna Lorraine DeLaRosa / Discussion and appropriate action**

No report.

**16. Discuss and approve clean up dates for Brewster County under the Rio Grande Council of Governments Municipal Solid Waste grant Program / Discussion and appropriate action**

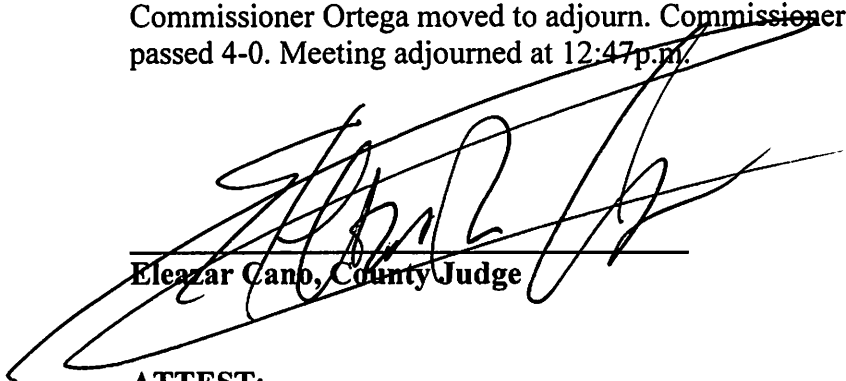
Commissioner Ortega requested discussion for dates to be set for Brewster County Cleanup Day under the Rio Grande Council of Governments Municipal Solid Waste Grant Program. Commissioners agreed upon April 10, 2021, from 9 am to 3 pm.

**17. Schedule next Regular Commissioners Court Meeting on February 24, 2021, at 9:30 A.M.**

Judge Cano announced the next Regular Commissioner Court Meeting on February 24, 2021, at 9:30 A.M.

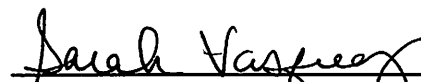
**18. Adjourn**

Commissioner Ortega moved to adjourn. Commissioner Pallanez seconded the motion; motion passed 4-0. Meeting adjourned at 12:47p.m.



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Eleazar Cano, County Judge

ATTEST:



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Sarah Vasquez, County Clerk