

PUBLIC NOTICE

**REGULAR MEETING OF THE BREWSTER COUNTY COMMISSIONERS COURT
WEDNESDAY, APRIL 14, 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 9:34 am, the following Elected Officials were present:

Eleazar R. Cano	County Judge
Jim Westermann	Commissioner Pct. 1
Sara Allen Colando	Commissioner Pct. 2
Ruben Ortega	Commissioner Pct. 3
Mike "Coach" Pallanez	Commissioner Pct. 4
Sarah Vasquez	County Clerk

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.brewstercountytx.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 Pallanez moved to approve the minutes on March 10, March 17, March 24, and March 31, 2021. Commissioner Colando seconded the motion; motion passed 5-0.

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

Barbara Trammell, Secretary of the Brewster County Tourism Council, made a public comment in opposition to Agenda Item #16

Shawna Graves, member of the Dark Sky Committee, made a public comment in favor of Agenda Item #16.

Rod Ponton made a public comment in opposition to Agenda Item #16.

Daryl Eby, owner of Big Bend Vacation Rentals, made a public comment via phone call to Judge Canoin favor of Agenda Item #16.

Dick Gentry made a public comment via email and read by Commissioner Colando in favor of Agenda Item #16.

Courtney Farmer, Airbnb owner, made a public comment via email and read by Commissioner Colando in favor of Agenda Item #16.

Joe and Sue Rife, Airbnb owners, made a public comment via email and read by Commissioner Colando in favor of Agenda Item #16.

Catherine Wright, made a public comment via email and read by Judge Cano in favor of Agenda Item #16.

Linda Beranek, President of the Marathon Chamber of Commerce, made a public comment by email to Commissioner Ortega in favor of Agenda Item #16.

Guilford Jones made a public comment with Commissioner Ortega in favor of Agenda Item #16.

Debbie Moran made a public comment via email and read by Judge Cano in favor of Agenda Item #16.

Amelia and Steve Goldberg made a public comment via email and read by Judge Cano in favor of Agenda Item #16.

Tim Gibbs made a public comment via text message to Judge Cano in favor of Agenda Item #16.

Laura Gold made a public comment via email to Commissioner Colando in favor of Agenda Item #16.

Scott Beasley, President at WSB Resorts & Clubs, LLC made a public comment via email and read by Commissioner Ortega in opposition to Agenda Item #16.

Andres Ramos, Mayor of Alpine, made a public comment in favor of Agenda Item #16.

16. National Parks Conservation Association Dark Skies Initiative

A. Presentation by Dark Skies Committee with regard for National Parks Conservation Association on Dark Sky Initiative with Rep. Morales and Senator Blanco

Robert Alvarez, Chair of the Dark Sky Committee and Executive Director of the Tourism Council, presented on behalf of the Dark Sky Committee. Mr. Alvarez personally believes it is not a necessary need right now. Mr. Alvarez read a letter on behalf of Bill Ivey, President of Brewster County Tourism Council, in opposition to the proposed legislation.

B. Request a Letter of Support for Dark Skies to be sent to the Texas House and Senate / Discussion and appropriate action

Chloe Crumley, National Parks Conservation Association, gave a presentation on HB 4305/SB2133 and requested a Letter of Support to be sent to the Texas House and Senate.

Commissioner Ortega moved to approve the Letter of Support for Dark Skies to be sent to the Texas House and Senate. Commissioner Westermann seconded the motion; motion failed 4-1. Judge Cano, Commissioner Westermann, Commissioner Ortega, and Commissioner Pallanez opposed; Commissioner Colando in favor.

Court Recessed at 11:30 a.m.

Court Reconvened at 11:40 a.m.

11. Brewster County Sheriff's Office / Obtain Permission to Auction off a 2013 Black Ford Explorer VIN: 1FM5K8ARODGB54373 for vehicle/equipment auction being held on April 17, 2021 / Discussion and appropriate action

Ronny Dodson, Brewster County Sheriff, requested permission to auction off a 2013 Black Ford Explorer (VIN: 1FM5K8ARODGB54373) on April 17, 2021. Commissioner Pallanez moved to approve the Sheriff's request as presented. Commissioner Ortega seconded the motion; motion passed 5-0.

13. Approval of Depository Bid by Commissioners Court / Discussion and appropriate action

Julie Morton, County Treasurer, presented two bids that were submitted for the Brewster County Depository. West Texas National Bank and TransPecos Bank each submitted a bid for the Depository. Commissioner Ortega moved to accept the bid from TransPecos Bank as recommended by Treasurer Morton. Commissioner Colando seconded the motion; motion passed 3-2. Judge Cano, Commissioner Colando, and Commissioner Ortega in favor; Commissioner Westermann and Commissioner Pallanez opposed.

12. 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 Commissioners
Payroll Reports Receipt File Listings Cash Reports Grants Reports**

No reports.

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

4. 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). Commissioner Colando noted that the Texas Department of State Health Services (DSHS) conducted a vaccine clinic at Terlingua CSD on April 13, 2021.

5. 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.

6. Recognitions & Announcements

Commissioner Colando announced she has been working with the Rio Grande Council of Governments to address questions and problems some residents are having with their 911 addresses. She can be reached by email at colando@co.brewster.tx.us if the residents in her area are having issues with their 911 addresses. Commissioner Colando recognized and thanked Francisco Castillo & Oscar Cobos for their hard work as volunteers at the Terlingua location during Brewster County Cleanup Day on April 10th, 2021.

7. 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

Commissioner Westermann moved to approve the permit presented by Superintendent Causey. Commissioner Colando seconded the motion; motion passed 5-0.

**8. 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.

9. Brewster County Tourism

**A. Report from Robert Alvarez, Executive Director:
General update, travel shows, marketing, finances, visitation status, project reports;
personnel issues, (vacancies, new hires and performance)**

Robert Alvarez, Executive Director of Visit Big Bend, presented a general update. A new phone number has been added, (888)7BigBend, (888)72442363. Brewster County Tourism Council is partnering with the City of Alpine to host the YOLO shoot which will take place in May 2021.

B. Discussion and appropriate action for general work of Brewster County Tourism to go forward

No action.

17. Juvenile Probation Office / Update by Tony Ramos, Chief Juvenile Probation Officer

Tony Ramos, Chief Juvenile Probation Officer, presented an update on the Juvenile Probation Office.

18. Justice of the Peace, Precinct 1 / Review and consider approval of revised (Rev. 3/2020 offered by the Texas Department of Public Safety to accommodate Chapter 706 of the Texas Transportation Code / Discussion and appropriate action

Judge Robert Steele, Justice of the Peace Precinct 1, presented a revised offer by the Texas Department of Public Safety to accommodate Chapter 706 of the Texas Transportation Code.

Commissioner Pallanez moved to approve as presented. Commissioner Colando seconded the motion; motion passed 5-0.

14. Brewster County Auditor**A. General Bills / Discussion and appropriate action**

Paty Saenz, Assistant County Auditor, on behalf of Patty Roach, County Auditor, presented General Bills. Commissioner Ortega moved to approve bills as presented. Commissioner Colando seconded the motion; motion passed 4-0. Judge Cano was absent during the vote.

B. Financial Reports / Updates, discussion, review and appropriate action concerning the following:**Line Item Transfers****Budget Amendments Other Financial Reports as Requested by Commissioners**

Paty Saenz, Assistant County Auditor, on behalf of Patty Roach, County Auditor, presented line item transfers. Commissioner Ortega moved to approve as presented. Commissioner Pallanez seconded the motion; motion passed 4-0. Judge Cano was absent during the vote.

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.

10. Texas A&M AgriLife Extension / Update on Monthly Report

Commissioner Ortega moved to table Item #10. Commissioner Pallanez seconded the motion; motion passed 5-0.

15. Officials' Monthly Reports

Commissioner Pallanez read the Officials' Monthly Report. Commissioner Ortega moved to approve the reports as read. Commissioner Westermann seconded the motion; motion passed 5-0.

19. 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

Rod Ponton had previously stated during his public comment that there was still no change in this matter.

20. Discuss and consider Resolution Opposition to S.B. 10 relating to the use by a county or municipality of public money for lobbying activities and how this Senate Bill 10 will hurt smaller counties and cities / Discussion and appropriate action

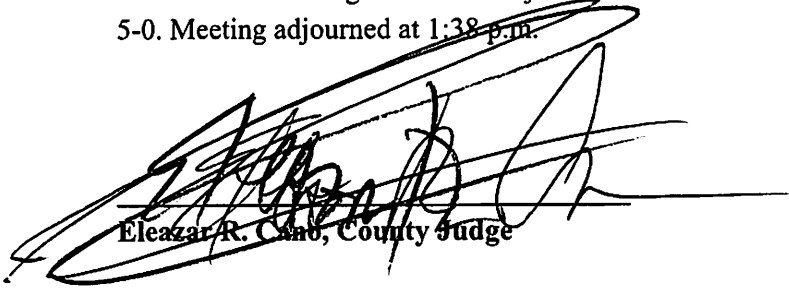
Commissioner Colando moved to approve the resolution. Commissioner Ortega seconded the motion; motion passed 5-0.

21. Schedule the next Regular Commissioners Court Meeting on April 28, 2021, at 9:30 A.M.

Judge Cano announced the next Regular Commissioners Court Meeting on April 28, 2021, at 9:30 a.m.

22. Adjourn

Commissioner Ortega moved to adjourn. Commissioner Westermann seconded the motion; motion passed 5-0. Meeting adjourned at 1:38 p.m.



Eleazar R. Cano, County Judge

ATTEST:



Sarah Vasquez, County Clerk