

PUBLIC NOTICE

**REGULAR MEETING OF THE BREWSTER COUNTY COMMISSIONERS COURT
WEDNESDAY, JULY 28, 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 9:37 a.m., 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.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 the minutes of June 9, 2021, June 23, 2021, July 14, 2021, and July 21, 2021, as presented. 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

No comments.

4. 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 & Updates on Coronavirus (COVID-19) / Discussion and appropriate action

Stephanie Elmore, Emergency Management Coordinator, presented an update on Coronavirus (COVID-19) and General Reports. EMC Elmore will resume daily posting of numbers of COVID cases on the County's Facebook page.

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

EMC Elmore presented the Order Prohibiting Outdoor Burning. Commissioner Ortega moved to approve the burn ban. Commissioner Pallanez seconded the motion; motion passed 5-0.

5. Elections Administrator

A. Discuss and consider Procurement of Proposal Package (Security Policies) with AT&T/ Discussion and appropriate action

Lora Nussbaum, Elections Administrator, presented the Procurement of Proposal Package with AT&T. Commissioner Ortega moved to proceed with the Procurement of Proposal Package. Judge Cano seconded the motion; motion passed 5-0.

B. Discuss and consider application and resolution for the 2020 Help America Vote Act (HAVA) Election Security Sub-Grant to Texas Counties / Discussion and appropriate action

Commissioner Ortega moved to approve the 2020 Help America Vote Act (HAVA) Election Security Sub-Grant to Texas Counties. Commissioner Pallanez seconded the motion; motion passed 5-0.

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

Rod Ponton, Attorneys At Law, presented an update on 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.

18. Consider Retaining Agreement with a Law Firm re Cause No. CV02299; Elizabeth Emery Fulcher Hill and Janie Marie Fulcher, Plaintiffs, v Unknown Executor or Administrator of the Estate of Bernardo Borrego, Deceased, Unknown Heirs of Bernardo Borrego, Deceased, Any and All Known or Unknown Owners or Claimants of an Interest, Right, or Title In: Section 303, Block G-4, G.C. & S.F. Ry, Co.

Survey (640 acres) in Brewster County Texas, and Brewster County, Texas, Defendants/ Discussion and appropriate action

Rod Ponton, Attorney At Law, presented a letter with his view on the history of the land in reference to Cause No. CV02299; Elizabeth Emery Fulcher Hill and Janie Marie Fulcher, Plaintiffs, v Unknown Executor or Administrator of the Estate of Bernardo Borrego, Deceased, Unknown Heirs of Bernardo Borrego, Deceased, Any and All Known or Unknown Owners or Claimants of an Interest, Right, or Title In: Section 303, Block G-4, G.C. & S.F. Ry, Co. Survey (640 acres) in Brewster County Texas, and Brewster County, Texas, Defendants.

6. Recognitions & Announcements / Update on Brewster County Historical Commission

Judge Cano presented an update on the Brewster County Historical Commission. Raymond Skyles will be holding a meeting to recruit new members for the Brewster County Historical Commission.

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 for the Road and Bridge Department and presented an Application for Utility Crossing County Roads on Mosley Loop in Precinct 4. Commissioner Ortega moved to approve the Application for Utility Crossing County Roads. Commissioner Pallanez seconded the motion; motion passed 5-0.

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

No action.

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. 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

Julie Morton, County Treasurer, requested the reports to be presented with the Budget Workshop.

B. Accept donations made in Memory of James Travis Roberts' name to the Brewster County Historical Commission in the total amount of \$150.00 / Discussion and appropriate action

Commissioner Ortega moved to accept the donations made in Memory of James Travis Roberts to the Brewster County Historical Commission in the total amount of \$150.00. Commissioner Colando seconded the motion; motion passed 5-0.

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

10. Brewster County Sub Depository Contract for Terlingua CSD / Designate by Order West Texas National Bank as Subdepository Bank for Terlingua CSD / Discussion and appropriate action

Commissioner Ortega moved to approve the Order Designating West Texas National Bank as Subdepository Bank for Terlingua CSD & County Funds. Commissioner Colando seconded the motion; motion passed 5-0.

11. Brewster County Auditor

A. General Bills / Discussion and appropriate action

Patty Roach, County Auditor, presented the general bills and walk-ins. Commissioner Ortega moved to approve the general bills as presented. Commissioner Pallanez seconded the motion; motion passed 5-0. Commissioner Ortega abstained from Pinnacle Propane.

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

Budget Amendments

Other Financial Reports as Requested by Commissioners

Line Item Transfers

Ms. Roach presented the Line Item Transfers. Commissioner Ortega moved to approve the line-item transfers as presented. Commissioner Pallanez seconded the motion; motion passed 5-0.

Ms. Roach presented the Budget Amendments.

Commissioner Ortega moved that the Brewster County Commissioners Court confirm the County Auditor's certification of HIDTA-ALPINE grant revenue and modify the Fiscal Year 2021 revenue and expenditure budgets in accordance with the attached budget amendment form. Commissioner Pallanez seconded the motion; motion passed 5-0.

Commissioner Ortega moved that the Brewster County Commissioners Court confirm the County Auditor's certification of HIDTA-LONESTAR grant revenue and modify the Fiscal Year 2021 revenue and expenditure budgets in accordance with the attached budget amendment form. Commissioner Pallanez seconded the motion; motion passed 5-0.

Commissioner Ortega moved that the Brewster County Commissioners Court confirm the County Auditor's certification of STONEGARDEN grant revenue and modify the Fiscal Year 2021 revenue and expenditure budgets in accordance with the attached budget amendment form. Commissioner Pallanez seconded the motion; motion passed 5-0.

Commissioner Ortega moved that the Brewster County Commissioners Court confirm the County Auditor's certification of MULTI-JURISDICTIONAL grant revenue and modify the Fiscal Year 2021 revenue and expenditure budgets in accordance with the attached budget amendment form. Commissioner Pallanez seconded the motion; motion passed 5-0.

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.

12. Officials' Monthly Reports

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

13. Sheriff's Office / 2022 Sheriffs' & Constables' Fees / Discussion and appropriate action

Commissioner Pallanez moved to approve the 2022 Sheriffs' & Constables' Fees as presented, noting that there are no changes from the previous year's fee schedule. Commissioner Ortega seconded the motion; motion passed 5-0.

14. 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)

Judge Cano presented the Brewster County Tourism Report on behalf of Robert Alvarez, Executive Director of Brewster County Tourism.

B. Approve letter of support to TXDOT regarding the addition of 'Visitor Information signs to the BCTC Big Bend Snapshot Roadside Exhibits / Discussion and appropriate action

Disregard.

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

No action.

16. Regional Public Defender's Office / FY2022/23 Interlocal Agreement between Lubbock County and Brewster County / Discussion and appropriate action

Commissioner Ortega moved to approve FY2022/23 Interlocal Agreement between Lubbock County and Brewster County. Commissioner Pallanez seconded the motion; motion passed 5-0.

17. Texas Department of Motor Vehicles Imposition of Optional Fees (Fiscal Year 2022) / Discussion and appropriate action

Commissioner Ortega moved to approve the Texas Department of Motor Vehicles Imposition of Optional Fees (Fiscal Year 2022) as presented, noting that there are no changes from the previous year's fee schedule. Commissioner Pallanez seconded the motion; motion passed 5-0.

RECESS at 12:00 Noon for lunch and reconvene at 1:00 P.M.

Court recessed at 11:20 AM.

Court reconvened at 12:37 PM.

19. FY 2022 Budget Workshop / Discussion concerning all aspects of County revenues/expenditures and upcoming financial needs for all county departments and other entities funded by the County / Scheduling issues related to adoption of Budget and setting Tax Rate

A. Review of Preliminary Budget Expenditures / Discussion only

Judge Cano and Treasurer Morton presented the Preliminary Budget Expenditures.

B. Review of Elected Salaries / Discussion only

Judge Cano and Treasurer Morton presented the proposed salaries for Elected Officials.

C. Discussion with action to propose FY 2021 Tax Rate / Discussion and appropriate action

Auditor Roach and Treasurer Morton presented the proposed FY2021 Tax Rate.

D. Approve Budget and Tax Rate Hearing Dates (August 25, 2021) / Discussion and appropriate action

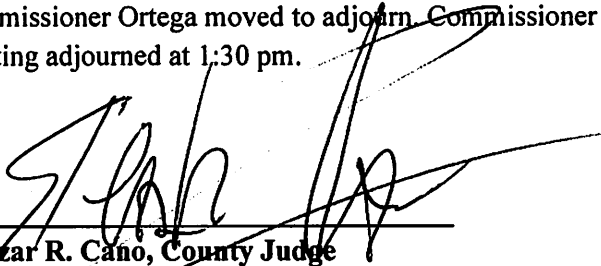
Sylvia Vega, County Tax Assessor / Collector, informed the court that there are still accounts under protest and that has delayed the Budget process as previously scheduled. No action.

20. Schedule next Regular Commissioners Court Meeting on August 11, 2021, at 9:30 A.M.

Judge Cano announced it may be necessary to hold a Special Commissioners Court Meeting on August 4, 2021, at 9:30 a.m., pending a review of the statutory Budget Calendar requirements. Judge Cano announced the next Regular Commissioners Court Meeting on August 11, 2021, at 9:30 a.m.

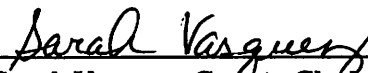
21. Adjourn

Commissioner Ortega moved to adjourn. Commissioner Pallanez seconded the motion; motion passed 5-0. Meeting adjourned at 1:30 pm.



Eleazar R. Cano, County Judge

ATTEST:



Sarah Vasquez, County Clerk