

**PUBLIC NOTICE**

**REGULAR MEETING OF THE BREWSTER COUNTY COMMISSIONERS COURT  
WEDNESDAY, MAY 26, 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 9:33 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.brewstercountytx.com](http://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**

No minutes.

**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. 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).

**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. Recommendation to Restrict Certain Fireworks Sales, prohibiting certain aerial fireworks in unincorporated areas of Brewster County under drought conditions / Discussion and appropriate action**

Commissioner Ortega moved to Restrict Certain Fireworks Sales. Commissioners Colando seconded the motion; motion passed 5-0.

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

Stephanie Elmore, Emergency Management Coordinator, updated possible locations for water tanks.

**6. Recognitions & Announcements**

Commissioner Ortega recognized all graduating students in the county.

**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**

Superintendent Causey questioned if possible to trade 1978 120G Blade for mechanic services. The County Auditor, Patty Roach, will research to see if possible. Commission Colando asked if Roadrunner Circle was on the list for improvements. Superintendent Causey has Roadrunner Circle and Rex Ivey to be repaved.

**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 Outdoor Lighting Ordinance / Discuss and consider suggested revisions, additions and deletions, along with exhibits from William Wren, M.Ed. Special Assistant to the Superintendent, the University of Texas at Austin, McDonald Observatory / Discussion and appropriate action**

William Wren, M.Ed. Special Assistant to the Superintendent, the University of Texas at Austin, McDonald Observatory, presented the Brewster County Outdoor Lighting Ordinance. Bob Krumenaker, US NPS, presented Dark Sky tourist statistics. Commissioner Colando moved to adopt the updated Brewster County Outdoor Lighting Ordinance as presented. Commissioner Westermann seconded the motion; motion passed 4-1 with Commissioner Ortega opposed.

**10. 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. Discuss and consider authorizing the County Treasurer to advertise for bids for a bank sub-depository for Terlingua CSD / Discussion and appropriate action**

Julie Morton, County Treasurer, requested approval to advertise for bids for a bank sub-depository for Terlingua CSD. Commissioner Ortega moved to approve the advertising for bids for a bank sub-depository for Terlingua CSD. 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.

Court recessed at 11:55 am.  
Court reconvened at 12:05 pm.

**11. Brewster County Auditor**

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

Paty Saenz, Assistant County Auditor, presented the general bills and walk-ins on behalf of Patty Roach, County Auditor. Commissioner Ortega moved to approve the general bills as presented, including walk-ins. 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:**

<b>Budget Amendments</b>	<b>Line Item Transfers</b>
<b>Other Financial Reports as Requested by Commissioners</b>	

Paty Saenz, Assistant County Auditor, presented on behalf of Patty Roach, County Auditor, the Line Item Transfers. Commissioner Ortega moved to approve the line item transfers. Commissioner Pallanez seconded the motion; motion passed 5-0.

Julie Morton, County Treasurer, presented the Budget Amendment for the HIDTA FY2021. Commissioner Ortega moved that the Brewster County Commissioners Court confirm the County

Auditor's certification of unanticipated revenue for the FY2021 HIDTA grant in the amount of \$82,672 and increase the Fiscal Year 2021 revenue and expenditure budgets in the same amounts in accordance with the attached budget amendment form. Commissioner Colando 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 Colando read the Officials' Monthly Report. Commissioner Ortega moved to approve the Officials' Monthly Report. Commissioner Pallanez seconded the motion; motion passed 5-0.

**13. 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 Brewster County Tourism, presented a general update report. Commissioner Colando presented public concerns on recommending trails during summer season and the State Park roads after rains.

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

No action.

**14. 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**

Judge Cano received a text message from Rod Ponton stating "We are working on a Summary Judgement to be filed. Update next Commissioners Court meeting."

**15. Schedule next Regular Commissioners Court Meeting on June 9, 2021, at 9:30 A.M.**

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

**16. Adjourn**

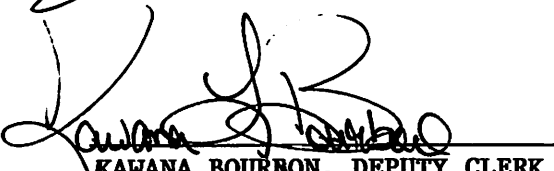
Commissioner Ortega moved to adjourn. Commissioner Pallanez seconded the motion; motion passed 5-0. Meeting adjourned at 12:34 pm.



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Eleazar R. Cano, County Judge

ATTEST:



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KAWANA BOURBON, DEPUTY CLERK