

PUBLIC NOTICE
REGULAR MEETING OF THE BREWSTER COUNTY COMMISSIONERS COURT
WEDNESDAY, SEPTEMBER 22, 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 9:39 a.m., the following Elected Officials were present:

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

Ruben Ortega, Commissioner Pct. 3, was absent. Sara Allen Colando, Commissioner Pct. 2, was participating virtually via Zoom.

Members of the public who are not able to participate in person, are encouraged to watch the meetings live online, at 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.

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 from September 8, 2021 with corrections. Commissioner Westermann 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

Wendy Little, Brewster County Tourism Council member, is present to show support to agenda item #5B.

Sarah Vasquez, County Clerk, announced Brewster County being selected to participate in the OCA UCMS, Office of Court Administration Uniform Case Management System, project. iDocket was awarded by OCA UCMS.

4. Recognitions & Announcements

A. Proclamation declaring October 2021 as National Breast Cancer Awareness Month/ Discussion and appropriate action

Judge Cano read into the record the Proclamation declaring October 2021 as National Breast Cancer Awareness Month. Commissioner Pallanez moved to approve October 2021 as National Breast Cancer Awareness Month. Commissioner Westermann seconded the motion; motion passed 4-0.

B. Proclamation recognizing October 2021 as Domestic Violence Awareness Month in Brewster County / Discussion and appropriate action

Judge Cano read into the record the Proclamation recognizing October 2021 as Domestic Violence Awareness Month. Commissioner Pallanez moved to approve October 2021 as Domestic Violence Awareness Month. Commissioner Westermann seconded the motion; motion passed 4-0.

C. Resolution recognizing October 1, 2021, as Remington Hilary Carrillo's Strong Day and her victory over Acute Lymphoblastic Leukemia / Discussion and appropriate action

Judge Cano read into the record the Resolution recognizing October 1, 2021 as Remington Hilary Carrillo's Strong Day. Commissioner Pallanez moved to approve October 2021 as Remington Hilary Carrillo's Strong Day. Commissioner Westermann seconded the motion; motion passed 4-0.

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

Stephanie Elmore, Emergency Management Coordinator, reported an update on Coronavirus, COVID-19. Local statistics up to date as of September 22, 2021: 21 active cases, 2 hospitalizations, and 19 fatalities. No testing dates are available at this time. Vaccination clinic will be hosted by Sul Ross State University at the UC 2nd floor on September 30, 2021, from 10 AM to 4 PM. EMC Elmore then presented a general report and announced the Burn Ban is still in effect. EMC Elmore recommended the public call Brewster County Sheriff's Office dispatch if they need to contact her about a prescribed burn during the burn ban. The phone numbers are posted on the Brewster County website.

B. Original Terlingua International Championship and CASI Chili Cook-offs / Update on Mass Gathering Permits for Chili Cook-offs / Discussion and appropriate action

1. Approve Order Granting Permit for Original Terlingua International Championship / Discussion and appropriate action

Commissioner Colando gave a briefing on the public meeting held on September 16, 2021, at 4 PM at South County Emergency Response Center. 32 members of the public were in attendance and expressed support to approve the chili cookoff permits. Commissioner Colando moved to approve the Order Granting Permit for the Original Terlingua International Championship. Commissioner Pallanez seconded the motion; motion passed 4-0.

2. Approve Order Granting Permit for CASI / Discussion and appropriate action

Commissioner Colando moved to approve the Order Granting Permit for CASI. Commissioner Pallanez seconded the motion; motion passed 4-0.

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

No action.

6. 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

Frenchie Causey, Road & Bridge Superintendent, reported on the department's recent activities.

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

Commissioner Colando announced the public's questions on creating driveways into the public roads. Commissioner Colando suggested a free driveway permit to be created.

7. 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.

8. Texas AgriLife Extension / Quarterly Report by Luke Hendryx County Extension Agent

Luke Hendryx, County Extension Agent, presented an update from May 2021 to present. Please reach out to Mr. Hendryx for questions about the ant infestation. Upcoming event on October 7, 2021, for a playday at the S.A.L.E Arena.

9. Brewster County Water Conservation District / Presentation by Summer Webb, General Manager / Update / Information only

Summer Webb, General Manager, presented an update on the Brewster County Water Conservation District. Ms. Webb addressed working as a whole with the Judge's office and Commissioners to resolve the well permitting questions and avoiding a water crisis in the future.

Court recessed at 11:16 am.

Court reconvened at 11:29 am.

10. Treasurer's Office

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| A. Financial Reports / Updates, discussion, review and appropriate action concerning the following: | |
| Combined Statement of Revenues & Expenses | Payroll Reports |
| Check Register | Receipt File Listings |
| Personnel/Overtime Reports | Cash Reports |
| Other Financial Report as Requested by Commissioners | Grants Reports |

No official monthly report, but a rough overview of the ending fiscal year.

B. 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.

11. FY 2022 Regional Solid Waste Management Allocation Program / Approval of application and resolution / Discussion and appropriate action

Julie Morton, County Treasurer, presented the renewal application and resolution for FY 2022 Regional Solid Waste Management Allocation Program. Commissioner Pallanez moved to approve the FY 2022 Regional Solid Waste Management Allocation Program. Commissioner Westermann seconded the motion; motion passed 4-0.

12. 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 Pallanez moved to approve the general bills and walk-ins. Commissioner Westermann seconded the motion; motion passed 4-0.

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

Ms. Saenz, Assistant County Auditor, presented a budget amendment. Judge Cano moved to approve the Brewster Commissioners Court confirming the County Auditor's certification of available funds and increasing the

Law Library fund budget in accordance with the attached budget amendment form.. Commissioner Westermann seconded the motion; motion passed 4-0.

Ms. Saenz, Assistant County Auditor, presented line item transfers. Commissioner Pallanez moved to approve the line item transfers as presented. Commissioner Westermann 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. Officials' Monthly Reports

Commissioner Pallanez read the Officials' Monthly Report. Commissioner Westermann moved to approve the report as read. Commissioner Westermann seconded the motion; motion passed 4-0.

14. Brewster County Clerk / Discuss and approve renewal contract from 2022 to 2027, with KoFile Technologies, now known as GovOS / Discussion and action

Sarah Vasquez, County Clerk, presented the renewal contract from 2022 to 2027, with KoFile Technologies, now known as GovOS. Commissioner Pallanez moved to approve Records Management System License, Subscription and Service Agreement for option 2. Commissioner Westermann seconded the motion; motion passed 4-0.

15. Sunshine House / Reaffirm and approve the County Judge's signature on the Resolution authorizing the County Grant for the Sunshine House to apply for additional funds through the Texas Department of Agriculture Texans Feeding Texas: Home Delivered Meal grant Program / Discussion and appropriate action

Keri van Zeyst, Assistant Executive Director of the Sunshine House, presented the Resolution Authorizing the County Grant.

16. Approve FY 2022 Contracts for Service with local Non-Profit Entities & Cleaning Contracts for Service for County Facilities / Discussion and appropriate action

Judge Cano suggested to table Agenda Item #16 to itemize all contracts with clarification. Commissioner Westermann moved to table Agenda item #16. Commissioner Pallanez seconded the motion; motion passed 4-0.

17. PermiaCare for Mental Health Services Provider Agreement to Mental Health Deputy Services
A. Review of Proposed Contract

B. Discussion and appropriate action regarding renewal of contract

Commissioner Pallanez moved to approve the PermiaCare for Mental Health Services Provider Agreement to Mental Health Deputy Services. Commissioner Westermann seconded the motion; motion passed 4-0.

19. Update/Retainer Agreement with Law Firm Big Bend Law, Rod Ponton, Attorney 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 presented an update on behalf of Rod Ponton, Attorney At Law, in 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. Mr. Ponton asked the opposing counsel to acknowledge Brewster County's claim on the land.

20. Update / Retainer Agreement with Law Firm Big Bend Law, Kod Ponton, Attorney at Law, in 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

Judge Cano presented an update on behalf of Rod Ponton, Attorney At Law, in 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. Mr. Ponton asked the opposing counsel to acknowledge Brewster County's claim on the roads. Judge Cano restated that the case needs to be filed in the correct court.

18. 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)

Kim Baeza, County Judge's Assistant, presented the report from Robert Alvarez, Executive Director, on his behalf for Brewster County Tourism.

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

No action.

22. FY 2022 Brewster County Commissioners Court Meeting Schedule from October 1, 2021 to September 30, 2022 / Discussion and appropriate action to set schedule for FY 2022

Judge Cano presented the FY 2022 Brewster County Commissioners Court Meeting Schedule from October 1, 2021, to September 30, 2022. Commissioner Pallanez moved to approve the proposed Commissioners Court Meeting Schedule, with meetings to be held every second and fourth Tuesday of each month at 9:30 AM. Commissioner Westermann seconded the motion; motion passed 4-0.

21. Holiday Schedule for 2021 – 2022 (Fiscal Year - October 1, 2021 – September 30, 2022) / Discussion and appropriate action to adopt Holiday Schedule

Judge Cano presented the Holiday Schedule for 2021-2022 (Fiscal Year - October 1, 2021-September 30, 2022). Julie Morton, County Treasurer, pointed out the holiday pay for the jailers and deputies will be working on holidays not designated as County Holidays. Ms. Morton suggested adding the following Mondays, December 27, 2021 and January 3, 2022. Commissioner Westermann moved to approve the Holiday Schedule with the additional days, December 27, 2021, and January 3, 2022. Commissioner Pallanez seconded the motion; motion passed 4-0.

23. Scheduled Regular Commissioners Court Meeting in October 2021, as approved on item 19 above and discuss having Special Meetings in S. Brewster County and Marathon before the end of the year / Discussion and appropriate action

Judge Cano announced the next Scheduled Regular Commissioners Court Meeting on October 12, 2021, at 9:30 AM, as approved on item 21.

Judge Cano announced the Special Meetings in South Brewster County and Marathon will be scheduled at the next meeting.

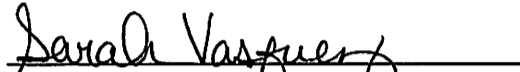
24. Adjourn

Commissioner Pallanez moved to adjourn. Commissioner Westermann seconded the motion; motion passed 4-0. Meeting adjourned at 1:13 PM.



Eleazar R. Cano, County Judge

ATTEST:



Sarah Vasquez, County Clerk