

**PUBLIC NOTICE**  
**REGULAR MEETING OF THE BREWSTER COUNTY COMMISSIONERS COURT**  
**TUESDAY, OCTOBER 12, 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
Mike "Coach" Pallanez	Commissioner Pct. 4
Sarah Vasquez	County Clerk

Jim Westermann, Commissioner Pct. 1, and Ruben Ortega, Commissioner Pct. 3, were absent to attend the 99th Annual County Judges and Commissioners Association of Texas Conference in Round Rock, TX.

**Members of the public who are not able to participate in person, are encouraged to watch the meeting live online, at [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. 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 October 12, 2021: 44 active cases, 1 hospitalization, and 19 fatalities. EMC Elmore requested the court adopt an Order Prohibiting Outdoor Burning (Burn Ban) for 45 days. Commissioner Pallanez moved to approve the Order as presented. Commissioner Colando seconded the motion; motion passed 3-0.

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

**3. Minutes / additions / corrections / approval**

Commissioner Pallanez moved to approve the minutes from September 22, 2021, September 30, 2021, and October 7, 2021. Commissioner Colando seconded the motion; motion passed 3-0.

**4. 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**

Jack Simpson asked the Commissioners' Court to consider the crucial need for a hospice facility.

**5. Recognitions & Announcements**

Judge Cano announced that he'd received notification from Luke Hendryx, Ag Extension Agent, that Brewster County has been awarded a grant related to managing feral hogs.

Judge Cano also announced that J.D. Newsom has submitted the application for USDA Emergency Rural Health Care Grant.

Commissioner Pallanez announced that the Far West Texas County Judges and Commissioners Association is considering moving the date of their annual conference in Terlingua from September to October. He asks that the County support their decision.

Commissioner Colando announced the Ken & Joe May Barnes Memorial Scholarship Fundraiser will be held on November 13, 2021 at the Terlingua Ghost Town horseshoe pits. All proceeds from the event will go to the Big Bend Education Corporation for Terlingua School Graduates.

## **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**

Superintendent Causey presented the Road & Bridge Department's general report.

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

No action.

## **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.

## **9. Presentation of Brewster County Emergency Services District #1 Annual Financial Report**

Sharon Clark, PhD, President of Brewster County Emergency Services District #1, and Jeanette Hall, Secretary/Treasurer of Brewster County Emergency Services District #1, presented the Brewster County Emergency Services District #1 Annual Financial Report.

## **10. Elections Administrator / Proposed Election Judges and Alternates/ Discussion and appropriate action**

Monica McBride, Republican Chair, and Mary Bell Lockhart, Democrat Chair, presented an updated list of Election Judges and Alternates. Commissioner Pallanez moved to approve the list as presented. Commissioner Colando seconded the motion; motion passed 3-0.

## **8. Brewster County Sheriff's Office / Review and approve Genesis eBonds Licensing and Service Provider Agreement / Discussion and appropriate action**

Sheriff Ronny Dodson presented the Genesis eBonds Licensing & Service Provider Agreement. Commissioner Colando moved to approve the agreement as presented. Commissioner Pallanez seconded the motion; motion passed 3-0.

## **11. Treasurer's Office**

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

**Combined Statement of Revenues & Expenses**

**Check Register**

**Payroll Reports**

**Receipt File Listings**



No report.

**B. Review and approve FY 2022 Brewster County Application & Resolution for Indigent Defense Grant / Discussion and appropriate action**

Julie Morton, County Treasurer, presented the FY 2022 Brewster County Application & Resolution for Indigent Defense Grant. Commissioner Pallanez moved to approve the application and resolution as presented. Commissioner Colando seconded the motion; motion passed 3-0.

**C. Review and approve FY 2022 Operation Lone Star Grant Application & Resolution / Discussion and appropriate action**

Treasurer Morton presented the FY 2022 Operation Lone Star Grant Application & Resolution. Commissioner Pallanez moved to approve the application and resolution as presented. Commissioner Colando seconded the motion; motion passed 3-0.

**D. 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. Discuss, consider, and adopt resolution designating an administration/project delivery service provider to complete project implementation for the American Rescue Plan Act (ARP Act) funding administered by the US Department of the Treasury, other Federal or State agency / Discussion and appropriate action**

Treasurer Morton presented the bids received in office for an administration/project delivery service provider to complete project implementation for the American Rescue Plan Act (ARP Act) funding. Jerry Carvajal, representative from GrantWorks Inc, presented their bid. Commissioner Pallanez moved to table this agenda item. Commissioner Colando seconded the motion; motion passed 3-0.

**13. Discuss and consider allocating the TAC HEBP surplus distribution funds for the Brewster County Wellness Center / Discussion and appropriate action**

Treasurer Morton proposed that the Court establish a budget to create a wellness center at the Brewster County Sunny Glen Cooperative Building, using the TAC HEBP surplus distribution funds of \$75,019.60 received over the last three years. Commissioner Colando moved to table the agenda item. Commissioner Pallanez seconded the motion; motion passed 3-0.

**14. FY2022 Agreement for Services / Approve agreements with Big Bend Chamber of Commerce and Marathon Chamber of Commerce for Tourism Promotion Services / Discussion and appropriate action**

Treasurer Morton presented the agreements with Big Bend Chamber of Commerce and Marathon Chamber of Commerce for tourism promotion services. Commissioner Colando moved to approve the agreements as presented. Commissioner Pallanez seconded the motion; motion passed 3-0.

**15. Tax Collection Agreements for other Governmental Entities / Discussion of Tax Collection Agreements on behalf of Brewster County and other taxing entities throughout the county (Alpine ISD, Terlingua CSD, San Vicente ISD, Marathon ISD, Big Bend Regional Hospital District, City of Alpine) / Discussion and appropriate action**

Judge Cano presented the Tax Collection Agreements for other governmental entities. Commissioner Colando moved to approve the Tax Collection Agreements as presented. Commissioner Pallanez seconded the motion; motion passed 3-0.

**16. Approve FY 2022 Contracts for Service with local Non-Profit entities (Alpine Public Library, Inc., Marathon Public Library, Big Bend Library (BBL), The Family Crisis Center of the Big Bend, Inc., Sunshine House, Inc., Frontier CASA, Inc., Elm Grove Cemetery, Holy Angels Cemetery, Marathon**

**Mexican American Cemetery, Marathon Cemetery, The Big Bend Amateur Softball Association, Big Bend Little League)**

Judge Cano presented the FY2022 contracts for service with local nonprofit entities. Commissioner Colando moved to approve FY2022 Contracts for service with local nonprofit entities as presented. Commissioner Pallanez seconded the motion; motion passed 3-0. Commissioner Pallanez abstained from the Holy Angels Cemetery contract.

**17. Contracts for cleaning/maintenance services for County Facilities / Approval to renew yearly contracts for (South Brewster Emergency Response Center and J.W. "Red" Pattillo Community Center) and (Marathon Justice Center and Post Park) / Discussion and appropriate action**

Commissioner Colando moved to approve the Contracts for cleaning/maintenance services with the noted corrections. Commissioner Pallanez seconded the motion; motion passed 3-0.

**18. Brewster County Auditor**

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

Paty Saenz, Assistant Auditor, presented the general bills and no walk-ins on behalf of Patty Roach, County Auditor. Commissioner Pallanez moved to approve the October 12, 2021, general bills. Commissioner Colando seconded the motion; motion passed 3-0.

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

**Budget Amendments**

**Line Item Transfers**

**Other Financial Reports as Requested by Commissioners**

Assistant Auditor Saenz presented line item transfers on behalf of Auditor Roach. Commissioner Pallanez moved to approve line item transfers as presented. Commissioner Colando seconded the motion; motion passed 3-0.

**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.

**19. Officials' Monthly Reports**

Commissioner Colando read the Officials' Monthly Reports. Commissioner Pallanez moved to approve the report as read. Commissioner Colando seconded the motion; motion passed 3-0.

**20. Brewster County Central Appraisal District / Personnel Matters / County Affiliated Appointed Boards / Expired terms, vacancies, and pending vacancies / Discussion and appropriate action concerning filling expired terms and vacancies (Central Appraisal District Board)**

**A. Executive Session Pursuant to Section §551.074, Government Code, VTCA, to discuss the appointment, employment, evaluation, reassignment, duties, compensation, or dismissal of a public officer or employee**

**Reconvene in Open Session**

**B. Discussion and appropriate action resulting from Executive Session, to fill vacancy on Central Appraisal District Board**

Commissioner Colando moved to table Item 20 until the next regular meeting. Commissioner Pallanez seconded the motion; motion passed 3-0.

Court recessed at 12:04 PM

Court reconvened at 12:17 PM

**22. County Clerk to sign agreement for participation for early adopter for UCMS, Uniform Case Management System / Discussion and appropriate action**



Sarah Vasquez, County Clerk, introduced Amelia Balderrama, president of iDocket. Ms. Balerrama presented the agreement for participation as an early adopter in the Uniform Case Management System (UCMS). Commissioner Colando moved to approve the participation agreement. Commissioner Pallanez seconded the motion; motion passed 3-0.

**21. 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)**

No report; Robert Alvarez is out of town on official business.

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

**23. 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**

No update received from Mr. Ponton.

**24. Update / Retainer Agreement with Law Firm Big Bend Law, Rod 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**

No update received from Mr. Ponton.

**25. Discuss possible dates for Special Meetings in October for South Brewster County and Marathon / Discussion and appropriate action**

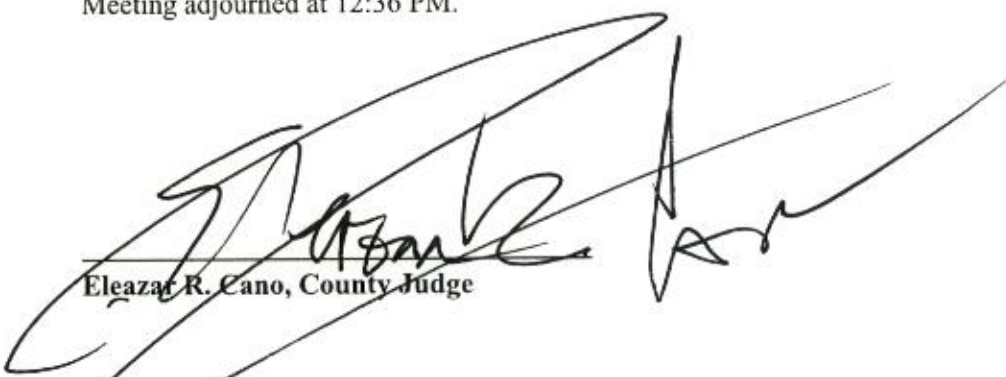
Judge Cano announced the Special Meeting in South Brewster County on November 30, 2021, at 9:30 AM. Judge Cano announced the Special Meeting in Marathon on January 18, 2021, at 9:30 AM.

**26. Scheduled Regular Commissioners Court Meeting on October 26, 2021, at 9:30 A.M.**

Judge Cano announced the next Regular Commissioners Court Meeting on October 26, 2021, at 9:30 A.M.

**27. Adjourn**

Commissioner Pallanez moved to adjourn. Commissioner Colando seconded the motion; motion passed 3-0. Meeting adjourned at 12:36 PM.

  
Eleazar R. Cano, County Judge

ATTEST:

  
Sarah Vasquez, County Clerk