**PUBLIC NOTICE**

**MEETING OF THE BREWSTER COUNTY COMMISSIONERS COURT**

**TUESDAY, MARCH 22, 2022, 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 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

**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. 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. Commissioner Westermann led the Pledge of Allegiance to the Texas Flag.

**2. Minutes / additions / corrections / approval**

Commissioner Ortega moved to approve the March 15, 2022 meeting minutes. Commissioner Pallanez 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.**

Kim Keith, resident of Pct. 1, commented in support of moving the location of the polling place for Pct. 1.

Richard Keith, resident of Pct. 1, commented in support of moving the location of the polling place for Pct. 1

**18. Election**

**A. Approve Order of Special Election for May 7, 2022 / Discussion and appropriate action**

Lora Nussbaum, Elections Administrator, presented the Order of Special Election. Ms. Nussbaum advised she will be posting in the newspaper and radio. Commissioner Ortega moved to approve the Order of Special Election for May 7, 2022. Commissioner Pallanez seconded the motion; motion passed 5-0.

**B. Approve Notice of Special Election for May 7, 2022 / Discussion and appropriate action**

Ms. Nussbaum presented a Notice of Special Election. Commissioner Ortega moved to approve the Notice of Special Election for May 7, 2022. Commissioner Pallanez seconded the motion; motion passed 5-0.

**C. Approval to move Precinct 1 from the Brewster County Sunny Glen Cooperative Building 2201 W Hwy 90 to the Fellowship Hall of First Assembly of God 1802 Ft. Davis Hwy / Discussion and appropriate action**

Ms. Nussbaum requested approval to change the polling place for Pct. 1 from the Brewster County Sunny Glen Cooperative Building at 2201 W. Hwy 90, to the Fellowship Hall of First Assembly of God at 1802 Ft. Davis Hwy. Ms. Nussbaum stated the change would not take effect until the general election in November. Commissioner Ortega moved to approve changing the polling place in accordance with the recommendations of the Elections Administrator. Commissioner Pallanez seconded the motion. Mary Bell Lockhart, Democratic Chair, asked the Commissioners Court for a delay in this particular item, due to the possible confusion for the public in the middle of election season. Motion passed 4-1.

**4. Recognitions & Announcements**

**Brewster County has selected an emergency service provider**

Stephanie Elmore, Emergency Management Coordinator, announced the selection of Emergent as EMS provider for northern Brewster County.

Commissioner Colando announced the annual Chihuahua races in Terlingua Ghost Town on March 26, 2022, a charity fundraiser for the Family Crisis Center of the Big Bend.

Commissioner Pallanez recognized AEP and the Alpine Fire Department for their quick response to the recent fire at the Holy Angels cemetery.

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

EMC Elmore reported that she will not approve any burn bans until the high winds die down. Current Covid19 statistics: 267 probable cases and 28 fatalities.

**6. Road & Bridge Department**

**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**

Commissioner Ortega presented the Road and Bridge Department report on behalf of Superintendent Frenchie Causey.

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

**7. Community Facilities Report**

**A. General Report**

Judge Cano presented the Community Facilities Report on behalf of Johnny Valencia. Kimberly Baeza, Executive Assistant to the County Judge, updated the court of the ongoing heat and air issues in the District Courtroom.

**8. Treasurer's Office**

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

**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 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**

Treasurer Julie Morton announced that AFLAC representatives are located in the Law Library this week, March 21-25, 2022. New York Life will be visiting as well in the weeks to come.

Allan Bristol, TAC representative, presented an update on the American Rescue Plan Act (ARPA) final rule.

**9. Discussion and appropriate action to grant an exception to the County's travel policy regarding meal reimbursements**

Patty Roach, County Auditor, presented a request for an exception to the County’s travel policy. Commissioner Ortega moved to approve a one-time exception and reimbursement. Judge Cano seconded the motion; motion passed 5-0.

**10. Brewster County Auditor**

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

**Budget Amendments Line Item Transfers**

**Other Financial Reports as Requested by Commissioners**

Auditor Roach presented the general bills. 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.

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

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

Judge Cano asked for an update on the presentation of the 2019 Audit, which is scheduled for April. Treasurer Morton will contact the external auditor for an official update.

**11. 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, presented a general report on the Brewster County Tourism department.

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

Mr. Alvarez presented the Texas Department of Agriculture GO TEXAN Pavilion contract. Commissioner Ortega moved to approve the contract as presented. Commissioner Westermann seconded the motion; motion passed 5-0.

**Court recessed at 11:26 a.m.**

**Court reconvened at 11:37 a.m.**

**12. Texas A&M AgriLife Extension Agent/ Activity Report/ Discussion Only**

Luke Hendryx, Texas A&M AgriLife Extension Agent, presented a full activity report.

**13. State -Mandated Cybersecurity Course for 2022 /Approve enrolling County Employees to the Texas Association of Counties (TAC) for free course / Discussion and appropriate action**

Deputy David Miller, Courthouse Security, requested the Commissioners Court approve enrolling county employees in the free TAC cybersecurity course for 2022. There is a deadline after approval in Commissioners Court. Commissioner Colando moved to approve the enrollment of County Employees. Commissioner Ortega seconded the motion; motion passed 5-0.

**14. Discussion and appropriate action to accept property donation / property ID number 18941**

Commissioner Colando presented an update on the property donation. Commissioner Colando moved to table agenda item # 14. Commissioner Westermann seconded the motion; motion passed 5-0.

**15. Discussion and appropriate action for Plat subdivision/ Larrew Subdivision of a called 11.985 acres, approval for Lot l & 2 Block 1**

Ronald Wimberley, professional surveyor, presented the preliminary plat of Larrew Subdivision and plat application for approval. Commissioner Colando moved to approve Larrew Subdivision preliminary plat and application as presented, and to treat it as a Type 2 subdivision. Commissioner Ortega seconded the motion; motion passed 5-0.

**16. City of Alpine -Recycling Center**

**A. Discuss and consider action to renew the Hal Flanders Recycle Center Interlocal Agreement**

Megan Antrim, City Manager for the City of Alpine, presented the renewal of the Hal Flanders Recycling Center Interlocal Agreement. Commissioner Colando moved to approve the agreement as presented. Commissioner Ortega seconded the motion; motion passed 5-0.

**17. Discussion and appropriate action to approve Big Bend Area Sexual Assault Response Team (SART) and current member representatives**

Gina Wilcox, Program Coordinator, and Virginia Sandival, Family Crisis Center officer, presented and briefed the court on Senate Bill 476. The following members recommended for approval include April Cavness, Ryan Skelton, Darrell Losoya, Yvette Robinson, Ori White, and Marisol Skelton. Commissioner Ortega moved to approve the members as presented. Commissioner Colando seconded the motion; motion passed 5-0.

**19. Water District Board / Board of Directors to Appoint member replacement / Discussion and appropriate action**

Joan Johnson, Brewster County Groundwater Conservation District, presented Mr. Colton Foster as her recommended candidate for the BCGCD Board of Directors and Mr. Foster introduced himself to the Court.

**A. Executive Session Pursuant to Section 8 551.074, Government Code, VTCA, to discuss the appointment, employment, evaluation, reassignment, duties, compensation, or dismissal of a public officer or employee**

**Court in Executive Session at 12:46 p.m.**

**Reconvene in Open Session 12:53 p.m.**

**B. Discussion and appropriate action resulting from Executive Session**

Commissioner Ortega moved to appoint Colton Foster to the Board of Directors for the Brewster County Groundwater Conservation District. Commissioner Pallanez seconded the motion; motion passed 5-0.

**20. Officials' Monthly Reports**

Commissioner Ortega read the Officials’ Monthly Reports. Commissioner Ortega moved to approve as read. Commissioner Pallanez seconded the motion; motion passed 5-0.

**21. Scheduled Regular Commissioners Court Meeting on April 12, 2022 at 9:30A.M.**

Judge Cano announced the next Regular Commissioners Court meeting on April 12, 2022, at 9:30 A.M.

**22. Adjourn**

Commissioner Ortega moved to adjourn. Commissioner Pallanez seconded the motion; motion passed 5-0. Meeting

adjourned at 12:58 p.m.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Eleazar R. Cano, County Judge**

**ATTEST:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Sarah Vasquez, County Clerk**