


**REGULAR COMMISSIONERS COURT MEETING**  
**January 17, 2017**  
**9:00 A.M.**  
**2<sup>ND</sup> FLOOR COURTROOM**  
**BROOKS COUNTY COURTHOUSE**

BE IT REMEMBERED, that on this day, the Honorable Commissioners' Court of Brooks County, Texas met in Regular Term therein the City of Falfurrias in the 2nd floor Courtroom of the Brooks County Courthouse:

**OPEN MEETING**-Judge Imelda Barrera called the meeting to order at 9:00 A.M. 

**PLEDGE OF ALLEGANCE** -was led by County Judge Imelda Barrera

**ROLL CALL** – Judge Imelda Barrera called for roll call:

**Present:** Imelda Barrera, County Judge,  
Gloria Garza, Commissioner Precinct 1,  
Vincent Vargas, Commissioner Precinct 2,  
Armando Olivarez, Commissioner Precinct 3,  
Jose Antonio "Tony" Martinez, Commissioner Precinct 4,  
Elvaray B. Silvas, County Clerk (Not voting).

**Staff Present:**

Missy A. Saavedra, Deputy County Clerk  
Chaya Garza, Administrative Assistant

**Others Present:**

August Patroelj, County Auditor  
Rodney Belasquez-Internal Auditor

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**1. PUBLIC COMMENT** 

There were no public comments at this time.

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**PRESENTATIONS**

**2. Celia Salinas, 2<sup>nd</sup> Annual Wings of Wellness, 5K Run.** 

**Eduardo Estrada-Private Citizen.**

**View Audio for all comments on presentations.**

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**REGULAR AGENDA**

**10. Discuss Precinct 3 Property owned by Jose Hinojosa.** 

Joe Hinojosa and Hector Castaneda LNV addressed the Court on the above matter.

Discussed property on County Road 301-drainage project, repairs not being done correctly and wants for the County to fix the problem on the culverts. Hector Castaneda, LNV stated, "That he will talk to the contractors on getting it fixed."

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**11. Discuss, Consider, and Possibly act on awarding construction contract to rehabilitate wastewater lift stations for TxCDBG #7215075.** 

Hector Castaneda, LNV Engineering addressed the Court on the above matter.

**Motion:** to award the contract to ADK Environmental, Inc, with a bid of \$94,156.00, **Action:** Approve, **Moved by** Gloria Garza, Commissioner Precinct 1, **Seconded by** Armando Olivarez, Commissioner Precinct 3. Motion passed unanimously. **(On file)**

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yay = 5).

**Yay:** Armando Olivarez, Commissioner Precinct 3, Gloria Garza, Commissioner Precinct 1, Imelda Barrera, County Judge, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

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**4. Approve of Bills and Claims.** 

August Patroelj, County Auditor addressed the Court on the above matter.

**Motion:** to approve the bills and claims as presented, **Action:** Approve, **Moved by** Vincent Vargas, Commissioner Precinct 2, **Seconded by** Gloria Garza, Commissioner Precinct 1. Motion passed unanimously. **(On file)**

**Vote:** Motion carried by unanimous roll call vote (summary: Yay = 5).

**Yay:** Armando Olivarez, Commissioner Precinct 3, Gloria Garza, Commissioner Precinct 1, Imelda Barrera, County Judge, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.


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**5. Approve Treasurer's Monthly Report.** 

Horacio Villarreal III, County Treasurer addressed the Court on the above matter.

**Motion:** to approve the monthly report for the month of December 2016 with a total of \$492,280.94 monies collected, **Action:** Approve, **Moved by** Gloria Garza, Commissioner Precinct 1, **Seconded by** Vincent Vargas, Commissioner Precinct 2. Motion passed unanimously. **(On file)**

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yay = 5).

**Yay:** Armando Olivarez, Commissioner Precinct 3, Gloria Garza, Commissioner Precinct 1, Imelda Barrera, County Judge, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

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**6. Approve Auditor's Monthly Report.** 

August Patroelj, County Auditor addressed the Court on the above matter.

**Motion:** to approve the monthly report for the month of December 2016, **Action:** Approve, **Moved by** Vincent Vargas, Commissioner Precinct 2, **Seconded by** Gloria Garza, Commissioner Precinct 1. Motion passed unanimously. **(On file)**

**Vote:** Motion carried by unanimous roll call vote (summary: Yay = 5).

**Yay:** Armando Olivarez, Commissioner Precinct 3, Gloria Garza, Commissioner Precinct 1, Imelda Barrera, County Judge, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

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**7. Approve County Foreman's Monthly Report.** 

No action taken.

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**8. Approve Tax Assessor Collector Chief Deputy Monthly Report.** 


Teresa A. Silvas, Chief Deputy Tax Assessor Collector addressed the Court on the above matter.

**Motion:** to approve the monthly report for the month of December with a total county remittance of \$326,692.41 and with total percent collected of 65.94 %, **Action:** Approve, **Moved** by Gloria Garza, Commissioner Precinct 1, **Seconded** by Vincent Vargas, Commissioner Precinct 2. Motion passed unanimously. **(On file)**

**Vote:** Motion carried by unanimous roll call vote (summary: Yay = 5).

**Yay:** Armando Olivarez, Commissioner Precinct 3, Gloria Garza, Commissioner Precinct 1, Imelda Barrera, County Judge, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

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**9. Approve Monthly Reports by Brooks County pursuant to Section 114.044, Local Government Code Texas. (Submitted by Brooks County Justice of the Peace Precinct 1-4)(Submitted by Brooks County Library, Angelica Regalado)(Submitted by Traffic Code Enforcement Supervisor Noel Benavides).** 

**Motion:** to approve the monthly reports as presented, **Action:** Approve, **Moved** by Jose Antonio "Tony" Martinez, Commissioner Precinct 4, **Seconded** by Gloria Garza, Commissioner Precinct 1. Motion passed unanimously. **(On file)**

**Vote:** Motion carried by unanimous roll call vote (summary: Yay = 5).

**Yay:** Armando Olivarez, Commissioner Precinct 3, Gloria Garza, Commissioner Precinct 1, Imelda Barrera, County Judge, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

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**13. Discuss and Approve for TxDot to use leftover salvage material to repair bridge by (North Williams Street).** 

**Motion:** to approve, **Action:** Approve, **Moved** by Gloria Garza, Commissioner Precinct 1, **Seconded** by Vincent Vargas, Commissioner Precinct 2. Motion passed unanimously.

**Vote:** Motion carried by unanimous roll call vote (summary: Yay = 5).

**Yay:** Armando Olivarez, Commissioner Precinct 3, Gloria Garza, Commissioner Precinct 1, Imelda Barrera, County Judge, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

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**14. Discuss and Approve Proclamation honoring Sheriff Rey Rodriguez's retirement.** 


Sheriff Benny Martinez addressed the Court on the above matter.

It was stated that this was just to formalize Sheriff Rodriguez's retirement and to retire his badge number.


**Motion:** to approve Proclamation, **Action:** Approve, **Moved** by Gloria Garza, Commissioner Precinct 1, **Seconded** by Jose Antonio "Tony" Martinez, Commissioner Precinct 4. Motion passed unanimously.

**Vote:** Motion carried by unanimous roll call vote (summary: Yay = 5).

**Yay:** Armando Olivarez, Commissioner Precinct 3, Gloria Garza, Commissioner Precinct 1, Imelda Barrera, County Judge, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

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**24. Discuss and Approve the possible action on the approval on the Code Enforcement Officers being under the direction of the Brooks County Sheriff's Department.** 

No action taken.

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**16. Discuss and Approve, David Ramirez "Los Vaqueros" to use Brooks County Annex as a rest stop on Wednesday, February 15, 2017.** 

**Motion:** to approve, **Action:** Approve, **Moved by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4, **Seconded by** Gloria Garza, Commissioner Precinct 1. Motion passed unanimously.

**Vote:** Motion carried by unanimous roll call vote (summary: Yay = 5).


**Yay:** Armando Olivarez, Commissioner Precinct 3, Gloria Garza, Commissioner Precinct 1, Imelda Barrera, County Judge, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

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**15. Discuss the "New Agreement" for DPS Weigh Station, (New Agreement replaces the Old Agreement).** 


**Motion:** to approve new agreement, **Action:** Approve, **Moved by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4, **Seconded by** Gloria Garza, Commissioner Precinct 1. Motion passed unanimously. **(On file)**

**Vote:** Motion carried by unanimous roll call vote (summary: Yay = 5).

**Yay:** Armando Olivarez, Commissioner Precinct 3, Gloria Garza, Commissioner Precinct 1, Imelda Barrera, County Judge, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

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**17. Discuss, Consider, and Approve EMC Strategy Group, LLC (County & City to enter in a Multit-Agency jointly contracting EMC Strategy Group).** 


No action taken.

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**18. Discuss and Approve line item transfer of \$ 1,000.00 from 013-05-0000-5826 Road & Repairs Maint. & Supplies to 013-5-0000-5554 Comm. #3 Out of County Travel.** 

**Motion:** to approve line item transfer, **Action:** Approve, **Moved by** Gloria Garza, Commissioner Precinct 1, **Seconded by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4. Motion passed unanimously. **(On file)**

**Vote:** Motion carried by unanimous roll call vote (summary: Yay = 5).


**Yay:** Armando Olivarez, Commissioner Precinct 3, Gloria Garza, Commissioner Precinct 1, Imelda Barrera, County Judge, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

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**19. Discuss and Approve certificates for County Officials who attended the District 12 Continuing Education Conference in Laredo on December 8, 2016.** 

Celia Salinas, Ag. Ext. addressed the Court on the above matter.

Presentation only, no action taken.

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**21. Discuss and Approve (BCFA) to use the Entire Fairgrounds, for County Fair & Carnival. (February 30, 2017-March 5, 2017).** 

Arnold Mireles, BCFA President addressed the Court on the above matter.

**Motion:** to use the facilities from February 27th through March 5th, **Action:** Approve, **Moved by** Vincent Vargas, Commissioner Precinct 2, **Seconded by** Gloria Garza, Commissioner Precinct 1. Motion passed unanimously.

**Vote:** Motion carried by unanimous roll call vote (summary: Yay = 5).


**Yay:** Armando Olivarez, Commissioner Precinct 3, Gloria Garza, Commissioner Precinct 1, Imelda Barrera, County Judge, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

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**22. Discuss and Approve lift of Beer Banned (March 2-March 4, 2017).**

**Motion:** to lift alcohol ban, **Action:** Approve, **Moved by** Vincent Vargas, Commissioner Precinct 2, **Seconded by** Gloria Garza, Commissioner Precinct 1. Motion passed unanimously.

**Vote:** Motion carried by unanimous roll call vote (summary: Yay = 5).

**Yay:** Armando Olivarez, Commissioner Precinct 3, Gloria Garza, Commissioner Precinct 1, Imelda Barrera, County Judge, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

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**20. Discuss, Consider, and Approve to continue subcontracting with CACOST for DSHS Potentially Preventable Hospitalization (PPH) Program for upcoming program year; September 1, 2017-August 31, 2019 or, to seek other subcontractors. (Kookie PPH)** 


Kookie Gutierrez, CACOST addressed the Court on the above matter

Mrs. Gutierrez stated that DSHS is cutting back with a 3% cut and need to reapply just in case there is still funding available.

**Motion:** to approve continuation, **Action:** Approve, **Moved by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4, **Seconded by** Gloria Garza, Commissioner Precinct 1. Motion passed unanimously.

**Vote:** Motion carried by unanimous roll call vote (summary: Yay = 5).

**Yay:** Armando Olivarez, Commissioner Precinct 3, Gloria Garza, Commissioner Precinct 1, Imelda Barrera, County Judge, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

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**23. Discuss and Approve to Import Files from COMPU-DATA to Docket Entry in CV3. (Amount \$2,405.00).** 

Noe Guerra Jr, District Clerk, August Patroelj, County Auditor addressed the Court on the above matter.

**Motion:** to approve, **Action:** Approve, **Moved by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4, **Seconded by** Gloria Garza, Commissioner Precinct 1. Motion passed unanimously.

**Vote:** Motion carried by unanimous roll call vote (summary: Yay = 5).

**Yay:** Armando Olivarez, Commissioner Precinct 3, Gloria Garza, Commissioner Precinct 1, Imelda Barrera, County Judge, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

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**25. Discuss and Approve Resolution, Operation Stone Garden.** 

The Court passed on the above line item.

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**26. Discuss and Approve proclamation commemorating January 22-28, 2017 as Brooks**

**County School Choice Week.** 

**Motion:** to approve resolution, **Action:** Approve, **Moved by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4, **Seconded by** Gloria Garza, Commissioner Precinct 1. Motion passed unanimously. **(On file)**

**Vote:** Motion carried by unanimous roll call vote (summary: Yay = 5).

**Yay:** Armando Olivarez, Commissioner Precinct 3, Gloria Garza, Commissioner Precinct 1, Imelda Barrera, County Judge, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

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**At 10:05 AM the Court took a break, the Court came back in session at 10:21 AM**  
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The Court readdressed line item #25

Sheriff Martinez addressed the Court on the above matter, stating that the grant is strictly for border security issues, drug issues and based on the number of personnel working, vehicles and equipment are also purchased with this grant.

**Motion:** to approve resolution, **Action:** Approve, **Moved by** Gloria Garza, Commissioner Precinct 1, **Seconded by** Vincent Vargas, Commissioner Precinct 2. Motion passed unanimously. **(On file)**

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yay = 5).

**Yay:** Armando Olivarez, Commissioner Precinct 3, Gloria Garza, Commissioner Precinct 1, Imelda Barrera, County Judge, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

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**3. Approve of Regular and Special Commissioners Court minutes.**


**(12-13-16) (12-22-16) (1-10-17)**

**Motion:** to approve minutes as presented, **Action:** Approve, **Moved by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4, **Seconded by** Gloria Garza, Commissioner Precinct 1. Motion passed unanimously.

**Vote:** Motion carried by unanimous roll call vote (summary: Yay = 5).

**Yay:** Armando Olivarez, Commissioner Precinct 3, Gloria Garza, Commissioner Precinct 1, Imelda Barrera, County Judge, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

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**12. Discuss and Approve 79<sup>th</sup> Judicial District Court of Texas & Brooks County**

**Constitutional County Court Fee Schedule for Court Appointed Counsel for 2017.** 

**Motion:** to approve, **Action:** Approve, **Moved by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4, **Seconded by** Gloria Garza, Commissioner Precinct 1. Motion passed unanimously. **(On file)**

**Vote:** Motion carried by unanimous roll call vote (summary: Yay = 5).

**Yay:** Armando Olivarez, Commissioner Precinct 3, Gloria Garza, Commissioner Precinct 1, Imelda Barrera, County Judge, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

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At 10:32 am the Court went into executive session, David T. Garcia, County Attorney asked the Court that his line items be discussed in open Court, unless there were accusations to be made, the court were to only discuss line item #27 in Executive Session. The Court came back in open session at 10:58 AM.

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**EXECUTIVE SESSION**

**27. Discuss and Act on Brooks County Courthouse Security Salary and pay.**

**Motion:** to approve salary to remain the same, **Action:** Approve, **Moved by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4, **Seconded by** Vincent Vargas, Commissioner Precinct 2. Motion passed unanimously.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yay = 5).

**Yay:** Armando Olivarez, Commissioner Precinct 3, Gloria Garza, Commissioner Precinct 1, Imelda Barrera, County Judge, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

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**28. Discuss Brooks County Attorney Hot Check Account audit.**

The above matter was discussed in open session, Debra Garcia, Assistant Auditor and August Patroelj, County Auditor addressed the Court on the above matter on an audit performed from January 2008- November 2016. Previous balance in the checking account, amount is to be transferred to the County Treasurer.

Also performed an Audit on Fund #18, two checks deposited in the wrong line item, correction has been made.

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**29. Discuss Brooks County Attorney Hot Check Fund #18 audit.**

The above matter was in conduction with line item #28.

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**30. ADJOURN**

**Motion:** to adjourn at 11:02 AM, **Action:** Adjourn, **Moved by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4, **Seconded by** Vincent Vargas, Commissioner Precinct 2. Motion passed unanimously.

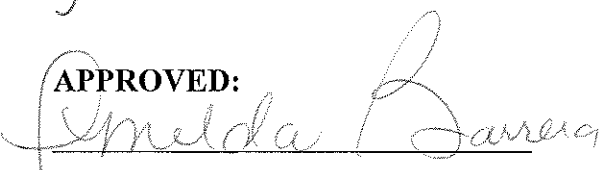
**Vote:** Motion carried by unanimous roll call vote (summary: Yay = 5).

**Yay:** Armando Olivarez, Commissioner Precinct 3, Gloria Garza, Commissioner Precinct 1, Imelda Barrera, County Judge, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

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The preceding minutes beginning on page \_\_\_\_\_ and ending on page \_\_\_\_\_, of the Commissioners' Court Minutes Volume \_\_\_\_\_, read and approved in the Honorable Commissioners' Court this 14<sup>th</sup> day of February, 2017, A.D.

**APPROVED:**



Imelda Barrera, County Judge

**ATTESTED:**

  
Elvaray B. Silyas, County Clerk