


REGULAR COMMISSIONERS COURT MEETING

February 14, 2017 Corrections made per Commissioners' Court meeting on June 29, 2017 Line item#4
9:00 A.M.

**2ND 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 AM 

PLEDGE OF ALLEGANCE -was led by County Judge Imelda Barrera

ROLL CALL – Judge Imelda Barrera called for roll call:

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

Absent: Gloria Garza, Commissioner Precinct 1.

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

Others Present:
August Patroelj, County Auditor
Rodney Belasquez-Internal Auditor

1. PUBLIC COMMENT

Oralia V. Morales –JP-relocation of her office


PRESENTATIONS

2. Brice Calahan- MASA Emergency Transport Solutions 

Brice Calahan gave a presentation on a service for County Employees after insurance coverage pays.

REGULAR AGENDA

3. Approve of Regular and Special Commissioners Court minutes.

(January 17, 2017) (January 24, 2017) (February 3, 2017) 

Motion: to approve the minutes as presented, **Action:** Approve, **Moved by** Armando Olivarez, Commissioner Precinct 3, **Seconded by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4. Motion passed unanimously.

Vote: Motion carried by unanimous roll call vote (summary: Yay = 4).

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


4. Approve of Bills and Claims. 

August Patroelj, County auditor addressed the Court.

Motion: to approve bills and claims as presented in the amount of \$116,840.23, **Action:** Approve, **Moved by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4, **Seconded by** Vincent Vargas, Commissioner Precinct 2. Motion passed unanimously. **(On file)**

Vote: Motion carried by unanimous roll call vote (summary: Yay = 4).

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

6. Approve Auditor's Monthly Report. 

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

Handed out a Quarterly report to the Court. **Motion:** to approve Auditors Monthly report, **Action:** Approve, **Moved by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4, **Seconded by** Armando Olivarez, Commissioner Precinct 3. Motion passed unanimously. **(On file)**

Vote: Motion carried by unanimous roll call vote (**summary:** Yay = 4).

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

5. Approve Treasurer's Monthly Report. 

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

Motion: to approve the report for the month of January 2017, **Action:** Approve, **Moved by** Armando Olivarez, Commissioner Precinct 3, **Seconded by** Vincent Vargas, Commissioner Precinct 2. Motion passed unanimously. **(On file)**

Vote: Motion carried by unanimous roll call vote (**summary:** Yay = 4).

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

7. Approve County Foreman's Monthly Report. 

David Guerra, Road and Bridge Foreman addressed the court on the above matter.

Motion: to approve the monthle report for January 2017, **Action:** Approve, **Moved by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4, **Seconded by** Vincent Vargas, Commissioner Precinct 2. Motion passed unanimously. **(On file)**

Vote: Motion carried by unanimous roll call vote (**summary:** Yay = 4).

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

8. Approve Tax Assessor Collector Chief Deputy Monthly Report. 

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

Motion: to approve the monthly report with a total county remittance of \$908,609.09 and with a total percentage collection of 84.96%, **Action:** Approve, **Moved by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4, **Seconded by** Vincent Vargas, Commissioner Precinct 2. Motion passed unanimously. **(On file)**

Vote: Motion carried by unanimous roll call vote (summary: Yay = 4).

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


9. Approve Monthly Reports by Brooks County. 

(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** Vincent Vargas, Commissioner Precinct 2. Motion passed unanimously. **(On file)**

Vote: Motion carried by unanimous roll call vote (summary: Yay = 4).

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


26. Discuss and Approve budget amendment request of line item transfer of \$ 3,250.00 from 012-05-0560-5105 Gas & Oil Expense to 012-05-0560-5136 Deputies Uniforms, Etc.
(Sheriff's Office) 

Urbino "Benny" Martinez, Sheriff addressed the Court on the above matter.

Motion: to approve line item transfer, **Action:** Approve, **Moved by** Vincent Vargas, Commissioner Precinct 2, **Seconded by** Armando Olivarez, Commissioner Precinct 3. Motion passed unanimously. **(On file)**

Vote: Motion carried by unanimous roll call vote (summary: Yay = 4).


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

27. Discuss and Approve Resolution- Alien Death Processing and Missing Person Assistance Grant. 
(Sheriff's Office)

Motion: to approve resolution, **Action:** Approve, **Moved by** Vincent Vargas, Commissioner Precinct 2, **Seconded by** Armando Olivarez, Commissioner Precinct 3. Motion passed unanimously. **(On file)**

Vote: Motion carried by unanimous roll call vote (summary: Yay = 4).


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

28. Discuss and Approve Interlocal Agreement between Starr County Sheriff's Office (SCSO), and Brooks County Sheriff's Office (BCSO). **(Sheriff's Office)** 

Motion: to approve Interlocal Agreement, **Action:** Approve, **Moved by** Vincent Vargas, Commissioner Precinct 2, **Seconded by** Armando Olivarez, Commissioner Precinct 3. Motion passed unanimously. **(On file)**

Vote: Motion carried by unanimous roll call vote (summary: Yay = 4).


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

29. Discuss and Approve Interlocal Agency Agreement South Texas Coalition. (Sheriff's Office) 

Motion: to approve Interlocal Agency Agreement, **Action:** Approve, **Moved by** Vincent Vargas, Commissioner Precinct 2, **Seconded by** Armando Olivarez, Commissioner Precinct 3. Motion passed unanimously. **(On file)**

Vote: Motion carried by unanimous roll call vote (summary: Yay = 4).

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

30. Discuss and Approve Brooks County Resolution-79th Judicial District Drug/Alcohol Court Diversion Program. (Albert Ramirez) 

Motion: to approve resolution, **Action:** Approve, **Moved by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4, **Seconded by** Armando Olivarez, Commissioner Precinct 3. Motion passed unanimously. **(On file)**

Vote: Motion carried by unanimous roll call vote (**summary:** Yay = 4).

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


20. Discuss, consider, and possibly act on awarding construction contract to bidder for first-time sewer line construction and yard service connections for TxCDBG #7215075.



Motion: to award construction contract to Hoover Construction Company, in the amount of \$222,547.41 for TxCDBG#7215075, **Action:** Approve, **Moved by** Vincent Vargas, Commissioner Precinct 2, **Seconded by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4. Motion passed unanimously. **(On file)**

Vote: Motion carried by unanimous roll call vote (summary: Yay = 4).

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

18. Discuss and Approve road services on Precinct 3, Mestizo Road for Patty Villarreal. (Armando Olivarez) 

Requesting for a water tap for a new construction, County Forman has no problem with the situation. Commissioner Olivarez stated that he also spoke with the Utility Board and they would take care of the situation.

Motion: to approve water tap, **Action:** Approve, **Moved by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4, **Seconded by** Armando Olivarez, Commissioner Precinct 3. Motion passed unanimously.

Vote: Motion carried by unanimous roll call vote (summary: Yay = 4).

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

19. Discuss and Approve adding Speed Bumps in Precinct 3, County Road 301 and 302.

(Armando Olivarez) 


A request due to the safety of their children asking for speed bumps. David Guerra, County Foreman stated that he would have to look at the height needed on speed bumps. Discussed in lowering speed limit to 15 mph and having law enforcement patrol the area.

Motion: to have Commissioner Olivarez meet with County Attorney David T. Garcia on advise for this situation, **Action:** Table, **Moved by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4, **Seconded by** Armando Olivarez, Commissioner Precinct 3. Motion passed unanimously.

Vote: Motion carried by unanimous roll call vote (summary: Yay = 4).

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

At this time 10:01 AM the court took a 15 minute break to return at 10:16 AM, The court came back in session at 10:19 AM


10. Discuss and Approve budget amendment request of line item transfer of \$ 5,500.00 from 013-05-0000-5826 Road Repairs Maint. To 013-5-0000-9068 Contract Labor. 

(David Guerra)

Motion: to approve line item transfer, **Action:** Approve, **Moved by** Vincent Vargas, Commissioner Precinct 2, **Seconded by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4. Motion passed unanimously. **(On file)**

Vote: Motion carried by unanimous roll call vote (summary: Yay = 4).

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

11. Discuss and possibly approve donating a transfer tank from the Road & Bridge Department to the Volunteer Fire Department. **(David Guerra)** 

Motion: to approve, **Action:** Approve, **Moved by** Armando Olivarez, Commissioner Precinct 3, **Seconded by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4. Motion passed unanimously.

Vote: Motion carried by unanimous roll call vote (summary: Yay = 4).

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

12. Discuss and Approve to extend Order [Restricting] Outdoor Burning. 

Ruben Ramirez, Chief Fire Department addressed the Court on the above matter.

Ruben Ramirez, Chief Fire Department work on a procedure during a burn ban and in citing for illegal burning. **Motion:** to extend for another 90 days, **Action:** Approve, **Moved by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4, **Seconded by** Vincent Vargas, Commissioner Precinct 2. Motion passed unanimously. **(On file)**

Vote: Motion carried by unanimous roll call vote (summary: Yay = 4).

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

13. Discuss and Approve Records Management Budget. (Noe Guerra) 

Motion: to table, **Action:** Table, **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 = 4).

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

14. Discuss and Approve purchase of Shredder to be paid out of Records Management.

(Noe Guerra) 

Motion: to table, **Action:** Table, **Moved by** Armando Olivarez, Commissioner Precinct 3, **Seconded by** Vincent Vargas, Commissioner Precinct 2. Motion passed unanimously.

Vote: Motion carried by unanimous roll call vote (summary: Yay = 4).

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

15. Discuss and Approve Jeans Waterproofing of Texas Proposal, for Waterproofing

Repairs and Staircase Removal at the Brooks County Courthouse. (Noe Guerra) 

Motion: to table, **Action:** Table, **Moved by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4, **Seconded by** Armando Olivarez, Commissioner Precinct 3. Motion passed unanimously.

Vote: Motion carried by unanimous roll call vote (summary: Yay = 4).

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

16. Discuss and Approve Memorandum of Agreement Between Texas A&M University System Health Science Center, Coastal Bend Health Education Center, and Brooks


County, Texas. (Eslanda Trevino) 

Motion: to approve memorandum, **Action:** Approve, **Moved by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4, **Seconded by** Armando Olivarez, Commissioner Precinct 3. Motion passed unanimously. **(On file)**

Vote: Motion carried by unanimous roll call vote (summary: Yay = 4).


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

17. Discuss and Approve Amendment to Data Processing Services Agreement between

Indigent Healthcare Solutions (HIS) and Brooks County. (Bobby Saenz) 

Commissioner Martinez suggested in passing the item and having August give him a call and also a call was made to Bobby Saenz.

21. Discuss and Approve Memorandum of Understanding between Brooks County & Falfurrias Volunteer Fire Department for temporary use of the Portable Repeater, Light


Source Plant, and all communication equipment needed to provide Emergency Management services to the citizens of Brooks County. 

Ruben Ramirez, Fire Chief addressed the Court on the above matter.

Motion: to approve memorandum, **Action:** Approve, **Moved** by Imelda Barrera, County Judge, **Seconded** by Armando Olivarez, Commissioner Precinct 3. **(On file)**

Vote: Motion carried by unanimous roll call vote (**summary:** Yay = 4).


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

22. Discuss and Approve Brooks County Emergency Management Funds of (\$9,048.00) to be transferred to City of Falfurrias Emergency Management Coordinator to suffice Interlocal agreement between Brooks County Emergency Management Director/County Judge, and City of Falfurrias Emergency Management Director/ Mayor or Mayor Pro-Tem dated October 19, 2016. (Lamar Villarreal) 

Motion: to table the above matter, **Action:** Table, **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 = 4).


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

23. Discuss and Approve appointing the County Judge and EMC as the (FPA) Floodplain Administrator. 

Motion: to approve appointment of the County Judge, **Action:** Table, **Moved** by Jose Antonio "Tony" Martinez, Commissioner Precinct 4, **Seconded** by Imelda Barrera, County Judge. Motion passed unanimously.

Vote: Motion carried by unanimous roll call vote (summary: Yay = 4).

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

24. Discuss and approve budget amendment request of line item transfer of \$ 2,000.00 from 012-05-0561-8108 Traffic Safety Officer to 012-05-0561-9070 Miscellaneous. 

Motion: to approve line item transfer, **Action:** Approve, **Moved** by Vincent Vargas, Commissioner Precinct 2, **Seconded** by Jose Antonio "Tony" Martinez, Commissioner Precinct 4. Motion passed unanimously. **(On file)**

Vote: Motion carried by unanimous roll call vote (summary: Yay = 4).

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


25. Discuss the "New Agreement" for DPS Weigh Station, (New Agreement replaces the Old Agreement). Correction on Date of Agreement and No Resolution/Ordinance Number.



Motion: to approve new agreement, **Action:** Approve, **Moved** by Jose Antonio "Tony" Martinez, Commissioner Precinct 4, **Seconded** by Armando Olivarez, Commissioner Precinct 3. Motion passed unanimously. **(On file)**

Vote: Motion carried by unanimous roll call vote (summary: Yay = 4).

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

31. Discuss and Approve Texas Department of Transportation Grant for Routine Airport Maintenance Program. 

Motion: to table until further notice, **Action:** Table, **Moved by** Armando Olivarez, Commissioner Precinct 3, **Seconded by** Imelda Barrera, County Judge. Motion passed unanimously.

Vote: Motion carried by unanimous roll call vote (summary: Yay = 4).


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

32. Discuss and Approve Naismith/Hanson Assignment Agreement. 

Motion: to send agreement to David T. Garcia for review, **Action:** Table, **Moved by** Imelda Barrera, County Judge, **Seconded by** Armando Olivarez, Commissioner Precinct 3. Motion passed unanimously.

Vote: Motion carried by unanimous roll call vote (summary: Yay = 4).

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

33. Discuss hiring contract labor and contract labor laws, prior to Commissioner's Court approval. 


In reference to three individuals hired for work that has been done within the last three weeks at the Court house Annex. **View Audio for discussion.** No action taken, discussion only.

34. Discuss using Road & Bridge funds to pay contract laborers that were hired for Brooks County Courthouse Annex repairs and renovations, prior to Commissioner's Court approval.

View Audio for discussion. No action taken, discussion only.

35. Discuss the repairs and renovations to County buildings, prior to Commissioner's Court approval. 

View Audio for discussion. No action taken, discussion only.

36. Discuss the construction of Brooks County Courthouse Annex patio to be used as a storage building, prior to Commissioner's Court approval. 

View Audio for discussion. No action taken, discussion only.

Addendum

1. Discuss 2016 Falfurrias Volunteer Fire Department yearly financial report.

(Ruben Ramirez) 

Ruben Ramirez, Chief addressed the Court on the above matter.

Chief Ramirez presented to the Court a yearly financial report. No action taken, discussion only. **(View Audio for discussion.)**

37. ADJOURN

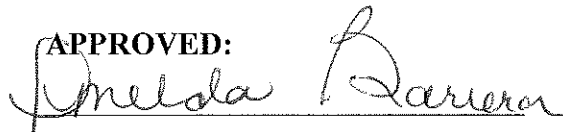
Motion: to adjourn at 11:47 AM, **Action:** Adjourn, **Moved by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4, **Seconded by** Armando Olivarez, Commissioner Precinct 3. Motion passed unanimously.

Vote: Motion carried by unanimous roll call vote (summary: Yay = 4).


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

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 14th day of March, 2017, A.D.

APPROVED:


Imelda Barrera, County Judge

ATTESTED:


Elvaray B. Silvas, County Clerk