

REGULAR COMMISSIONERS COURT
September 11, 2018
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 Eric Ramos called the meeting to order at 9:05 AM 

ROLL CALL- Judge Eric Ramos called for roll call.

Present: Eric Ramos, 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).

PLEDGE OF ALLEGIANCE-was led by Judge Eric Ramos

Staff Present:
Missy A. Saavedra, Deputy Clerk

Others Present:
August Patroelj, County Auditor
Rodney Velasquez, Internal Auditor

1. Public Comments

Ruben Ramirez, Fire Chief thanked the Commissioners for repairing the roof at the fire station and the new budget that was given to them. Mr. Ramirez stated that on Saturday the 29th at 10:00 AM, they will be having a ceremony on a new \$320,000 truck, paid through a grant from Texas A & M for \$200,000 and financed the rest.

Commissioner Martinez stated for the record that he will be attending his last conference in Houston, Texas (October 8th-October 14th).

2. Approve of Regular and Special Commissioners Court minutes.
(08-06-2018; 08-14-2018; 08-23-2018; Public Hearing 08-23-2018; Public Hearing 08-28-2018; and 09-04-2018) 

Motion: to approve the minutes as presented, **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:** Yes = 5).

Yes: Armando Olivarez, Commissioner Precinct 3, Eric Ramos, County Judge, Gloria Garza, Commissioner Precinct 1, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

3. Bills and Claims

Motion: to approve the bills and claims, **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:** Yes = 5).

Yes: Armando Olivarez, Commissioner Precinct 3, Eric Ramos, County Judge, Gloria Garza, Commissioner Precinct 1, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

4. Approve Monthly Reports

A. Treasurer's Monthly Report

B. Auditor's Monthly Report

C. County Foreman's Monthly Report

D. Tax Assessor Collector Chief Deputy Monthly Report

E. 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 Alan Hernandez, Landfill Manager)

Horacio Villarreal, III County Treasurer, August Patroelj, County Auditor, David Guerra, Road and Bridge Foreman, Terri A. Silvas, Chief Deputy Tax Assessor Collector addressed the Court on the above matter.

Motion: to approve the monthly reports as presented A-E, including the Motor Vehicle report for the month of July 2018 and the AgriLife Extension Report, **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:** Yes = 5).

Yes: Armando Olivarez, Commissioner Precinct 3, Eric Ramos, County Judge, Gloria Garza, Commissioner Precinct 1, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

7. Discuss, and Approve awarding of bid for EMS Ambulance services. (Submitted by Eric Ramos, County Judge)

Honorable Judge Eric Ramos stated the County had received 5 bids, all meeting the requirements of the RFP. The Committee did meet last week and the recommendation of the committee is to go with Allegiance and will meet the bid of the lowest bid of \$222,000.00 for a 1 year contract with a possible 2 years extension. It was discussed that Allegiance will have 2 units 24/7 and will have a third vehicle if needed.

Motion: to approve Allegiance Health Services for ambulance services to begin October 18th, **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:** Yes = 5).

Yes: Armando Olivarez, Commissioner Precinct 3, Eric Ramos, County Judge, Gloria Garza, Commissioner Precinct 1, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

15. Discuss, Consider, and Approve hiring Raul Hernandez & Company, P.C. to conduct the Brooks County annual audit for fiscal year ended September 30, 2018.

(Submitted by Raul Hernandez) 

Raul Hernandez, CPA addressed the Court on the above matter.

Motion: to approve hiring Raul Hernandez to conduct the Brooks County Annual Audit with a fee of \$34,600.00, **Action:** Approve, **Moved by** Vincent Vargas, Commissioner Precinct 2, **Seconded by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4. Motion passed unanimously.

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

Yes: Armando Olivarez, Commissioner Precinct 3, Eric Ramos, County Judge, Gloria Garza, Commissioner Precinct 1, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

16. Discuss, Consider, and Approve hiring Raul Hernandez & Company, P.C. to conduct the Brooks County Sheriff Forfeiture Funds audit for fiscal year ended September 30,

2018. (Submitted by Raul Hernandez) 

Raul Hernandez, CPA addressed the Court on the above matter.

Motion: to approve the hiring of Raul Hernandez to conduct the Brooks County Sheriff Forfeiture Fund audit in the amount of \$10,300, **Action:** Approve, **Moved by** Vincent Vargas, Commissioner Precinct 2, **Seconded by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4. Motion passed unanimously.

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

Yes: Armando Olivarez, Commissioner Precinct 3, Eric Ramos, County Judge, Gloria Garza, Commissioner Precinct 1, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

5. Discuss, and Approve on the Regular Commissioners court time and date for 2018-2019 year. (Submitted by Eric Ramos, County Judge) 

Motion: to set the second Tuesday of the month at 3:00 PM, **Action:** Approve, **Moved by** Armando Olivarez, Commissioner Precinct 3, **Seconded by** Gloria Garza, Commissioner Precinct 1. Motion passed unanimously.

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

Yes: Armando Olivarez, Commissioner Precinct 3, Eric Ramos, County Judge, Gloria Garza, Commissioner Precinct 1, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

6. Discuss, and Approve adding November 12, 2018 (full day) to the 2018 Holiday Schedule in observance of Veteran's Day. (Submitted by Eric Ramos, County Judge) 

Motion: to add November 12th to the 2018 Holiday Schedule, **Action:** Approve, **Moved by** Armando Olivarez, Commissioner Precinct 3, **Seconded by** Gloria Garza, Commissioner Precinct 1. Motion passed unanimously.

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

Yes: Armando Olivarez, Commissioner Precinct 3, Eric Ramos, County Judge, Gloria Garza, Commissioner Precinct 1, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

9. Discuss and Approve the transferring of Brooks County attendance record and payroll authorization to the Brooks County Judges office for the following departments, Maintenance, Indigent Health Coordinator, Library Clerk, Landfill Supervisor, County Foreman, Election Administrator and Chief Juvenile Probation Officer. (Submitted by Eric Ramos, County Judge) 

Motion: to approve the transferring of the mentioned positions and to include AgriLife Extension agent, effective immediately, **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:** Yes = 5).

Yes: Armando Olivarez, Commissioner Precinct 3, Eric Ramos, County Judge, Gloria Garza, Commissioner Precinct 1, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

10. Discuss, and Approve the 2019 Sheriff and Constables fees. (Submitted by Eric Ramos, County Judge) 

Motion: to leave as is for 2019, **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:** Yes = 5).

Yes: Armando Olivarez, Commissioner Precinct 3, Eric Ramos, County Judge, Gloria Garza, Commissioner Precinct 1, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

11. Discuss, and Approve the JM Alaniz Fairgrounds contract. (Previously tabled on September 4, 2018) (Submitted by Celia Salinas, Ag. Extension) 

Celia Salinas addressed the Court on the above matter.

Mrs. Salinas did state that the contract includes the lifting of the alcohol ban, 14 day in advance request for usage of fairgrounds adding the insurance requirement for the scheduled event. It was discussed for the Extension office to handle all the bookings and fees without having to come before commissioners Court. All funds are deposited into Fund 89 by the County Treasurer.

Motion: as presented with the correction of the insurance requirement, **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:** Yes = 5).

Yes: Armando Olivarez, Commissioner Precinct 3, Eric Ramos, County Judge, Gloria Garza, Commissioner Precinct 1, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

12. Discuss and Approve 2019 Texas Department of Transportation Grant for Routine Airport Maintenance Program TxDOT Project ID.: M1921FALF. (Submitted by Auditors office, Angie Saenz) 

Motion: to approve the 2019 Ramp Grant, **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: Yes = 5).

Yes: Armando Olivarez, Commissioner Precinct 3, Eric Ramos, County Judge, Gloria Garza, Commissioner Precinct 1, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

13. Discuss and Approve line item transfer of \$ 2,726.55 from 012-5-0456-8107 Part-Time to 012-5-0456-5000 Office Supplies in the amount of \$ 1,500.00 and to 012-5-0456-8105 Secretary in the amount of \$ 1,226.55. (Submitted by JP#2 Oralia Morales) 

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: Yes = 5).

Yes: Armando Olivarez, Commissioner Precinct 3, Eric Ramos, County Judge, Gloria Garza, Commissioner Precinct 1, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

14. Discuss and Approve line item transfer of \$ 30,600.00 from 013-5-0000-5827 Road Construction/Improve to 013-5-0000-5820 Equip. & Vehicle Repairs in the amount of \$ 20,000.00 to 013-5-0000-5720 Utilities-Water in the amount of \$ 100.00 and to 013-5-0000-5105 Gas & Oil Expense in the amount of \$10,500.00. (Submitted by Road & Bridge Foreman, David Guerra) 

Motion: to approve line item transfer, **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: Yes = 5).

Yes: Armando Olivarez, Commissioner Precinct 3, Eric Ramos, County Judge, Gloria Garza, Commissioner Precinct 1, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

17. Discuss, Consider, and Approve Right-of-Way and Easement Agreement between Brooks County and Nustar Logistics, L.P. (Submitted by Eric Ramos, County Judge) 

Motion: to table until the County Attorney gets with Nustar, **Action:** Table, **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: Yes = 5).

Yes: Armando Olivarez, Commissioner Precinct 3, Eric Ramos, County Judge, Gloria Garza, Commissioner Precinct 1, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

8. Discuss, and Approve an Order Adopting the Brooks County Budget for Fiscal Year**2018-2019. (Submitted by Eric Ramos, County Judge)** 

Honorable Judge Eric Ramos read an order in open Court. **Motion:** to approve the Order Adopting the Brooks County Budget for Fiscal Year 2018-2019, **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:** Yes = 5).

Yes: Armando Olivarez, Commissioner Precinct 3, Eric Ramos, County Judge, Gloria Garza, Commissioner Precinct 1, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

18. Discuss, Consider, and Approve an Order adopting the Tax Rates for fiscal year 2018-**2019. (Submitted by Terri Silvas, Chief Deputy TAC)** 

Honorable Judge Eric Ramos read an order in open Court. **Motion:** to approve an Order adopting the Tax Rates for fiscal year 2019-2019, **Action:** Approve, **Moved by** Eric Ramos, County Judge, **Seconded by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4. Motion passed unanimously.

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

Yes: Armando Olivarez, Commissioner Precinct 3, Eric Ramos, County Judge, Gloria Garza, Commissioner Precinct 1, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

19. Discuss, Consider, and Approve possibly amending the Brooks County Personnel Policy Manual Section C-3 Brooks County Buildings and Keys Page 19. (Submitted by Eric**Ramos, County Judge)** 

Honorable Judge Ramos addressed the Court on allowing outside entities to use the library at his discretions. **Motion:** to amend the policy to allow outside entities to use our library at the discretion of the County Judge's Office, **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:** Yes = 5).

Yes: Armando Olivarez, Commissioner Precinct 3, Eric Ramos, County Judge, Gloria Garza, Commissioner Precinct 1, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

20. Discussion on completion of roof work done at the Falfurrias Fire Department.**(Submitted by Eric Ramos, County Judge)** 

Honorable Judge Eric Ramos addressed the Court on the above matter. He stated that the Court had accepted a bid at the fire station; the bid did not include the entire work, but got the approval from two commissioners to complete the rest of the work at a price of \$10,500. August Patroelj, County Auditor stated that yes the work was done and was needed to get done. Also, that a 1 year warranty of the work was stated. Commissioner Martinez and Chief Benny Ramirez also addressed the Court on the above matter. Discussion only, no action was taken.

EXECUTIVE SESSION- at 10:16 AM the court went into Executive Session, at 10:23 AM the Court came back into open session, present same as before.

21. Discuss, Consider, and Approve to stipend Dante Huerta's pay for the fifty-eight (58) days he has overseen the Maintenance Supervisor duties

Honorable Judge Eric Ramos stated that the item was discussed in closed session and since it was not an item in open session. So would need to be brought and vote on it at the appropriate time. Judge Ramos stated that at that time would bring a policy change, dealing with long term absences of supervisors. No action taken, discussion only.

22. Adjourn

Motion: to adjourn at 10:23 AM, **Action:** Adjourn, **Moved by** Vincent Vargas, Commissioner Precinct 2, **Seconded by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4. Motion passed unanimously.

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

Yes: Armando Olivarez, Commissioner Precinct 3, Eric Ramos, County Judge, Gloria Garza, Commissioner Precinct 1, Jose Antonio "Tony" Martinez, Commissioner Precinct 4, Vincent Vargas, Commissioner Precinct 2.

The preceding minutes beginning on page 170 and ending on page 182, of the Commissioners' Court Minutes Volume 37, read and approved in the Honorable Commissioners' Court this 9th day of October, 2018, A.D.

APPROVED:



County Judge

ATTESTED:



County Clerk