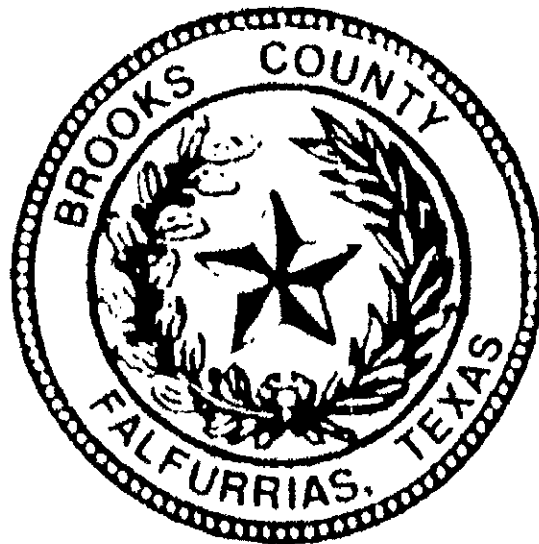


Emergency Commissioners Court  
Friday, June 22, 2018

**Brooks County Judge  
IMELDA BARRERA**



Brooks County Commissioners  
Precinct #1 Gloria Garza  
Precinct #2 Vince Vargas  
Precinct #3 Armando Olivarez  
Precinct #4 Tony Martinez

**NOTICE**  
**EMERGENCY COMMISSIONERS COURT**  
**BROOKS COUNTY**

TO THE PUBLIC - GREETINGS;

Please take notice that an **Emergency Commissioners' Court** Meeting of Brooks County will be held at **3:30 o'clock p.m.**, on **Friday, June 22, 2018** in the 2<sup>nd</sup>. Floor – Courtroom of the Brooks County Courthouse, 100 E. Miller in Falfurrias, Texas.

**Agenda Items** - Commissioners may vote and/or act upon each of the items listed on this Agenda. One Agenda item will be discussed at a time, unless logic and practical considerations allow similar topics to be considered together for purposes of convenience and efficiency. Consent items are considered to be non-controversial and will be voted on in one motion unless a Commissioner asks for separate discussion. The Court may vote and/or act upon each of the items listed in this Agenda. **Executive Sessions**; The Commissioners Court of Brooks County, Falfurrias, Texas, reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed, as authorized by Texas Government Code, including, but not limited to: Sections 551.071(Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 661.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development), 418.183 (Deliberations about Homeland Security Issues), and as authorized by the Texas Tax Code, including, but not limited to, Section 321.3022 (Sales Tax Information), whenever it is considered necessary and legally justified under Open Meetings Act. As authorized by Section 551.071 (2) of the Texas Government Code, this meeting may be convened into Executive Session for the purpose of seeking confidential legal advice from the County Attorney on any agenda item listed herein. Council may act in open session on items listed for executive session. **Accommodations**: The County of Brooks encourages compliance with the Americans with Disability Act (ADA) in the conduct of all public meetings. Persons with disabilities who plan to attend this meeting, and who may need additional accommodations, are requested to contact the County Judge Imelda Barrera office at 361 - 325 – 5604 ext. 155, two working days prior to the meeting so that appropriate arrangements can be made. Braille is not available. **Certification: I, the undersigned authority**, do hereby certify that the Notice of Meeting was posted on the official bulletin board of the County Courthouse of Falfurrias, Brooks County, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: **June 22, 2018 at 1:29 a.m. (p.m.)** and remain so posted continuously for at least seventy-two (72) hours preceding the scheduled time of said meeting.

Filed for Record  
at 1:29 o'clock P M

JUN 22 2018

Elvaray B. Silvas  
County Clerk Brooks County, TX  
By Elvaray B. Silvas, Deputy

# EMERGENCY COMMISSIONERS COURT

June 22, 2018

3:30 P.M.

2<sup>ND</sup> FLOOR COURTROOM

BROOKS COUNTY COURTHOUSE

## OPEN MEETING

## PLEDGE OF ALLEGIANCE

## ROLL CALL

## PUBLIC COMMENT

Pursuant to Texas Government Code Section 551.042, public comment **may not** be used to discuss matters not posted on this agenda for consideration by the Brooks County Commissioners Court. Members of the public may only ask specific questions during public comment about a subject which has not been posted on the agenda which may be answered with specific, purely factual information. Discussion, deliberation, or debate(s) on subjects which are not posted for consideration are not permitted during public comment.

Speaker's choice: **Five (5) minutes** per person during this segment regarding any items or **three (3) minutes** per person on each item as it appears on the agenda. The same will apply to any interest group consisting of three or more representatives. Commissioners Court retains the option to allow more comment as it deems necessary.

## NOTICE TO THE PUBLIC

All matters listed under the Consent Agenda will be considered by the Commissioners Court to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion of these items unless members of the Court or persons in the audience request that specific items be removed from the Consent Agenda to the Regular Agenda for discussion prior to the time the Commissioners Court votes on the motion to adopt the Consent Agenda. All matter listed on the Consent Agenda and Regular Agenda may be discussed in executive session at the option of the Brooks County Commissioners Court and following verbal announcement, if an appropriate exception to the open meeting requirement of the Texas Open Meetings Act is applicable. No cells phones, audible pagers, and/ or beepers while Court is in session. Please place all electronic devices on silent mode to reduce disruption of the meeting.

Brooks County governmental body has determined under Texas Local Government Code Sec. 551.045 Exception to General Rule: Notice of Emergency Meeting due to reasonably unforeseeable situation. The Brooks County Commissioners' Court is being called because Brooks County was notified by the Texas State Commission on Judicial Conduct, that County Judge Imelda Barrera was suspended from Office in Cause Number CJC No. 18-1228 signed on June 21, 2018 at 7:35 AM. Said Order of Suspension is attached. Therefore, prompting this Emergency Meeting.

This Suspension leaves the Brooks County Commissioners' Court without an Administrative Head to handle the daily affairs of the County effective June 21, 2018 at 7:35 AM. In Order to continue operating it is necessary, and in the public interest, to provide for the continued administration for the Court immediately.

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#### Agenda

##### 1. Public Comments

Open to the public with limits as indicated above.

2. Discuss and consider all actions needed to provide continued handling of the daily administrative functions of the Brooks County Judge's Office by appointing a person or persons to receive calls, correspondents and all information presently to the Brooks County Judge's Office during the suspension.

##### 3. Adjourn

# State Commission on Judicial Conduct

## Officers

Douglas S. Lang, Chair  
Catherine N. Wylie, Vice Chair  
David C. Hall, Secretary

## Members

Demetrius K. Bivins  
David M. Russell  
David M. Patronella  
Tramer J. Woytek  
Darrick L. McGill  
Sujeeth B. Draksharam  
Ruben G. Reyes  
Ronald E. Bunch  
Maricela Alvarado  
Amy Suhl



Executive Director  
Eric Vinson

June 22, 2018

Honorable Imelda Barrera  
Brooks County Judge  
PO Box 515  
Falfurrias, TX 78355-0515

Re: CJC No. 18-1228

Dear Judge Barrera:

Enclosed herewith is a copy of an *Order of Suspension* issued by the State Commission on Judicial Conduct suspending you without pay from the office of the County Judge in Falfurrias, Brooks County, Texas, effective immediately. Please be advised that Rule 15 of the Procedural Rules for the Removal or Retirement of Judges promulgated by the Supreme Court of Texas provides in pertinent part:

## **RULE 15. SUSPENSION OF A JUDGE**

(a) Any judge may be suspended from office with or without pay by the Commission immediately upon being indicted by a state or federal grand jury for a felony offense or charged with a misdemeanor involving official misconduct. However, the suspended judge has the right to a post-suspension hearing to demonstrate that continued service would not jeopardize the interests of parties involved in court proceedings over which the judge would preside nor impair public confidence in the judiciary. A written request for a post-suspension hearing must be filed with the Commission within 30 days from the receipt of the Order of Suspension. Within 30 days from receipt of the request, a hearing will be scheduled before one or more members or the executive director of the Commission as designated by the Chairman of the Commission. The person or persons designated will report findings and make recommendations, and within 60 days from the close of the hearing, the Commission shall notify the judge whether the suspension will be continued, terminated, or modified.

Please be advised that the appropriate officials of Brooks County are being provided with a copy of the Commission's *Order of Suspension*.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

*Eric L. Vinson*

Executive Director

Enclosure

cc: Brooks County Attorney, David T. Garcia, [evera@co.brooks.tx.us](mailto:evera@co.brooks.tx.us)  
Brooks County Treasurer – Horacio Villarreal, III, [ksalinas@co.brooks.tx.us](mailto:ksalinas@co.brooks.tx.us)  
Brooks County Auditor – August Patroelj, [apatroelj@co.brooks.tx.us](mailto:apatroelj@co.brooks.tx.us)  
Brooks County Clerk – Elvaray B. Silvas, [esilvas@co.brooks.tx.us](mailto:esilvas@co.brooks.tx.us)  
Brooks County District Attorney – Carlos Omar Garcia, [nsalinas@co.brooks.tx.us](mailto:nsalinas@co.brooks.tx.us)  
Brooks County Sheriff – Urbino “Benny” Martinez, [umartinez@co.brooks.tx.us](mailto:umartinez@co.brooks.tx.us)



BEFORE THE  
STATE COMMISSION ON JUDICIAL CONDUCT

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CJC No. 18-1228

INQUIRY CONCERNING

HONORABLE IMELDA BARRERA.  
BROOKS COUNTY JUDGE  
FALFURIAS, BROOKS COUNTY, TEXAS

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ORDER OF SUSPENSION

Be it known that on June 19, 2018, the State Commission on Judicial Conduct received a copy of an Indictment issued by the Grand Jury for Brooks County issued on June 15, 2018, in Cause No. 18-06-11255-CR, in the 79<sup>th</sup> Judicial District Court of Brooks County, entitled *The State of Texas vs. Imelda Barrera*. (the "Indictment"). A true and correct copy of the Indictment is attached hereto as Exhibit "A" and incorporated herein for all relevant purposes.

Having considered the Indictment, the Commission concluded that the judge is charged with the following criminal offenses: Tampering with or Fabricating Physical Evidence, Criminal Mischief, Resisting Arrest, one or more of which constitutes a felony offense, and determined that **IMELDA BARRERA** should be **SUSPENDED, WITHOUT PAY**, from the office of County Judge of Brooks County, Texas, pursuant to the authority contained in Article 5, § 1-a(6)A of the Texas Constitution and Rule 15(a) of the Procedural Rules for the Removal or Retirement of Judges, adopted and promulgated by the Supreme Court of Texas pursuant to Article 5, § 1-a(11) of the Texas Constitution, and that such suspension shall remain in effect until further orders of the Commission.

Accordingly, it is **ORDERED** that **IMELDA BARRERA** shall be **SUSPENDED, WITHOUT PAY**, from the office of County Judge of Brooks County, Texas. It is **FURTHER ORDERED** that such suspension shall be effective immediately and shall remain in effect until further order of the Commission. It is **FURTHER ORDERED** that

the Commission retains the authority to reconsider this Order should additional information not yet received warrant such action.

ISSUED on the 31<sup>st</sup> day of June, 2018, at 7:35 o'clock a.m.



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Honorable Douglas S. Lang, Chair  
State Commission on Judicial Conduct