


SPECIAL COMMISSIONERS COURT
March 23, 2018
2:00 P.M.
2ND FLOOR COURTROOM
BROOKS COUNTY COURTHOUSE

BE IT REMEMBERED, that on this day, the Honorable Commissioners' Court of Brooks County, Texas met in Special 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 2:00 PM 

PLEDGE OF ALLEGANCE -was led by Judge Pro-Tem Commissioner Garza

ROLL CALL – Judge Pro-Tem Commissioner Garza called for roll call:

Present: Gloria Garza, Commissioner Precinct 1,
Vincent Vargas, Commissioner Precinct 2,
Armando Olivarez, Commissioner Precinct 3,
Jose Antonio "Tony" Martinez, Commissioner Precinct 4.

Absent: Imelda Barrera, County Judge, Elvaray B. Silvas, County Clerk

Staff Present:

Missy A. Saavedra, Deputy Clerk


Others Present:

August Patroelj, County Auditor
Rodney Belasquez, Internal Auditor

1. Public Comments 

Bobby Saenz, 911 Addressing/Indigent Director addressed the Court and stated that he has suspended out of county vouchers due to being low on funds.

AGENDA

22. Discuss, Consider and Approve presentation of the Brooks County Annual Financial Audit for the fiscal year ended September 30, 2017 by Raul Hernandez, CPA. (Submitted by Raul Hernandez, CPA) 

Raul Hernandez, CPA, and David T. Garcia addressed the Court on the above matter.

Mr. Hernandez went through the revenues and expenditures of the General Fund and that the General Fund had an ending balance of \$1,102,568.00, and discussed the Road and Bridge Fund having an ending balance of \$553,330.00 and discussed pages 43-46.

Motion: to approve the Brooks County Annual Financial Audit for the fiscal year ending September 30, 2017, **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 = 4).

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


11. Discuss rural trash pick up and landfill charges audit covering the period of October 2017 through January 2018. (Submitted by Rodney Belasquez) 

Rodney Belasquez, Internal Auditor, August Patroelj, County Auditor, and Alan Hernandez addressed the Court on the above matter

Mr. Belasquez presented to the Court on the audit performed at the landfill on trash pickup, in reference to payments being made and payments not made, but trash still being picked up and if trend of not collecting on payments continue, will be short on the estimated total collected for the budget year.

Mr. Patroelj summed up the presentation of the audit by saying that it is not fair that some residents are paying and others aren't. Mr. Patroelj recommends that the Auditor's office will do bookkeeping for the landfill, but before they are able to do that, that Commissioner's Court would need to set up some procedures on collecting.

It was suggested to have a workshop with Mr. Hernandez and discuss how the issues can be resolved. No action taken, discussion only.

12. Discuss Road & Bridge attendance sheet audit. (Submitted by Rodney Belasquez) 
August Patroelj, County Auditor and David Guerra, Road and Bridge Foreman addressed the Court on the above matter.

Mr. Patroelj presented his audit and explained that one person was not in compliance. Mr. Guerra asked if this could be discussed in executive session, in order for him not to disclose any names.

At 2:40 PM the Court went into Executive Session, and came back into open session at 2:47 PM. Present same as before.

End of discussion, no action taken, discussion only.

24. Discuss, Consider and Act on TxDOT Resolution for Airport Capital Improvement Project. (Submitted by Commissioner Gloria Garza) 


Bond Cosby, Airport Manager addressed the Court on the above matter

Mr. Cosby stated that the lighting is going out and had asked TxDOT for some assistance. The project was placed on a list and in order for TxDOT to assist a resolution is needed. The County's responsibility is only 10% of the grant.

Motion: to approve resolution, also appointing Bond Cosby, Airport Manager as the authorized person and that the Brooks County Airport Assistance Corporation will be paying the 10%, **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:** Yes = 4).

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

13. Discuss, Consider and Approve the Vaqueros of South Texas to use the arena on June 30th for a ranch rodeo. (Submitted by Veronica Salazar, Extension Office) 


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

The Court discussed drinking and trash pick-up, it was discussed if needed would come back and lift the ban and that the trash pick-up was included in the contract.

Motion: to approve the usage of the arena, **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:** Yes = 4).


Yes: Armando Olivarez, Commissioner Precinct 3, 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 \$1,500.00 from 013-5-0000-5826 Road Repairs Maint & Supplies to 013-5-000-5720 Utilities-Water. (Submitted by David Guerra, Road and Bridge Foreman) 

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

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


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

15. Discuss and approve the installation of two "SLOW Children at Play" signs on County Road 204. (Submitted by David Guerra, Road and Bridge Foreman) 

Motion: to approve the installing of signs, **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:** Yes = 4).

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


16. Discuss and approve line item transfer of \$303.37 from 012-5-0401-8107 Temporary to 012-5-0401-8201 Social Security in the amount \$202.73, to 012-5-0401-8203 Retirement in the amount of \$51.41, to 012-5-0401-8206 TCDRS-GTL in the amount of \$17.76, to 012-5-0401-8204 Workers Compensation in the amount of \$10.00 and to 012-5-0401-8205 Unemployment insurance in the amount of \$21.47. (Submitted by August Patroeli, County Auditor) 

Motion: to approve line item transfer, **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:** Yes = 4).

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

17. Discuss and approve line item transfer of \$2,500.00 from 012-05-0560-8129 Overtime to 012-05-0562-8129 Overtime. (Submitted by Jorge Esparza, Commander) 

Motion: to approve line item transfer, **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:** Yes = 4).

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

18. Discuss, Consider and Act on offer to purchase tax sale property Suit No. 09-05-01835-TX: Brooks County Independent School District, City of Falfurrias and Brooks County vs. Paula L De Martinez and Manuel Martinez, Jr. Acct. No. 03950000600700; Lots 7, 8, 9, 10, and 11, Block 6, Juan B. Ramirez Subdivision, an addition to the Town of Falfurrias, Brooks County, Texas, according to map or plat thereof, recorded in Volume 'A', Page 43,

Map Records of Brooks County, Texas. (Submitted by Linebarger) 

Motion: to approve offer made by Falfurrias Fire Department in the amount of \$10.00, **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:** Yes = 4).

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

19. Discuss, Consider and Act on offer to purchase tax sale property Suit No. 06-05-01690-TX: Brooks County, City of Falfurrias and Brooks County Independent School District vs. Brunilda G. Hernandez Acct. No. 01300000F01100; Lot 11, Block 'F', Rachal's Addition, Town of Falfurrias, Brooks County, Texas, according to the map or plat thereof, recorded in Volume 1, Page 39, Map Records of Brooks County, Texas.

(Submitted by Linebarger) 

Motion: to approve offer made by Sylvia Castillo in the amount of \$1,500.00, **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:** Yes = 4).

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


20. Discuss, Consider and Act on offer to purchase tax sale property Suit No. 10-06-01873-TX; Brooks County Independent School District, Brooks County and City of Falfurrias vs. Anastacio Cruz Acct. No. 01000001204400; Lots 44, Block 12, La Colonia Mexicana Addition, Original Townsite to the City of Falfurrias, Brooks County, Texas, as described in Volume 27, Page 6, Deed Records of Brooks County, Texas.

(Submitted by Linebarger) 

Motion: to approve offer made by Hector Guerrero Jr in the amount of \$525.00, **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:** Yes = 4).


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

21. Discuss, Consider and Act on offer to purchase tax sale property Suit No. 13-05-02029-TX; Brooks County Independent School District, Brooks County and City of Falfurrias vs. Susanna Saenz Acct. No. 02950000200500; The North ½ of Lot 5, Block 2, Original Townsite of Falfurrias, Brooks County, Texas, as described in Volume 259, Page 47, Deed Records of Brooks County, Texas. (Submitted by Linebarger) 

Motion: to approve offer made by Julia Muniz in the amount of \$11, 600.00, **Action:** Approve, **Moved by** Armando Olivarez, Commissioner Precinct 3, **Seconded by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4. Motion passed unanimously. **(On file)**

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

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


23. Discuss and approve line item transfer of \$35.00 from 012-5-0455-5000 Office Supplies to 5-012-0455-9010 Membership Dues. (Submitted by Adela Quintanilla, JP#1) 

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

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

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


ADDENDUM

1. Discuss, consider, and possibly act on rejecting construction bids received on February 23, 2018 for the County's GLO Disaster Recovery Project DRS220016 

Motion: to approve the rejecting of construction bids, **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:** Yes = 4).


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

2. Approve of Regular and Special Commissioners Court minutes.
(January 9, 2018, February 1, 2018, February 13, 2018, February 26, 2018, March 7, 2018, March 13, 2018 and March 20, 2018) 

Motion: to approve the minutes as presented by the County Clerk, **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:** Yes = 4).

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

3. Approve of Bills and Claims. 

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

Motion: to approve the bills and claims with a total amount of \$79,923.69, **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:** Yes = 4).

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

5. Approve Auditor's Monthly Report. 

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

Motion: to approve the auditor's 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:** Yes = 4).

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

6. Approve County Foreman's Monthly Report. 

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

Motion: to approve the monthly report, **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 = 4).

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

7. Approve Tax Assessor Collector Chief Deputy Monthly Report. 

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

Motion: to approve the Motor Vehicle Report for the month February in the amount of \$33,347.40, the monthly disburse in the amount of \$192, 807.98 and the TC168 report with a 89.22% collected, **Action:** Approve, **Moved by** Armando Olivarez, Commissioner Precinct 3, **Seconded by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4. Motion passed unanimously. **(On file)**

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

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

4. Approve Treasurer's Monthly Report. 

August Patroelj, County addressed the Court on the above matter in behalf of the County Treasurer.

Motion: to approve the monthly report with a total distribution of monies collected of \$470,284.97, **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:** Yes = 4).


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

8. Approve Monthly Reports by Brooks County.
(Submitted by Brooks County Justice of the Peace Precinct 1-4)
(Submitted by Brooks County Library, Angelica Regalado)

Motion: to approve the monthly reports as presented, **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:** Yes = 4).

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

9. Discuss, Consider and Act on advertising for health insurance to include self-funded for Brooks County employees and submitted to Commissioners' Court for approval once completed. 

Motion: to advertise for health insurance and to include self-funded, **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:** Yes = 4).

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

10. Discuss and approve advertising for insurance consulting services. 

Motion: to pass the above matter, **Action:** Pass, **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:** Yes = 4).

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

25. Adjourn

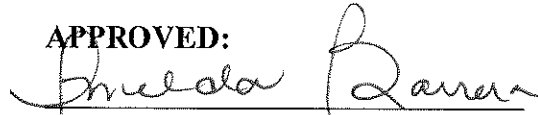
Motion: to adjourn the meeting at 3:37 PM, **Action:** Adjourn, **Moved by** Jose Antonio "Tony" Martinez, Commissioner Precinct 4, **Seconded by** Armando Olivarez, Commissioner Precinct 3.

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

Yes: Armando Olivarez, Commissioner Precinct 3, Gloria Garza, Commissioner Precinct 1, 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 10th day of April, 2018, A.D.

APPROVED:



Imelda Barrera, County Judge

ATTESTED:



Elvaray B. Silvas, County Clerk