


# REGULAR COMMISSIONERS COURT

May 14, 2019

10:00 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 10:13 AM 

**PLEDGE OF ALLEGIANCE**- was led by Judge Eric Ramos

**ROLL CALL**- Judge Eric Ramos called for roll call.

**Present:** Eric Ramos, County Judge,  
Gloria Garza, Commissioner Precinct 1,  
Rolando Gutierrez, Commissioner Precinct 2,  
Armando Olivarez, Commissioner Precinct 3,  
Ernesto "Pepe" Williams, Commissioner Precinct 4,  
Elvaray B. Silvas, County Clerk (Not voting).

**Staff Present:**

Missy A. Saavedra, Deputy Clerk  
Gloria Garcia, County Judge's Office

**Others Present:**

Angela Perez, Assistant County Auditor

**AGENDA**

**1. Public Comments**

There were no public comments said at this time.

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

**Motion:** to approve of the minutes as presented, **Action:** Approve, **Moved by** Gloria Garza, Commissioner Precinct 1, **Seconded by** Rolando Gutierrez, 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, Ernesto "Pepe" Williams, Commissioner Precinct 4, Gloria Garza, Commissioner Precinct 1, Rolando Gutierrez, Commissioner Precinct 2.

**3. Approve of Bills and Claims** 

Commissioner Williams had a question on one of the bills from Vista Tires; it was stated that they were vehicles from the Sheriff's Department and one from the Constables.

**Motion:** to approve the bills and claims as presented, **Action:** Approve, **Moved by** Armando Olivarez, Commissioner Precinct 3, **Seconded by** Ernesto "Pepe" Williams, 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, Ernesto "Pepe" Williams, Commissioner Precinct 4, Gloria Garza, Commissioner Precinct 1, Rolando Gutierrez, Commissioner Precinct 2.

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**4. Approve Monthly Reports** 

**A. Treasurer's Monthly Report**

**B. Auditor's Monthly Report**

**C. Tax Assessor Collector Chief Deputy Monthly Report**

**D. Approve Monthly Reports by Brooks County**

(Submitted by County Foreman)

(Submitted by Brooks County Justice of the Peace Precinct 1-4)

(Submitted by Brooks County Library Supervisor, Angelica Regalado)

(Submitted by Ruby Allen, Landfill Supervisor)

Alan Hernandez, County Treasurer presented his monthly report for April 2019; Angela Garcia, Assistant Auditor presented the Auditor's monthly report for the month of April 2019; Teresa A. Silvas, Chief Deputy Tax Assessor Collector presented her monthly report for the month of April 2019.

**Motion:** to approve the monthly reports as presented, **Action:** Approve, **Moved by** Armando Olivarez, Commissioner Precinct 3, **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, Ernesto "Pepe" Williams, Commissioner Precinct 4, Gloria Garza, Commissioner Precinct 1, Rolando Gutierrez, Commissioner Precinct 2.

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**INFORMATION ITEMS**

**5. Presentation of 2018 Falfurrias Fire Department overview report.**

(Submitted by Ruben Ramirez) 

Ruben Ramirez, Fire Chief presented his 2018 Falfurrias Fire Department overview report to the Court. Judge Eric Ramos also addressed on the above matter in thanking the fire department. No action taken, discussion only.

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**6. Presentation by Texas Energy Consultants, regarding solar energy project development in Brooks County. (Submitted by Robert Pena)** 


Robert Pena addressed the Court on the above matter with a short presentation on possibly developing a solar energy project in Brooks County, with a possible tax abatement (with them paying 15%-20% back taxes) and providing 105 jobs during construction. Discussion only, no action taken.

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**7. Texas A&M Agrilife monthly report (Submitted by Derek Correa/Katarina Rodriguez)**



Item was passed by the court.

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**ACTION ITEMS**

**8. Discuss the Interlocal Agreement between Brooks County Independent School District, the City of Falfurrias and Brooks County in regards to the foreclosed property on the Brooks County Resale List (Submitted by Terri Silvas)** 

Honorable Judge Eric Ramos, stated that he doesn't have a MOU, since the City had some changes. But was discussed that the properties will be divided between the County and the City.

**Motion:** to table, **Action:** Table, **Moved by** Armando Olivarez, Commissioner Precinct 3, **Seconded by** Ernesto "Pepe" Williams, 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, Ernesto "Pepe" Williams, Commissioner Precinct 4, Gloria Garza, Commissioner Precinct 1, Rolando Gutierrez, Commissioner Precinct 2.

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**9. Discuss, consider and act on revising Brooks County Employee Manual:** 

**I. B-1 Attendance and Timeliness, Pg.6**


**II. D-8 Credit Card, Pg. 30, 31**

**III. 2A-8 Work Schedules, Pg. 31, 38, 39**

**Motion:** to adopt the changes of the Brooks County Handbook, **Action:** Approve, **Moved by** Rolando Gutierrez, Commissioner Precinct 2, **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, Ernesto "Pepe" Williams, Commissioner Precinct 4, Gloria Garza, Commissioner Precinct 1, Rolando Gutierrez, Commissioner Precinct 2.

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**10. Discuss, consider and act on line item transfer \$4,000.00 from 012-5-0641-5457 County Out-Patient Expense to 012-5-0641-5456 County In-Patient Expense (Submitted by Bobby Saenz)** 

**Motion:** to approve line item transfer, **Action:** Approve, **Moved by** Ernesto "Pepe" Williams, Commissioner Precinct 4, **Seconded by** Rolando Gutierrez, 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, Ernesto "Pepe" Williams, Commissioner Precinct 4, Gloria Garza, Commissioner Precinct 1, Rolando Gutierrez, Commissioner Precinct 2.

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**11. Discuss, consider and act on payment to Valero –Fleet Services on three separate transactions for fuel for a total of \$65.30 (Submitted by Sheriff's Department)** 


Commander Jorge Esparza addressed the Court on the above matter. It was also stated that the Court should table, due to the Sheriff's office paying from special fund.

**Motion:** to table payment to Valero-Fleet Services, **Action:** Table, **Moved by** Ernesto "Pepe" Williams, Commissioner Precinct 4, **Seconded by** Rolando Gutierrez, Commissioner Precinct 2.

**Vote:** Motion passed (**summary:** Yes = 4, No = 1, Abstain = 0).

**Yes:** Armando Olivarez, Commissioner Precinct 3, Ernesto "Pepe" Williams, Commissioner Precinct 4. Gloria Garza, Commissioner Precinct 1, Rolando Gutierrez, Commissioner Precinct 2.


**No:** Eric Ramos, County Judge

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**12. Discuss, consider and act in providing assistance to the Falfurrias Volunteer Fire Department and allowing the usage of the J.M. Alaniz Fairgrounds June 1<sup>st</sup>-June 9<sup>th</sup> for their Annual Bar- B Que Fundraiser. (Submitted by Ruben Ramirez)** 

**Motion:** to provide assistance to the fire department and the usage of the fairgrounds, **Action:** Approve, **Moved by** Ernesto "Pepe" Williams, Commissioner Precinct 4, **Seconded by** Armando Olivarez, Commissioner Precinct 3. Motion passed unanimously.

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

**Yes:** Armando Olivarez, Commissioner Precinct 3, Eric Ramos, County Judge, Ernesto "Pepe" Williams, Commissioner Precinct 4, Gloria Garza, Commissioner Precinct 1, Rolando Gutierrez, Commissioner Precinct 2.


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**13. Discuss, consider and act on a MOU with the Falfurrias Volunteer Fire Department for the County to pay for the hauling of the wood for the 54<sup>th</sup> Annual Watermelon Round-up (Submitted by Ruben Ramirez)** 

Honorable Judge Eric Ramos and Fire Chief Ruben Ramirez addressed the Court on the above matter and it was decided that an MOU was not needed

**Motion:** to approve the County to haul it with no MOU, **Action:** Approve, **Moved by** Ernesto "Pepe" Williams, 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, Ernesto "Pepe" Williams, Commissioner Precinct 4, Gloria Garza, Commissioner Precinct 1, Rolando Gutierrez, Commissioner Precinct 2.

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**14. Discuss, consider and act on line item transfer of \$600.00 from 012-5-0560-5575 Investigation Serveil Cos to 012-5-0560-5136 Uniforms. (Submitted by Jorge Esparza)** 

**Motion:** to approve line item transfer, **Action:** Approve, **Moved by** Rolando Gutierrez, 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, Ernesto "Pepe" Williams, Commissioner Precinct 4, Gloria Garza, Commissioner Precinct 1, Rolando Gutierrez, Commissioner Precinct 2.


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**15. Discuss, consider and act on line item transfer of \$300.00 from 012-5-0561-5515 Radio Maintenance & Repairs to 012-5-0561-5136 Uniforms. (Submitted by Jorge Esparza)** 

**Motion:** to approve line item transfer, **Action:** Approve, **Moved by** Armando Olivarez, Commissioner Precinct 3, **Seconded by** Rolando Gutierrez, 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, Ernesto "Pepe" Williams, Commissioner Precinct 4, Gloria Garza, Commissioner Precinct 1, Rolando Gutierrez, Commissioner Precinct 2.

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**16. Discuss, consider and act on line item transfer of \$1,000.00 from 012-5-0512-5800**

**Repairs and Maint. Bldgs. To 012-5-0512-5000 Office Supplies.** 

**(Submitted by Jorge Esparza)**

**Motion:** to approve line item transfer, **Action:** Approve, **Moved by** Rolando Gutierrez, Commissioner Precinct 2, **Seconded by** Ernesto "Pepe" Williams, 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, Ernesto "Pepe" Williams, Commissioner Precinct 4, Gloria Garza, Commissioner Precinct 1, Rolando Gutierrez, Commissioner Precinct 2.

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**17. Discuss, consider and act on line item transfer of \$7,000.00 from 012-5-0512-8105 Jailers to 012-5-0512-5135 Supplies-Other in the amount, of \$700.00, to 012-5-0512-5136 Uniforms in the amount of \$700.00, to 012-5-0512-5137 Jail linens in the amount of \$1,000.00, to 012-5-0512-5550 Out of Co travel in the amount of \$600.00, to 012-5-0512-8129 Overtime in the Amount of \$3,600.00 and to 012-5-0512-9080 Registration fees in the**

**amount of \$400.00. (Submitted by Jorge Esparza)** 

**Motion:** to approve line item transfer, **Action:** Approve, **Moved by** Gloria Garza, Commissioner Precinct 1, **Seconded by** Ernesto "Pepe" Williams, 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, Ernesto "Pepe" Williams, Commissioner Precinct 4, Gloria Garza, Commissioner Precinct 1, Rolando Gutierrez, Commissioner Precinct 2.

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**18. Discuss, consider and act on line item transfers:** 

**a. line item transfer of \$10,000.00 from 012-5-0512-8105 jailers to 012-5-0512-5450 Prisoners Medical Exp.**

**b. line item transfer of \$1,500.00 from 012-5-0512-5800 Repairs & Maint.Bldgs. to 012-5-0512-5450 Prisoners Medical Exp. (Submitted by Jorge Esparza)**

**Motion:** to approve line item transfers a-b, **Action:** Approve, **Moved by** Rolando Gutierrez, 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, Ernesto "Pepe" Williams, Commissioner Precinct 4, Gloria Garza, Commissioner Precinct 1, Rolando Gutierrez, Commissioner Precinct 2.

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**19. Discuss, consider and act on allowing Falfurrias Border Patrol Station to adopt the small parking/rest area on FM 755 in remembrance of Border Patrol Agent Mark F. Van**


**Doren. (Submitted by Lyle D. Gibson SBPA/BCL)** 

**Motion:** to allow the Falfurrias Border Patrol Station to adopt the rest area on FM 755

(maintenance and the up keep will be done by them), **Action:** Approve, **Moved by** Ernesto "Pepe" Williams, Commissioner Precinct 4, **Seconded by** Rolando Gutierrez, 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, Ernesto "Pepe" Williams, Commissioner Precinct 4, Gloria Garza, Commissioner Precinct 1, Rolando Gutierrez, Commissioner Precinct 2.

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**20. Discuss, consider and act on line item transfer of \$370.00 from 012-5-0400-8107 Part-Time to 012-5-0400-9080 Registration fees.** 

**Motion:** to approve line item transfer, **Action:** Approve, **Moved by** Rolando Gutierrez, Commissioner Precinct 2, **Seconded by** Ernesto "Pepe" Williams, 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, Ernesto "Pepe" Williams, Commissioner Precinct 4, Gloria Garza, Commissioner Precinct 1, Rolando Gutierrez, Commissioner Precinct 2.


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**21. Discuss, consider and act opening bids for fencing project at the Brooks County Landfill, Bid will consist of 640 feet by 5 strands of barbed wire to include post and 100 feet by 8 feet 11 inches vinyl coated poultry netting.** 

Honorable Judge Eric Ramos opened up a bid in open Court, bid is from Munoz Fencing in the amount of \$4,342.59.

**Motion:** to accept the bid, **Action:** Approve, **Moved by** Ernesto "Pepe" Williams, Commissioner Precinct 4, **Seconded by** Rolando Gutierrez, 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, Ernesto "Pepe" Williams, Commissioner Precinct 4, Gloria Garza, Commissioner Precinct 1, Rolando Gutierrez, Commissioner Precinct 2.

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**22. Discuss, consider and act on a Resolution in support of hiring attorneys to represent Brooks County in the Opioid Litigation. (To be retroactive to April 10, 2019.)** 

**Motion:** to approve resolution, **Action:** Approve, **Moved by** Armando Olivarez, Commissioner Precinct 3, **Seconded by** Ernesto "Pepe" Williams, 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, Ernesto "Pepe" Williams, Commissioner Precinct 4, Gloria Garza, Commissioner Precinct 1, Rolando Gutierrez, Commissioner Precinct 2.

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**23. Discuss, consider and act on line item transfer of \$100.00 from 012-5-0550-5163 Uniforms to 012-5-0550-5820 Repairs & Maint & Repairs (Submitted by Arturo Garcia)**



**Motion:** to approve line item transfer, **Action:** Approve, **Moved by** Ernesto "Pepe" Williams, Commissioner Precinct 4, **Seconded by** Rolando Gutierrez, 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, Ernesto "Pepe" Williams, Commissioner Precinct 4, Gloria Garza, Commissioner Precinct 1, Rolando Gutierrez, Commissioner Precinct 2.


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**24. Discuss, consider and act on a MOU with Brooks County Independent School District to purchase 30 Tourniquet kits.** 

**Motion:** to table, **Action:** Table, **Moved by** Armando Olivarez, Commissioner Precinct 3, **Seconded by** Rolando Gutierrez, 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, Ernesto "Pepe" Williams, Commissioner Precinct 4, Gloria Garza, Commissioner Precinct 1, Rolando Gutierrez, Commissioner Precinct 2.

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**Addendum**


**1. Discuss, consider and act on the purchase of TV monitors for the 2<sup>nd</sup> Floor Courtroom** 

Adam Ogan, IT addressed the Court on the above matter.

**Motion:** to approve the purchasing of the monitors, **Action:** Approve, **Moved by** Ernesto "Pepe" Williams, Commissioner Precinct 4, **Seconded by** Rolando Gutierrez, 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, Ernesto "Pepe" Williams, Commissioner Precinct 4, Gloria Garza, Commissioner Precinct 1, Rolando Gutierrez, Commissioner Precinct 2.

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**2. Discuss, consider and act on contacting a Financial Advisor for the purpose of initiating Bond Process** 

**Motion:** to approve the contacting of a Financial Advisor, **Action:** Approve, **Moved by** Ernesto "Pepe" Williams, Commissioner Precinct 4, **Seconded by** Rolando Gutierrez, 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, Ernesto "Pepe" Williams, Commissioner Precinct 4, Gloria Garza, Commissioner Precinct 1, Rolando Gutierrez, Commissioner Precinct 2.

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**EXECUTIVE SESSION** 

**25. Discuss Employment/Resignations/Retirements and other Personnel Issues.**

Item was passed by the court.

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**26. Discuss EEOC Complaint by former employee**

This item was not discussed and will be discussed at a later time.  
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**OPEN SESSION**

**27. Discuss, consider and act on Employment/Resignations/Retirements.**

Item was passed by the court.  
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**28. Adjourn.**

**Motion:** to adjourn the meeting at 11:38 AM, **Action:** Adjourn, **Moved by** Ernesto "Pepe" Williams, Commissioner Precinct 4, **Seconded by** Rolando Gutierrez, 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, Ernesto "Pepe" Williams, Commissioner Precinct 4, Gloria Garza, Commissioner Precinct 1, Rolando Gutierrez, Commissioner Precinct 2.  
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The preceding minutes beginning on page \_\_\_\_\_ and ending on page \_\_\_\_\_, of the Commissioners' Court Minutes Volume 37, read and approved in the Honorable Commissioners' Court this 18<sup>th</sup> day of June, 2019, A.D.

**APPROVED:**



County Judge

**ATTESTED:**

  
County Clerk