

# REGULAR COMMISSIONERS COURT

June 18, 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 10:06 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** 

Oralia V. Morales, JP Precinct #2 addressed the Court in reference to totals of collections collected.

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

**(May 13, 2019, May 14, 2019, May 28, 2019)** 

**Motion:** to approve the minutes as presented by the County Clerk, **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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**2. Approve of Bills and Claims** 

**Motion:** to approve the bills and claims 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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**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 report to the Court; Angie Saenz presented the Auditor's report; Angie Sosa presented the Chief Deputy Tax Assessor Collectors report

**Motion:** to approve the reports as presented, **Action:** Approve, **Moved by** Armando Olivarez, Commissioner Precinct 3, **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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**INFORMATION ITEMS**

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



For information only, no action taken.

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**6. Internal Committee Assignments: Technology, Medical/Insurance/Road & Bridge/Bond**

Honorable Judge Eric Ramos read a list of county employees assigned to certain committee **(On file)**. No action taken, discussion only.


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**7. 2019-2020 Budget Schedule**

Honorable Judge Eric Ramos passed a schedule for budget meetings. No action taken, discussion only. **(On file)** First meeting has been rescheduled for June 28<sup>th</sup> at 2:30 PM

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**ACTION ITEMS**

**9. Discuss and approve to rescind a motion previously made on November 13, 2018, line item. (Submitted by County Judges Office)** 

**Motion:** to table the rescinding, **Action:** Table, **Moved by** Ernesto "Pepe" Williams, Commissioner Precinct 4, **None seconded.** Motion dies to lack of second.

**Motion:** to rescind the motion, **Action:** Approve, **Moved by** Gloria Garza, Commissioner Precinct 1, **Seconded by** Armando Olivarez, Commissioner Precinct 3.

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

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

**No:** Ernesto "Pepe" Williams, Commissioner Precinct 4.

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**10. Discuss and approve to rescind a motion previously made on May 14, 2019, line item #22. (Submitted by County Judges Office)** 


**Motion:** to rescind the motion previously made, **Action:** Approve, **Moved by** Armando Olivarez, Commissioner Precinct 3, **Seconded by** Gloria Garza, Commissioner Precinct 1.

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

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

**No:** Ernesto "Pepe" Williams, Commissioner Precinct 4.

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**11. Discuss, consider and act on a new or amended Opioid Legal Agreement.**  
**(Submitted by County Judges Office)** 

Simon Purnell, Phipps, Deacon, Purnell LLC addressed the Court on the above matter.

**Motion:** to approve an Amended Opioid Legal Agreement, **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, Ernesto "Pepe" Williams, Commissioner Precinct 4, Gloria Garza, Commissioner Precinct 1, Rolando Gutierrez, Commissioner Precinct 2.

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**12. Discuss, consider and act on** 

I. Waiving fees for the usage of the J.M Alaniz Fairgrounds  
July 5<sup>th</sup> & July 6<sup>th</sup> for the 1<sup>st</sup> Annual Independence Day Celebration.

II. Lifting Beer Ban at J.M. Alaniz Fairgrounds for the 1<sup>st</sup> Annual  
Independence Day Celebration on July 6, 2019.


(Submitted by Brooks County Independent  
Extravaganza Committee- Bobby Saenz)

Bobby Saenz addressed the Court on the above matter.

**Motion:** to waive usage fee and to lift the beer ban for the 1st Annual Independence Day Celebration, **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 accepting the Proclamation for Senior Citizen's Day May 14, 2019 (Submitted by County Judges Office)** 

**Motion:** to approve proclamation, **Action:** Approve, **Moved by** Rolando Gutierrez, Commissioner Precinct 2, **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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**14. Discuss, consider and act on line item transfer \$3,427.52 from 012-5-0400-8107 Part-time to 012-5-0400-5550- Out of County Travel in the amount of \$562.00, to 012-5-0401-5553 Comm. #2 Out of County Travel in the amount of \$666.53, to 012-5-0401-5554 Comm.#3 Out of County travel in the amount of \$1,461.14 and to 012-5-0401-5555**

**Comm.#4 Out of County Travel in the amount \$737.85. (Submitted by Judges Office)** 

**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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**15. Discuss, consider and act on line item transfer of \$1,000.00 from 012-5-0641-5450 Indigent- Pharmacy and \$1,000.00 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** 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.

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**16. Discuss, consider and act on line item of \$300.00 from 012-0400-8107 Part-Time to 012-5-0400-5000 Office Supplies. (Submitted by County Judges Office)** 

**Motion:** to approve line item transfer, **Action:** Approve, **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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**17. Discuss, consider and act on line item transfer of \$3,500.00 from 101-5-0000-5865 Equipment Rental to 101-5-0000-5420 Prof. Fees- Engineering in the amount of \$3,000.00 and to 101-5 0000-5000 Office Supplies in the amount of \$500.00.**

**(Submitted by Ruby Allen)** 

**Motion:** approve line item transfer, **Action:** Approve, **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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**18. Discuss, consider and act on line item transfer of \$500.00 from 012-5-0561-5515 Radio Maintenance & Repairs to 012-5-0561-5000 Office Supplies. (Submitted by Jorge Esparza)**



**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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**19. Discuss, consider and act on Approving Invoice # 157 in the amount of \$500.00 for additional Fence work and materials at Brooks County Landfill. Fence bid approved at May 14, 2019 Commissioners' Court (Submitted by County Judges Office)** 

**Motion:** to table until the 28th, **Action:** Table, **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 Bid Advertisement – Renewal of County Contracts.**


**(Submitted by County Auditor's Office August Patroelji)** 

1. Fuel & Lubricants Contract  
**1 Year Contract: 07/15/2019-07/15/2020**
2. Pest Control and Termite Inspection Contact  
**1 Year Contract: 07/15/2019-07/15/2020**
3. Bank Depository Contact : **07/15/2019-07/15/2023**

**Motion:** to go out for bid advertisement for items 1-3, **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 on the authorization of Surplus/Salvage Property Sale on August 17, 2019 at Brooks County Road & Bridge, 362 W Travis St. Falfurrias, Texas, commencing at 10:00 AM. (Submitted by Debra Garcia, Assistant Auditor)** 

**Motion:** to authorize surplus/salvage property sale, **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, 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 Memorandum of Understanding with the City of Falfurrias to maintain the grounds of the Foreclosed Properties in Brooks County.** 

**Motion:** to approve Memorandum of Understanding, **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 the authorization of resuming the custodial duties at the Los Olmos Ranch.** 

Judge Eric Ramos made correction on wording (typo) should be Los Olmos Cemetery.

**Motion:** to table for further information, **Action:** Table, **Moved by** Gloria Garza, Commissioner Precinct 1, **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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**8. Discuss, consider and act on accepting Abatement Contract from Cypress Creek Renewables, LLC (Submitted by County Judges Office)** 

- I. Notice of Public Hearing
- II. Resolution of the Commissioners' Court of Brooks County Designating Alexis Solar Reinvestment Zone #1

III. Guidelines and Criteria Governing Tax Abatements for Brooks County  
Robert Pena, Cypress Creek Renewables LLC addressed the Court on the above matter. The Court discussed the items per item:

8 I.

At 11:27 PM the Court opened a Public Hearing for comments; at 11:27 am Judge Ramos closed the public hearing, due to no comments.

8 II.

The Court and Mr. Pena addressed the resolution designating the reinvestment zone.

**Motion:** to approve the resolution, **Action:** Approve, **Moved by** Ernesto "Pepe" Williams, 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 = 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.

8 III.

Mr. Pena informed the court on the tax abatement guidelines.

**Motion:** to adopt the guidelines, **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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**EXECUTIVE SESSION** - At 11:47 AM the Court went into executive session to discuss the following items.

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

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**25. Conduct of elected officials when visiting County Office's**  
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**OPEN SESSION** - At 12:18 PM the court came back into session, Present: Same as before.

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

No action taken.  
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**27. Adjourn.**

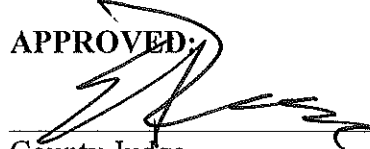
**Motion:** 12:19 PM, **Action:** Adjourn, **Moved by** Rolando Gutierrez, Commissioner Precinct 2, **Seconded by** Gloria Garza, Commissioner Precinct 1. Motion passed unanimously.

**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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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 15<sup>th</sup> day of July, 2019, A.D.

**APPROVED:**

  
\_\_\_\_\_  
County Judge

**ATTESTED:**

  
\_\_\_\_\_  
County Clerk