

REGULAR COMMISSIONERS COURT
February 12, 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 3:00 PM.

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).

PLEDGE OF ALLEGIANCE- was led by Judge Eric Ramos

Staff Present:
Missy A. Saavedra, Deputy Clerk

Others Present:
August Patroelj, County Auditor
Angie Saenz, 1st Assistant Auditor

AGENDA

1. Public Comments

No comments were said at this time.

2. Approve of Regular and Special Commissioners Court minutes. 

Motion: to approve the minutes of 01-08-2019, 01-11-2019, 01-25-2019, and 01-25-2019 as presented, **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.

3. Bills and Claims

August Patroelj, County Auditor addressed the Court on the claim for Letty Garza which has been settled for \$25,000.00 and another claim for an issue at the jail which has also been settled for \$1 Million dollars.

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.

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)

August Patroelj, County Auditor presented the County Treasurer's Monthly report for the months of December 2018 and January 2019; August Patroelj, County Auditor presented his monthly report for the months of December 2018 and January 2019; Terri A Silvas, Chief Deputy Tax Assessor presented her monthly report.

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.


INFORMATION ITEMS

5. Discuss the Ed Rachal Memorial Library receiving a Grant from The Ed Rachal Foundation in the amount of \$10,000.00. (Submitted by Angie Regalado)

Discussion only, no action taken.

6. Discuss the Brooks County Inventory Procedure. (Submitted by August Patroelj)

August Patroelj, County Auditor addressed the Court by reading the Brooks County Inventory Procedure in open court and would be emailing the procedure to all employees. Discussion only, no action taken.

7. Discuss the Modification of Intergovernmental Agreement with the United States Marshalls Service Prisoner Operations Division. (Submitted by Maggie Saenz) 

Sheriff Martinez addressed the Court on the above matter; since they carry the commission for GEO and are responsible for the agreement. Discussion only, no action taken.

8. Discuss the New Development Tracks on US Hwy #285. (Submitted by Bobby Saenz) 

Bobby Saenz, 911 Addressing/Indigent addressed the Court on an update on the adding of 14 lots, and discussed in maybe starting issuing permits. David Flores, City Administrator stated that the City doesn't have a full time inspector but a contracted inspector, which the county could also use. Discussion only, no action taken.

9. Discuss the 911 Addressing Update. (Submitted by Bobby Saenz) 

Bobby Saenz 911 Addressing/Indigent in reference to the designated city boundaries and the updating of addresses. David Flores, City Administrator addressed the Court stating that this would help on where the actual city limit lies. Discussion only, no action taken.

10. Discuss the EScofflaw Program Presentation by Tony Worley from Hamer Enterprise.

This software was approved on October 14, 2104. (Submitted by Terry Silvas) 

Tony Worley, Hamer Enterprise addressed the Court stating that they handle credit card payments and that several county offices are currently using their software. Mr. Worley informed the Court on the EScofflaw Program that deals about a database on outstanding tickets that doesn't allow county residents to renew their inspections sticker, unless the ticket is paid at no cost to the County. Discussion only, no action taken.

ACTION ITEMS


11. Discuss, consider and act on approving contract renewal with BIS, Commissioners

Court Recording System contract is from 02-10-2019 through 02-09-2020. 

Motion: to approve the contract, **Action:** Approve, **Moved by** Gloria Garza, Commissioner Precinct 1, **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.

12. Discuss, consider and act on payment to Valero –Fleet Services on three separate transactions for fuel for a total of \$70.64 (Submitted by Sheriff's Department) 

Motion: to approve payment, **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.

13. Discuss, consider and act on an upgrade software for the District Clerk Jury System Software. (Submitted by Noe Guerra, District Clerk) 

Noe Guerra Jr., District Clerk addressed the Court on the above matter for the purpose of saving time and having things done automatically. **Motion:** to approve upgrade software, **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.

14. Discuss, consider and act on the BCFA to use the entire fairgrounds for the 73rd Annual Brooks County Fair and Carnival, on 2/25/19 through 3/2/19.
(Submitted by Arnold Mireles, BCFA President) 

Motion: to approve the usage of the entire fairgrounds, **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.

15. Discuss, consider and act on the lifting of Beer Ban for the BCFA Fair, on 2/25/19 through 3/2/19 (Submitted by Arnold Mireles, BCFA President) 

Motion: to lift the alcohol ban, **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.


16. Discuss, consider and act on granting permission to the City of Falfurrias, Utility Board to cut across County Road #405. 

Jose Azocar, Road and Bridge Assistant Foreman is asking for the City to place caliche before the coil mix is added and extend the project by 6 inches on both sides.

Motion: to grant permission to the City of Falfurrias and that next time that a road bore be done, **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.


17. Discuss, consider and act on the approval of NuStar Permits for crossing under County Road #201, County Road #203, County Road #204, and County Road #304. 

Steve Roane, Nustar Agent addressed the Court on the above matter.

Motion: to approve road boring permits by NuStar, **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.

18. Discuss, consider and act on installing three stop signs at the intersection of County Road #222, and County Road #221. 

Jose Azocar, Road and Bridge Assistant Foreman addressed the Court on the above matter.

Motion: to approve the installing of three stop signs, **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.

19. Discuss, consider and act on a Proclamation Declaring, Jose Joe DeLeon Day on 2-12-2019.

Honorable Judge Eric Ramos read the proclamation in open Court. **Motion:** to approve proclamation, **Action:** Approve, **Moved by** Gloria Garza, Commissioner Precinct 1, **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.


20. Discuss, consider and act on the 2019 Brooks County Resolution Indigent Defense Grant Program. 

Honorable Judge Eric Ramos read the resolution in open Court. **Motion:** to approve resolution, **Action:** Approve, **Moved by** Gloria Garza, Commissioner Precinct 1, **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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21. Discuss, consider and act on Resolution in Support of Strengthening the Texas Trauma Network. 

Honorable Judge Eric Ramos read the resolution in open Court. **Motion:** to approve 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.

22. Discuss, consider and act on The Brooks County Resolution for the 79th Judicial District Drug/Alcohol Court Diversion Program. 

Honorable Judge Eric Ramos read the resolution in open Court. Albert Ramirez, Correctional Supervisor also addressed the Court on the above matter. **Motion:** to approve resolution, **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.

23. Discuss, consider and act on The Resolution Operation Stone Garden 2019-2020. 

Honorable Judge Eric Ramos read the resolution in open Court. **Motion:** to approve resolution, **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.

24. Discuss, consider and act on The Resolution, Alien Death Processing and Missing Person Assistance Grant 2018-2019. 

Honorable Judge Eric Ramos read the resolution in open Court. **Motion:** to approve the resolution, **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.


25. Discuss, consider and act on Memorandum of Understanding between the Rio Grande Valley Empowerment Zone "Victims of Crime Program" and Brooks County. 

Helena Carrera, Crime Victim Advocate addressed the Court on the above matter.

Motion: to approve the Memorandum of Understanding, **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.

26. Discuss, consider and act on Memorandum of Understanding between the Rio Grande Valley Empowerment Zone "Victims of Crime Program" and Brooks County Indigent Program. 

Motion: to approve the Memorandum of Understanding, **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.

Addendum.

1. Discuss, consider and act on the acceptance of a \$1,000.00 donation from Williams Plant for the Emergency Management Program. (Submitted by Lamar Villarreal.)

Motion: to approve of the acceptance of a \$1,000.00 donation, **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.

EXECUTIVE SESSION – at 11:34 the Commissioners' Court went into Executive Session at 12:05 pm

27. Discuss Employment/Resignations/Retirements and other Personnel Issues.

Discussion was only made in Executive Session

OPEN SESSION

28. Discuss, consider and act on Employment/Resignations/Retirements.

Motion: to table the hiring of the CSO, **Action:** Table, **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.

29. Adjourn.

Motion: to adjourn at 12:06 PM, **Action:** Adjourn, **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.

The preceding minutes beginning on page 229 and ending on page 236, of the Commissioners' Court Minutes Volume 37, read and approved in the Honorable Commissioners' Court this 12th day of March, 2019, A.D.

APPROVED:



County Judge

ATTESTED:


County Clerk