

# REGULAR COMMISSIONERS COURT

January 12, 2021

10:00 A.M.

Through teleconference with ZOOM

Meeting ID: 860 4578 0813

Password: 016141

BE IT REMEMBERED, that on this day, the Honorable Commissioners' Court of Brooks County, Texas met in Regular Term through Teleconference through ZOOM:

**OPEN MEETING** -Judge Eric Ramos opened the meeting at 10:10 AM

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

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

**Present:** Eric Ramos, County Judge,  
Eduardo 'Eddie' Garza, Commissioner Precinct 1,  
Rolando Gutierrez, Commissioner Precinct 2,  
Horacio Villarreal III, Commissioner Precinct 3,  
Ernesto "Pepe" Williams, Commissioner Precinct 4,  
Elvaray B. Silvas, County Clerk (Not voting).

**Staff Present:** Missy A Saavedra, Deputy County Clerk

## AGENDA

### 1. Public Comments

There were no public comments at this time.

### 17. Discuss, consider and approve a resolution supporting the CACOST and Hogg Foundations plans for a Walking Path at Lopez Park.

Erica Woodworth, Hogg Foundations, BHOLD, April Anzaldua, CACOST, Estella Anzualda, Eli Alvarado, Alvarado Architects and Associates addressed the Court on the above matter. They currently have funding for Phase 1 (walking trails). Judge Ramos read resolution in open court.

**Motion:** to approve a resolution supporting plans for a walking path, **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:** Eduardo 'Eddie' Garza, Commissioner Precinct 1, Eric Ramos, County Judge, Ernesto "Pepe" Williams, Commissioner Precinct 4, Horacio Villarreal III, Commissioner Precinct 3, Rolando Gutierrez, Commissioner Precinct 2.

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

**Motion:** to approve the minutes of 12-8-2020 and 12-10-2020 as presented by the County Clerk, **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:** Eduardo "Eddie" Garza, Commissioner Precinct 1, Eric Ramos, County Judge, Ernesto "Pepe" Williams, Commissioner Precinct 4, Horacio Villarreal III, Commissioner Precinct 3, Rolando Gutierrez, Commissioner Precinct 2.

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### **3. Approve of Bills and Claims**

**Motion:** to approve the Bills and Claims as presented by the County Auditor, **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:** Eduardo "Eddie" Garza, Commissioner Precinct 1, Eric Ramos, County Judge, Ernesto "Pepe" Williams, Commissioner Precinct 4, Horacio Villarreal III, Commissioner Precinct 3, 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
  - i. (Submitted by County Foreman)
  - ii. (Submitted by Brooks County Justice of the Peace Precinct 1-4)
  - iii. (Submitted by Brooks County Library Supervisor, Angelica Regalado)
  - iv. (Submitted by Ruby Allen, Landfill Supervisor)

Alan Hernandez, County Treasurer presented his monthly report for the months of October - December 2020; August Patroelj, County Auditor presented his monthly report for the months of October-December 2020; Teresa A. Silvas, Chief Deputy Tax Assessor Collector presented her report for the month of December 2020 (Motor Vehicle report, Tax report; TC168 Report).

**Motion:** to approve all reports as presented, **Action:** Approve, **Moved by** Rolando Gutierrez, Commissioner Precinct 2, **Seconded by** Eric Ramos, County Judge. Motion passed unanimously. (**on file**)

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

**Yes:** Eduardo "Eddie" Garza, Commissioner Precinct 1, Eric Ramos, County Judge, Ernesto "Pepe" Williams, Commissioner Precinct 4, Horacio Villarreal III, Commissioner Precinct 3, Rolando Gutierrez, Commissioner Precinct 2.

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### **5. Agrilife Extension reports (reports for information only)**

For information purposes only.

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### **6. Discuss status of the Weigh Station Project.**

Mr. Alberto Soto, LWA Architect addressed the Court with a quick status report on the Weigh Station and the Brooks County Sheriff's Department roof. No action made, discussion only.

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### **7. Discuss status of the Brooks County Sheriff's Office re-roofing.**

This line item was in conjunction with line item #6.

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**8. Discuss, consider and act on placing speed bumps on County Road 224 at La Parrita in Brooks County. (Submitted by Commissioners Pct. #2 Rolando Gutierrez)**

Commissioner Gutierrez addressed the Court on the above matter, stating that he has received calls and is asking to place speed bumps. Judge Ramos stated that he spoke with David T, who was concerned on the way the speed bumps are installed by the County. **Motion:** to study installment of speed bumps, **Action:** Table, **Moved by** Ernesto "Pepe" Williams, Commissioner Precinct 4, **Seconded by** Horacio Villarreal III, Commissioner Precinct 3. Motion passed unanimously.

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

**Yes:** Eduardo "Eddie" Garza, Commissioner Precinct 1, Eric Ramos, County Judge, Ernesto "Pepe" Williams, Commissioner Precinct 4, Horacio Villarreal III, Commissioner Precinct 3, Rolando Gutierrez, Commissioner Precinct 2.

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**9. Discuss, consider and act on offer to purchase tax resale property- Brooks County Suit No. 14-10-02084- TX; Brooks County Independent School District, Brooks County, and city of Falfurrias vs. Teresa Charles, et al Lot; 6 Block 'A', Rachel Addition, an addition to the City of Falfurrias, Brooks County, Texas as Described in Volume 334, page 74 Official Records of Brooks County, Texas.**

Item was passed by the Court, was previously approved.

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**10. Discuss, consider and act on transferring \$1,000.00 from 012-5-0630-5550 Out Of County Travel to; 012-5-0630-9504 Equipment Supplies. (Submitted by BC Judge Eric Ramos)**

**Motion:** to approve line item transfer, **Action:** Approve, **Moved by** Ernesto "Pepe" Williams, Commissioner Precinct 4, **Seconded by** Horacio Villarreal III, Commissioner Precinct 3. Motion passed unanimously.

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

**Yes:** Eduardo "Eddie" Garza, Commissioner Precinct 1, Eric Ramos, County Judge, Ernesto "Pepe" Williams, Commissioner Precinct 4, Horacio Villarreal III, Commissioner Precinct 3, Rolando Gutierrez, Commissioner Precinct 2.

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**11. Discuss, consider and act on transferring \$1,000.00 from 012-5-0630-5550 Out of County Travel, \$1, 5000.00 from 012-5-0630-8129 Overtime; to 012-5-0630-9070 Miscellaneous.**

**(Submitted by BC Judge Eric Ramos)**

**Motion:** to approve line item transfer, **Action:** Approve, **Moved by** Ernesto "Pepe" Williams, Commissioner Precinct 4, **Seconded by** Horacio Villarreal III, Commissioner Precinct 3. Motion passed unanimously.

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

**Yes:** Eduardo "Eddie" Garza, Commissioner Precinct 1, Eric Ramos, County Judge, Ernesto "Pepe" Williams, Commissioner Precinct 4, Horacio Villarreal III, Commissioner Precinct 3, Rolando Gutierrez, Commissioner Precinct 2.

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**12. Discuss, consider and act on transferring the following monies:**

- a. transfer \$400.00 from line item 012-5-0562-5000 (office supplies) to line item 012-5-

0562-9080 (registration)

- b. transfer \$300.00 from line item 012-5-0562-5550 (out of county travel) to line item 012- 5-0562-5136 (uniforms) (Submitted by Commander Esparza)

**Motion:** to approve line item transfers a and b, **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:** Eduardo "Eddie" Garza, Commissioner Precinct 1, Eric Ramos, County Judge, Ernesto "Pepe" Williams, Commissioner Precinct 4, Horacio Villarreal III, Commissioner Precinct 3, Rolando Gutierrez, Commissioner Precinct 2.

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**13. Discuss, consider and act on modifying the current policy regarding Drug and Alcohol Testing for CDL Drivers to comply with the Federal Motor Carrier Safety Administration (FMCSA) Clearinghouse Guidelines. (Submitted by BC Treasurer Alan Hernandez.)**

Alan Hernandez, County Treasurer addressed the Court on the above matter.

**Motion:** to modify the current policy adding the Clearinghouse Guidelines, **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:** Eduardo "Eddie" Garza, Commissioner Precinct 1, Eric Ramos, County Judge, Ernesto "Pepe" Williams, Commissioner Precinct 4, Horacio Villarreal III, Commissioner Precinct 3, Rolando Gutierrez, Commissioner Precinct 2.

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**14. Discuss, consider and act on transferring \$233.92 from 012-5-0510-9068 Contracted labor, to 012-5-0510-8118 Stipend.**

**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:** Eduardo "Eddie" Garza, Commissioner Precinct 1, Eric Ramos, County Judge, Ernesto "Pepe" Williams, Commissioner Precinct 4, Horacio Villarreal III, Commissioner Precinct 3, Rolando Gutierrez, Commissioner Precinct 2.

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**15. Discuss, consider, and act on the increase of salary for three (3) employees under a special fund. (Submitted by Commander Esparza)**

Commander Esparza addressed the Court on the above matter.

**Motion:** to approve increase of salary, based on availability of funds, **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:** Eduardo "Eddie" Garza, Commissioner Precinct 1, Eric Ramos, County Judge, Ernesto "Pepe" Williams, Commissioner Precinct 4, Horacio Villarreal III, Commissioner Precinct 3, Rolando Gutierrez, Commissioner Precinct 2.

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**16. Discuss operational rules, guidelines and practices at the Brooks County Landfill.**

Ruby Allen, Landfill Supervisor addressed the Court on the above matter in reference to guidelines approved by Commissioners Court. Judge Ramos stated that there have been some complaints about trash not being picked up. Ms. Allen stated that any changes being done to the guidelines would need to be TCEQ approved.

**Motion:** table until the next meeting, **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:** Eduardo "Eddie" Garza, Commissioner Precinct 1, Eric Ramos, County Judge, Ernesto "Pepe" Williams, Commissioner Precinct 4, Horacio Villarreal III, Commissioner Precinct 3, Rolando Gutierrez, Commissioner Precinct 2.

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**18. Discuss, consider and act on procurement for caliche road material for the 2020 TxDot County Transportation Infrastructure fund from multiple vendors. (Submitted by BC Judge Eric Ramos)**

**Motion:** to go out for bids and publish in the newspaper, **Action:** Approve, **Moved by** Ernesto "Pepe" Williams, Commissioner Precinct 4, **Seconded by** Eric Ramos, County Judge. Motion passed unanimously.

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

**Yes:** Eduardo "Eddie" Garza, Commissioner Precinct 1, Eric Ramos, County Judge, Ernesto "Pepe" Williams, Commissioner Precinct 4, Horacio Villarreal III, Commissioner Precinct 3, Rolando Gutierrez, Commissioner Precinct 2.

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**19. Discuss, consider and act on procurement for COLD mix LRA type D road material for the TxDot Transportation Infrastructure Fund from multiple vendors. (Submitted by BC Judge Eric Ramos)**

Line Item was in conjunction with line item #18.

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**20. Discuss, consider and act on paying air conditioning repairs to Jaime' Air Conditioning from 012-5-0510-5830 - A/C SYSTEM - MAINTENANCE**

1. Invoice #3395 for \$375.00
2. Invoice #3402 for \$484.50

**Motion:** to pay air conditioning repairs to Jaime' Air Conditioning, **Action:** Approve, **Moved by** Ernesto "Pepe" Williams, Commissioner Precinct 4, **Seconded by** Eduardo "Eddie" Garza, Commissioner Precinct 1. Motion passed unanimously.

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

**Yes:** Eduardo "Eddie" Garza, Commissioner Precinct 1, Eric Ramos, County Judge, Ernesto "Pepe" Williams, Commissioner Precinct 4, Horacio Villarreal III, Commissioner Precinct 3, Rolando Gutierrez, Commissioner Precinct 2.

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**21. Discuss, consider and act on paying invoices to F&D Flooring for Disinfectant supplies from 012-5-0510-5120 - JANITORIAL SUPPLIES**

1. Invoice #147030 for \$1,280.41
2. Invoice #146950 for \$748.80

**Motion:** to pay invoices, **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:** Eduardo "Eddie" Garza, Commissioner Precinct 1, Eric Ramos, County Judge, Ernesto "Pepe" Williams, Commissioner Precinct 4, Horacio Villarreal III, Commissioner Precinct 3, Rolando Gutierrez, Commissioner Precinct 2.

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**22. Discuss, consider and act on approving the Bonds for the newly elected Officials for 2021 and all other previous bonds not approved. (Submitted by County Clerk Elvaray B. Silvas)**

**Motion:** to approve the Bonds for the newly elected Officials for 2021 and all previous bonds not approved, **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:** Eduardo "Eddie" Garza, Commissioner Precinct 1, Eric Ramos, County Judge, Ernesto "Pepe" Williams, Commissioner Precinct 4, Horacio Villarreal III, Commissioner Precinct 3, Rolando Gutierrez, Commissioner Precinct 2.

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**EXECUTIVE SESSION-** Item was passed by the Court.

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

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**OPEN SESSION-** Item was passed by the Court.

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

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**Addendum**

- 1. Discuss, consider and act on offer to Purchase Tax Resale Property-Brooks County Suit. No. 03-03-01377-TX; Brooks County, City of Falfurrias and Brooks County Independent School District vs. Vicenta Cantu, Estate, et al Acct. No. 02100-0002-001-00, The North 50 feet of Lots 1 and 2, Maupin second Addition to the City of Falfurrias, Brooks County, Texas as described in Volume 207, page 545, Official records of Brooks County, Texas**

Item was passed by the Court, was previously approved.

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**25. Adjourn**

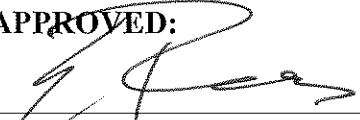
**Motion:** to adjourn the meeting at 12:21 PM, **Action:** Adjourn, **Moved by** Ernesto "Pepe" Williams, Commissioner Precinct 4, **Seconded by** Rolando Gutierrez, Commissioner Precinct 2. Motion passed unanimously.

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

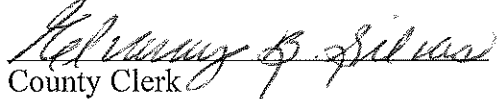
**Yes:** Eduardo "Eddie" Garza, Commissioner Precinct 1, Eric Ramos, County Judge, Ernesto "Pepe" Williams, Commissioner Precinct 4, Horacio Villarreal III, Commissioner Precinct 3, Rolando Gutierrez, Commissioner Precinct 2.

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 9th day of February, 2021, A.D.

**APPROVED:**

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

**ATTESTED:**

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