


REGULAR COMMISSIONERS COURT

October 8, 2019 ^{**} Corrections made Per Commissioners' Court meeting on November 25, 2019
1:30 P.M. Line Item#2.

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:

1:35

OPEN MEETING-Judge Eric Ramos called the meeting to order at ~~2:35~~ PM 

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:

August Patroelj, County Auditor
Angie Saenz, 1st Assistant Auditor

1. Public Comments 

Honorable Judge Eric Ramos mentioned that this part of the agenda is for any public comments for items that are not placed on the agenda. Any comments to be made for an item on the agenda will be addressed on that line item and will be limited to 3 minutes. There were no comments made at this time.

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

(8/23/19, 8/30/19, 9/10/19, 9/30/19) 

Motion: to approve the minutes for August 23, 2019, August 30, 2019, September 10, 2019 and September 30, 2019 as presented by the County Clerk, **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.

3. Approve of Bills and Claims 

Motion: to approve the bills and claims as presented, **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.

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 his monthly report for September 2019

Motion: to approve the reports as presented, **Action:** Adjourn, **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.

5. Presentation by Rodriguez Professional Business Solutions LLC


(Grant Writing Services) 

Item was passed to be rescheduled for another meeting.

6. Agrilife reports 

Just for information only, no action taken.

7. Discuss, consider and act on Resolution Authorizing County Grant Program Year 2020.


(Submitted by Community Action Corporation of South Texas) 

Mark Gonzalez, Community Action presented a quick presentation to the Court in reference to meals on wheels.

Motion: to approve the resolution, **Action:** Approve, **Moved by** Rolando Gutierrez, Commissioner Precinct 2, **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. Discuss, consider and act on offer to purchase tax sale property, Suit no. 16-01-02189-TX; Brooks County Independent School District, Brooks County and City of Falfurrias vs. Josefa Garza. Acct. No. 01000001102200; Lots 22, 23, and 24, Block 11, La Colonia Mexicana Addition, an addition to the City of Falfurrias Brooks County, Texas according to the map or plat thereof, recorded in Cabinet A, Slide 32 Plat Records of Brooks County, Texas. (Submitted by Linebarger Goggan Blair & Sampson, LLP) 

Motion: to approve offer to purchase tax sale property in the amount of 1,600.00, **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.


9. Discuss, consider and act on offer to purchase tax sale property, Suit no. 15-01-02101-TX Brooks County Independent School District, Brooks County and City of Falfurrias vs. Jose Albert Hernandez Acct. no. 010000004200; Lots 42 and 43, Block 4, La Colonia Mexicana addition , an addition to the City of Falfurrias , Brooks County, Texas , as described in volume 155, page 581 Official records of Brooks County, Texas.

(Submitted by Linebarger Goggan Blair & Sampson, LLP) 

Motion: to approve offer to purchase tax sale property from Teresita Duarte, **Action:** Approve, **Moved by** Rolando Gutierrez, Commissioner Precinct 2, **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.

10. Discuss, consider and act on Landfill Fuel Audit.
(Submitted by August Pateoelj Brooks County Auditor) 

August Patroelj, County Auditor and Phillip Morones addressed the Court on the above matter. Stating that the gas company is giving more gas than supposed too and there is still gas remaining.

Motion: to accept the report regarding the landfill, **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:** Yay = 5).


Yay: 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.

11. Discuss, consider and act on

I. Allowing the Jersey 4-H Club to use the 4-H Extension office to host a Haunted House on October 31st –November 2, 2019

II. Allowing the Jersey 4-H Club to host the Fallfest on the Brooks County Courthouse Square Saturday, November 2, 2019

III. Allow 4-H Club to host a Movie on the Courthouse lawn.

(Submitted by Katarina Rodriguez) 

Bobby Saenz addressed the Court in behalf of Ms. Rodriguez on the above matter.

Motion: to approve allowing the 4-H for the haunted house, to host the event on the courthouse square and to use the lawn, **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.

12. Discuss, consider and act reducing the number of Constables and Justices of the Peace.

(Submitted by Judge Eric Ramos) 


Ovidio Garza addressed the Court in reference to the above matter with comments and his concerns. Honorable Judge Eric Ramos addressed the Court on the above matter with his explanation of the cuts of this situation. Constable Ramiro Gonzalez addressed the Court stating that if needed on either going down to two or three he would do the work and has no problem with the additional work load. Judge Garza expressed his concerns on the cutting down to two.

Motion: to go down to two constables and two JPs, **Action:** Approve, **Moved by** Eric Ramos, County Judge, **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.

13. Discuss, consider and act on the Medimpact Healthcare Systems INC (HEB Pharmacy) to term or terminate the contract with them. Submitted by Bobby Saenz 

Bobby Saenz 911 addressing/ Indigent Director addressed the Court in terminating the current contract with Medimpact. Santos O. Gonzalez, Fred's Pharmacy addressed the Court on the above matter. Francisco Torres, Torres Family Pharmacy also addressed the Court on the above matter with his concerns.

Motion: to terminate the contract with Medimpact, **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.

14. Discuss, consider and act on Los Olmos Cemetery.

(Submitted by Commissioner Gloria Garza) 


Commissioner Garza addressed the Court on the above matter in reference to the cleaning of the cemetery and asks that maybe just to clean on special holidays not every day.

Motion: to table, **Action:** Table, **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.

15. Discuss, consider and act on a new Subdivision located on the corner of FM 754 and

FM 1418. (Previously tabled on 9/10/19) 

Bobby Saenz, 911 Addressing/Indigent Director addressed the Court on the above matter.

Motion: to approve new subdivision plat, **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.

16. Discuss, consider and act on hiring a grant writer for the County.

(Submitted by Judge Eric Ramos) 

Motion: to table, **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.

17. Discuss, consider and act on advertising for a Structural Engineer to consult on DPS

inspection weight station pit. (Submitted by Judge Eric Ramos) 

Motion: to table, **Action:** Table, **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.

18. Discuss, consider and act on Advertising for Bids on Roofing Construction.

(Submitted by Judge Eric Ramos) 

Motion: to table, **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.

19. Discuss, consider and act on purchasing two Freightliner M2 106 dump trucks.

(Submitted by County Forman David Guerra) 

David Guerra Road and Bridge Foreman addressed the Court on the above matter. Jimmy Rubio, Freightliner addressed the Court on the above matter. August Patroelj, County Auditor suggested to go out for bids.

Motion: to table till Tuesday the 15th, **Action:** Table, **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.

Executive Session- The Court went to Executive Session at 3:21 PM.


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

21. Discuss, consider and act on the ARCOS protective Order.

(Submitted by David T. Garcia, County Attorney)

OPEN SESSION- The Court came back into open session at 3:30: Present same as before, Commissioner Garza left before executive session.

21. Discuss, consider and act on the ARCOS protective Order.

(Submitted by David T. Garcia, County Attorney) 

Motion: to adopt ARCOS protective Order, **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 = 4).

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

Absent: Gloria Garza, Commissioner Precinct 1.

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

No action taken item was passed by the Court.

23. Adjourn.

Motion: to adjourn at 3:30 PM, **Action:** Adjourn, **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 = 4).

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

Absent: Gloria Garza, Commissioner Precinct 1.


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 25th day of November, 2019, A.D.

APPROVED:



County Judge

ATTESTED:


County Clerk