

**SPECIAL COMMISSIONERS COURT**  
**Monday, March 21, 2022**  
**10:15 AM**  
**2nd FLOOR COURTROOM**  
**BROOKS COUNTY COURTHOUSE**

BE IT REMEMBERED, that on this day, the Honorable Commissioners' Court of Brooks County, Texas met in Special Term therein the City of Falfurrias in the 2nd floor Courtroom of the Brooks County Courthouse:

**OPEN MEETING** -Judge Eric Ramos opened the meeting at 10:15 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.

**Absent:** Elvaray B. Silvas, County Clerk.

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

**AGENDA**

**1. Public Comments** 

There were no public comments made for items on and not on the agenda.

**2. Open to the public with limits as indicated above**


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- 4. Discuss, Consider and Act on hiring the law firm of J. Cruz & Associates, LLC as special legal counsel to provide professional services to Brooks County and authorize the County Judge to execute a legal services agreement with J. Cruz & Associates.**  
**(Submitted by CJ Eric Ramos)**

Honorable Judge Eric Ramos stated that he contacted two other individuals per the request of our County Attorney and had no further communication other than the law firm present. Commissioner Williams asked if they could be used for other legal advice or just for this. Honorable Judge Eric Ramos stated that they could be used for other things. Lisa Paul, J. Cruz & Associates, LLC addressed the Court on the above matter. Commissioner Williams asked several questions as to the hiring of the law firm. August Patroelj, County Auditor also addressed the Court stating that the hiring of legal representation has been done before. Troy Reed also addressed the Court on the above matter.


**Motion:** to hire the law firm of J. Cruz & Associates, LLC as special legal counsel to provide professional services to Brooks County and authorize the County Judge to execute a legal services agreement with J. Cruz & Associates, **Action:** Approve, **Moved by** Horacio Villarreal III, Commissioner Precinct #3, **Seconded by** Eduardo "Eddie" Garza, Commissioner Precinct #1. 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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**3. Presentation by representatives and agents of Bullhead Wind II, LLC regarding proposed construction of renewable energy project in Brooks County.** 

Ali James, Bullhead Wind II, LLC (Vestas/Steelhead) addressed the Court on the above matter, in reference to the possibility with working with the County on the Northwest side of the County; in installing 70 wind terminal generators, project beginning as soon as 2022 and construction to begin in 2024 and looking for 30,000 acres. The Commissioners expressed their concerns on this project; it was discussed that it is expected to create 250 jobs with 3 long term positions within the 30-year lifespan period of the windmills. Also discussed was the 30-year lifespan and the disposing of the turbines (disposing plan will be created as well as a fire plan). Discussed installing MET towers to generate information from certain sites, so that they could determine where to place these wind terminals. It was discussed on how to recover loss on a 10 year tax abatement; it was stated that instead of doing a 30 % to do a 100% tax abatement( to enter into a pilot agreement with the company; payment in lieu of tax, project will pay an annual payment over a 10 year period and could be spent how the County chooses).


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**5. Discuss, consider and act to adopt a Resolution electing the County's Eligibility to Participate in Tax Abatements pursuant to Chapter 312 of the Texas Tax Code.** 

Honorable Judge Eric Ramos read a resolution in open Court

**Motion:** to approve resolution electing the County's Eligibility to Participate in Tax Abatements pursuant to Chapter 312 of the Texas Tax Code, **Action:** Approve, **Moved by** Ernesto "Pepe" Williams, Commissioner Precinct #4, **Seconded by** Eduardo "Eddie" Garza, Commissioner Precinct #1. 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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**6. Discuss, consider and act to adopt the County's Tax Abatement Guidelines and Criteria pursuant to Chapter 312 of the Texas Tax Code.** 

Mrs. Paul addressed the Court stating that these guidelines are good for 2 years and could be amended if needed.

**Motion:** to adopt the County's Tax Abatement Guidelines and Criteria pursuant to Chapter 312 of the Texas Tax Code, subject to adopting or adding a variance to this agreement, **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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**7. Discuss, Consider and Act on accepting monetary donations for the families who lost their homes to the Miller Fire on March 4, 2022. (Submitted by CJ Eric Ramos)** 

Honorable Judge Eric Ramos addressed the Court in reference to \$7710.00 donation to be divided by the families.

**Motion:** to accept the donations given, **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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**8. Discuss, Consider and Act on splitting the monetary donations by two and distributing to the families accordingly. (Submitted by CJ Eric Ramos)** 

**Motion:** to split the donations by two, **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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**9. Discuss, Consider and Act on the Salary adjustment on two employees under the consolidation fund 104 to be effective April 1, 2022. (Submitted by Teresa Silvas)** 

Terri A Silvas, Chief Deputy Tax Assessor Collector addressed the Court on a salary adjustment. Mrs. Silvas stated that in this fund if monies are not depleted, are returned back to the taxing entities.

**Motion:** to approve salary adjustment on two employees under the consolidation fund 104 to be effective April 1, 2022, **Action:** Approve, **Moved by** Horacio Villarreal III, 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:** 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 offer to purchase tax sale property Suite No. 13-05-02029-TX: Brooks County ISD, Brooks County and the City of Falfurrias vs Susanna Saenz Acct. No 02950-0002-005-00; The North ½ of lot 5, Block 2 Original Townsite of Falfurrias, Brooks County, Texas as described in Volume 259, Page 47, Deed Records of Brooks County, Texas.**



**Motion:** to sell property to Tobi Michael Kibbe in the amount of \$18,000.00, **Action:** Approve, **Moved by** Ernesto "Pepe" Williams, Commissioner Precinct #4, **Seconded by** Eduardo "Eddie" Garza, Commissioner Precinct #1. 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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**10. Discuss, Consider and Approve the Opioid Settlements with Distributors, Endo/Par and Texas Pharmaceuticals; Offers to Brooks County. (Submitted by CJ Eric Ramos)** 

**Motion:** to approve settlement, **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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**11. Discuss, Consider and Act on transferring \$3,000.00 from line item 012-5-0512-8105 Jailers; to line item 012-5-0512-5135 Supplies- Other ( Submitted by Jorge Esparza)** 

**Motion:** to approve line item transfer, **Action:** Approve, **Moved by** Eduardo "Eddie" 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:** 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 \$4,000.00 from line item 012-5-0561-8108 Traffic Safety Officer; to line item 012-5-0560-5136 Uniforms. (Submitted by Jorge Esparza)** 

**Motion:** to approve line item transfer, **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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**14. Discuss, consider and act on transferring \$1,000 from 012-5-0510-5200 (Building Maintenance Supplies) to 012-5-0510-5201 (Bldg. Repairs- Annex and other)** 

**Motion:** to approve line item transfer, **Action:** Approve, **Moved by** Rolando Gutierrez, Commissioner Precinct #2, **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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**15. Discuss, consider and act on transferring \$15,000 from 130-5-0140-9070 (Miscellaneous) to 130-5-0140-8105 (Elections clerk)**  

Honorable Judge Eric Ramos stated that this is to complete the move the Court made.

**Motion:** to approve line item transfer, **Action:** Approve, **Moved by** Eduardo "Eddie" 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:** 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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**ECUTIVE SESSION-** Item passed by the Court.

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

**OPEN SESSION**

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

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**18. Adjourn** 


**Motion:** to adjourn at 11:17 AM, **Action:** Adjourn, **Moved by** Eduardo "Eddie" 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).

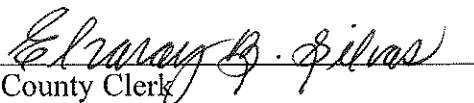
**Yes:** Eduardo "Eddie" Garza, Commissioner Precinct #1, Eric Ramos, County Judge, Ernesto "Pepe" Williams, Commissioner Precinct #4, Horacio Villarreal III, Commissioner Precinct #3, Rolando Gutierrez, Commissioner Precinct #2.

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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 13<sup>th</sup> day of April, 2022, A.D.

**APPROVED:**

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

**ATTESTED:**

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