**BREWSTER COUNTY**

**COMMISSIONERS COURT**

****

**JIM WESTERMANN SARA COLANDO**

**Commissioner, Pct.1 Commissioner, Pct. 2**

**RUBEN ORTEGA MO MORROW**

**Commissioner, Pct. 3 Commissioner, Pct.4**

**GREG P. HENINGTON**

**County Judge**

**Regular Commissioners Meeting: November 12, 2024, at 9:30 A.M.**

**Brewster County Courthouse, Commissioners Courtroom**

**201 West Ave. E, Alpine, Texas 79830**

**AGENDA**

**1. Call to Order**

Judge Henington called the meeting to order at 9:30 a.m.; the following Elected Officials were present:

Greg Henington County Judge

Jim Westermann Commissioner Pct. 1

Sara Allen Colando Commissioner Pct. 2

Ruben Ortega Commissioner Pct. 3

William “Mo” Morrow Commissioner Pct. 4

Julie Morton County Treasurer

Sarah Vasquez, County Clerk

**2. Invocation**

Invocation by Judge Henington.

**3. Pledge of Allegiance**

The Pledge of Allegiance and Texas Pledge were led by Judge Henington.

**4. Discuss and take action to approve previous meeting minutes A. Commissioners Court Meeting of October 29, 2024**

Commissioner Ortega moved to approve the Minutes of October 29, 2024, as presented. Commissioner Morrow seconded the motion. Judge Henington addressed a needed correction for the dump truck payment through TIPS, not BuyBoard. Commissioner Morrow moved to approve minutes as amended. Commissioner Ortega seconded the motion; motion passed 5-0.

**5. Public Comment - Comments are limited to 5 minutes per person. Members of the public are also welcome to participate in public comment by calling 432-244-6663**

None.

**6. Recognition & Announcements**

Commissioner Ortega announced the Marathon Volleyball team is still in the Playoffs and competing for Regionals Semi-Finals Title.

Commissioner Morrow recognized Alpine Schools for doing a great job with their Veterans’ Day Program.

**7. County Judge Report - for informational purposes only; no action required**

Judge Henington announced the Christmas lights are being put up around the courthouse.

**8. Report from City of Alpine representative; discussion only, no action required**

Rick Stephens, Ward 5 City Council Member, presented an update from the City of Alpine.

**9. Discuss and take action on Brewster County Project List**

**A. Project Allocation Tracker Report**

Judge Henington presented the Project Allocation Tracker Report. Commissioner Ortega moved to approve the project list as presented. Commissioner Colanod seconded the motion; motion passed 5-0.

**10. Discuss and take action to approve FY 2025-2026 Administrative Cost Agreement for the Far West Texas Water Plan**

**A. Cost Agreement for the Far West Texas Water Plan**

Commissioner Ortega moved to approve the Administrative Cost Agreement with Far West Texas Water Plan. Commissioner Colando seconded the motion; motion passed 5-0.

**11. Discuss and take action to declare the following items as salvage and available for auction or donation to another governmental entity or non-profit**

**A. 13 iPads and carrying cases**

Commissioner Ortega moved to declare the items presented as salvage to be auctioned or donated. Commissioner Morrow seconded the motion; motion passed 5-0.

**12. Brewster County Elections Department**

**A. Elections Administrator Report; discussion only, no action required.**

Lora Nussbaum, Elections Administrator, presented the Elections Administrator report.

**B. Discuss and take action to purchase battery replacement for all Express Vote and DS200 machines**

EA Nussbaum presented the purchase of battery replacement. Commissioner Ortega moved to approve the battery replacement. Commissioner Colando seconded the motion; motion passed 5-0.

**C. Discuss and take action to purchase two Express Vote Machines**

EA Nussbaum presented the purchase of two Express Vote Machines. Commissioner Ortega moved to approve as presented. Commissioner Morrow seconded the motion; motion passed 5-0.

**13. Brewster County Road & Bridge Department**

**A. Superintendent's Report; discussion only, no action required**

Superintendent Johnny Salcido presented the Road and Bridge Department report.

**B. Discuss and take action for general work/ permits/ contract of Road & Bridge Department**

None.

**14. Brewster County Emergency Management Department**

**A. Emergency Management Coordinator Report; discussion only, no action required**

James Etchison, Emergency Management Coordinator, presented a general update for the Emergency Management Department.

**15. Brewster County Treasurer**

**A. Treasurer's Report; discussion only, no action required**

Julie Morton, County Treasurer, announced she is working on getting each Department Head their own QuickBooks software subscriptions for a true reconciliation on their bank accounts. This project has started with Sarah Vasquez, County Clerk, office first. Treasurer Morton is revising a new chart of accounts to match the State quarterly report. Special Elections payroll will run today.

Treasurer Morton introduced Whitney Brady, Security Benefit representative, to present an optional retirement savings plan for Brewster County employees.

**B. Financial Reports - discussion and action**

No reports.

**C. Discuss and take action on the 2025 Proposed Brewster County Retirement Plan**

**1. 2025 Proposed Retirement Plan Details**

Treasurer Morton announced the TCDRS plan renews every year. Judge Henington moved to accept the 2025 Proposed Retirement Plan Details. Commissioner Westermann seconded the motion; motion passed 5-0.

**D. Discuss and take action regarding the payroll and organizational structure of the Road & Bridge department**

**1. Road & Bridge Payroll Compensation Analysis**

Judge Henington presented the Road & Bridge Payroll Compensation Analysis. Commissioner Ortega moved to remove two positions in the Road & Bridge Department so that other Road & Bridge positions may have a higher wage. Commissioner Colando seconded the motion; motion passed 5-0.

**16. Discuss and take action regarding conceptual designs for the following projects:**

**A. Proposed Visitor Center - Terlingua**

Judge Henington presented an update on the proposed Visitor Center in Terlingua.

**B. Proposed dormitory facility - Terlingua**

Judge Henington presented an update on the proposed dormitory facility in Terlingua.

**17. Brewster County Comptroller**

**A. Comptroller's Report; discussion only, no action required**

Malynda Richardson, Comptroller, presented the Comptroller’s report.

**B. Discussion and action related to:**

**1. Accounts Payable/Invoices**

Paty Saenz, Assistant Comptroller, presented the general bills and walk-ins. Commissioner Ortega moved to approve the general bills as presented. Commissioner Morrow seconded the motion; the motion passed 5-0. Commissioner Ortega abstained from Pinnacle Propane.

**2. Budget Amendments**

Judge Henington moved Agenda Item 17(B)(2) to be addressed on Agenda Items 17(C), 17(D), 17(E), and 17(F) individually.

**3. Line-Item Adjustments**

Comptroller Richardson presented the line-item transfers. Judge Henington moved to approve the Line Item transfers as presented. Commissioner Ortega seconded the motion; motion passed 5-0.

**C. Discuss and take action to amend the 2025 budget related to tourism:**

**1. Create a contingency reserve of $500,000 within the Tourism Fund**

Judge Henington moved to create a contingency reserve of $50,000 within the Tourism Fund. Commissioner Ortega seconded the motion; motion passed 5-0.

**2. Create two new capital expenditure funds, each with a beginning balance of $250,000 for the purposes of tracking the development and construction of two visitor centers in Marathon and Terlingua, respectively.**

Judge Henington moved to create two new capital expenditure funds. Commissioner Ortega seconded the motion; motion passed 5-0.

**3. Discuss and take action to approve $1,250 in invoices to Level 5 Architecture for Pre-Design Services related to Marathon Visitor Center; approval requested for immediate payment**

Judge Henington moved to approve $1,250 in invoices to Level 5 Architecture for Pre-Design Services in relation to Marathon Visitor Center. Commissioner Ortega seconded the motion; motion passed 5-0.

**4. Discuss and take action to approve $11,500 in invoices to Level 5 Architecture for Pre-Design and Schematic Design Services related to the proposed Terlingua Visitor Center; approval requested for immediate payment.**

Judge Henington moved to approve $11,500 in invoices to Level 5 Architecture for Pre-Design and Schematic Design Services in relation to Terlingua Visitor Center. Commissioner Ortega seconded the motion; motion passed 5-0.

**D. Discuss and take action to amend the 2025 budget as follows:**

**1. Establish a new capital expenditures fund in the amount of $50,000 for the purposes of designing and constructing a new dormitory facility located at the South Brewster County Emergency Services Building, Terlingua, Texas.**

Judge Henington suggested moving $50,000 out of surplus for the South Brewster County Emergency Services Building in Terlingua, Texas. Judge Henington moved to approve $50,000 out of surplus for the South Brewster County Emergency Services Building. Commissioner Ortega seconded the motion; motion passed 5-0.

**2. Discuss and take action to approve $10,500 in invoices to Level 5 Architecture for Pre-Design and Schematic Design Services related to the proposed dormitory project at the South Brewster County Emergency Services building; approval requested for immediate payment**

Judge Henington moved to approve $10,500 in invoices to Level 5 Architecture for Pre-Design and Schematic Design Services in relation to the Terlingua dormitory project. Commissioner Morrow seconded the motion; motion passed 5-0.

**17. B. 2. Budget Amendments**

Judge Henington moved to approve the Budget Amendments as presented. Commissioner Morrow seconded the motion; motion passed 5-0.

Judge Henington moved to amend the Budget under Emergency Management to reflect an increase to $29,000. Commissioner Morrow seconded the motion; motion passed 5-0.

**F. Discuss and take action to increase the 2025 budget for Indigent Defense (line item 010-409-411) from zero to $50,000 to cover indigent defense costs outside the Far West Texas Public Defenders' budget.**

Judge Henington presented moving $50,000 out of surplus to increase the 2025 budget for Indigent Defense. Judge Henington moved to approve as presented. Commissioner Colando seconded the motion; motion passed 5-0.

**E. Discuss and take action to approve the following annual charges to the Tourism Fund; such charges to remain effect unless modified by the Commissioners Court:**

**1. 10% of actual annual Hotel Occupancy Tax to be transferred to the Brewster County Historic Fund (as derived from Texas Tax Code 352.102.3) calculated in November of each year based on the prior fiscal year's collections**

Treasurer Morton suggested waiting until the end of the fiscal year and transferring to the Historic Fund to formally increase the budget. Judge Henington moved to approve allocating 10% of actual annual Hotel Occupancy Tax to be transferred to the Brewster County Historic Fund. Commissioner Colando seconded the motion; motion passed 5-0.

**18. Brewster County Clerk**

**A. County Clerk's report; discussion only, no action required**

**B. Discuss and take action for the eRecording Partners Network (ePN) Memorandum of Understanding Agreement for eRecordings within the Brewster County Clerk's Land Records**

**C. Discuss and take action for the Simplifile eRecording Memorandum of Understanding Agreement for eRecordings within the Brewster County Clerk's Land Records.**

Sarah Vasquez, County Clerk, reported and presented two Memoranda of Understanding (MOUs) with ePN and Simplified to be added to the eRecording companies, to continue the efficiency of the office. Judge Henington moved to approve the MOUs presented. Commissioner Ortega seconded the motion; motion passed 5-0.

**19. Brewster County Tourism**

**A. Brewster County Tourism Executive Director's Report; discussion only, no action required**

Robert Alvarez, Executive Director, presented a Brewster County Tourism report.

**B. Discuss and take action to approve contact between Brewster County Tourism and TicketStock**

Mr. Alvarez presented a contract between BCT and TicketStock.

**C. Discuss and take action to approve contact between Brewster County Tourism and Texas Independence Jam**

Mr. Alvarez presented a contract between BCT and Texas Independence Jam.

**D. Discuss and take action to approve contact between Brewster County Tourism and Travel & Adventure Show**

Mr. Alvarez presented a contract between BCT and Travel & Adventure Show.

Judge Henington moved to approve all three contracts as presented. Commissioner Morrow seconded the motion; motion passed 5-0.

**20. Discuss and take action regarding selection of grant administrator for 2025- 2026 Community Block Grant**

Judge Henington announced that Public Management was the winner for the grant administrator for 2025-2026 Community Block Grant.

**21. Discuss and take action regarding the scoring and selection of grant administrator for the 2025-2026 Colonia Grant**

Judge Henington announced a Special Meeting on Tuesday, November 19 at 9:30AM to score this agenda item at the next meeting. Applicants will have a 5 minute presentation option on Tuesday. Commissioner Ortega moved to table this agenda item until the Special Meeting on November 19. Commissioner Colando seconded the motion; motion passed 5-0.

**22. Closed session of Commissioners Court, if necessary**

**A. CLOSED SESSION – A closed session meeting will be held pursuant to section 551.072 of the Texas Government Code (deliberation regarding real property) for the Commissioners Court to deliberate the purchase, exchange, lease, and/or value of certain real property located in Brewster County, Texas because deliberation of those matters in an open meeting would have a detrimental effect on the position of the Commissioners Court in negotiations with a third person.**

Court recessed at 11:52 AM.

Court reconvened at 12:03 PM.

No action.

**23. Schedule next Regular Commissioners Court Meeting on November 26, 2024, at 9:30 A.M.**

Judge Henington announced the next Regular Commissioners Court Meeting on November 26, 2024, at 9:30 AM.

**24. Adjourn**

Judge Henington moved to adjourn. Commissioner Ortega seconded the motion; motion passed 5-0. The meeting adjourned at 12:04 PM.

**ATTEST:**

**Greg P. Henington Sarah Vasquez**

**Brewster County Judge Brewster County Clerk**

**PLEASE NOTE THE FOLLOWING:** The Brewster County Commissioners Court reserves the right to conduct an executive/closed meeting session to discuss and deliberate any of the items listed on the agenda instrument posted for this meeting, as permitted by law, including all applicable open meeting exceptions recognized by Chapter 551 of the Texas Government Code (“Chapter 551,” the Texas Open Meetings Act), or other applicable statute, including without limitation the following Chapter 551 exceptions: §§ 551.071 and 551.129 (consultation with attorney); § 551.072 (deliberation regarding real property); § 551.0725 (deliberation regarding contract being negotiated); § 551.073 (deliberation regarding prospective gift); § 551.074 (deliberation regarding personnel matters); § 551.0745 (deliberation regarding personnel matters affecting county advisory board); § 551.076 (deliberation regarding security devices or security audits); § 551.0785 (deliberations involving medical or psychiatric records of individuals); and § 551.087 (deliberation regarding economic development negotiations).