

# PRESIDIO COUNTY COMMISSIONERS COURT NOTICE OF REGULAR MEETING

The Presidio County Commissioners Court will meet on

**Wednesday NOVEMBER 13<sup>th</sup>,2024 at 10:00 a.m.**  
at the PRESIDIO COUNTY COURTHOUSE IN THE COURTROOM 2<sup>ND</sup>  
FLOOR 301 N Highland Ave,  
Marfa, Texas 79843

**While Presidio County Commissioners Court offers hybrid meetings for the convenience of the public, it is not a requirement. This is a privilege that we make available for the convenience of those who wish to attend and cannot do so in person. There may be times when technology fails, but the meetings will continue as planned, due to the need to conduct the business of the County. If you are unable to log in for any reason or if we are unable to start the meeting virtually, you will need to make alternate plans and attend the meeting at the physical location.**

Participants can join the meeting using this link via computer or mobile device:

## **Join Zoom Meeting**

**<https://us02web.zoom.us/j/81217923018>**

**Meeting ID: 812 1792 3018**

**Passcode: 877877**

**Join by Phone: 346-248-7799**

Questions regarding the agenda should be directed to the Presidio County Commissioner's Court Support at (432)729-4452. The agenda is available on the County's website (<http://www.presidiocounty.org>) Click on the Public Notices Calendar."

## COUNTY JUDGE

1. Establish Quorum

**Present:** **Jose "Joe" Portillo, Presidio County Judge - Present**  
**Brenda Bentley, Commissioner Pct 1 - Present**  
**Margarito Hernandez, Commissioner Pct 2 - Present**  
**Jose Cabezuela, Commissioner Pct 3 - Present, via zoom**  
**David Beebe, Commissioner Pct 4 - Present**

2. Pledge of Allegiance to the U.S. Flag

**Judge Portillo**

3. Public comments.

We look forward to hearing from the citizens of Presidio County. If you wish to share any thoughts and/or concerns during the Public Comment portion of the meeting, you must sign in with the Judge's Assistant before the meeting is called to order. Public Comments are limited to 5 minutes per person. The Presidio County Clerk will be responsible for keeping time and announce a one-minute remainder of time.

**Public Comments - Attorney Rod Ponton**

### AGENDA

#### COMMISSIONERS COURT ROUTINE AGENDA ITEMS

4. Consider and take action to approve Budget Amendments and/or Line-Item Transfers.

**No Budget Amendments**

**Commissioner Beebe makes a motion to approve Line-Item Transfer as presented. Commissioner Bentley seconds motion. Motion carries.**

5. Consider and take action to approve the Auditors Monthly Report.

**Commissioner Bentley makes a motion to approve Auditor's monthly reports as presented. Commissioner Hernandez seconds motion. Motion carries.**

6. Consider and take action to approve the Treasurer's List of Claims and Bills.

**\$168,797.25 Bills**

**\$124,075.36 Payroll 10/11/2024**

**\$122,861.59 Payroll 10/25/2024**

**Commissioner Beebe makes a motion to approve the Treasurer's List of Claims and Bills. Commissioner Cabezuela seconds motion. Motion carries.**

7. Consider and take action to approve the Treasurer's Monthly Report.

**Commissioner Bentley makes a motion to approve the Treasurer's Monthly Report. Commissioner Beebe seconds motion. Motion carries.**

8. Consider and take action to approve the Monthly Statement of Balances Report.

**Commissioner Beebe makes a motion to take no action on the Monthly Statement of Balances Report. Commissioner Bentley seconds motion. Motion carries.**

9. Consider and take action to approve previous Commissioners Court Minutes.  
**Commissioner Beebe makes a motion to take no action. Commissioner Bentley seconds motion. Motion carries.**

## **COMMISSIONERS COURT REGULAR AGENDA**

### **Item brought by Danny Dominguez, Presidio County Sheriff**

10. Discussion with action to salvage office furniture from Sheriff's Office Executive Assistant Office. Furniture was not tagged and has been in continuous use since 2014.  
**Commissioner Beebe makes a motion to salvage office furniture from Sheriff's Office Executive Assistant Office. Commissioner Bentley seconds motion. Motion carries.**

### **Items brought by Frances Garcia, Presidio County Treasurer**

11. Discussion with possible action to approve Verizon for our landlines and internet. Ricardo and other Verizon employees will be available to discuss all options regarding the phone system and equipment.  
**Commissioner Beebe makes a motion to postpone. Commissioner Bentley seconds motion. Motion carries.**
12. Discussion with action to accept retirement resignation effective December 31<sup>st</sup>, 2024.  
**Commissioner Beebe makes a motion to accept retirement resignation effective December 31, 2024. Commissioner Hernandez seconds motion. Motion carries.**

### **Item brought by Juanita Bishop, Presidio County Justice of the Peace PCT2**

13. Discussion with action to allow Judge Bishop to attend an Educational Conference December 3rd - 6th, 2024, TEHA Health professionals working together for the betterment of community addressing issues concerning illegal importation of animals and the welfare aspect of the people and the environment. Connecting professionals to resources of education peer network and communicate need to succeed.  
**Commissioner Beebe makes a motion to allow Judge Bishop to attend an Educational Conference December 3rd - 6th, 2024, TEHA Health professionals working together for the betterment of community addressing issues concerning illegal importation of animals and the welfare aspect of the people and the environment. Judge Portillo seconds motion. Motion carries.**

### **Items brought by Jose Portillo, Presidio County Judge**

14. Discussion with action on U.S Customs and Border Protection Renewal Option Notice Lease Agreement HSBP-7221-L-DA1185 "The Lease", County of Presidio, Marfa, Tx.  
**Commissioner Beebe makes a motion to approve the lease on U.S Customs and Border Protection Renewal Option Notice Lease Agreement HSBP-7221-L-DA1185. Commissioner Hernandez seconds motion. Motion carries.**
15. Break into Executive Session to discuss Cause No. 8199 Maurial, et al v. Baxter, et al v. Presidio County.  
**Break into Executive Session**
16. Reconvene into Open Session to discuss Cause No. 8199 Maurial, et al v. Baxter, et al v. Presidio County.

**Reconvene from Executive session. Commissioner Beebe makes a motion to take No Action. Commissioner Hernandez seconds motion. Motion carries.**

17. Discussion item (only) regarding subdivided properties along US 67 - North of Presidio City Limits to deliberate water, utilities and right of ways.  
**Discussion only with Cesar Leyva, City of Presidio**
18. Discussion with action to approve an increase of \$1,000 in membership dues from the Rio Grande Council of Governments.  
**Commissioner Beebe makes a motion to approve a \$1000.00 increase in membership dues for the Rio Grande Council of Governments. Commissioner Hernandez seconds motion. Motion carries.**
19. Discussion with action to approve the FY2025-2026 Administrative Cost Agreement and invoice for FY2025. The agreement between Presidio County and Rio Grande Council of Governments is to assist with Administrative Costs for a two-year period, FY2025-2026. The budget allocations are based on the population our community serves. The total budget is \$64,892, reflecting a \$4,106 increase. For our entity, the amount has increased by \$3.89.  
**Commissioner Beebe makes a motion to approve the FY2025-2026 Administrative Cost Agreement and invoice for FY2025. The agreement between Presidio County and Rio Grande Council of Governments is to assist with Administrative Costs for a two-year period, FY2025-2026. The budget allocations are based on the population our community serves. The total budget is \$64,892, reflecting a \$4,106 increase. Commissioner Bentley seconds motion. Motion carries.**

Items brought by Alicia Sanchez, Presidio County Auditor

20. Discussion with action to approve the use of \$1,000 from the "Employee Enrichment Act account" to cover the purchase of food for the Presidio County Open House which will take place December 13, 2024, at the Presidio County Courthouse, to celebrate outgoing and retiring Presidio County officials and employees.  
**Commissioner Bentley makes a motion to approve the use of \$1,000 from the "Employee Enrichment Act account" to cover the purchase of food for the Presidio County Open House. Commissioner Hernandez seconds motion. Motion carries.**
21. Discussion with action to award RFQ 25-01 "Design-Build Contracting" to McKinstry as selected by the evaluation committee. If the court approves McKinstry they will develop a study proposal which when approved by the Commissioner's Court will allow McKinstry to proceed with energy audit, engineering design, financial analysis, etc. (details in RFQ)  
**Commissioner Beebe makes a motion to award RFQ 25-01 "Design-Build Contracting" to McKinstry as selected by the evaluation committee. Commissioner Hernandez seconds motion. Motion carries.**

22. Discussion with action to approve a contract with Stantec for the bridge study funded by NADBANK. Stantec is a subcontractor with Bomba Consulting. The bridge study was awarded to Bomba Consulting by the Commissioner's Court.

**Commissioner Bentley makes a motion to approve a contract with Stantec for the bridge study funded by NADBANK. Stantec is a subcontractor with Bomba Consulting. Commissioner Beebe seconds motion. Motion carries.**

Item brought Gary Mitschke, Presidio County Emergency Management Coordinator

23. Discussion with action to reinstate the Presidio County burn ban.

**Commissioner Beebe makes a motion to reinstate the Presidio County burn ban. Commissioner Bentley seconds motion. Motion carries.**

Item brought by Florcita Zubia, Presidio County/District Clerk

24. Discussion with action to approve to pay Manuela Martinez mileage for Election Day travel.

**Commissioner Bentley makes a motion to approve pay to Manuela Martinez for mileage for Election Day. Commissioner Beebe seconds motion. Motion carries.**

Items brought by Brenda Bentley, Presidio County Commissioners PCT1

25. Discussion with action to approve the cleaning and clearing of a portion of Murphy Street that is shown on the maps presented. This is a request made by Mr. Robert Spiegel. He is building homes on the property and is requesting that the platted portion road be cleared and opened, so that he may obtain emergency service addresses through the Rio Grande COG 9-1-1 (GIS) mapping service.

**Commissioner Beebe makes a motion to approve the cleaning and clearing of a portion of Murphy Street that is shown on the maps presented. Commissioner Hernandez seconds motion. Motion carries.**

26. Discussion with action to approve the addition of a portion of Murphy Street that is shown on the maps provided as a public road, but due to lack of use, was not on the current Presidio County Roads Maintenance List. This addition is being requested, so that after it is cleared up and opened, it will be continually and regularly maintained by the Presidio County Roads and Bridge crew.

**Commissioner Beebe makes a motion to continually and regularly maintain the road that was just added to the maintained road list. Commissioner Hernandez seconds motion. Motion carries.**

**COUNTY DEPARTMENT REPORTS**

27. Discussion with action to approve Presidio County Department Reports.

- a.** County/District Clerk's Report
- b.** Capital Project Manager Report
- c.** Tax Assessor Report
- d.** Justice of the Peace, PCT1 Report
- e.** Justice of the Peace, PCT2 Report
- f.** Marfa EMS/Fire Report
- g.** Presidio EMS/Fire Report
- h.** Jail Report

- i.** Sheriff's Office Report
- j.** Emergency Management Report
- k.** Airport Report

**Commissioner makes a motion to approve all monthly reports as presented.  
Commissioner Hernandez seconds motion. Motion carries.**

28. Administrative Update and Announcements from County Judge and Commissioners.  
**Commissioner Beebe - received a complaint about local veterans not being informed with the activities for Veterans Day. Chamber of Commerce asked to use a courthouse tree as a Christmas tree for lighting. Chuck Simpson came in to help switch the AC to the heating, there is no water circulating for hot air. Spent time on the TXDot grant for the re-survey for the walk way grant.**

**Judge - had a visit with Rep. Morales regarding the Texas Development Water Board grant.**

29. Adjournment @ 12:44pm  
**Commissioner Bentley makes a motion. Commissioner Hernandez seconds motion. Motion carries.**

**Attest:**

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**Florcita Zubia, Presidio County  
County & District Clerk**