

NOTICE OF MEETING
COMMISSIONERS COURT OF GARZA COUNTY, TEXAS
MONDAY, JUNE 28, 2010 AT 9:00 A.M.
GARZA COUNTY COURTHOUSE
300 WEST MAIN, POST, TEXAS 79356

COMPLETE AGENDA:


Call to Order - Monday, June 28, 2010 at 9:00 a.m.

DELIBERATE AND CONSIDER ACTION ON THE FOLLOWING ITEMS:

1. Minutes from Prior Meetings
2. Receive Reports from County Offices
3. Accounts Payable
4. Garza County District Attorney's Office 2010-2011 Budget
5. Discuss to Approve Garza County Sheriff's Office/County Jail Budget Amendments
6. South Plains Association of Government Grant Opportunities
7. Discuss to Approve Contract to Maintain Filters at the Garza County Jail
8. Award Request for Proposal for the 2010-2011 Garza County Property and Liability Insurance
 - a. Property
 - b. Inland Marine
 - c. General Liability
 - d. Auto Liability & Physical Damage
 - e. Public Officials Liability
 - f. Law Enforcement Liability
9. Discuss to Approve Construction of Awning at the Garza County Jail Facility
10. Discuss to Approve Engagement of Underwood Attorneys and Counselors At Law Regarding LAVAs and Tax Abatement Agreements with Freemantle Energy
11. Randy Sowell - Wind Energy Project/Tax Abatement Issues
12. Budget Amendments and Line Item Transfers

13. 2010-2011 Budget

14. Public Comment



Lee Norman - Garza County Judge

Filed JUNE 24 2010 8:00 A.M.
JIM PLUMMER
CLERK OF COUNTY COURT
GARZA COUNTY, TEXAS
By Jim Plummer Deputy

IN ACCORDANCE WITH TITLE II OF THE AMERICANS WITH DISABILITIES ACT, WE INVITE ALL ATTENDEES TO ADVISE US OF ANY SPECIAL ACCOMMODATIONS DUE TO DISABILITY. PLEASE SUBMIT YOUR REQUEST AS FAR IN ADVANCE AS POSSIBLE, OF THE MEETING YOU WISH TO ATTEND BY CONTACTING MEG NELSON AT 806-495-4405.

A regular meeting of the Commissioners' Court of Garza County, Texas was held on Monday, June 28, 2010 at 9:00 A.M. at the Commissioners' Courtroom, 300 W. Main St., Post, TX with the following members present: Lee Norman, Judge; Commissioners: Pct. 1-Gary McDaniel, Pct. 2-Charles Morris and Pct. 3- Ted Brannon. Not present was Pct. 4 commissioner Mike Sanchez.

County officials present: Jim Plummer, Clerk; Mike Munk, Attorney; Ruth Ann Young, Treasurer; Judy Bush, Tax Collector/Assessor; Eric Cravy, Constable 1; Brian Kingston, District Attorney; and Cliff Laws, Sheriff.

Also present: Meg Nelson, Administrative Assistant; Greg Conner, Assistant District Attorney; Charles Hardin and Jim Brundage of Wells Fargo Insurance services; Billy and Sue Weaver, Weaver Farms; Cecil Stolle, Stolle Farms; Randy Sowell, Freemantle Energy; Toby Miller, Southland Independent School District; Elena Quintanillam South Plains Association of Governments; Harry Record, PACC; and Rosa Latimer, Post Dispatch.

Judge Norman called the regular meeting to order at 9:00 A.M.

- Order 1: Minutes from the June 14, 2010 regular meeting were approved as presented with a motion by Commissioner McDaniel and seconded by Commissioner Morris. With a majority of the court members voting aye, the motion carried and so ordered.
- Order 2: The following items of information were brought before the Court as a written report or for discussion:
- a. AgriLife Extension-Jones
 - b. AgriLife Extension-McDonald
- Motion was made by Commissioner Brannon and seconded by Commissioner McDaniel to accept the reports as presented. With a majority of the court members voting aye, the motion carried and so ordered. (Reports are attached.)
- Order 3: Came on for consideration were the precinct and countywide accounts payable for June 15, 2010 through June 28, 2010. Motion was made by Commissioner Morris and seconded by Commissioner McDaniel that all such accounts presented in the fund requirement print-out are allowed, ordered paid and presented to the Treasurer for payment. With a majority of the court members voting aye, the motion carried and so ordered. (Printout is attached.)
- Order 4: Came on for presentation was the District Attorney's Office 2010-2011 Budget request.

Greg Conner, Assistant District Attorney, addressed the court explaining that the DA's office requests a budget increase of 12.7%. Due to law changes and cases load, there is more of a burden on the DA's office and they feel an additional ADA is needed. This will allow an ADA to be in Garza County one day a week on Tuesday starting October 1, 2010. Garza County's current allotment is \$50,212.64. With the proposed increase the county's share would be \$57,158.39. Judge Norman said the request will be taken under consideration during the budget sessions.

No action was taken. (Request is attached.)

Order 8: Came on for consideration was requests for proposals for the 2010-2011 Garza County property and liability insurance as follows:

- a. Property
- b. Inland Marine
- c. General Liability
- d. Auto Liability and Physical Damage
- e. Public Officials Liability
- f. Law Enforcement Liability

Sealed proposals were submitted by Wells Fargo Insurance Services (WFIS) and Texas Association of Counties (TAC).

Jim Brundage of WFIS explained the policy's benefits and processes. WFIS's submitted two blanket quotes from different carriers that are stand alone policies with seven different categories of coverage totaling \$55,332.48 (CNA) and \$62,327 (Trident).

Cris Faught from TAC explained policy's benefits and processes: a pool policy, totaling \$72,571.

The meeting recessed at 9:54 A.M.

The meeting resumed at 10:13 A.M.

It is noted that all policies presented were not equal in coverage.

A motion was made by Commissioner McDaniel and seconded by Commissioner Morris to approve the proposal from TAC.

With a majority of the court members voting aye, the motion carried and so ordered. Commissioner Brannon voted nay. (Proposals are attached.)

Order 6: Came on for consideration was the South Plains Association of Governments (SPAG) Grant opportunities.

Elena Quintanilla of SPAG explained the different grant opportunities and their benefits available to counties. SPAG offers grant writing services.

No action taken.

The meeting recessed at 11:15 A.M.

The meeting resumed at 11:28 A.M.

Order 11: Came on before the court was Randy Sowell, Freemantle Energy, about the tax abatements for Red Hollow Wind Energy project at Southland.

Sowell appeared to announce that his company will not attempt to obtain a two phase abatement agreement that was previously considered.

Freemantle will pay full taxes to Southland Independent School District.

They do not have a power purchase agreement with a power company at this time. He explained that it would be beneficial to secure a tax abatement before a power purchase agreement is obtained.

Freemantle requests that the county consider the original (up to 100 megawatt) agreement proposal.

He recommends waiting to see what the next legislative session does with wind energy.

Southland Independent School District Superintendent Toby Miller explained his view of the issue.

Bill Weaver spoke for some of the land owners and he hopes for a 100 megawatt project.

Sowell asked for the county to consider the following fill-in the blank items in the proposal:

1. On page 3: 67 turbines or an equivalent of 100.5 megawatts but not less than 15 megawatts,
2. \$1000 per megawatts per year, local hiring and spending and road improvement paragraph,
3. designate where the local outreach funds go,
4. and make the value of the outreach funds related to the number of turbines instead of megawatts.

A motion was made by Commissioner Morris and seconded by Commissioner McDaniel to TABLE the item.

With a majority of the court members voting aye, the motion carried and so ordered.

Order 5: Came on for consideration was the Sheriff's office/County Jail Budget amendments.

(Reference previous meeting.)

Sheriff Cliff Laws informed the court that the average jail population is 78 inmates.

Using a co-op to buy food may lower the cost per meal to about \$1.00. Treasurer Young noted that revenue from housing out of county inmates is about what was projected, but there are no excess proceeds. Also, that Lubbock County is late in making payments.

A motion was made by Commissioner Morris and seconded by Commissioner McDaniel to approve the Sheriff's office/County Jail Budget amendment as presented for \$171,000 to come from county reserve funds.

With a majority of the court members voting aye, the motion carried and so ordered. (Budget Amendment Request is attached.)

Order 7: Came on for consideration was contract proposals to maintain the air conditioning filters at the Garza County Law Enforcement Center. Proposals were previously submitted from Advanced Environmental I.A.Q. of Lubbock and Tanner's Appliance Heating and Air of Post. A motion was made by Commissioner Morris and seconded by Commissioner McDaniel to TABLE the item. With a majority of the court members voting aye, the motion carried and so ordered.

Order 9: Came on for consideration was the construction of an awning at the Garza County Jail Facility. McDaniel requested estimates from Roger Dougherty's Darty Custom Works. He submitted to project costs: one for an 8' x 56' awning for \$3850 and one for a 30' x 56' carport for \$5200. A motion was made by Commissioner Brannon and seconded by Commissioner Morris to approve the 30' by 56' awning for \$5200. With a majority of the court members voting aye, the motion carried and so ordered. (Proposal is attached. Attorney Munk will compose a construction agreement with a completion date.)

Order 10: Came on for consideration was engagement of Underwood Attorneys and Counselors at Law regarding Limited Assessed Value Agreement (LAVA) and tax abatement agreements with Fremantle Energy (concerning the wind energy project in the Southland School District). A motion was made by Judge Norman and seconded by Commissioner Morris to engage Underwood for the agreement. Court members voting aye were Judge Norman and Commissioner Morris. Commissioners McDaniel and Brannon voted nay resulting in a tie vote. Therefore, the motion did NOT carry.

(It was the opinion of Attorney Munk, that there is not a conflict of interest with Commissioner McDaniel voting on the matter.)

Order 12: Came on for consideration was line item transfers and budget amendment requests.
One line item transfers was submitted.

a. A motion was made by Commissioner McDaniel and seconded by Commissioner Brannon to approve the line item transfer presented for the county jail to transfer \$837 from the juvenile center budget. With a majority of the court members voting aye, the motion carried and so ordered.

Order 13: 2010-2011 Budget
Judge Norman reported that certified estimates for 2010 are up \$74.5 million which includes an increase in real estate and minerals and a decrease in agricultural use.

Order 14: Public Comment

Judge Norman announced that the roof at the health and human services building needs replacing. He has solicited estimates for two types of roofs: \$25,578 (composition) and \$25,780 (metal roof).

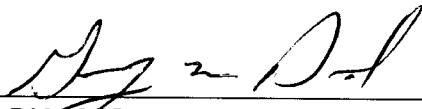
USDA meeting will be on Tuesday, June 29, 2010 at Trailblazers Senior Center.

The next regular meeting of the court is set for July 12, 2010.

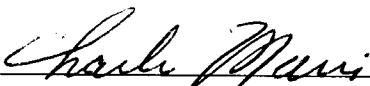
The meeting adjourned at 1:00 P.M.



LEE NORMAN, COUNTY JUDGE



GARY MCDANIEL, COMMISSIONER PCT. 1



CHARLES MORRIS, COMMISSIONER PCT. 2

Ted Brannon

TED BRANNON, COMMISSIONER PCT. 3

MIKE SANCHEZ, COMMISSIONER PCT. 4

ATTEST:

Jim Plummer

JIM PLUMMER, COUNTY CLERK

P.O. Box 366
 300 West Main Street
 Post. Texas 79356



Phone: 806-495-4430
 Fax: 806-495-4431

JIM PLUMMER
 District and County Clerk

**Welcome to the
 Commissioners Court
 of Garza County**

*Please leave any printed
 material you presented
 with the Clerk.
 Thank You!*

Date: JUNE 28, 2010

	Name (please print)	Organization's Name	Addressing the Court "Yes" or "No"	Leaving Printed Material "Yes" or "No"
1	Charles Hardin	Wells Fargo	no	no
2	JIM BRUNDAGE	WFIS	YES	No
3	Eric Cravy	Constable	YES	NO
4	Billy Weaver	Weaver Farms	YES	NO
5	Jug Weaver	Weaver Farms	No	No
6	Cecil Stolle	Stolle Farms	No	No
7	Cris Faught	TAC	yes	Y
8	Harry Record	PACC	YES NO	NO
9	Rosa Latimer	Post Dispatch	no	no
10	BRIAN L. KINGSTON	106 th D.A.'s off.	No	No
11	COREG CONNER	106 th D.A.'s off.	YES	YES
12	RANDY SOWELL	Hennrich Energy	YES	NO
13	Toby Miller	Southland ISD	No	No
14	Irena Quintanilla	South Plains Assoc. of Govt	Yes	No
15				