

NOTICE OF MEETING  
COMMISSIONERS COURT OF GARZA COUNTY, TEXAS  
MONDAY, MARCH 8, 2010 AT 9:00 A.M.  
COMMISSIONERS COURTROOM, GARZA COUNTY COURTHOUSE  
POST, TEXAS 79356

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COMPLETE AGENDA:

Call to Order- Monday, March 8, 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. Consider Approving Application for Wind Energy Tax Abatement
5. Discuss to Approve Tax Abatement Issues for Red Hollow Wind Energy Project
6. Discuss to Approve to Accept Proposed Abatement
7. Discuss to Approve in Recognition of April as Child Abuse and Neglect Prevention Month
8. Discuss to Approve Mike Burke – Lake Alan Henry RV Resort Platt
9. Open Sealed Bids for Used Maintainer for Precinct 3
10. Discuss to Approve to Have Referendum Vote to Place Elevator at Courthouse on November 2010 Ballot
11. Budget Amendments and Line Item Transfers
12. Public Comment

Filed 3/4 2010 8:55 A.M.  
JIM PLUMMER  
CLERK OF COUNTY COURT  
GARZA COUNTY, TEXAS  
By [Signature] Deputy

[Signature]  
Lee Norman - Garza County Judge

A regular meeting of the Commissioners' Court of Garza County, Texas was held on Monday, March 8, 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; Judy Bush, Tax Collector/Assessor; and Ruth Ann Young, Treasurer.

Also present: Meg Nelson, Administrative Assistant; Randy Sowell, Freemantle Energy; Lance Wells, Warren Caterpillar; Jerod L. Standlee, Yellowhouse Machinery; Harry Record, PACC; Mike Burke, Lake Alan Henry RV Resort; County farmers Ronnie Dunn, Sue Weaver, Billy Weaver and Cecil Staley; and Rosa Latimer, Post Dispatch.

Judge Norman called the regular meeting to order at 9:01 A.M.

- Order 1: Minutes from the February 22, 2010 regular meeting and the March 2, 2010 special executive meeting were approved as presented with a motion by Commissioner Morris and seconded by Commissioner Brannon. 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. Treasurer
  - b. Budget Usage Analysis
  - c. Senior Transportation
  - d. District/County Clerk
  - e. Tax Collector/Assessor
  - f. Justice of the Peace, No. 1
  - g. Justice of the Peace, No. 2
  - h. AgriLife Extension-Jones
  - i. AgriLife Extension-McDonald
  - j. Garza County Certificates of Obligation Bond Fund, 2008
  - k. Garza County Public Facilities Board Bond Funds, 2005
  - l. Election Report – Clerk Plummer informed the court that a primary run-off election will be held on April 13, 2010 with early voting set for April 5-9, 2010. There are two run-off races: Democratic Party County Commissioner Precinct 4 and Republican Party, Justice, Supreme Court, Place 3. Early Voting will be held at the courthouse and there will be two polling places on Election Day: Voting Precincts 4 (Wells Fargo) and 6 [Justiceburg (LAH) Firehouse].

Also, the total voter turnout for the joint primary election was 705, or 24% of the registered voters. Of those 173 voted in the Democratic Primary and 532 in the Republican Primary.

Those figures are down from the 2006 Gubernatorial Primary Election: 811 total voters, 51 Democrats and 760 Republican.

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 to be considered were the precinct and countywide accounts payable for February 23, 2010 through March 8, 2010.

Motion was made by Commissioner McDaniel and seconded by Commissioner Brannon that all such accounts presented in the fund requirement print-out are allowed and 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 8: Came on to address the court was Mike Burke about the Lake Alan Henry RV Resort plat.

Burke presented the court a survey of the plat of a portion of the original town site of Burnham and his plans for the RV resort.

Judge Norman said that the re-zoning of the property from residential to commercial was approved by the LAH zoning board.

A motion was made by Commissioner Morris and seconded by Commissioner Brannon to approve the plat of the Lake Alan Henry RV Resort as presented.

With a majority of the court members voting aye, the motion carried and so ordered. (The plat and plans are attached.)

Order 7: Came on for recognition was April as Child Abuse and Neglect Prevention Month.

Judge Norman informed the court that the Child Welfare Board assists the victim assistance program. He read the proclamation.

Motion was made by Commissioner McDaniel and seconded by Commissioner Morris to proclaim April as Child Abuse and Neglect Prevention Month. With a majority of the court members voting aye, the motion carried and so ordered. (Proclamation is attached.)

Order 9: Came on before the court was to open sealed bids for a used maintainer for Precinct 3.

Two bids were received:

a. Warren Cat for \$177,240 (after trade-in)

b. Yellowhouse Machinery for \$121,000 (after trade-in)

The court recessed at 9:19 A.M.

The court resumed at 9:30 A.M.

A motion was made by Commissioner Brannon and seconded by Commissioner Morris to accept the bid from Yellowhouse Machinery for \$121,000 (after trade-in) for a used maintainer for Precinct 3. With a majority of the court members voting aye, the motion carried and so ordered. (The bids are attached.)

Order 10: Came on for consideration was a vote to place a referendum about the courthouse elevator on the November 2010 ballot. A motion was made by Commissioner Brannon 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 4: Came on for consideration was an application for a tax abatement for the Red Hollow Wind Energy project. A motion was made by Commissioner Brannon and seconded by Commissioner Morris to accept the application as presented. With a majority of the court members, including the judge voting aye, the motion carried and so ordered. Commissioner McDaniel abstained. (The application is attached.)

Order 5: Came on for discussion was tax abatement issues for the Red Hollow Wind Energy project. Randy Sowell of Freemantle Energy explained that the project will be done in two phases: Phase 1 would include a minimum of 15 to 20 megawatts or about 10 wind turbines and Phase 2 would include 15 to 80 megawatts. Therefore, Freemantle suggests two separate abatement agreements with identical terms except for the size of the projects (phases). Judge Norman explained that <sup>THE</sup> a court needs to seek <sup>TAX</sup> help <sup>WILL</sup> with the <sup>ADVISE</sup> understanding of the abatement process. A motion was made by Commissioner Brannon and seconded by Commissioner Morris to TABLE the item. With a majority of the court members including the judge voting aye, the motion carried and so ordered.

Order 6: Came on for discussion was the proposed abatement. No action was taken.

Order 11: Came on for consideration was line item transfers and budget amendment requests.

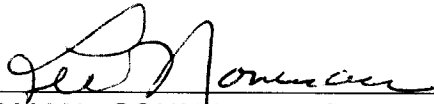
One (1) line item transfer was submitted.

a. A motion was made by Commissioner McDaniel and seconded by Commissioner Morris to approve the line item transfer presented for the Constable 1 office for \$365. With a majority of the court members voting aye, the motion carried and so ordered.


Order 12: Public Comment  
(None)

The next regular meeting of the court is set for March 22, 2010.

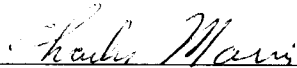
The meeting adjourned at 9:51 A.M.



LEE NORMAN, COUNTY JUDGE



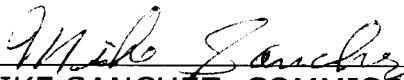
GARY MCDANIEL, COMMISSIONER PCT. 1



CHARLES MORRIS, COMMISSIONER PCT. 2



TED BRANNON, COMMISSIONER PCT. 3



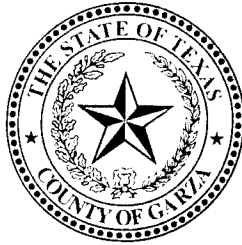
MIKE SANCHEZ, COMMISSIONER PCT. 4

ATTEST:



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: 3/8/2010

	Name (please print)	Organization's Name	Addressing the Court "Yes" or "No"	Leaving Printed Material "Yes" or "No"
1	Mike Bunk	LAKE ALAN HENRY RV RESORT	YES	
2	Cecil Jelle	FARMER	NO	
3	JAROD L. STANDEE	Yellowhouse Mackinac	NO	SEALED BID W/ INFO
4	Sue Weaver	FARMER	NO	
5	Billy Wood	FARMER	NO	NO
6	KOSA Latimer	Post Dispatch	no	NO
7	Hany Record	PACC	no	
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