

NOTICE OF MEETING
COMMISSIONERS COURT OF GARZA COUNTY, TEXAS
MONDAY, MAY 24, 2010 AT 9:00 A.M.
GARZA COUNTY COURTHOUSE
300 WEST MAIN, POST, TEXAS 79356

COMPLETE AGENDA:


Call to Order- Monday, May 24, 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. Jayta Cravy - VOCA Budget
5. Discuss to Approve to Change Bid Process for Garza County Properties
6. Discuss to Approve Property Bid at 513 N. Ave. F, Post, Texas
7. Discuss to Approve to Accept Gift from The Post Economic Development Corporation
8. Discuss to Approve The Airport RAMP Grant 2010 that Requires Execution by the County and the City In Order to Qualify for this Year's Routine Airport Maintenance Program Grant
9. Discuss to Approve To Engage Underwood Attorneys and Counselors At Law Regarding LAVAs and Tax Abatement Agreements with Freemantle Energy
10. 2009 County Attorney Dispositions
11. Sheriff Cliff Laws - Budget Amendments for Garza County Jail
12. Budget Amendments and Line Item Transfers
13. Public Comment



Lee Norman - Garza County Judge

FILED 5-20-2010 1:12 P.M.
JIM PLUMMER
BY  DEPUTY
CLERK OF COUNTY COURT,
GARZA COUNTY, TEXAS

A regular meeting of the Commissioners' Court of Garza County, Texas was held on Monday, May 24, 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 Commissioner Pct. 4-Mike Sanchez.

County officials present: Jim Plummer, Clerk; Mike Munk, Attorney; Ruth Ann Young, Treasurer; and Judy Bush, Tax Collector/Assessor.

Also present: Meg Nelson, Administrative Assistant; Eric Cravy, Constable 2; and Harry Record, PACC.

Judge Norman called the regular meeting to order at 9:05 A.M.

- Order 1: Minutes from the May 10, 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. District/County Clerk
 - b. AgriLife Extension/Jones
 - c. AgriLife Extension/McDonald
 - d. Justice of the Peace, Pct. 1
 - e. Garza County Jail compliance certification
- Motion was made by Commissioner McDaniel and seconded by Commissioner Morris 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 May 11, 2010 through May 24, 2010. Motion was made by Commissioner Brannon and seconded by Commissioner Morris 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 before the court was Victims Assistant Advocate Jayta Cravy to discuss the VOCA (Victims of Crime Act) budget. (Reference 4/26/2010 minutes.) Jayta was unable to appear and was represented by Constable (and husband) Eric Cravy.

Constable Cravy informed the court that the \$3264 shortage for the last month of the fiscal year can be transferred from a part time employee line item when necessary.

A motion was made by Commissioner Morris and seconded by Commissioner Brannon to approve the plan.

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

- Order 5: Came on for consideration was a change in the bid process for Garza County properties.
These are for properties that have already been struck off after not selling at a sheriff's sale. Attorney Munk recommended that sealed bids be requested and all available properties be posted on the county web site. Tax Collector Bush would hold the sealed bids in a safe until presented to commissioners' court. Munk will compose an Order of the new process for the commissioners' signature.
A motion was made by Commissioner McDaniel and seconded by Commissioner Brannon to adopt the new process for bidding for properties under Garza County's possession.
With a majority of the court members voting aye, the motion carried and so ordered.
- Order 6: Came on for consideration was a bid for county property located at 513 N. Ave. F (Lot 9-11 Block 26) in the original town site of Post. Tax Collector Bush said the previous bidder, Preston Leake, was asked to resubmit a sealed bid. He did not meet the deadline.
She said that there is one sealed bid. Also, the same property was awarded in 2007 and it was discovered that there was a demolition lien by the City of Post. Therefore, the city denied the sale.
After the sealed bid from Edle Sanchez was opened, the bid amount was unclear. Commissioner Brannon contacted Sanchez to clarify the amount. His intention was to bid \$1,100 and not \$11,000.
Attorney Munk added that \$396 is due in court costs.
A motion was made by Commissioner Brannon and seconded by Commissioner McDaniel to accept the bid for \$1,100 from Edel Sanchez on condition that all other taxing entities approve the bid.
With a majority of the court members voting aye, the motion carried and so ordered.
- Order 7: Came on for consideration was a gift offer from Post Economic Development Corporation (PEDC).
In a letter from PEDC Chairman Giles W. Dalby, the organization offered to the county a portion of the old Postex mill building currently housing the Garza County MHMR, Women Protective Services and the

Community Recovery Center. The roof, parking lot and utilities are of concern. The interior is in good condition. The county currently pays rent for the space.

A motion was made by Commissioner McDaniel and seconded by Commissioner Morris to accept the gift offer as presented pending approval of PEDC.

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

The meeting recessed at 9:40 A.M.

The meeting resumed at 9:55 A.M.

- Order 8: Came on for consideration was the Airport RAMP Grant 2010 that requires execution by the county and the city in order to qualify for this year's routine airport maintenance program grant. The grant could be up to \$50,000. But according to the City of Post, the needed repairs are expected to be around \$15,000. A motion was made by Commissioner Morris and seconded by Commissioner Brannon to execute the grant as presented. With a majority of the court members voting aye, the motion carried and so ordered. (Grant and letters from TxDot and city are attached.)
- Order 9: 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). Judge Norman explained that legislation has changed concerning wind energy projects and how they can benefit school districts. It is now advantageous for counties. The proposed agreement is a plan to help Southland School District benefit. Commissioner McDaniel understood that Freemantle is looking at the legality of this contract and how it will affect the company. Attorney Munk expressed concern about using same representation as the other entities involved. A motion was made by Commissioner McDaniel and seconded by Commissioner Brannon to TABLE the item until more information is available. With a majority of the court members voting aye, the motion carried and so ordered. (Proposed agreement is attached.)
- Order 10: Came on for presentation was Attorney Munk with the County Attorney's 2009 disposition report.

Munk informed the court that DWI convictions were up 55% from previous year. He attributes the increase in convictions to new evidence procedures including the blood draw program.

A motion was made by Commissioner McDaniel and seconded by Commissioner Morris to accept the report as presented.

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

Order 11: Came on before the court was Sheriff Cliff Laws with budget amendments for the county jail.

Sheriff was absent.

No action was taken.

Order 12: Came on for consideration were line item transfers and budget amendment requests.

Two (2) line item transfers:

a. A motion was made by Commissioner Morris and seconded by Commissioner McDaniel to approve the line item transfer presented for the sheriff's office for \$10,000. With a majority of the court members voting aye, the motion carried and so ordered.

b. A motion was made by Commissioner Morris and seconded by Commissioner McDaniel to approve the line item transfer presented for the Constable 1 office for \$810.40. With a majority of the court members voting aye, the motion carried and so ordered.

Order 13: Public Comment

Judge Norman:

USDA grant writing possibilities. The writing service is \$2500 for a rural development grant.

Developing research for water usage and collective purchasing through Texas Tech.

Hale-Mills proposed a maintenance agreement on the county jail's generator.

Advance Environmental proposed an air filter service contract to service the county jail.

Commissioner Morris:

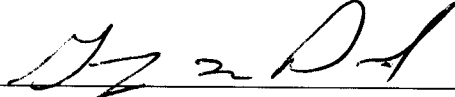
Straightened out overcharges for a bull dozer rental with Yellowhouse Machinery. It involved the damage waiver fee insurance for the unit.

The next regular meeting of the court is set for June 14, 2010.

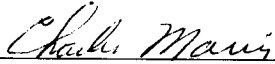
The meeting adjourned at 10:32 A.M.



LEE NORMAN, COUNTY JUDGE



GARY MCDANIEL, COMMISSIONER PCT. 1



CHARLES MORRIS, COMMISSIONER PCT. 2



TED BRANNON, COMMISSIONER PCT. 3



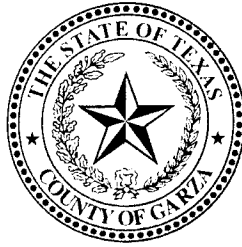
MIKE SANCHEZ, COMMISSIONER PCT. 4

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

Date: May 24, 2010

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

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

	Name (please print)	Organization's Name	Addressing the Court "Yes" or "No"	Leaving Printed Material "Yes" or "No"
1	Harry Record	PACC	No	No
2	Eric Cravy	Constable	Yes	No
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