

NOTICE OF MEETING  
COMMISSIONERS COURT OF GARZA COUNTY, TEXAS  
MONDAY, FEBRUARY 14, 2011 AT 9:00 A.M.  
GARZA COUNTY COURTHOUSE,  
300 WEST MAIN  
POST, TEXAS 79356

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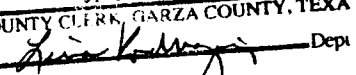
COMPLETE AGENDA:

Call to Order- Monday, February 14, 2011 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 - Discuss to Approve VOCA Grant Application
5. Chris Atkinson - Update on Community Recovery Center
6. Consider Interlocal Agreement with West Texas Rural Counties Association to Access the Services Of the Associations Disaster Financial Recovery Contractor, HR&R,LLC
7. Consider to Approve Amending the Garza County Burn Ban
8. Open Sealed Bids for Theater Chairs
9. Discuss to Approve A Response to The Historical Commission of Texas
10. Discuss to Approve A Resolution In Support of House Joint Resolution 56
11. Vote to Approve a Member to Fill Vacancy for the Garza County Grievance Committee
12. Vote to Approve Pursuing the Appointment of a New Records Management Officer
13. Discuss to Approve Failure to Request Building Permits for Subdivisions and Public Facilities
14. Discuss to Approve Failure to Request Special District Permits
15. Discuss to Approve Application for Public Assistance
16. Budget Amendments and Line Item Transfers
17. Public Comment

  
Lee Norman - Garza County Judge

FILED FOR RECORD  
10 day of February 20 11  
at 9:40 o'clock a. m.  
JIM PLUMMER  
COUNTY CLERK, GARZA COUNTY, TEXA  
By  Dep

A regular meeting of the Commissioners' Court of Garza County, Texas was held on Monday, February 14, 2011 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, Pct. 3-Ted Brannon and Pct. 4-Jerry Benham.

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

Also present: Meg Nelson, Administrative Assistant; Jayta Cravy, Victims' Assistance Advocate; and John Hruska, H.R&R., LLC/West Texas Rural County Association.

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

Order 1: Minutes from the January 24, 2011 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. Treasurer
- c. Budget Usage Analysis
- d. Senior Transportation
- e. Cycle Tax Collection Recap By Jurisdiction
- f. Justice of the Peace, Pct. 1
- g. Justice of the Peace, Pct. 2
- h. Garza County Certificates of Obligation Bond Fund, 2008
- i. Garza County Public Facilities Board Bond Funds, 2005

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 to be considered were the precinct and countywide accounts payable for January 25, 2011 through February 14, 2011.

Motion was made by Commissioner Brannon and seconded by Commissioner Morris 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 4: Came on for presentation was Victim Assistance Advocate Jayta Cravy to discuss the VOCA (Victims of Crime Act) Grant application. She is requesting the same as the previous request: \$50,995 (includes state funds, local match funds and in-kind match community service contribution). She explained that it is a federal grant administered by the Texas Governor's office. The county has received the grant since 1998 excluding last year. She'll make a presentation on April 14<sup>th</sup>. A reply is expected by early August, 2011. A motion was made by Commissioner McDaniel and seconded by Commissioner Morris to accept the resolution as presented. With a majority of the court members voting aye, the motion carried and so ordered. (Presentation and the Resolution are attached.)
- Order 5: Came on for presentation was Chris Atkinson with an update on the Community Recovery Center. Atkinson was able to attend. No action taken.
- Order 6: Came on for consideration was an Interlocal Agreement with West Texas Rural Counties Association to access the services of the association's disaster financial recovery contractor, HR&R, LLC. John Hruska, of WTRCA, says that his organization assists with finding grant funds for disaster relief. There is no financial obligation of the county until after a grant is obtained. A motion was made by Commissioner Benham and seconded by Commissioner Morris to engage into the Interlocal Agreement with HR&R, LLC at no cost to the county. With a majority of the court members voting aye, the motion carried and so ordered. (Information and agreement are attached.)
- Order 7: Came on for consideration was amending the current Garza County Burn Ban: Order for Garza County Prohibition of Outdoor Burning. No action taken.
- Order 9: Came on before the court was a response from the Texas Historical Commission (concerning the placement of the proposed courthouse elevator). Judge Norman informed the court that the Commission wants the elevator in a location that the Judge feels is not best for conserving office space. Commissioner Brannon suggested postponing the project because of possible difficult financial times ahead for the county. A motion was made by Commissioner Morris and seconded by Commissioner McDaniel to send a letter to the Texas Historical Commission that the county will proceed with the project with a new

plan that is in the best interest of the county when considering use of space.

The meeting recessed at 9:55 A.M.

The meeting resumed at 10:07 A.M.

With a majority of the court members voting aye, the motion carried and so ordered. Commissioners Brannon and Benham voted nay. (Judge's letter is attached.)

- Order 8: Came on before the court was the opening of sealed bids for the theater chairs.  
No bids were received. Therefore, the county may proceed to give away the chairs to any interested parties.  
No action taken.
- Order 10: Came on before the court was a resolution in support of House joint Resolution 56 (concerning state unfunded mandates).  
A motion was made by Commissioner McDaniel and seconded by Commissioner Benham to approve the resolution as presented. With a majority of the court members voting aye, the motion carried and so ordered. (Resolution is attached.)
- Order 11: Came on for consideration was an appointment to the 2011 Grievance Committee to fill a vacancy.  
Clerk Plummer explained that the committee was appointed on January 10, 2011 and since then one of the members has declined to serve.  
A motion was made by Commissioner Morris and seconded by Commissioner McDaniel to fill the vacancy by appointing Diane Graves who was randomly drawn from the outgoing Grand Jury members.  
The 2011 Grievance Committee now consist of: (1) James Boren, (2) Wilma Williams, (3) Eddie Britnell, and (4) Diane Graves. Also on the Grievance Committee are the county judge, clerk, treasurer, tax assessor and the sheriff. With a majority of the court members voting aye, the motion carried and so ordered.
- Order 12: Consider pursuing the appointment of a new Records Management Officer (RMO).  
Clerk Plummer explained to the court that in 1996 the commissioners' court adopted a records management plan according to the Local Government Records Act (LGT Title 6, Subtitle C). LGC Sec. 203.001 states that "each elected county officer is the records management

officer for the records of the officer's office". The County Clerk (Sonny Gossett) was the appointed county wide RMO. It appears that one person from one office overseeing and managing the records of other departments is not the best way to operate efficiently. There are two ways to consider the appointment of a new RMO(s): 1) Each elected official accept the responsibility for their department, or 2) appoint another elected official or county employee as the county wide RMO. Plummer presented information on how other counties of similar size are handling their records management. He recommended that each elected official accept the responsibility for their own department's records management.

Plummer requested permission to research and plan for changing the RMO situation and Records Management Plan for Garza County.

A motion was made by Commissioner Brannon and seconded by Commissioner McDaniel to authorize Clerk Plummer to pursue the process he requested. With a majority of the court members voting aye, the motion carried and so ordered. (Agenda request is attached.)

Order 13: Came on for consideration was the failure to request building permits for subdivisions and public facilities.

Judge said there is construction going on in the county without permits. Munk stated what power the county has according to the Local Government Code.

A motion was made by Commissioner Benham and seconded by Commissioner Morris to have Attorney Munk send a letter to the alleged violators informing the builders of their obligation to submit a permit application. With a majority of the court members voting aye, the motion carried and so ordered.

Order 14: Came on for consideration was the failure to request special district permits.

A motion was made by Commissioner McDaniel and seconded by Commissioner Morris to have Attorney Munk send a letter to the alleged violators informing the developers of their obligation to submit plans and receive permits and permission from the appropriate boards including the commissioners' court. With a majority of the court members voting aye, the motion carried and so ordered.

Order 15: Came on for consideration was an application for public assistance.

Attorney Munk said the applicant is not eligible for assistance.

Commissioner Benham recused himself from any action on this item.

Motion was made by Commissioner Brannon and seconded by Commissioner Morris to approve the application from B.J.C. and to pay \$75 toward the gas bill.

With a majority of the court members voting aye, the motion carried and so ordered. Commissioner Benham abstained. (The application is attached.)

Order 16: Came on for consideration were line item transfers and budget amendment requests.  
Three line item transfers were submitted.

a. A motion was made by Commissioner McDaniel and seconded by Commissioner Brannon to approve the line item transfer presented for the VOCA office for \$14.00.

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

b. A motion was made by Commissioner McDaniel and seconded by Commissioner Brannon to approve the line item transfer presented for the Jail office for \$10,000.

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

c. A motion was made by Commissioner McDaniel and seconded by Commissioner Brannon to approve the line item transfer presented for the Probation office for \$4559.04.

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

(Line item transfers are attached.)

Order 15: Public Comment

Judge Norman: A letter from Wind, Inc. wanting to do an alternative energy project at the prison.

He advised the court that he has the details of the state appropriations bill.

It appears that the remote DPS Drivers License offices, including may have ended.

The meeting adjourned at 11:00 A.M.



LEE NORMAN, COUNTY JUDGE



GARY MCDANIEL, COMMISSIONER PCT. 1

*Charles Morris*

CHARLES MORRIS, COMMISSIONER PCT. 2

*Ted Brannon*

TED BRANNON, COMMISSIONER PCT. 3

*Jerry Benham*

JERRY BENHAM, 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: 2/14/2011

	Name (please print)	Organization's Name	Addressing the Court "Yes" or "No"	Leaving Printed Material "Yes" or "No"
1	Santa Clara	Victims Assist.	Yes	Yes
2	JOHN HRUSKA	HR+R / WTRCA	YES	YES
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