

NOTICE OF MEETING COMMISSIONERS COURT OF  
GARZA COUNTY, TEXAS  
**MONDAY, MAY 11, 2009 AT 9:00 A.M.**  
**COMMISSIONERS COURTROOM, GARZA COUNTY COURTHOUSE**  
300 WEST MAIN, POST, TEXAS 79356

**COMPLETE AGENDA:**


Call to Order- Monday, May 11, 2009 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. Discuss Proposed Cancellation Westlaw Services
5. Joe Hays - Approve 2008-2009 County Audits
6. Discuss to Approve Continuing the Burn Ban
7. Right of Way Agreement Between Garza County and Bill Aten
8. Discuss to Approve 2009 Resolutions:
  - A. Resolution Opposition to Unfunded Mandates
  - B. Resolution Opposition to Appraisal Caps and Revenue Caps
  - C. Resolution County Fees and Fines
  - D. Resolution Increase in Purchase Limit
  - E. Resolution Opposition to Mandated Offices
  - F. Resolution Supporting Expedited Development of Competitive Renewable Energy Zones in Texas Including Infrastructure to Export Wind Power From Texas
  - G. Resolution Comptroller's Interpretation of Market Conditions With Regard to Mineral Values
9. Discuss to Approve Place for Weather Tower on County Land for Wind Science Engineering Research Center

10. Budget Amendments and Line Item Transfers

11. Inspect Progress for New Office Annex

  
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Lee Norman - Garza County Judge

FILED FOR RECORD  
6 day of May 2009  
at 4.20 o'clock P. M.  
JIM PLUMMER  
COUNTY CLERK, GARZA COUNTY, TEXAS  
By Sara Rodriguez Deputy

IN ACCORDANCE WITH TITLE III 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, May 11, 2009 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-Mike Sanchez.

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

Also present were Meg Nelson, Administrative Assistant; Joe F. Hays, CPA; and Rosa Latimer, Post Dispatch.

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

Order 1: Minutes from the April 27, 2009 regular meeting were approved as presented with a motion by Commissioner Sanchez and seconded by Commissioner Brannon. With at least three 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. County Budget Analysis
- c. Senior Transportation
- ~~d. District/County Clerk~~ *Jf*
- e. Tax Assessor/Collector
- f. Justice of the Peace-1
- g. Justice of the Peace-2
- h. Garza County Certificates of Obligation Bond Fund, 2008
- i. Garza County Public Facilities Board Bond Funds, 2005
- j. Stimulus Package Update: Administrative Assistant Nelson reported to the court that the grant for \$34,479 is available to Garza County and that a resolution from the court must be submitted by June 1, 2009.

Motion was made by Commissioner McDaniel and seconded by Commissioner Morris to accept the reports as presented. With at least three 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 April 28, 2009 through May 11, 2009. Motion was made by Commissioner McDaniel and seconded by Commissioner Sanchez that all such accounts presented in the fund requirement print-out are allowed and ordered paid and presented to the Treasurer for payment. With at least three court members voting aye, the motion carried and so ordered. (Printout is attached.)

Order 5: Came on before the court was independent auditor for Garza County Joe F. Hays, CPA, to present the 2008 county audits: (1) Report of Audit on the Operations of the Dalby Correctional Facility and the (2) Report of Audit of the Dalby Correctional Facility Inmate Trust Funds. Hays informed the court that the County of Garza audit is taking longer than usual due to new accounting procedures and will have it prepared in plenty of time for the next regular meeting. Hays submitted two clean opinions for both the Operations report and the Inmate Trust Fund. A motion was made by Commissioner Morris and seconded by Commissioner Sanchez to accept the two audits of the Dalby Unit as presented and to table the county audit until the next regular meeting. With at least three court members voting aye, the motion carried and so ordered. (The Audit Reports are attached.)

The meeting recessed at 9:30 A.M.

The meeting resumed at 9:32 A.M.

Order 4: Came on for consideration was the proposed cancellation of Westlaw Services. Attorney Munk (by way of a letter) introduced an invoice from the service for December 2008. He recommended the court approve the payment of the final bill of \$703.79. A motion was made by Commissioner McDaniel and seconded by Commissioner Sanchez to pay the bill as presented. With at least three court members voting aye, the motion carried and so ordered. (Letter and invoice are attached.)

- Order 6: Came on for consideration was the continuation of the burn ban: Order for Garza County Prohibition of Outdoor Burning.  
A motion was made by Commissioner McDaniel and seconded by Commissioner Brannon to approve the burn ban with the Order for Garza County Prohibition of Outdoor Burning for 90 days ending August 11, 2009. With at least three court members voting aye, the motion carried and so ordered. (Order is attached.)
- Order 7: Came on for consideration was the Public Road Right-of-Way Easement between Garza County and Bill Aten. Commissioner Morris explained that Mr. Aten did not need an easement on county right-of-way.  
A motion was made by Commissioner Morris and seconded by Commissioner Sanchez to rescind the courts approval of the Petition for the Authority to use a Portion of Public Roads of Garza County on February 9, 2009.  
With at least three court members voting aye, the motion carried and so ordered.
- Order 8: Came on for discussion were seven (7) 2009 Resolutions. Judge Norman explained requested that the court consider approval of the following Resolutions to be sent to the state legislature.
- a. A motion was made by Commissioner McDaniel and seconded by Commissioner Brannon to support the Resolution Opposition to Unfunded Mandates.  
With at least three court members voting aye, the motion carried and so ordered.
  - b. A motion was made by Commissioner McDaniel and seconded by Commissioner Morris to support the Resolution Opposition to Appraisal Caps and Revenue Caps.  
With at least three court members voting aye, the motion carried and so ordered.
  - c. A motion was made by Commissioner Morris and seconded by Commissioner Sanchez to support the Resolution County Fees and Fines.  
With at least three court members voting aye, the motion carried and so ordered.
  - d. A motion was made by Commissioner Morris and seconded by Commissioner Brannon to support the Resolution Increase in Purchase Limit.

With at least three court members voting aye, the motion carried and so ordered.

- e. A motion was made by Commissioner Morris and seconded by Commissioner McDaniel to support the Resolution Opposition to Mandated Offices.

With at least three court members voting aye, the motion carried and so ordered.

- f. A motion was made by Commissioner McDaniel and seconded by Commissioner Morris to support the Resolution Supporting Expedited Development of Competitive Renewable Energy Zones in Texas including Infrastructure to Export Wind Power from Texas.

With at least three court members voting aye, the motion carried and so ordered.

- g. A motion was made by Commissioner Morris and seconded by Commissioner Sanchez to support the Resolution Comptroller's Interpretation of Market Conditions with regard to Mineral Values.

With at least three court members voting aye, the motion carried and so ordered.

(Resolutions are attached.)

Order 9: Came on for consideration was a place for a weather tower on county land for the Wind Science Engineering Research Center of Texas Tech University.

Judge Norman explained that the unit at the city landfill needs to be moved. The Judge offered a location on the east side of the Juvenile Detention Center.

A motion was made by Commissioner Morris and seconded by Commissioner Sanchez to permit the tower to be relocated on county property on the east side of the Juvenile Detention Center.

With at least three court members voting aye, the motion carried and so ordered.

Order 10: Came on for consideration were line item transfers and budget amendment requests.

Four (4) line item transfers were submitted.

*a. A motion was made by Commissioner Brannon and seconded by Commissioner Sanchez to approve the line item transfer presented for the Constable 1 office for \$2000.*

With at least three court members voting aye, the motion carried and so ordered.

b. A motion was made by Commissioner McDaniel and seconded by Commissioner Morris to approve the line item transfer presented for the Constable 2 office for \$323.75. With at least three court members voting aye, the motion carried and so ordered.

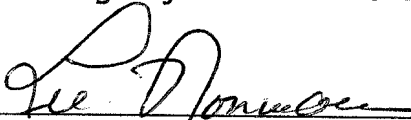
c. A motion was made by Commissioner McDaniel and seconded by Commissioner Morris to approve the line item transfer presented for the Extension Agent office for \$300. With at least three court members voting aye, the motion carried and so ordered.

d. A motion was made by Commissioner Sanchez and seconded by Commissioner Brannon to approve the line item transfer presented for the Road & Bridge 2 office for \$2250. With at least three court members voting aye, the motion carried and so ordered.

Order 11: Came on before the court was the inspection of the new office annex (old sheriff's office/jail). Clerk Plummer announced that HAVA (Help America Vote Act) funds can be used for the rehabilitation of the part of the building that will be used to store the election equipment. The court decided not to tour the facility.

*Note: The next regular meeting will be held on Tuesday, May 26, 2009 due to the Memorial Day holiday.*

The meeting adjourned at 10:10 A.M.

  
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LEE NORMAN, COUNTY JUDGE

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GARY MCDANIEL, COMMISSIONER PCT. 1

*Charles Morris*

CHARLES MORRIS, COMMISSIONER PCT. 2

*Ted Brannon*

TED BRANNON, COMMISSIONER PCT. 3

*Mike Sanchez*

MIKE SANCHEZ, COMMISSIONER PCT. 4

ATTEST:

*Jim Plummer*

JIM PLUMMER, COUNTY CLERK