

NOTICE OF MEETING  
COMMISSIONERS COURT OF GARZA COUNTY, TEXAS  
TUESDAY, MAY 26, 2009 AT 9:00 A.M.  
COMMISSIONERS COURTROOM, GARZA COUNTY COURTHOUSE  
300 WEST MAIN POST, TEXAS 79356

---

COMPLETE AGENDA:

Call to Order- Tuesday, May 26, 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. District Attorney Brian Kingston - 2209/2010 Budget
5. Joe Hays - Approve 2008-2009 County Audits
6. Discuss Law Enforcement
7. Discuss to Approve An Application for Public Assistance
8. Discuss to Approve the Justice Assistance Grant (JAG) Resolution
9. Consider Terry Witherspoon Architecture Group to do Consulting for Garza County on the City of Lubbock Water line and Permitting
10. Discuss to Approve An Interlocal Agreement with Lynn County for VOCA Assistance from Garza County From Garza County Personnel
11. Discuss to Approve a Contract Between Lubbock County and Garza County for the Housing of Inmates
12. Discuss to Approve Bid on 609 N. Ave. L, Post, Texas
13. Jail Update
14. Budget Amendments and Line Item Transfers
15. Inspect Progress fo New Office Annex

FILED 5-20 2009 9:30 A M.  
JIM PLUMMER  
BY Adena Williams DEPUTY  
CLERK OF COUNTY COURT,  
GARZA COUNTY, TEXAS

  
\_\_\_\_\_  
Lee Norman - Garza County Judge

A regular meeting of the Commissioners' Court of Garza County, Texas was held on Tuesday, May 26, 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; Mike Munk, Attorney; Judy Bush, Tax Assessor/Collector; and Ruth Ann Young, Treasurer.

Also present were Meg Nelson, Administrative Ass tant; Brian L. Kingston, District Attorney; Tommy Binford, Chief Sheriff's Deputy; Stephanie Hataway, Jail Marketing Director/Assistant Jail Administrator ; Joe F. Hays, CPA; Terry Witherspoon, Witherspoon Architecture; Travis Bozick, Brannon Corporation; and Rosa Latimer, Post Dispatch.

*Note: the meeting was moved due to the Memorial Day holiday.*

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

Order 1: Minutes from the May 11, 2009 regular meeting and the May 12, 2009 special meetings were approved as presented with a motion by Commissioner Sanchez and seconded by Commissioner Morris. 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. Clerk
- b. Agrilife Extension/McDonald
- c. Judge Norman reported on the Templeton Mortgage vs. City of Lubbock case as reflected in the May 12, 2009 minutes of the court.
- d. Judge Norman reported on legislation that affects small counties. Also, the Governor has designated most of Texas an agricultural disaster. Therefore, low interest economic injury loans are available.

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 May 12, 2009 through May 26, 2009.

Motion was made by Commissioner Morris 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 4: Came on for submission was a proposed 2009-2010 budget for the District Attorney's (DA's) office. DA Brian Kingston addressed the court. He requested longevity pay for tenured employees, cellular phone allowance for "on-call" employees, car allowance for employees driving throughout district, a records management software system and equipment to facilitate copying and transferring evidence in criminal cases in addition to the regular budget items. The additional budget items requested is about \$8,000 over the current years' budget and will be considered during the regular budget session. No action taken. Garza County's portion would be 11.92% of the DA's entire budget. (Request and supporting materials are attached.)

Order 6: Came on for discussion was law enforcement. Chief Sheriff's Deputy Tommy Binford explained that the sheriff's department is learning to deal with issues that come with the managing of a much larger jail and law enforcement facility. No action taken.

Order 13: Came on with an update on the Garza County Jail was Stephanie Hataway the jail's Marketing Director/Assistant Jail Administrator. She explained the demographics report for area jails. She noted that jails in the area are under occupied. Also, she added that our per diem rate of around \$40 is higher than most facilities in our region. Hataway is pursuing a contract with the U.S. Marshall's service. To date, the Garza County jail is 42.5% (41 out of 96 beds) occupied. No action taken.

Order 11: Came on for consideration was a contract between Lubbock County and Garza County for the housing of inmates. A motion was made by Commissioner Brannon and seconded by Commissioner Sanchez to approve the agreement to house Lubbock County inmates at the Garza County Jail as per the contract. With at least three court members voting aye, the motion carried and so ordered. (The contract is attached.)

The court recessed at 9:56 A.M.

The court resumed at 10:10 A.M.

Order 5: Came on before the court was independent auditor for Garza County Joe F. Hays, CPA, to present the 2008 county audit. Hays briefly reviewed the report with the court. He then explained that the audit is in conformity with accounting principles generally accepted in the United States of America. A motion was made by Commissioner Sanchez and seconded by Commissioner McDaniel to accept the audit of the County of Garza as presented.

With at least three court members voting aye, the motion carried and so ordered. (The Report of Audit is attached.)

- Order 9: Came on for consideration was the Terry Witherspoon Architecture Group to do consulting for Garza County on the City of Lubbock water pipeline project and the permitting thereof.  
Judge Norman explained that it would be in the best interest of the county to have adequate representation during the construction of the pipeline. He introduced Terry Witherspoon, Witherspoon Architecture and Travis Bozick of C.T. Brannon Corporation.  
Witherspoon presented information concerning the services available from his architectural firm and the services of the Brannon consulting civil engineering firm that are available to Garza County.  
A motion was made by Commissioner McDaniel and seconded by Commissioner Brannon to engage the services of Terry Witherspoon Architecture Group to begin formulating guidelines and a fee structure for Garza County as it pertains to the City of Lubbock water pipeline project.  
With at least three court members voting aye, the motion carried and so ordered. (Proposal and fees are attached.)
- Order 7: Came on for consideration was a public assistance application.  
R. B. requested funding for rent, electricity and water for a total of \$490.89. .  
A motion was made by Commissioner Morris and seconded by Commissioner McDaniel to deny the request (as recommended by Attorney Munk) due to the applicant not satisfying the county's guidelines.  
With at least three court members voting aye, the motion carried and so ordered. (The request is attached.)
- Order 8: Came on for consideration was the Justice Assistance Grant (JAG) Resolution.  
Meg Nelson explained that the grant of \$33,470.99 is part of the federal stimulus package that is administered locally by the South Plains Association of Governments (SPAG). The funds must be used for law enforcement purposes.  
A motion was made by Commissioner Sanchez and seconded by Commissioner Morris to support the resolution for JAG.  
With at least three court members voting aye, the motion carried and so ordered.
- Order 10: Came on for consideration was an Interlocal agreement between Lynn County for VOCA assistance from Garza County.  
Judge Norman explained that Lynn County's advocate is unable to assume the duties. Garza County's Advocate Jayta Cravy is willing to help possibly one day a week at the expense of Lynn County as long as it does not take her away from her responsibilities in Garza County. She will be needed by Lynn County for up to two months.

A motion was made by Commissioner Morris and seconded by Commissioner Brannon to approve the agreement between Lynn County and Garza County for VOCA assistance. With at least three court members voting aye, the motion carried and so ordered.

Order 12: Came on for consideration was a property bid from Raymond Villa for the property at 609 N. Ave. L, Post, TX. for \$500.  
Bid was withdrawn.

Order 14: Came on for consideration were line item transfers and budget amendment requests.  
Five (5) line item transfers were submitted.

a. A motion was made by Commissioner Morris and seconded by Commissioner Sanchez to approve the line item transfer presented for the probation office for \$1500.

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 1 office for \$1635.

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 Brannon to approve the line item transfer presented for the Road & Bridge 2 office for \$1500.

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

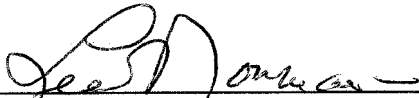
d. A motion was made by Commissioner Sanchez and seconded by Commissioner Morris to approve the line item transfer presented for court house security for \$133.68.

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

e. A motion was made by Commissioner McDaniel and seconded by Commissioner Sanchez to approve the line item transfer presented for the Jail facility for \$8000.

Order 15: Came on before the court was the inspection of the new office annex (old sheriff's office/jail).  
The court decided not to tour the facility.

The meeting adjourned at 11:15 A.M.



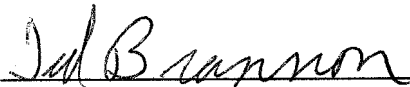
LEE NORMAN, COUNTY JUDGE



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