

NOTICE OF MEETING  
COMMISSIONERS COURT OF GARZA COUNTY, TEXAS  
**MONDAY, OCTOBER 26, 2009 AT 9:00 A.M.**  
COMMISSIONERS COURTROOM, GARZA COUNTY COURTHOUSE  
POST, TEXAS 79356

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COMPLETE AGENDA:

8:45 a.m. Public Hearing – Road Closing

Call to Order- Monday, October 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. Discuss to Approve to Vote to Abandon, Discontinue and Vacate 5 Easements on C.R. 225 (White Road)
5. Discuss to Vote to Approve Order on Above Vote
6. Discuss to Approve Property Bid on 609 N. Ave L. Post, Texas
7. Discuss to Approve Amendment to Garza County General Assistance Program Application and/or Program manual to synchronize requirements
8. Discuss to Approve a Request to Remove Penalties and Interest on Certain Oil Royalty Taxes
9. Discuss to Approve to Order the use of the M100 Ballot Tabulator for Election Day, November 3, 2009 Constitutional Amendment Election
10. Discuss to Approve Energy Efficiency and Conservation Block Grant Notification of Intent
11. Discuss to Approve A Resolution of the County of Garza- EECBG Funding
12. Discuss to Approve Nominations to Garza Central Appraisal District and Approve Judge to Cast the Vote
13. Sheriff Cliff Laws - Discuss and Approve Grant Money for Video Equipment
14. Budget Amendments and Line Item Transfers
15. Inspect Progress for New Office Annex
16. Public Comment

FILED 10-21-09 2:50 P. M.  
JIM PLUMMER  
BY *Janie Laurene* DEPUTY  
CLERK OF COUNTY COURT,  
GARZA COUNTY, TEXAS

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

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: Oct. 26, 2009

	Name (please print)	Address	Commissioners Court Precinct	Election Precinct (Voting Box)
1	Kipp Wilks	203 South Ave S	2	
2	Melba Cumental	516 Pine St.	3	
3	Michael O'Brien			
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A public hearing and regular meeting of the Commissioners' Court of Garza County, Texas was held on Monday, October 26, 2009 at 8:45 A.M. and 9:00 A.M. respectively, 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; Pct. 4-Mike Sanchez.

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

Also present: Meg Nelson, Administrative Assistant; Michael O'Bryan, Jail Marketing Director; and Kip Wilks and Melba Cimental from Centurion Production.

Judge Norman called the public hearing to order at 8:45 A.M.

He opened the floor up for public comment. Kip Wilks of Centurion Production raised concern about access to County Road 225 (White Road) after the county vacates it. Commissioner McDaniel said the road will be open and unlocked during the day. The gate will be closed and locked after hours. Oil producers and the county are concerned with liability issues.

Vandalism to oilfield equipment has been a problem recently. Surface right owners brought this issue to the courts attention. As far as McDaniel knows, all property owners are in favor of closing or limiting access to the road.

Public hearing closed at 8:59 A.M.

Judge Norman called the regular meeting to order at 9:00 A.M.

Order 1: Minutes from the October 9, 2009 regular meeting were approved as amended with a motion by Commissioner Sanchez 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. AgriLife Extension/Jones  
b. AgriLife Extension/McDonald  
Motion was made by Commissioner Morris 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 October 10, 2009 through October 26, 2009.  
Motion was made by Commissioner McDaniel 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 a vote was whether to abandon, discontinue and vacate five (5) easements on County Road 225 (White Road). Attorney Munk explained that most of the easements are not used for public use anymore. The county's ~~intent is to not cease access to the road, but to return~~ <sup>JUG</sup> the authority back to the property owners as it once was. Motion was made by Commissioner Sanchez and seconded by Commissioner Brannon to abandon, discontinue and vacate the five (5) easements on County Road 225 (White Road) as described in the attachments to the Order. With a majority of the court members including the judge voting aye, the motion carried and so ordered. Commissioner McDaniel abstained. (Order is attached.)
- Order 5: Came on for consideration was to approve the Order concerning the abandonment, discontinuation and to vacate five (5) easements on County Road 225 (White Road). Motion was made by Commissioner Morris and seconded by Commissioner Sanchez to approve the Order to abandon, discontinue and vacate the five (5) easements on County Road 225. With all court members including the judge, except for Commissioner McDaniel, voting aye, the motion carried and so ordered. Commissioner McDaniel abstained. (Order is attached.)
- Order 6: Came on for consideration were two bids for county property located at 609 N. Ave. L: South half of E10' of Lot 6 and the South half of lot 8, Block 7 in the original town site of Post. In the October 9, 2009 regular meeting, Angel Palos offered \$3500 and was awarded the property. Attorney Munk said that Palos did not make payment in time, therefore forfeiting the property. The other bid is from R.C Curtis, Jr. who offered \$1700. The taxes and arrearages owed are \$6046.42 and the property value set by the trial court is \$13,270. A motion was made by Commissioner Brannon and seconded by Commissioner Morris to accept the bid from R.C. Curtis for \$1700 pending the approval of the other taxing entities. With a majority of the court members voting aye, the motion carried and so ordered. (The bids are attached.)
- Order 7: Came on for consideration was amendments to the Garza County General Assistance Program Application and/or program manual to synchronize requirements with the manual. Attorney Munk explained that he believes that amendments to the guidelines to the manual are necessary. They were created in 1997. A motion was made by Commissioner Brannon and seconded by Commissioner Sanchez to approve the proposed application as presented and raise the rates \$25 for each category that can be paid out to eligible applicants.

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

- Order 8: Came on for consideration was a request to remove penalties and interest on certain oil royalty taxes.  
By way of a letter to the County Wide Hospital Board (Garza County Health Care District), Mr. C.W. Williamson requested that he not have to pay penalty and interest.  
Tax Collector/Assessor Bush noted that the letter was accompanied by checks paying back taxes excluding penalties and interest of \$5.61.  
Motion was made by Commissioner McDaniel and seconded by Commissioner Sanchez to remove the penalty and interest owed to the county. With a majority of the court members voting aye, the motion carried and so ordered. (The Letter is attached.)

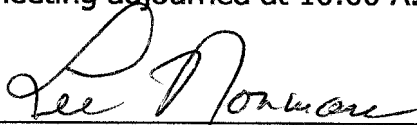
The meeting recessed at 9:29 A.M.

The meeting resumed at 9:46 A.M.

- Order 9: Came on for consideration was to Order the use of the M100 Tabulator for Election Day, November 3, 2009 Constitutional Amendment Election.  
Clerk Plummer explained that the tabulator is being used during for Early Voting as in previous elections. He recommended the use of the tabulator so that both voters and election workers can become more comfortable with the process and to speed up the tabulation process.  
Motion was made by Commissioner Brannon and seconded by Commissioner Sanchez to Order the use of the M100 Tabulator for Election Day. With a majority of the court members voting aye, the motion carried and so ordered. (The ORDERS in English and Spanish are attached.)
- Order 10: Came on for consideration was the Notification of Intent for the Energy Efficiency and Conservation Block Grant (EECBG).  
Judge Norman explained that it is part of the stimulus package administered by the State Energy Conservation Office. The possibility of using this grant with a courthouse restoration grant is being explored. The court may opt out of the grant later if the court sees the need to.  
Motion was made by Commissioner Morris and seconded by Commissioner Sanchez to accept the EECBG Program allocation under the American Recovery and Reinvestment Act (ARRA). With a majority of the court members voting aye, the motion carried and so ordered. (The Notification of Intent is attached.)

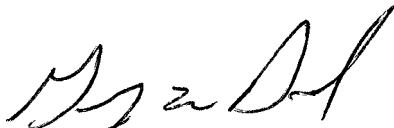
- Order 11: Came on for consideration was a Resolution of the County of Garza for the Energy Efficiency and Conservation Block Grant (EECBG). Motion was made by Commissioner McDaniel and seconded by Commissioner Morris to approve the signing of the Resolution for the EECBG Program allocation under the American Recovery and Reinvestment Act (ARRA). With a majority of the court members voting aye, the motion carried and so ordered. (The Resolution is attached.)
- Order 12: Came on for consideration was a nomination to the Garza Central appraisal district and to give approval for the judge to cast the vote. The district requested another nomination. A motion was made by Commissioner McDaniel and seconded by Commissioner Morris to nominate Ronald Thuett to the board of the Garza Central Tax Appraisal District and to approve Judge Lee Norman to cast the vote. With a majority of the court members voting aye, the motion carried and so ordered. (The information letter is attached.)
- Order 13: Came on before the court was Sheriff Cliff Laws with a presentation of grant money for video equipment. The sheriff was not available. A motion was made by Commissioner Morris and seconded by Commissioner Sanchez to table the issue. With a majority of the court members voting aye, the motion carried and so ordered.
- Order 14: Came on for consideration were line item transfers and budget amendment requests. None were submitted.
- Order 15: Came on before the court was the inspection of the new office annex (old sheriff's office/jail). The judge said there has been little progress since the last tour. Locks and keys are being addressed. The court did not tour the facility.
- Order 16: Public Comment  
No Comments were submitted.

The meeting adjourned at 10:00 A.M.



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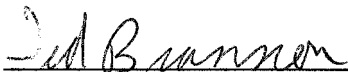
LEE NORMAN, COUNTY JUDGE



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