

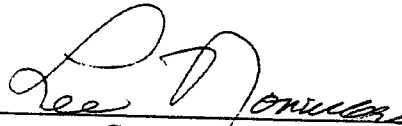
NOTICE OF MEETING
COMMISSIONERS COURT OF GARZA COUNTY, TEXAS
MONDAY, DECEMBER 10, 2012 AT 9:00 A.M.
GARZA COUNTY COURTHOUSE, 3rd Floor
300 WEST MAIN
POST, TEXAS 79356

COMPLETE AGENDA:


Call to Order- Monday, December 10, 2012 at 9: 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 Items for the Texas Development Community Block Grant
 - A. Accept award from TDA/executing contract
 - B. Financial Resolution
 - C. Executing Interlocal Agreement with SPAG as Grant Administrator
 - D. Executing Engineering Contract with Johnson & Pace as Engineer
5. Discuss to Approve Order for Garza County Prohibition of Outdoor Burning
6. Discuss to Approve Ban on Fireworks
7. Discuss to Approve the 2013 Contract for Indigent Defense for District Court
8. Discuss to Approve an Application for Public Assistance
9. Budget Amendments and Line Item Transfers
10. Heating and Cooling Project
11. Public Comment



Lee Norman - Garza County Judge

FILED 12-5-12 1:10 P. M.
BY  KIM PLUMMER DEPUTY
CLERK OF COUNTY COURT,
GARZA COUNTY, TEXAS

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, December 10, 2012 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. 4-Jerry Benham. Not present was Pct. 3 Commissioner Ted Brannon. County officials present: Jim Plummer, Clerk; and Judy Bush, Tax Collector/Assessor; Mike Munk, Attorney; and Ruth Ann Young, Treasurer. Also present: Meg Nelson, Administrative Assistant; Victor Ashley and Tom Fulton of White River Municipal Water District; Phil Elledge, Johnson and Pace; Reilly Webb and Christian Shotts of South Plains Association of Governments; Tom and J.W. Payton; and Wayne Hodgin, Post Dispatch.

Judge Norman called the meeting to order at 9:03 a.m.

Order 4: Came on for consideration was the Texas Development Community Block Grant. The grant is for \$350,000 Disaster Relief Award from the Texas Department of Agriculture (TDA) grant for water well restoration. The court voted to pass a resolution to participate in the water project on July 24, 2012 to benefit White River Municipal Water District.

- a. Accept award from TDA/executing contract
- b. Financial Resolution
- c. Executing Interlocal Agreement with SPAG as grant administrator
- d. Executing engineering contract with Johnson & Pace as engineer

Motion was made by Commissioner Morris and seconded by Commissioner Benham to accept the award, approve the financial resolution, execute the interlocal agreement and execute the engineering contract as presented. With a majority of the court members voting aye, including the judge, the motion carried and so ordered. (All four documents are attached.)

Order 1: Minutes from the November 26, 2012 special and regular meetings 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. Clerk
- b. Justice of the Peace, 1
- c. Justice of the Peace, 2
- d. Senior Transportation
- e. Notice to Neighboring Utilities (Caprock Water Supply Corporation)

- f. Garza Wildlife Damage Association
- g. Garza County Combination Tax and Revenue Certificates of Obligation, Series 2008 Bond, Reserve and Construction Funds
- h. Texas A&M AgriLife agent – McDonald
- i. Garza County Public Facility Corporation Taxable Project Revenue Refunding Bonds, Series 2012 Bond, Reserve and Project Funds; Rental, Operating, Surplus, Cost of Issuance and Escrow Accounts.
- j. Garza County Combination Public Facility Corporation Project Revenue Refunding Bond Funds, Series 2005

Motion was made by Commissioner Benham 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 November 27, 2012 through December 10, 2012. Motion was made by Commissioner Morris and seconded by Commissioner Benham that all accounts presented in the fund requirement print-out are ordered paid as amended 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 5: Came on for consideration was an Order for the Prohibition of Outdoor Burning in Garza County. A motion was made by Commissioner McDaniel and seconded by Commissioner Benham to approve the Order for Garza County Prohibition of Outdoor Burning for 90 days (until March 10, 2013) with the same boundaries as the previous ban previously passed: on ranchland extending along a line known as the caprock. The line begins one mile west of the caprock and includes all of the county east and south of the natural escarpment. With a majority of the court members voting aye, the motion carried and so ordered. (Order is attached.)
- Order 6: Came on for consideration was an Order Prohibiting Certain Fireworks in Specified Areas of Garza County. A motion was made by Commissioner McDaniel and seconded by Commissioner Morris to impose the Order for Prohibiting Certain Fireworks beginning December 10, 2012 and ending January 2, 2012. With a majority of the court members voting aye, the motion carried and so ordered. (Order is attached.)
- Order 7: Came on for consideration was the 2013 Indigent Defense Contract for district court.

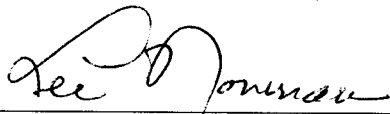
By letter, District Judge Carter Schildknecht provided statistical information comparing costs with an estimated savings by way of a contracted public defender. The only contract bid received for 2013 is from Arthur Aguilar. He bid \$66,000 to provide the service for the four county district. Garza County's pro-rata share for the 2013 contract would be \$10,177.20.

A motion was made by Commissioner McDaniel and seconded by Commissioner Benham to approve the agreement with Arthur Aguilar to serve as the public defender for the district court in Garza County. With a majority of the court members voting aye, the motion carried and so ordered. (The contract, letter and information are attached.)

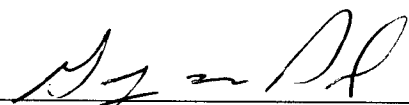
- Order 8: Came on for consideration was an application for public assistance. Attorney Munk explained that the applicant is not eligible for assistance according to the court's guidelines. Motion was made by Commissioner McDaniel and seconded by Commissioner Benham to deny the application from C.C.. With a majority of the court members voting aye, the motion carried and so ordered. (The application is attached.)
- Order 9: Came on for consideration was line item transfers and budget amendment requests. None were submitted.
- Order 10: Came on for consideration was the courthouse heating and cooling project. Nothing new was reported.
- Order 11: Public Comment
None were presented.

The meeting adjourned at 9:45 a.m.

The next regular meeting is Wednesday, December 19, 2012.



LEE NORMAN, COUNTY JUDGE



GARY MCDANIEL, COMMISSIONER PCT. 1

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: DEC. 10, 2012

	Name (please print)	Organization's Name	Addressing the Court "Yes" or "No"	Leaving Printed Material "Yes" or "No"
1	Victor Ashley	WRMWD	No	No
2	Phil Elledge	Johnson Place	Yes	No
3	Tom Fulton	WRMWD	Yes	No
4	J.W. Payton	Self	No	No
5	Thomas H. Potts	Self	No	No
6	Reilly Webb	SPAG	No	Yes
7	Christian Stotts	SPAG	Yes	Yes
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