Milam County Commissioner's Court

June 24, 2013

NOTICE OF MEETING OF THE COMMISSIONERS' COURT OF MILAM COUNTY, TEXAS

Notice is hereby given that a meeting of the above named Commissioner's Court will be held on Monday, the 24th of June, 2013, at 10:00 a.m., in the Commissioner's Courtroom, Milam County Courthouse, 102 S. Fannin, Cameron, Texas, at which time the following agenda items will be covered:

Prayer
Period of silence followed by presentation of any additional prayers and words of encouragement
(Please complete public participation form prior to meeting)
Call Meeting to Order and establish quorum

1. Pledge of Allegiance - U.S. Flag, Texas Flag. "Honor the Texas Flag, I pledge allegiance to thee, Texas, one State, Under God, one and indivisible"
2. Approve minutes of previous meetings
3. Public Participation (Please complete public participation form prior to meeting)
4. Legislative Update - District Director from State Rep. Marsha Farney's Office - Chris Duke
5. Adopt resolution/letter regarding participation in the coalition of counties to jointly apply for Tx Dept of Agriculture 2013 Count HOG Abatement Matching Program.
6. Approve agreement between Milam County and the City of Milano to consolidate the assessment and collection of property taxes
7. Approve utility installation on CR 142
8. Approve utility installation on CR 104
9. Acknowledge achievement of Master's Degree in Criminal Justice for Judge Rick Gommert
10. Approve payment of bills
11. Adjourn

Dated this the 21st day of June, 2013

Commissioners' Court of Milam County, Texas

By_____
David L. Barkemeyer, County Judge

I, the undersigned, County Clerk, do hereby certify that the above Notice of Meeting of the above named Commissioners' Court, is a true and correct copy of said Notice, and that I posted a true and correct copy of said Notice on the bulletin board at the Courthouse door of Milam County, Texas, at a place readily accessible to the general public at all times on the 21st day of June, 2013, and said Notice remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

Dated this the 21st day of June, 2013

County Clerk of Milam County, Texas
Barbara Vansa

By_____

If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting the Commissioners Court will conduct a closed meeting in accordance with the Texas Open Meetings Act, Government Code, Chapter 551, Subchapters D and E. Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes or decisions will be taken in open meeting.

Filed 21 day of June
in 2013, At 9:00 A.M.
BARBARA VANSA
County Clerk, Milam County, Texas
By_____
Deputy

- Prayer

- Period of silence followed by any additional prayers and words of encouragement (Please complete public participation form prior to meeting)

- Call meeting to Order and establish quorum

Item 1

- Pledge of Allegiance

- Texas Flag
  - “Honor the Texas Flag, I pledge allegiance to thee, Texas, one State, Under God, one and indivisible”

Item 2

- Approve minutes of previous meetings

Item 3

- Public Participation
  - Please complete public participation form prior to meeting

RULES OF PROCEDURE, CONDUCT, AND DECORUM AT MEETINGS OF THE MILAM COUNTY COMMISSIONERS' COURT

IV. The business of Milam County is conducted by and between the members of the Milam County Commissioners Court and by those members of the county staff, elected officials, department heads, consultants, experts and/or members of the public requested to be present and participate. While the public is invited to attend all meetings of the Commissioners Court (except Executive Sessions) the public's participation therein is limited to that of observees unless a member (or members) of the public is requested to address the Commissioners Court on a particular issue or (issues) or unless the member (or members) of the public completes a Public Participation Form and submits same to the County Judge's Secretary or county clerk prior to the time the Court Session is called to order. A sample of the Milam County Commissioners Court Public Participation Form is attached hereto as Exhibit "A".

a. Each member of the public who appears before the Commissioners Court shall be limited to a maximum of five (5) minutes to make his/her remarks. Time for each speaker shall be maintained by the County Clerk or such other designated representative of the Commissioners Court.

b. Maximum discussion on any agenda item, regardless of the number of members of the public wishing to address the Commissioners Court on such agenda item (or items) shall be limited to thirty (30) minutes. In the event that more than six (6) members of the public wish to address a particular agenda item (or items), then only the first six (6) members of the public recognized to speak shall be divided equally between those members of the public wishing to speak for the agenda item (or items) and those members of the public wishing to speak against the agenda item (or items).

c. In matters of exceptional interest, the Court may, by the majority vote of the members of the Court in attendance at the meeting, either shorten or lengthen the time allocated for a particular member of the public, all members of the public and/or the amount of time allocated for all agenda items and/or a specific agenda item.

d. It is the intention of the Court to provide an open access to the citizens of Milam County to address the Commissioners Court and to express themselves on issues of county government. Members of the public are reminded that the Milam County Commissioners Court is a Constitutional Court, the Milam County Commissioners Court also possesses the power to issue a Contempt of Court Citation under Section 81.024 of the Texas Local Government Code. Accordingly, all members of the public in attendance at any Regular, Special and/or Emergency meeting of the Court shall conduct themselves with proper respect and decorum in speaking to, and/or addressing the Court; in participating in public discussions before the Court; and in all actions in the presence of the Court. Proper attire for men, women and children is mandatory. Those members of the public who are inappropriately attired and/or who do not conduct themselves in an orderly and appropriate manner will be ordered to leave the meeting. Refusal to abide by the Court's order and/or continued disruption of the meeting may result in a Contempt of Court Citation.

e. It is not the intention of the Milam County Commissioners Court to provide a public forum for the demeaning of any individual or group. Neither is it the intention of the Court to allow a member (or members) of the public to insult the honesty and/or integrity of the Court, as a body, or any member or members of the Court, individually or collectively. Accordingly, profane, insulting or threatening language directed toward the Court and/or any person in the Court's presence and/or racial, ethnic, or gender slurs or epithets will not be tolerated. Violation of these rules may result in the following sanctions:

   i. Cancellation of a speaker's remaining time;
   ii. Removal from the Commissioners Courtroom;
   iii. A Contempt Citation; and/or
   iv. Such other civil and/or criminal sanctions as may be authorized under the Constitution, Statutes and Codes of the State of Texas.

Item 4

- Legislative Update – District Director from State Rep. Marsha Farney's Office
  - Chris Duke

Item 5

- Adopt resolution/letter regarding participation in the coalition of countries to jointly apply for Tx Dept of Agriculture 2013 Count HOG Abatement Matching Program.

Milam County Judge

David L. Barkemeyer
102 South Fannin Ave.
Cameron, Texas 76520

Phone 254-697-7000
Fax 254-697-7002
info@milamcounty.net

June 17, 2013

To whom it may concern:

Milam County fully supports Bell County's request to apply for the following grant:

County Hog Abatement Matching Program (CHAMP) Grant

If Bell County secures this grant, we will participant in all phases of the grant process and will work with Bell County to secure all information that will be requested by the granting authority.

If you have any questions, feel free to contact me.

Sincerely,

Judge Dave Barkemeyer
Milam County Judge

Item 6

- Approve agreement between Milam County and the City of Milano to consolidate the assessment and collection of property taxes

STATE OF TEXAS
COUNTY OF MILAM

CONTRACT FOR PROPERTY TAX ASSESSMENT AND COLLECTION SERVICES

On this 1st day of September, 2013, the County of Milam (hereinafter called "County"), and the CITY OF MILANO (hereinafter called "CMI") enters into the following agreement:

PURPOSE

The Entity desires to consolidate the assessment and collection of property taxes in the tax office of the County of Milam, Texas, in order to eliminate the duplication of tax assessment and collection services and to promote governmental efficiency.

Therefore, the Entity and the County enter into this contract pursuant to the authority granted by Section 6.24, Property Tax Code, and TEX. REV. CIV. STAT. ANN. ART. 4413 (32c) (Vernon 1979).

TERM

This contract shall be effective for the tax year beginning the 1st day of September, 2013 and ending on the 31st day of August, 2014; provided, however, that this contract shall continue in full force and effect thereafter from tax year to tax year of its intent to terminate this contract at least sixty (60) days prior to the 1st anniversary date of this contract.

SERVICE TO BE PREFORMED

(1) The County shall collect the property taxes, both current and delinquent, owing to the Entity. The County further agrees to perform for the Entity all duties provided by the laws of the State of Texas for the collection of said taxes.

(2) The County shall perform all the functions set out in the definition section of this contract. Specifically, the County agrees to prepare consolidated tax statements for each taxpayer. The tax statement shall include taxes owed to any other taxing unit for which the County collects. The County shall mail said tax statements to each taxpayer within the Entity.

(3) The Entity hereby designates the duly elected County Tax Assessor & Collector as its tax assessor & collector for purposes of compliance with Chapter 26 of the Texas Property Tax Code, as amended. In addition, the parties agree that the County Tax Assessor & Collector shall perform all the duties required by law of the tax collector of each taxing unit in regard to assessing and collecting ad valorem taxes.

(4) The County shall not be liable to the CMI on account of any failure to collect taxes nor shall the County Tax Assessor/Collector be liable unless the failure to collect taxes results from some failure on his part to perform the duties imposed upon him by law.

DELINQUENT TAX COLLECTIONS

The Entity authorizes the County to initiate such lawsuits for the collection of delinquent taxes as the County deems necessary and to contract with an attorney, as provided by Section 6.30 of the Property Tax Code, for the collection of delinquent taxes owed to the Entity and the County. The attorney employed to collect delinquent taxes shall be compensated on a contingent fee basis not to exceed fifteen percent (15%) of the delinquent taxes and accrual penalties and interest collected. The Entity and the County shall adopt the additional fifteen percent (15%) penalty provided by Section 33.07 of the Property Tax Code to defray the costs of collection of delinquent taxes.

DEFINITIONS

For purpose of this agreement, the terms "assessment" and "collection" shall include the following: calculation of tax, preparation of current and delinquent tax rolls, proration of taxes, correction of clerical errors in tax rolls, collection of current taxes, collection of delinquent taxes and the calculation and publication of an effective tax rate required by Section 26.04 of the Property Tax Code. The term "assessment" shall not include those functions defined as "appraisal" by the Property Tax Code.

Executed at Cameron, Texas on the date and year first written above.

THE COUNTY OF MILAM

BY: _____
COUNTY JUDGE

ATTEST:

_____
COUNTY CLERK

APPROVED:

_____
COUNTY TAX ASS/COLL

CITY OF MILANO

BY: _____
MAYOR

ATTEST:

_____
CITY SECRETARY

Item 7

- Approve utility installation on CR 142

JUN 1 8 2013

UTILITY INSTALLATION REQUEST

Date 6-13-13

TO: Milam County Commissioners' Court

Formal notice is hereby given that NORTH MILAM WSC proposes to place a water line within the right-of-way of CR 142 County Road as follows:

Bore and encase a 2" PVC line in a 4" casing
From intersection of CR 139, travel .3 mile south on CR 142

D.A. Crouch

The location and description of the proposed line and appurtenances is more fully shown on the drawing attached hereto. The line will be constructed and maintained on the County right-of-way in accordance with current Milam County Specifications as directed by the County Commissioner.

Construction will begin on or after the ASAP day of June, 2013, and is estimated to be completed in 1 calendar days.

Firm North Milam WSC
By Robert Jekel
Title Manager
Address PO Drawer 150
Cameron, TX 76520-0150
Phone (254) 697-4016

APPROVAL

Date

This application is hereby approved subject to the following undertandings and restrictions.

It is expressly understood that the said County Commissioner's Court does not purport hereby to grant any right, claim, title, or easement in or upon this county road; and it is further understood that in the future, should Milam County, for any reason, need to work, improve, relocate, widen, increase, add to, decrease, or in any manner change the structure of this road or right-of-way, this line, if affected, will be moved at the direction of the County Commissioner and shall be relocated at the complete expense of the owner.

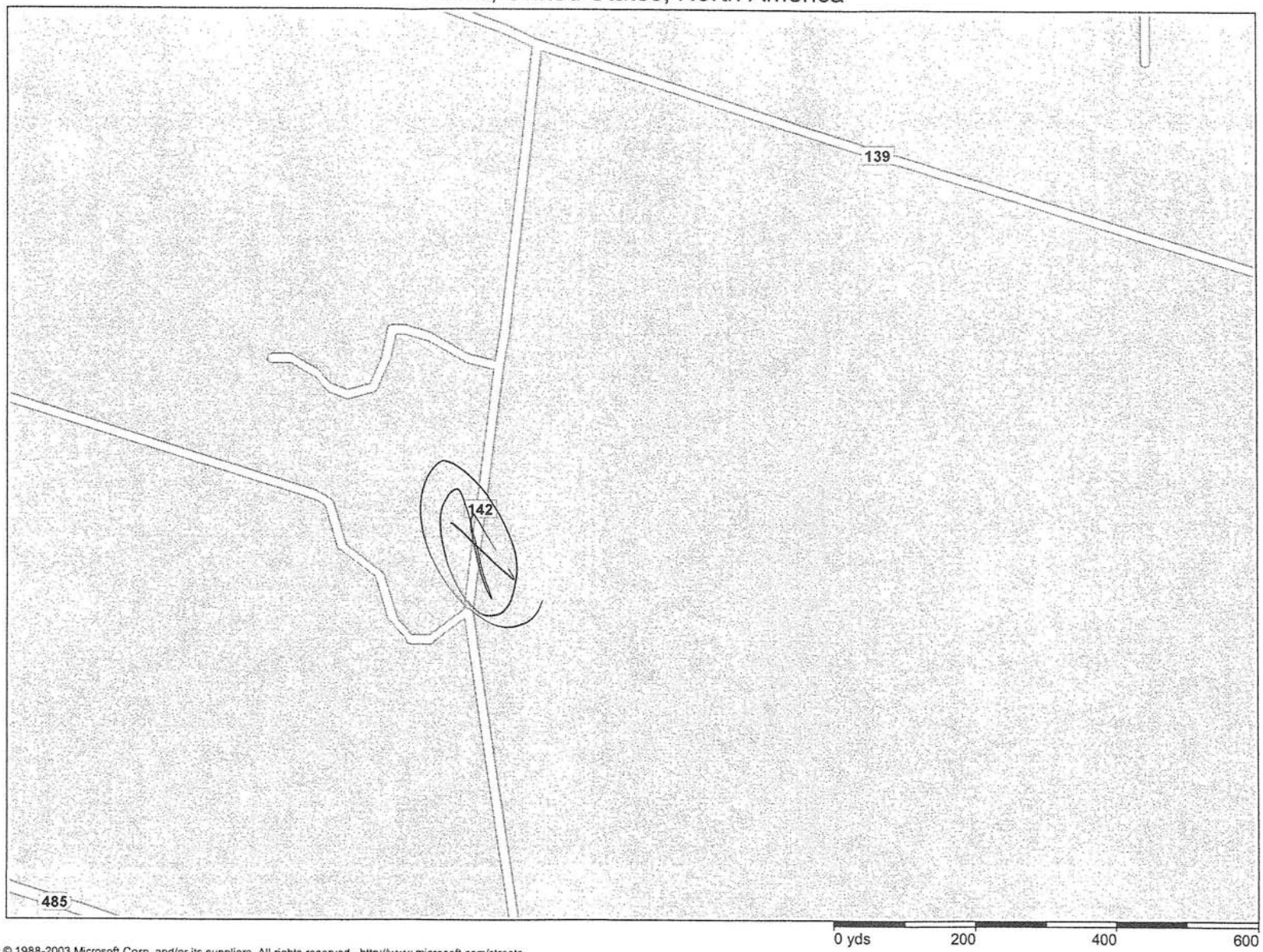
All work in the county right-of-way shall be performed in accordance with the Milam County Utility Specifications under the direction of the County Commissioner. This installation work shall not damage any part of the roadway and adequate provisions shall be made to cause a minimum of inconvience to traffic and adjacent property owners.

Approved: COUNTY OF MILAM COMMISSIONERS' COURT

By:

Date:

Texas, United States, North America



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Item 8

- Approve utility installation on CR 104

UTILITY INSTALLATION REQUEST

JUN 1 8 2013

Date 6-17-13

TO: Milam County Commissioners' Court

Formal notice is hereby given that Bell-Milam-Falls WSC proposes to place a water line within the right-of-way of CR 104 County Road as follows:

Bore and encase a 2" PVC line in a 4" casing
From intersection of CR 105, travel .15 mile west on CR 104

James LaFountain

The location and description of the proposed line and appurtenances is more fully shown on the drawing attached hereto. The line will be constructed and maintained on the County right-of-way in accordance with current Milam County Specifications as directed by the County Commissioner.

Construction will begin on or after the ASAP day of June, 2013, and is estimated to be completed in 1 calendar days.

Firm Bell-Milam-Falls WSC

By Robert Jekel

Title Manager

Address PO Drawer 150

Cameron, TX 76520-0150

Phone (254) 697-4016

APPROVAL

Date

This application is hereby approved subject to the following undertandings and restrictions.

It is expressly understood that the said County Commissioner's Court does not purport hereby to grant any right, claim, title, or easement in or upon this county road; and it is further understood that in the future, should Milam County, for any reason, need to work, improve, relocate, widen, increase, add to, decrease, or in any manner change the structure of this road or right-of-way, this line, if affected, will be moved at the direction of the County Commissioner and shall be relocated at the complete expense of the owner.

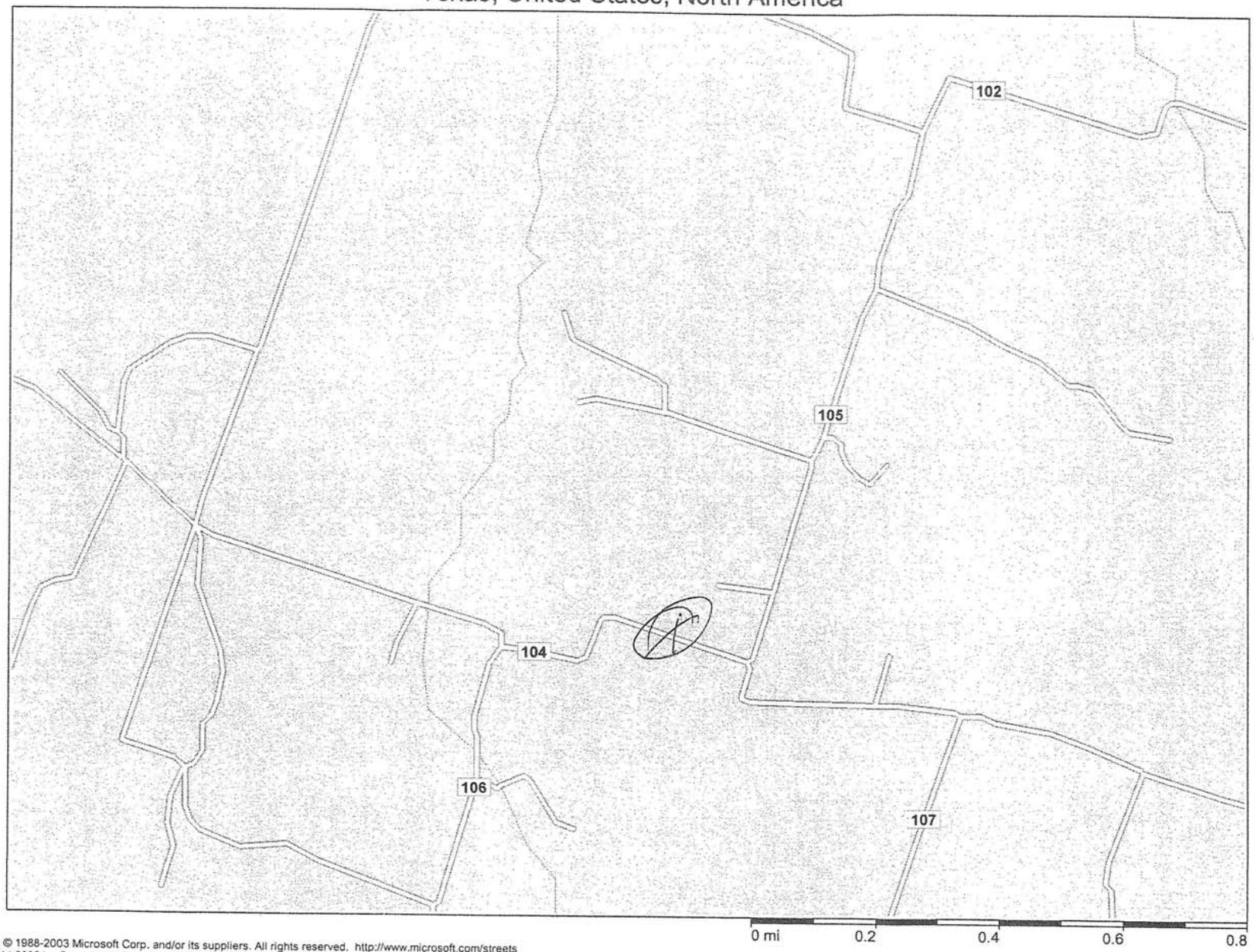
All work in the county right-of-way shall be performed in accordance with the Milam County Utility Specifications under the direction of the County Commissioner. This installation work shall not damage any part of the roadway and adequate provisions shall be made to cause a minimum of inconvience to traffic and adjacent property owners.

Approved: COUNTY OF MILAM
COMMISSIONERS' COURT

By:

Date:

Texas, United States, North America



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Item 9

- Acknowledge achievement of Master's Degree in Criminal Justice for Judge Rick Gommert

Tarleton State University

A part of The Texas A & M University System
Stephenville, Texas

Be it known that

Richard Dean Gommert

having completed the studies and satisfied the requirements for the Degree of

Master of Criminal Justice

has accordingly been admitted to that Degree with all the honors, rights and privileges belonging thereto.

Given under the seal of the University at Stephenville, Texas, on this 11th day of May, A.D. two thousand thirteen.

Karen R. Murray
Provost
Criminal Justice

TARLETON STATE UNIVERSITY
1899
STEPHENVILLE, TEXAS

President

Item 10

- Approve payment of Bills

Prepaid General Fund Utilities

A T & T	$198.71
AT&T Long Distance	$53.62
Atmos Energy	$1,736.55
Progressive Waste Solutions of TX	$71.40
Progressive Waste Solutions of TX	$777.55
Reliant Energy Solutions	$16,325.40
Verizon Southwest	$229.02
Verizon Wireless	$1,413.19

Grand Total $20,805.44

Unpaid Bills to Approve Over $2,500

General Fund

Best Choice Food Goup	$2,632.70
Harris Local Gov Solutions INC	$3,455.00
Scott & White Hospital	$7,417.85
Texas Assoc of CO Risk MGT Pool	$23,028.00

General Fund Total $66,590.78

Unpaid Bills to Approve Over $2,500

R&B Fund, Pct. 1

Johnson Oil Company	$3,266.00

R&B Fund, Pct. 1 Total $8,651.22

Unpaid Bills to Approve Over $2,500

R&B Fund, Pct. 2

Caterpillar Financial Svces CORP	$6,077.42
Little River Materials INC	$16,973.36
Poldrack Grain & Cattle	$10,039.50

R&B Fund, Pct. 2 Total $35,054.00

Unpaid Bills to Approve Over $2,500

R&B Fund, Pct. 3

Caterpillar Financial Svces CORP	$3,339.89
Little River Materials INC	$8,349.00
Poldrack Grain & Cattle	$10,867.50
Texas Fleet Fuel	$5,556.61

R&B Fund, Pct. 3 Total $33,397.52

Unpaid Bills to Approve Over $2,500

R&B Fund, Pct. 4

EP&A Envirotac INC	$4,250.00

R&B Fund, Pct. 4 Total $11,813.00

Unpaid Bills to Approve Over $2,500

Pre-forfeiture/Holding Fund

Milam CO Atty Forfeiture Fund	$4,353.50
Milam CO Sheriffs Office	$5,491.50

Pre-forfeiture/Holding Fund	$10,435.00

Unpaid Bills to Approve Over $2,500

Transaction Fees

Mccreary, Veselka, Bragg & Allen PC	$6,647.68

Transaction Fees	$6,647.68

Unpaid Bills to Approve

Grand Total

$178,980.41

Item 11

- Adjourn