

Sutton County Commissioners Court

SPECIAL MEETING

Monday October 28, 2024 at 9:00 a.m.

Sutton County Courthouse, 102 N. Water St, Sonora TX 76950

Joseph Harris
County Judge

Lee Bloodworth
Commissioner
Precinct 1

Bob Brockman
Commissioner
Precinct 2

Carl Teaff
Commissioner
Precinct 3

Harold Martinez
Commissioner
Precinct 4

Members of the public may give comment before the Commissioners Court on any item on this agenda. Please note that members of the public may not communicate to the court about any other subject not specifically mentioned on this agenda. Members of the Commissioners Court cannot discuss, deliberate, or act on any item or topic not scheduled on this agenda in accordance with existing law.

BUSINESS

- 1 Determination of quorum and call to order
- 2 Invocation and Pledge of Allegiance
- 3 Public Comment

AGENDA

Receive reports of the following:

- 4 Community Supervision Corrections Department-Wendy Geaslin
- 5 Tax Assessor/Collector-Kathy Sanchez Marshall
- 6 County Commissioners
Lee Bloodworth, Precinct 1
Bob Brockman, Precinct 2
Carl Teaff, Precinct 3
Harold Martinez, Precinct 4
- 7 County Judge-Joseph Harris

Deliberate, Consider and take appropriate action regarding the following:

- 8 Accounts Payable-Maura Weingart
- 9 Treasurer's Report-Janell Martin
- 10 Civic Center fee waiver request for Sutton County Hospital District Christmas Party on December 16th - Joe Marshall
- 11 Approval of Memorandum of Understanding between Sutton County and Sutton County Civic Center to obligate all funds of the American Rescue Plan Act (ARPA)
- 12 Approval of Memorandum of Understanding between Sutton County and Sutton County Courthouse to obligate all funds of the American Rescue Plan Act (ARPA)
- 13 Approval of Memorandum of Understanding between Sutton County and Sutton County Truck Scale to obligate all funds of the American Rescue Plan Act (ARPA)
- 14 Approval of 2024 Sutton County Tax Roll
- 15 Courthouse elevator modification update-TK Elevator
- 16 Approval/denial of bid for purchase of #101538-General-Block W37, Lot W/2 of 4
- 17 Approval/denial of bid for purchase of #101538-FM&FC Block W37, Lot W/2 of 4
- 18 Approval/denial of bid for purchase of #R101033-General- Sinaloa, Block E, Lot 10 & 11, improvement only
- 19 Approval/denial of bid for purchase of #R101033-FM&FC- Sinaloa, Block E, Lot 10 & 11, improvement only

- 20 Clarification in reference to the approval procedure that the Commissioners Court requires when elected officials or department heads request the approval to terminate, add a new or renew an existing contract-Tammy Liska
- 21 Clarification and rebuttal in reference to the accusation made in Commissioners Court on October 15, 2024, that the "courthouse staff has been bought"-Tammy Liska
- 22 Request to reconsider the Commissioners Courts' previous motion made on October 15, 2024, to table the termination of the contract for the collection of delinquent court fines and fees (for the Sutton County Justice of the Peace) with McCreary, Veselka, Bragg and Allen, P.C. for six months-Tammy Liska
- 23 Request to reconsider the Commissioners Courts' previous motion made on October 15, 2024, to table the approval of the contingent fee contract with Perdue, Brandon, Fielder, Collins and Mott, LLP for six months-Tammy Liska
- 24 Approve a contingent fee contract with Perdue, Brandon, Fielder, Collins and Mott, LLP, pursuant to Article 103.001, Texas Code of Criminal Procedure, said, contract being for the collection of delinquent court fines and all fees owed to Sutton County notice of which is provided with the agenda in accordance with Section 2254.1036 of the Government Code. Documents were provided with previous request for approval prior to the 10/15/2024 meeting

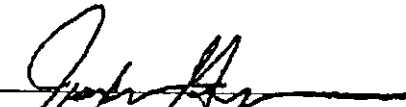
EXECUTIVE SESSION

- Note 1 Texas Government code 551.071, Consultation with Attorney
- Note 2 Texas Government code 551.072, Real Property
- Note 3 Texas Government code 551.074, Personnel Matters
- Note 4 Texas Government code 551.076, Security
- Note 5 Texas Government code 551.087, Economic Development Negotiations
- Note 6 Texas Government code 551.089, IT Security

The County Commissioners Court of Sutton County reserves the right to adjourn into executive sessions at any time during this meeting to discuss any of the matters listed below. The Court may also consider any other matter posted on the agenda if there are issues that require consideration in Executive Session and the court announces that the item will be considered during Executive Session.


RECONVENE

- 25 Adjournment



JOSEPH HARRIS, County Judge

POSTED ON THE BULLETIN BOARD IN THE COURTHOUSE ANNEX BUILDING and the SUTTON COUNTY WEB PAGE www.co.sutton.tx.us this the 24th day of October 2024.



PAM THORP, County Clerk

NOTICE PURSUANT TO GOVERNMENT CODE SEC. 2254.1036

WHEREAS, the COUNTY OF SUTTON, TEXAS ("County"), will consider entering into a contingent fee contract with the law firm of Perdue, Brandon, Fielder, Collins & Mott, L.L.P. ("Firm") and hereby posts this notice pursuant to Sec. 2254.1036 of the Government Code.

WHEREAS, this notice shall be posted before or at the time of giving the written notice required by Government Code Sec. 551.041 for a meeting described by Sec. 2254.1036(2) of the Government Code and shall announce the following:

A. The County is pursuing a contract with the Firm for the collection of delinquent fines and fees owed to the County and through this contract the County seeks to increase recovery of its delinquent debts in as expeditious a manner as possible. GOVT. CODE § 2254.1036(1)(A).

B. The County believes the Firm has the competency, qualifications, and experience necessary to fulfill this contract. GOVT. CODE § 2254.1036(1)(B). The Firm has collected delinquent government receivables for more than 50 years, and more specifically the collection of delinquent fines and fees for nearly 20 years. The Firm currently has 14 primary offices and multiple satellite offices throughout Texas, Oklahoma and Florida. It employs more than 400 individuals, including more than 60 attorneys. It uses a multi-office, fully integrated team approach allowing the County access to all its offices and resources. Its collection team consists of long-term Firm employees, including attorneys, call center associates, paralegals, law clerks, legal secretaries, collection support personnel and information technology experts. The Firm utilizes proprietary collection software that can be tailored to meet any special need the County may have. This proprietary software also automates many aspects of the collection process, such as: account/debtor research, mailings and phone calls, return mail and address updates, payment notification and processing and work-flow.

C. The nature of any relationship between the County and the Firm is as follows. GOVT. CODE § 2254.1036(1)(C). The Firm currently represents the County for delinquent property tax collection.

D. The County is unable to perform the collection of its delinquent fines and fees. GOVT. CODE § 2254.1036(1)(D). The County currently does not have adequate support staff, computer software/programming, or experience to internally conduct these collection services and acquiring these will result in substantial expense to the County.

E. These collection services cannot be provided for an hourly fee. GOVT. CODE § 2254.1036(1)(E). The Criminal Code allows the assessment of a percentage-based fee to recover the costs of collecting delinquent fines and fees. This percentage-based fee is assessed only against the debtor and not the County or taxpayers of the County. The collection of delinquent fines and fees is a high-volume practice, requiring a significant amount of research, mailing, and handling of outbound/inbound calls. An hourly fee for such work will likely exceed the amount of delinquent fines and fees due. Moreover, the County will bear the cost of these hourly fees and

not the debtor, because the Criminal Code does not expressly authorize the County to pay for collection services based on an hourly fee.

F. The County believes this contingent fee contract is in its best interest. GOVT. CODE § 2254.1036(1)(F). Under the contingent fee contract, the Firm will be paid the amount of the percentage-based collection fee, regardless the number of hours the Firm spends researching, contacting and mailing to collect the delinquent debt. Additionally, the percentage-based collection penalty is a pass-through expense to the debtor and not an expense to the County or taxpayers in the County.

Executed this the 10th day of October 2024.



A handwritten signature in black ink, appearing to read "Jody Harris", is written over a horizontal line.

Jody Harris, County Judge
On Behalf of Sutton County, Texas