

# Sutton County Commissioners Court

## AMENDED REGULAR MEETING

Tuesday, October 15, 2024 at 9:00 a.m.

Sutton County Annex Meeting Room, 300 E. Oak, 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 Pledges
- 3 Public Comment

### AGENDA

Receive reports of the following:

- 4 Auditor – Maura Weingart
- 5 Justice of the Peace – Tammy Jo Liska
- 6 Jailer and Sheriff – DuWayne Castro
- 7 Road and Bridge – Superintendent Robert Hughes
- 8 Library Report – Deborah Brown
- 9 Extension Office – Pascual Hernandez
- 10 Sutton County Emergency Management Report-Art Fuentes
- 11 County Attorney – Dawn B. Cahill
- 12 County and District Clerk – Pam Thorp
- 13 County Commissioners
  - Lee Bloodworth, precinct 1
  - Bob Brockman, precinct 2
  - Carl Teaff, precinct 3
  - Harold Martinez, precinct 4
- 14 County Judge – Joseph Harris

Deliberate, consider and take appropriate action regarding the following:

- 15 Accounts Payable-Maura Weingart
- 16 Discussion regarding purchase of county park property-Shelley McAfee
- 17 Snider Technology Services presentation of infrastructure buildout for Sutton County
- 18 Discussion and approval of 2024-2025 worker's compensation insurance policy-Maura Weingart
- 19 Approval of Hazard Mitigation Plan Resolution
- 20 Approval of Texas Indigent Defense Resolution
- 21 Approval of benches at cemetery pavilion

- 22 Consideration and action to terminate 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.
- 23 Discussion and action to adopt written findings as to collection services contract and 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 fees owed to the Sutton County Justice of the Peace, notice of which is provided with the agenda in accordance with Section 2254.1036 of the Government Code.
- 24 Interlocal agreement between Sutton County & Texas A&M AgriLife Extension Service for Feral Hog Abatement
- 25 Discussion and possible action to allow public use of baseball/softball fields
- 26 Approval/denial of bid for purchase of #100621, Pedro Dominguez, Block B, Lot 4A-General
- 27 Approval/denial of bid for purchase of #100621, Pedro Dominguez, Block B, Lot 4A-FM&FC
- 28 Approval/denial of bid for purchase of #100221, Flores, Lot TR36, Abst 834, Acres .43-General
- 29 Approval/denial of bid for purchase of #100221, Flores, Lot TR36, Abst 834, Acres .43-FM&FC

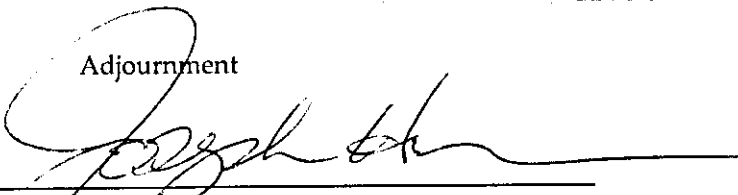
### EXECUTIVE SESSION

- 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.*

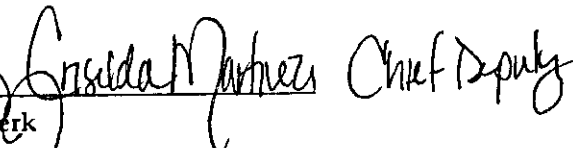
### RECONVENE

30 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](http://www.co.sutton.tx.us) this the 10<sup>th</sup> day of October 2024.

  
\_\_\_\_\_  
PAM THORP, County Clerk

  
Griselda Martinez, Chief Deputy

**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 10<sup>th</sup> 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