

PUBLIC NOTICE
(Art. 6252-17-3a)

AGENDA FOR REGULAR SESSION

Notice is hereby given that the Commissioners' Court of Clay County, Texas, will meet in **Regular Session at 9:30 a.m. on the 13th day of July, 2020**, which is at least seventy-two hours after the posting of this notice, in the Commissioners' Courtroom located at the Clay County Courthouse Annex, 214 N. Main, Henrietta, Texas, to consider such items of business as are deemed necessary including the following:

1. Court to open meeting with Pledges and Prayer.
2. Court to approve minutes of previous meeting(s).
3. Court to approve Line Item/Budget Amendments.
4. Court to consider and possibly approve payment of bills relating to Clay County Memorial Hospital (CCMH).
5. Court to consider and possibly approve payment of Clay County Memorial Hospital (CCMH) Foundation Payroll.
6. Court to consider and possibly approve all accounts and reports relating to the finances of Clay County, audit and settle accounts, and direct payments.
7. Court to consider and possible approve County Payroll.
8. Court to consider and possibly approve Request & Consent to Enter for Disposal of Dirt, Soil, Sediment & Waste Material, and Waiver of Claims.
9. Court to consider and possibly approve and declare items submitted as surplus or salvage.
10. Court to consider and possibly approve purchase of furniture or equipment.
11. Court to hear from any persons desiring to appear before the court.
12. County Judge to give updates and provide information regarding meetings and/or events concerning Clay County.
13. Court to discuss and take any action necessary concerning a burn ban.
14. Court to consider and possibly approve any departmental reports.

15. Court to acknowledge CCAD collection report received from Dallon Johnson, Linebarger, Goggan, et al.
16. Santos Trejo with TAC, to speak to court to discuss the County Employee Health Insurance, Plan 400-G.
17. Court to acknowledge the approval of the Equipment Lease between Clay County and First National Bank Leasing purchase note of Precinct 4, County Commissioner Chase Brossard's, 2015 CAT 94K Wheel Loader.
18. Court to consider and possibly approve the re-financing of Precinct 3 and 4's 2017 BOMAG BW211 D-50 between Clay County and First National Bank.
19. Court to consider and possibly approve re-financing the lease purchase note of Precinct 4, County Commissioner Chase Brossard's, 2019 John Deere 770GP Motor Grader and 2019 John Deere 770GP Motor Grade between Clay County and American National Bank Leasing.
20. Court to consider and possibly approve the Tax and General Certificate in regard to the Lease Purchase Agreement Number 67792, 67793, 67794, between Clay County and First National Bank Leasing. FNB
21. Court to consider and possibly approve re-financing the lease purchase note of Precinct 4, County Commissioner Chase Brossard's, 2016 CAT Backhoe 420F2 and 2017 Mack Truck between Clay County and American National Bank Leasing.
22. Court to consider and possibly approve Precinct 2, County Commissioner Johnny Gee's, purchase of a two (2) 2020 CAT 140M3 Motor Graders.
23. Court to consider and possibly approve the financing of Precinct 2, County Commissioner Johnny Gee's two (2) CAT 140M3 Motor Graders between Clay County and First National Bank Leasing.
24. Court to consider and possibly approve the County's 2021 Holiday Calendar.
25. Court to consider and possibly approve renewal of Zurich Basic AD&D Policy with no change.
26. Court to consider and possibly approve Legal Notice and bid packages to be sent out on rock, gravel, sand, and fuel, with active date being October 1, 2020.
27. Court to consider and possibly approve Commissioners to go visit new quarries to be put on the bid list for rock on Tuesday, July 14.

28. Court to consider and possibly approve Texas Department of Transportation County Transportation Infrastructure Fund Grant Program Agreement.
29. Court to acknowledge and accept into the minutes that was previously approved and ordered by the Court on March 19, 2020, the fully-executed Transportation Infrastructure Fund Grant Program 2020, with County Auditor Gina Blevins as authorized signor on the Certification for Environmental Permitting and Regulatory Issues.
30. Tony Fidelie with Perdue Brandon, representing Texas Communities Group to discuss the procedures regarding the bidding and selling of trust tax properties.
31. Court to consider and possibly approve the Property Deed from the Texas Communities Group for the City of Henrietta, relating to the purchase of the property to Van Blevins styled City of Henrietta vs. Jones, Jas M, et al, described as All Block Twenty-Two (22) in the Barrett's Addition to the City of Henrietta, Clay County, Texas, (R1477), for sum of **Twelve Thousand Five Hundred Dollars (\$12,500.00)**.
32. Court to hear presentation to consider and possibly approve a contingent fee contract with Perdue, Brandon, Fielder, Collins and Mott, LLP pursuant to the Texas Tax Code, said contract being for the collection of delinquent taxes owed to Clay County, and this agenda item being called for the purpose of considering the matters listed in Texas Government Code Section 2254.1036(a)(1). *Requisite notice of these items is posted with this agenda in accordance with that section.*
33. Court to move to the Annex court room to begin Budget Process for FY 2020-2021.

CLAY COUNTY COMMISSIONERS' COURT

By: 
MIKE CAMPBELL, COUNTY JUDGE

FILED FOR RECORD
At: 2:00 O'Clock PM

JUL 09 2020

SASHA KELTON
County Clerk, Clay County, Texas

NOTICE PURSUANT TO GOVERNMENT CODE SEC. 2254.1036

WHEREAS, Clay County ("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. 2254.106 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 property taxes owed to the County and through this contract the County seeks to increase recovery of its delinquent accounts 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 nearly 50 years. The Firm currently has 12 primary offices and multiple satellite offices throughout Texas, Oklahoma and Florida. It employs more than 400 individuals, including 52 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).

Firm collects unpaid fine/fee receivables for the courts in the County.

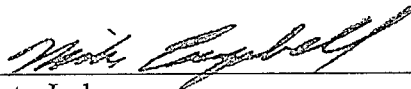
D. The County is unable to perform this function and efficiently collect its own delinquent taxes. GOVT. CODE § 2254.1036(1)(D). The County currently does not have adequate support staff, computer software/programming, or experience to internally conduct these collection services and acquiring these 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 Tax Code allows the assessment of a percentage-based fee to recover the costs of collecting delinquent taxes. This percentage-based fee is assessed only against the debtor and not the County or taxpayers of the County. The collection of these delinquent receivables 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 due. Moreover, the County will bear the cost of these hourly fees and not the debtor, because the Tax

Code does not expressly authorize the County to pay for collection services based on an hourly fee for these services.

E. 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 accounts. 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 7th day of July, 2020.



County Judge

FILED FOR RECORD
AT: 2:00 O'Clock P M

JUL 09 2020

SASHA KELTON
County Clerk, Clay County, Texas