

FILED
at 8:00 o'clock A. M.

PUBLIC NOTICE

DEC 30 2022

COMMISSIONERS COURT

REGULAR SESSION – AMENDED AGENDA

Chalita Aug
County Clerk, Bosque County, Texas

JANUARY 3, 2023

Commissioner's Court of Bosque County, Texas, will meet in Regular Session on Tuesday, January 3, 2023 at 9:00 A.M. in the Commissioners Courtroom, Meridian, Texas, for the following:

1. CALL TO ORDER
2. DETERMINATION OF QUORUM
3. PROOF OF NOTICE
4. PLEDGE OF ALLEGIANCE
SALUTE TO THE TEXAS FLAG:
"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."
5. ANNOUNCEMENTS OR COMMENTS

6. ORDER APPROVING OR DISAPPROVING TO PAY CLAIMS, SALARIES AND WAGES AGAINST COUNTY FUNDS

7. ORDER APPROVING OR DISAPPROVING TO PAY CLAIMS, SALARIES AND WAGES AGAINST PRECINCT FUNDS

8. BOSQUE COUNTY EMERGENCY MANAGER'S REPORT

9. DISCUSSION AND ACTION REGARDING THE COVID-19 DECLARATION OF LOCAL DISASTER ISSUED BY COUNTY JUDGE, PURSUANT TO CHAPTER 418, GOVERNMENT CODE

10. RECEIVE AND FILE MONTHLY REPORTS FROM THE FOLLOWING:
COUNTY ATTORNEY, NATALIE KOEHLER
TEXAS A&M AGRILIFE EXTENSION SERVICE
ON-SITE SEWAGE FACILITY

11. DISCUSS AND TAKE APPROPRIATE ACTION ON AGREEMENT WITH
AND BETWEEN BOSQUE COUNTY AND U.S. CORP OF ENGINEERS
REGARDING KING CREEK BOAT RAMP

12. DISCUSS AND TAKE APPROPRIATE ACTION ON CONSIDERATION OF
RESOLUTION TO APPROVE CONTRACT FOR COLLECTION OF
DELINQUENT FINES AND FEES WITH EITHER LINEBARGER, GOGGAN,
BLAIR & SAMPSON, LLP, OR McCREARY, VESELKA, BRAGG & ALLEN,
PC OR PERDUE, BRANDON, FIELDER, COLLINS & MOTT, LLP, AND
APPROVE FINDINGS REQUIRED BY CHAPTER 2254 GOVERNMENT CODE
REGARDING A CONTINGENT FEE CONTRACT

13. DISCUSS AND TAKE APPROPRIATE ACTION ON CONSIDERATION OF
RESOLUTION TO IMPOSE A COLLECTION FEE PURSUANT TO ARTICLE
103.0031, TEXAS CODE OF CRIMINAL PROCEDURE

14. DISCUSS AND TAKE APPROPRIATE ACTION TO APPROVE AND FILE
OATHS AND BONDS FOR ELECTED OFFICIALS.

15. ADJOURN

***Members of the public may address the Commissioners Court during item 5 "ANNOUNCEMENTS OR COMMENTS" by completing Public Participation Form prior to the Call to Order. Each member of the public may speak for five (5) minutes regarding the topic addressed, 15 minutes total per item discussed.**

NOTICE PURSUANT TO GOVERNMENT CODE SECTION 2254.1036

WHEREAS, the Commissioners' Court of Bosque County, Texas ("County") is considering entering into a contingent fee contract with either the law firm of Linebarger, Goggan, Blair & Sampson L.L.P., or McCreary, Veselka, Bragg & Allen, P.C. or Perdue, Brandon, Fielder, Collins & Mott, L.L.P. ("Law Firms") and hereby posts this notice pursuant to Section 2254.1036, Government Code.

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

1. The County is considering entering into a contingent fee Contract for the Collection of Delinquent Fines and Fees due the District Court and County Court at Law of Bosque County, Texas with one of the Law Firms. The desired outcome of the legal services to be provided to the County is to collect the delinquent fines and fees due the District Court and County Court at Law of Bosque County, Texas in an expeditious and cost-effective manner.
2. The Law Firms have been competently collecting delinquent fines and fees due district courts and county courts at law for over twenty years and currently represent cities and counties throughout the State of Texas in the collection of delinquent fines and fees. The County has checked on the abilities of the Law Firms in these matters and found that the Law Firms have an excellent reputation as competent, qualified, and experienced in the collection of delinquent fines and fees due the district courts and county courts at law.
3. McCreary, Veselka, Bragg & Allen, P.C. has represented the County for over twenty years in the collection of its delinquent property taxes. That attorney-client relationship continues through the present. McCreary, Veselka, Bragg & Allen, P.C. also represented the County in the collection delinquent fines and fees due the Justice Courts from 2005 until 2012. The Firm does not currently represent the Justice Courts at this time.
4. Linebarger, Goggan, Blair & Sampson L.L.P. represented the County in the collection of delinquent property taxes prior to 1996. It has not represented the County since that time.
5. Perdue, Brandon, Fielder, Collins & Mott, L.L.P. has not represented the County.
6. The legal services desired by the County that are the subject of the contract cannot be adequately performed by the attorneys and supporting personnel of the County. The attorneys and support staff that are already employed by the County are involved with other legal matters and do not have the time and resources to perform delinquent fines and fees collection services.
7. The legal services desired by the County that are the subject of the contract cannot be reasonably obtained from attorneys in private practice under a contract providing for the payment of hourly fees without contingency because the County does not have funds in its budget to pay the estimated hourly fees and other costs incurred to implement an effective delinquent fines and fees collection program under a contract providing only for the payment of hourly fees and costs. Article 103.0031, Texas Code of Criminal Procedure allows a County to recover a penalty to defray the costs of collecting delinquent fines and fees if the County has entered into a contract with a private attorney.
8. The County has determined that a contingent fee contract with one of the Law Firms is in the best interest of the residents of the County. The Law Firm is paid a percentage-based collection fee, regardless of the number of hours the Law Firm spends researching, contacting, and mailing to collect the delinquent fines and fees due the County. The percentage-based fee is only assessed against those persons who owe delinquent fines and fees to the County and is not an expense to the County or its residents.