

County of Hemphill

George Briant
County Judge

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State of Texas
Canadian, TX 79014



County Commissioners
Dawn E. Webb - Precinct 1
Tim Alexander - Precinct 2
Curt McPherson - Precinct 3
Nicholas Thomas - Precinct 4

January 7, 2021

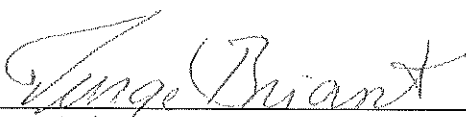
The Hemphill County Commissioners Court will meet in a regular meeting on *January 11th, 2021 at 9:00 a.m. in the Commissioners Court meeting Room #204* of the Hemphill County Courthouse in Canadian, Texas to consider and take any necessary action on the following:

AGENDA

Pledge of Allegiance Invocation

1. Call to order.
2. Approve minutes from December 30th, 2020.
3. Public Comments.
4. Burn Ban.
5. Open and consider bids for Airport Manager/FBO Contract. 9:00 a.m.
6. Take action to approve a contingent fee contract with Perdue, Brandon, Fielder, Collins and Mott, LLP pursuant to the Texas Property Tax Code, said contract being for the collection of delinquent government receivables owed to Hemphill County, and notice of said contract is posted with the agenda in accordance with Section 2254 of the Government Code; and upon approval, the governing body for Hemphill County finds: 1) there is substantial need for the legal services specified in said contract; 2) these legal services cannot be adequately performed by the attorneys and supporting personnel of Hemphill County; and 3) these legal services cannot be reasonable obtained from attorneys in private practice under a contract providing only for the payment of hourly fees, without regard to the outcome of the matter, because of the nature of the matter for which these services will be obtained or because Hemphill County does not have funds to pay the estimated amounts required under a contract providing only for the payment of hourly fees.
7. Review Upper Washita Watershed Dam Inspection reports and related plans of action.
8. Appoint members to the County Historical Committee for 2021-2022.
9. Review Hemphill County Jail Inspection report conducted on December 18, 2020 by Texas Commission on Jail Standards.
10. Approve updated bonds for Sheriff Brent Clapp and Tax Assessor Collector Chris Jackson.
11. Future Agenda Items.
12. Review December 31, 2020 Budget and Financial Report/Treasurer's Report.
13. Approve bills, budget amendments.
14. Adjourn.

FILED
8:28 AM
JAN 07 2021
LISA JOHNSON
CLERK OF COUNTY COURT
HEMPHILL COUNTY TEXAS



George Briant
Hemphill County Judge

PUBLIC NOTICE

This notice complies with Texas Government Code Chapter 551, Open Meetings Act, Section 551.040 (Notice of Meeting Requirements); Section 551.043 (Time and Accessibility of Notice Requirements); and Section 551.053 (Notice Requirements of a Political Subdivision Extending into four or More Counties). The notice has been filed at least 72 hours before the scheduled time of the meeting with the Hemphill County Clerk's Office and has been posted in the Hemphill County Courthouse.

Posted on 1/7/21 @ 8:30am by Lisa Johnson, Clerk

FILED
8:28 AM
JAN 07 2021

LISA JOHNSON
CLERK COUNTY COURT
HEMPHILL COUNTY TEXAS
JJ

NOTICE PURSUANT TO GOVERNMENT CODE SEC. 2254.1036

WHEREAS, Hemphill 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. Hemphill County is pursuing an amendment to the contract with the Firm for the collection of delinquent property taxes owed to Hemphill County and through this contract Hemphill County seeks to increase recovery of its delinquent debts in as expeditious a manner as possible. GOVT. CODE § 2254.1036(1)(A).

B. Hemphill 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, including the collection of delinquent taxes. 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 Hemphill 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 Hemphill 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 Hemphill County and the Firm is as follows. GOVT. CODE § 2254.1036(1)(C). The Firm has represented Hemphill County since 1989 in the collection of delinquent taxes.

D. Hemphill County is unable to perform collect its delinquent taxes. GOVT. CODE § 2254.1036(1)(D). Hemphill 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 Hemphill 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 Hemphill County or taxpayers of Hemphill County. The collection of delinquent taxes 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 amount of delinquent taxes due. Moreover, Hemphill County will bear the cost of these hourly fees and not the debtor, because the Tax Code does not expressly authorize Hemphill County to pay for collection services based on an hourly fee.

E. Hemphill 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 Hemphill County or taxpayers in Hemphill County.

Executed this the 7th day of January, 2021.

Surge Bryant

On Behalf of Hemphill County

Hemphill County, Texas

Posted on 1/7/21 @ 8:30 AM by Lisa Johnson, clerk