

PANHANDLE REGIONAL PLANNING COMMISSION

BOARD OF DIRECTORS

Minutes

September 29, 2011

The regular meeting of the Board of Directors of the Panhandle Regional Planning Commission was held on Thursday, September 29, 2011, at 4:30 p.m. in the Heritage Room of the Amarillo Civic Center, 401 Buchanan, Amarillo, Potter County, Texas.

Judge Wayne Nance, Chair, presided.

MEMBERS PRESENT:

- Don Allred, Oldham County Judge
- Jeff Brain, Mayor, City of Borger
- Cleo Castro, Alderman, City of Cactus
- Vernon Cook, Roberts County Judge
- Pete DeSantiago, Perryton
- Brian Gillispie, Mayor, City of Spearman
- Jack Hall, Donley County Judge
- Paul Harpole, Mayor, City of Amarillo
- Ernie Houdashell, Randall County Judge
- John James, Collingsworth County Judge
- Harold Keeter, Swisher County Judge
- Zelda Lang, Councilwoman, City of Dalhart
- Jay Mayden, Childress County Judge
- Councilman Bibo Ramirez, City of Tulia
- Wayne Nance, Briscoe County Judge

MEMBERS ABSENT:

- Mr. Tom Bailliff, Greenbelt Municipal & Industrial Water Authority
- Juan Cantu, Lipscomb County Commissioner
- Bob Gober, North Rolling Plains RC&D
- Ronnie Gordon, Hartley County Judge
- Saul Hernandez, Amarillo
- Tom Simons, Deaf Smith County Judge
- Tom Velasquez, Wheeler
- Arthur Ware, Potter County Judge
- Jed Welch, Commissioner, City of Canyon

STAFF PRESENT: Mr. Kyle Ingham, Local Government Services Director; Mr. Mike Peters, Regional 9-1-1 Network Director; Ms. Melissa Carter, Area Agency on Aging Director; Mr. Shane Brown, Emergency Communications and Preparedness Programs Manager; Ms.

Elizabeth Thomas, Regional Services Program Specialist; Ms. Cindy Boone, CPA, Finance Director; Ms. Rebecca Rusk, Executive Assistant; Mr. Gary Pitner, Executive Director

OTHERS PRESENT: Commissioner Jon Behrens, City of Canyon; Mr. Ray Jaramillo, Clarendon College

1. CALL TO ORDER

Judge Wayne Nance, Chair, called the meeting to order and noted that a quorum was present.

2. INVOCATION

Judge Harold Keeter gave the invocation.

3. MINUTES

Judge Vernon Cook moved to approve the minutes from the meeting held on August 25, 2011, as received. Judge Jack Hall seconded the motion; the motion carried by unanimous vote.

4. **VOUCHERS**

Judge Don Allred moved to approve the vouchers for the month of August, 2011. Mayor Brian Gillispie seconded the motion; the motion carried by unanimous vote.

5. **RESOLUTION THANKING CHANCELLOR KENT HANCE**

Judge Vernon Cook moved to pass a resolution thanking Chancellor Kent Hance, Texas Tech University System, for serving as the keynote speaker at the Planning Commission's 2011 Annual Meeting. Judge John James seconded the motion; the motion carried by unanimous vote.

6. **REGIONAL CRIMINAL JUSTICE ADVISORY COMMITTEE APPOINTMENTS**

Ms. Elizabeth Thomas stated that PRPC Administrative Regulation No. 34 establishes the size and composition of the Regional Criminal Justice Advisory Committee (CJAC) and sets the member term lengths. The CJAC is a 15-member body. Its members serve 3-year staggered terms, with one-third of the membership being appointed or reappointed by the PRPC Board each year. There are no term-limits for this committee.

This year, five members were up for re-appointment. PRPC staff has contacted each of these individuals and they would be willing to serve if so re-appointed by the PRPC Board. They are as follows: Sace Hardman, City of Panhandle; Jerry Foote, Pampa; Bruce Scott, Dallam County; Marilyn Reiswig, Perryton; and Jim English, 222nd Judicial District.

Judge John James moved to appoint or re-appoint the recommended individuals to serve on the Planning Commission's Regional Criminal Justice Advisory Committee. Alderman Cleo Castro seconded the motion; the motion carried by unanimous vote.

7. **AREA AGENCY ON AGING OF THE PANHANDLE ADVISORY COUNCIL APPOINTMENTS**

Ms. Melissa Carter reminded the Board that According to the Administrative Regulation #38, the membership in the Aging Advisory Council shall consist of no more than 18 members with representation from the following groups: low income elderly, minority elderly, participant elderly, sixty plus individuals, service providers, elected official or their staff representation, disabled and the general public. The regulation further requires the PRPC Board of Directors to appoint all council members. The members serve an initial three-year term with the option to renew for one additional three-year term.

At this time we have six positions open, which require appointment. Staff has spoken with Andy Crocker, Geriatrician with Texas AgriLife Extension Service of the Texas A&M System; Grace Blunt, Program Manager with TTUHSC Geriatrics Department; Jim Womack, Assistant Director with Texas Panhandle Centers for Behavioral and Developmental Health; Joyce Williams, minority community senior and Marilyn Lumpkins, Director of Swisher County Senior Center. These five have served one full term and they have expressed their interest in serving another full term on the Area Agency on Aging Advisory Council. Margaret Hogue with the Amarillo Veterans Hospital is replacing Jim Murphy, who retired this year. Margaret offered to complete Jim's term which expires in October 2012

Judge Jay Mayden moved to appoint or re-appoint the recommended individuals to serve on the Planning Commission's Area Agency on Aging Advisory Council. Councilwoman Zelda Lang seconded the motion; the motion carried by unanimous vote.

8. **ADMINISTRATIVE REGULATION AMENDMENT**

Ms. Melissa Carter stated that the current Administrative Regulation #38 Section (II)(C)(4) stipulates a quorum for the conduct of council business will require that a majority, 51%, of members be present at any meeting. It is becoming harder and harder to get a majority at our meetings. The AAA staff in concert with the Advisory Council members decided to schedule all meetings on the 4th Tuesday of the month for the following months: November, February, May and August of each year. Even with this permanent schedule and email and personal call reminders, meeting the quorum requirement every time is difficult. In a discussion between the PRPC Executive Director and the AAA Director, it was discussed that since there are seldom formal action items to consider, usually just dialogue, discussions and the hearing of reports, it would be best to remove the quorum requirement. The proposed Administrative Regulation #38 Section (II)(C)(4) will read: A simple majority of those Advisory Council members present and voting at any meeting is sufficient to approve any motion.

Judge Don Allred moved to amend Administrative Regulation No. 38, Area Agency on Aging of the Panhandle Advisory Council Procedures and Policies to modify quorum requirements. Councilwoman Zelda Lang seconded the motion; the motion carried by unanimous vote.

9. **PANHANDLE REGIONAL PLANNING COMMISSION PROCUREMENT POLICY AMENDMENT**

Ms. Cindy Boone, CPA, stated that the Panhandle Regional Planning Commission's (PRPC) current procurement policies were adopted on December 12, 1996 and amended on July 1, 2009. These policies were adopted to provide the parameters for procuring goods and services which would comply with all applicable state, local, federal, and grantor guidelines.

Under our current policies, the PRPC has a requirement to comply with Executive Order 12549, Debarment and Suspension, 29 CFR Part 98.510 which states that no award may be made to a party who is debarred, suspended or is otherwise excluded from or ineligible for participation in federal assistance programs. However, our policies did not provide for any procedures to certify our compliance. Therefore, PRPC is recommending that we amend our policy for competitive procedures to include the following language:

For purchases that are \$25,000 or more in the aggregate, the solicitation package will require a written certification from all bidders that they have not been debarred from doing business with the Federal or State Government. Where no solicitation package was involved, the Government Services Administration's excluded parties list system and the Texas Comptrollers debarred vendor list will be checked to verify the status of the vendor.

Mr. Pete DeSantiago moved to amend the Planning Commission's Procurement Policy to establish formal vendor debarment verification procedures. Judge Ernie Houdashell seconded the motion; the motion carried by unanimous vote.

10. **FY12 AND FY13 PANHANDLE REGIONAL SOLID WASTE MANAGEMENT PROGRAM CONTRACT**

Ms. Elizabeth Thomas stated that late last month the PRPC received its 2-year contract from the TCEQ with a request that the document be signed and returned as quickly as possible. To meet that request, the contract was signed and returned before it could be presented to the Board. Staff is asking that the Board formally authorize the execution of the contract.

The primary upshot of the budget reduction is that the Panhandle will now have less funding available to support solid waste programs and projects in the region, at least for the next two years. The reason why there was a rush to get the contract back into the TCEQ was because of the time given to revisiting the regional allocation formula to ensure that no one region was going to be disproportionately affected by the cuts. The Texas Association of Regional Councils played a critical role in those deliberations. The point being, although the program funding situation seems bleak in the Panhandle, it's equally and fairly bleak in every other region of the State. Assuming the Board does approve the execution of this contract, the next step will require PRPC staff to develop a 2-year Regional Solid Waste Program funding plan

Mayor Brian Gillispie moved to authorize the Executive Director to execute a contract with the Texas Commission on Environmental Quality for funds to support the Panhandle's FY2012 and FY2013 Regional Solid Waste Management Program. Mayor Paul Harpole seconded the motion; the motion carried by unanimous vote.

11. **FY12 AND FY13 PANHANDLE REGIONAL 9-1-1 NETWORK SERVICES CONTRACT**

Mr. Mike Peters stated that the 82nd Legislature appropriated funds to the Commission on State Emergency Communications (CSEC) for statewide 9-1-1 services in FY 2012-2013.

CSEC has reviewed and approved the Panhandle's FY2012-2013 regional strategic plan for Administration and Network Operations and has allocated funding to fulfill the regional plan for both strategies. Mr. Peters reviewed in detail the fiscal year allocations for the program budgets of the Panhandle Regional 9-1-1 Network's Strategic Plan.

He stated that by statute, revenue generated by the 9-1-1 Service Fee (\$.50 per landline phone, per month) must be reallocated back to the region from which it was collected. Historically, these funds coupled with wireless revenue (\$.50 per month, allocated by formula) comprise two-thirds of the funding necessary to operate the Panhandle's 9-1-1 Program.

Surcharge revenue, revenue collected from the Texas Infrastructure Equalization Surcharge (1% of intrastate long distance charges), are funds distributed at the discretion of CSEC to fund 9-1-1 programs in less-populated areas and fund equipment purchases across the State. Without the surcharge funding it would be impossible to maintain all 23 call taking locations across our region. Due to budget cuts, there was no equipment replacement funded statewide. This funding represents almost a \$40,000 budget decrease over the past biennium in the Admin and Program budgets for the Panhandle 9-1-1 Program

Judge Vernon Cook moved to authorize the Executive Director to execute a contract with the Texas Commission on State Emergency Communications to continue 9-1-1 services in the Texas Panhandle. Judge Don Allred seconded the motion; the motion carried by unanimous vote.

12. FY11 REGIONAL 9-1-1 NETWORK PLAN AMENDMENT

Mr. Mike Peters reminded the Board that due to the expected budget cuts for the FY12 and FY13 biennium, 9-1-1 staff began a process 6 months ago to reduce costs. The majority of the identified reductions were a result of renegotiating rates on phone lines and circuits in the region. Additionally, the 9-1-1 program is saving more than \$100K annually, as a result of the acquisition of XIT Wireless by AT&T.

The program currently needs to replace several existing routers that are being leased as part of a monitoring service from AT&T. After these routers are replaced, the Regional 9-1-1 program expects an additional 120K in lowered payments to AT&T as the monitoring will be performed in house. We also need to replace a large format map plotter that is utilized for printing emergency response maps for the entire region. The existing plotter was purchased in 1996 and has served us well. Lastly, we need to purchase a portion of a PRPC server that will be reserved for backup if our existing mapping GIS server fails.

To accomplish these goals, money will need to be shifted out of our program fund and into our equipment fund at the state level. The PRPC Regional Program will require an additional \$86,786 shifted into the equipment fund to be able to purchase these items. After this biennium, legislators have combined the two funds to allow programs the flexibility to purchase equipment with program dollars.

Mayor Brian Gillispie moved to authorize the Executive Director to execute a Plan Amendment in order to shift FY11 funding to the equipment budget. Judge Jack Hall seconded the motion; the motion carried by unanimous vote.

13. ECONOMIC DEVELOPMENT PLANNING GRANT APPLICATION

Mr. Kyle Ingham stated that the purpose of the Planning Commission's economic development activities is to create employment opportunities, foster more stable and diversified local economies, improve local conditions, and guide and coordinate the efforts of local individuals and organizations concerned with economic development. The EDA planning grant provides the funds to the Planning Commission for the administrative support of economic development activities in the area. The Comprehensive Economic Development Strategies planning document that is generated by the PRPC annual is a product of this planning grant traditionally.

The EDA Planning Grant Program is a funding cycle which allows us to apply for three years of funding. The amount of the FY12 through FY15 grant for which the Commission is applying is \$180,000. The PRPC Match requirement will be at 30% based on regional economic conditions

Mayor Paul Harpole moved to authorize the Executive Director to submit a grant application in the amount of \$180,000 to the U.S. Economic Development Administration for economic development planning funds and to convey to the Executive Director the authority to execute any and all necessary documents to effectuate the multi-year planning grant application. Alderman Cleo Castro seconded the motion; the motion carried by unanimous vote.

14. SUBSCRIBER RADIO TRANSFER AGREEMENTS

Mr. Shane Brown reminded the Board that in 2006, the PRPC, along with the COGs in Abilene, Lubbock and Wichita Falls, submitted a joint application for funding under the 2007 Public Safety Interoperable Communications (PSIC) Grant Program. The PSIC was a competitive, one-time grant opportunity intended to enhance interoperable communications capabilities with respect to voice, data, and/or video and to encourage the use of innovative cost- and spectrum-efficient technology solutions. In total, \$968,385,000 in PSIC funding was distributed nation-wide.

The 4-COG application was funded and the PRPC received \$750,460.87 to carry out its portion of the project; most of which was focused on purchasing subscriber radios for first response agencies in the region. In total, the PRPC facilitated the purchase of 663 portable or mobile radios for 65 different entities/organizations in the Panhandle. The PRPC has now closed out the 2007 PSIC project but there's still one bit of unfinished business that needs to be addressed before the books can finally be closed.

Because the PRPC served as the grantee for the PSIC program, technically those 663 radios still belong to us even though every agency provided a match for each radio they received. In order to rectify this situation, title to the radios will have to be legally transferred over to the agencies that received them.

Mr. Brown reviewed with the Board a title transfer document which the PRPC proposes to use in formally transferring ownership of the radios over to the receiving agencies or organizations. The only real obligation on the agencies will be the responsibility to inventory and track the radios they received to ensure they can be accounted for in the future.

Judge Vernon Cook moved to authorize the Executive Director to execute agreements to transfer title of 663 subscriber radios to 65 Panhandle area local entities. Mayor Jeff Brain seconded the motion; the motion carried by unanimous vote.

15. **MISCELLANEOUS NON-ACTION INFORMATION ITEMS**

A. Mr. Gary Pitner reported on the recent and upcoming Planning Commission sponsored regional meetings.

16. **2011 MEMBERSHIP MEETING**

The Planning Commission's 2011 Annual Membership Meeting convened.

17. **ELECTION OF 2011-2012 PANHANDLE REGIONAL PLANNING COMMISSION BOARD OFFICERS**

Mr. Gary Pitner stated that the nominating committee is recommending the following slate of officers for 2011-2012.

Harold Keeter, Swisher County Judge – Chair
Brian Gillispie, Mayor, City of Spearman – Vice Chair
Tom Velasquez, Minority Citizens Representative, Wheeler – Secretary/Treasure

Judge Don Allred moved to elect the slate of officers as recommended by the nominating committee. Mayor Paul Harpole seconded the motion; the motion carried by unanimous vote.


18. **ADJOURNMENT**

There being no further business to come before the Board, the meeting adjourned at 5:45 p.m.



Harold Keeter, Chairman
Panhandle Regional Planning Commission
Board of Directors

ATTEST:



Tom Velasquez, Secretary/Treasurer
Panhandle Regional Planning Commission
Board of Directors