

PANHANDLE REGIONAL PLANNING COMMISSION  
BOARD OF DIRECTORS

Minutes

October 27, 2016

The regular meeting of the Board of Directors of the Panhandle Regional Planning Commission was held on Thursday, October 27, 2016, at 1:30 p.m. in the PRPC Board Room, 415 South West Eighth Avenue, Amarillo, Potter County, Texas.

Mayor Pro-Tem Kerry Symons presided.

**MEMBERS PRESENT:**

- Don Allred, Oldham County Judge
- Juan Cantu, Lipscomb County Commissioner
- Cleo Castro, Cactus
- Buster Davis, Mayor, City of Gruver
- Irene Favila, Hereford
- Dr. William Hallerberg, Canadian River Municipal Water Authority
- Paul Harpole, Mayor, City of Amarillo
- Dr. John Howard, Donley County Judge
- John James, Collingsworth County Judge
- Dan Looten, Carson County Judge
- Jay Mayden, Childress County Judge
- Wayne Nance, Briscoe County Judge
- Karen Price, Pampa
- Pat Sims, Mayor, City of Dumas
- Kerry Symons, Mayor Pro-Tem, City of Perryton
- Nancy Tanner, Potter County Judge
- Ricky White, Mayor, City of Friona

**MEMBERS ABSENT:**

- Bob Gober, Councilman, City of Canadian
- Ronnie Gordon, Hartley County Judge
- Saul Hernandez, Amarillo
- Ernie Houdashell, Randall County Judge
- Harold Keeter, Swisher County Judge
- Walter "Four" Price, Texas State Representative, District 87
- Sal Rivera, Sheriff, Castro County
- Amelia Salazar, Alderwoman, Palisades Village
- Winston Sauls, Borger
- Phillip Self, Greenbelt Municipal & Industrial Water Authority

**STAFF PRESENT:** Mr. Kyle Ingham Local Government Service Program Director; Mr. John Kiehl, Regional Services Director; Mr. Mike Peters, Regional 9-1-1 Director; Ms. Lori Gunn, Regional Services Program Specialist; Ms. Melissa Carter, Area Agency on Aging Director;

Mr. Dustin Meyer, Local Government Services Program Coordinator; Ms. Cindy Boone, CPA, Finance Director; Ms. Rebecca Rusk, Executive Assistant; Mr. Gary Pitner, Executive Director

1. **CALL TO ORDER**

Mayor Pro-Tem Kerry Symons called the meeting to order and noted that a quorum was present.

2. **INVOCATION**

Mayor Pro-Tem Kerry Symons gave the invocation.

3. **MINUTES**

Judge Dan Looten moved to approve the minutes from the meeting held on September 15, 2016, as received. Ms. Irene Favila seconded the motion; the motion carried by unanimous vote.

4. **VOUCHERS**

Judge Jay Mayden to approve the vouchers for the month of September, 2016. Judge John James seconded the motion; the motion carried by unanimous vote.

5. **PRPC INVESTMENT FUND QUARTERLY REPORT**

Ms. Cindy Boone, CPA, stated that the stated that pursuant to the Public Funds Investment Act, which was passed by the Texas Legislature in 1987 and amended in 1995 and 1997, PRPC adopted written investment policies on August 23, 1996 for funds under our control. In accordance with this Act, the investment officer of PRPC, which is the Finance Director, is required to submit to the Board of Directors a quarterly report of investment transactions. Ms. Boone presented the report for the period of July 1, 2016 through September 30, 2016.

Dr. Bill Hallerberg moved to accept the PRPC's Investment Funds Quarterly Report for the period ended September 30, 2016, as presented. Judge Don Allred seconded the motion; the motion carried by unanimous vote.

6. **PRPC AUDIT SERVICES AGREEMENT**

Ms. Cindy Boone, CPA, reminded the Board that PRPC has an audit performed annually under the required standards of the American Institute of Certified Public Accountants, the U.S. General Accounting Office, the U.S. Office of Management and Budget, and the State of Texas Uniform Grant Management Standards. For the past ten years this audit has been performed by Edgin, Parkman, Fleming & Fleming out of Wichita Falls.

Since the contract for these audit services expired with the completion of our fiscal year 2015 audit, the PRPC issued a request for proposal (RFP) for audit services for fiscal years ending September 30, 2016, 2017, and 2018 with the option of two one year extensions for fiscal years 2019 and 2020.

The RFP was published in the Amarillo Globe News on September 25 and October 2, 2016 and the Texas Register on September 30, 2016. In addition, the RFP was sent to eight firms that were maintained on the bidders list. The PRPC received three responses that were evaluated by staff based on the criteria set forth in the RFP. The three firms submitting responses were Edgin, Parkman, Fleming & Fleming, Johnson & Sheldon and Mathis, West, Huffines Group. Ms. Boone reviewed the proposals with the Board and stated that the Audit Committee met prior to the Board meeting to discuss the proposals and review the evaluation by staff. She stated that staff and the Audit Committee recommend engaging the services of Edgin, Parkman, Fleming & Fleming.

Judge Don Allred moved to authorize the Executive Director to execute an agreement engaging the services of Edgin, Parkman, Fleming & Fleming to prepare the Panhandle Regional Planning Commission's Comprehensive Annual Financial Reports for the fiscal years ending in 2016, 2017 and 2018. Mayor Ricky White seconded the motion; the motion carried by unanimous vote.

7. **PANHANDLE REGIONAL 9-1-1 NETWORK QUARTERLY PERFORMANCE REPORT**

Mr. John Schaumburg stated that as stipulated in the agreement between Panhandle Regional Planning Commission and the Commission on State Emergency Communications (CSEC), the Panhandle 9-1-1 Network must establish and accomplish certain goals and objectives. In order to check progress throughout the year, we are required to submit to CSEC a quarterly performance report that includes 9-1-1 call volumes, monitoring results, network outage reports, system testing, and the status of equipment replacement. The following items make up the key points of the FY16 Q4 performance report covering June, July and August.

- 15 Public Service Answering Points (PSAPs) were monitored with no findings.
- 2,813 network test calls were made by PSAP staff and PRPC employees.
- The Program experienced three outages during this period due to two fiber cuts and a long-term power outage in Armstrong County.
- There were 101,226 9-1-1 calls, of which 90% were wireless.

Judge Wayne Nance moved to accept the Panhandle Regional 9-1-1 Network's FY2016 Fourth Quarter Performance Report, as presented. Ms. Karen Price seconded the motion; the motion carried by unanimous vote.

8. **PANHANDLE REGIONAL 9-1-1 NETWORK MAINTENANCE SERVICES CONTRACT**

Mr. John Schaumburg informed the Board that for the past three years the Panhandle Regional 9-1-1 Network has utilized Western States Communications, Inc. (WSC) to provide 24 hour service to maintain the equipment at the region's 23 public service answering points (PSAP). WSC is located in San Angelo Texas.

We are seeking a one year contract with two automatic one year renewals to reduce costs and continue the high level of maintenance that we are currently receiving. This includes a full time maintenance technician that resides in Amarillo and 24 hour telephone support from WSC's call center for each PSAP. We have been satisfied with WSC's timely repairs and routine maintenance for the past three years. Their service has greatly reduced the downtime and increased awareness of potential issues within the 9-1-1 network and systems.

WSC's services are available to PRPC under the terms and conditions of the state certified cooperative purchasing program operated by the Houston-Galveston Area Council of Governments (HGAC Buy). The annual maintenance services cost under the HGAC Buy contract is quoted as \$146,546.23.

Judge Don Allred moved to authorize the Executive Director to execute a contract with Western States Communications, Inc. to provide 9-1-1 equipment maintenance services for the Panhandle Regional 9-1-1 Network. Judge Nancy Tanner seconded the motion; the motion carried by unanimous vote.

#### **9. MINORITY ELECTED OFFICIAL BOARD MEMBER APPOINTMENT**

Mr. Gary Pitner stated that the Planning Commission's Bylaws call for three seats on the Board of Directors to be held by minority local elected officials from area cities and counties. The three elected official seats are in addition to the five minority citizen representative positions on the Board. The minority local elected officials' seats are filled by direct Board appointment.

Commissioner Juan Cantu of Lipscomb County, Alderwoman Amelia Salazar of Palisades Village and Sheriff Sal Rivera of Castro County currently hold the three elected official positions. The term of Commissioner Cantu is expiring. Staff has visited with Commissioner Cantu, and he has expressed a desire and willingness to continue serving on the PRPC Board of Directors.

Mayor Ricky White moved to re-appoint Commissioner Juan Cantu to a three-year term on the PRPC Board of Directors. Judge Nancy Tanner seconded the motion; the motion carried by unanimous vote.

#### **10. SPECIAL DISTRICT REPRESENTATIVE BOARD MEMBER APPOINTMENT**

Mr. Gary Pitner stated that the Planning Commission Bylaws call for two member special district officials to serve on the PRPC Board of Directors. Dr. Bill Hallerberg of Amarillo represents the Canadian River Municipal Water Authority and holds one of those two special district seats. Phillip Self of Childress who represents the Greenbelt Municipal and Industrial Water Authority, holds the second special district position.

The current term of Dr. Bill Hallerberg is expiring. Staff has visited with Dr. Hallerberg, and he has expressed a desire and willingness to continue serving on the PRPC Board of Directors.

Mayor Pat Sims moved to re-appoint Dr. Bill Hallerberg of Amarillo, Texas to a three-year term on the PRPC Board as a Special District Representative. Mayor Buster Davis seconded the motion; the motion carried by unanimous vote.

#### **11. PANHANDLE AREA STATE LEGISLATIVE DELEGATION BOARD MEMBER APPOINTMENT**

Mr. Gary Pitner stated that the PRPC Bylaws call for the Planning Commission to offer a seat on the Board to a member of the Texas Legislature who represents a district located in whole or in part within the boundaries of the PRPC's service region.

State District 87 Representative Walter "Four" Price of Amarillo has been serving on the board in this capacity since January 2012. Representative Price has indicated his interest in and willingness to continue to serve on the PRPC Board.

Dr. Bill Hallerberg moved to re-appoint Texas House Member Walter "Four" Price, District 87, to a two-year term as a member of the Planning Commission's Board of Directors. Ms. Karen Prices seconded the motion; the motion carried by unanimous vote.

#### **12. MINORITY CITIZEN REPRESENTATIVE BOARD MEMBER ELECTION**

Mr. Gary Pitner stated that the Planning Commission Bylaws call for representation of minority citizens on the Board of Directors. These designated minority seats are filled through a minority election process. The terms for three of our five minority seats are

expiring; therefore, three elections will have to be held. The seat held by Cleo Castro of Cactus, for PSA-1 (Dallam, Hartley, Moore, Oldham and Sherman Counties) has expired. In addition, the terms for both Winston Sauls of Borger representing PSA-2 (Hansford, Hemphill, Hutchinson, Lipscomb, Ochiltree and Roberts Counties) and Karen Price of Pampa representing PSA-5 (Childress, Collingsworth, Donley, Gray, Hall and Wheeler Counties) have expired. In order to elect a representative from these areas, the Board of Directors needs to consider calling meetings of minority citizens from Planning and Service Areas 1, 2, and 5.

Ms. Irene Favila moved to call the following meetings of minority citizens in order to elect a minority representative to serve on the PRPC Board of Directors:

PSA-1: Monday, November 14, 2016 at 6:00 p.m. at Cactus City Hall

PSA-2: Tuesday, November 15, 2016 at 6:00 p.m. at Borger City Hall

PSA-5: Tuesday, November 15, 2016 at 6:00 p.m. at Pampa City Hall

Judge Jay Mayden seconded the motion; the motion carried by unanimous vote.

### 13. TEXAS ASSOCIATION OF REGIONAL COUNCILS SERVICE FEES

Mr. Gary Pitner reminded the Board that the Texas Association of Regional Councils (TARC) is a voluntary association composed of Texas' 24 regional councils. Each council is represented on the TARC Board of Directors by its chairman or official representative. TARC's activities are grouped under the following three activity centers: Executive Management and Intergovernmental Relations; Conferences and Events; and TARC Resource Center. The Planning Commission's 2015-2016 TARC services fees were \$8,111.24, and we anticipate the fees remaining the same for 2016-2017.

Mayor Paul Harpole moved to authorize payment of the Panhandle Regional Planning Commission's 2016-2017 TARC Association service fees. Judge John James seconded the motion; the motion carried by unanimous vote.

### 14. PRPC PERSONNEL POLICIES AMENDMENTS

Mr. Gary Pitner reminded the Board that the PRPC's current personnel policies document was initially adopted by the Board of Directors in 1993. That original document has since been amended by the Board on 12 occasions in order to meet various changes in the human resource management arena.

Mr. Pitner stated that it has become necessary for the Board's consideration of two additional amendments to the policies. The first proposed amendment relates to language regarding employee "political activity" found in Section 3.07. The current language prohibits an employee from engaging in activities using state appropriated funding "to influence the passage or defeat of any legislative measure in the Texas Legislature." Further, language similarly prohibits employees from engaging in activities using federally appropriated funding "to influence in any manner a member of Congress to favor or oppose any legislation or appropriation."

Mr. Pitner informed the Board that such "lobbying" limitations are consistent with applicable federal and state law, are most appropriate and should certainly be maintained. However, the Texas Department of Aging and Disability Services' Office of the State Long Term Care Ombudsman recently monitored the Panhandle Area Agency on Aging's Ombudsman Program and found such limitations to be inconsistent with their interpretation of underlying specific federal and state ombudsman program regulations which would require local ombudsmen to be able to conduct legislative "advocacy activities" on behalf of long term care facility residents.

In order to address the seemingly conflicting requirements and to resolve the recent monitoring finding by the Texas Department on Aging and Disability Services, PRPC staff has drafted the following language for inclusion as the closing paragraph in Section 3.07.02 of the PRPC Personnel Policies:

*"Nothing in these policies shall unduly restrict the abilities of certain PRPC employees who may, from time to time, be required to conduct "advocacy" activities under the terms and conditions of particular federal and/or state grants and contracts when such activities are consistent with relevant underlying federal and/or state program regulations."*

Mr. Pitner stated that it would also be necessary to insert identical language into Appendix A (Employee Code of Ethical Conduct) of the PRPC Personnel Policies.

The second proposed amendment is housekeeping in nature and is intended to facilitate the PRPC's implementation of recent changes to the Fair Labor Standards Act (FLSA). As you know, those changes have expanded the number of employees who are subject to overtime (hours worked in excess of 40 hours per seven-day work week).

For FLSA purposes, current PRPC Policies (Section 7.01) begin and end the seven-day work week at 8 a.m. each Monday. Since it is common for PRPC employees to routinely begin their work day prior to 8 a.m., staff proposes to adjust the seven-day work week to begin at 12:01 a.m. each Monday and to end at 12:00 midnight each Sunday night.

Judge Don Allred moved to approve amendments to Section 3.07.02, Section 7.01 and Appendix A (Code of Ethical Conduct) of the Panhandle Regional Planning Commission's Personnel Policies as proposed. Commissioner Juan Cantu seconded the motion; the motion carried by unanimous vote

#### **15. FOOD NET PROGRAM FUNDING APPLICATION**

Ms. Melissa Carter reminded the Board that the Panhandle Area Agency on Aging (AAA) began administering a program named "Nutrition for Experienced Texans" and is referred to as the Food NET. The Food Net program provides seniors in the Amarillo/Canyon community with a nutritious meal, and an opportunity for socialization whether at the congregate site or through visits from the home delivered meal drivers. The program aides in the seniors ability to remain independent in the community and affords them a continued quality of life.

This nutrition program is dependent not only on the funds received from the AAA, but also funds from the United Way of Amarillo and Canyon and the City of Amarillo Community Development Block Grant Program. The United Way of Amarillo and Canyon operates on a funding cycle that begins April 1 and ends on March 31 of each year.

The AAA proposes to submit an application to the United Way of Amarillo and Canyon with a request of \$150,000.00. This funding will allow Food NET to continue serving the nutritionally at-risk, low and moderate-income elderly and disabled adults residing in Potter and Randall counties.

Mayor Paul Harpole moved to authorize the submittal of an application to the United Way of Amarillo and Canyon to partially support the delivery of meals to qualified individuals in need in Amarillo and Canyon. Mayor Pat Sims seconded the motion; the motion carried by unanimous vote.

#### **16. PROFESSIONAL RECRUITMENT SERVICES INTERLOCAL CONTRACTS**

Mr. Kyle Ingham stated that PRPC staff has assisted many cities in the Texas Panhandle with administrative services, ranging from contractual city management services to city manager searches to codification. One of the most increasingly demanded services is assistance with the recruitment of professional staff by cities. In the last month, PRPC was approached by two separate communities related to professional searches.

First, the City of Fritch has inquired about PRPC's services and requested a proposal regarding the process to identify qualified City Manager applicants. The Fritch City Council will meet after the issuance of this memo to determine if they want PRPC's assistance in their search or if they prefer to go another route. The inclusion of this agenda item will allow the PRPC Board of Directors to consider entering into interlocal agreement with the City of Fritch for the purpose of a City Manager search if the City requests PRPC to do so.

Similarly, PRPC staff has been approached by the staff of the City of Dumas regarding assistance in hiring a new Finance Director. This would be the first time that PRPC would assist in the search for a Finance Director, but it is similar to the City Manager and Police Chief searches previously conducted. PRPC staff is confident that this is a process that can be successfully completed to the benefit of the City. This specific item was on a previous agenda, but it was not acted on at the time because it appeared that the City of Dumas had found a solution to their needs by the time the item came before the Board. However, in the interim it was determined by the City of Dumas that they do need assistance in this effort after all. Given the dire need for a Finance Director during budget processes and while Dumas had available resources to transition, the City requested that PRPC begin the search as expeditiously as possible. To that end, PRPC staff began assisting the City with the search, and at this time the search is actually concluding. While the timing on this is not ideal because it did not allow for Board consideration prior to the initiation of work, it was determined that the service to the City was important. This is an instance where staff is asking the Board for ratification of interlocal agreement after a service was initiated due to timing issues with agenda development and posting requirements.

Currently the search contracts will follow the following basic guidelines that can be modified based on locality preference. Contracts will be focused on a three month period so that the services can be rendered expeditiously and in a quality manner so that the City can resume normal operations quickly. Compensation will be rated at \$60.00 per hour with job postings and travel compensated additionally with a floor of \$2,500 and a ceiling of \$5,500 to ensure that both parties mutually benefit from the agreement.

Mayor Ricky White moved to authorize the Executive Director to execute interlocal cooperation contracts with the City of Fritch for the Planning Commission to provide City Manager recruitment services and with the City of Dumas to provide Finance Director recruitment services. Judge Nancy Tanner seconded the motion; the motion carried by unanimous vote, with Mayor Pat Sims abstaining.

**17. COMMUNITY DEVELOPMENT PROJECT MANAGEMENT SERVICES INTERLOCAL CONTRACTS**

Mr. Dustin Meyer reminded the Board that PRPC staff has worked with Panhandle Communities to implement infrastructure improvement projects through the Community Development Block Grant (TxCDBG) Program since 1983. Since that time, PRPC Staff has provided administrative assistance to 285 TxCDBG projects totaling more than \$67,000,000 of grant funds utilized for the infrastructure improvement of Panhandle Communities. The Texas Department of Agriculture (TDA) conducted the 2017/2018 CDBG application process in the winter of 2015.

Six Panhandle cities have been given notice by TDA through the 2015-2016 TxCDBG program. The funds from the grants will assist the cities in needed improvements to their water and sewer services. Mr. Meyer reviewed the list below of the cities that have received notice of funding along with the project type, amount of TxCBDG funding, the match amount committed by each city, and the amount that will be paid to the PRPC for general administration functions associated with the grant.

PRPC staff assisted the cities in the preparation of their applications requesting funding from TDRA/TDA and the cities have indicated to the PRPC that our services will be requested for the general administration of these contracts. All contracts between the Cities and the PRPC will be separate individual contracts.

City	Project	Specifics	CDBG	Match	Admin
Adrian	Water	Tank Rehab	\$275,000	\$17,150	\$24,200
Booker	Water	Water Line	\$275,000	\$43,500	\$25,000
Farwell	Water	Ground Storage Tank	\$275,000	\$56,175	\$23,775
Fritch	Water	Water Line	\$275,000	\$53,570	\$25,000
Lefors	Water	Water Tank	\$275,000	\$21,420	\$21,220
Texhoma	Water	Water Line	\$275,000	\$15,800	\$24,200

Judge Dan Looten moved to authorize the Executive Director to execute six respective Interlocal Cooperation Contracts with the Adrian, Booker, Farwell, Fritch, Lefors and Texhoma for the Planning Commission to provide Texas Community Development Program project management services. Mayor Paul Harpole seconded the motion; the motion carried by unanimous vote.

**18. COMMUNITY DEVELOPMENT PROGRAM APPLICATION DEVELOPMENT AND MANAGEMENT SERVICES INTERLOCAL CONTRACTS**

Mr. Kyle Ingham stated that PRPC staff has worked with Panhandle communities to implement infrastructure improvement projects through the Community Development Block Grant (TxCDBG) Program since 1983. Since that time, PRPC staff has provided administrative assistance to 285 TxCDBG projects totaling more than \$67,000,000 of grant funds utilized for the infrastructure improvement of Panhandle communities. The Texas Department of Agriculture (TDA), formerly many other names, has long been the funding agency of this program in the State of Texas, and they are in the process of soliciting applications for the 2017/2018 TxCDBG program.

In an interesting development that changes decades of precedence, the TDA has issued guidance indicating that they want to see the procurement of professional services associated with the TxCDBG program occur prior to the development of applications for the 2017/2018 cycle. This is a unique interpretation of the new 2 CFR 200 related to the development of a "statement of work" pertaining to projects ultimately funded. While PRPC staff believes that the specific rule in question has been in existence for over 20 years, it is important to follow the guidance of the funding agency. To this end, staff believes that it is

prudent to establish interlocal agreements with Cities and Counties that wish to utilize PRPC for the development of applications for the 2017/2018 TxCDBG cycle. PRPC has cleared through TDA that interlocal agreements will be allowable in-lieu of competitive procurement processes if a City or County wishes to do so.

The complication of securing professional services prior to the development of an application is that no actual project exists so it is difficult to detail the services to be provided. Fundamentally, PRPC staff hopes to keep the application development process at no cost for the communities it is working with and still allow the community to choose to utilize PRPC for administration if a project is funded. To this end, an interlocal agreement has been developed that a community may enter into with PRPC that details the no cost application development and identifies a future consideration of administrative services if a project is funded. However, the specifics of an administration contract are identified to be determined at a later date at the locality's discretion through an amendment if a TxCDBG project is funded for a specific entity.

In anticipation of PRPC staff preparing 30-40 TxCDBG applications this cycle, Staff has determined that it would be useful for the Board to consider the Interlocals associated with the application preparation in multiple groupings for two reasons. 1. There is a staggering of the public hearings and meetings that Staff goes to chronologically to ensure that Staff can be in each community during an application cycle. 2. With over 30 entities applying there could be a problem with Board voting membership having to recuse themselves if all projects were presented together. The following interlocal agreements are being presented to the Board in October of 2016: Ochiltree County; Randall County; Hartley County; City of Perryton; City of Sunray; and City of Hart.

Each of these is a no-cost interlocal agreement between PRPC and the respective entity for the preparation of a 2016 TxCDBG application with a project administration section contingent upon future funding with details to be amended in later. The focus of these interlocals is to allow PRPC to continue providing the same services as in previous cycles and meet TDA's new guidance on establishing formal relationships prior to the submission of applications.

Judge John Howard moved to authorize the Executive Director to execute Interlocal Cooperation Contracts with the above noted communities for the PRPC to provide TxCDBG application services at no cost with contingency language for administrative services to be included at the localities discretion if a project is funded. Dr. Bill Hallerberg seconded the motion; the motion carried by unanimous vote.

19. **GROUNDWATER MANAGEMENT AREA #1 ADMINISTRATIVE SERVICES AGREEMENT RENEWAL**

Mr. Kyle Ingham reminded the Board that in 2003, the legislature passed HB 1763 creating Groundwater Management Areas (GMA) throughout the state. The GMAs are comprised of members from each of the Groundwater Conservation Districts located within the GMA boundaries. The GMA that serves most of the Texas Panhandle is the GMA#1. In 2007, the leadership of the GMA#1 recognized the need for more continuity in the process and a more efficient record keeping system.

As a result of this desire PRPC staff developed a proposal for the service and presented it to the GMA #1 that evolved into the current contract. This relationship has proven to be mutually beneficial to both the GMA#1 and the PRPC over the past several years, so the GMA #1 has requested that the PRPC continue to offer the necessary administrative services for them. The duties involved with providing the administrative services include agenda development and the required posting, mailing the agenda to the members of the GMA and interested parties, minute taking at the meetings and record keeping of all documents associated with the GMA #1.

The terms of the contract provide for the compensation of \$60.00 per hour to the PRPC for the services provided to the GMA. The four individual groundwater conservation districts that make up the GMA #1 have agreed to be invoiced for 25% of the cost of the service. The contract term is for 12 months but it is expected that the service will be needed on a long term basis, and clauses in the contract cover periods predating and postdating the contract period where services may be rendered.

Judge Nancy Tanner moved to authorize the Executive Director to execute interlocal cooperation contract to provide administrative services for the GMA #1. Ms. Karen Price seconded the motion; the motion carried by unanimous vote.

**20. REGIONAL SOLID WASTE MANAGEMENT ADVISORY COMMITTEE APPOINTMENTS**

Ms. Lori Gunn reminded the Board that PRPC Administrative Regulation #31 governs the duties, activities and composition of the Panhandle Regional Solid Waste Management Advisory Committee (RSWMAC). The RSWMAC is comprised of twenty-two (22) to twenty-eight (28) PRPC-appointed members, and one (1) to two (2) standing positions held by representatives from the Texas Commission on Environmental Quality-Region One Office. Members are appointed to three-year, staggered terms. The RSWMAC composition must maintain a cross-section of solid waste professionals from the Panhandle Region.

Currently, 12 individuals need to be appointed or re-appointed to the RSWMAC to meet the PRPC administrative standards. PRPC staff has contacted each nominee and determined they are willing and able to serve if appointed by the PRPC Board. Those Individuals are: Ben Estep, City of Panhandle; Dennis Rojas, City of Dalhart; Ted B. Dodd, City of Borger; Greg Dankworth, Scrap Processing; Jim Smith, Tri-State Recycling; Cody Bengé, City of Fritch; Steve Stout, City of Tulia; Kyle Schniederjan, City of Amarillo; Ricky Rivera, City of Pampa; Taylor Finley, KB Recycling; Cesar Marquez, City of Bovina; and David Lehfeldt, City of Amarillo.

Dr. Bill Hallerberg moved to appoint or re-appoint the recommended individuals to serve on the Planning Commission's Regional Solid Waste Management Advisory Committee. Judge Wayne Nance seconded the motion; the motions was carried by unanimous vote.

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

Ms. Lori Gunn stated that the main duties of the Criminal Justice Advisory Committee (CJAC) are to oversee the grant programs made available through the Office of the Governor's Criminal Justice Division.

This year, six members were up for re-appointment and three members needed to be replaced. PRPC staff has contacted the following recommended appointees and they have confirmed that they are all willing and able to serve:

<u>Name</u>	<u>Title/Organization</u>	<u>Area of Interest</u>
Letta Day	Director, Professional Counseling & Bio-Feedback Center	Regional Drug Abuse Prevention Services/Programs
Randall Sims	District Attorney, 47 <sup>th</sup> Judicial District	Prosecution or Regional Court Systems
Norma Luginbyhl	Executive Director, Hutchinson County Crisis Center	Organization involved with the Provision of Victims Services/Avocation
Dena McCaslin	Chief Officer, Castro/Swisher Juvenile Probation Department	Regional Juvenile Justice System
Marsha Moberley	Parole Commissioner, Texas Board of Pardons & Paroles	Prosecution or Regional Court Systems
Tom Simons	Mayor, City of Hereford	Regional Municipalities
Cynthia Peralez	Victim Assistance Coordinator, Deaf Smith County	Regional Counties
Brad Lancaster	Captain, Amarillo Police Department	Regional Law Enforcement Community Members
Ken Birdsong	District Attorney, Oldham County Judicial District	Prosecution or Regional Court Systems

Judge Dan Looten moved to appoint or re-appoint the recommended individuals to serve on the Planning Commission's Regional Criminal Justice Advisory Committee. Ms. Karen Price seconded the motion; the motion carried by unanimous vote.

**22. REGIONAL CRIMINAL JUSTICE ADVISORY COMMITTEE PY2017 GRANT PROGRAM OPERATING PROCEDURES APPROVAL**

Ms. Lori Gunn stated that each year the PRPC receives funds from the Office of the Governor's Criminal Justice Division to administer a Criminal Justice Grant Program. The activities of the Program are overseen by the Criminal Justice Advisory Committee (CJAC) and the PRPC Board of Directors.

The Criminal Justice Division requires each region to develop and maintain Operating Procedures which clearly identify the process by which the Criminal Justice Grant Program will operate under the direction and oversight of the CJAC. At the beginning of each year the CJAC reviews its Operating Procedures for effectiveness and to lay out the ground



rules for the coming year. Each year the Operating Procedures must be approved by the PRPC Board of Directors.

Ms. Gunn stated that the majority of the CJAC members participated in an online discussion about the proposed changes to the FY 2018 Bylaws and Operating Procedures they voted and approved them on October 20<sup>th</sup>. The CJAC has elected to remove the requirement to meet a state priority. Since CJD will not be releasing state priorities for FY 2018 this was unnecessary. The CJAC also opted to change the standardized review of the CJD applications to coincide with the currently approved score sheets. This change highlights the criteria that grantees are evaluated on. Lastly the CJAC elected to include the expanded conflict of interest policy's wording put out by CJD, which states that when a conflict of interest arises the CJAC member will need to exit the room during discussions on any grant application that the conflict of interest pertains to. Ms. Gunn reviewed in detail the updated operating procedures (bylaws) with the Board, as recommended by the CJAC.

Mayor Ricky White moved to approve the PY2018 Grant Program Operating Procedures (bylaws) for the Planning Commission's Criminal Justice Advisory Committee. Mr. Cleo Castro seconded the motion; the motion carried by unanimous vote.

**23. REGIONAL EMERGENCY MANAGEMENT ADVISORY COMMITTEE FY2016 GRANT PROGRAM OPERATING PROCEDURES APPROVAL**

Mr. John Kiehl stated that the Office of the Governor administers both the State's Criminal Justice Grants programs and the State Homeland Security Program (SHSP) grants program. The criminal justice programs are overseen by the Criminal Justice Division (CJD); the SHSP program is managed by the Homeland Security Grant Division (HSGD). In the two years since the SHSP was subsumed by the Governor's Office, there's been a concerted effort made to have both programs mirror the other operationally and procedurally.

With the SHSP, the region is now obliged to follow many of the same grant-making and administrative processes and procedures formerly required only of the CJD program. To a certain extent, this makes sense from an efficiency standpoint. We now use the same electronic grants management system for both programs which has some advantages both in the grant application process and fiscal management of funded projects. Agencies that receive both CJD and SHSP grants only have to master one system to apply for and manage their grants.

For the past two years, the Panhandle Regional Emergency Management Advisory Committee (PREMAC) has been required to develop a PRPC Board-approved set of operating procedures, like has been done for the PRPC's Criminal Justice Advisory Committee for many years prior. Between 2004 and 2014 the PREMAC simply operated on the authorities granted the committee under the PRPC's Administrative Regulation #36. The deadline for the submission of the PREMAC's FY17 operating procedures to the HSGD is October 31.

The PREMAC met on October 18 to consider an update to their operating procedures first developed in 2016. Mr. Kiehl reviewed the PREMAC Operating Procedures in detail with the Board.

Ms. Karen Price moved to approve the FY2017 Grant Program Operating Procedures (bylaws) for the Planning Commission's Regional Emergency Management Advisory Committee. Mr. Cleo Castro seconded the motion; the motion carried by unanimous vote.

**24. 2016 REGIONAL THREAT AND HAZARD IDENTIFICATION RISK ASSESSMENT (THIRA) AND STATE PREPAREDNESS REPORT APPROVAL**

Mr. John Kiehl stated that there are several planning requirements each region in Texas must meet annually in order to remain eligible to receive State Homeland Security Program (SHSP) funding. The first two call for updates to the region's Threat and Hazard Identification Risk Assessment (THIRA) and State Preparedness Report (SPR). This year, both updates are due to the State Administrative Agency (SAA); the agency that administers the SHSP in Texas, by October 31. The third and final prerequisite plan is the Texas Homeland Security Strategic Plan (THSSP) Regional Implementation Plan; which has to be submitted to the SAA by November 30.

The Panhandle Regional Emergency Management Advisory Committee (PREMAC) met on October 18 to finalize the development of the region's 2016 THIRA and SPR. Mr. Kiehl reviewed in detail both reports, the THIRA and the SPR, with the Board as recommended by the PREMAC.

Judge John Howard moved to approve the 2016 Regional Threat and Hazard Identification Risk Assessment (THIRA) and State Preparedness Report as presented. Judge John James seconded the motion; the motion carried by unanimous vote.

25. **FIRST RESPONDER TRAINING SERVICES INTERLOCAL CONTRACT**

Mr. John Kiehl stated that last March, the Board approved a regional project for funding under the FY16 State Homeland Security Program (SHSP) entitled the FY16 Regional Active Shooter Training project. As proposed, the project was to be implemented by the PRPC with the training delivered by Amarillo College. The Homeland Security Grant Division (HSGD) of the Governor's Office, the agency that now administers the SHSP in Texas, recently issued the PRPC the contract for this project. The purpose of this agenda item is to initiate the project's implementation.

Mr. Kiehl reviewed the interlocal contract between the PRPC and Amarillo College for these training services with the Board. The Advanced Threat Integrated Response Course (ATIRC) that would be delivered under this contract is designed to bring regional fire, law enforcement and EMS services together to build an integrated response capability to events involving an active shooter or to some other hostile mass casualty incident. The goal of which is to improve the survivability of victims by getting them stabilized and out of harm's way as quickly as possible. This training will be open to all fire, law enforcement and EMS services in the region at no cost.

Ms. Irene Favila moved to authorize the Executive Director to execute a training services interlocal contract with Amarillo College to provide active shooter training for Panhandle area first responders. Mayor Pat Sims seconded the motion; the motion carried by unanimous vote.

26. **PANHANDLE REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM (PANCOM) TOWER SITE LEASE AGREEMENT**

Mr. Shane Brown informed the Board that since 2009 the PRPC has held a Site Use Agreement with CL&O Translator System for tower space located on the Lipscomb/Hemphill line. This tower was used primarily to link the two counties together by microwave radio for seamless communications as emergency units moved from one county to the other. The other piece of equipment mounted on the tower was a repeater extender that improved radio traffic into a small community called Locust Grove in the Southwest corner of Lipscomb County.

A 99 year ground lease was drawn up in the 70's to provide CL&O Translator a place to erect a tower to provide TV for the rural Northeastern Panhandle and into Oklahoma. The original land owners recently passed away. The heir (who lives in Dallas) believes the tower to be an eye-sore and has demanded that it be removed by CL&O. As you may know, the days of local translator systems are becoming a thing of the past as satellite and cable TV have become more available. CL&O has no choice but to dismantle the tower and due to their limited funding, will not be able to relocate it elsewhere.

As a result, the PRPC is forced to find a new home for the PANCOM microwave and extender equipment. A tower owned by Sand Hills Tower Company is located about 1.5 miles south of the CL&O tower. The owner of Sand Hills has agreed to allow us to install our equipment on this tower for the same amount that we were being charged by CL&O. The lease is inclusive of tower and shelter space and electricity. The first year lease cost for this site will be \$4,200.00.

Mayor Buster Davis moved to authorize the Executive Director to execute a tower site lease agreement with Sand Hills Tower Company for tower space in Hemphill County to serve Panhandle Regional Interoperable Communications System users in the Northeast Texas Panhandle. Mr. Cleo Castro seconded the motion; the motion carried by unanimous vote.

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

- A. PRPC Board Members executed the 2016-2017 membership dues solicitation letters.
- B. Chairman Symons appointed the following individuals to serve on the Executive Committee with himself: Judge John Howard, Mayor Ricky White, Mayor Paul Harpole and Judge Don Allred.
- C. Chairman Symons appointed the following individuals to serve on the 2016-2017 Board of Directors Audit Committee: Mayor Pat Sims, Councilman Bob Gober, Judge Ernie Houdashell, Dr. Bill Hallerberg and Ms. Irene Favila.
- D. Chairman Symons designated Judge Jay Mayden as the TARC voting delegate; with himself, Gary Pitner and Kyle Ingham serving as alternates.

- E. Chairman Symons designated Judge Harold Keeter as the voting delegate to the Corporation for Texas Regionalism Board.
- F. Discussions concerning the establishment of a regular meeting date and time for the 2016-2017 PRPC Board of Directors took place. It was the Board's consensus to continue to hold the PRPC Board of Directors meetings on the fourth Thursday of the month at 1:30 p.m.
- G. Mr. Gary Pitner reported on the results of a report issued by the State Auditor's Office on September 30, 2016 on the Regional Planning Commissions in Texas.
- H. Mr. Gary Pitner announced of the Planning Commission's receipt of the Certificate of Excellence in Financial Reporting from the Government Finance Officer's Association for the PRPC's FY15 Comprehensive Annual Financial Report.
- I. Mr. Gary Pitner reported on the recent and upcoming Planning Commission sponsored regional meetings.

28. **ADJOURNMENT**

There being no further business to come before the Board, the meeting adjourned at 3:25 p.m.

  
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John Howard, M.D., Vice-Chair  
Panhandle Regional Planning Commission  
Board of Directors

ATTEST:

  
\_\_\_\_\_  
Rebecca Rusk, Executive Assistant  
Panhandle Regional Planning Commission