



WCS to pay for election expenses

By SAM KAUFMAN
sam@basinbroadband.com

The commissioners court on Monday approved an agreement for Waste Control Specialists to reimburse the county for costs connected to a May 9 bond election.

If successful, the election would allow the sale of general obligation bonds through the county to fund two landfills associated with WCS' recently-approved low-level radioactive waste disposal license. WCS' parent company, Valhi, would make annual installment payments of \$6.8 million to pay back the projected \$75 million bond debt and interest.

Monday's approved memorandum of understanding calls for WCS to pay up front for costs associated with the election, according to Andrews County Judge Richard Dolgener.

"The commissioners court didn't want the county to pay for the election costs," Dolgener said. "Usually, in these circumstances, the person wanting the bond election pays for it."

The agreement calls for WCS to deposit \$100,000 in a trust account with the county to be used for the reimbursement process, county officials said. County officials believe the election, itself, will run between \$5,000 and \$7,500 to pay for workers and other associated costs.

But more significant costs will come through the county hiring a law firm and financial consultant to prepare documentation in the election process.

The court approved an engagement letter for Fullbright & Jaworski LLP of Dallas at Monday's meeting and previously did the same for First Southwest Company.

The agreement also calls

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for the county to maintain an audit trail of its expenditures and provide WCS with a monthly accounting of payments pursuant to the election costs from the trust account, officials said.

Additionally, WCS will provide additional funding when there is less than \$15,000 in the account, officials said. Dolgener said costs for the law firm and financial consultant are already approaching an amount where WCS will need to add more funds.

"Between the two, a lot of it is already spent," the county judge noted.

The agreement will also include structuring of a sales lease agreement upon the bond passage. Early voting is scheduled April 27 through May 5 at the Community Building, while the regular election is set for Saturday, May 9, at the James Roberts Center. The commissioners court approved to switch the early voting location to the Community Building because the James Roberts Center was already tied up part of that period with an Andrews Art Guild function.

The move will require approval from the attorney general's office, but the matter possibly won't be considered until after the election is staged, officials said. However, the request isn't expected to be turned down, according to a representative from the county's law firm.

If the election is approved, county taxpayers won't be burdened with any bond payback costs, WCS officials said. The company will be responsible for it, they added.

The details of company pledges are also being worked out. WCS officials said the course will likely be a sales/lease back arrangement in which WCS sells some of its assets to the county and leases them back, and lease payments will take care of the bond debt payment.

Also on Monday, the court heard a presentation from Charlene McBride of the Census Bureau. An office in the Midland-Odessa area McBride was representing is responsible for 58 counties in the 2010 census effort, which will soon begin. McBride said census workers with hand-held computers will be out and about beginning in May. This is the first time they'll be using computers and GPS systems that will allow them to program any discrepancies.

Only the short questionnaire form will be used for census purposes this year, McBride said. She also said census numbers will be updated every five years in the future and perhaps every three years before long.

In other business:

-The court approved an amendment to an airport project participation agreement with TxDOT that will save the county five percent in local funding through stimulus package money.

-The court approved a right-of-way easement between the county and COG Operating LLC for a road bore for pipeline boring under County Road SW 3001 and crossing the east section line of Section 6 and the west section line of Section 7 in Precinct 4.

-The court approved the purchase of 2009 Ford Crown Victoria Police Interceptor for the sheriff's department. The county will purchase the vehicle from Philpott Ford through HGAC for about \$23,000.