

Search Begins for Election Admin. Commissioners Agree to Begin Process to Fill Created Post

By Dustin Wright
Sentinel Managing Editor

More than half a year removed from the 2013 fiscal year budget process and four months from the start of Gaines County's fiscal year start, Gaines County leaders are looking to proceed with finding an administrator to oversee the newly created Gaines County Elections office.

Gaines County Commissioners and Gaines County Judge Lance Clander gave Gaines County Clerk Vicki Phillips and Tax Assessor/Collector Susan Shaw approval to begin the search process to fill the position, which will serve as the oversight for all county-overseen election processes.

"This would be a perfect opportunity to begin searching for a person for this position and get them trained before the next (2014 calendar year) election cycle," said Phillips, whose office currently oversees Gaines County's elections process.

Phillips and Shaw, who's county office currently serves as the voter registrar for the county, stated back during the 2013 budget planning process the creation of an County Elections Coordinator/Administrator position would help centralize the elections process for both local voters and candidates.

"There will be a lot of training involved with this position in the beginning, but with the amount of work having to be put in with elections and the constant changes in the election laws, it's hard for our (Gaines County Clerk and Tax Assessor/Collector) offices to keep up, along with our regular workload," said Phillips.

Gaines County Commissioners set aside over \$133,000 within the 2013 fiscal year budget for the County Elections Administration

office, of which includes \$71,000 devoted toward the salaries and benefits of an Election Administrator and an assistant. All other funds for the office within the budget are devoted toward basic office needs and funds for trainings for office staff members.

According to the Gaines County Auditor's Office, just over \$54,000 in county funds were spent in relation to the county elections process.

To fill the proposed position, if adopted as part of the proposed FY 2013 budget, Gaines County officials would have to follow the guidelines of Section 31.032 of the Texas Election Code, which pertains to the "Appointment of Administrator/County Election Commission."

Guidelines for the process are as follows:

The position of county elections administrator is filled by appointment of the county election commission, which consists of:

(1) the county judge, as chair; (2) the county clerk, as vice chair; (3) the county tax assessor-collector, as secretary; and (4) the county chair of each political party that made nominations by primary election for the last general election for state and county officers preceding the date of the meeting at which the appointment is made.

b) The affirmative vote of a majority of the commission's membership is necessary for the appointment of an administrator.

(c) Each appointment must be evidenced by a written resolution or order signed by the number of commission members necessary to make the appointment. Not later than the third day after the date an administrator is appointed, the officer who presided at the meeting shall file a signed copy of the

resolution or order with the county clerk. Not later than the third day after the date the copy is filed, the county clerk shall deliver a certified copy of the resolution or order to the secretary of state.

(d) The initial appointment may be made at any time after the adoption of the order creating the position.

To be eligible for appointment as county elections administrator, a person must be a qualified voter of the state, according to state law.

In addition, a county elections administrator may not be a candidate for a public office or an office of a political party, hold a public office, or hold an office of or position in a political party. At the time an administrator becomes a candidate or accepts an office or position in violation of this subsection, the administrator vacates the position of administrator.

In the event the position is not approved by, or is approved and later abolished by Gaines County leaders, the Commissioners Court, by written order, may abolish the position of county elections administrator at any time.

After the effective date of an order abolishing the position of administrator, the county tax assessor-collector is the voter registrar, and the duties and functions of the county clerk that were performed by the administrator revert to the county clerk, unless a transfer of duties and functions occurs under Section 12.031 or 31.071.

Along with overseeing voter registration and the elections process for Gaines County and Gaines County's Democratic and Republican Party elections, county leaders are hoping the new position will also oversee the election's

process for several Gaines County municipalities. Those municipalities include the Loop Independent School District, as well as the Llano Estacado Water Conservation District.

Bill Filed to Limit Citizen Challenges to Andrews Co. Waste Disposal Site

By Forrest Wilder
Texas Observer

AUSTIN — Citizen challenges to an Andrews County radioactive waste dump owned by Dallas billionaire Harold Simmons (and Dallas' most evil genius) would be limited under legislation filed by state Rep. Drew Darby (R-San Angelo).

It's the latest in a long string of favors making life a little easier for Waste Control Specialists, the Simmons-owned company behind the burgeoning Andrews County dump. Darby's House Bill 1653 is a grab-bag of measures that would put up roadblocks for groups or individuals challenging the company even as it allows Waste Control to bring in "hotter" waste.

"It guts the protections that assure citizens get a fair hearing on any changes in the radioactive waste dump," said Tom "Smitty" Smith of Public Citizen.

Darby's chief of staff, Jason Modglin, however, characterized the legislation as streamlining a burdensome process.

"I think the larger theme is that we've moved past construction, we've opened the facility, we've had a few months of operation to see what works," he said.

In the last two years, Waste Control's PAC has given Darby \$20,000.

Darby's bill would bar people from other states from challenging Waste Control's licenses, even though Eunice, New Mexico is the closest town to the dump. Rose Gardner, a florist, has been a long-time opponent of the dump, arguing that it puts the health of the town at risk.

"They are not any less affected because they're on the other side of the border," said Marisa Perales, an Austin attorney who represents the Sierra Club. "I just can't imagine what the justification is."

Modglin said he didn't see any reason why people from New Mexico should be entitled to a contested case hearing at the Texas Commission on Environmental Quality.

"It's a Texas facility and TCEQ

is not a national body," he said. "It's a Texas body." However, the standard used by the agency—a person potentially affected by a polluter—says nothing about whether an individual resides in Texas.

The bill would also take away the three TCEQ commissioners' authority to call for "public comment or hold a public hearing" on Waste Control matters deemed "minor."

The bill would also allow Waste Control to keep operating even if a court were to order TCEQ to reconsider its license. The legislation appears aimed at an ongoing Sierra Club lawsuit. Sierra Club contends that TCEQ improperly denied the organization and several of its members in West Texas and eastern New Mexico the opportunity to challenge one of the dump's licenses through the contested case hearing process. Environmentalists and a group of state geologists and engineers have long contended that the dump is dangerously close to water tables that may even be linked to the Ogallala Aquifer.

In 2009, TCEQ decided to issue Waste Control a license to bury radioactive waste from the federal government as well as nuclear-waste generators in Texas and Vermont. (Waste Control later successfully lobbied regulators to open the dump

to dozens of other states.)

Last summer, a Travis County judge agreed with Sierra Club that TCEQ should've given the organization a chance to challenge the license before it was issued. The decision is on appeal. Under current law, if the courts order TCEQ to allow a contested case hearing—basically an administrative trial—Waste Control would have to stop accepting radioactive waste, according to Perales. Darby's bill would allow the company to keep operating regardless.

Waste Control would also be allowed to bring in "hotter" radioactive waste from out of state each year. The legislation allows the company to bury 220,000 curies of waste—a curie is a measure of how radioactive something is—instead of the current limit of 120,000 curies. "The upshot of this is that it allows the dump to be quickly filled by highly profitable radioactive materials from out of state," said Smith, "enriching Harold Simmons now. As a result when we need the dump 30 years from now for the South Texas Project nuclear reactor or the Comanche Peak reactor, there won't be space."

Modglin said the provision is just to allow for "operational flexibility" and the annual limit "doesn't affect" the overall cap of 3.9 million curies.

EMS Continues 'Morning Call' Program

Do you know of someone who is a widow/widower/shut-in couple who may need regular checking?

The Seminole EMS Dept. may be able to assist through their "Morning Call" service.

Created in the 1980's, "Morning Call" is a program in which members of the Seminole EMS Dept. make routine morning telephone calls to widow/widower/shut-in couples in and around the Seminole community, who may not have any other local, personal contacts with family members or others.

"The purpose of the program is to make sure (widow/widower/shut-in couples) are checked on, on a daily basis, just to ensure they are doing okay and aren't in need of any medical attention," said Bryan Taylor, Director of the Seminole EMS program.

Eligible persons for the program must reside either within the Seminole city limits or within a four mile radius of Seminole.

Candidates who are interest in the program may contact the Seminole EMS Dept. at (432) 758-8816 for application.

The application process includes an in-home interview between the candidate(s) and EMS personnel, in which some information -- such as emergency contact numbers, a listing of medications and existing medical conditions -- will be gathered.

For more information about the program, contact the Seminole EMS at (432) 758-8816.

Gaines County Sporting Events

March 1

SHS Tennis Team @ Regional Team Tournament, Odessa

SHS Track Team @ Pecos Meet in Pecos

SHS Indian Golf @ Monahans Invitational (Varsity and JV @ Ward County Golf Course Monahans

SHS Maiden Golf @ 3-A Regional Preview @ Shadow Hills Golf Course Lubbock

Varsity Indian Baseball hosting Seminole Tournament

JV Indian Baseball hosting Seminole Tournament

JV Maiden Softball hosting Seminole Tournament

Varsity Maiden Softball hosting Seminole Tournament

March 2

SHS Tennis Team @ Regional Team Tournament, Odessa

SHS Indian Golf @ Monahans Invitational (Varsity and JV @ Ward County Golf Course Monahans

SHS Maiden Golf @ 3-A Regional Preview @ Shadow Hills Golf Course Lubbock

SHS Powerlifting @ THSWPA Region 1 Regional Meet Fort Stockton High School

JV Indian Baseball @ Lamesa Tournament, Lamesa

Varsity Indian Baseball @ Lamesa Tournament, Lamesa

JV Maiden Softball hosting Seminole Tournament

Varsity Maiden Softball hosting Seminole Tourmanet

March 4

JV Indian Baseball vs. Lovington (Game #1 5:00, Game #2 7:00) @ Seminole

March 5

JH Tennis Team vs. Monahans @ Seminole

Varsity Indian Baseball vs. Lovington @ Lovington 7:00 p.m.

Varsity Maiden Softball vs Hobbs @ Seminole, 5:30 p.m.

JV Maiden Softball vs. Hobbs @ Seminole, 7:00 p.m.

Be Sure To Watch The
Seminole Sentinel for
Indian Basketball
Playoff Information



Pate Trucking Co., Inc.

758-2166 Mobile: 432-209-1344

Denver City, Tx.
Hobbs, NM

Seminole, Tx.
Eunice, NM



http://championshipphotos.dotphoto.com