

## BAND GOES TO CONTEST



Brackett Tiger Band contestants: Anabell Reyes, Betha Reyes, Ruben Esparza, Virginia Esparza, Julia Esparza, Mario Exparza, Ana Esparza, Kristy Leverrett, Kim Leverrett, John Sheedy, Troy Sheedy, Mary Watson, Ricky Flores, Blasa Flores, Luis Flores, Ben Fuentes, Lisa Fuentes, Joe Cruz, Gracia Cruz, Terry Fisher, Laura Perry, Vicky Jaso, Juanita Jaso, Venita Gum, Mario Martinez, Mike Schwandner, Kim Trant, Leonardo Gomez, Mary Gomez, Arthur Goodloe, Kim Baxter, Al Pena, Oscar Pena, Danny Pena, Martina Valdez, Manuel Garcia, Curtis Kral, Ralph Longoria, Patty Longoria, Flavio Talamantez, Staci Sorrells, Patty Samaniego, Silvia Gutierrez, Elida Gutierrez, Nellie Saenz, Mindy Wills, Cathy Wills, Elia Estrada, Mona Sandoval, Lou Ann Lindeman, Margaret Starzel, Connie Pearson, Lisa Pearson, and Lisa Schafer. Some members of the Brackett Tiger Band were not available for pictures.

Nineteen groups of the Brackett Tiger Band, directed by Leo Lugo, will be competing in the Region XI Solo-Ensemble contest in Hondo on Saturday, February 5.

Included in this group are:

- 4 Flute Trios, 4 Saxaphone Quartets,
- 1 Clarinet Trio, 3 Clarinet Quartets,
- 4 Cornet Trios, 1 Percussion Ensemble, and 2 Snare Drum Solos.

## GOMEZ FUND

We thank everyone for their donations to the Lucio Gomez, Fund Drive, which has reached the \$408.00

If anyone would like to donate, you may leave it at the Kinney County Land Company's office.

## POSTELL ANNOUNCES CANDIDACY



Albert A. Postell announced to the Cavalryman this week that he will be a candidate for County Judge in the up-coming election next year.

Postell is past-president of the First State Bank where he was employeed for 32 years.

Postell stated, "In addition to having the business experience of running a financial institution at a profit for a number of years, I have also served as a Justice of the Peace in Kinney County for 21 years; holding this post longer than any JP in the county. This gives me the experience with the law in addition to my business experience that should be required to properly run our county."

Postell also cited his four years on the City Council, 20 years as a volunteer fireman, chairman of the United Fund, Easter Seals, Muscular Distrophy,



P.O.Box 735 Brackettville, Texas 78832 Phone: 563-2696

..... Publisher J. George Loos, Jr..... Editor Vicki Howard ..... Assistant Editor Joe Townsend ...... Contributing Editor Lillie Mae Dimery ...... Contributing Editor Holly Jones ..... ..... Production Susan Whitworth ..... Production Kathy Gulick .... Photo Technician

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## YOUR REPRESENTATIVE REPORTS:

By: SUSAN GURLEY MC BEE

AUSTIN--Rep. Susan McBee of Del Rio and Rep. Joe Hubenak of Rosenberg have been named to the Rural Development Committee of National Conference of State Legislators by House Speaker Bill Clayton.

Clayton said the two Texas representatives were named to the task force because of their interest and involvement in the national policies considered by this committee. Hubenak is Chairman of the House Committee on Agriculture and Livestock and was also on last year's development task force. McBee also serves as a member of the Agriculture and Livestock Committee.

The group will review rural development and agricultural programs; and the rural implications of many topics including: rural housing and health programs, increased employment opportunities and transportation facilities in rural areas, and the economic and ecological trade-offs of the industrial development.

The first meeting of the committee will be March 4-5 in Washington, D. C.



Band Boosters' meeting Monday February 7th at the HE Cottage. Everyone welcome.

## HAPPY BIRTHDAY

February 5--P.H. Coates, III February 6--George W. Herndon Ramona Falcon J. W. Stone, Jr. February 7--Richard Frutos

Richard Olvera February 9--Chuck Sweet February 10 -- Charles Hall

Tammy Lewis February 11--Carolyn Liel Robby Latham Ronnie Latham

Kinney County 4-H Club will represent the county in the District 13 4-H Food Show, February 19 in Uvalde. Cindy Meyer will compete in the preteen division (9-10 year olds); Seth Kaplan, Joel Voss, Warren Voss, and Wayne Ragsdale, the junior division (11-13 year olds); and Kim Baxter, Kaye York, Kimberly Trant, will be entered in the senior division (14-19 year olds). These 8 were chosen winners in the Kinney County 4-H Food Show held Friday, January 28 at the Brackettville Civic Center.

Following the Food Show theme "Gourment Foods," the 8 4-H'ers exhibited their edible creations in four food classes -- main dishes, side dishes, breads and desserts, and snacks and beverages.

"Serving as judges were Mrs. Sharon Abbey, Mrs. Ladye Harris, Roy Jay Harris of Del Rio and Mrs, R. J. Everett of Pandale. They interviewd each participant to determine their knowledge of nutrition, understanding of the management

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## BETWEEN US by: JOE TOWNSEND

The other evening I was driving just under the speed limit coming out of Del Rio when I noticed in my rear view mirror a government vehicle coming at a very high rate of speed. I had pulled into the outside lane to be free from interference with traffic turning into Laughlin. This government vehicle passed me on the inside lane never slowing an iota at the Laughlin exit. I was soon to see he was in a rush to stop and shine his lights to check for extra curricular riders on a freight train. The driver would doubtless have explained, "I'm just doing my job." It occurred

to me that Federal directives called for maintaince of a 55 mph speed limit on all government vehicles. I'm sure this would not apply to "Emergency" runs. This man was in a hurry to catch the train. He could have been in place earlier except for either personal negligence or lack of coordination in his job structure. To me failure in this realm does not justify radical ciolation of the speed limit. That it was not an "emergency" run was evidenced by even the lack of a red light on the vehicle. He was not even blinking his emergency flashers. Doubtless had he passed a Highway Patrolman he would not have been stopped because of a "gentle mens" agreement which apparently exempts any law enforcement officer from being stopped by another. It seems to me that if any person would be meticulous in observance of the laws of the land it should be those in law enforcement. I am constantly amazed at knowing violations of law by law enforcement officials. readily admit there are too

many laws and many are foolish

(like the 55 mph speed limit)

but they are the law and if a man is charged with enforcing the law he should be meticulous in his observance of the law. It seems in this professions, as in general life, it's not a matter of what the law says but what one can get by with.

## LIBRARY NOTES

Through the courtesy of our State Representative, Susan McBee, the library is receiving the House Journal.

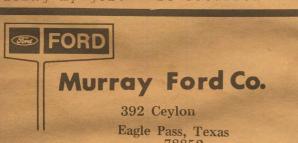
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continued from page 2

principles concerning the dish prepared, and personal growth and development attained from participating in the 4-H Foods and Nutrition Project, Miss Becky Rogers, County Extension Agent-at-Large, explained. "Quality, texture, taste, temperature, color, flavor, aroma, and appearance were criteria for judging along with the appropriate and attractive serving of the dish."

Kimberly Baxter presided at the awards program when Kevin Kaplan welcomed the 25 parents, relatives, and friends. Andrea Garcia led the 4-H Motto and pledge, Seth Kaplan read the Objectives of the 4-H Foods and Nutrition Program, Wayne Ragsdale introduced the judges and Warren Voss recognized the project

Ribbon award Winners were as follows:

Cindy Meyer Pre-teen Blue Ribbon, Andrea Garcia Junior Red Ribbon, Jeffery Ragsdale Junior Blue Ribbon, Seth Kaplan Junior Blue Ribbon, Warren Voss Junior Blue Ribbon, Wayne Ragsdale Junior Blue Ribbon, Joel Voss Junior Blue Ribbon, Kevin Kaplan Junior Blue Ribbon, Kimberly Baxter Senior Red Ribbon, Kimberly Trant Senior, Blue Ribbon, and Kaye York Senior Blue Ribbon.

Winners of the door prizes were Kaye York, Kimberly Trant, Kim Baxter, Joel Voss, Seth Kaplan, and Wayne Ragsdale. They each won a kitchen utensil donated by Foley Manufacturing Company of Minneapolis, Minnesota.

Following the awards program a Tasting Tea was held at which recipe books were handed out.

Serving as 4-H Foods and Nutrition Project leaders this year were Miss Kaye York, Ms. Rachel Daniels, Mrs. Barbara Voss, Miss

Kimberly Trant, and Miss Veronica Flores. Mrs. Rachel Daniels served as chairman of the County 4-H Food Show. Mrs. Barbara Voss was the official score tallyer. Because they play the lead role in conducting the 4-H project, the Agent commended the leaders on their fine cooperation and

Kinney County 4-H Food Show is sponsored by the Texas Ag. Extension Service in cooperation with Morrison Milling Company.

Texas Ag. Extension Service Programs are open to all, regardless of race, color, creed, sex religion, national. origin or socio-economic levels.

## JOHNSON NAMED TO DEAN'S LIST

Bart Johnson, son of Mr. and Mrs. Bill W. Johnson, qualified for the Dean's Honor Roll at Texas A&M University for the 1976 fall semester.

To qualify for the Dean's List, a student must have good grades, leadership ability, and personal integrity.

Bart, a student in the college of Engineering, was also notified that he had been designated as a Distinguished student by the University. A senior at A&M, Bart plans to be an engineering specialist.

## BRISCOE TO MEET WITH C

Gov. Doplh Briscoe is the keynote speaker at the 25th joint meeting, February 6-8, of the Texas Federation of Cooperatives, Houston Bank of Cooperatives and Texas Cooperative Ginners Association in San Antonio.

Gov. Briscoe is to speak during the morning session, February 7, in the San Antonio Convention Center.

Registration begins February 6 at 1 p.m., ending at 5 p.m., in the Mission Room oyer of the Convention Center. Also, registration will be held from 8 a.m. to 2 p.m., February 7.

The Texas Federation of Cooperatives and Texas Cooperative Ginners Association are the trade associations of the 500 farmer-rancher owned cooperative corporations headquartered in Texas. Products handled and

services performed by these agricultural cooperatives include cotton gins, cotton oil mills, cotton compresses, cotton marketing, milk, peanuts, planting seed, fruits, and vegetables and farm supplies.

The Houston Bank for Cooperatives is one of the three Farm Credit Banks in Texas, and is wholly owned and capitalized by Texas agricultural producers. Last year the bank made loans totaling more than \$200 million to Texas agricultural cooperatives.

Following the general session February 7, boards of the respective associations will meet separately.

The annual stockholder's meeting of the Houston Bank for Cooperatives will begin at 8:30 a.m., February 8 in the Mission Room of the Convention Center.

Among the activities will be a skit, "Roberts Rules in Disorder or How to Misconduct a Cooperative Board of Directors Meeting.

During the general session that afternoon, a panel discussion, "How Much Is My Part?" will be held.

The Silver Anniversary joint meeting will end with a dance in the banquet hall of the Convention Center.

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## "SUNSHINE" LAWS ENDANGERED

In 1973 the "reform" Texas Legislature passed House Bill 3, the Texas Open Meetings Act, and House Bill 6, the Texas Open Records Act. Together, they changed the face of government in Texas, making government more responsive and accountable to taxpayers. Secrecy became the exception rather than the rule.

In fact, after studying "sunshine" laws across the country, the Southern Governmental Monitoring Project of the Southern Regional Council issued a report citing the Texas open records and open meetings laws as giving Texas on of the most comperhensive frameworks for open government in the country

Now, several lobbying organizations and legislators are threatening to weaken those important laws.

1. OPEN MEETINGS

February 4, 1977

The Texas Municipal League, a lob-bying organization for local government officials, wants to remove the "conspiracy" clause from the open meeting law.

The Open Meetings Act provides that it is a misdemeanor to call, close, or participate in an illegally closed meeting OR to "Conspire to circumvent the provisions of the Act by meeting in numbers of less than a quorum for the purpose of secret deliberation in contravention of the Act."

2. OPEN RECORDS

Sen. Ike Harris of Dallas has introduced two amendments which would close up access to governmental records. Th first, SB263, would allow a governmental body to charge the public for access to governmental records. Charges for such access are to be determinded solely by the agency itself, taking into account salaries, equipment expense, and reproduction costs.

Presently, the law only allows agencies to charge for reproducing copies. The State Board of Control has determinded that a "reasonable" charge is \$.55 for the first page of a document and \$.15 for each succeding page. Common Cause feels that even that price is a little high, considering the fact that neighborhood print shops can make a profit charging less per copy.

However, the Harris proposal will allow an agency to charge merely for looking at a document. Sec. 6252-17 (a) would be amended to read that "a

governmental body may charge a person requesting public information the actual cost of providing access to the information. Costs shall be determined as accurately as possible, considering, for example, salaries of personnel, equipment maintenance, and reproduction cost." This would be a very undesireable change because it would make monitoring government records prohibitively expensive.

Apparently, somebody has decided that while a frontal attack on open government may be unsuccessful, they may succeed in fixing it so that the only ones who can benefit from "openness" are the wealthy.

Sen. Harris has also introduced another amendment (SB 262) which would make the audit working papers of all governmental bodies closed. Presently only the audit working papers of the State Auditor are closed.

Common Cause does not think that the extension is justified. In fact, we think that the current exemption for the State Auditor should be deleted.

There is currently no way for the public to monitor the work of the tax-paid auditor. There is plenty of evidence that the public needs to be able to better scrutinize the State Auditor's work. Recent allegations of mishandling of funds in the office of the Senate Secretary is only the most recent example of the failure of the State Auditor to catch mismanagement of tax dollars. Another is the scandal of the mortage negotiated by the State Bar for its new Law Center when it did not have the power to enter into state debt.

There are already exemptions in the law for intra-agency memoranda and protections against invasions of privacy. Therefore, we think a very good case can be made that audit papers deserve no exemption from public scrutany. At the very least, we should have a better understanding of what audit work papers are in a governmental context before they are excluded from public view. Perhaps with better public scrutiny, government accounting firms.

The penalty for both

The penalty for both violations is a fine of not more than \$500 and/or imprisonment in the county jail for not more that six, (6) months.

It is the second penalty which is addressed in aproposed amendment by the Texas Municipal League. The TML proposes to repeal that section entirely.

Common Cause is strongly against such a proposal. The importance of the public's business being conducted in the public warrants strong language to provide incentive for public officials not to even think of trying to meet in closed sessions.

Without Sec. 4(b), Art. 6252-17, V.T.C.S. (the comspiracy section), the public has no remedy for officials who secretly meet in numbers of less than a quorum, hammer out important decisions behind closed doors, and then meen tin a public meeting for a pro forma ratification of decisions they have already made in secret. Without Sec. 4(b), their gathering is not a meeting under the law's definition; therefore, they have not violated it.

The TML cites certain ambiguities in the conspiracy section as grounds for it repeal. The ambiguity lies with the use of "meeting" in the law as both a verb and a noun. This could be cleared up with a simple amendment to substitute other words for the word "meeting" in Sec. 4(b), if the TML were serious in their concern. We fear that they are not. Deleting the entire phase is more like cutting off a leg to cure a sore toe. We suspect the only ones with a "sore toe" are TML's lawyers, quibbling about the nuances of word meanings as they go in circles.

Continued on page 7



Friday, November 19, 1976

Jim Fain, Publisher Ray Mariotti, Editor

# Open meetings endangered

For reasons difficult to understand, the Texas Municipal League wants to take the teeth out of the state open meetings law.

The TML wants removal of the conspiracy clause of the law. The organization apparently feels elected officials ought to be able to discuss public business informally without violation of the law.

The conspiracy clause is part (b) of a twopart "Violations and Penalties" section. It states:

"Any member or group of members of a governing body who conspire to circumvent the provisions of this Act by meeting in numbers less than a quorum for the purpose of secret deliberations in contravention of this Act shall be guilty of a misdemeanor and on conviction is punishable by a fine of not less than \$100 nor more than \$500 or imprisonment in the county jail for not less than one month nor more than six months or both."

One might quarrel with the inelegant language of the clause, but its meaning is per-

fectly clear: Elected officials can't huddle in small groups secretly to discuss the public's business.

The law does not prohibit prayer breakfasts or Christmas parties or other non-public activities, and goes to some pains to say so in the first section of the act.

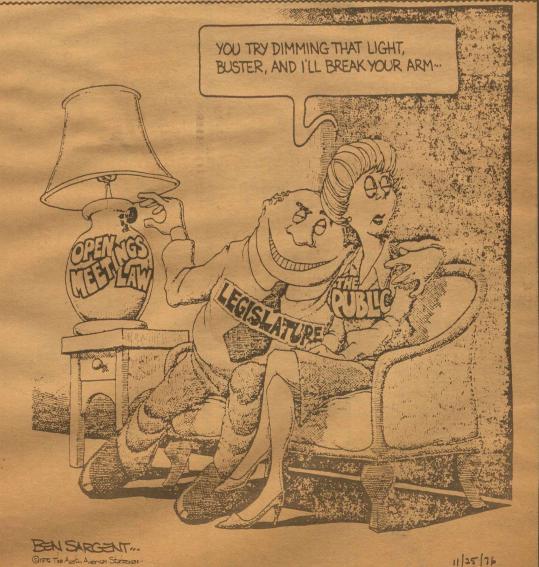
If the TML is worried about the word "conspiracy." it is a legal word, generally defined as an agreement to commit some offense combined with an overt act in furtherance of the offense contemplated.

The conspiracy clause is in the law to force public officials to keep the public's business public. If its existence irritates some public officials — and the TML's opposition is a sign that it does — that simply proves the law is working the way it should.

Without a conspiracy clause, city councils and other bodies would have an easy time keeping the public at bay. All they'd have to do to have secret meetings is avoid a quorum

The TML is the creature of the incorporated cities. One of those cities is Austin, governed by a council with a pretty good record for open government. Austin, and other TML members, should demand the TML back off, fast. Mayor Jeff Friedman, a member of the TML board, said he does not support the TML in this matter, and that is good to hear.

If the TML persists and finds a sponsor for its proposal, it should be beaten down by legislators who remember the open meetings law was strengthened for one reason: Public access to government.



# the (inney Car ally man

# BASKETBALL

CUBS 30 - Rocksprings 26

JR. HIGH

CUBBETTES 30 - Rocksprings 26

Scorers: Patty Hernandez Beatrice Garcia Martha Tovar

CUBS 41 - Rocksprings 28

Scorers: Roman Saenz Arthur Goodloe 13 Richard Martinez Albert Fuentes Jim Lindeman David Koch

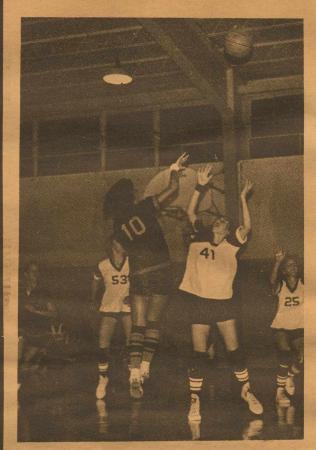
HIGH SCHOOL TIGERS 66 - Lytle 48

Scorers: Tony Samaniego Mark Veltmann Tony Koch Pat O'Rourke Nelson Payne Bernie Cervantes

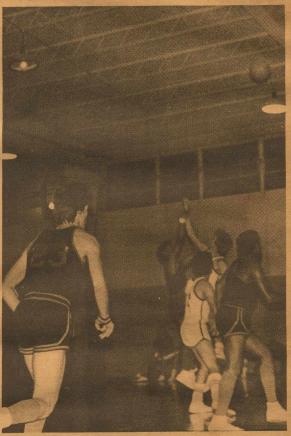
TIGERETTES 56 - Lytle 51

Scorers: Betty Meyer Monica Benites 10 Maxine Meyer Martha Martinez

## BHS Roundballers In Action



Betty Meyer, Brackett Tigerette, up for two in the game against Dilley,



Tony Samaniego, Brackett Tiger shoots two points with Bill Pratt and Walter Goodloe look-



Mark Veltmann stretches for a two pointer in the game against Dilley last week.

BOSS SEZ NOTHIN'IS IMPOSSIBLE. HE KIN ALLUS FIND SOME-BODY TO DO IT.

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# the (inner Caralty in an

by: JOE TOWNSEND

Time is drawing short for planting trees. Many trees are trying to bud out. Peach trees of some varieties are blooming. Many of these orient to the season by the length of daylight hours irrespective of temperature. Whatever the cause of the awakening of the tree it is fatal to wait too long to move the trees. Very few trees can successfully be moved after the leaves come out on the trees. There are exceptions but even these need extra care. There is small likelihood of any fruit on fruit trees planted this late but they can begin growing toward a crop next year. It's impossible to over emphasize the need to select trees that suit the climate of the area. Apple trees for example make nice shade trees but don't count on apples, even with a winter like this. Pine trees are beautiful in East Texas or the mountains, but don't count on listening to the evening breezes whispering through the needles of the tall pines you'll grow in this area. Satisfy that longing by an occasional trip to the piney woods. There are many beautiful trees that will grow here and its more satisfactory to adapt ones taste than to be frustrated in trying to

change nature.

"NUFF SAID

"DUDE" PURKEY SEZ

HE AIN'T NO COWARD

HIS FEET JUST GOT GOOD JUDGEMENT.

Continued from page 5

Judges and plain folks will have no difficulty understanding what Sec. 4 (b) means. It means that government officials can't close up meetings over the technically of whether or not there is a quorum present.

There is absolutely no evidence that this section has caused government officials any problems. We know of no one who has been hauled into court for a meeting over a cup of coffee. Meanwhile, the conspiracy clause stands as a guardian and a warning that the public's business will be conducted out in the openwith no ifs, and, or buts about it.

Rep. DeWitt Hale of Corpus Christi is also urging that the list of exemp tions formthe open meetings requirement be lengthened, The law currently outlines eleven basic instances when governmental bodies may close their meetings, including discussions with personnel, grand jury deliberations, and discussions about the pur chase of property, to name a few.

Increasing the exemptions list is not necessary. As matter of fact, the state of Flordia operates nicely with no exemptions at all from the open meetings law. "No Problems," says its Lieutenant Governor.

Also , Rep. Hale has led one assualt on the open meetings law this session, when he pushed for a House rule which would have allowed for closed House committee sessions simply upon a motion of the House... The attempt failed when the House leadership was forced to compromisethe new rule now requires the closed meeting proposal to be a resolution, which must be sent through the committee process and voted on in a record vote. Common Cause feels that if this is ever attempted, it will still violate House Bill 3 as passed in 1973, and we intend to challenge it in court.

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# BY THE SKY PILOT

A man walked into the shop this week and asked to use my telephone. He remarked that he was out of gas. It turned out he had walked 3 miles into town. He said he had tried for a good while to contact a CB base but couldn't get one so he thought there must not be one in town. is regrettable. Had there been a bad accident at the same place he ran out of gas someone would have had to walk to town to call an ambulance, Not a car had passed going in either direction as he walked in. At one time there was initiated a movement to insure that there would be a base station to be monitored 24 hours a day. Since then there have been those who loudly proclaimed they would keep their bases open to respond to calls for assistance. The network was never formalized for one simple reason. There was so much bigotry and jealousy among base stations that problems surfaced immediately. Some said "If so and so is in, I'm out." Others said the same thing about them. It boiled down to 2 things.

Accusations of inconsiderate use of CB bases (which no one could deny) and jealousy over who could claim the limelight. As long as such realities exist there is just no way to have a coordinated effort. The make such a network effective is an honest desire to help anyone in need, without regard for personal glory or personal sacrifice. Such a network is needed and could be most helpful. It needs to be a coordinated effort with 24 hours a day monitoring. But as long as some feel their base is "better" than anothers or want to "go it alone" or work only with two or three "cronies"; as long as there cannot be a solid "team" effort, I guess those who run out of gas will just have to walk to town and if emergencies arise at certain times the use of "horse" and "buggy" methods must suffice. This is KOH 4856--the Sky Pilot from that Brackettville town saying "Have a good trip all the way to the end of the line--Keep your channel open to the One upstairs. We'll catch you on the back stroke. Till then we'll be 10-10 and 10-8 on this channel.



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Modern, 4 year-old, 3 bedroom, 13/4bath, car garage, carpeted, excellent condition, 33/4 lots, excellent location. 563-2509.

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Will do housekeeping and/or babysitting, part-time basis, \$2.00 per hour. Contact: Martha Mastro, 563-2213, after 6:00 p.m.

Caretaking and maitenance of Hunting Lodges and Vacation Homes. Allen Breaux, Box 758, Brackettville, Texas

Fort Clark Municipal Utility District is now taking position applications for the position of Secretary-Bookkeeper starting salary is \$3.00 per hour.

Please apply for the above position in the Fort Clark Springs Association Business Office. Applications must be in by February 20,1977

Plumbers, Electricians, Brick layers, and general construction people are needed to work in the building of the new Brackettville First State

Bank, if interested call or write: Burden, Click, Inc., P.O.Box 29465, San Antonio, Texas 78229. 512/344-9866.



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(except Wednesday)

6:30 p.m. September thru April 7:30 p.m. May thru August

CONFESSIONS ARE HEARD

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SUNDAY

CHURCH TRAINING SUNDAY SCHOOL (all ages) 10:15--11:00 a.m.

9:30---10:15 a.m.

MORNING WORSHIP

11:00 - 12:00

EVENING WORSHIP

7:00 -- 8:00 p.m.

WEDNESDAY BIBLE STUDY AND PRAYER 7:00 -- 8:00 p.m.

CHURCH OF CHRIST

SUNDAY SCHOOL MORNING WORSHIP EVENING WORSHIP

WEDNESDAY SERVICES

9:30 a.m. 10:30 a.m. 7:00 p.m.

ST' ANDREWS' EPISCOPAL CHURCH

HOLY COMMUNION & SERVICE 8:15 a.m.

REV. MILTON BROWN

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CHURCH SCHOOL

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