

**NOTICE OF MEETING OF THE**  
**COMMISSIONER'S COURT OF BOWIE COUNTY, TEXAS**

Notice is hereby given that a regular meeting of the above named Commissioner's Court will be held on the 13<sup>th</sup> day of August 2012 at 10:00 A.M. in the County Courthouse, New Boston, Texas, at which time the following subjects will be discussed to-wit.

- I. Preliminaries
  - 1. Invocation
  - 2. Pledge of Allegiance
  - 3. Announcements

- II. Agenda
  - Call to Order

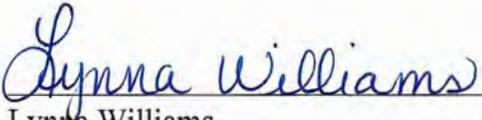
Filed For Record In:  
Bowie County, Texas  
Denise Thornburg  
County Clerk  
On: Aug 10, 2012 at 09:14A

- 1. Public Comments – public comments shall be limited to 3 minutes per presenter, who submitted a public participation form at least 15 minutes prior to the start of the meeting. Comments must be pertinent to an agenda item or an area for which the Court has jurisdiction. The total amount of time that is allocated is 30 minutes for all comments.
- 2. Commissioner's Court response to the Public Comments.
- 3. Bring back to the table bids for Transport for forensic autopsies.
- 4. Consider and take action re: bids for forensic autopsies.
- 5. Hear report from Bowie County 4-H re: trip sponsored by Commissioners – Cherrie Curtis.
- 6. Explore options and take possible action for opening Bowie Parkway without creating a financial burden on Bowie County taxpayers – Judge Lacy.
- 7. Consider and take possible action re: future costs to Bowie County taxpayers if Commissioner's Court accepts easement of Bowie Parkway – Judge Lacy.
- 8. Consider and take action to accept Right of Way Easement and Road Dedication for Bowie Parkway – Pat McCoy.
- 9. Consider and take possible action re: OEM's recommendation for declaring a partial or full burn ban or a burn advisory.
- 10. Consider and take action to abandon dedicated road in Precinct 2 and advertise for bids to sale – John Addington. Copy of legal description is attached.
- 11. Report from Boyd London of First Southwest re: Hwy 82 Bond issuance.

12. Update Report from Open Government Advisory Committee – Carl Teel.
13. Report from County Judge re: progress of work on 2012-2013 Bowie County budget and appointment of Budget Advisory Committee.
14. Consider and take possible action to approve the 2013 Sheriff's and Constable's Fees – Denise Thornburg.
15. Consider and take possible action to approve requested budget amendments for FY2011 – 2012.
16. Consider and take action re: payment of accounts payable.
17. Consider and take action to approve or to amend minutes as an order of the court.
18. Consider and take action to accept resignation of Commissioner John Addington and to declare the position of Bowie County Commissioner Precinct 2 vacant – Pat McCoy.

III. Adjournment

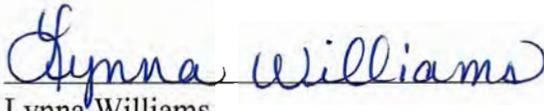
For COMMISSIONER'S COURT

  
Lynna Williams  
County Judge's Office

This Notice of Meeting was posted in the locked bulletin board located on the first floor of the west side of the Bowie County Courthouse and on the inside facing outward of the north window of the Bowie County Courthouse, readily accessible to the general public at all times, on the 10<sup>th</sup> day of August, 2012 at 10:00 A.M. and remained posted for at least 72 hours preceding the scheduled time of said meeting.

Any invocation that may be offered before the official start of the meeting of the Court shall be the voluntary offering of a private citizen, to and for the benefit of the Court. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Court and do not necessarily represent the religious beliefs or views of the Court in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Court.

Dated the 10<sup>th</sup> day of August, 2012

  
Lynna Williams  
County Judge's Office

**COMMISSIONER'S COURT MINUTES  
AUGUST 13, 2012**

**BE IT REMEMBERED, that on this 13<sup>th</sup> day of August, 2012, the HONORABLE COMMISSIONER'S COURT of Bowie County, Texas met in REGULAR SESSION at the Courthouse of said County in New Boston, Texas after due notice had been posted on the 10<sup>th</sup> day of August, 2012 with the HONORABLE JUDGE STERLING LACY present and presiding with the following Commissioners being present.**

<b>Jack Stone</b>	<b>Commissioner Pct. #1</b>
<b>John Addington</b>	<b>Commissioner Pct. #2</b>
<b>Kelly Blackburn</b>	<b>Commissioner Pct. #3</b>
<b>Pat McCoy</b>	<b>Commissioner Pct. #4</b>

**Also in attendance were the following County Officials: Auditor William Tye, County Clerk, Denise Thornburg, County Legal Advisor Carol Dalby and the following staff members also present on the dais: Assistant Lynna Williams.**

**There was a Public Hearing, which started at 10:03 A.M. regarding County Official's budgets not previously submitted-County Judge, Probation Department-Juvenile and Personal Bail Bond, Commissioners-Pct. 1, Pct. 2, Pct. 3 and Pct. 4. Everyone in attendance was asked to sign a sign-in sheet and after public comments and questions were heard, the hearing was closed at 10:13 A.M.**

**There was a Public Hearing, which started at 10:13 A.M. regarding the abandonment of a road in Pct. 2. Everyone in attendance was asked to sign a sign-in sheet. Mr. Al Hoehn, one of the property owners spoke to the Court expressing his concerns and after additional public comments and questions were heard, the hearing was closed at 10:21 A.M.**

**PRELIMINARIES**

**In accordance with the Bowie County official policy on meeting Invocations, County Judge Sterling Lacy read the following statement.**

**Any Invocation that may be offered before the official start of the meeting of the Court shall be the voluntary offering of a private citizen, to and for the benefit of the Court. The views or beliefs expressed by the Invocation speaker have not been previously reviewed or approved by the Court and do not necessarily represent the religious beliefs or views of the Court in part or as a whole. No member of the community is required to attend or participate in the Invocation and such decision**

will have no impact on their right to actively participate in the business of the Court.

**INVOCATION**

Rev. Ross Daughtery-New Zion Baptist Church, New Boston

**PLEDGE**

Pledge of Allegiance to the United States of America

**ANNOUNCEMENTS**

None

**REGULAR AGENDA ITEMS**

Court convened at 10:24 A.M. when the following **ORDERS, JUDGMENTS AND DECREES** were had and **ORDERED** spread upon the minutes of the Court to-wit.

- Item 1:** Public Comments were heard from Robert Lorange (Mayor of Redwater) in favor of the Bowie Parkway.  
Public Comments were heard from Noah Jackson (DeKalb) expressing concerns about costs of opening Bowie Parkway.  
Public Comments were heard from Glenn Johnson (Texarkana) regarding Bowie Parkway.  
Mr. Jack Ballard submitted a request to speak but was not present when called upon.
- Item 2:** There were no Commissioners Court Response to Public Comments.
- Item 3:** On this 13<sup>th</sup> day of August, 2012, a motion was made by Commissioner Jack Stone and duly second by Commissioner Kelly Blackburn to bring back to the table, bids for transport for forensic autopsies.  
Motion was put to a vote and all voted aye and none opposed.  
Motion carried.
- Item 4:** On this 13<sup>th</sup> day of August, 2012, a motion was made by Commissioner Pat McCoy and duly second by Commissioner Jack Stone to award the bid to the higher bidder (Hill Transport) because of the lack of experience and lack of the length of time that this corporation (Brewer Embalming) has been in business for transport for forensic autopsy transport. J.P. Nancy Talley spoke to the Court regarding the procedure and responsibilities that J.P.s have for autopsies. Mr. Brewer of Brewer Embalming, as well as his legal representative and partner, spoke to the Court and answered questions regarding his corporation.  
Motion was put to a vote and four (4) voted aye and one (1) abstained.  
Commissioner Pct. 1, Jack Stone voted yes, Commissioner Pct. 2, John Addington

voted yes, Commissioner Pct. 3, Kelly Blackburn voted yes and Commissioner Pct. 4 Pat McCoy voted yes. Judge Lacy abstained.  
Motion carried.

Item 5: Cherrie Curtis gave a report to the Court regarding the Bowie County 4-H trip sponsored by the Commissioners. Also speaking to the Court was Texas High School student, Jeffery Davis and Maud High School student, Atticus Wilson (who is son of Commissioner Pct. 4 Pat McCoy).

Item 6: Judge Lacy spoke to the Court in regards to the opening of Bowie Parkway without and creating a financial burden on Bowie County taxpayers and future costs if

Item 7: Commissioner's Court accepts easement. Mr. Bill Cork of TexAmerica and Attorney Wes Jordan for TexAmerica also spoke to the Court. After discussion Judge Lacy made a motion to take a least costly way of contributing to the opening of Bowie Parkway and keeping it open and safe by entering into an Interlocal Agreement for law enforcement services on the 4.7 mile road called Bowie Parkway  
Motion failed to a lack of a second.

Item 8: On this 13<sup>th</sup> day of August, 2012, a motion was made by Commissioner Pat McCoy and duly second by Commissioner Kelly Blackburn to accept Right of Way Easement and Road Dedication for Bowie Parkway-Pat McCoy.  
Motion was put to a vote and four (4) voted aye and one (1) voted nay.  
Commissioner Pct. 1, Jack Stone voted yes, Commissioner Pct. 2, John Addington voted yes, Commissioner Pct. 3, Kelly Blackburn voted yes and Commissioner Pct. 4, Pat McCoy voted yes. Judge Lacy voted no.  
Motion carried.

Item 9: On this 13<sup>th</sup> day of August, 2012, Judge Lacy issued a Burn Advisory upon OEM's recommendation for declaring a partial or full burn ban or a burn advisory. Judge Lacy asked that the media help in getting the word out to the citizens to be very careful when burning.

Item 10: On this 13<sup>th</sup> day of August, 2012, a motion was made by Commissioner Pat McCoy and duly second by Commissioner John Addington to authorize the abandoning of the dedicated road in Pct. 2, as described in this legal description, and advertise for bids for the sale of that road. (Copy of legal description is attached). This property was discovered as part of the county road system and has not been maintained for a number of years and the alternative is to continue it or to start maintenance on it or to declare it abandoned and then advertise for bids for the sale of it.  
Motion was put to a vote and all voted aye and none opposed.  
Motion carried.

Item 11: Mr. Boyd London with First spoke to the Court regarding the Hwy 82 Bond Issuance.

A handout was given showing the calendar of events and Mr. London's recommendation would be that on the 24<sup>th</sup> day of September, 2012, that the Court (A)-sell the bonds and (B)-to levy the flat three and a half cent tax rate, then what they will do is match or structure the debt service such that it hits the three and a half cent levy that first year.

- Item 12:** Mr. Carl Teel gave an update report from the Open Government Advisory Committee. Mr. Teel stated that Susan Combs, Texas Comptroller of Public Accounts has a program that recognizes efforts of the local government, particularly counties that do their best to show people about the activities and documentation of the county and its government. There is a "Leadership Circle", (gold, silver, and bronze) which recognizes the transparency in government.
- Item 13:** Judge Lacy spoke to the Court regarding the progress of work on the 2012-2013 Bowie County budget. All departments budget requests have been submitted and the fourth Monday in September is when the budget will be presented formally to Commissioners Court for their review and approval. Judge Lacy appointed a Budget Advisory Committee which will consist of Gary Steudte as Chairman, Bill Cromer, Vice-Chairman, Troit Stowe, and Rick Doty. Commissioner Kelly Blackburn requested that Mark Mayo represent Pct. 3 and Commissioner Pat McCoy stated that he will submit names to represent Pct. 4. Judge Lacy stated that he would give serious consideration to names submitted to be appointed.
- Item 14:** On this 13<sup>th</sup> day of August, 2012, a motion was made by Commissioner Jack Stone and duly second by Commissioner Pat McCoy to approve the 2013 Sheriffs and Constable's Fees-Denise Thornburg.  
Motion was put to a vote and all voted aye and none opposed.  
Motion carried.
- Item 15:** On this 13<sup>th</sup> day of August, 2012, a motion was made by Commissioner Pat McCoy and duly second by Commissioner Kelly Blackburn to approve the requested budget amendments for FY 2011-2012. Auditor William Tye stated "that he would like to reclassify these as line item amendments because we are not really amending the budget, we are making line item adjustments within each department's budgets and I have not made any line item from one department to another, so these are line item adjustments within each department, the budget itself is not being amended". See Exhibit "A" attached hereto and incorporated herein by reference.  
Motion was put to a vote and all voted aye and none opposed.  
Motion carried.
- Item 16:** On this 13<sup>th</sup> day of August, 2012, a motion was made by Commissioner Pat McCoy and duly second by Commissioner John Addington to pay accounts payable. Judge Lacy asked Auditor William Tye the following questions: "Do any of the items that

you are presenting to the Court today for approval cause any department to exceed their budget appropriation for this year, now that we have made the line item adjustments?" Mr. Tye's response: "Best of my knowledge, they do not, you have to take in consideration we are in August and cannot close August yet so, to the best of my knowledge, no." Commissioner Pat McCoy made a comment that Pct. 4 has a payment of \$23,265 for repairs to a damaged road grader. There was a \$21,200 insurance claim that reimbursed us for that, but it does not show on sheet that the net cost was roughly \$1000.

Motion was put to a vote and all voted aye and none opposed.

Motion carried.

**Item 17:** On this 13<sup>th</sup> day of August, 2012, a motion was made by Commissioner Kelly Blackburn and duly second by Commissioner Pat McCoy to approve the July 23, 2012 minutes as an Order of the Court.

Motion was put to a vote and all voted aye and none opposed.

**Item 18:** On this 13<sup>th</sup> day of August, 2012, Judge Lacy accepted the resignation of Pct. 2 Commissioner John Addington effective at 5:00 P.M. August 13, 2012 and declared the position of Bowie County Commissioner Precinct 2 vacant. A replacement will be determined after waiting a period of seven days. Mark Addington, son of Commissioner Addington, read resignation letter in open court. Judge Lacy read letter of acceptance of Mr. Addington's resignation in open court.

On this 13<sup>th</sup> day of August, 2012, a motion was made by Commissioner Jack Stone and duly second by Commissioner John Addington to adjourn (12:23 P.M.).

Motion was put to a vote and all voted aye and none opposed.

Motion carried.

"A"

To: Bowie County Commissioners' Court  
Re: Line Item Budget Amendments  
Date: August 13, 2012

The following amendments are ordered to the 2011-2012 budget:

County Clerk

Increase	110-5-1060-5635	Office Supplies	1,500.00	
Decrease	110-5-1060-5595	Library		1,500.00

Courthouse

Increase	110-5-1250-5751	Supplies	5,000.00	
Increase	110-5-1250-5627	Miscellaneous	2,000.00	
Increase	110-5-1250-5691	Repair Building	2,000.00	
Decrease	110-5-1250-5102	Salaries Asst.		9,000.00

Election Administrator

Increase	110-5-1410-5771	Travel in county	200.00	
Decrease	110-5-1410-5683	Rent Building		200.00

District Attorney

Increase	110-5-3040-5455	Education Expense	2,300.00	
Increase	110-5-3040-5595	Office Supplies		2,300.00

Sheriff

Increase	110-5-3070-5455	Education Expense	800.00	
Increase	110-5-3070-5627	Miscellaneous	2,300.00	
Increase	110-5-3070-5635	Office Supplies	200.00	
Increase	110-5-3070-5699	Repair Vehicle	6,000.00	
Increase	110-5-3070-5755	Supplies	850.00	
Increase	110-5-3070-5787	Uniforms	225.00	
Decrease	110-5-3070-5543	Incurrence Liability		10,375.00

District Court

Increase	110-5-3330-5635	Office Supplies	9,000.00	
Increase	110-5-3330-5779	Trial Expense	18,000.00	
Decrease	110-5-3330-5571	Jurors		27,000.00

Pct 1

Increase	110-5-5111-5503	Gas and Oil	5,800.00	
Decrease	110-5-5111-5743	Subcontract		5,800.00

Pct 2

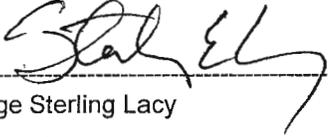
Increase	110-5-5222-5790	Utilities	200.00	
Decrease	110-5-5222-5743	Subcontract		200.00

Pct 3

Increase	110-5-5333-5695	Repair Equipment	7,000.00	
Increase	110-5-5333-5787	Uniforms	800.00	
Decrease	110-5-5333-5743	SubContract		7,800.00

The above budget amendments are hereby approved and ordered this day:

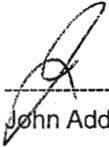
August 13, 2012



Judge Sterling Lacy



Jack Stone, Commissioner Pct. 1



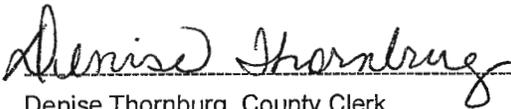
John Addington, Commissioner Pct. 2



Kelly Blackburn, Commissioner Pct. 3



Pat McCoy, Commissioner Pct. 4



Denise Thornburg, County Clerk

