

**COMMISSIONERS COURT MINUTES  
DECEMBER 31, 2012**

**BE IT REMEMBERED**, that on this 31<sup>st</sup> day of December, 2012, the **HONORABLE COMMISSIONERS 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 28<sup>th</sup> day of December, 2012 with the **HONORABLE JUDGE STERLING LACY** present and presiding with the following Commissioners being present.

Jack Stone	Commissioner Pct. #1
Tom Whitten	Commissioner Pct. #2
Kelly Blackburn	Commissioner Pct. #3
Pat McCoy	Commissioner Pct. #4

Also in attendance were the following County Officials: Auditor William Tye, County Clerk Tina Petty, and the following staff members also present on this day: Purchasing Agent Chris Goodsell and Administrative Assistant Rachael Cherry.

**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**

Pastor Josh McDonald of Richmond Road Baptist Church, Texarkana, Texas

**PLEDGE**

Pledge of Allegiance to the United States of America

**ANNOUNCEMENTS**

None

## REGULAR AGENDA ITEMS

Court Convened at 10:03 A.M. when the following ORDERS, JUDGMENTS and DECREES were had and ORDERED spread upon the minutes of the Court to-wit.

Item 1: There were no Public Comments.

Item 2: There were no Commissioners Court response to Public Comments.

Item 3: On this 31<sup>st</sup> day of December, 2012, a motion was made by Commissioner Tom Whitten and duly second by Commissioner Pat McCoy to declare surplus for future sale at an auction or salvage the following items: (1) 15 ft. bush hog, serial #1222407; (1) 5 ft. bush hog, serial #0318731-Pct. 2 Tom Whitten.

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

Motion carried.

Item 4: On this 31<sup>st</sup> day of December, 2012, a motion was made by Commissioner Jack Stone and duly second by Commissioner Kelly Blackburn to declare surplus the attached list of equipment from various departments-William Tye.

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

Motion carried.

Item 5: On this 31<sup>st</sup> day of December, 2012, a motion was made by Commissioner Pat McCoy and duly second by Commissioner Tom Whitten to support the ATCOG Rural Transit District (RTD) application for funding through the Texas Department of Transportation Rural Discretionary Program as per letter read in open court by Judge Lacy.

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

Motion carried.

Item 6: On this 31<sup>st</sup> day of December, 2012, a motion was made by Commissioner Kelly Blackburn and duly second by Commissioner Pat McCoy to support the ATCOG Rural Transit District (RTD) application for funding through the Texas Department of Transportation Intercity Bus Program (IBP) as per letter read in open court by Judge Lacy.

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

Motion carried.

Item 7: On this 31<sup>st</sup> day of December, 2012, a motion was made by Judge Lacy and duly second by Commissioner Kelly Blackburn to retain the firm of Haley and Olson, P.C. as special counsel to assist with legal matters and contracts concerning the operation and management of the Bowie County Jail and Correction Center Annex.

Motion was put to a vote and (3) three voted aye and (2) two opposed. Commissioner Kelly Blackburn-yes; Commissioner Tom Whitten-yes; Judge Lacy-yes; Commissioner Pat McCoy-no; and Commissioner Jack Stone-no.

Motion carried.

Item 8: On this 31<sup>st</sup> day of December, 2012, a motion was made by Commissioner Pat McCoy and duly

second by Commissioner Tom Whitten to approve the 2013 Bowie County Resolution for the Indigent Defense Grant Program, as read in open Court.

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

Motion carried.

**Item 9:** On this 31<sup>st</sup> day of December, 2012, a motion was made by Commissioner Pat McCoy and duly second by Commissioner Kelly Blackburn to reappoint Bob Murray as Bowie County's Representative to the NETRMA Board.

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

Motion carried.

**Item 10:** On this 31<sup>st</sup> day of December, 2012, a motion was made by Commissioner Jack Stone and duly second by Commissioner Pat McCoy to approve bonds for: Sheriff James Prince, Commissioner Kelly Blackburn, County Auditor William Tye, District Clerk Billy Fox, Judge Jeff Addison, County Treasurer Donna Burns, Judge Patrick James, Judge Gibson Hadaway, Tax Assessor Toni Barron (her name misspelled on bond), Constable Steve Hawkins, Constable Chris Lee, Constable George Huggins, Constable Scott Usrey, Constable Robert Caudle, and Commissioner Samuel Stone.

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

Motion carried.

**Item 11:** On this 31<sup>st</sup> day of December, 2012, a motion was made by Commissioner Jack Stone and duly second by Commissioner Tom Whitten to appoint Gerald Brooks, Wanda Looney, Dr. Jane Morris, Brenda Raney, Ronnie Sladovnik, Shawn Walraven and James Germany as members to the County Historical Commission.

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

Motion carried.

**Item 12:** On this 31<sup>st</sup> day of December, 2012, a motion was made by Commissioner Pat McCoy and duly second by Commissioner Kelly Blackburn to approve County Clerk, Tina Petty and staff to attend conferences and schools for 2013.

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

Motion carried.

**Item 13:** On this 31<sup>st</sup> day of December, 2012, a motion was made by Commissioner Jack Stone and duly second by Commissioner Pat McCoy to approve District Clerk, Billy Fox and staff to attend conferences and schools for 2013.

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

Motion carried.

**Item 14:** On this 31<sup>st</sup> day of December, 2012, a motion was made by Commissioner Jack Stone and duly second by Commissioner Pat McCoy to approve County Judge, Sterling Lacy and staff to attend conferences and schools for 2013.

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

Motion carried.

**Item 15:** On this 31<sup>st</sup> day of December, 2012, a motion was made by Commissioner Kelly Blackburn and duly second by Commissioner Pat McCoy to appoint Commissioner Tom Whitten as

**Bowie County's representative to the Intergovernmental Advisory Committee (IAC) to fill the remainder of the term of former Commissioner Pete Snow.  
Motion was put to a vote and all voted aye and none opposed.  
Motion carried.**

**Item 16: On this 31<sup>st</sup> day of December, 2012, a motion was made by Commissioner Jack Stone and duly second by Commissioner Tom Whitten to pay accounts payable. Auditor William Tye stated there was one item that was added for payment to Community Healthcore (\$18,000 which is for the months of October, November and December). Judge Lacy asked Auditor William Tye the following questions: "Mr. Tye, 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?" Mr. Tye's response "No, not to my knowledge." "Are each of these requests that you are submitting to the Court today a proper and budgeted item of expenditure for the department to which they are being charged?" Mr. Tye's response "Yes Sir".  
Motion was put to a vote and all voted aye and none opposed.  
Motion carried.**

**Item 17: On this 31<sup>st</sup> day of December, 2012 a motion was made by Commissioner Pat McCoy and duly second by Commissioner Kelly Blackburn to approve December 10, 2012 Commissioners Court Minutes and December 17, 2012 Special Commissioners Court Minutes as an Order of the Court.  
Motion was put to a vote and all voted aye and none opposed.  
Motion carried.**

**On this 31<sup>st</sup> day of December, 2012, a motion was made by Commissioner Jack Stone and duly second by Commissioner Kelly Blackburn to adjourn (11:15 A.M.).  
Motion was put to a vote and all voted aye and none opposed.  
Motion carried.**