

COMMISSIONERS COURT MINUTES, SPECIAL SESSION, MAY 5, 2022

The Terrell County Commissioners Court met on Thursday, the 5TH day of May 2022, at 4:00 p.m. in the commissioners' courtroom of the county courthouse in the city of Sanderson, Texas. Notices of the meeting place were timely posted at a site readily accessible to the general public at all times and remained posted for at least seventy-two hours preceding the scheduled time of this meeting, in compliance with the Open Meetings Act.

The Hon. Dale Carruthers, County Judge, called the meeting to order, and Commissioner Serna gave the invocation and led the commissioner's court in the Pledge of Allegiance to the United States flag, followed by the Pledge of Allegiance to the Republic of Texas Flag.. The following members of this Court and Officers of the County were present:

Hon. Adam Johnson	Commissioner Pct. 1
Hon. Mike Sanchez	Commissioner Pct. 2
Hon. Arnulfo Serna	Commissioner Pct. 3
Absent	Commissioner Pct. 4

Hon. Raeline Thompson	County and District Clerk
Hon. Rebecca Luevano	County Treasurer
Hon. Kenneth Bellah - Zoom	County Attorney
Jose Juarez	Sheriff's Department

Commissioners Court went in Executive Session to deliberate the appointment, employment, evaluation, reassignment, duties discipline, or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee, on the Sheriff and salary. - The Commissioners went into Executive Session at 4:02 p.m. The Commissioners came out of the Executive Session at 5:06 p.m.

Texas County Sheriff



What is a Sheriff?

The sheriff acts as a conservator of the peace and the executive officer of the county and district courts, serve writs and processes of the courts, seizes property after judgment, enforce traffic laws on county roads and supervises the county jail and prisoners. In counties of fewer than 10,000 residents, he may also serve as ex officio tax assessor and collector.

What Does a Sheriff Do in Texas?

A sheriff in Texas has the following duties:

[Continuing Education for Sheriffs \(/Education-Training/CE-Requirements/Sheriff\)](#)

Learn about continuing education requirements, Open Government training and more.

- Serves as a licensed peace officer and is responsible for enforcing the criminal laws of the state
- Manages and operates the county jail
- Provides security for the courts
- Serves warrants and civil papers
- Regulates bail bondsmen in counties with no bail bond board



**Texas Counties
Deliver**

For more complete information about the responsibilities of a county sheriff and other county officials, see the

"[Guide to Texas Laws for County Officials](#)

([/TAC/media/TACMedia/Legal/Legal%20Publications%20Documents/2021/2021-Guide-to-Laws-for-County-Officials.pdf](#)).

[Learn more about Texas counties and county officials.](#)

Watch fun videos, read about county services and more.

Please note: Some duties performed by officials may vary within individual counties.

<https://www.county.org/About-Texas-Counties/About-Texas-County-Officials/Texas-County-Sheriff>

5/5/22, 3:55 PM
Page 1 of 3

Sheriff Requirements

[See the full continuing education requirements and more.](#)
([/Education-Training/CE-Requirements/Sheriff](#))

County Sheriff Qualifications⁸

The County Sheriff must meet the following qualifications at the time of appointment or election:

- U.S. Citizen
- Resident of Texas for at least 12 consecutive months
- Resident of the county for at least six consecutive months
- Registered to vote in the county
- At least 18 years of age
- Not have been finally convicted of a felony from which they have not been pardoned or otherwise released from the resulting disabilities
- Not have been determined by a court with probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote

Candidates for this office generally must meet the above qualifications at the time of filing.

For more information, see the Secretary of State Elections Division [website](#)

(<https://www.sos.state.tx.us/elections/candidates/guide/2020/qualifications2020.shtml>)

Legal source: Local Government Code, [Section 85.0025](#)

(<http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.85.htm#85.0025>)

⁸Vernon's Ann. Texas Const. Art. 5, §23; V.T.C.A., Election Code §141.001; Local Government Code §85.0011

<https://www.county.org/About-Texas-Counties/About-Texas-County-Officials/Texas-County-Sheriff>

5/5/22, 3:55 PM
Page 2 of 3

Appointment of Sheriff and Tax Assessor-Collector for Terrell County - Commissioner Johnson motioned to accept the resignation of Terrell County Sheriff from Jose Juarez and stay on with the sheriff's department as Chief Deputy and continue with the sheriff's duties. Commissioner Serna seconded the motion calling for a vote; all members answered "aye," and the motion carried.



Jose C Juarez
Sheriff-Tax Assessor-Collector
Terrell County
105 East Hackberry, P.O. Box 320
Sanderson, TX 79848-0320
Phone: 432-345-2525 Fax: 432-345-3056



Honorable Dale Carruthers
Terrell County Judge
Terrell County Courthouse
P.O. Box 380
Sanderson, TX. 79848

Ref: **Stepping down from the appointed position of Terrell County Sheriff**

Dear Judge, it is with a heavy heart that I inform you that I will be Stepping down as the Terrell County Interim Sheriff effective the end of business day on 05/05/2022. I must also inform you that I made this decision only because I have recently been informed that Terrell County will be making changes to the original agreement, which was made in Commissioners Court, between Terrell County and myself.

I have been informed by you, Judge Carruthers, that I cannot continue to get funded through the Lone Star Grant even though I specifically stated that concern prior to my appointment. It was said then by our County Attorney, in court, that I could retain my original pay since I was not vacating the position of Chief Deputy and I was only being sworn in as an Interim Sheriff.

I also want to make perfectly clear that all parties understood at the time of my appointment that I was stepping in to the position in an effort to alleviate the emergency circumstances which our department was facing due to the passing of Sheriff Gonzalez and that my acceptance of the position was because I felt that I could continue to move the Sheriff's Office forward through the difficult times which we were facing.

As of today, I feel that we, the Sheriff's Office, have made great strides forward and have continued to operate in a very efficient manner in part due to the leadership skills and management experience which I have brought to the table ever since my arrival to this Office.

Even though I may not agree with what has transpired in the last couple of weeks with the proposed changes to the Sheriff's Office, I do strongly support our community and the employees of the Sheriff's Office. It is only due to that love which I have for our community, the respect I have for everyone whom I work with and in an effort to avoid any rips within our County Government, that I now step down as the Interim Sheriff in Terrell County.

I would also like to ask that if the Court decides to appoint someone to the position of Sheriff prior to the November election they do so with the upmost diligence. It is imperative that the person appointed

to the position of Sheriff for Terrell County is someone who has some knowledge of the inner workings of the Office of the Sheriff as well as of Terrell County. The candidate must be well vetted and must be able to take immediate charge of a LAW ENFORCEMENT DEPARTMENT. The Court must remember that appointing someone to an elected position is not the same as having a duly elected officer take possession of a department. An appointed official is appointed due to his ability to continue to build on what was done prior to the time the position became vacant. It is someone who does not have to be trained on the most basic knowledge which every Texas Peace officer should have. In order to be appointed to be the head of a department the person must have complete working knowledge of the TEXAS PENAL CODES, TRAFFIC CODES, HEALTH CODES, and in this case some knowledge of Texas Voting laws as well as Department of Motor Vehicles regulations. I must also state that whomever is appointed must be able to differentiate between Federal Law and State Law. It is EXTREMELY IMPORTANT that the person is able to know that the Sheriff's Office operates under the laws of the great State of Texas and not under Federal Laws. Not being able to make that distinction will open up the county to criminal charges and/or civil law suits.

In closing I thank the Court for placing their trust in my abilities to move our Office forward during difficult times and to allow me to do what I love the most, being able to protect and serve our community. I will continue to do fulfill my duties as the Chief Deputy of Terrell County until that time when a newly elected or appointed Sheriff feels that my services are no longer needed. Until then be sure that I will be out there ready to serve.

It was my greatest honor to be able to serve as the Interim Sheriff of Terrell County.

Best Regards



Jose C Juarez

Chief Deputy

Terrell County, Texas

No. _____
FILED TIME 4:00pm

MAY 5 2022
Raeline Thompson
CLERK, COUNTY COURT, TERRELL CO., TEXAS
BY: _____ DEPUTY

Remove Martha Allen as Interim Clerk - Commissioner Sanchez motioned to remove Martha Allen as Interim Clerk and retain her as Deputy Clerk under Contract Labor. Commissioner Serna seconded the motion calling for a vote; all members answered "aye," and the motion carried.

Adjourn – Commissioner Serna motioned to adjourn. Commissioner Sanchez seconded the motion calling for a vote; all members answered "aye," and the motion carried.

/s/ Raeline Thompson

Raeline Thompson, County Clerk, and Ex-officio Clerk
Terrell County Commissioners Court

ORDER TO APPROVE MINUTES OF SPECIAL SESSION

The above and preceding minutes of the meeting held on May 5th, 2022, are now approved (as amended this day of _____ 2021) as presented IN OPEN COURT this 9th day of May, A.D., 2022.

Dale Carruthers

Presiding Officer

Attest: *Raeline Thompson* County Clerk

