

**COMMISSIONERS COURT MINUTES
AUGUST 25, 2014**

BE IT REMEMBERED, that on this 25th day of August, 2014, 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 22nd day of August, 2014 with the HONORABLE JUDGE STERLING LACY present and presiding with the following Commissioners being present.

Sammy Stone	Commissioner Pct. #1
Tom Whitten	Commissioner Pct. #2
Kelly Blackburn	Commissioner Pct. #3
Mike Carter	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: Administrative Assistant Rachael Cherry.

The Public Hearing regarding the Technology Fund for the District Clerk's office has been rescheduled for September 8, 2014.

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

Mr. Charles Vanderburg

PLEDGE

Pledge of Allegiance to the United States of America

ANNOUNCEMENTS

None

REGULAR AGENDA ITEMS

Court convened at 10:06 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 made by Pct. 1 Constable Chris Lee, Texarkana, TX; Gabe Tarr, New Boston, TX; David Turner, New Boston, TX; Emily Sabo, Texarkana, TX submitted a request but did not speak.
- Item 2: Commissioner Tom Whitten responded to Public Comments.
- Item 3: On this 25th day of August, 2014, a motion was made by Judge Lacy and duly second by Commissioner Kelly Blackburn to set the proposed tax rate for 2014-2015 at .473610/100 valuation and as listed on the form provided, that the first hearing date be September 4, 2014 at 6:00 P.M. at the Bowie County Courthouse, 710 James Bowie Drive, New Boston, TX and the second hearing be September 8, 2014 at 10:00 A.M. at the Bowie County Courthouse, 710 James Bowie Drive, New Boston, TX.
Motion was put to a vote and all voted aye and none opposed.
Motion carried.
- Item 4: On this 25th day of August, 2014, a motion was made by Commissioner Tom Whitten and duly second by Commissioner Mike Carter to approve the Election Systems & Software, LLC Maintenance and Support Services Agreement.
Motion was put to a vote and all voted aye and none opposed.
Motion carried.
- Item 5: On this 25th day of August, 2014, a motion was made by Commissioner Mike Carter and duly second by Commissioner Sammy Stone to approve the Joint Election Agreement between Bowie County and the City of Wake Village.
Motion was put to a vote and all voted aye and none opposed.
Motion carried.
- Item 6: On this 25th day of August, 2014, a motion was made by Commissioner Sammy Stone and duly second by Commissioner Kelly Blackburn to approve the County Elections Office appointment of Election Officers as presented by the Elections Office, and the amount they are to be paid.
Motion was put to a vote and all voted aye and none opposed.
Motion carried.
- Item 7: On this 25th day of August, 2014, a motion was made by Commissioner Mike Carter and duly second by Commissioner Sammy Stone to appoint Susie Spellings as Justice of the Peace Pct. 5 to fulfill unexpired term effective October 15, 2014.
Motion was put to a vote and all voted aye and none opposed.
Motion carried.

**Item 8: On this 25th day of August, 2014, a motion was made by Commissioner Tom Whitten and duly second by Commissioner Sammy Stone to Order, for the public and the Commissioners Court members to be able to properly evaluate and consider the proposed budget for next year. Commissioners Court hereby directs the Chief Budget Officer to revise the 2014-2015 proposed budget to include legally required information per Local Government Code 111.004 and further move that Commissioners Court request that the Chief Budget Officer comply with the minimum budgeting standards found on pages 1 and 2 of the Budgeting Handbook for Texas Counties 2011 and include all this information in his revised budget as well.
Commissioner Sammy Stone-yes
Commissioner Mike Carter-no
Judge Lacy-no
Commissioner Tom Whitten-yes
Commissioner Kelly Blackburn-yes
Motion was put to a vote and three (3) voted yes and two (2) voted no.
Motion carried.**

**Item 9: On this 25th day of August, 2014, a motion was made by Judge Lacy and duly second by Commissioner Kelly Blackburn to approve the 2014-2015 CSCD Specialized DV Caseload Resolution as presented.
Motion was put to a vote and all voted aye and none opposed.
Motion carried.**

Item 10: On this 25th day of August, 2014, there was no action taken regarding the Technology Fund for the District Clerk's office.

**Item 11: On this 25th day of August, 2014, a motion was made by Commissioner Mike Carter and duly second by Commissioner Kelly Blackburn to set the first Public Hearing, Tuesday, September 16th at 6:00 P.M. in the Central Jury Room of the Bowie County Courthouse.
Motion was put to a vote and all voted aye and none opposed.
Motion carried.**

Item 12: On this 25th day of August, 2014, a motion was made by Commissioner Kelly Blackburn and duly second by Commissioner Tom Whitten to table (to authorize payment to County employees for compensatory time).

**On this 25th day of August, 2014, an amended motion was made by Commissioner Kelly Blackburn and duly second by Commissioner Tom Whitten to table until our Regular Session, September 8, 2014.
Motion was put to a vote and four (4) voted yes and one (1) voted no.
Motion carried.**

**Item 13: On this 25th day of August, 2014, a motion was made by Commissioner Kelly Blackburn and duly second by Commissioner Sammy Stone that the County spend up to \$2000 for a public address system in the Courtroom with \$1000 coming from Pct. 3 and \$1000 coming from Pct. 4.
Motion was put to a vote and all voted aye and none opposed.
Motion carried.**

Item 14: A report was given by the Chairman of the Financial Advisory Committee for Update #8-plan for expenditures in excess of budget, net revenue, or fund balance.

COURT RECESSED AT 11:50 A.M.

COURT RECONVENED AT 1:01 P.M.

Item 15: On this 25th day of August, 2014;

- **A motion was made by Commissioner Mike Carter (there was no second) to transfer the remainder of the \$5 million loan into the General Operating account and at the same time, transfer the money in the FEMA account, transfer the balance in the FEMA account to the General Operating account before we do get into a deficit spending situation. After discussion, Commissioner Mike Carter withdrew his motion.**
- **A motion was made by Judge Lacy (there was no second) to call a Special Session of Commissioners Court for Friday morning at 10:00 A.M. and that we take up agenda item #15 after we have had a chance to find out what direction we ought to take from legal counsel that has already been hired to help us on this.**
- **An amended motion was made by Judge Lacy and duly second by Commissioner Kelly Blackburn to table agenda item #15 until we hold a Special Session, 10:00 A.M. Friday morning, August 29, 2014.**

Commissioner Sammy Stone-pass

Commissioner Mike Carter-yes

Judge Lacy-yes

Commissioner Tom Whitten-pass

Commissioner Kelly Blackburn-yes

Motion was put to a vote and three (3) voted yes and two (2) passed.

Motion carried.

Item 16: On this 25th day of August, 2014, a motion was made by Commissioner Tom Whitten and duly second by Commissioner Kelly Blackburn to table agenda item #16 until Special Session Friday morning at 10:00 A.M.

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

Motion carried.

Item 17: On this 25th day of August, 2014, there was no action taken regarding a report from the Chairman of the Financial Advisory Committee regarding reimbursement of taxpayer funds from the Courthouse Security Fund and take action to obtain research and specific recommendation for the next meeting.

Item 18: On this 25th day of August, 2014, a motion was Commissioner Sammy Stone and duly second by Commissioner Mike Carter to approve the budget adjustments (line item transfers). Motion was put to a vote and four (4) voted yes and one (1), Judge Lacy voted no. Motion carried.

Item 19: On this 25th day of August, 2014, a motion was made by Commissioner Kelly Blackburn and duly second by Commissioner Mike Carter to pay the bills. Motion was put to a vote and all voted aye and none opposed. Motion carried.

Item 20: On this 25th day of August, 2014, a motion was made by Commissioner Sammy Stone and duly second by Commissioner Tom Whitten to approve the minutes (August 11, 2014). Motion was put to a vote and all voted aye and none opposed. Motion carried.

On this 25th day of August, 2014, a motion was made by Commissioner Sammy Stone and duly second by Commissioner Mike Carter to adjourn. Motion was put to a vote and all voted aye and none opposed. Motion carried.