

## **OCTOBER 14, 2013**

Be it remembered that on October 14, 2013 the Honorable Commissioners Court met in Regular Session with these members present, to-wit: Commissioners Dennis Wyatt, Precinct #1, Ricky West, Precinct #2, Charlie Morris, Precinct #3, Sheldon Parsons, Precinct #4, and Winona Humphreys, County and District Clerk. The meeting was called to order at 9:00 a.m. by Judge Lesa Arnold. The meeting opened with a prayer by County Sheriff Terry Braly, followed by the Pledge of Allegiance to the U.S. Flag and the Texas Flag.

Whereupon the following business was transacted and is now placed of record in the minutes of said Court:

### **CONSENT AGENDA ITEMS**

- Minutes of the September 9, October 1 and 9, 2013 meetings were reviewed.
- Terry Braly, County Sheriff presented the Sheriff's Department report. There were a total of 266 9-1-1 calls, and 182 other calls. There were 7 prisoners held a total of 236 days with an average stay of 33.7 days per inmate.
- Kathy Hughes, Justice of the Peace submitted her report to the Court. Total cases filed for September, 2013 was 33, and total revenue collected was \$6,609.42.
- Sherry Hill, Tax Assessor Collector presented the Tax Office report. Tax Collections for Dickens County were: current, \$1,669.29, delinquent, \$1,262.59. Tax Collections for Road and Bridge were: current, \$828.88, delinquent, \$760.88.
- Winona Humphreys, County and District Clerk, presented the Clerk's office report. Total revenue in the amount of \$4,071.79 for fines, fees and court costs was collected. In County Court, County Judge Lesa Arnold, presiding, there were 4 criminal cases filed, 2 Driving While Intoxicated, 1 Assault, and 1 Resisting Arrest. No criminal cases were heard. There were no applications for probate filed. One probate hearing was held. In the 110<sup>th</sup> Judicial District Court, Judge William P. Smith, presiding, there were no criminal cases filed, and no criminal cases heard. One civil case was filed, Suit for Declaratory Judgment. Two civil cases were heard, 2 divorces, granted.
- Sandy Vickrey, County Treasurer submitted the treasurer's report. The General Fund Account balance as of September 30, 2013 was \$395,859.57. The Road and Bridge Account balance as of September 3, 2013 was \$92,239.97
- Texas Wildlife Services Program summary report presented
- Wes Abbott, Emergency Management Coordinator presented his report
- Chuck Snead with Texas Department of Transportation sent in a report on County Off - System Bridge project. County Treasurer authorized to pay invoices for Caprock Regional Public Defender Office
- The commissioners gave a report on road conditions in their respective precincts.
- 2014 County Holidays set
- Bonds for Britt Bradford, Deputy Sheriff and Nancy Stone, Deputy Tax Assessor Collector
- Payment authorization for panic button batteries to be paid from Courthouse Security funds
- Reschedule Commissioner's Court meeting to November 13, 2013 due to holiday
- Contract with Texas Department of Health for birth certificate program in Clerk's Office
- Jail Inspection report from Texas Commission on Jail standards received
- Rod Roberts reappointed to Appraisal Board for 2 year term, beginning 2014

- IGA with Lubbock Co. to provide services through Regional Public Defender Office for Capital Cases
- 2014 Resolution for the Indigent Defense Grant Program with the Texas Indigent Defense Commission
- Service agreement with County Information Resources Agency for County Website
- County Treasurer audit of the Annual Asset Forfeiture Report for the Sheriff's Office

**CONSENT AGENDA ITEMS APPROVED**

On a motion by Sheldon Parsons, and a second by Ricky West, the Court voted unanimously to approve the Consent Agenda Items as presented.

**CELLULAR TELEPHONE POLICY AMENDED**

Charlie Morris made the motion to amend the County's cellular telephone policy to include law enforcement. On a second by Dennis Wyatt, the motion was unanimous.

**SHERIFF'S REQUEST TO REPLACE CO. OWNED CELL PHONES**

Ricky West made the motion to approve County Sheriff, Terry Braly's request to replace County owned cell phones with cell phone allowances for Sheriff and two deputies. On a second by Dennis Wyatt, the motion was unanimous.

**CONSIDER ADOPTING PROCEDURES FOR ABATEMENT OF PUBLIC NUISANCE**

The Court discussed adopting procedures for abatement of public nuisances. Charlie Morris made the motion to take no action, and move consideration of the item to next's month meeting. Dennis Wyatt seconded the motion. Motion was unanimous.

**BID FOR IN-TRUST PROPERTIES APPROVED**

Charlie Morris made the motion to approve the bid of \$100.00 from Jim Bob Horn on Lot 3, Block 2, Garner Addition in Spur. On a second by Dennis Wyatt, the motion was unanimous. Ricky West made the motion to approve the bid of \$500.00 for the Spur Housing Authority on Lots 2-3, Block 24, Original Town of Spur. On a second by Dennis Wyatt, the motion was unanimous.

**COUNTY WIDE BURN BAN ORDER ADOPTED**

Ricky West made the motion to adopt a county wide burn ban, effectively immediately. Sheldon Parsons seconded the motion. Motion was unanimous

**SUBMISSION TO T.D.L. & R. FOR WELL SURFACE SEALING VARIANCE**

Charlie Morris made the motion to approve a submission to the Texas Department of Licensing and Regulation for a landscape well surface sealing variance. On a second by Ricky West, the motion was unanimous.

**ADOPTION OF RESOLUTION TO ADD OPTIONAL WORKERS COMPENSATION  
COVERAGE FAILS**

Charlie Morris made the motion to opt out of adding additional Worker's Compensation Coverage, which would include elected official, election workers and jurors. Sheldon Parsons seconded the motion. Motion was unanimous.

**REDEFINING SCOPE OF COURTHOUSE RESTORATION, THC FUNDING, AND  
COURTHOUSE ANNEX FAILS**

The Court discussed the issue of redefining the scope of the Dickens County Courthouse Restoration project, Texas Historical Commission funding, and the construction of the County Courthouse Annex project, as requested by Dennis Wyatt, County Commissioner Precinct #1. After the discussion, Dennis Wyatt made the motion to repair the existing Courthouse, as it is, to include making it A.D.A. compliant, with adding an elevator and restrooms, downsizing the annex by 1400 square feet, and continuing with the T.H.C. Restoration Grant effort. Charlie Morris seconded the motion. Judge Arnold asked if there was any more discussion, and after further discussion from Sheldon Parsons, Commissioner Precinct #4, and Public Comment from Mike Smith, the vote was called. The motion failed by a vote of 2 for, and 3 against. Dennis Wyatt and Charlie Morris, voted for, and Lesa Arnold, Ricky West and Sheldon Parsons voted against.

The Court recessed at 12:15 for lunch. The Court reconvened at 1:06 p.m.

**DISCUSSION AND PLANNING OF THE ANNEX PROJECT**

The Court discussed the planning of the County Courthouse Annex project.

**LINE ITEM TRANSFERS APPROVED**

Ricky West made the motion to approve the line item transfers as presented. On a second by Charlie Morris, the motion was unanimous.

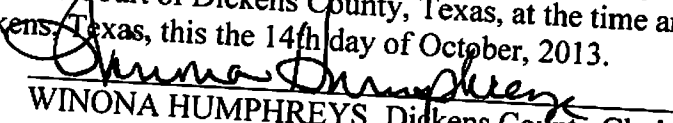
**BILLS APPROVED AND PAID**

On a motion by Ricky West, and a second by Charlie Morris, the Court voted unanimously to pay the bills as presented, with the exception of the Wyatt Tractor Service bill. Charlie Morris made the motion to pay the Wyatt Tractor Service bill. On a second by Sheldon Parsons, the motion passed by a vote of 4, with Dennis Wyatt abstaining.

Sheldon Parsons made the motion to adjourn at 3:30 p.m. On a second by Ricky West, the motion was unanimous.

STATE OF TEXAS           §  
COUNTY OF DICKENS   §

The above and foregoing is a true and complete transcription of my notes taken in my capacity as County Clerk of the Commissioners Court of Dickens County, Texas, at the time and place heretofore set forth. DATED at Dickens, Texas, this the 14th day of October, 2013.

  
WINONA HUMPHREYS, Dickens County Clerk