

**NOTICE OF MEETING (•) OF THE  
COMMISSIONERS COURT OF JACK COUNTY, TEXAS**

• Assistive Listening Devices Available on Request for Use During Court Session


Notice is hereby given that a Meeting of the above named Commissioners Court will be held on **Monday the 23rd day of July, 2012, at 10:00 o'clock a.m.**, in the County Courthouse, Jacksboro, Texas, at which time the following subjects\* will be discussed and appropriate action taken, to-wit:

These subjects may or may not be discussed in the order shown. All items listed below as part of the called "Consent Agenda Items" require no deliberation by the Court. Each Court member has the prerogative of removing an item from this agenda so that it may be considered separately.

1. PUBLIC FORUM;
2. PAYMENT OF CLAIMS;
3. CONSENT AGENDA ITEMS:
  - (a) Approval of Minutes of Meeting of July 9, 2012;
  - (b) Review and Acceptance of Treasurer's and Auditor's Monthly Report for period ending June 30, 2012;
  - (c) Approve issuance of county credit card to Danny Nash for Precinct 1 and Jan Robinson as County Clerk;
  - (d) Approval of Road Crossing by CD Consulting & Operating on Jamison Road in Precinct 1;
  - (e) Designation of County Tax Assessor-Collector as County Representative to calculate effective Tax Rate and Roll Back Tax Rate;
  - (f) Continuation of Current \$10.00 (Statutory Maximum) Charge on Vehicle Registration for Benefit of Road and Bridge Fund;
  - (g) Approval of Performance Bond for Deputy Sheriff Marshall D. Neal;
  - (h) Approval of Performance Bond for Deputy Sheriff Eldon Ray Hannah;
4. TIMED AGENDA - 10:00 AM
  - (a) Presentation by Jacksboro City Manager Mike Smith about the possible options for County reimbursement to City on rescue calls outside the Jacksboro City Limits by Jacksboro Fire Department;
5. Discussion of Commissioner Precinct Operations;
6. Update on Courthouse Repair Project 2011 details;
7. Budget Workshop FY13;
8. Consideration of steps, measures, and plan for restoration/renovation of Courthouse lawn, sprinkler system, and landscaping;
9. Presentation from Air Evac Life team regarding continuation of Site Membership Plan for County employees and offering Air Medical Membership for employees and families through the County's Cafeteria Plan;
10. Discuss and approve the purchase of a vehicle for the Sheriff's Office;
12. Update by County Judge on proposal by Regional Defenders Office on capital murder cases;
13. Presentation regarding current County Voting Plan by County Judge and consolidation of precincts for July 31<sup>st</sup> run-off;
14. FUTURE AGENDA ITEMS; AND;
15. ADJOURNMENT.

Dated this the 19th day of July, 2012

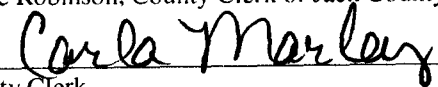
Commissioners Court of Jack County, Texas

  
\_\_\_\_\_  
Mitchell G. Davenport, Judge of Commissioners Court

I, the undersigned, County Clerk, do hereby certify that the above Notice of Meeting of the above named Commissioners Court, is a true and correct copy of said Notice, and that I posted a true and correct copy of said Notice on the bulletin board at the Courthouse door of Jack County, Texas, at a place readily accessible to the general public at all times on the 19th day of July, 2012, and said Notice remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

Dated this the 19th day of July, 2012

  
\_\_\_\_\_  
Janice Robinson, County Clerk of Jack County, Texas

By:   
\_\_\_\_\_  
Deputy Clerk



## MINUTES

On this the 23<sup>rd</sup> of July, 2012 the Commissioners Court of Jack County, Texas met in Regular session at 10:00 a.m. with the following elected officials present:

James A. Logan, Commissioner Pct. 1  
James L Brock, Commissioner Pct. 2  
James L. Cozart, Commissioner Pct. 3  
Terry Ward, Commissioner Pct. 4  
Mitchell G. Davenport, County Judge

### PUBLIC FORUM

Lonnie Hunt, County Relations Office – Texas Association of Counties (TAC) spoke to the Court regarding services they provide. He was visiting Jack and the surrounding counties answering questions that anyone might have.

### PAYMENT OF ACCOUNTS AND CLAIMS

All accounts and claims were submitted to the Court for approval. Those submitted were approved with EXCEPTION to the Fire Department bill of \$22,000. The Court needs verification of the amount previously approved (\$20,000) before paying. All other bills were submitted and approved and entered into the computer of the County Treasurer on motion of Commissioner Logan and seconded by Commissioner Cozart. The motion carried unanimously.

### CONSENT AGENDA ITEMS:

- (a) Approval of Minutes of Meeting of July 9, 2012;
- (b) Review and Acceptance of Treasurer's and Auditor's Monthly Report for period ending June 30, 2012;
- (c) Approve issuance of county credit card to Danny Nash for Precinct 1 and Jan Robinson as County Clerk;
- (d) Approval of Road Crossing by CD Consulting & Operating on Jamison Road in Precinct 1;
- (e) Designation of County Tax Assessor-Collector as County Representative to calculate effective Tax Rate and Roll Back Tax Rate;
- (f) Continuation of Current \$10.00 (Statutory Maximum) Charge on Vehicle Registration for Benefit of Road and Bridge Fund;
- (g) Approval of Performance Bond for Deputy Sheriff Marshall D. Neal;
- (h) Approval of Performance Bond for Deputy Sheriff Eldon Ray Hannah;

Judge Davenport made a motion to approve all Consent Agenda Items. Commissioner Logan seconded the motion and the motion carried unanimously

### TIMED AGENDA – 10:00AM

Presentation by Jacksboro City Manager Mike Smith about the possible options for County reimbursement to City on rescue calls outside the Jacksboro City Limits by Jacksboro Fire Department.

Mike Smith attended a funeral for a family member and was not in attendance. No discussion or action was taken.

### UPDATE ON COURTHOUSE REPAIR PROJECT 2011

Judge Davenport visited with Paul Fahrenbruch on Friday, July 21, 2012 when he delivered the warranty from Firestone for the Courthouse roof. There are still a few changes to make on the roof. Judge Davenport is not going to deposit the check until all work is complete. The County should have all new window air conditioner units installed in the Courthouse so there is not any interference with completing the window/door work. Tom Clark will be back within the next few weeks to complete the windows and doors.

### COURTHOUSE LAWN, SPRINKLER, AND LANDSCAPING BIDS

McAllister's Landscape has begun the first steps in preparing the Courthouse grounds for a new lawn, landscaping, and sprinkler system. Commissioner Cozart made a motion to accept the Landscaping plan and use decomposed granite instead of hardwood mulch around the flower beds. Commissioner Brock seconded and the motion carried unanimously.

### AIR EVAC LIFE / AIR MEDICAL MEMBERSHIP

Heather McGlasson from Air Evac Life team gave a presentation regarding continuation of the Site Membership Plan for Jack County employees. Air Medical Membership for employees and families through the County's Cafeteria Plan will increase by \$2.50 per person for this next year

which will be absorbed in the amount paid by the County (\$12.50). Air Evac will no longer service jails under advisement of their attorneys.

#### PURCHASE OF CANINE PATROL VEHICLE

Sheriff Melvin Mayo requested the Court allow him to purchase a 2012 Chevrolet Tahoe Patrol Unit with police package motor with funds from the sale of three (3) older vehicles and excess funds available from employee vacancies at the Sheriff's office. Due to the summertime heat the dog kennel cannot be placed in the back of a pickup for transporting. Commissioner Cozart made a motion to accept Sheriff Mayo's request. Commissioner Logan seconded and the motion carried unanimously.

#### REGIONAL DEFENDERS OFFICE

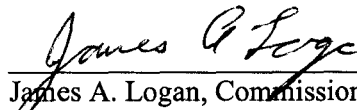
Judge Davenport gave the Commissioners a handout and brief update on a proposal by the Regional Defenders Office on capital murder cases. No action was taken.

#### COUNTY VOTING PLAN

Judge Davenport discussed the current County Voting Plan and consolidation of precincts for July 31, 2012 Primary Runoff Election. There is some confusion with the lines regarding several voting precincts and the maps that were acquired from Allison, Bass and Associates during the Redistricting.

#### ADJOURN

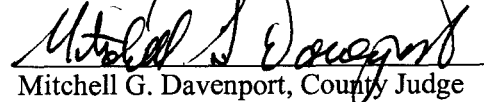
There being no further business motion was made by Commissioner Cozart to adjourn and seconded by Commissioner Logan. The motion carried unanimously.

  
James A. Logan, Commissioner Pct. #1

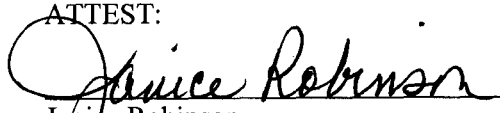
  
James Brock, Commissioner Pct. #2

James L. Cozart, Commissioner Pct. #3

  
Terry Ward, Commissioner Pct. #4

  
Mitchell G. Davenport, County Judge

ATTEST:

  
Janice Robinson  
County Clerk

APPLICATION FOR PERMIT TO CROSS COUNTY ROAD  
TO CONSTRUCT PIPELINE OR UTILITY

FILED FOR RECORD  
O'CLOCK  
M.

THE STATE OF TEXAS  
COUNTY OF JACK

NOW COMES - CD CONSULTING & OPERATING Co., hereinafter called Company, and respectfully makes this application to the Commissioners Court of Jack County, Texas, to grant unto the Company a permit for authorization to lay a pipeline or place a utility across and under the public roads of the County of Jack, State of Texas, conditioned as follows:

1. That said Company, in consideration for the grant by said County, does hereby agree that said pipeline/utility of the following description, crossing a county road in Precinct - 1, Jack County, Texas, at a point hereinafter indicated, will be constructed in such a manner that the construction of same will not interfere with public travel, and that no construction will begin until the Commissioner of said precinct, his agents, or employee approves said location by an on-site inspection.

DESCRIPTION AND LOCATION (Map must be attached):

2. The Company assures the County that it has obtained authorization, if any is required, from any landowners adjoining the crossing to cross whatever portion of their land, if any, lies beneath the roadway.

3. Such pipeline/utility shall be encased, so buried, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by the public or the County. That a pipeline shall be buried to the depth of at least three (3) feet below the surface of the borrow ditch, that the pipeline/utility shall be situated no closer than three (3) feet from the edge of the roadway, and that the road will be restored at the time of construction to its original condition.

4. In the event it becomes necessary to build a Farm-to-Market Road or other road across such roads, it will become the duty of said the Company to adjust its pipeline with such construction without compensation from the County.

5. If said crossing is accomplished by crossing the traveled portion of said road, then the Company agrees it shall, that at its expense, bore under the road as its means of crossing and not cut or trench said road for a crossing. Said boring shall be at a depth of at least three (3) feet below the depth of the borrow ditch.

6. The Company shall fill and level ditches using appropriate fill material or gravel so as to return the road and/or borrow ditch in same condition as before construction so far as possible. Company shall remove any large rocks unearthed at construction at its expense.

7. The Company shall pay, at the time of application, the sum of \$500.00 for each crossing unto the Treasurer of Jack County, Texas. In the event that the permit is not granted, the application fee will be returned.

8. Said access herein granted may be assigned by the Company without further grant or procedure but grantee shall be bound by the same conditions.

9. In the event that the Company abandons its line, the Company shall remove its line from the roadway and this grant is vacated.

10. The Company is responsible to present this application to the Commissioner of the Precinct involved and obtain his signature evidencing the fact that he has seen the application and discussed the location with the Company. The Company shall then present the Application with the appropriate check to the County Judge's Office to then make arrangements for placing the matter on the Commissioners Court Agenda for approval.

11. The Company shall call the County Commissioner 48 hours prior to starting the actual work.

DATED THIS 16 day of July, 2012.

Recommended by:

APPLICANT: CD CONSULTING & OPERATING CO

Phone No. 940-683-2241

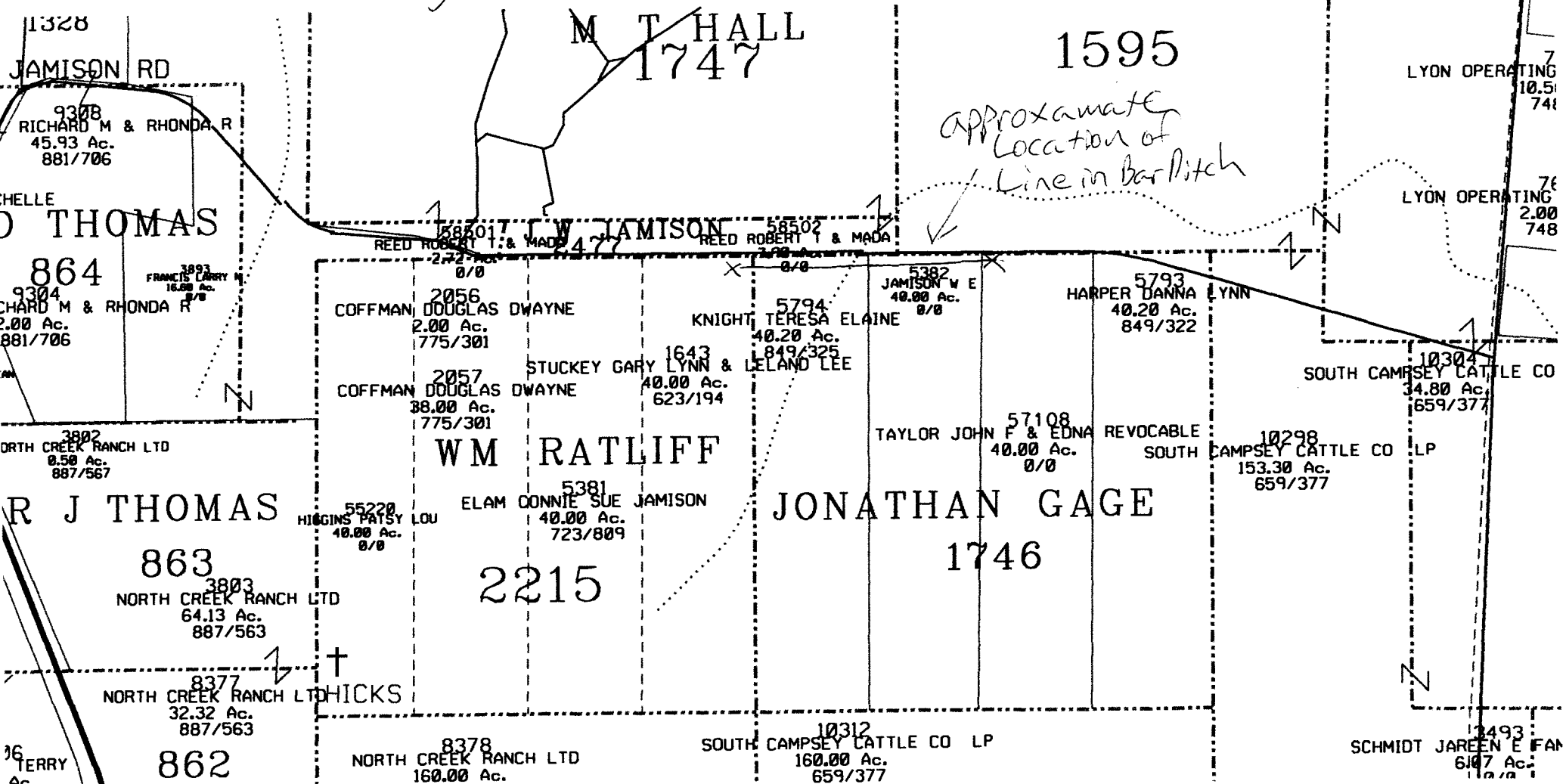
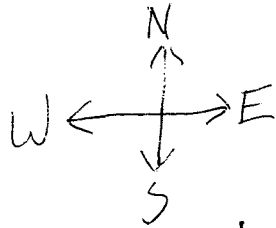
\_\_\_\_\_  
COMMISSIONER:

PRECINCT # - \_\_\_\_\_

By: B.E. Carpenter

APPROVED: Walter J. Devoe

County Judge of Jack County, Texas



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Not for legal, engineering,  
or surveying purposes.  
Approximate representation of  
property boundaries.  
For tax purposes only



# Western Surety Company

## CONTINUATION CERTIFICATE

BY JANICE BRINSON, County Clerk  
JACK COUNTY, TEXAS  
DEPUTY

JUL 23 2012

FILED FOR RECORD  
O'CLOCK 11 M

Western Surety Company hereby continues in force Bond No. 70144532 briefly

described as DEPUTY SHERIFF COUNTY OF JACK

for ELDON RAY HANNAH

\_\_\_\_\_ , as Principal,

in the sum of \$ TEN THOUSAND AND NO/100 Dollars, for the term beginning

August 14 , 2012 , and ending August 14 , 2013 , subject to all

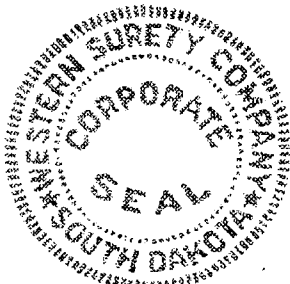
the covenants and conditions of the original bond referred to above.

This continuation is issued upon the express condition that the liability of Western Surety Company under said Bond and this and all continuations thereof shall not be cumulative and shall in no event exceed the total sum above written.

Dated this 18 day of April , 2012 .

WESTERN SURETY COMPANY

By Paul T. Bruflat  
Paul T. Bruflat, Senior Vice President



**THIS "Continuation Certificate" MUST BE FILED WITH THE ABOVE BOND.**

# Western Surety Company

## POWER OF ATTORNEY

### KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Paul T. Bruffat of Sioux Falls,  
State of South Dakota, its regularly elected Senior Vice President,  
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One DEPUTY SHERIFF COUNTY OF JACK

bond with bond number 70144532

for ELDON RAY HANNAH

as Principal in the penalty amount not to exceed: \$10,000.00

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its Senior Vice President Paul T. Bruffat with the corporate seal affixed this 18 day of April, 2012.

ATTEST

L. Nelson  
L. Nelson, Assistant Secretary

WESTERN SURETY COMPANY  
By Paul T. Bruffat  
Paul T. Bruffat, Senior Vice President

STATE OF SOUTH DAKOTA }  
COUNTY OF MINNEHAHA } SS

On this 18 day of April, 2012, before me, a Notary Public, personally appeared Paul T. Bruffat and L. Nelson

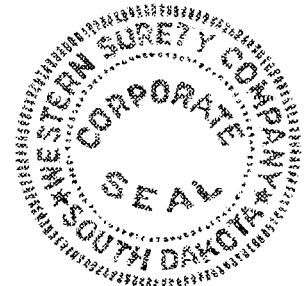
who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Senior Vice President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.

D. KRELL  
NOTARY PUBLIC  
SOUTH DAKOTA

My Commission Expires November 30, 2012

D. Krell

Notary Public







RLI Surety  
 A Division of RLI Insurance Company  
 P.O. Box 3967 Peoria, IL 61612-3967  
 Phone: 309-692-1000 Fax: 309-692-8637

**CONTINUATION  
 CERTIFICATE**

FILED FOR RECORD  
 O'CLOCK \_\_\_\_\_ M.

**JUL 23 2012**

JANICE ROBINSON, County Clerk  
 JACK COUNTY, TEXAS

BY RLI Insurance Company/RLI Indemnity Company DEPUTY hereby continues in force Bond No. LSM0145955 briefly

described as Deputy Sheriff

bound unto the Jack County Sheriff

on behalf of Marshall D. Neal

Location Name & Address:	Bill To Name & Address: (If different)
<u>Marshall D. Neal</u>	
<u>PO Box 237</u>	
<u>Bryson, TX 76427</u>	

in the sum of \$ 10,000.00 Dollars, for the term beginning July 28, 2012 and ending July 28, 2013 subject to all the covenants and conditions of the original bond referred to above.

This Continuation Certificate is executed upon the express condition that the Undersigned company's liability under said bond and under this and all Continuation Certificates issued in connection therewith shall not be cumulative and shall not in any event exceed the amount of said bond as hereinbefore set forth.

Dated this 30th day of April, 2012.



**RLI Insurance Company/RLI Indemnity Company**

By Roy C. Die  
 Roy C. Die, Vice President

THIS "Continuation Certificate" MUST BE FILED WITH THE ABOVE OBLIGEE.