

**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 10<sup>th</sup> day of December, 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

**FILED FOR RECORD**

\_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.

**DEC 06 2012**

JANICE ROBINSON, County Clerk  
JACK COUNTY, TEXAS

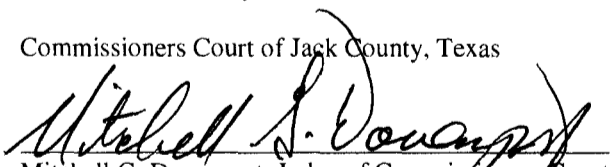
BY \_\_\_\_\_ DEPUTY

1. PUBLIC FORUM;
2. PAYMENT OF CLAIMS;
3. CONSENT AGENDA ITEMS:
  - (a) Approval of Minutes of Meeting of November 26, 2012;
  - (b) Approval of Road Crossing by Brazos Telecommunications, Inc. on Wise St. and First Street in the community of Jermyn in Precinct 4;
  - (c) Approval of Road Crossing by Arrowhead Production, L.P. on Eason Road in Precinct 3;
  - (d) Approval of Performance Bond for Treasurer Kimberly Gibby;
4. TIMED AGENDA:

10:00 – Presentation by First Southwest and Capital Markets Group regarding possible refinancing of the LEC Construction Certificates of Obligation as a cost savings to the County;
5. Discussion of Commissioner Precinct Operations;
6. Update on Courthouse Repair Project 2011 details;
7. Update on Courthouse Interior Repair Project 2012;
8. Discussion of steps, measures, and plan of restoration/renovation of Courthouse lawn, sprinkler system, and landscaping;
9. Update by County Historical Commission on recent Driving Tour program;
10. Presentation by Renee Bates Auctioneers on sale of county salvage or surplus property;
11. Consider revisions in current agreement among Commissioner Precincts regarding the purchase and sharing of new pickups purchased by the Sheriff;
12. Consider assigning of pickup and cell phone to the County Building Maintenance Officer;
13. Setting of Bonding Amounts for Recently Elected or Appointed Officials: Commissioner Precinct 1 & 3, County Clerk, County Attorney, Sheriff, Constable, and the County Auditor;
14. FUTURE AGENDA ITEMS; AND;
15. ADJOURNMENT.

Dated this the 6th day of December, 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 6th day of December, 2012, and said Notice remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

Dated this the 6th day of December, 2012

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



MINUTES

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

James A. Logan, Commissioner Pct. 1 \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.  
James L Brock, Commissioner Pct. 2 \_\_\_\_\_  
James L. Cozart, Commissioner Pct. 3 \_\_\_\_\_  
Terry Ward, Commissioner Pct. 4 \_\_\_\_\_

**FILED FOR RECORD**

**DEC 21 2012**

JANICE ROBINSON, County Clerk  
JACK COUNTY, TEXAS

BY \_\_\_\_\_ DEPUTY

PUBLIC FORUM

John Villalba, Jack County Extension office, spoke regarding the new law effective January 1, 2013 requiring bulls and cows 18 months or older be tagged before selling. Tags will be available through the Extension office, sale barns, or your local veterinarian.

John Villalba received 14 pecan varieties from a local Jack County grower to be entered in the Kerrville, Texas show. Due to water shortages this summer he was surprised that anyone had a good crop. John would like to combine with other surrounding counties and have a show next year.

PAYMENT OF ACCOUNTS AND CLAIMS

All accounts and claims were submitted to the Court for approval. Those submitted were approved and entered into the computer of the County Treasurer. Commissioner Logan made a motion to pay all bills. Commissioner Cozart seconded and the motion carried unanimously.

CONSENT AGENDA ITEMS:

- (a) Approval of Minutes of Meeting of November 26, 2012;
- (b) Approval of Road Crossing by Brazos Telecommunications, Inc. on Wise St. and First Street in the community of Jermyn in Precinct 4;
- (c) Approval of Road Crossing by Arrowhead Production, L.P. on Eason Road in Precinct 3;
- (d) Approval of Performance Bond for Treasurer Kimberly Gibby;

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

FIRST SOUTHWEST AND CAPITAL MARKETS GROUP PRESENTATION

David Medanich made a presentation on behalf of First Southwest and Capital Markets Group regarding possible refinancing of the LEC Construction Certificates of Obligation as a cost savings to the County. Commissioner Cozart made a motion to approve going forward with this process. Commissioner Ward seconded and the motion carried unanimously.

PRECINCT OPERATIONS

Commissioner Brock completed the bridge replacement on Henderson Ranch Road. He also would like clarification regarding stop signs being placed at road crossings in Perrin. Commissioner Ward has a mobile home in his precinct that may be on the right-of-way and is trying to get clarification on this issue.

COURTHOUSE REPAIR PROJECT 2011

The gas line is dug up, replaced, and waiting to be inspected before pouring new concrete. Judge Davenport stated that he still has not received the warranty from Firestone. The capstones by the front steps of the Courthouse still need additional work.

COURTHOUSE INTERIOR REPAIR PROJECT 2012

The Commissioners and their hands will move the JP office back to their newly renovated office on Wednesday, December 12, 2012 and then move the Extension office to the Assembly room. Danny Nash is working on the County Attorney's office so it is ready for the new County Attorney on January 1, 2013. The Court discussed getting bids for blinds for the Courthouse and having them installed in renovated offices as each floor is completed.

COURTHOUSE LAWN, SPRINKLER SYSTEM AND LANDSCAPING

McAllister's Landscaping has been contacted by Judge Davenport and Commissioner Ward requesting they check the sprinkler timers and mowing the Courthouse lawn. Neither have received a response.

### JACK COUNTY HISTORICAL COMMISSION

Jess Elmore and Alinda Cox gave an update for the Jack County Historical Commission on the recent Driving Tour program. Jess felt that the tour was successful and after expenses approximately \$575 profit was deposited in the County Historical Commission budget. The Historical Commission plans to have this driving tour every other year.

### RENE' BATES AUCTIONEERS, INC.

Rene' Bates made a presentation on behalf of Rene' Bates Auctioneers, Inc. for online auctions of county salvage or surplus property by this company at [www.renebates.com](http://www.renebates.com). Rene' Bates Auctioneers, Inc. proposed to conduct Online Auctions for Jack County, Texas for 7.5% to be conducted on an as needed basis. Commissioner Cozart made a motion to accept and sign this agreement / contract for online auction services. Commissioner Logan seconded and the motion carried unanimously.

### COMMISSIONER PRECINCTS & SHERIFF'S PICKUPS

After discussion, revisions in the current agreement between Commissioner Precincts 1 and 3 regarding the purchase and sharing of new pickups purchased by the Sheriff will be between Precinct 3 and 4. The Sheriff's office will buy two (2) new pickups each year allowing Precinct 3 and 4 to drive them for one (1) year and then return them to the Sheriff's Department for their continued use. Commissioner Cozart made a motion to accept this agreement. Commissioner Ward seconded the motion and it carried unanimously.

### COUNTY BUILDING MAINTENANCE OFFICER

Consider assigning a pickup and cell phone to the County Building Maintenance Officer was discussed. Commissioner Logan made a motion that the County furnish a surplus pickup and County cell phone for Danny Nash, County Building Maintenance Officer. Commissioner Cozart seconded and the motion carried unanimously.

### 12:10 P.M. - RECESSED FOR LUNCH

### 1:23 P.M. - RECONVENED

### BOND AMOUNTS OF ELECTED & APPOINTED OFFICIALS

The Court was in agreement that all bonds must be obtained through a Corporate Surety with Commissioner Ward making a motion to approve. Commissioner Cozart seconded and the motion carried unanimously.

Bond amounts were set for the following recently elected or appointed officials:

Commissioner Precincts 1 & 3 - \$3,000 for each of two (2) bonds;  
Motion to approve by Commissioner Cozart, seconded by Judge Davenport, and the motion carried unanimously.

County Clerk - \$77,000;  
Motion to approve by Commissioner Cozart, seconded by Commissioner Brock, and the motion carried unanimously.

County Attorney - \$2,500  
Motion to approve by Commissioner Cozart, seconded by Judge Davenport, and the motion carried unanimously.

Sheriff - \$10,000  
Motion to approve by Commissioner Cozart, seconded by Judge Davenport, and the motion carried unanimously.

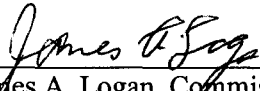
Constable - \$1,000  
Motion to approve by Commissioner Cozart, seconded by Judge Davenport, and the motion carried unanimously.

County Assessor - Collector - \$64,000 – State Bond  
County Assessor – Collector - \$100,000 – County Bond  
Motion to approve by Commissioner Cozart, seconded by Judge Davenport, and the motion carried unanimously.

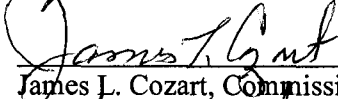
County Auditor – Approved by the District Judge

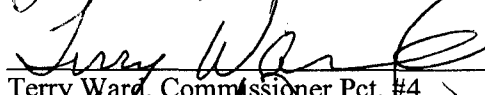
ADJOURN

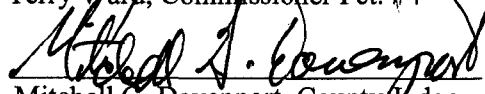
There being no further business motion was made by Commissioner Cozart to adjourn and seconded by Commissioner Brock. The motion carried unanimously.

  
James A. Logan, Commissioner Pct. #1

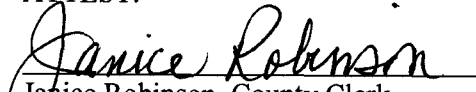
  
James Brock, Commissioner Pct. #2

  
James L. Cozart, Commissioner Pct. #3

  
Terry Ward, Commissioner Pct. #4

  
Mitchell G. Davenport, County Judge

ATTEST:

  
Janice Robinson, County Clerk



DEC 10 2012

JANICE ROBINSON, County Clerk  
JACK COUNTY, TEXAS  
DEPUTY**PROFESSIONAL SERVICES AGREEMENT/~~CONTRACT~~  
FOR ONLINE AUCTIONEERING SERVICES**

Rene' Bates Auctioneers, Inc. (hereinafter referred to as RBAI) proposes to conduct Online Auctions for Jack County, Texas on an as needed basis under the following terms and conditions:

**Rene' Bates Auctioneers, Inc.'s Responsibilities:**

1. Conduct online auctions for Jack County, Texas at their request.
2. Set starting prices for each online auction item or coordinate with your designee to set starting prices for each online auction item, if so desired.
3. Post all online auction information on [www.renebates.com](http://www.renebates.com).
4. Conduct and monitor auction items for approximately two weeks prior to the closing date of each online auction conducted.
5. Advertise your online auction, at our discretion, through our normal channels such as, but not limited to, newspapers, trade journals and print brochures at our sold discretion. We will never do your legal advertising.
6. Generate and send a minimum of two email blast notices to our entire database when your auction has been posted.
7. Invoice all successful bidders once your auction has closed.
8. Collect all auction proceeds including any applicable sales tax from successful bidder.
9. Generate paid receipts to buyer with a copy to your approved distribution list.
10. Balance all auction payments received with actual sales results.
11. Remit all monies, less commission and sales tax, to your designee.
12. Remit all sales tax collected to the State of Texas.
13. Maintain all documentation for exemptions, resale certificates and export certifications for sales tax for the State of Texas.
14. Maintain records of all your auctions for three years.

**Jack County, Texas' Responsibilities:**

1. Provide list of all items to be sold and gather information on all auction items and take digital photographs of each auction item and send to RBAI.

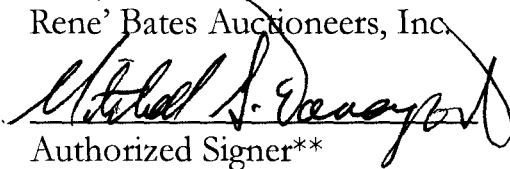
2. Have contact person (Fleet Manager or designee) complete Vehicle Information Sheet on all vehicles and heavy equipment and forward to RBAI.
3. Conduct onsite viewing of all auction items before the closing of each online auction for bidders to come and physically inspect auction items.
4. Contact local news media for Public Service Announcement informing bidders of upcoming online auction and handle all legal advertising as required by Jack County, Texas. Provide link from your website to [www.renebates.com](http://www.renebates.com) to direct potential buyers to your auction.
5. Transfer all titles to successful buyers after Jack County, Texas has received an electronic "PAID" receipt from Rene' Bates Auctioneers, Inc.
6. Oversee removal and checkout of all paid auction items.

Rene' Bates Auctioneers, Inc. proposes to conduct Online Auctions for Jack County, Texas for (7.5%) of all fleet vehicles and heavy equipment and (7.5%) of all miscellaneous items. These auctions will be conducted on an as needed basis for Jack County, Texas.



Sheryl Bates - President  
Rene' Bates Auctioneers, Inc.

Date:



Authorized Signer\*\*

12-10-12  
Date:

\*\*Any items submitted for public auction via this contract have been declared surplus through the appropriate channels of the selling entity.



**RENÉ BATES  
AUCTIONEERS, INC.**

4660 CA 1006 • McKinney, Texas 75071-6614 • 972/548-9636 • Fax: (972) 542-5495  
[www.renebates.com](http://www.renebates.com)

DEC 10 2012

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

**THE STATE OF TEXAS  
COUNTY OF JACK**

JANICE ROBINSON, County Clerk  
JACK COUNTY, TEXAS  
BY \_\_\_\_\_ DEPUTY

NOW COMES - Arrowhead Prod. LP, 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 - 3, 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 5 day of Dec, 2012.

Recommended by:

APPLICANT: Larry Wyatt  
Phone No. 940-229-1493

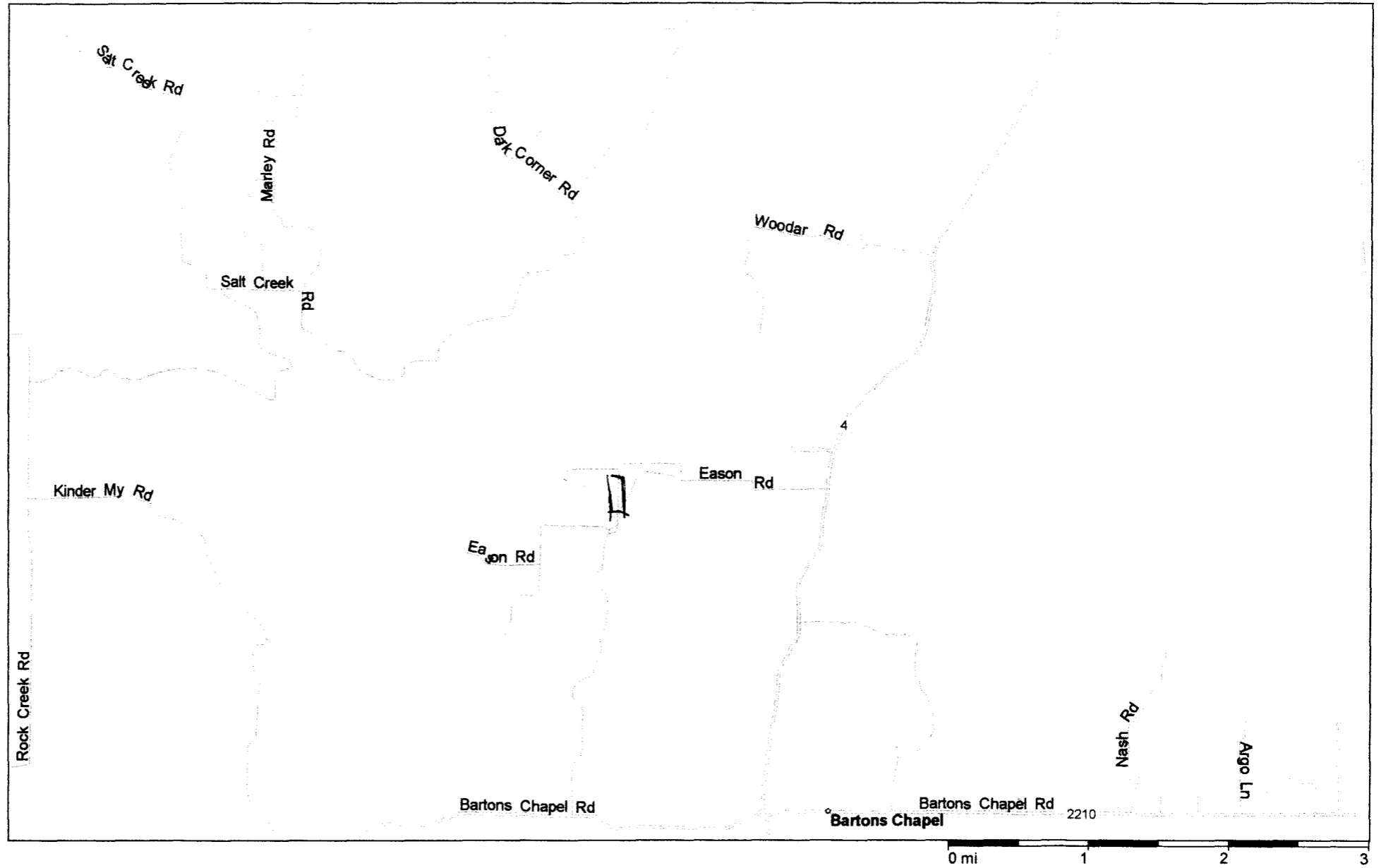
James Cant  
COMMISSIONER:  
PRECINCT # 3

By: \_\_\_\_\_

APPROVED: Michael S. Donaghy  
County Judge of Jack County, Texas



# Texas, United States, North America



APPLICATION FOR PERMIT AND  
RIGHT-OF-WAY TO CONSTRUCT PIPELINE

FILED FOR RECORD

\_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.

DEC 10 2012

JANICE ROBINSON, County Clerk  
JACK COUNTY, TEXAS

BY \_\_\_\_\_ DEPUTY

THE STATE OF TEXAS |  
COUNTY OF JACK |

NOW COMES Brazos Telecommunications, Inc.

hereinafter called Company, and respectfully makes this application to the Commissioners' Court of Jack County, Texas, to grant unto said applicant a permit and Right-of-Way to lay a pipeline 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 of the following description, crossing a county road in Precinct # 4, 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

Buried telephone cable to be placed starting at the intersection of S.H. 114 and Wise St. and extending south on the east of Wise St. to the intersection of First St. At this point, the cable will extend east on the north side of First St. to the telephone building on the north side of First St. between Stewart and Denton Sts.

2. That such pipeline shall be encased, so buried, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by the public. That such pipeline shall be buried to the depth of three (3') feet below the surface of the barrow ditch.

3. That 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 Company to adjust its pipeline with such construction without compensation of the County.

4. If said crossing is accomplished by cutting the travel portion of said road, then the Company agrees, that at its expense, it shall fill and level said crossing, using appropriate fill material or gravel so as to place the travel portion of said road in same condition as before construction so far as possible.

5. That said Company pay unto the Treasurer of Jack County, Texas the sum of \$ Exempt.

6. That said Right-of-Way may be assigned without further grant or procedure.

DATED THIS 10 day of August, A.D. 2012.

Verbal approval given by:

Michael S. Deeney  
COMMISSIONER  
County Judge

Brazos Telecommunications, Inc.  
COMPANY:

BY: Cherie Hall

PRECINCT# 4

DATE: \_\_\_\_\_