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 11th day of March, 2019 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 (Limited to 5 minutes per person);

2. Payment of Claims;

3. CONSENT AGENDA ITEMS:
   (a) Approval of Minutes of Meetings for February 25, 2019 and February 28, 2019;
   (b) Approval/Renewal of Performance Bond for Deputy Sheriff Parker Walden;

4. TIMED AGENDA ITEMS: None;

5. Update on discussion of Adopted County Road Map with legal counsel of Allison, Bass & Associates – Judge Umphress;

6. Report of TIDC (Texas Indigent Defense Commission) of FY19 Formula Statement of Grant Award to the County of Jack in the amount of $12,024 – Judge Umphress;

7. Presentation by Linebarger, Goggan Blair & Sampson, LLP to discuss and accept offer for struck off property located at 339 North 9th Street, Jacksboro, Texas, more fully described in Suite #4485-B;

8. Discuss and update the Justice of the Peace outstanding collection activities with Linebarger, Goggan Blair & Sampson, LLP;

9. Update of communication with Allison, Bass & Magee, Attorneys regarding the County Landfill – Judge Umphress;

10. Discuss and approve utilization/installation of county owned generator from Radio Tower to Courthouse, for the purpose to provide emergency electrical backup power;

11. Discuss and recommend budget planning/workshop calender for fiscal year 2019-2020;

12. Discussion of Commissioner Precinct Operations;

13. Reports, if any, by other Department Heads;

14. FUTURE AGENDA ITEMS; AND;

15. ADJOURNMENT.

FILED FOR RECORD

_____O'CLOCK_____M

MAR 08 2019

VANESSA JAMES, County Clerk
JACK COUNTY, TEXAS

BY_____DEPUTY

Dated this the 8th day of March, 2019.

Commissioners Court of Jack County, Texas

Brian Keith Umphress, 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 8th day of March, 2019, and said Notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this the 8th day of March, 2019, at 9:40A.m.

Vanessa James, County Clerk of Jack County, Texas

COMMISSIONERS COURT JACK COUNTY, TEXAS

MINUTES

On this the 11th day of March 2019 the Commissioners Court of Jack County, Texas met in Regular session at 10:00 a.m. with the following elected officials present:

Gary Oliver, Commissioner Pct. 1
James L Brock, Commissioner Pct. 2
Terry Ward, Commissioner Pct. 4
Brian Keith Umphress, County Judge

FILED FOR RECORD
_____O'CLOCK_____M
MAR 25 2019
VANESSA JAMES, County Clerk
JACK COUNTY, TEXAS
BY_____DEPUTY

PUBLIC FORUM

Jeff Johnson with Purple Wave Auction of Stephenville brought information to Commissioners Court about their auction services. They serve many Counties and Government entities and focus on higher returns for their clients. They will come to the location of the items to list, take pictures, advertise and collect the proceeds of the sale. With a flat rate fee of $100 per sale. They would like to earn the Jack County business.

PAYMENT OF ACCOUNTS AND CLAIMS

Judge Umphress made a motion to pay all accounts and claims submitted for approval. Commissioner Brock seconded and the motion passed unanimously (4-0).

CONSENT AGENDA ITEMS

(a) Approval of Minutes of Meetings for February 25, 2019, and February 28, 2019;
(b) Approval/Renewal of Performance Bond for Deputy Sheriff Parker Walden;

Judge Umphress made a motion to adopt the consent agenda items. Commissioner Oliver seconded and the motion passed (4-0).

TIMED AGENDA

None.

UPDATE ON DISCUSSION OF ADOPTED COUNTY ROAD MAP WITH LEGAL COUNSEL OF ALLISON, BASS & ASSOCIATES-JUDGE UMPHRESS

Several members of the public were present to address concerns with the County Road map. Jarrod Stephens owner of Brazos Title Company, Zack Zeitler and Clinton Farris with Double Z Surveying along with Bob & Roxanna Maddox with Maddox Realty all voiced their concerns with discrepancies in the County Road map which was adopted in 2006. The discrepancies have caused issues with title policies concerning ingress and egress along with other issues. Judge Umphress told the individuals that he realizes there are discrepancies but the County Road book is the standard since it was adopted by Commissioner's Court and is filed in Austin, however he has an open door policy and looks forward to discussing matters on a case by case basis with anyone having issues to find a resolution. This will be an ongoing process. No action was taken at this time.

Judge Umphress made a motion to table the item at this time. Commissioner Oliver seconded and the motion carried (4-0).

REPORT OF TIDC (TEXAS INDIGENT DEFENSE COMMISSION) OF FY19 FORMULA STATEMENT OF GRANT AWARD TO THE COUNTY OF JACK IN THE AMOUNT OF $12,024-JUDGE UMPHRESS

Judge Umphress discussed the ever increasing cost of court-appointed attorneys in Jack County which is coming out of local funds. CPS and family court is the biggest expense to the county. The county understands the cost balance between approving a court-appointed attorney and the individual remaining in jail. There was a discussion but no action was taken

PRESENTATION BY LINEBARGER, GOGGAN, BLAIR & SAMPSON, LLP TO DISCUSS AND ACCEPT OFFER FOR STRUCK OFF PROPERTY LOCATED AT 339 NORTH 9TH STREET, JACKSBORO, TEXAS, MORE FULLY DESCRIBED IN SUITE #4485-B

Barbara Williams and Sandy Gilbert provided information to the Commissioners on the Tax Calendar, explaining that tax statements are sent out in October, if not paid by January, penalty, and interest begin. After explaining the tax calendar, they discussed the property at 339 North 9th

street. A bid was presented for this property in the amount of $17,200 which must be approved by all of the taxing entities before final acceptance. The amount is less than what is owed but this would get the property back on the tax rolls. They also have a list of properties struck off to the county. These will be put up for auction at a later date.

Commissioner Oliver made a motion to accept the bid of $17,200. Commissioner Ward seconded and the motion passed (3-0). Commissioner Brock was absent for the vote.

DISCUSS AND UPDATE THE JUSTICE OF THE PEACE OUTSTANDING COLLECTION ACTIVITIES WITH LINEBARGER, GOGGAN, BLAIR & SAMPSON, LLP

Commissioners discussed the conflict between Linebarger and NetData. The Justice of the Peace has over $500,000 in uncollected fees and there have been no collections from Linebarger since 2016. Judge Umphress and Judge Spurlock met with Corey Fickes, with Linebarger and agreed to give them until November which will be time for contract renewal, to process collections and collect at least $100,000 before turning it over to NetData. There will be a $4,800 charge from NetData to allow Linebarger access to the Justice of the Peace Records. The access fee will be paid by Linebarger.

Commissioner Ward made a motion to give Linebarger until November to collect at least $100,000 of uncollected fees and then review. Commissioner Oliver seconded and the motion passed (4-0).

UPDATE OF COMMUNICATION WITH ALLISON, BASS & MAGEE, ATTORNEYS REGARDING THE COUNTY LANDFILL-JUDGE UMPHRESS

Judge Umphress spoke with Eric Magee who informed him the process could be streamlined. The County will not have to have any public hearings, just have them draw up the paperwork and present to Commissioner's Court. Judge Umphress will be getting back with Allison, Bass, and Magee to move forward with the process.

Judge Umphress made a motion to table the item until more information is received from Allison, Bass & Magee. Commissioner Brock seconded and the motion passed (4-0).

DISCUSS AND APPROVE UTILIZATION/INSTALLATION OF COUNTY-OWNED GENERATOR FROM RADIO TOWER TO COURTHOUSE, FOR THE PURPOSE TO PROVIDE EMERGENCY ELECTRICAL BACKUP POWER

Emergency Management Coordinator Frank Hefner addressed the Commissioners concerning a County owned generator in Precinct #1 off of Highway 148 stored at the radio tower. The generator has not been used for some time and he feels it would be a wise move to bring it to the courthouse. The Courthouse generator is only 10K and has been here for about 30 years. They are beginning to have many issues with the old one, and he feels this would serve the Courthouse in a greater capacity as it is a 42K generator. There would be a cost to have it moved but that would come from Courthouse security funds.

Commissioner Brock made a motion to table the item until they are able to get a bid from Miller Electric on moving the generator. Commissioner Oliver seconded and the motion passed (4-0).

DISCUSS AND RECOMMEND BUDGET PLANNING/WORKSHOP CALENDER FOR the FISCAL YEAR 2019-2020

Judge Umphress spoke to Commissioners about beginning the budget process in April this year. He would like to begin meeting with Department heads to give guidance and direction on spending. In May, Auditor, Judge, Commissioner and Department Head would work together to compile the individual department's estimated expenses. The Proposed Budget would be filed in July. He would like input from Commissioners on County employee pay increases for this next budget cycle as well. Beginning the budget process earlier should decrease the number of budget workshops thus making the process run more efficiently. Judge Umphress also told Commissioners that Jack County is healthy financially but he feels we should always be good stewards of the County's finances.

No action was taken.

DISCUSSION OF COMMISSIONER PRECINCT OPERATIONS

Commissioner Brock reported that Perrin is still having water issues. Rep. Drew Springer's Office has scheduled a combined meeting with TCEQ and PUC. All are working towards a

solution. Commissioner Brock recently utilized and distributed pallets of water from the Jack County Strategic Reserves, for the Perrin Community to have drinking water.

DEPARTMENT HEADS

Judge Umphress told Commissioners he has been very pleased with Constable Clyde Watson and Emergency Management Coordinator Frank Hefner. Their efforts in creating a safe work environment at the Courthouse and for the Community have been outstanding. Constable Watson set up security training for all Courthouse employees and Frank Hefner has been working diligently with Nortex for Homeland Security grants. Having these gentlemen with the County is an asset and brings value to Jack County.

Deputy David VanderKaay introduced the newest Deputy, Parker Walden to Commissioners. Parker is a lifelong resident of Jack County and is eager to serve the County he grew up in.

Maintenance Supervisor Lane Argo reported to Commissioners that the plumbers will be here soon to finish the restrooms on the North end of the Courthouse. They were on hold due to a recent trial in District Court in which all restrooms were needed to be operative.

The 30.06 and 30.07 lettering has been removed from the courthouse exterior doors. Lane is also pricing new exterior doors which will be more effective with our Courthouse Security updates.

Matthew with Otis Elevators will be at the next Commissioner Court meeting to speak with Commissioners on repairs to the elevator and costs.

Lane has been helping with some repairs and maintenance at the LEC. He told Commissioners Roof Pro will be replacing some roof flashing that blew off in the recent storm. He also reported more issues with the drain line in the kitchen. He had Mr. Rooter come out and do some work. They would like to run a jet cleaner through the system which they feel would correct the issues that have been ongoing. He also reported that Sheriff Spurlock has allowed him to implement a Celebrate Recovery program at the LEC which he feels will help build morale and greatly influence the inmates in a positive manner.

Judge Umphress said he would like to speak with the Warden at the John R. Lindsey state prison to see if inmates on work detail could assist with upkeep on mowing at the LEC.

FUTURE AGENDA ITEMS

None.

ADJOURNMENT

There being no further business motion was made by Commissioner Brock to adjourn. Commissioner Oliver seconded the motion to adjourn and the motion passed unanimously (4-0).

The meeting was adjourned at 1:20 p.m.

Gary Oliver, Commissioner Pct. #1

James Brock, Commissioner Pct. #2

Terry Ward, Commissioner Pct. #4

Brian Keith Umphress, County Judge

ATTEST:

Vanessa James, County Clerk

THE STATE OF TEXAS
JACK COUNTY

TIDC

TEXAS INDIGENT DEFENSE COMMISSION

Statement of Grant Award

FY19 Formula Grant

FILED FOR RECORD

_____O'CLOCK_____M

MAR 11 2019

VANESSA JAMES, County Clerk
JACK COUNTY, TEXAS

BY_____DEPUTY

Date Issued:	February 15, 2019
Grant Number:	212-19-119
Grantee Name:	Jack County
Program Title:	Formula Grant Program
Grant Period:	10/01/2018-9/30/2019
Grant Award Amount:	**$12,024**

The Texas Indigent Defense Commission (Commission) has awarded the above-referenced grant for indigent defense services. Formula Grants are provided by the Commission to meet its statutory mandates and to promote Texas counties' compliance with standards adopted by the Commission.

Grant Calculation

- The sum of $5,000 plus;
- A calculation applied to the funds budgeted for FY2019 formula grants by the Commission based:
  - 50 percent on the County's percent of state population; and
  - 50 percent on the County's percent of statewide FY 2018 direct indigent defense expenditures (as defined in Title 1, Part 8, Texas Administrative Code Sec. 173.202(1)-(3)):
    - less discretionary funds provided by the Commission for expenditures defined in Title 1, Part 8, Texas Administrative Code Sec. 173.202(1)-(3)
    - less the reimbursed costs of operating a regional program
    - The baseline requirements contained in the Request for Applications do not apply to counties with a 2000 Census population of less than 10,000 but do apply to all other counties.
- The County shall not receive more in funds than what was actually spent by the county in the prior year.

<u>Standard Grant Conditions</u>:

- The authorized official for the grantee accepts the grant award.
- The authorized official, financial officer, and program director, referred to below as grant officials, agree to the terms of the grant as written in the FY19 Formula Grant Program Request for Applications issued in September 2019, including the rules and documents adopted by reference in the Commission on Indigent Defense's Grant Rules in Title 1, Part 8, Chapter 173, Texas Administrative Code.
- The grant officials understand that a violation of any term of the grant may result in the Commission placing a temporary hold on grant funds, permanently de-obligating all or part of the grant funds, requiring reimbursement for funds already spent, or barring the organization from receiving future grants.
- Disbursement of funds is always subject to the availability of funds.
- Any plan documents submitted to the Commission must continue to meet all grant eligibility requirements.
-

Contractors Bonding and Insurance Company
P.O. Box 3967 Peoria IL 61612-3967
Phone: (309)692-1000 Fax: (309)683-1610

Official Bond And Oath

Bond No. LSM1258507

KNOW ALL MEN BY THESE PRESENTS:

That we, Parker Walden, as Principal, and **Contractors Bonding and Insurance Company**, a corporation duly licensed to do business in the State of Texas, as Surety, are held and firmly bound unto the Jack County Sheriff in the penal sum of Ten Thousand and 00/100 DOLLARS ($ 10,000.00), to the payment of which sum, well and truly to be made, we jointly and severally bind ourselves and our legal representatives firmly by these presents.

Signed this 6th day of March, 2019.

THE CONDITION OF THIS OBLIGATION IS SUCH, That whereas, the said Principal was duly ☐ elected ☒ appointed to the office of Sheriff Deputy, State of Texas, for the term commencing on the 4th day of March, 2019.

NOW THEREFORE, if the said Principal shall faithfully perform the duties of his said office, then this obligation shall be void and of no effect, otherwise to remain in full force and effect.

FILED FOR RECORD

_____O'CLOCK_____M

MAR 11 2019

VANESSA JAMES, County Clerk
JACK COUNTY, TEXAS

BY_____DEPUTY

Parker Walden
Principal

Countersigned

N/A

CONTRACTORS BONDING AND INSURANCE COMPANY
CORPORATE
SEAL
ILLINOIS

Contractors Bonding and Insurance Company

Barton W. Davis — Vice President

OATH OF OFFICE
(COUNTY COMMISSIONERS and COUNTY JUDGE)

I, _____, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of _____ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly swear (or affirm) that I will not be, directly or indirectly, interested in any contract with or claim against the County, except such contracts or claims as are expressly authorized by law and except such warrant as may issue to me as fees of office. So help me God.

_____
Principal

Sworn to and subscribed before me, at, _____ Texas, this _____ day of _____, _____.

SEAL

_____
Notary Public
_____ County, Texas

O4200418-10,0

OATH OF OFFICE
(GENERAL)

I, Parker Walden, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Deputy Sheriff of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Parker Walden
Principal

Sworn to and subscribed before me, at, Jacksboro Texas, this 8th day of March, 2019.

Yvonne Smith
Notary Public

Jack County, Texas

SEAL YVONNE SMITH
Notary Public, State of Texas
My Commission Expires
August 15, 2019

ACKNOWLEDGEMENT OF SURETY

THE STATE OF Illinois
County of Peoria } ss

On this 6th day of March, 2019, before me, the undersigned officer, personally appeared Barton W. Davis who acknowledged himself to be the aforesaid Vice President of the **Contractors Bonding and Insurance Company**, a corporation, and he as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Gretchen L Johnigk
Notary Public
Gretchen L. Johnigk

Peoria
County

GRETCHEN L JOHNIGK
"OFFICIAL SEAL"
My Commission Expires
May 26, 2020

O4200418-10,0

POWER OF ATTORNEY

Contractors Bonding and Insurance Company

9025 N. Lindbergh Dr. Peoria, IL 61615
Phone: 800-645-2402

Bond No. LSM1258507

Know All Men by These Presents:

That the Contractors Bonding and Insurance Company, a corporation organized and existing under the laws of the State of Illinois, and authorized and licensed to do business in all states and the District of Columbia does hereby make, constitute and appoint: Barton W. Davis in the City of Peoria, State of Illinois, as it's true and lawful Agent and Vice President, with full power and authority hereby conferred upon him/her to sign, execute, acknowledge and deliver for and on its behalf as Surety, in general, any and all bonds and undertakings in an amount not to exceed Five Million and 00/100 Dollars ($ 5,000,000.00) for any single obligation, and specifically for the following described bond.

Principal: Parker Walden
Obligee: Jack County Sheriff
Type Bond: Sheriff Deputy
Bond Amount: $ 10,000.00
Effective Date: March 4, 2019

The Contractors Bonding and Insurance Company further certifies that the following is a true and exact copy of a Resolution adopted by the Board of Directors of Contractors Bonding and Insurance Company, and now in force to-wit:

"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 Contractors Bonding and Insurance Company has caused these presents to be executed by its Vice President with its corporate seal affixed this 6th day of March, 2019.

CONTRACTORS BONDING AND INSURANCE COMPANY
CORPORATE
SEAL
ILLINOIS

Contractors Bonding and Insurance Company

By: Barton W. Davis
Barton W. Davis — Vice President

State of Illinois
County of Peoria } SS

On this 6th day of March, 2019, before me, a Notary Public, personally appeared Barton W. Davis, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of the Contractors Bonding and Insurance Company, and acknowledged said instrument to be the voluntary act and deed of said corporation.

By: Gretchen L Johnigk
Gretchen L. Johnigk — Notary Public

NOTARY PUBLIC STATE OF ILLINOIS
GRETCHEN L JOHNIGK
"OFFICIAL SEAL"
My Commission Expires
May 26, 2020

CERTIFICATE

I, the undersigned officer of Contractors Bonding and Insurance Company do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that the Resolution of the Company as set forth in the Power of Attorney, is now in force. In testimony whereof, I have hereunto set my hand and the seal of the Contractors Bonding and Insurance Company this 6th day of March, 2019.

Contractors Bonding and Insurance Company

By: Jean M. Stephenson
Jean M. Stephenson — Corporate Secretary

A0082817

Form #2201 Rev. 10/2011

Submit to:
SECRETARY OF STATE
Government Filings Section
P O Box 12887
Austin, TX 78711-2887
512-463-6334
512-463-5569 - Fax
Filing Fee: None

This space reserved for office use

STATEMENT OF OFFICER

Statement

I, Parker Walden, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Position to Which Elected/Appointed: Sheriff Deputy

City and/or County: Jack County

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: 03-08-2019

Signature of Officer

Revised 10/2011

FILED FOR RECORD

_____O'CLOCK_____M

MAR 11 2019

VANESSA JAMES, County Clerk
JACK COUNTY, TEXAS

BY_____DEPUTY

Form #2204 Rev 9/2017 Submit to: SECRETARY OF STATE Government Filings Section P O Box 12887 Austin, TX 78711-2887 512-463-6334 FAX 512-463-5569 Filing Fee: None	OATH OF OFFICE	This space reserved for office use FILED FOR RECORD _____O'CLOCK_____M MAR 11 2019 VANESSA JAMES, County Clerk JACK COUNTY, TEXAS BY_____DEPUTY

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,
I, Parker Walden, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Sheriff Deputy of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Signature of Officer

Certification of Person Authorized to Administer Oath

State of TEXAS

County of JACK

Sworn to and subscribed before me on this 8th day of March, 2019.

(Affix Notary Seal, only if oath administered by a notary.)

Signature of Notary Public or
Signature of Other Person Authorized to Administer An Oath

THOMAS SPURLOCK
Printed or Typed Name