

STATE OF TEXAS )(
COUNTY OF DONLEY )(

BE IT REMEMBERED THE

HONORABLE COMMISSIONERS' COURT met in REGULAR SESSION open to the public this 13TH day of NOVEMBER, 2018, at 9:00 A.M. CDT. in the Commissioners' Courtroom of the Courthouse. County Judge JOHN HOWARD, presiding, calling this session of Court to order with:

Commissioner Pct. #1 MARK WHITE
Commissioner Pct. #2 DANIEL FORD
Commissioner Pct. #3 ANDY WHEATLY
Commissioner Pct. #4 DAN SAWYER

LaVERNE PINION, Deputy County/District Clerk and Ex-Officio DEPUTY Clerk of the Commissioners' Court and WANDA SMITH, County TREASURER.

THE FOLLOWING BUSINESS WAS TRANSACTED:

- 1. Call to Order
2. Invocation - JUDGE JOHN HOWARD
3. Pledge of Allegiance
4. Determine if Quorum Present.
Duly noted that the above 5 members were present.
5. Public Comment - NO PUBLIC COMMENT
6. Approval and/or Correction of minutes of previous sessions.
Motion by ANDY WHEATLY and seconded by DANIEL FORD to approve the minutes for Regular Session of OCTOBER 9, 2018. ALL VOTED FOR; NONE AGAINST.

THE SUBJECTS TO BE DISCUSSED, CONSIDERED, OR UPON ANY ANY ACTION TAKEN ARE AS FOLLOWS:

- 7. Audit and pay bills for the month of OCTOBER, 2018, County Treasurer's financial report, and Office Reports submitted by CEA, COUNTY DISTRICT/CLERK (SEPT), COUNTY JUDGE, FIRE DEPARTMENT, JP 1&2, JP 3&4, SHERIFF, TAX ASSESSOR COLLECTOR AND COUNTY TREASURER, FINANCIAL REPORT AND APPROVE OCTOBER, 2018 PAYROLL.
Motion by DANIEL FORD and seconded by DAN SAWYER to order all bills paid that were audited and approved in open court for the month of OCTOBER, 2018, COUNTY TREASURER'S FINANCIAL REPORT, AND APPROVE OCTOBER 2018 PAYROLL. ALL VOTED FOR; NONE AGAINST.

8. Visitors - NONE

9. OTHER BUSINESS.

1. Consider appointing Chancy Cruse and Chris Schollenbarger to the City-County Joint Airport Zoning Board.  
Motion by **MARK WHITE** and second by **DAN SAWYER** to approve appointing Chancy Cruse and Chris Schollenbarger to the City-County Joint Airport Zoning Board and the Judges' signature. **ALL VOTED FOR; NONE AGAINST.**
2. Consider approving a Lease Purchase Agreement with SNB Bank, National Association for a Caterpillar 12M3 AWD Motor Grader for Precinct 4.  
Motion by **DAN SAWYER** and second by **MARK WHITE** to approve a lease With SNB Bank, National Association for a Caterpillar 12M3 AWD Motor Grader for Precinct 4. **ALL VOTED FOR NONE AGAINST.**
3. Consider continuing education requests from Judge Howard.
  - a. 2019 Probate Academy in Lubbock, May 8-10, 2019.
  - b. Spring 2019 Judicial Education in Lubbock, March 27-29, 2019.Motion by **ANDY WHEATLY** and second by **DANIEL FORD** to approve Education request from Judge Howard. **ALL VOTED FOR; NONE AGAINST.**
4. Consider continuing education requests from incoming Justice of the Peace, Precinct 3&4, Pat White.
  - a. Stage I of newly elected JP School in Austin, Dec. 9-13, 2018.
  - b. Stage II of newly elected JP School in Austin Jan. 13-17, 2019.
  - c. Stage III of newly elected JP School in Austin, April 8-11, 2019.Motion by **ANDY WHEATLY** and seconded by **DAN SAWYER** to approve Pat White attending newly elected JP School in Austin, Dec. 9-13, Jan. 13-17 and April 8-11, 2019. **ALL VOTED FOR; NONE AGAINST.**
5. Consider continuing education request from Pam Mason to attend JP seminar April 23-26, Rockwall, Texas.  
Motion by **MARK WHITE** and seconded by **DANIEL FORD** to approve attending JP seminar April 23-26, Rockwall, Texas. **ALL VOTED FOR; NONE AGAINST.**
6. Consider re-appointment of Dr. Matt Halsey as the Local Rabies Control Authority for Donley County.  
Motion by **DAN SAWYER** and seconded **MARK WHITE** to approve reappointing Dr. Matt Halsey as the Local Rabies Control Authority for Donley County and the Judges' signature. **ALL VOTED FOR; NONE AGAINST.**
7. Approve bond for **ANDY WHEATLY** as Commissioner, Precinct 3.  
Motion by **DANIEL FORD** and seconded by **MARK WHITE** to approve the bond for **ANDY WHEATLY**. **DANIEL FORD, MARK WHITE AND DAN SAWYER** voted for. **ANDY WHEATLY** rescued himself from the vote.
8. Consider plans for constructing Handicapped Ramp on Justice of the Peace 3&4 in Hedley.

Motion by **ANDY WHEATLY** and seconded by **DAN SAWYER** to approve the Plans by Pearson Construction for constructing Handicapped Ramp on Justice of the Peace building in Hedley. **ALL VOTED FOR; NONE AGAINST.**

9. Consider road closure or proper signage for County Road 16 north off of Hwy 2471. **NO ACTION TAKEN.**

10. Consider maintenance of the JA Ranch Road, Hwy 2162.  
**NO ACTION TAKEN.**

11. Consider approval of the Christmas Lighting Committee's acquiring a bench for the Courthouse.

Motion by **ANDY WHEATLY** and seconded by **DAN SAWYER** to approve a bench for the Courthouse. **ALL VOTED FOR; NONE AGAINST.**

12. Consider an interlocal agreement between Donley County and the City of Clarendon regarding the disposition of trust properties that have not sold in Sheriffs' sales, by the City and possible resale of same.

Motion by **MARK WHITE** and seconded by **DANIEL FORD** to approve an Interlocal agreement between Donley County and the City of Clarendon regarding the disposition of trust properties that have not sold in Sheriffs' sales, by the City and possible resale of same. **ALL VOTED FOR; NONE AGAINST.**

13. Consider report regarding the 2017-2018 Fiscal Year Chapter 59 Asset Forfeiture report by the District Attorneys' office for the 100<sup>th</sup> Judicial District.

Motion by **ANDY WHEATLY** and seconded by **DANIEL FORD** to approve the 2017-2018 Fiscal Year Chapter 59 Asset Forfeiture report by the District Attorneys' office for the 100<sup>th</sup> Judicial District. **ALL VOTED FOR; NONE AGAINST.**

14. Consider Courthouse Tree plan for future plantings and tree removal.

Motion by **ANDY WHEATLY** and seconded by **MARK WHITE** to begin the whole plan by Arbor Solutions for new plantings and tree removal. **ALL VOTED FOR; NONE AGAINST.**

15. Budget Amendment of 2018-2019 Budget. Lateral Road's check was \$14,788.17 which is \$430.22 less than \$15,218.49 stated in the Budget on Page 2A; therefore, \$107.58 should be deducted from each precincts' lateral road line.

Motion by **MARK WHITE** and seconded by **ANDY WHEATLY** to deduct \$107.58 from each Precincts' lateral road line because the Lateral roads' check was \$14,788.17 which is \$430.22 less than \$15,218.49 stated in the Budget on Page 2A. **ALL VOTED FOR; NONE AGAINST.**

16. Consider changing the Personnel Manual policy of paying longevity to our employees from November 30<sup>th</sup> to November 15<sup>th</sup> each year.

Motion by **DAN SAWYER** and **MARK WHITE** to change the Personnel Manual

of paying longevity to the employees from November 30<sup>th</sup> to November 15<sup>th</sup> each year. **ALL VOTED FOR; NONE AGAINST.**

17. Consider obtaining an easement on the JP 3&4 building to accommodate air conditioning compressor.

Motion by **ANDY WHEATLY** and seconded by **DANIEL FORD** to obtain an easement on the JP 3&4 building to accommodate air conditioning compressor and to get right of first refusal from the owner. **ALL VOTED FOR; NONE AGAINST.**

18. Consider audit of the J&P 3&4 office.

Motion by **DAN SAWYER** and seconded by **ANDY WHEATLY** to have Foster & Lambert do a \$1500 limited audit as of 12/1/2018. **ALL VOTED FOR; NONE AGAINST.**

19. Canvass the votes of the November 6, 2018 General Election.

Motion by **DAN SAWYER** and seconded by **ANDY WHEATLY** to canvass the Votes of the November 6, 2018 General Election.

20. Letters to the Court.

**NO ACTION TAKEN.**

10. Adjourn, Subject to Call.

**JUDGE HOWARD** adjourned this Regular Session of Commissioner's Court.

#### APPROVAL CERTIFICATE

STATE OF TEXAS     )  
COUNTY OF DONLEY  )

IN THE ABOVE AND FOREGOING MINUTES OF COMMISSIONERS' COURT IN AND FOR DONLEY COUNTY, TEXAS FOR THE THIRTEENTH DAY OF NOVEMBER, 2018 REGULAR SESSION THE DEPUTY CLERK LaVERNE PINION ATTESTS THE MINUTES TO BE TRUE AND CORRECT.

LaVERNE PINION \_\_\_\_\_  
EX-OFFICIO DEPUTY CLERK OF COMMISSIONERS' COURT  
DONLEY COUNTY, TEXAS