

**COMMISSIONERS COURT
REGULAR SESSION**
March 24, 2003

The Hunt County Commissioners Court met this day with all Commissioners present and Judge Joe Bobbitt presiding. Minutes of the previous meeting were approved as presented. However, the Court did note an amendment to the Commissioners Court Minutes on September 23, 2002 to #8503.

NEW BUSINESS:

8674 On the motion by Phillip Martin, second by Jim Latham, the Court approved the adoption of the "Domestic Preparedness Plan" developed by Emergency Management Coordinator – Dorsey Driggers to increase readiness levels for risk of terrorist acts or threats. Mr. Driggers further advised the Court, the City of Greenville has increased surveillance, Commerce has increased their security, and Sheriff – Don Anderson stated his office was working security on the tank farm near Caddo Mills. *See Attachment.*

8675 On the motion by Phillip Martin, second by Ralph Green, the Court resolved to grant right of way and use easement on and across abandoned railroad right of way on property located behind the Meadow Addition to the City of Greenville to Eirik Berggren, contingent upon satisfactory agreement provided by Mr. Berggren. Agreement to be executed in 2 weeks, to resubmit for Court's approval.

8676 On the motion by Green, second by Latham, the Court approved addition of the Salvation Army to the juror reimbursement donation list.

— 'Discuss and possibly approve contract with Griffin Security for new system for the Tax Office.' Joyce Barrow stated due to an emergency situation of moving equipment and transferring money into their new location she entered into a contract with Griffin Security System on the following:

\$640.00 per month – digital camera system for bank building

\$ 35.00 per month – 1st Alert monitor and alarm system for bank building

\$175.00 per month – digital alarm system for the substation

\$840.00 per month for a 5 year lease and maintenance of equipment

(Since this amount would exceed the \$25,000, the Court suggested a 1 year lease.)

Judge Bobbitt stated no one enters into a leasing contract, even in an emergency situation without authority of Commissioners Court, the County has no emergency provisions.

The Court also suggested that all (3) contracts be combined into (1) contract.

The Court agreed since the hardware has already been installed, with a company Hunt County has done business with, we have to have security on this building; agreement was made by the Court to place this item on OLD BUSINESS next Court to allow the Commissioners time to study all 3 contracts. Additionally, the Court authorized the Auditor to pay bills now received until contract is approved by the Court.

8677 On the motion by Martin, second by Green, the Court approved Resolution accepting high bid received (\$663.50) on resale property R 71514, located at 1406 Hemphill St, Greenville, TX. from Perry E. Salisbury. *See Attachment.* Deed to be recorded in Official Public Records.

8678 On the motion by Green, second by Martin, the Court approved the "Racial Profiling Report" presented by Sheriff – Don Anderson which reflected no discrimination issues in our County. *See Attachment.* (Required per SB 1074 requiring all law enforcement agencies to establish this policy)

8679 On the motion by Martin, second by Green, the Court approved the "Annual Activity Report for 2002" for the Hunt County Sheriff's Department presented by Sheriff – Don Anderson. Also, Sheriff Anderson advised the Court the jail has been certified.

8680 On the motion by Kenneth Thornton, second by Martin, the Court approved the sale of a Champion Motor Grader to Fannin County for \$17,000.00.

8681 On the motion by Thornton, second by Martin, the Court approved the purchase of a new motor grader for Pct 1 for up to \$90,000.00 through the State bid process.

8682 On the motion by Thornton, second by Martin, the Court approved request of FEC Electric to construct electrical power distribution facilities along and across CR 2726 in Pct 1 with the usual stipulations.

8683 On the motion by Green, second by Thornton, the Court approved replat of Creekview Estates Lots 5, 6, 7 & 8 in Pct 2 as presented by Frank Owens.

— 'Discuss and possibly take action on Final plat for Benton Estates in Pct 4:' Per Commissioner Latham there is no Bond at this time, item dropped from the Agenda.

8684 On the motion by Latham, second by Martin, the Court approved request of FEC Electric to construct electrical power distribution facilities along and across CR 4509 and CR 4510 in Pct 4 with the usual stipulations.

8685 On the motion by Latham, second by Green, the Court approved 700ft. road upgrade from dirt to rock on CR 4817 in Pct 4. Money deposited into Escrow.

— ‘Discuss and possibly take action on position of Court Reporter for the Hunt County Court at Law.’ Judge Shipp and Dana Taylor were present to discuss suggestion of a job sharing program which would allow 2 court reporters on a per diem basis of ½ day each to work in this Courtroom. This program will be approximately \$2,000 less when benefits included as we are now paying. The Court agreed to this program as long as it doesn’t go over the annual budgeted amount. Effective after maternity leave.

8686 On the motion by Green, second by Thornton, the Court approved amendment to the County Budget for FY 2003 to allow adding several grant funds received, fixed assets and matching funds; in addition to show expenditures of the move of the Tax Office, Juvenile Renovation and Law Enforcement Block Grant.

HEAR AND DISCUSS REPORTS:

— Bill Thomas and John Reynolds were present to discuss Phase II at the Museum, which will be the Audie Murphy War Memorials. There will be 6 black granite blocks situated behind the Audie Murphy Statue depicting names of Hunt County Veterans who have died in defense of their Country in past wars. Also discussed was the engraved brick pavers which will be sold and will cover the memorial floor and sidewalk from the parking lot to the Memorial. In addition, in this fund raising campaign for the parking lot a 1/12 scale bronze model of the Murphy Statue is being sold for \$1,000 each.

8687 On the motion by Martin, second by Green, the Court approved accounts payable. Judge Bobbitt abstained from the vote.

8688 On the motion by Green, second by Martin, the Court approved line item budget transfers.

PERSONNEL AND PAYROLL:

<p>Commissioner Pct 3:</p>	<p>Remove Reggie Williams as Pct. Worker due to his resignation, effective date 3-21-03.</p> <p>Transfer Merely Brannum Senior Equipment Operator G6/P60 at \$27,069.00 from Pct 2 to Pct 3 – Salary to stay the same, effective date 3-24-03.</p>
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8689 Approved on the motion by Thornton, second by Martin.

____ Court Adjourned at 11:58A.M. Minutes approved this 14 day of
L.B. ~~March~~ April, 2003.

1088

Attest:

Linda Braschi

Hunt County Clerk

Jack D. Ball

Hunt County Judge

81

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8674

Hunt County Readiness Levels For Risk of Terrorist Acts or Threats

Readiness level 4 – Normal Conditions

Low or Green On the Advisory Scale
Indicates Low risk of Terrorist Attack

&

Guarded or Blue on the Advisory Scale
Indicates General Risk of Terrorist Attack
This readiness level requires activities and efforts by, law
Enforcement to define the threat, identify terrorist and
prevent terrorist attacks.

Readiness level 3 – Increased Readiness

1. When local law enforcement personnel determined or are advised by DPS or the FBI that there is a credible threat of near-term local terrorist action, law enforcement personnel shall alert the Hunt County Judge, Hunt County EMC, and other appropriate local officials. Those individuals shall review the potential emergency situation, plans, and procedures, and determine and implement appropriate readiness actions. These may include:
 - a. expanding criminal intelligence operations;
 - b. reviewing personnel and equipment status and taking actions to enhance resources availability;
 - c. reviewing inventory of critical consumable supplies, filling shortages, and increasing stocks if needed.
 - d. Increase security at and surveillance of public facilities that are potential targets;
 - e. recommending to owners or operators of privately-owned facilities that they take similar steps;
 - f. briefing local public health and hospital managers on the potential threat; and
 - g. placing selected emergency response elements on higher state of readiness.

Readiness level 2 –High Readiness

High or Orange on the Advisory Scale

1. Further increase security at and surveillance of potential targets.
2. Further increase readiness of emergency response forces and advise public health and medical facilities to do likewise.
3. Consider partial activation of the EOC to monitor situation and maintain data on resource status.
4. Depending on the specific situation and the need for security to protect intelligence sources, disseminate non-sensitive information and if needed, instructions to the public.

Readiness level 1 – Maximum Readiness
Severe or Red on the Advisory Scale

1. Implement most rigorous security measure.
2. Bring response forces to maximum readiness.
3. Activate the EOC to monitor the situation and maintain data on resource status.
4. Disseminate non-sensitive information and, if needed, instructions to the public.
5. Determine and implement precautionary protective measures for the public in selected areas or for specific facilities where appropriate.

R71514, 1406 HEMPHILL

8677

RESOLUTION

WHEREAS, the County of Hunt, the Hunt Memorial Hospital District became, pursuant to a Sheriff's/Constable's Sale for delinquent taxes, the owners of a certain tract of land described in the attached Exhibit "A" and incorporated herein;

and **WHEREAS**, because the property described is not currently on the tax roll and will not be added to the tax roll until it is sold, it is desirable that the property be sold so that it may be added to the tax roll and so that the taxes may be assessed against the property in the future;


and **WHEREAS**, an offer has been made to purchase the property, and the County of hunt wishes to accept the offer of PERRY E. SALISBURY to purchase the property for SIX HUNDRED AND SIXTY THREE DOLLARS AND FIFTY CENTS (\$663.50);

and **WHEREAS**, the County of Hunt believes a sale for this price is in the best interest of the District.

and **WHEREAS**, the funds received pursuant to this sale shall be distributed according to the Texas Property Tax Code;


be it therefore **RESOLVED** that the County of hunt hereby authorizes the _____ to sign the Quitclaim Deed on behalf of the County of Hunt.

Passes and adopted this 24 day of March, 2003.



County of Hunt

ATTEST:





8678

HUNT COUNTY SHERIFF

CRIMINAL JUSTICE CENTER
903-455-3501
Fax 903-453-6843

DON ANDERSON, Sheriff
2801 Stuart Street
Greenville, Texas 75401

February 28, 2003

HUNT COUNTY RACIAL PROFILING REPORT 2002

	WHITE/HISPANIC	BLACKS	NATIVE AMERICAN	ASIAN	OTHER
TOTAL DRIVERS 51,100	45,298	4,607	94	581	520
% OF LICENSED DRIVERS	89%	9%	0.18%	1.14%	1.02%
TOTAL TRAFFIC STOPS 383	349	27	2	3	0
% BY RACE	91%	7%	0.50%	0.90%	0%
TOTAL SEARCHES 104	85	5	1	1	0
CONSENTIAL % BY RACE 74	83%	5%	1%	1%	0%
PROBABLE CAUSE SEARCHES 12	12	0	0	0	0
% BY RACE	100%	0%	0%	0%	0%
TOTAL ARRESTS 35	31	3	1	0	0
% BY RACE	89%	10%	1%	0%	0%
Racial profile complaints received:	0				
Officer Training:	All officers have complied with TCLEOSE racial profiling training requirements				
Public Education:	The Hunt County Sheriff's Office racial profiling policy is continually made available to the public and complaint procedures are publicly posted.				

HUNT COUNTY SHERIFF'S OFFICE
RACIAL PROFILING POLICY

EFFECTIVE: JANUARY 01, 2002

HUNT COUNTY SHERIFF'S OFFICE

Racial Profiling Policy

I. PURPOSE

The purpose of the policy is to reaffirm the Hunt County Sheriff's Office commitment to unbiased policing in all its encounters between officer and any person; to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion; and to protect our officers from unwarranted accusations of misconduct when they act within the dictates of departmental policy and the law.

II. POLICY

It is the policy of the Hunt County Sheriff's Office to police in a proactive manner and, to aggressively investigate suspected violations of law. Officers shall actively enforce state and federal laws in a responsible and professional manner, without regard to race, ethnicity or national origin. Officers are strictly prohibited from engaging in racial profiling as defined in this policy. This policy shall be applicable to all persons, whether drivers, passengers or pedestrians.

Officers shall conduct themselves in a dignified and respectful manner at all times when dealing with the public. Two of the fundamental rights guaranteed by both the United States and Texas constitutions are

equal protection under the law and freedom from unreasonable searches and seizures by government agents. The right of all persons to be treated equally and to be free from unreasonable searches and seizures must be respected. Racial profiling is an unacceptable patrol tactic and will not be condoned.

This policy shall not preclude officers from offering assistance, such as upon observing a substance leaking from a vehicle, a flat tire, or someone who appears to be ill, lost or confused. Nor does this policy prohibit stopping someone suspected of a crime based upon observed actions and/or information received about the person.

III. DEFINITIONS

Racial Profiling – A law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

Racial profiling pertains to persons who are viewed as suspects or potential suspects of criminal behavior. The term is not relevant as it pertains to witnesses, complainants or other citizen contacts.

The prohibition against racial profiling does not preclude the use of race, ethnicity or national origin as factors in a detention decision. Race, ethnicity or national

origin may be legitimate factors in a detention decision when used as part of an actual description of a specific suspect for whom an officer is searching. Detaining an individual and conducting an inquiry into that person's activities simply because of that individual's race, ethnicity or national origin are racial profiling. Examples of racial profiling include but are not limited to the following:

1. Citing a driver who is speeding in a stream of traffic where most other drivers are speeding because of the cited driver's race, ethnicity or national origin.
2. Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity or national origin is unlikely to own or possess that specific make or model of vehicle.
3. Detaining an individual based upon the determination that a person of that race, ethnicity or national origin does not belong in a specific part of town or a specific place.

A law enforcement agency can derive at two principles from the adoption of this definition of racial profiling:

1. Law enforcement officers may not use racial or ethnic stereotypes as factors in selecting whom to stop and search, while officers may use race in conjunction with other known factors of the suspect.
2. Law enforcement officers may not use racial or ethnic stereotypes as factors in selecting whom to stop and search. Racial profiling is not relevant as it pertains to witnesses, etc.

Race or Ethnicity – Of a particular decent, including Caucasian, African, Hispanic, Asian, or Native American.

Pedestrian Stop – An interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

Traffic Stop – A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic.

IV. TRAINING

Officers are responsible to adhere to all Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements as mandated by law.

All officers shall complete a TCLEOSE training and education program on racial profiling not later than the second anniversary of the date the officer is licensed under Chapter 1701 of the Texas Occupations Code or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. A person who on September 1, 2001, held a TCLEOSE intermediate proficiency certificate, or who had held a peace officer license issued by TCLEOSE for at least two years, shall complete a TCLEOSE training and education program on racial profiling not later than September 1, 2003.

The Sheriff or Chief of Police, as part of the initial training and continued education for such appointment, will be required to attend the LEMIT program on racial profiling.

An individual appointed or elected as a Police Chief or Sheriff before the effective date of this Act shall complete the program on racial profiling established under Subsection (j), Section 96.641, Education Code, as added by this Act, not later than September 1, 2003.

V. COMPLAINT INVESTIGATION

1. The Hunt County Sheriff's Office shall accept complaints from any person who believes he or she has been stopped or searched based on racial, ethnic or national origin profiling. No person shall be discouraged, intimidated or coerced from filing a complaint, nor discriminated against because he or she filed such a complaint.

2. Any employee who receives an allegation of racial profiling, including the officer who initiated the stop, shall record the person's name, address and telephone number, and forward the complaint to the Sheriff through

the appropriate channels. Any employee contacted shall provide to that person a copy of a complaint form. All employees will report any allegation of racial profiling to their superior before the end of their shift.

3. Investigation of a complaint shall be conducted in a thorough and timely manner. All complaints will be acknowledged in writing to the initiator who will receive disposition regarding said complaint within a reasonable period of time. The investigation shall be reduced to writing and any reviewer's comments or conclusions shall be filed with the Sheriff. When applicable, findings and/or suggestions for disciplinary action, retraining, or changes in policy shall be filed with the Sheriff.

4. If a racial profiling complaint is sustained against an officer, it will result in appropriate corrective and/or disciplinary action, up to and including termination.

5. If there is a departmental video or audio recording of the events upon which a complaint of racial profiling is based, upon commencement of an investigation by this department into the complaint and written request of the officer made the subject of the complaint, this Office shall promptly provide a copy of the recording to that officer.

VI. PUBLIC EDUCATION

This Office will inform the public of its policy against racial profiling and the complaint process. Methods that may be utilized to inform the public are the news media, radio service, civic presentations, the Internet, as well as governing board meetings and public postings. Additionally, information will be made available as appropriate in languages other than English.

VII. CITATION DATA COLLECTION & REPORTING

An officer is required to collect information relating to traffic stops in which a citation is issued. On the citation officers must include:

1. the violators race or ethnicity;
2. whether a search was conducted;
3. was the search consensual; and
4. arrest for this cited violation or any other violation.

By March of each year, the Hunt County Sheriff's Office shall submit a report to the Hunt County Commissioners Court that includes the information gathered by the citations. The report will include:

1. a breakdown of citations by race or ethnicity;
2. number of citations that resulted in a search;
3. number of searches that were consensual; and
4. number of citations that resulted in custodial arrest for this cited violation or any other violation.

Not later than March 1st of each year, this Office shall submit a report to our governing body containing this information from the preceding calendar year.

VIII. COLLECTION AND REPORTING INFORMATION GATHERED FROM TRAFFIC AND PEDESTRIAN STOPS

An officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic, or who stops a pedestrian for any suspected offense, shall record and report the following information:

1. A physical description of each person detained as a result of the stop, including:
 - a) The person's gender;
 - b) The person's race or ethnicity, as stated by the person or as determined by the officer to the best of his/her ability.
2. The street address or approximate location of the stop. The suspected offense or the traffic law or ordinance alleged to have been violated.
3. Whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search.
4. Whether probable cause to search existed and, if so, the fact(s) supporting the existence of that probable cause.
5. Whether any contraband was discovered in the course of the search and, if so, the type of contraband discovered.
6. Whether the officer made an arrest as a result of the stop and/or search, and, if so, a statement of the offense charged.
7. Whether the officer issued a warning or a citation as a result of the stop and, if so, a statement of the offense charged.

This Office shall compile and analyze the information contained in these individual reports. Not later than March 1st of each year, this Office shall submit a report to our governing body containing the information compiled from the preceding calendar year. This will be presented along with the Hunt County Sheriff's Office annual report. This report will include:

1. A comparative analysis of the information contained in the individual reports in order to:
 - a) Determine the prevalence of racial profiling by officers in this Office; and
 - b) Examine the disposition of traffic and pedestrian stops made by The Hunt County Sheriff's Office officers, including searches resulting from stops.
2. Information relating to each complaint filed with this department alleging racial profiling.

This report will not include identifying information about a peace officer who makes a stop or about an individual who is stopped or arrested by a peace officer.



Future Hunt County War Memorial

The Hunt County War Memorial

Chris Kilmer of Kilmer Associates and Gordon Thomas, sculptor of the 10 foot bronze statue of Audie Murphy, collaborated on the design the memorial wall. This is a concept design, the engineering plan has not been finished as of yet. The memorial will incorporate the statue, three 30-foot flagpoles, sprinkler system, and lighting from Phase I. The 42 feet wide wall will consist of six black granite blocks on gray granite footings and a capped archway. The combination of the block and footing will be approximately eight feet tall with the block being 6 ft. high, 5 ft. wide, and 1 foot thick and the gray footing approximately 2 feet high. The archway is 11 feet tall with two 7 foot gray granite columns set on the gray granite footing. The 2 feet tall gray granite cap will be inscribed with a quote from Audie Murphy. Each granite block will be etched with the names of veterans from Hunt County that died during combat in one of the wars of the 20th century. Through the archway at the center rear of the memorial a sidewalk will join the Memorial to a small paved parking lot, which includes handicap parking. Engraved brick pavers will cover the memorial floor and sidewalk from the parking lot to the Memorial. This Project will cost between \$100,000 and \$150,000 to complete. Two sizes of engraved brick paver (4x8 and 8x8) are for sell for \$50 and \$150. Anyone can purchase a paver and choose the engraving to honor or memorialize anyone they choose. Applications are available at the Museum. A 1/12 scale bronze model of the Murphy Statue is available to purchase for \$1000. Order forms are available at the Museum. For further info please call (903) 450-4502.

