

COMMISSIONERS COURT
REGULAR SESSION

June 14, 2004

The Hunt County Commissioners Court met this day at 10:00A.M. with all Commissioners present with Judge Joe Bobbitt presiding. Minutes of the previous meeting were approved as submitted.

NEW BUSINESS:

9120 On the motion by Kenneth Thornton, second by Phillip Martin, the Court approved Proclamation making June 14, 2004 as World War II Veterans Recognition Day for Hunt County. *See Attachment.*

9121 On the motion by Martin, second by Ralph Green, the Court approved Resolution against House Bill 2292. Other counties have sent this same resolution to our state legislators. Georgia Couch – Texas Works Advisor with the Health & Human Services Dept. stated this resolution is another cost cutting measure with unreasonable request on the local level which is aimed at decreasing the amount of employees and field officers, decreasing interview time, enlistment of volunteers to the help with the application process, etc. The Court agreed to send this resolution to the Governor, LT. Governor and all State Officials. *See Attachment.*

9122 On the motion by Green, second by Thornton, the Court approved special funding of up to \$5,000 out of contingency funds for a Warrant Roundup to begin July 15, 2004 to be conducted by Joe Knight.

9123 On the motion by Judge Bobbitt, second by Thornton, the Court approved continuing education hours from the 46th Annual County Judges and Commissioner Conference held February 17, 2004 thru February 19, 2004 thru the V F Young Institute of County Government. *See Attachment.*

9124 On the motion by Judge Bobbitt, second by Latham, the court approved lease agreement (for \$1,200 per year) between road and bridge Pct 2 and A L Nelson for approximately two acres located at I-30 and Hwy 36 to be used for road material stockpile due to overcrowding at the regular Pct location. *See Attachment.*

9125 On the motion by Latham, second by Martin, the Court approved the standard cell phone allotment of \$50 per month for the Environmental Enforcement Officer – Wayne Pierce which is already funded.

9126 On the motion by Thornton, second by Green, the Court approved request to upgrade approximately .60 mile of CR1202 from dirt to rock in Pct 1 with the usual stipulation. Money deposited into Escrow account.

9127 On the motion by Green, second by Thornton, the Court approved request of FEC Electric to construct electrical power distribution facilities along and across CR 2546 in Pct 2 with the usual stipulations.

— ‘Discuss and possibly take action on final plat for Henson Addition in Pct 2 – David Henson.’ Commissioner Green advised the Court the drainage issue on this subdivision has been solved, but the requirements of a road bond and money deposited into an Escrow account for road improvements are needed before approval by the Court.

Agreement made to place on OLD BUSINESS next Court.

— ‘Discuss and possibly take action on final plat for the Oaks Addition in Pct 2 – Shane Harmon.’ Agreement was made by the Court to allow this Final Plat to be submitted as a Preliminary Plat, no action taken due to required drainage study, culvert sizes and road bond.

9128 On the motion by Green, second by Martin, the Court approved road upgrade of approximately 900 ft of CR 2206 from dirt to rock in Pct 2. Money deposited into Escrow account.

9129 On the motion by Green, second by Martin, the Court approved request to upgrade approximately 1.8 miles of CR2704, CR2708 & CR2710 from rock to seal coat in Pct 2. Money deposited into Escrow account.

9130 On the motion by Green, second by Thornton, the Court approved approximately 650 ft road upgrade of rock to oil on CR2522 in Pct 2. Money deposited into Escrow account.

9131 On the motion by Martin, second by Latham, the Court approved request of FEC Electric to construct electrical power distribution facilities along and across CR3217 in Pct 3 with the usual stipulations.

9132 On the motion by Martin, second by Green, the Court approved preliminary plat of the Villages at Lone Oak Phase One, the Village at Fox Hollow in Pct 3. Rich Jennings from the Colorado Mountain Development stated their Company's specialty is to come in and take over when problems occur with initial developer to complete developments. Mr. Jennings advised the court, the TCO permit has been acquired and their drainage plan is completed. Commissioner Martin has concerns about the sewer facility for the entire project not being completed; Judge Bobbitt stated the Court has concerns about new lots without sewer capabilities. The Court needs assurances there would be working sewer facilities. Mr. Jennings and Jerry Dunn have purchased NB Waste Waters Inc. Currently, sewage is handled by a series of pump stations, which have holding tanks that are picked up for disposal. This process will be continued until this subdivision (possibly 80 homes) reaches needed capacity for the NB Waste Waters Inc. Furthermore, the Court stated the County has control over Aeorbic Systems; County has no liability on sewer permits.

HEAR AND DISCUSS REPORTS:

Commissioner Thornton discussed problem over rack price from Pleasant Oil.

9133 On the motion by Martin, second by Latham, the Court approved accounts payable. Judge Bobbitt abstained from the vote.

— There were no line item budget transfers.

PAYROLL & PERSONNEL:

<u>911:</u>	Change Jackie Cornish Sec 2 G/3 from part time to full time at \$18,750.00 per year, effective 6-14-04.
Environmental Enforcement:	Add Robert Wayne Pierce as Environmental Enforcement Officer G/6 at \$30,000 per year, effective 6-7-04.
Commissioner Pct 2:	Remove Tom Spradling due to his resignation, effective 6-1-04.
Commissioner Pct 4:	Add Dewayne Brighman as hourly Pct Worker at \$10 per hour, effective 6-14-04.
County Clerk:	Raise Jessica Paris part time Records Clerk from \$5.50 to \$6.25 per hour, effective 6-24-04.

Maintenance Dept:	<p>Remove Anthony Gunwall due to his resignation, effective 6-4-04.</p> <p>Add Cameron Thatcher as hourly Maintenance Worker at \$7.00 per hour, effective 6-7-04.</p>
Sheriff:	<p>Add Jill Landrum as hourly office help at \$7.00 per hour, effective 6-1-04.</p> <p>Add Stuart Roberts as Detention Officer G/4 at \$22,273.00, effective 6-7-04.</p> <p>Terminate Michael Vice, effective 5-29-04.</p> <p>Remove Patty Moad due to her resignation, effective 5-30-04.</p> <p>Remove Darin Jobe due to not reporting to work after calling in sick on May 24,2004. Since you did not call in or contact your supervisor, according to County Handbook you have automatically resigned.</p>

9134 Approved on the motion by Martin, second by Latham, the Court approved personnel and payroll changes.

_____ Court Adjourned at 11:30 A.M. Minutes approved this 28 day of June, 2004.

Attest:

Jan Lewis, Deputy
Hunt County Clerk

Jan A. Butts
Hunt County Judge



HUNT COUNTY

POST OFFICE BOX 1097 • GREENVILLE, TEXAS 75403-1097

World War II Veterans Recognition Day Proclamation

FILED FOR RECORD
at 3 o'clock
JUN 14 2004
By County Clerk, LINDA BROOKS
Hunt County, Tex.

WHEREAS, on December 7, 1941, the largest war of all time and the most defining event of the 20th Century began; and

WHEREAS, Americans, devoted to liberty and to this country courageously answered the nation's call to arms summarized by President Franklin D. Roosevelt by the words: You bear with you the hope, the confidence, the gratitude And the prayers of your family, your fellow-citizens and your President"; and

WHEREAS, we still believe today that the blessings of liberty require constant vigilance and sacrifice; and

WHEREAS, every man, woman and child in this great Nation owes a debt of gratitude to those who served their country so selflessly in an event that reshaped the world; and

WHEREAS, these brave soldiers, sailors, Marines, Coast Guardsmen and airmen, were the beloved sons and daughters of our land; and

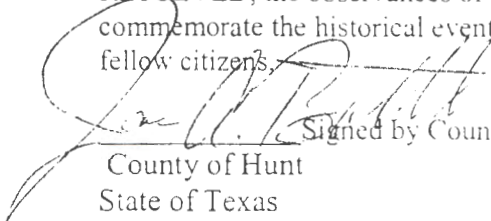
WHEREAS, more than 400,000 American made the supreme sacrifice, laying down their lives so others could live free; now therefore be it

RESOLVED, that May 29, 2004, as the National World War II Memorial is dedicated in our nation's capital, I declare this day World War II Veterans Recognition Day in our community; and be it further

RESOLVED, that June 14, 2004, National Flag Day, be an additional day that Hunt County gives local public recognition to the World War II Veterans in our community, and be it further

RESOLVED, that all citizens are asked to celebrate the contributions and sacrifices of these men and women who placed their lives in harms way protecting American values and preserving democracy for the world, and those who toiled in war-related jobs on the home front; and be it finally

RESOLVED, the observances of World War Two Veterans Recognition Day appropriately commemorate the historical events and express gratitude to those who gave so much for their fellow citizens.

 Signed by County Judge, this 14 day of June, 2004.
County of Hunt
State of Texas



HUNT COUNTY

POST OFFICE BOX 1097 • GREENVILLE, TEXAS 75403-1097

CLERK OF COURTS
LEONA BROOKS
COUNTY CLERK HUNT CO., TX
JUL 15 PM 3:56
DEPUTY
J. G. GUNDS

#9121

RESOLUTION

A resolution concerning the implementation of HB2292 (78th regular session)

WHEREAS, HB 2292 as signed into law by the Governor on June 10, 2003, mandates the reorganization of 12 state health and human services agencies set in motion by HB 2292;

WHEREAS, many Hunt County residents depend on the services provided by the departments and agencies subject to elimination, reorganization, and/or privatization under HB 2292 and these same Hunt County residents could be negatively impacted by the more than \$8, 191,996 reduction in Medicaid and Children's Health Insurance Program (CHIP) funding, leaving local entities to make up the difference in funding;

WHEREAS, reports of potential reductions of Medicaid and CHIP dollars in Hunt County are astounding;

WHEREAS, the potential impact on Hunt County clients to eligibility changes is equally dramatic, to wit:

Child Medicaid growth reduction assumed due to changes in Children's Medicaid simplification	1147
Pregnant Women Enrollment reduction (monthly)	34
Medically Needy enrollment reduction (monthly)	38
CHIP enrollment reduction by 2005 (below 5/2003 levels)	473
Aged and Disabled receiving 15% fewer hours of community care services	450

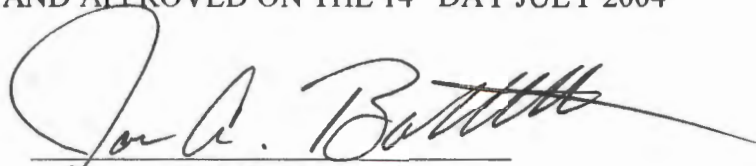
WHEREAS, explicit in the streamlining of this massive reorganization is the intent to privatize many of the services state employees now perform. Privatization raises concerns about client access and service as well as about the potential harm to local communities caused by the elimination of state jobs.

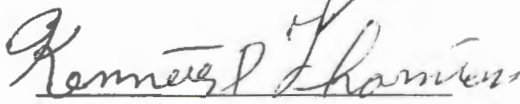
WHEREAS, while these consolidations have the potential to improve client service, if poorly done, they also have an equal chance of creating an unwieldy operation leading to poor service to all Texans. Therefore, more public input is needed to ensure the TLOC has the opportunity to learn how these major changes affect county residents.

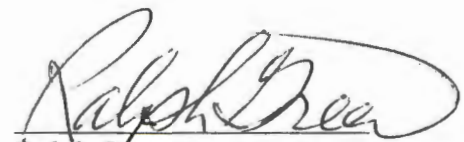
NOW THEREFORE, BE IT RSOLVED THAT HUNT COUNTY COMMISSIONER'S COURT:

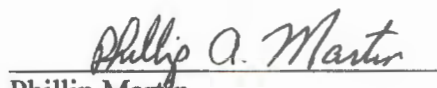
1. Urges TLOC to develop as part of its transition plan an analysis of how HB 2292 changes will impact locate taxing entities' budgets, access to services by residents of the counties, and the impact of state employee force reductions on the economies of affected communities;
2. Asks TLOC to organize additional public hearings on HB 2292 changes, to be convened by elected state legislators including legislators representing the districts affected;
3. Asks TLOC and the HHSC Executive Commissioner to delay implementation until numbers 1 and 2 above are completed, and;
4. Asks that the Texas Legislature restore funding for critically needed health and human services programs t the people of Hunt County and the State of Texas.

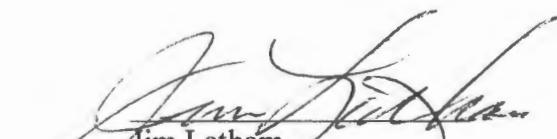
PASSED AND APPROVED ON THE 14th DAY JULY 2004


 Joe Bobbitt
 County Judge


 Kenneth Thornton
 Commissioner Pct. 1


 Ralph Green
 Commissioner Pct. 2


 Phillip Martin
 Commissioner Pct. 3


 Jim Latham
 Commissioner Pct. 4

Texas A&M University

Office of Continuing Education
certifies that

Kenneth D. Thornton

has earned **.95** Continuing Education Unit(s)
for satisfactory completion of **9.5** hours
of organized instruction in

**46th Annual County Judges & Commissioner's Continuing
Education Conference**

February 17, 2004 - February 19, 2004

V. G. Young Institute of County Government

Richard O. Cery

Activity Director

Elizabeth Tebeaut

Office of Continuing Education

May 19, 2004

Date



49123
FILED FOR RECORD
at 3 o'clock
JUN 14 2004
By County Clerk LINDA BROOKS
Harris County, Tex.

9123
 at **FILED FOR RECORD**
 3 o'clock
 JUN 14 2004
 By County Clerk LINDA BROOKS
 Hunt County, Tex.

Texas A&M University

Office of Continuing Education
 certifies that

Ralph Green

has earned **1.1** Continuing Education Unit(s)
 for satisfactory completion of **11** hours
 of organized instruction in

**46th Annual County Judges & Commissioner's Continuing
 Education Conference**

February 17, 2004 - February 19, 2004

V. G. Young Institute of County Government

Richard O. Cery
 Activity Director

Elizabeth Tebeaut
 Office of Continuing Education

May 19, 2004

Date



Texas A&M University

Office of Continuing Education
certifies that

Phillip A. Martin

has earned **.85** Continuing Education Unit(s)
for satisfactory completion of **8.5** hours
of organized instruction in

**46th Annual County Judges & Commissioner's Continuing
Education Conference**

February 17, 2004 - February 19, 2004

V. G. Young Institute of County Government

Richard O. Gray
Activity Director

Elizabeth Tebeaux
Office of Continuing Education

May 19, 2004

Date



#9123
at **FILED FOR RECORD**
3 o'clock
JUN 14 2004
By County Clerk LINDA BROOKS
Junt County Tex

Texas A&M University

Office of Continuing Education
certifies that

Jim Latham

has earned **1.25** Continuing Education Unit(s)
for satisfactory completion of **12.5** hours
of organized instruction in

**46th Annual County Judges & Commissioner's Continuing
Education Conference**

February 17, 2004 - February 19, 2004

V. G. Young Institute of County Government

Richard O. Gray
Activity Director

Elizabeth Tebeaut
Office of Continuing Education

May 19, 2004

Date



#9123
FILED FOR RECORD
JUN 14 2004
By County Clerk, Hunt County, Tex.
LINDA BROOKS

#5
 49124 FILED FOR RECORD
 at 3 o'clock P M

JUN 14 2004

THE STATE OF TEXAS

COUNTY OF HUNT

§
§
§

LINDA BROOKS
 County Clerk, Hunt County, Tex.
 By *[Signature]*

KNOW MEN BY THESE PRESENTS

This agreement of lease is made to be effective on the 15th day of June, 2004 , A.D., although not necessarily executed on such date, by and between A. L. Nelson, 2513 Hwy 66, Caddo Mills, Texas 75135, known herein as Lessor, and The County of Hunt Pct. 2, 2500 Lee, Greenville, Texas 75403, known herein as Lessee.

The terms "Lessor" and "Lessee" shall be construed in the singular or plural number accordingly as they respectively represent one or more than one person.

WITNESSETH, that the said Lessor does by these presents lease and demise unto the said Lessee the following described property, to-wit: lying and being situated in the County of Hunt, State of Texas, and being fully described as approximately 2 acres located 1/4 miles West of the intersection of FM 36 on the South Service Road of I-30 in Hunt County, Texas, for the term of one (1) year beginning the 15th day of June, 2004 A.D., paying therefore the annual sum of TWELVE HUNDRED AND NO/100 (\$1200.00) DOLLARS, payable on the date of the execution of this agreement upon the conditions and covenants following:

FIRST: The Lessee will well and punctually pay said rents in manner and form as hereinbefore specified, and quietly deliver up said premises on the day of the expiration of this lease, in as good condition as the same were in when received, reasonable wear and tear thereof excepted.

SECOND: That the said premises shall be used for stock pile land and for no other purpose.

THIRD: That Lessee will not sub-let said premises, or any part thereof, to any person or persons whatsoever, without the consent of said Lessor, in writing, thereto first obtained.

FOURTH: That on failure to pay the rent in advance, as aforesaid, or comply with any other obligation contained herein, or in violation of any of the covenants herein, the Lessor may declare this lease forfeited at his discretion and his agent or attorney shall have the power to enter and hold, occupy, and repossess the entire premises hereinbefore described, as before the execution of these presents.

FIFTH: Lessee shall not dump any garbage, waste or other debris on the premises and will keep it in a clean condition.

SIXTH: The Lessee shall have an option to renew this lease on the premises for a (one) year period upon the following terms and conditions:

- a. Mutual Agreement of both parties

The Lessee's option to renew must be exercised in writing and must be received by the Lessor no less than 15 days before the expiration of this lease or any extensions thereof.

SEVENTH: Any controversy or claim arising out of or relating to this lease agreement or the breach thereof shall be settled by arbitration in accordance with the rules then obtaining of the American Arbitration Association, and judgment upon the award rendered may be entered and enforced in any court having jurisdiction thereof.

EIGHTH: The Lessor and the Lessee warrant and represent each to the other that the performance of this agreement does not violate any laws, statutes, local ordinances, state or federal regulations, regarding controlled substances, or otherwise, or any court order or administrative order of ruling, nor is such performance in violation of any loan document's conditions or restrictions in effect for financing, whether secured or unsecured.

NINTH: This agreement shall be binding upon and insure to the benefit of the parties hereto and their legal representatives, successors and assigns.

TENTH: Any notice required or desired to be given under this agreement shall be deemed given if in writing sent by certified mail to the addresses of the parties to this lease agreement as follows:

Lessor: A. L. Nelson
 2513 Hwy 66, Caddo Mills, Texas 75135

Lessee: Hunt County, Texas Pct. 2
 2500 Lee Street, Greenville, Texas 75403

ELEVENTH: Captions are used in this agreement for convenience only and are not intended to be used in the construction or in the interpretation of this agreement.

TWELFTH: In the event any provision of this agreement is held to be void, invalid or unenforceable in any respect, then the same shall not affect the remaining provisions hereof, which shall continue in full force and effect.

THIRTEENTH: This agreement contains the entire understanding of the parties. It may not be changed orally. This agreement may be amended or modified only in writing that has been executed by both parties hereto.

FOURTEENTH: Lessor shall hold Lessee harmless from any claim from any damages to the person or property of any third person resulting from Lessee use of the property.

FIFTEENTH: This lease agreement shall be interpreted under the laws of the State of Texas.

IN TESTIMONY WHEREOF, the said parties have hereunto set their hands, in duplicate, to be effective as of the day and year above written.

EXECUTED THIS the 15th day of June, 2004.

Lessor:

Lessee:

A. L. Nelson

Hunt County Pct. 2

By:

Ralph Green

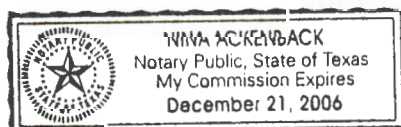
A. L. Nelson

Ralph Green (Printed name)
Commissioner, Pct 2

THE STATE OF TEXAS §

COUNTY OF HUNT §

This instrument was acknowledged before me on this the 15th day of June, 2004, by A. L. Nelson.

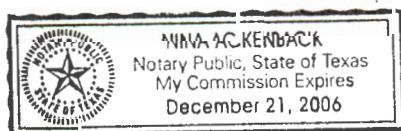


Nina Ackenback
Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF HUNT §

This instrument was acknowledged before me on this the 15th day of June, 2004, by Ralph Green (Printed Name), of Hunt County Pct. 2 on behalf of said county.



Nina Ackenback
Notary Public, State of Texas