

COMMISSIONERS COURT
REGULAR SESSION
January 10, 2005

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.

OLD BUSINESS:

9316 On the motion by Kenneth Thornton, second by Ralph Green, the Court approved the final plat for Shields Farm Estates in Pct 1.

NEW BUSINESS:

9317 On the motion by Phillip Martin, second by Jim Latham, the Court approved the Quarterly Report from the Audie Murphy American Cotton Museum for October thru December 2004.

9318 On the motion by Judge Bobbitt, second by Thornton, the Court approved comp time pay for Sheriff's Office Employees to be now paid from holiday pay and to replenish holiday pay at a later date.

9319 On the motion by Judge Bobbitt, second by Martin, the Court approved re-appointment of Dorsey Driggers as Hunt County Fire Marshall, 2 – Deputy Fire Marshalls and 3 –Environmental Officers.

9320 On the motion by Thornton, second by Latham, the Court approved acceptance of presentation of American Flag from platoon flag barrier Sgt. Joshua Rogers from 2-3 Infantry. To be placed in hallway of the Courthouse – flag accepted as historical part of the Courthouse.

9321 On the motion by Green, second by Thornton, the Court approved upgrade from dirt to rock on CR 2212 and CR 2596 in Pct 2. Funds deposited into Escrow Account.

9322 On the motion by Green, second by Thornton, the Court approved final plat for High Hollows V, Section B, in Pct 2 as presented by Jerry Wisdom.

9323 On the motion by Judge Bobbitt, second by Latham, the Court approved upgrade of dirt to gravel on CR 3107 (detour for construction of bridge in the Off-System Bridge Program) in Pct 3. Commissioner Martin noted bridge contracted by State, funding in budget.

9324 On the motion by Judge Bobbitt, second by Latham, the Court approved upgrade of dirt to gravel on CR 3213 (detour for construction of bridge in the Off-System Bridge Program) in Pct 3.

9325 On the motion by Latham, second by Green, the Court approved transfer of the Ford Explorer for Environmental Enforcement to Bio-terrorism Planning.

9326 On the motion by Latham, second by Green, the Court approved the Bond and Oath for Barbara Wiggins Tax Assessor – Collector, effective 1-1-05 thru 12-31-2008.

See Attachment.

HEAR AND DISCUSS:

Judge Bobbitt advised the Court 2.4M has been paid in full for Courthouse renovation as of February 1, 2005.

9327 On the motion by Martin, second by Latham, the Court approved accounts payable. Judge Bobbitt abstained from the vote.

9328 On the motion by Green, second by Thornton, the Court approved line-item budget transfers.

PERSONNEL AND PAYROLL:

<u>COUNTY ATTORNEY:</u>	Add Joel Hardman as full time Assistant County Attorney at \$45,637.00 per year, effective 1-4-05.
<u>JP PCT 1, PL 1:</u>	Add Lisa Adams as part time Clerk at \$7.50 per hour, effective 1-10-05.
<u>SHERIFF DEPARTMENT:</u>	Add De Anne Sullivan as part time Clerk at \$8.50 per hour, effective 1-10-05. Add Mary Elizabeth Moats as full time Dispatcher at \$21,929.00 per year, effective 1-6-05. Remove Jill Sherrill, effective 12-28-04.
<u>TAX OFFICE:</u>	Change Wayne Aimes from part time to full time Deputy Clerk G4/6 at \$21,187.00 per year, effective 1-4-05. Evaluation on file funds available. Remove Lisa Kinder due to her resignation, effective 1-4-05.

9329 On the motion by Martin, second by Latham, the Court approved personnel and payroll changes. The Court noted presently 54 jailers, down 1.

_____ Court Adjourned at 10:55A.M. Minutes approved this 24 day of
January, 2005.

0350



Hunt County Judge

Attest:



Hunt County Clerk

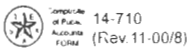
0350

0350

0350

0350

0350



14-710
(Rev. 11-00/8)

9326
BOND OF TAX ASSESSOR AND COLLECTOR
(Required by TEX. TAX CODE ANN. sec. 6.28)

FILED FOR RECORD
JAN 10 2005
LINDA BROOKS
CLERK OF COUNTY CLERK
at 2 o'clock

STATE OF TEXAS)
COUNTY)

Bond number

PRINCIPAL: _____ Social Security number _____
Assessor and Collector of Taxes for the County of _____
☐ elected ☐ appointed on _____, 20____, for the full term of office beginning
_____, 20____ Federal Employers Identification number _____

SURETY: _____
authorized and qualified to do business as a surety company in the State of Texas.
Surety's mailing address: _____

AMOUNT OF BOND: _____ dollars (\$ _____).

CONDITIONS: We, the Principal and Surety shown above, and our heirs, executors, successors and assigns, jointly and severally, are responsible to the Governor of the State of Texas, and successors in office, for the amount of this bond payable at the Comptroller of Public Accounts in the City of Austin.
If the Principal performs all the duties of the office of Tax Assessor and Collector and honestly accounts for all money that comes into the office during the Principal's full term of office, then this obligation shall be null and void. Otherwise, the obligation shall remain in full force for the full term.
An additional bond may be demanded if the Comptroller of Public Accounts determines that the amount of this bond is insufficient. The demand for additional bond shall not affect the validity of this or any other bond given by the Principal.
This bond shall be continuous for the full term of office and is executed according to the provisions of TEX. TAX CODE ANN. sec. 6.28.

SIGNATURES: Signature and seal of office of the Principal affixed:
Principal **sign here** _____ Date _____
Signature of a duly authorized officer of the Surety and Corporate seal affixed:
Surety **sign here** _____ Date _____
Title _____

ACKNOWLEDGEMENTS: (Acknowledgements are necessary *BEFORE* this bond is filed for approval.)
ASSESSOR - COLLECTOR

STATE OF TEXAS, County of _____
Before me, the undersigned authority, on this day personally appeared _____
_____, known to me to be the person whose name is subscribed to this bond, as
Principal, and acknowledged to me that this bond was executed for the purposes and considerations therein expressed and in the capacity
therein stated.
GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 20____
(Seal) Notary Public My commission expires on _____
sign here

SURETY COMPANY

STATE OF TEXAS, County of _____
Before me, the undersigned authority, on this day personally appeared _____
_____, known to me to be the person whose name is subscribed to this bond, and
acknowledged to me that this bond was executed as the act and deed of _____
and as the _____ thereof, and for the purposes and considerations therein expressed and
in the capacity therein stated.
GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 20____
(Seal) Notary Public My commission expires on _____
sign here

OATH OF OFFICE

I, Barbara Wiggins, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of County Tax Assessor - Collector 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 have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward

- ☐ for the giving or withholding a vote of the election at which I was ELECTED.
- ☐ to secure my APPOINTMENT or the confirmation thereof.



Assessor - Collector
sign here Barbara Wiggins
sign here Marilyn L. Green
to and subscribe before me, this the 10 day of January, 2005

BOND AND OATH

Barbara J. Wiggins
OF
ASSESSOR and COLLECTOR OF
Hunt COUNTY
APPROVED IN OPEN COMMISSIONERS' COURT
January 10, 2005
sign here Joe Bobbitt
County Judge
Hunt County
RECORDED BY COUNTY CLERK
January 10, 2005
Volume _____ Page _____
sign here Shirley Brall's
County Clerk
Hunt County
COUNTY COURT
(Seal)
COUNTY OF HUNT TEXAS
COMPTROLLER OF PUBLIC ACCOUNTS
sign here _____
20____
Comptroller of Public Accounts

INSTRUCTIONS FOR COMPLETING BOND

- BOND REQUIREMENT:** Each person elected or appointed Assessor-Collector must make a bond to the state within twenty days after receiving notice of election or appointment.
- **ELECTED ASSESSOR-COLLECTOR** - Bond must be executed after the Commissioners' Court has canvassed the general election returns and Assessor-Collector has received notice of election.
 - **APPOINTED ASSESSOR-COLLECTOR** - Bond must be executed after official appointment.
- BOND AMOUNT:** Bond must be made for an amount equal to 5% of the net total of state motor vehicle sales and use tax and motor vehicle registration fees collected in the county during the twelve-month period ending August 31 immediately prior to the date the bond is executed. However, the bond shall not exceed \$100,000 nor be less than \$2,500.
- SIGNATURES:** The Assessor-Collector must sign the bond as Principal after the election or appointment. A duly authorized agent of the surety company must sign the bond for the surety company after the election or appointment.
- ACKNOWLEDGEMENTS:** The acknowledgement for the Assessor-Collector must be completed after the Assessor-Collector has signed as Principal. The acknowledgement for the surety company must be completed after the agent has signed as the surety.
- OATH OF OFFICE:** The oath of office must be completed after the election or appointment but before the bond is approved by the Commissioners' Court. Check the applicable box.
- APPROVAL BY COMMISSIONERS' COURT:** The bond must be approved by the Commissioners' Court and signed by the County Judge after the signatures, acknowledgements and the oath of office are completed.
- RECORDING BY THE COUNTY CLERK:** The bond must be recorded by the County Clerk after it has been approved by the Commissioners' Court and signed by the County Judge.
- APPROVED BY THE COMPTROLLER OF PUBLIC ACCOUNTS:** The completed bond should be sent to the Comptroller of Public Accounts for approval.

Send to:
COMPTROLLER OF PUBLIC ACCOUNTS
Account Maintenance Division
111 E. 17th Street
Austin, Texas 78774-0100



The Ohio Casualty Insurance Company

BOND

No. 3-868-969

FILED FOR RECORD
at 2 o'clock
JAN 10 2005
CLINDA BROOKS
Clerk, Hunt County, Tx

KNOW ALL MEN BY THESE PRESENTS:

That we BARBARA J. WIGGINS4973 CR 3519 GREENVILLE, TX 75402

, as Principal

(Insert Full Name [top line] and Address [bottom line] of Principal)

and The Ohio Casualty Insurance Company, a corporation organized and existing under the laws of the State of Ohio, (hereinafter called the Surety), are held and firmly bound unto COMMISSIONERS COURT OF HUNT COUNTYGREENVILLE, TEXAS

(Insert Full Name [top line] and Address [bottom line] of Obligor)

in the aggregate and non-cumulative penal sum of

ONE HUNDRED THOUSAND AND NO/100—(\$ 100,000.00)

DOLLARS, for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents

SIGNED, SEALED and DATED JANUARY 1, 2005THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That Whereas, the said Principal has been elected or appointed to (or holds by operation of law) the office of HUNT COUNTY TAX ASSESSOR/COLLECTORfor a term beginning on JANUARY 1, 2005 and ending on DECEMBER 31, 2008

NOW, THEREFORE, If the said Principal shall well, truly and faithfully perform all official duties required by law of such official during the term aforesaid, then this obligation shall be void: otherwise to remain in full force and effect.

THIS BOND is executed by the Surety upon the following express conditions

First: That the Surety may, if it shall so elect, cancel this bond by giving thirty (30) days notice in writing to HUNT COUNTYCOMMISSIONERS COURT, GREENVILLE, TX 75402

and this bond shall be deemed canceled at the expiration of said thirty (30)

days, the Surety remaining liable, however, subject to all the terms, conditions and provisions of this bond, for any act or acts covered by this bond which may have been committed by the Principal up to the date of such cancelation; and the Surety shall, upon surrender of this bond and its release from all liability hereunder, refund the premium paid, less a pro rate part thereof for the time this bond shall have been in force.

Second: That the Surety shall not be liable hereunder for the loss of any public moneys or funds occurring through or resulting from the failure of, or default in payment by, any banks or depositories in which any public moneys or funds have been deposited, or may be deposited, or placed to the credit, or under the control of the Principal, whether or not such banks or depositories were or may be selected or designated by the Principal or by other persons; or by reason of the allowance to, or acceptance by the Principal of any interest on said public moneys or funds. any law, decision, ordinance or statute to the contrary notwithstanding

Third: That the Surety shall not be liable for any loss or losses, resulting from the failure of the Principal to collect any taxes, licenses, levies, assessments, etc., with the collection of which he may be chargeable by reason of his election or appointment as aforesaid.



J L Green Insurance Agency
3914 Wesley St., PO Box 964
Greenville, TX 75403-0964
903 455-7784 FAX 903 455-5561
jlgreeninsurance.com

Barbara J. Wiggins
BARBARA J. WIGGINS
The Ohio Casualty Insurance Company

By:

Diana Perez
Diana Perez

Attorney-in-fact

OATH OF OFFICE

STATE OF
County of

TEXAS
HUNT

}

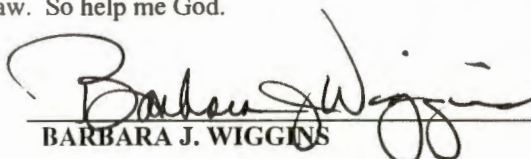
SS

I, **BARBARA J. WIGGINS**

, do solemnly swear (or affirm) that I will support, protect and defend the Constitution of The United States and the Constitution of the State of _____ and that I will discharge the duties of my office of

HUNT COUNTY TAX ASSESSOR/COLLECTOR

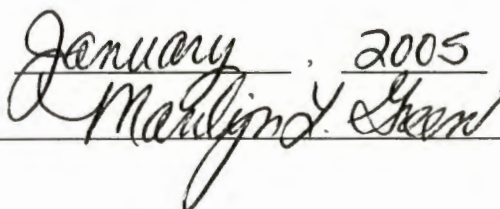
with fidelity; that I have not paid or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure my nomination or election (or appointment), except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of this State, or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office than the compensation allowed by law. So help me God.


BARBARA J. WIGGINS

Sworn to and subscribed before me this

1st

day of

January, 2005




CERTIFIED COPY OF POWER OF ATTORNEY
THE OHIO CASUALTY INSURANCE COMPANY
AMERICAN FIRE & CASUALTY COMPANY
WEST AMERICAN INSURANCE COMPANY

No. 33-471

Know All Men by These Presents : That THE OHIO CASUALTY INSURANCE COMPANY and AMERICAN FIRE & CASUALTY COMPANY, each an Ohio Corporation, and WEST AMERICAN INSURANCE COMPANY, an Indiana Corporation, in pursuance of authority granted by Article VI, Section 7 of the By-Laws of The Ohio Casualty Insurance Company and American Fire & Casualty Company and Article VI, Section 1 of West American Insurance Company, do hereby nominate, constitute and appoint: **Diana Perez of Dallas, Texas** its true and lawful agent (s) and attorney (s)-in-fact, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all BONDS, UNDERTAKINGS, and RECOGNIZANCES, not exceeding in any single instance **THREE MILLION (\$3,000,000.00) DOLLARS**, excluding, however, any bond(s) or undertaking(s) guaranteeing the payment of notes and interest thereon. And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Companies at their administrative offices in Hamilton, Ohio, in their own proper persons.

The authority granted hereunder supersedes any previous authority heretofore granted the above named attorney(s)-in-fact.

In WITNESS WHEREOF, the undersigned officer of the said The Ohio Casualty Insurance Company, American Fire & Casualty Company and West American Insurance Company has hereunto subscribed his name and affixed the Corporate Seal of each Company this 23rd day of **September, 1998**.



Sam Lawrence

Sam Lawrence, Assistant Secretary

STATE OF OHIO,
 COUNTY OF BUTLER

On this 23rd day of **September, 1998** before the subscriber, a Notary Public of the State of Ohio, in and for the County of Butler, duly commissioned and qualified, came **Sam Lawrence, Assistant Secretary** of THE OHIO CASUALTY INSURANCE COMPANY, AMERICAN FIRE & CASUALTY COMPANY and WEST AMERICAN INSURANCE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn deposed and saith, that he is the officer of the Companies aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and the said Corporate Seals and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal at the City of Hamilton, State of Ohio, the day and year first above written.



Barbara Hoffman

Notary Public in and for County of Butler, State of Ohio
 My Commission expires September 25, 2002.

This power of attorney is granted under and by authority of Article VI, Section 7 of the By-Laws of The Ohio Casualty Insurance Company and American Fire & Casualty Company and Article VI, Section 1 of West American Insurance Company, extracts from which read:

Article VI, Section 7. APPOINTMENT OF ATTORNEYS-IN-FACT, ETC. "The chairman of the board, the president, any vice-president, the secretary or any assistant secretary of each of these Companies shall be and is hereby vested with full power and authority to appoint attorneys-in-fact for the purpose of signing the name of the Companies as surety to, and to execute, attach the corporate seal, acknowledge and deliver any and all bonds, recognizances, stipulations, undertakings or other instruments of suretyship and policies of insurance to be given in favor of any individual, firm, corporation, or the official representative thereof, or to any county or state, or any official board or boards of county or state, or the United States of America, or to any other political subdivision."

Article VI, Section 1. APPOINTMENT OF RESIDENT OFFICERS. "The Chairman of the Board, the President, any Vice President, a Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint attorneys in fact for the purpose of signing the name of the corporation as surety or guarantor, and to execute, attach the corporate seal, acknowledge and deliver any and all bonds, recognizances, stipulations, undertakings or other instruments of surety-ship or guarantee, and policies of insurance to be given in favor of an individual, firm, corporation, or the official representative thereof, or to any county or state, or any official board or boards of any county or state, or the United States of America, or to any other political subdivision."

This instrument is signed and sealed by facsimile as authorized by the following Resolution adopted by the respective directors of the Companies (adopted May 27, 1970-The Ohio Casualty Insurance Company; adopted April 24, 1980-West American Insurance Company; adopted May 21, 1998-American Fire & Casualty Company):

"RESOLVED that the signature of any officer of the Company authorized by the By-Laws to appoint attorneys in fact, the signature of the Secretary or any Assistant Secretary certifying to the correctness of any copy of a power of attorney and the seal of the Company may be affixed by facsimile to any power of attorney or copy thereof issued on behalf of the Company. Such signatures and seal are hereby adopted by the Company as original signatures and seal, to be valid and binding upon the Company with the same force and effect as though manually affixed."

CERTIFICATE

I, the undersigned Assistant Secretary of The Ohio Casualty Insurance Company, American Fire & Casualty Company and West American Insurance Company, do hereby certify that the foregoing power of attorney, the referenced By-Laws of the Companies and the above Resolution of their Boards of Directors are true and correct copies and are in full force and effect on this date.

IN WITNESS WHEREOF, I have hereunto set my hand and the seals of the Companies this 1st day of January 2005



Mark E. Schmidt

Assistant Secretary



The member companies of **Ohio Casualty Group**
9450 Seward Road, Fairfield, Ohio 45014 www.ocas.com

BOND NUMBER: 3-868-969

DISCLOSURE NOTICE OF TERRORISM INSURANCE COVERAGE

After the September 11, 2001 collapse of the World Trade Center, some insurance and reinsurance companies excluded coverage for terrorist events from their policies. The economy was affected, to the extent that \$15 billion dollars of new construction was cancelled or delayed. As an economic aid, the Federal Government has enacted the Terrorism Risk Insurance Act of 2002. As part of the act, we are required to notify you that subject to the terms and conditions as stated in your applicable bond forms, coverage for losses sustained by acts of terrorism is already included in your current bond. Effective November 26, 2002, under your existing bond, losses caused by certified acts of terrorism as defined in the Terrorism Risk Insurance Act of 2002 would be partially reimbursed by the Federal Government under a formula established by federal law. Under this formula, the Federal Government pay 90% of covered terrorism losses exceeding the statutorily established deductible paid by the insurance company providing the coverage.

Under the current bond, that portion of your premium that is attributable to coverage for acts of terrorism is \$0.

We strongly urge you to contact your independent insurance agent if you have any questions regarding this matter.