

There was a Public Hearing beginning at 9:00 A.M. regarding the LOCAL PROVIDER PARTICIPATION FUND. Everyone in attendance was asked to sign a sign-in sheet and after discussion, the hearing was closed at 9:01 A.M.

INVOCATION

Commissioner Pct. 3-James Strain, DeKalb, TX

PLEDGE OF ALLEGIANCE

Pledge of Allegiance to the United States

COMMISSIONERS COURT MINUTES

AUGUST 14, 2023

BE IT REMEMBERED, that on this 14th day of August, 2023, the HONORABLE COMMISSIONERS COURT of Bowie County, Texas met in REGULAR SESSION at the Courthouse in New Boston, Texas after due notice had been posted on the 11th day of August, 2023 with the HONORABLE JUDGE BOBBY L. HOWELL present and presiding with the following Commissioners being present.

Sammy Stone
Tom Whitten
James Strain
Mike Carter

Commissioner Pct. #1
Commissioner Pct. #2
Commissioner Pct. #3
Commissioner Pct. #4

Also in attendance were the following County Officials:

- County Auditor Jennifer Beckett
- County Clerk Tina Petty
- County Legal Advisor Randle Smolarz

ANNOUNCEMENTS

None

REGULAR AGENDA ITEMS

Court convened at 9:03 A.M. when the following ORDERS, JUDGMENTS and DECREES were had and ORDERED spread upon the minutes of the Court to-wit.

Item 1 Public Comments were made by Constable Robbie Caudle, Maud, TX.

Item 2: There was no Commissioners Court response to Public Comments.

- Item 3: On this 14th day of August, 2023, Cherrie Curtis gave a presentation to the Court regarding Texas A&M AgriLife Extension Service Interpretation.**
- Item 4: On this 14th day of August, 2023, a motion was made by Commissioner Tom Whitten and duly second by Commissioner James Strain to accept Firefly Lane as a County Road in Precinct 2. Motion was put to a vote and all Commissioners voted yes and none voted no. Motion carried.**
- Item 5: On this 14th day of August, 2023, a motion was made by Commissioner James Strain and duly second by Commissioner Mike Carter to approve the 2024 Sheriff & Constable Fees. Motion was put to a vote and all Commissioners voted yes and none voted no. Motion carried.**
- Item 6: On this 14th day of August, 2023, a motion was made by Commissioner James Strain and duly second by Commissioner Tom Whitten to approve Early Voting and Election Day Vote Center Locations for the November 7, 2023 Election. Motion was put to a vote and all Commissioners voted yes and none voted no. Motion carried.**
- Item 7: On this 14th day of August, 2023, a motion was made by Commissioner Sammy Stone and duly second by Commissioner Mike Carter to appoint Election Judges and Alternate Judges for the November 7, 2023 Election. Motion was put to a vote and all Commissioners voted yes and none voted no. Motion carried.**
- Item 8: On this 14th day of August, 2023, a motion was made by Commissioner James Strain and duly second by Commissioner Tom Whitten to approve the Interlocal Agreement for a Joint Election with the City of Texarkana, Texas. Motion was put to a vote and all Commissioners voted yes and none voted no. Motion carried.**
- Item 9: On this 14th day of August, 2023, a motion was made by Commissioner James Strain and duly second by Commissioner Sammy Stone to approve the Bowie County Elections Office Emergency Operations Plan (OSP). Motion was put to a vote and all Commissioners voted yes and none voted no. Motion carried.**
- Item 10: On this 14th day of August, 2023, a motion was made by Commissioner James Strain and duly second by Commissioner Tom Whitten to approve the Bowie County Elections Office Rules of Procedure for Inspection of Sensitive Election Documents. Motion was put to a vote and all Commissioners voted yes and none voted no. Motion carried.**
- Item 11: On this 14th day of August, 2023, there was no motion made to authorize the Election Administrator to enter into a contract with TEXTMYGOV to facilitate better line of communication with public and election workers, funds to be paid from the Election Department's Section 31 Fund.**

- Item 12: On this 14th day of August, 2023, a motion was made by Commissioner Mike Carter and duly second by Commissioner James Strain to give the County Judge the authority to impose a Burn Ban for Bowie County, based upon reports and recommendations from the Texas Forest Service and our local fire department.
Motion was put to a vote and all Commissioners voted yes and none voted no.
Motion carried.**
- Item 13: On this 14th day of August, 2023, a motion was made by Commissioner Sammy Stone and duly second by Commissioner Mike Carter to approve the Texas DMV imposition of optional fees for the 2024 Calendar Year.
Motion was put to a vote and all Commissioners voted yes and none voted no.
Motion carried.**
- Item 14: On this 14th day of August, 2023, a motion was made by Commissioner James Strain and duly second by Commissioner Tom Whitten to approve the lease for FY2024 & 2025 between Bowie County and Bowie County Community Supervision and Correction Department for property located at 141 Plaza West, Texarkana, Texas.
Motion was put to a vote and all Commissioners voted yes and none voted no.
Motion carried.**
- Item 15: On this 14th day of August, 2023, a motion was made by Commissioner Sammy Stone and duly second by Commissioner Mike Carter to advertise and approve RFP for the repair of two (2) hydraulic elevators for the Bowie County Correctional Center.
Motion was put to a vote and all Commissioners voted yes and none voted no.
Motion carried.**
- Item 16: On this 14th day of August, 2023, a motion was made by Commissioner Tom Whitten and duly second by Commissioner Mike Carter to advertise and approve RFP for the replacement of two (2) hydraulic elevators for the Bowie County Correctional Center.
Motion was put to a vote and all Commissioners voted yes and none voted no.
Motion carried.**
- Item 17: On this 14th day of August, 2023, a motion was made by Commissioner Mike Carter and duly second by Commissioner Sammy Stone to approve the Lease Agreement #2571 between 3N1 and Bowie County District Clerk's Office.
Motion was put to a vote and all Commissioners voted yes and none voted no.
Motion carried.**
- Item 18: On this 14th day of August, 2023, a motion was made by Commissioner James Strain and duly second by Commissioner Mike Carter to approve the Lease Agreement #072804700 between Xerox and Bowie County District Clerk's Office.
Motion was put to a vote and all Commissioners voted yes and none voted no.
Motion carried.**

Item 19: On this 14th day of August, 2023, a motion was made by Commissioner Mike Carter and duly second by Commissioner Tom Whitten to declare surplus fixed asset #3604 RCSS15 Landpride 15' Cutter, Serial #627638 to be traded in on the purchase of new equipment for Precinct 2.

Motion was put to a vote and all Commissioners voted yes and none voted no.

Motion carried.

Item 20: On this 14th day of August, 2023, a motion was made by Commissioner James Strain and duly second by Commissioner Tom Whitten to purchase a 2023 John Deere FC15M Flex Wing Rotary Cutter, Serial #1P0FC3MCLPC003126 from Sourcewell Contract #110719-JDC in the amount of \$23,954.44 less trade-in of \$4,000.00 for a cost of \$19,954.44 for Precinct 2 to be funded with ARPA funds.

Motion was put to a vote and all Commissioners voted yes and none voted no.

Motion carried.

Item 21: On this 14th day of August, 2023, a motion was made by Commissioner James Strain and duly second by Commissioner Tom Whitten to approve the bonds of Lori Caraway, District Clerk and Kimberly McNatt, Assistant County Treasurer.

Motion was put to a vote and all Commissioners voted yes and none voted no.

Motion carried.

Item 22: On this 14th day of August, 2023, a motion was made by Commissioner Mike Carter and duly second by Commissioner Tom Whitten to approve the contract between Kinetic Business and Bowie County for VOIP telephone system quote number 2672960.

Motion was put to a vote and all Commissioners voted yes and none voted no.

Motion carried.

Item 23: On this 14th day of August, 2023, a motion was made by Commissioner Mike Carter and duly second by Commissioner Sammy Stone to approve a 2023 mandatory payment rate of 6% of net patient revenue for the Bowie County Local Provider Participation Fund, pursuant to §292.151 of the Texas Health & Safety Code.

Motion was put to a vote and all Commissioners voted yes and none voted no.

Motion carried.

Item 24: On this 14th day of August, 2023, a motion was made by Commissioner Sammy Stone and duly second by Commissioner Mike Carter to approve the Treasurer's Monthly Report for June 2023.

Motion was put to a vote and all Commissioners voted yes and none voted no.

Motion carried.

Item 25: On this 14th day of August, 2023, a motion was made by Commissioner Mike Carter and duly second by Commissioner Tom Whitten to approve the Treasurer's Investment Report as of June 30, 2023.

Motion was put to a vote and all Commissioners voted yes and none voted no.

Motion carried.

Item 26: On this 14th day of August, 2023, a motion was made by Commissioner Mike Carter and duly second by Commissioner James Strain to approve budget adjustments (line item transfers). Motion was put to a vote and all Commissioners voted yes and none voted no. Motion carried.

Item 27: On this 14th day of August, 2023, a motion was made by Commissioner James Strain and duly second by Commissioner Sammy Stone to approve payment of accounts payable and payroll. Motion was put to a vote and all Commissioners voted yes and none voted no. Motion carried.

Item 28: On this 14th day of August, 2023, a motion was made by Commissioner Tom Whitten and duly second by Commissioner Mike Carter to approve the minutes as an Order of the Court (July 24, 2023-Regular Session and August 4, 2023-Special Session). Motion was put to a vote and all Commissioners voted yes and none voted no. Motion carried.

Item 29: Court recessed at 10:07 A.M. to go into Executive Closed Session to discuss security matters, personnel matters and litigation as allowed in the Government Code, Section 551.0725. Court reconvened at 10:25 A.M.

Item 30: There was no action taken to authorize the County Judge to execute settlement participation and release forms regarding confidential partial settlement offers in the Texas opioid multi-district litigation for Bowie County in the matter of *County of Bowie v. Purdue Pharma, L.P., et al.*

Item 31: On this 14th day of August, 2023, a motion was made by Commissioner James Strain and duly second by Commissioner Mike Carter to approve a tax abatement for West Fraser Wood Products, Inc. in the amount of 50% ad valorem taxes for 5 years. Motion was put to a vote and all Commissioners voted yes and none voted no. Motion carried.

On this 14th day of August, 2023, a motion was made by Commissioner Sammy Stone and duly second by Commissioner Mike Carter to adjourn. Motion was put to a vote and all Commissioners voted yes and none voted no. Motion carried.