

***There was a Public Hearing held at 9:00 A.M. regarding the PROPOSED 2023-2024 TAX RATE and 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  
SEPTEMBER 11, 2023**

**BE IT REMEMBERED**, that on this 11<sup>th</sup> day of September, 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 8<sup>th</sup> day of September, 2023 with the HONORABLE JUDGE BOBBY L. HOWELL present and presiding with the following Commissioners being present.

Sammy Stone	Commissioner Pct. #1
Tom Whitten	Commissioner Pct. #2
James Strain	Commissioner Pct. #3
Mike Carter (absent)	Commissioner Pct. #4

Also in attendance were the following County Officials:

- County Auditor Jennifer Beckett
- County Legal Advisor Randle Smolarz

And the following staff member also present:

- County Clerk Chief Deputy Denise Thornburg

**ANNOUNCEMENTS**

Judge Howell spoke to the Court in remembrance of September 11, 2001.

**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 Mike Brower, Texarkana, TX.

Item 2: Judge Howell responded to Public Comments.

**Item 3: On this 11<sup>th</sup> day of September, 2023, a motion was made by Commissioner Sammy Stone and duly second by Commissioner James Strain to adopt the Bowie County Tax Rate for the 2023 tax year.**

- Commissioner James Strain                      Yes
- Commissioner Tom Whitten                      No
- Commissioner Sammy Stone                      Yes
- Judge Bobby Howell                      Yes
- Commissioner Mike Carter is absent

**Motion was put to a vote and three (3) Commissioners voted yes and one (1) Commissioner Tom Whitten voted no.**

**Motion carried.**

**Item 4: On this 11<sup>th</sup> day of September, 2023, a motion was made by Commissioner Sammy Stone and duly second by Commissioner Tom Whitten to nominate Commissioner Tom Whitten to the 2023-2024 Bowie Central Appraisal District Board of Directors.**

**Motion was put to a vote and two (2) Commissioner Sammy Stone and Commissioner Tom Whitten voted yes and two (2) Commissioner James Strain and Judge Bobby Howell voted no. Motion failed for lack of three (3) votes.**

**On this 11<sup>th</sup> day of September, 2023, a motion was made by Judge Bobby Howell and duly second by Commissioner James Strain to nominate Commissioner Mike Carter to the 2023-2024 Bowie Central Appraisal Board of Directors.**

**Motion was put to a vote and two (2) Judge Bobby Howell and Commissioner James Strain voted yes and two (2) Commissioner Sammy Stone and Commissioner Tom Whitten voted no. Motion failed for lack of three (3) votes.**

**Item 5: On this 11<sup>th</sup> day of September, 2023, a motion was made by Commissioner James Strain and duly second by Commissioner Tom Whitten to bring back to the table to approve or reject Request for Proposals to reconstruct Akin Road for Precinct 2.**

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

**Item 6: On this 11<sup>th</sup> day of September, 2023, a motion was made by Commissioner Tom Whitten and duly second by Commissioner Sammy Stone to approve the Request for Proposal from Caver Construction, in the amount of \$468,712.30 to reconstruct Akin Road in Precinct 2.**

**Motion was put to a vote and two (2) Commissioner Tom Whitten and Commission Sammy Stone voted yes and two (2) Commissioner James Strain and Judge Bobby Howell voted no. Motion failed for lack of three (3) votes.**

**On this 11<sup>th</sup> day of September, 2023, a motion was made by Commissioner Tom Whitten and duly second by Commissioner James Strain to accept the alternate bid from Caver Construction, in the amount of \$212,100.30 for partial reconstruction of Akin Road in Precinct 2.**

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

- Item 7: On this 11<sup>th</sup> day of September, 2023, a motion was made by Commissioner Tom Whitten and duly second by Commissioner James Strain to re-appoint Alwin Smith, Steve Petty and Randy Mansfield to the Board of Commissioners for the Bowie County Emergency Services District #4. Motion was put to a vote and all Commissioners voted yes and none voted no. Motion carried.**
- Item 8: On this 11<sup>th</sup> day of September, 2023, a motion was made by Commissioner James Strain and duly second by Commissioner Tom Whitten to accept the report of finances of Bowie County Emergency Services District #4. Motion was put to a vote and all Commissioners voted yes and none voted no. Motion carried.**
- Item 9: On this 11<sup>th</sup> day of September, 2023, a motion was made by Commissioner James Strain and duly second by Commissioner Sammy Stone to transfer an administrative fee of \$160,000 from the LPPF to the County General Fund for 2015-2019 and 2021-2023. Motion was put to a vote and all Commissioners voted yes and none voted no. Motion carried.**
- Item 10: On this 11<sup>th</sup> day of September, 2023, a motion was made by Commissioner Tom Whitten and duly second by Commissioner James Strain to approve a Resolution Authorizing Application for the General Victim Assistance Grant Program for FY 2024 Grant Number 4823501. Motion was put to a vote and all Commissioners voted yes and none voted no. Motion carried.**
- Item 11: On this 11<sup>th</sup> day of September, 2023, a motion was made by Commissioner Sammy Stone and duly second by Commissioner Tom Whitten to approve the increase for payment of Juror Service Fees as required per HB 3474. Motion was put to a vote and all Commissioners voted yes and none voted no. Motion carried.**
- Item 12: On this 11<sup>th</sup> day of September, 2023, a motion was made by Commissioner James Strain and duly second by Commissioner Tom Whitten to approve the 2023-2024 Renewal and Benefit Confirmation. Motion was put to a vote and all Commissioners voted yes and none voted no. Motion carried.**
- Item 14: On this 11<sup>th</sup> day of September, 2023, a motion was made by Commissioner James Strain and duly second by Commissioner Tom Whitten to approve the Amended Notice of Election for the November 7, 2023 Election. Motion was put to a vote and all Commissioners voted yes and none voted no. Motion carried.**
- Item 13: On this 11<sup>th</sup> day of September, 2023, a motion was made by Commissioner Sammy Stone and duly second by Commissioner James Strain to approve additional County Wide Voting locations for the November 7, 2023 Election, as required by SB924. Motion was put to a vote and all Commissioners voted yes and none voted no. Motion carried.**

**Item 15: On this 11<sup>th</sup> day of September, 2023, a motion was made by Commissioner James Strain and duly second by Commissioner Tom Whitten to approve the appointment of additional Judges for the November 7, 2023 Election.**

**Item 16: On this 11<sup>th</sup> day of September, 2023, a motion was made by Commissioner James Strain and duly second by Commissioner Sammy Stone to approve the purchase of two 2023 Ford F-150 Trucks from BUYBOARD Contract #600-19, in the amount of \$94,988.40 for the Sheriff's Office.**

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

**Motion carried.**

**Item 17: On this 11<sup>th</sup> day of September, 2023, a motion was made by Commissioner James Strain and duly second by Commissioner Tom Whitten to approve the purchase of two 2023 Ford F-150 Trucks from BUYBOARD Contract #600-19, in the amount of \$95,388.40 from ARPA Funds for the Sheriff's Office.**

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

**Motion carried.**

**Item 18: On this 11<sup>th</sup> day of September, 2023, a motion was made by Commissioner Tom Whitten and duly second by Commissioner James Strain to approve Bonds for Bobby Howell, County Judge and Catie Hawkins, Justice of the Peace, Pct. 2.**

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

**Motion carried.**

**Item 19: On this 11<sup>th</sup> day of September, 2023, a motion was made by Commissioner Sammy Stone and duly second by Commissioner Tom Whitten 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 20: On this 11<sup>th</sup> day of September, 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 21: On this 11<sup>th</sup> day of September, 2023, a motion was made by Commissioner Tom Whitten and duly second by Commissioner James Strain to approve the minutes as an Order of the Court (August 28, 2023).**

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

**Motion carried.**

**Item 22: There was no Executive Closed Session to discuss security matters, personnel matters and litigation as allowed in the Government Code, Section 551.0725.**

**Item 23: There was no action 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.***

**On this 11<sup>th</sup> day of September, 2023, a motion was made by Commissioner Sammy Stone and duly second by Commissioner Tom Whitten to adjourn.**

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

**Motion carried.**