

Milam County Commissioner's Court

March 23, 2015

**NOTICE OF MEETING OF THE
COMMISSIONERS' COURT OF MILAM COUNTY, TEXAS**

Notice is hereby given that a meeting of the above named Commissioner's Court will be held on Monday, the 23rd of March, 2015, at 10:00 a.m., in the Commissioner's Courtroom, Milam County Courthouse, 102 S. Fannin, Cameron, Texas, at which time the following agenda items will be covered:

Prayer –

Period of silence followed by presentation of any additional prayers and words of encouragement
(Please complete public participation form prior to meeting)

1. Call Meeting to Order and establish quorum
2. Pledge of Allegiance - U.S. Flag, Texas Flag. "Honor the Texas Flag, I pledge allegiance to thee, Texas, one State, Under God, one and indivisible"
3. Approve minutes of previous meetings
4. Public Participation (Please complete public participation form prior to meeting)
5. Approve Utility Installations
6. Approve proposal for Appraisal District board of directors seat nomination Jay Beckhusen
7. Approve support for HB #3186 sponsored by Marsha Farney
8. Approve Tier 1 Partial Exemption Racial Profiling Report for J. Beathard, Constable Pct 3
9. Approve Racial Profiling Report for Chris White
10. Accept completion certificate of newly elected constables training for J. Beathard, Constable Pct 3
11. Approve contract for Joint Election Services for the May cities and schools elections
12. Approve payment of bills
13. Adjourn

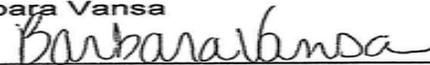
Dated this the 19th day of March, 2015
Commissioners' Court of Milam County, Texas

By 
David L. Barkemeyer, County Judge

Filed 19 day of MARCH
in 2015, At 4:30 P. M.
BARBARA VANSA
County Clerk, Milam County, Texas
By 
Deputy

I, the undersigned, County Clerk, do hereby certify that the above Notice of Meeting of the above named Commissioners' Court, is a true and correct copy of said Notice, and that I posted a true and correct copy of said Notice on the Courthouse door and the County Clerk's Office of Milam County, Texas, at a place readily accessible to the general public at all times on the 19th day of March, 2015, and said Notice remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

Dated this the 19th day of March, 2015
County Clerk of Milam County, Texas
Barbara Vansa

By 

If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting the Commissioners Court will conduct a closed meeting in accordance with the Texas Open Meetings Act, Government Code, Chapter 551, Subchapters D and E. Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes or decisions will be taken in open meeting.

- Prayer
- Any additional prayers and words of encouragement followed by period of silence (Please complete public participation form prior to meeting)

Item 1

- Call meeting to Order and establish quorum

Item 2

- Pledge of Allegiance
- Texas Flag
 - "Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."

Item 3

- Approve minutes of previous meetings

Item 4

- Public Participation
 - Please complete public participation form prior to meeting

RULES OF PROCEDURE, CONDUCT, AND DECORUM AT MEETINGS OF THE MILAM COUNTY COMMISSIONERS' COURT

- IV. The business of Milam County is conducted by and between the members of the Milam County Commissioners Court and by those members of the county staff, elected officials, department heads, consultants, experts and/or members of the public requested to be present and participate. While the public is invited to attend all meetings of the Commissioners Court (except Executive Sessions) the public's participation therein is limited to that of observers unless a member (or members) of the public is requested to address the Commissioners Court on a particular issue or (issues) or unless the member (or members) of the public completes a Public Participation Form and submits same to the County Judge's Secretary or county clerk prior to the time the Court Session is called to order. A sample of the Milam County Commissioners Court Public Participation Form is attached hereto as Exhibit "A".
- Each member of the public who appears before the Commissioners Court shall be limited to a maximum of five (5) minutes to make his/her remarks. Time for each speaker shall be maintained by the County Clerk or such other designated representative of the Commissioners Court.
 - Maximum discussion on any agenda item, regardless of the number of members of the public wishing to address the Commissioners Court on such agenda item (or items) shall be limited to thirty (30) minutes. In the event that more than six (6) members of the public wish to address a particular agenda item (or items), then only the first six (6) members of the public recognized to speak shall be divided equally between those members of the public wishing to speak for the agenda item (or items) and those members of the public wishing to speak against the agenda item (or items).
 - In matters of exceptional interest, the Court may, by the majority vote of the members of the Court in attendance at the meeting, either shorten or lengthen the time allocated for a particular member of the public, all members of the public and/or the amount of time allocated for all agenda items and/or a specific agenda item.
 - It is the intention of the Court to provide an open access to the citizens of Milam County to address the Commissioners Court and to express themselves on issues of county government. Members of the public are reminded that the Milam County Commissioners Court is a Constitutional Court, the Milam County Commissioners Court also possesses the power to issue a Contempt of Court Citation under Section 81.024 of the Texas Local Government Code. Accordingly, all members of the public in attendance at any Regular, Special and/or Emergency meeting of the Court shall conduct themselves with proper respect and decorum in speaking to, and/or addressing the Court; in participating in public discussions before the Court; and in all actions in the presence of the Court. Proper attire for men, women and children is mandatory. Those members of the public who are inappropriately attired and/or who do not conduct themselves in an orderly and appropriate manner will be ordered to leave the meeting. Refusal to abide by the Court's order and/or continued disruption of the meeting may result in a Contempt of Court Citation.
 - It is not the intention of the Milam County Commissioners Court to provide a public forum for the demeaning of any individual or group. Neither is it the intention of the Court to allow a member (or members) of the public to insult the honesty and/or integrity of the Court, as a body, or any member (or members) of the Court, individually or collectively. Accordingly, profane, insulting or threatening language directed toward the Court and/or any person in the Court's presence and/or racial, ethnic, or gender slurs or epithets will not be tolerated. Violation of these rules may result in the following sanctions:
 - Cancellation of a speaker's remaining time;
 - Removal from the Commissioners Courtroom;
 - A Contempt Citation; and/or
 - Such other civil and/or criminal sanctions as may be authorized under the Constitution, Statutes and Codes of the State of Texas.

Item 5

- Approve Utility Installations

Item 6

- Approve proposal for Appraisal District board of directors seat nomination Jay Beckhusen



MILAM APPRAISAL DISTRICT

120 N. Houston • P.O. Box 769 • Cameron, Texas 76520 • 254.697.6638 • 1.800.772.4457 • Fax 254.697.8059

DATE: February 19, 2015

FEB 23 2015

TO: Bartlett ISD Mr. Ricky Ramirez, President of School Board Mr. Brett Springston, Superintendent
Buckholts, City of Mayor Kathy Mayes Ms. Melanie Reed, City Secretary
Buckholts ISD Ms. Pam Crowe, President of School Board Mr. Dirk D. Dykstra, Superintendent
Cameron, City of Mayor Connie Anderle Mr. Rhett Parker, City Manager
Cameron ISD Mr. Alan Patterson, President of School Board Mr. Collin Clark, Superintendent
Gause ISD Mr. Bill Jones, President of School Board Mr. Brad Jones, Superintendent
Holland ISD Mr. Travis Richter, President of School Board Ms. Cindy Gunn, Superintendent
Lexington ISD Dr. Mark Strain, President of School Board Ms. Frances McArthur, Superintendent
Milam County Judge Dave Barkemeyer
Mr. Richard Opey Watkins, Pct. 1 Commissioner
Mr. John Fisher, Pct. 3 Commissioner
Milano, City of Mayor Billy Barnett Mr. Kenneth Hollas, Pct. 2 Commissioner
Milano ISD Mr. Jay Willingham, President of School Board Mr. Jeff Muegge, Pct. 4 Commissioner
Rockdale, City of Mayor John King Ms. Carolyn Vinton, City Secretary
Rockdale ISD Mr. Lee Jenkins, President of School Board Mr. Robert Westbrook, Superintendent
Rogers ISD Mr. Ryan Sebek, President of School Board Mr. Chris Whittaker, City Manager
Rosebud/Lott ISD Ms. Marlene Zipperlen, President of School Board Ms. Denise Monzingo, Superintendent
Thorndale, City of Mayor Billy Simank Mr. Jason Gilstrap, Superintendent
Thorndale ISD Mr. David Hall, President of School Board Mr. Anthony Price, Superintendent
Mr. Keith Kiesling, City Manager
Mr. Craig Spinn, Superintendent

FROM: Dyann White, Chief Appraiser

RE: NOMINATION FOR VACANT POSITION OF THE MILAM APPRAISAL DISTRICT BOARD OF DIRECTORS

We have been notified that Mr. David Kaufmann will no longer be eligible to serve on the Board of Directors due to his recent employment with Rockdale ISD.

Property Tax Code states that if a vacancy occurs on the Board, each voting taxing unit nominates *by resolution* a candidate to fill the vacancy. Within 45 days after receiving notice from the Board of Directors that a vacancy exists, a taxing unit must submit the nomination to the Chief Appraiser. The Chief Appraiser delivers a list of the nominees to the directors within the next five days. Directors select by majority vote one of the nominees to fill the vacancy.

Please send your entity's resolution nominating a candidate to the Chief Appraiser by **April 5, 2015**. The Chief Appraiser will deliver the nominations to the Board by April 10, 2015 and the Board will make a selection at their April 16, 2015 regular meeting.

Dyann White
Chief Appraiser

Enclosures

cc: Milam A.D. Board of Directors

Item 7

- Approve support for HB #3186 sponsored by Marsha Farney

MILAM COUNTY INDUSTRIAL DEVELOPMENT CORPORATION
PO BOX 835
CAMERON, TX 76520

March 18, 2015

Judge Dave Barkemeyer
Milam County Courthouse
Cameron, TX 76520

Dear Judge Barkemeyer,

The Board of Directors of the Milam County Industrial Development Corporation at its recent annual meeting on March 11, 2015 voted unanimously to offer this letter of encouragement to the Milam County Commissioner Court to support HB #3186 sponsored by State Representative Marsha Farney. We believe that this proposed legislation, if it becomes law, will greatly assist in economic development in Milam County. We also recommend that the Milam County Commissioners Court send a letter of support to State Representative Marsha Farney c/o Chief of Staff, Aaron Gibson, P.O. Box 2910; E1.310, Austin, TX 78768.

Sincerely,



Richard E. Williams, Jr.
President
Milam County Industrial Development Corporation

RWJ/kdh

Enclosures

Milam County Judge

Dave Barkemeyer
102 South Fannin Ave.
Cameron, Texas 76520



Phone 254-697-7000
Fax 254-697-7002
info@milamcounty.net

March 23, 2015

Dr. Marsha Farney
House of Representatives
District 20
1633 Williams Dr.
Suite 201
Georgetown, TX 78628

Dr. Farney,

The Commissioners Court of Milam County would like to inform you that the Milam County Commissioners Court is in support of HB 3186 which you have proposed to the State Legislature relating to the qualifications of Directors and the use of project funds of certain municipal development districts.

We believe that the passage of this piece of legislation would greatly assist in economic development in Milam County.

Thank you for proposing this legislation on Milam County's behalf.

Signed the 23rd day of March, 2015 in the Commissioners Court of Milam County:

David L. Barkemeyer, Milam County Judge

Richard "Opey" Watkins, Commissioner, Pct 1

Donald Shuffield, Commissioner, Pct 2

John Fisher, Commissioner, Pct 3

Jeff Muegge, Commissioner, Pct 4

Item 8

- Approve Tier 1 Partial Exemption Racial Profiling Report for J. Beathard, Constable Pct 3

TIER 1 - PARTIAL EXEMPTION RACIAL PROFILING REPORT

Agency Name: MILAM CO. CONST. PCT. 3
Reporting Date: 02/23/2015
TCOLE Agency Number: 331103
Chief Administrator: JOHNNIE BEATHARD
Agency Contact Information: Mailing Address:
MILAM CO. CONST. PCT. 3
313 N Main St.
rockdale, tx 76567

This Agency claims partial racial profiling report exemption because:
Our vehicles that conduct motor vehicle stops are equipped with video and audio equipment and we maintain videos for 90 days.

Certification to This Report 2.132 (Tier 1) – Partial Exemption

Article 2.132(b) CCP Law Enforcement Policy on Racial Profiling

MILAM CO. CONST. PCT. 3 has adopted a detailed written policy on racial profiling. Our policy:

- (1) clearly defines acts constituting racial profiling;
- (2) strictly prohibits peace officers employed by the MILAM CO. CONST. PCT. 3 from engaging in racial profiling;
- (3) implements a process by which an individual may file a complaint with the MILAM CO. CONST. PCT. 3 if the individual believes that a peace officer employed by the MILAM CO. CONST. PCT. 3 has engaged in racial profiling with respect to the individual;
- (4) provides public education relating to the agency's complaint process;
- (5) requires appropriate corrective action to be taken against a peace officer employed by the MILAM CO. CONST. PCT. 3 who, after an investigation, is shown to have engaged in racial profiling in violation of the MILAM CO. CONST. PCT. 3's policy adopted under this article;
- (6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
 - (A) the race or ethnicity of the individual detained;
 - (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and
 - (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

(A) The Commission on Law Enforcement; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

I certify these policies are in effect.

Executed by: **JOHNNIE BEATHARD**

Chief Administrator

MILAM CO. CONST. PCT. 3

Date: 02/23/2015

**MILAM CO. CONST. PCT. 3 Motor Vehicle Racial Profiling
Information**

Number of motor vehicle stops:

1. **96** citation only
2. **0** arrest only
3. **0** both
4. **96 Total** (4, 11, 14 and 17 must be equal)

Race or Ethnicity:

5. **17** African
6. **2** Asian
7. **61** Caucasian
8. **16** Hispanic
9. **0** Middle Eastern
10. **0** Native American
11. **96 Total** (lines 4, 11, 14 and 17 must be equal)

Race or Ethnicity known prior to stop?

12. **0** Yes
13. **96** No
14. **96 Total** (lines 4, 11, 14 and 17 must be equal)

Search conducted?

15. **1** Yes
16. **95** No
17. **96 Total** (lines 4, 11, 14 and 17 must be equal)

Was search consented?

18. **1** Yes
19. **0** No
20. **1 Total** (must equal line 15)

Item 9

- Approve Racial Profiling Report for Chris White

Racial Profile Report

MILAM COUNTY SHERIFF'S OFFICE

01/01/2014 to 12/31/2014

Number of motor vehicle stops:

- 1. 1,328 citation only
- 2. 0 arrest only
- 3. 18 both

4. 1,346 **Total**

Race or Ethnicity:

- 5. 272 African
- 6. 32 Asian
- 7. 751 Caucasian
- 8. 277 Hispanic
- 9. 13 Middle Eastern
- 10. 1 Native American

11. 1,346 **Total**

Race or Ethnicity known prior to stop?

- 12. 10 Yes
- 13. 1,336 No

14. 1,346 **Total**

Search conducted:

- 15. 56 Yes
- 16. 1,290 No

17. 1,346 **Total**

Was search consented?

- 18. 38 Yes
- 19. 18 No
- 20. 56 **Total Must equal #15**

Item 10

- Accept completion certificate of newly elected constables training for J. Beathard, Constable Pct 3

The Faculty and Staff of the

**BILL BLACKWOOD LAW ENFORCEMENT
MANAGEMENT INSTITUTE OF TEXAS**

do hereby certify that

Johnnie A Beathard

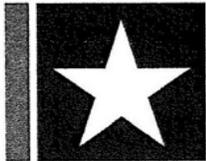
under the auspices of the

**SAM HOUSTON STATE UNIVERSITY
CRIMINAL JUSTICE CENTER**

has successfully completed the forty hour course in

NEW ELECTED CONSTABLES

March 9th - 13th , 2015



Vincent J. Webb

Dean and Director, College of Criminal Justice

Rita Watkins

Executive Director, Law Enforcement Management Institute

Dana Gibson

President, Sam Houston State University

Item 11

- Approve contract for Joint Election Services for the May cities and schools elections

Item 12

- Approve Payment of Bills

Prepaid General Fund Utilities

A T & T	\$61.72
A T & T	\$1,118.93
A T & T	\$131.55
Atmos Energy	\$2,370.87
Reliant Energy Solutions	\$1,325.61
Verizon Southwest	\$239.78
Verizon Wireless	\$1,494.05

Grand Total

\$6,742.51

Unpaid Bills to Approve Over \$2,500

General Fund

Cameron Tire Store	\$2,930.13
CTWP Leasing	\$2,773.62
D6 Solutions LLC	\$5,415.00
John D. Jackson	\$3,228.45
Lee County Sheriff's Office	\$2,967.00
Milam Appraisal District	\$60,968.69
Purchase Power	\$5,000.00
Scott & White Clinic	\$4,196.98
Scott & White Hospital	35,382.03
Texas Fleet Fuel	\$2,890.55
TX Assoc Of Co Risk MGMT Pool	\$20,539.25

General Fund Total

\$179,214.48

Unpaid Bills to Approve Over \$2,500

R & B Fund, PCT #1

Deere Credit INC

\$3,077.50

R & B Fund, PCT #1 Total

\$8,139.56

Unpaid Bills to Approve Over \$2,500

R & B Fund, PCT #2

Caterpillar Financial SVCES Corp	\$6,078.42
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R & B Fund, PCT #2 Total	\$10,557.71
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Unpaid Bills to Approve Over \$2,500

R & B Fund, PCT #3

Caterpillar Financial SVCES Corp

\$3,341.89

R & B Fund, PCT #3 Total

\$9,601.24

Unpaid Bills to Approve Over \$2,500

R & B Fund, PCT #4

Apac Texas Inc	\$3,325.70
Joe L Valadez	\$6,086.39

R & B Fund, PCT #4 Total \$14,612.72

Unpaid Bills to Approve Over \$2,500

MCHC Preservation Fund

Kay Theater Foundation

\$4,700.00

Fund Total

\$4,700.00

Unpaid Bills to Approve Over \$2,500

Transaction Fees

McCreary, Veselka, Bragg & Allen PC	\$6,238.22
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Fund Total	\$6,238.22
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Unpaid Bills to Approve

Grand Total

\$239,887.27

Item 13

- Adjourn