AUGUST TERM, 2013

COUNTY OF MONTAGUE

REGULAR SESSION

BE IT REMEMBERED, That on this 12th day of August 2013, Commissioners Court of

Montague County, Texas met at a regular meeting with the following present:

Tommie Sappington James Gamblin

Bob Langford

County Judge

Commissioner Precinct 2

Herman Conway Mark Murphy

Commissioner Precinct 1 Commissioner Precinct 3

Glenda Henson

County Clerk

Commissioner Precinct 4 The meeting was called to order by Judge Sappington at 9:00 a.m.

Pledge of Allegiance and Pledge to the Texas Flag was led by Judge Sappington.

#13-269- APPROVAL OF MINUTES

Motion by Commissioner Gamblin and seconded by Commissioner Murphey to approve minutes for the July 22 and July 26, 2013 meeting.

> All Voted For Motion Carried

#13-270-APPROVE MONTHLY REPORTS

Motion by Commissioner Langford and seconded by Commissioner Gamblin to approve the monthly reports: R&R 1, R&B 2, R&B 3, R&B 4, Journal Entries, Budget Adjustments, Payroll Report, Cash Journal, Indigent Health Care, Constable 1 and Constable 2. Reports Audited: County Attorney, Ad Valorem.

> All Voted For Motion Carried

#13-271-PAY CLAIMS

Motion by Commissioner Gamblin and seconded by Commissioner Murphy to pay the claims as presented in court.

> All Voted For Motion Carried

#13-272-RANDY DUCKWORTH, MONTAGUE COUNTY VETERAN'S SERVICE OFFICER TO UPDATE COMMISSIONERS COURT OF THE RECENT ACTIVITY IN THE VETERAN'S OFFICE The Veteran's Officer updated Commissioner's Court of recent activity.

No Action Taken

#13-273-DISCUSS AND CONSIDER APPOINTING MEMBERS TO THE MONTAGUE COUNTY HISTORICAL COMMISSION

Motion by Commissioner Langford and seconded by Commissioner Gamblin to appoint Micky Parker and Becky Scott as new members to the Montague County Historical Commission.

> All Voted For Motion Carried

#13-274-DISCUSS AND CONSIDER APPROVING PROCLAMATION FOR DEDICATION AND APRECIATION OF A MEMBER OF THE MONTAGUE COUNTY HISTORICAL COMMISSION

AND IT IS SO ORDERED.WITNESS OUR HANDS, THIS THE 12TH DAY OF AUGUST, 2013

JUDGE

EERK, COUNTY COURT AND EX-OFFICIO

CLERK OF THE COMMISSIONER'S COURT, MONTAGUE COUNTY, TEXAS.

AUGUST TERM, 2013

COUNTY OF MONTAGUE

REGULAR SESSION

BE IT REMEMBERED, That on this 12th day of August 2013, Commissioners Court of Montague County, Texas met at a regular meeting with the following present:

Tommie Sappington

County Judge

Herman Conway

Commissioner Precinct 1

James Gamblin

Commissioner Precinct 2

Mark Murphy

Commissioner Precinct 3

Bob Langford

Commissioner Precinct 4

Glenda Henson

County Clerk

Motion by Commissioner Murphy and seconded by Commissioner Gamblin to approve the proclamation awarding Paulette Fenoglio for dedication and appreciation to the Montague County Historical Commission.

> All Voted For Motion Carried

#13-275-ANNUAL INTERPRETATIONOF 4-H YOUTH TO THE COMMISSIONERS COURT The local 4-H group gate updates to the Commissioners of their accomplishments for the year.

No Action Taken

#13-276-MARK MURPHY, COUNTY COMMISSIONER PCT # 3 TO COMMEND PCT #2 AND #4 FOR ASSISTANCE ON PAVING PROJECT

Commissioner Murphy wanted to commend Pct #2 and Pct #4 for all their assistance on a recent paving project.

No Action Taken

#13-277-DISCUSS RIDER 43 WITH COURT

Judge Sappington discussed the Rider 43 project that is allowing the County to use some asphalt that is being removed by the State on Hwy 287. This will be divided equally by the four Commissioner Precincts when it becomes available.

No Action Taken

#13-278-DISCUSS FEMA WITH PCT # 1

Judge Sappington discussed that Fema would be reimbursing Precinct # 1 for expenses from the "Stoneburg Fire", this could be approximately \$18,000.00.

No Action Taken

#13-279-BUDGET WORKSHOP

Judge Sappington and Auditor Jennifer Essary discussed some changes and adjustments in the proposed budget.

No Action Taken

#13-280-SYDNEY NOWELL, COUNTY TAX ASSESSOR/COLLECTOR, TO PRESENT THE CERTIFICATION OF APPRAISED VALUES FOR TAX YEAR 2013

AND IT IS SO ORDERED. WITNESS OUR H ANDS, THIS THE 12TH DAY OF AUGUST, 2013

COMMISSIONER, PRECINCT #4

LERK, COUNTY COURT AND EX-OFFICIO CLERK OF THE COMMISSIONER'S COURT, MONTAGUE COUNTY, TEXAS.

AUGUST TERM, 2013

COUNTY OF MONTAGUE

REGULAR SESSION

BE IT REMEMBERED, That on this 12th day of August 2013, Commissioners Court of

Montague County, Texas met at a regular meeting with the following present:

Tommie Sappington James Gamblin

County Judge

Herman Conway

Commissioner Precinct 1

Commissioner Precinct 2

Mark Murphy

Commissioner Precinct 3

Bob Langford

Commissioner Precinct 4

Glenda Henson

County Clerk

The Tax/Assessor Collector presented to the Court information regarding the certification of value and rates for setting the 2013 tax rates. (See attachment)

Motion by Commissioner Langford and seconded by Commissioner Murphy to accept the certified appraised values as presented by the Tax Assr/Collector.

> All Voted For Motion Carried

#13-281-SYDNEY NOWELL, COUNTY TAX/ASSESSOR/COLLECTOR TO PRESENT THE EFFECTIVE AND ROLLBACK TAX RATE FOR TAX YEAR 2013

The Tax/Assessor Collector presented to the Court information regarding the effective and rollback tax rate for the tax year 2013

Motion by Commissioner Murphy and seconded by Commissioner Gamblin to accept the effective and rollback tax rate for tax year 2013. (See attachment)

> All Voted For Motion Carried

#13-282-DISCUSS AND CONSIDER PROPOSED TAX RATE, TAKE RECORD VOTE AND SCHEDULE PUBLIC HEARINGS

Motion by Commissioner Langford and seconded by Commissioner Gamblin to accept the proposed tax rate and set the public hearings August 26, 2013 at 9:00 a.m., and September 9, 2013 at 9:00 a.m.

> Commissioner Conway Commissioner Gamblin Commissioner Murphy Commissioner Langford Judge Sappington All Voted For Motion Carried

#13-283-DISCUSS AND CONSIDER APPROVING FISCAL YEAR 2013-2014 PROPOSED COUNTY BUDGET

Motion by Commissioner Langford and seconded by Commissioner Murphey to approve the 2013-2014 proposed budget

> All Voted For Motion Carried

#13-284-SET PUBLIC HEARING DATE FOR FISCAL YEAR 2013-2014 COUNTY BUDGET

AND IT IS SO ORDERED.WITNESS OUR HANDS, THIS THE 12TH DAY OF AUGUST, 2013

Y JUDGE

ONER PRECID

YER, PRECINCT

CLERK, COUNTY COURT AND EX-OFFICIO CLERK OF THE COMMISSIONER'S COURT, MONTAGUE COUNTY, TEXAS.

COLIN

AUGUST TERM, 2013

COUNTY OF MONTAGUE

REGULAR SESSION

BE IT REMEMBERED, That on this 12th day of August 2013, Commissioners Court of

Montague County, Texas met at a regular meeting with the following present: **Herman Conway**

Tommie Sappington James Gamblin

County Judge

Commissioner Precinct 1

Commissioner Precinct 2 Commissioner Precinct 4 Bob Langford

Mark Murphy Glenda Henson **Commissioner Precinct 3**

County Clerk

Motion by Commissioner Murphey and seconded by Commissioner Gamblin to set the public hearing date for the fiscal year 2013-2014 County Budget on September 23, 2013 at 9:00 a.m.

> All Voted For Motion Carried

#13-285-DISCUSS AND CONSIDER APPROVING INTERLOCAL AGREEMENT FOR E911 PUBLIC SAFETY ANSWERING POINT SERVICE WITH NORTEX REGIONANL PLANNING **COMMISSION**

Motion by Commissioner Langford and seconded by Commissioner Gamblin to approve the agreement for E911 Public Safety Answering Point Services with Nortex Regional Planning Commission, giving Judge Sappington authority to sign such agreement.

> All Voted For Motion Carried

#13-286-DISCUSS AND CONSIDER ESTABLISHING A NEW \$5.00 FEE ON CIVIL CASES FILED UNDER CHAPTER 22 OF THE TEXAS GOVERNMENT CODE.

Motion by Commissioner Murphey and seconded by Commissioner Gamblin to approve the new \$5.00 appellate fee for all civil cases filed under Chapter 22 of the Texas Government Code.

> All Voted For Motion Carried

#13-287-DISCUSS AND CONSIDER APPROVING AND AUTHORIZING JUDGE SAPPINGTON TO SIGN THE HOME-DELIVERED MEAL GRANT PROGRAM RESOLUTIONS PROVIDED BY THE TEXAS DEPARTMENT OF AGRICULTURE

Motion by Commissioner Murphey and seconded by Commissioner Gamblin to approve Judge Sappington to sign the Home-Delivered Meal Grant Program resolutions.

> All Voted For Motion Carried

#13-288-DISCUSS AND CONSIDER BUDGET ADJUSTMENT FOR THE PARTIME LINE ITEM IN THE DISTRICT COURT

Motion by Judge Sappington and seconded by Commissioner Langford to approve a budget adjustment of approximately \$1,200 to the part time line item for the District Court budget.

> All Voted For Motion Carried

THIS THE 12TH DAY OF AUGUST, 2013 AND IT IS SO ORDERED. WITNESS OUR HANDS

JNTY JUDGE

VER.

ERK, COUNTY COURT AND EX-OFFICIO CLERK OF THE COMMISSIONER'S COURT, MONTAGUE COUNTY, TEXAS.

AUGUST TERM, 2013

COUNTY OF MONTAGUE

REGULAR SESSION

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Montague County, Texas met at a regular meeting with the following present:

Tommie Sappington

County Judge

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Commissioner Precinct 1

James Gamblin

Commissioner Precinct 2

Mark Murphy

Commissioner Precinct 3

Bob Langford

Commissioner Precinct 4

Glenda Henson

County Clerk

#13-289-DISCUSS AND CONSIDER ALLOWING PCT # 1 TO ENTER THE PROPERTY OF GORDON WADE ON BINGHAM ROAD TO TURN AROUND

Motion by Commissioner Conway and seconded by Commissioner Gamblin to allow Pct # 1 to enter the property of Gordon Wade on Bingham Road for a turnaround while repairing road.

> All Voted For Motion Carried

#13-290-DISCUSS AND CONSIDER LINE ITEM TRANSFER FROM THE JAIL PART TIME TO THE SHERIFF'S OFFICE PART TIME LINE ITEM.

Motion by Commissioner Murphey and seconded by Commissioner Gamblin to approve the transfer of \$1,200 from Jail part time to part time Deputy transport.

> All Voted For Motion Carried

#13-291-DISCUSS AND CONSIDER DIVIDING SHERIFF'S OFFICE AND JAIL PERSONNEL PAY EQUALLY BETWEEN THE TWO PAY PERIODS OF THE MONTH

Motion by Commissioner Langford and seconded by Commissioner Murphey to deny the request to divide the pay periods for Jail personnel.

> All Voted For **Motion Carried**

#13-292-DISCUSS AND CONSIDER BUDGET ADJUSTMENTS FROM UNANTICIPATED REVENUE FROM THE SALE OF A CROWN VIC PATROL VEHICLE TO LINE ITEM # 10-560-

Motion by Commissioner Murphey and seconded by Commissioner Gamblin table the request of a budget adjustment from unanticipated revenue for the sale of a Crown Vic Patrol vehicle (amount unknown).

> All Voted For Motion Tabled

#13-293-DISCUSS AND CONSIDER REQUEST OF SHERIFF PAUL CUNNINGHAM TO TRANSFER FUNDS FROM THE SHERIFF'S OFFICE TO CONSTABLE PCT # 1

Motion by Commissioner Gamblin and seconded by Commissioner Murphey to approve transferring \$300 from the Sheriff's Office to the Constable Pct # 1, (from sale of light bar).

> All Voted For Motion Carried

AND IT IS SO ORDERED. WITNESS QUR HANDS, THIS THE 12TH DAY OF AUGUST, 2013

JUDGE IONER, PRECING

SIONER, PRE

CLERK, COUNTY COURT AND EX-OFFICIO CLERK OF THE COMMISSIONER'S COURT, MONTAGUE COUNTY, TEXAS.

AUGUST TERM, 2013

COUNTY OF MONTAGUE

REGULAR SESSION

BE IT REMEMBERED, That on this 12th day of August 2013, Commissioners Court of

Montague County, Texas met at a regular meeting with the following present:

Tommie Sappington James Gamblin

County Judge

Herman Conway Mark Murphy

Commissioner Precinct 1

Commissioner Precinct 2

Commissioner Precinct 3

Commissioner Precinct 4 Bob Langford

Glenda Henson

County Clerk

#13-294-DISCUSS AND CONSIDER BUDGET ADJUSTMENTS FROM UNANTICIPATED REVENUE FOR CONSTABLE PCT # 1

Motion by Commissioner Gamblin and seconded by Commissioner Langford to approve the unanticipated revenue for Constable Pct # 1, in the amount of \$300, this to be placed in the Constable's repair and maintenance line item.

> All Voted For Motion Carried

#13-295-DISCUSS AND CONSIDER TRANSFERRING FUNDS FROM JAIL PART TIME TO SHERIFF OFFICE PART TIME

Duplicate agenda line item.

No Action Taken

#13-296-DISCUSS AND CONSIDER REPAIRS OF JAIL DOORS

Motion by Judge Sappington and seconded by Commissioner Gamblin to table this item until the next meeting.

> All Voted For Motion Tabled

#13-297-DISCUSS AND CONSIDER SHERIFF'S OFFICE AND JAIL EMPLOYEES MOTEL EXPENSE TO SUPPORT AND HONOR DEPUTY BOYD WHEN HE RECEIVES THE STAR OF TEXAS AWARD FROM THE GOVERNOR OF TEXAS

Motion by Commissioner Murphey and seconded by Commissioner Langford to deny this request due to circumstances.

> All Voted For Motion Carried

#13-298-DISCUSS AND CONSIDER AFFORDABLE CARE ACT

Diane Cecil with TAC updated the Court about the Affordable Care Act.

No Action Taken

#13-299-DISCUSS AND CONSIDER 30 HOUR RULE AND CHANGE PERSONNEL POLICY

Motion by Judge Sappington and seconded by Commissioner Gamblin to table this item until the next meeting.

> All Voted For Motion Tabled

AND IT IS SO ORDERED. WITNESS OU UR HANDS, THIS THE 12TH DAY OF AUGUST, 2013

JUDGE SIONER.

CLERK, COUNTY COURT AND EX-OFFICIO CLERK OF THE COMMISSIONER'S COURT, MONTAGUE COUNTY, TEXAS.

AUGUST TERM, 2013

COUNTY OF MONTAGUE

REGULAR SESSION

BE IT REMEMBERED, That on this 12th day of August 2013, Commissioners Court of

Montague County, Texas met at a regular meeting with the following present:

Tommie Sappington James Gamblin County Judge

Herman Conway

Commissioner Precinct 1

Bob Langford

Commissioner Precinct 2
Commissioner Precinct 4

Mark Murphy Glenda Henson **Commissioner Precinct 3**

Glenda H

County Clerk

#13-300-DISCUSS AND CONSIDER LINE ITEM BUDGET TRANSFER IN COUNTY ATTORNEY BUDGET

Motion by Commissioner Langford and seconded by Commissioner Murphey to approve transferring \$6,300 from County Attorney's salary line to machinery and equipment to purchase two computers.

All Voted For Motion Carried

#13-301-DISCUSS AND CONSIDER CLEARING FENCE LINE ON JEREMY HAMILTON PROPERTY ON POLK ROAD IN PCT # 2

Motion by Commissioner Gamblin and seconded by Commissioner Murphey to allow Pct # 2 to enter the Jeremy Hamilton property on Polk Road for fence line clearing.

All Voted For Motion Carried

#13-302-CRYSTAL PRINCE TO PRESENT PETITION IN SUPPORT OF TXDOT GRANT

Motion by Commissioner Langford and seconded by Commissioner Murphey to approve the petition in support of the TxDot Grant being presented by Crystal Prince.

All Voted For Motion Carried

#13-303-DISCUSS AND CONSIDER REQUEST OF CRYSTAL PRINCE TO ADDRESS THE LAKE VALLEY COMPRESSOR STATION PETITION/NOISE ISSUE IN PCT #1

Motion by Judge Sappington and seconded by Commissioner Murphey to approve to draft a letter to Targa to address the noise issue in Pct # 1 at the Lake Valley Compressor Station.

All Voted For Motion Carried

#13-304-DISCUSS AND CONSIDER REQUEST OF PIONEER NATURAL RESOURCES USA, INC. TO APPROVE TEMPORARY ROAD CROSSINGS ON CURRY ROAD, SMYRNA ROAD AND ORCHARD ROAD IN PCT # 2

Motion by Commissioner Gamblin and seconded by Commissioner Murphey allow Pioneer to cross Curry, Smyrna and Orchard Roads in Pct # 2

All Voted For Motion Carried

AND IT IS SO ORDERED. WITNESS OUR HANDS, THIS THE 12TH DAY OF AUGUST, 2013

OMMISSIONER, PRECINCT#1

COMMISSIONER, PRECINCT #2

COMMISSIØNER, PRECINCT #4

ATTEST CLERK, COUNTY COURT AND EX-OFFICIO CLERK OF THE COMMISSIONER'S COURT, MONTAGUE COUNTY, TEXAS.

COUN

AUGUST TERM, 2013

COUNTY OF MONTAGUE

REGULAR SESSION

BE IT REMEMBERED, That on this 12th day of August 2013, Commissioners Court of Montague County, Texas met at a regular meeting with the following present:

Tommie Sappington

County Judge

Herman Conway

Commissioner Precinct 1

James Gamblin

Commissioner Precinct 2

Mark Murphy

Commissioner Precinct 3

Bob Langford

Commissioner Precinct 4

Glenda Henson

County Clerk

#13-305-DISCUSS AND CONSIDER REQUEST OF PIONEER NATURAL RESOURCES USA, INC. TO APPROVE TEMPORARY FRAC LINE ON SMYRNA ROAD, PLEASANT RIDGE AND **CURRY ROAD IN PCT #2**

Motion by Commissioner Gamblin and seconded by Commissioner Murphey to allow Pioneer to lay frac line on Smyrna, Pleasant Ridge and Curry Roads in Pct # 2.

> All Voted For Motion Carried

#13-306-DISCUSS AND CONSIDER REQUEST OF EOG RESOURCES INC., TO APPROVE TEMPORARY FRAC LINES ON CATHOLIC CEMETERY ROAD, WEED ROAD AND COLWELL ROAD IN PCT #1

Motion by Commissioner Conway and seconded by Commissioner Gamblin to allow EOG to lay frac line on Catholic Cemetery, Weed and Colwell Roads in Pct #1.

> All Voted For Motion Carried

#13-307-DISCUSS AND CONSIDER REQUEST OF EOG RESOURCES, INC. TO APPROVE TEMPORARY ROAD CROSSINGS ON PADDOCK ROAD AND MACDONALD LOOP ROAD IN PCT # 2

Motion by Commissioner Gamblin and seconded by Commissioner Murphey to allow EOG to cross Paddock and MacDonald Loop Roads in Pct # 2.

> All Voted For Motion Carried

#13-308-DISCUSS AND CONSIDER REQUEST OF EOG RESOURCES INC., TO APPROVE THREE ROAD CROSSINGS ON STARKEY ROAD IN PCT # 4

Motion by Commissioner Langford and Commissioner Murphey to allow EOG to cross three times on Starkey Road in Pct # 4.

> All Voted For Motion Carried

#13-309-DISCUSS AND CONSIDER REQUEST OF EOG RESOURCES INC., TO APPROVE TEMPORARY ROAD CROSSING ON FENOGLIO AND AURELIA SCHOOL ROAD IN PCT # 4

Motion by Commissioner Langford and seconded by Commissioner Murphey allow EOG to cross Fenoglio and Aurelia School Roads in Pct # 4.

AND IT IS SO ORDERED.WITNESS OUR HANDS, THIS THE 12TH DAY OF AUGUST, 2013

ERA PRECINCT #2

CLERK, COUNTY COURT AND EX-OFFICIO CLERK OF THE COMMISSIONER'S COURT, MONTAGUE COUNTY, TEXAS.

AUGUST TERM, 2013

COUNTY OF MONTAGUE

REGULAR SESSION

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County Judge

Herman Conway Mark Murphy

Commissioner Precinct 1 Commissioner Precinct 3

James Gamblin **Bob Langford**

Commissioner Precinct 2 **Commissioner Precinct 4**

Glenda Henson

County Clerk

All Voted For Motion Carried

Meeting Adjourned at 11:05 a.m.

AND IT IS SO ORDERED. WITNESS OUR HANDS, THIS THE 12TH DAY OF AUGUST, 2013

JUDGE

NER, PRECINCT #2

COMMISSIONER, PRECINCT #4

COUNTY CLERK, COUNTY COURT AND EX-OFFICIO CLERK OF THE COMMISSIONER'S COURT, MONTAGUE COUNTY, TEXAS.

August 12, 2013

Reports

R&B 1

R&B 2

R&B 3

R&B 4

Journal Entries
Budget Adjustments
Payroll Report
Cash Journal
Indigent Health Care

Constable 1

Constable 2

Report Audits

County Attorney Ad Valorem

641.12

122,862.36

08/01/2013 LISTING OF JOURNAL ENTRIES PAGE 1 PREPARER:0005 TIME:09:24 AM JOURNAL ENTRY/ EMP DEBIT-ACCOUNT CREDIT-ACCOUNT ENT-NUMBER EFF-DATE SYS NUMBER AND TITLE NUMBER AND TITLE 0000005584 07/12/2013 005 10-400-574 BUILDING EXP 60,790.06 07/12/2013 G/L DESCRIPTION: EXPENSE CORRECTION 10-400-805 CONTINGENCY EXPENSE 0000005584 07/12/2013 005 07/12/2013 G/L DESCRIPTION: EXPENSE CORRECTION 60,790.06 0000005585 07/16/2013 005 10-476-425 TRANSPORTATION 203.99 07/16/2013 G/L DESCRIPTION: FUEL EXP TRANSFER JUNE 0000005585 07/16/2013 005 10-510-411 FUEL 07/16/2013 G/L DESCRIPTION: FUEL EXP TRANSFER JUNE 15.34 0000005585 07/16/2013 005 10-551-411 FUEL & OIL 105.83 07/16/2013 G/L DESCRIPTION: FUEL EXP TRANSFER JUNE 0000005585 07/16/2013 005 10-552-411 FUEL & OIL 315.96 07/16/2013 G/L DESCRIPTION: FUEL EXP TRANSFER JUNE 0000005585 07/16/2013 005 10-560-411 FUEL, OIL, ETC

07/16/2013 G/L DESCRIPTION: FUEL EXP TRANSFER JUNE

PAGE 1 PREPARER:0005

______ TRANSACTION TYPE OF EFFECTIVE ENTRY EMPL ACCOUNT NUMBER ADJUSTMENT NUMBER ADJUSTMENT DATE DATE NUMBER AND TITLE AMOUNT _____ 0000040777 CURRENT 07/03/2013 07/03/2013 005 10-495-425 TRANSPORTATION 356.00-0000040778 CURRENT 07/03/2013 07/03/2013 005 10-495-427 TRAINING 985.00-07/03/2013 07/03/2013 005 07/08/2013 07/08/2013 005 10-495-570 MACHINERY & FQUIPMENT 1.341.00 0000040779 CURRENT 0000040782 CURRENT 07/08/2013 07/08/2013 10-400-573 LAND 100,000.00-07/08/2013 07/08/2013 005 0000040783 CURRENT 10-400-805 CONTINGENCY EXPENSE 25,000.00 07/08/2013 07/08/2013 005 07/08/2013 07/08/2013 005 75,000.00 10-510-450 R & M 0000040784 CURRENT 0000040785 CURRENT 10-461-317 PRINTING 150.00-07/08/2013 07/08/2013 005 0000040786 10-461-318 BOOKS 150.00-CURRENT 07/08/2013 005 07/08/2013 005 07/08/2013 100.00-0000040787 CURRENT 10-461-400 DUES & BONDS 0000040788 CURRENT 07/08/2013 10-461-425 TRANSPORTATION 1,200.00 07/08/2013 07/08/2013 005 10-461-427 TRAINING 200.00-0000040789 CURRENT 07/08/2013 07/08/2013 005 07/08/2013 07/08/2013 005 10-461-490 JURORS/BAILIFF/HEARING 200.00-0000040790 CURRENT 10-461-570 MACHINERY & EQUIPMENT 0000040791 CURRENT 400.00-07/10/2013 07/10/2013 005 10-565-320 JANITORIAL SUPPLIES 1,013.00-0000040954 CURRENT 0000040955 07/10/2013 07/10/2013 005 10-565-338 JAIL SUPPLIES 1,013.00 CURRENT 07/10/2013 07/10/2013 005 7,000.00 10-565-338 JAIL SUPPLIES 0000040956 CURRENT 0000040957 07/10/2013 07/10/2013 005 10-565-380 FOOD SUPPLIES 4,000.00-CURRENT 0000040958 CURRENT 07/10/2013 07/10/2013 005 10-565-450 R & M JAIL 3,000.00-07/15/2013 005 12-640-425 TRANSPORTATION 0000041484 07/15/2013 600.00-CURRENT 0000041485 CURRENT 07/15/2013 07/15/2013 005 12-640-310 OFFICE SUPPLIES 600.00 0000041486 CURRENT 07/15/2013 07/15/2013 005 23-614-436 GRAVEL ROYALTY 3.000.00-07/15/2013 07/15/2013 005 23-614-105 PART TIME 0000041487 3,000.00 CURRENT 07/15/2013 07/15/2013 005 07/15/2013 07/15/2013 005 0000041488 CURRENT 10-560-318 BOOKS 205.00-10-560-400 DUES & BONDS 205.00 0000041489 CURRENT 07/15/2013 07/15/2013 005 10-560-427 TRAINING 0000041490 CURRENT 1,548.00-07/15/2013 005 10-560-425 TRANSPORTATION 0000041491 CURRENT 07/15/2013 1,548.00 0000041492 CURRENT 07/15/2013 07/15/2013 005 10-560-572 SHERIFF CARS 5,172.00-0000041493 CURRENT 07/15/2013 07/15/2013 005 10-560-575 LEASE PAYMENT 5.172.00 07/22/2013 005 07/22/2013 005 0000043278 07/22/2013 22-370-999 MISC REVENUE 3,600.00 CURRENT 0000043279 CURRENT 07/22/2013 22-613-449 PAVING 3,600.00 23-370-999 MISC REVENUE 0000043280 CURRENT 07/22/2013 07/22/2013 005 9,795.00 0000043281 CURRENT 07/22/2013 07/22/2013 005 23-614-572 R&B #3 -BUILDING 9,795.00 07/22/2013 005 0000043282 CURRENT 07/22/2013 24-615-411 FUEL 5,000.00 0000043283 07/22/2013 07/22/2013 005 24-615-436 GRAVEL ROYALTY 1,000.00 07/22/2013 07/22/2013 005 07/22/2013 07/22/2013 005 0000043284 CURRENT 24-615-449 PAVING 8,000.00 24-615-570 MACHINERY AND EQUIPMENT 0000043285 CURRENT 14,000.00-0000043286 CURRENT 07/22/2013 07/22/2013 005 24-615-440 UTILITIES 700.00 0000043287 CURRENT 07/22/2013 07/22/2013 005 24-615-434 SAND, CEMENT 700.00-07/22/2013 07/22/2013 005 0000043288 CURRENT 22-613-449 PAVING 5,046.00-0000043289 CURRENT 07/22/2013 07/22/2013 005 22-613-450 R & M 5,000.00 0000043290 005 CURRENT 07/22/2013 07/22/2013 22-613-497 SALES TAX 30.00 07/22/2013 07/22/2013 005 0000043291 CURRENT 22-613-150 MEAL EXPENSE 16.00 TOTAL BUDGET ADJUSTMENTS 42 26,790.00

1 ... b ...

PAGE 1 PREPARER:0005

TIME:08:28	AM			PK	SPARER: 0005
CHECK	NAME-OF-PAYEE HENSON, GLENDA M JONES, KIMBERLY S RUSSELL, GLYNIS F THIBODEAUX, JANET B USELTON, LAURA A DUCKWORTH, RANDALL SAPPINGTON, TOMMIE STOUT, VALORIE S SAPPINGTON, TOMMIE O'NEAL, REBECCA BURLESON, LINDA K. SANDERS, BETTY J BROWN, TAMELA CROSS, CANDACE J DARDEN, LESIA J HEAD, PATRICIA REED, RITA K ALLEN, DAVID WEAVER, ARACELY CROUCH, BARBARA L REYNOLDS, KAREN LYNNE WOOD, DOROTHY L EDGETT, CARLA K RIDDLE, CLABURN CROMARTIE, DIANE G CROMARTIE, DIANE G RIDDLE, CLABURN HENRY, KEVIN HUGHES, CHRISTOPHER B SHORT, ANGELA M FAUGHT, KELLI SHIPMAN, BRANDI A ESSARY, JENNIFER E LANGFORD, LAVONDA J MCGAUGHEY, LINDA DOSHIER, BRENDA S NOWELL, SYDNEY L VACCARO, LISA M WALL, GINGER A	S	ISS-DT	CHG-DT	AMOUNT
0000077892	HENSON, GLENDA M	C	07-02-2013	07-02-2013	1,326,34
0000077893	JONES, KIMBERLY S	Č	07-02-2013	07-02-2013	1,011.25
0000077894	RUSSELL, GLYNIS F	C	07-02-2013	07-02-2013	940.43
0000077895	THIBODEAUX, JANET B	C	07-02-2013	07-02-2013	1,020.27
0000077896	USELTON, LAURA A	С	07-02-2013	07-02-2013	1,014.89
0000077897	DUCKWORTH, RANDALL	C	07-02-2013	07-02-2013	1,295.63
0000077898	SAPPINGTON, TOMMIE	С	07-02-2013	07-02-2013	1,307.57
0000077899	STOUT, VALORIE S	С	07-02-2013	07-02-2013	1,143.47
0000077900	SAPPINGTON, TOMMIE	C	07-02-2013	07-02-2013	492.40
0000077901	O'NEAL, REBECCA	C	07-02-2013	07-02-2013	427.20
0000077902	BURLESON, LINDA K.	С	07-02-2013	07-02-2013	699.24
0000077903	SANDERS, BETTY J	C	07-02-2013	07-02-2013	1,143.14
0000077904	BROWN, TAMELA	С	07-02-2013	07-02-2013	964.49
0000077905	CROSS, CANDACE J	C	07-02-2013	07-02-2013	940.33
0000077906	DARDEN, LESIA J	C	07-02-2013	07-02-2013	1,083.96
0000077907	HEAD, PATRICIA	C	07-02-2013	07-02-2013	418.36
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	DARDEN, LESIA J		07-30-2013		1,408.19
	HEAD, PATRICIA		07-30-2013		418.36
	REED, RITA K		07-30-2013		1,166.16
	ALLEN, DAVID WEAVER, ARACELY		07-30-2013		1,331.01
	CROUCH, BARBARA L		07-30-2013		1,020.27
	REYNOLDS, KAREN LYNNE		07-30-2013		1,020.27
	WOOD, DOROTHY L		07-30-2013		1,331.01
	EDGETT, CARLA K		07-30-2013 07-30-2013		441.96
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0000078217	BERRYMAN. CAROLYN	č	07-30-2013	07-30-2013	1,102.40
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	LANFORD, MELISSA L		07-30-2013		1,062.20
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	MOORE, SHELLY D		07-30-2013		1,033.54
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	OAKLEY, GRANT E PELTON, CLINTON CHASE		07-30-2013 07-30-2013		1,342.13
	PETTERS, DILLON		07-30-2013		967.77 989.69
	RAMON JR., ISMAEL		07-30-2013		967.77
	STARKEY, ROBERT		07-30-2013		1,176.79
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	TULLY, JAMIE		07-30-2013		989.69
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	YOUNG, CHARLES LYNN		07-30-2013		1,020.12
	MCNABB, KELLY W		07-30-2013		468.31
	BUSBY, CODY D		07-30-2013		2,126.72
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PAGE 7 08-01-2013 CHECK FILE LISTING PREPARER: 0005 TIME:08:58 AM S ISS-DT CHG-DT AMOUNT CHECK NAME-OF-PAYEE C 07-30-2013 07-30-2013 1,427.83 C 07-30-2013 07-30-2013 1,055.00 C 07-30-2013 07-30-2013 1,107.35 C 07-30-2013 07-30-2013 1,449.84 0000078240 GEURIN, ROBERT M 0000078241 JONES, DEBBIE C 0000078241 CONES, DEBLIE JO 0000078242 RAINEY, BILLIE JO 0000078243 WATSON, RICKY W 0000078244 DICKSON, REBECCA H. 0000078245 JOHNSON, DEBORAH C 07-30-2013 07-30-2013 C 07-30-2013 07-30-2013 C 07-30-2013 07-30-2013 2,027.48 1,625.88 C 07-30-2013 07-30-2013 1,669.73
C 07-30-2013 07-30-2013 967.91
C 07-30-2013 07-30-2013 1,408.18
C 07-30-2013 07-30-2013 1,144.24
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C 07-30-2013 07-30-2013 1,544.79
C 07-30-2013 07-30-2013 989.83
I 07-30-2013 07-30-2013 201.64
C 07-30-2013 07-30-2013 1,042.19
C 07-30-2013 07-30-2013 1,042.19 0000078246 SCHINDLER, JENNIFER L 1,669.73 0000078247 RHOADES, CHERYL D 0000078248 CONWAY, HERMAN W. 0000078249 DILL, LARRY D 0000078250 LOWRANCE, LOUIE M 0000078251 MOSELEY, JOHNNY R. 0000078252 MOSELEY, RANDY 0000078253 STRADLEY, PATRICK 0000078254 CLEMENT, JAY W 0000078255 CONATSER, JIMMY N 0000078256 GAMBLIN, JAMES D 0000078257 JORDAN, J B 0000078258 LAUGHLIN, JERRY L 0000078259 MEYERS, DANNY H. 0000078260 BOWLES, RANDY NEAL 0000078261 GROVES, HOMER D 0000078262 MESSER, RUSSELL K 0000078263 MURPHEY, MARK 0000078264 TEAGUE, ROGER D 0000078265 BUSBY, LARRY D 0000078266 FORRESTER, MICHAEL E. C 07-30-2013 07-30-2013 967.91 C 07-30-2013 07-30-2013 995.27 C 07-30-2013 07-30-2013 1,122.32 C 07-30-2013 07-30-2013 1,479.03 C 07-30-2013 07-30-2013 1,020.27 C 07-30-2013 07-30-2013 785.04 C 07-30-2013 07-30-2013 1,020.27 C 07-30-2013 07-30-2013 468.05 C 07-30-2013 07-30-2013 20,271.62 I 07-30-2013 07-30-2013 15.699 15 0000078267 GLASS, STANLEY F 0000078268 HARRIS, JIMMY R 0000078269 LANGFORD, ROBERT H 0000078270 MCPHERSON, TOMMY L 0000078271 HUGHES, CHRISTOPHER B 0000078272 BELL, CAROLYN J. 0000078273 HANSARD, JUSTIN A 0000078273 HANSARD, COSTILL II 0000078274 LACY, ELSIE M 0000078275 FIRST NATIONAL, BANK BOWIE 0000078276 FIRST NATIONAL, BANK BOWIE 0000078277 FIRST NATIONAL, BANK BOWIE I 07-30-2013 07-30-2013 15,699.15 I 07-30-2013 07-30-2013 4,740.94

REPORT TOTALS

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0000078278 TCDRS,

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389

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656,613.86

I 07-30-2013 07-30-2013 102,853.00

Jennifer Essary

Montague County Auditor P.O. Box 56 Montague, Texas 76251 Phone (940)-894-6090

July 29, 2013

Clay Riddle County Attorney AND Montague County Commissioners Court

Dear Gentlemen:

The County Attorney Hot Check Fund Report for June was audited on July 29, 2013. The report listed the total restitution, county attorney fees, victim fees, and administration fees collected for the month. The report was filed in the County Auditor's office on July 11, 2013 and was signed by the elected official.

The June report totaled \$1,519.37. The following were collected for the month by the County Attorney's office:

Administration Fees \$29.94 Hot Check Fees \$270.69 Victim Fees \$241.75 Restitution \$976.99

The County Attorney Hot Check fees for June were down \$186.15 and the Administration fees were up \$7.88 from last month. The County Attorney Hot Check fees for June 2013 were down \$63.47 and Administration fees were down \$0.06 from fiscal year 2012 at this time.

The County Treasurer's receipt was agreed to the report. The receipt properly deposited the collections into the appropriate funds according to the report.

The work papers for the County Attorney Hot Check Fund report are on file in the County Auditor's office.

Respectfully submitted,

M

Jennifer Essary, County Auditor

cc: Jack McGaughey

97th Judicial District Judge

Jennifer Essary

Montague County Auditor P.O. Box 56 Montague, Texas 76251 Phone (940)-894-6090

July 29, 2013

Sydney Nowell
Tax A/C
and
Montague County
Commissioners Court

Dear Ladies and Gentlemen,

The Ad Valorem report for June 2013 was audited on July 29, 2013. The report listed the revenue collected for the month. The report was filed July 3, 2013 and signed by the elected official.

The report totaled \$54,460.67. The following were collected and deposited into each fund:

 Current Collections
 \$ 40,493.14

 Delinquent Collections
 \$ 4,539.07

 Penalty & Interest
 \$ 7,877.66

 Fees
 \$ 1,550.42

 Interest
 \$.38

The June 2013 report was down by \$39,817.11 from the May 2013 report. Current collections are down by \$35,876.19, Delinquent Collections went down by \$344.83, Penalty & Interest went down by \$3,377.73, Fees went down by \$217.96, and Interest went down by \$.40 from last month. The June 2013 report was down by \$177,789.48 from June 2012. Current Collections were down by \$175,532.02, Delinquent Collections were down by \$1,568.08, Penalty & Interest went down by \$857.22, Fees went up by \$171.85 and Interest went down by \$4.01 from last year.

The Treasurer's receipt was agreed to the monthly report and the collections were deposited in the appropriate state and county funds according to the report.

The work papers for the Tax Ad Valorem monthly report audit are on file in the County Auditor's office.

Respectfully submitted,

Jennifer Essary

cc: Jack McGaughey 97th Judicial District Judge July 16, 2013

To: Judge Tommie Sappington Montague County Commissioners Court From:Janis Sneed, Chairman Montague County Historical Commission

Re: Commission Membership

It is with much regret that I inform you of the resignation of Paulette Fenoglio from the historic commission. She has been an outstanding members and has served for many years. Paulette continues to support the historic commission even after her resignation. We would request she receive Member Emeritus status.

According to our by-laws we may have fifteen members on the historical commission. I wish to recommend the following individuals be approved as commission members to fill these positions.. Both have a passion for history and desire to serve Montague County.

Kathryn "Micky" Parker

Rebecca Scott

Janis Sneed

PROCLAMATION

WHEREAS, Texas and Montague County value the history of our county for all our citizens; and

WHEREAS, the contributions made to preserve our local history is an effort that is forged by many, the generosity and unwavering dedication of a select few is imperative; and

WHEREAS, Paulette Fenoglio has continually provided outstanding service as a member of the Montague County Historical Commission for over 25 years; and

WHEREAS, Paulette Fenoglio has strived to promote county history through her research and contributions at historical roundtables and other Historical Commission events; and

WHEREAS, Paulette Fenoglio has inspired those around her to learn and appreciate the rich history of Montague County; and

WHEREAS, Paulette Fenoglio has been awarded the honor of Member Emeritus of the Montague County Historical Commission;

NOW, THEREFORE, BE IT RESOLVED, that Judge Tommie Sappington and the Commissioners' Court of Montague County does hereby recognize Paulette Fenoglio's outstanding service and do formally express their appreciation to Paulette Fenoglio for her years of dedicated service and the legacy of her work.

SIGNED THIS the 12th day of August, 2013.

Tommie Sappington, County Judge

Herman Conway, Pct. #1

Mark Marnhor Dat #2

James Gamblin, Pct. #2

Bob Langford, Pct. #4

SYDNEY NOWELL

Montague County Tax Assessor-Collector P.O. Box 8
Montague, Texas 76251
Phone (940) 894-3881 or (940)894-3601
Fax (940) 894-2012
montaguecountytac@windstream.net

August 1, 2013

CERTIFICATION OF VALUE AND RATES FOR SETTING OF 2012 TAX RATES

Honorable Judge Sappington Commissioners Conway, Gamblin, Murphey and Langford

Pursuant to Section 26.04 of the Texas Property Tax Code, I submit the following information:

I, Sydney Nowell, Montague County Tax Assessor-Collector, hereby certify that the following information is correct and may be used to set the Tax Rate for 2013 by the Montague County Commissioners' Court.

Certified Net Values Rolling Railroad Stock TOTAL	\$1,931,232,004 <u>7,025,230</u> \$1,938,257,234		
Effective Tax Rate	.3740/100		
Rollback Tax Rate M & O	2002/100		
I & S	.3882/100 .0151/100		
TOTAL ROLLBACK RATE	.4033/100		

The above Truth in Taxation Rates were figured and verified by Sydney Nowell, Montague County Tax Assessor-Collector July 29, 2013.

I estimate that the collection rate for the 2013 taxes will be 100%.

Lull

Sydney Nowell

Montague County Tax Assessor-Collector



P. O. BOX 5144 WICHITA FALLS, TX 76307-5144

Ph: 940/322-5281

Fax: 940/322-6743

July 24, 2013

Honorable Tommie Sappington Montague County Judge 101 East Franklin St Montague, Texas 76251

Dear Judge Sappington:

Please find enclosed the Interlocal Agreement for 9-1-1 Public Safety Answering Point Services between Nortex Regional Planning Commission and Montague County. This is a renewal of the previous contract which expires on August 31, 2013. There have been no changes to the original contract.

The Texas Commission on State Emergency Communications requires these contracts be in place according to the Health and Safety Code, Chapter 771.

We are sending you this contract and asking for you to sign it and return to Nortex. We will make a copy of the contract and return it to you for your records.

If you have any questions, please contact me or Tommy Keesee, Director of 9-1-1 Emergency Services.

Sincerely,

DENNIS WILDE

Executive Director

Enclosure

Archer, Baylor, Clay, Cottle, Foard, Hardeman, Jack, Montague, Wichita, Wilbarger & Young Counties

INTERLOCAL AGREEMENT FOR E9-1-1 PUBLIC SAFETY ANSWERING POINT SERVICES

Article 1: Parties & Purpose

- 1.1 The Nortex Regional Planning Commission (RPC) is a regional planning commission and political subdivision of the State of Texas organized and operating under the Texas Regional Planning Act of 1965, as amended, Chapter 391 of the Local Government Code. The RPC has developed a Strategic Plan to establish and operate 9-1-1 service (Strategic Plan) in State Planning Region 3 (Region), and the Commission on State Emergency Communications (Commission) has approved its current Strategic Plan.
- 1.2 Montague County, Texas (Local Government) is a local government that operates Public Safety Answering Points (PSAP) that assists in implementing the Strategic Plan as approved by the Commission.
- 1.3 The Commission, as authorized by Health & Safety Code, Chapter 771, is the oversight and funding authority for regional planning commissions implementing 9-1-1 service.
- 1.4 The Contract for 9-1-1 Services between the Commission and the RPC requires the RPC to execute interlocal agreements with local governments relating to the planning, development, operation, and provision of 9-1-1 service, the use of wireline and wireless 9-1-1 fees and equalization surcharge appropriated to the Commission and granted to the RPC (9-1-1 Funds) and adherence to Applicable Law.

Article 2: Applicable Law

- 2.1 Applicable laws include, but are not limited to, the Texas Health and Safety Code Chapter 771; Commission Rules (Title 1, Part 12, Texas Administrative Code) and Program Policy Statements; the biennial state General Appropriations Act, Texas Government Code (including Uniform Grant and Contract Management Standards [UGMS]), Chapter 783 and Title 1, Part 1, Chapter 5, Subchapter A, Division 4, Texas Administrative Code; Preservation and Management of Local Government Records Act, Chapter 441, Subchapter J; and Resolution of Certain Contract Claims Against the State, Chapter 2260); Texas Local Government Code (including Regional Planning Commissions Act, Chapter 391).
- 2.2 Any new or amended policy or procedure, other than an adopted rule, shall be enforceable against the Local Government 30 days following the date of its adoption, unless the RPC finds and declares that an emergency exists that requires such policy or procedure be enforceable immediately. The RPC shall provide the Local Government written notice of all new or amended policies, procedures or interpretations of Commission rules within a reasonable time after adoption, and in any event at least 10 days prior to the time such policies or procedures are enforceable against the Local Government.

Article 3: Deliverables

3.1 The Local Government agrees to:

- 3.1.1 Operate and maintain the PSAP located at Montague County Sheriff's Office;
- 3.1.2 Provide 9-1-1 public safety answering service 24 hours per day, seven days per week; and
- 3.1.3 Cooperate with the RPC in providing and maintaining suitable PSAP space meeting all technical requirements.
- 3.2 Ownership, Transference & Disposition of Equipment
 - 3.2.1. The RPC and the Local Government shall comply with Applicable Law, in regards to the ownership, transfer of ownership, and/or control of equipment acquired with 9-1-1 Funds in connection with the provision of 9-1-1 service (9-1-1 equipment).
 - 3.2.2 The RPC shall establish ownership of all 9-1-1 equipment located within the Local Government's jurisdiction. The RPC will maintain ownership of the equipment. (see attached Ownership Agreement Attachment I)
 - 3.2.3 The Local Government shall ensure that sufficient controls and security exist by which to protect and safeguard the 9-1-1 equipment against loss, damage or theft.
 - 3.2.4 The ownership document shall be prepared by the RPC and signed by both parties upon establishing ownership of any such 9-1-1 equipment in accordance with UGMS and the State Comptroller of Public Accounts. (see attached Ownership Agreement Attachment I)
 - 3.2.5 Replacement insurance on 9-1-1 equipment shall be purchased and maintained by Local Government or prove to be "Self Insured". Proof of insurance shall be provided upon request.
 - 3.2.6 The RPC and/or the Commission shall be reimbursed by the Local Government for any damage to 9-1-1 equipment other than ordinary wear and tear.

3.3 Inventory

- 3.3.1 The RPC shall maintain a current inventory of all 9-1-1 equipment consistent with Applicable Law;
- 3.3.2 Any lost or stolen 9-1-1 equipment shall be reported to the RPC as soon as possible.

3.4 Security

3.4.1 The Local Government shall limit access to all 9-1-1 equipment and related data only to authorized personnel.

3.5 Training

3.5.1 The Local Government should schedule call takers for any applicable training as classes are made available. No cost online TDD/TTY training is available to Local Government (see attached TTY Training - Attachment H)

3.6 Operations

The Local Government shall:

- 3.6.1 Designate a PSAP supervisor and provide related contact information to the RPC;
- 3.6.2 Monitor and test the 9-1-1 equipment and report any failures or maintenance issues immediately to the appropriate maintenance vendor and/or the RPC (see attached Network Testing Attachment G);
- 3.6.3 Coordinate with the RPC and local elected officials in the planning for and implementation and operation of all 9-1-1 equipment;
- 3.6.4 Allow 24-hour access to the 9-1-1 equipment for repair and maintenance service, as required;
- 3.6.5 Assist the RPC in conducting inspections of all 9-1-1 equipment at the PSAP as identified by the RPC for quality assurance (see attached PSAP Monitoring Checklist Attachment J);
- 3.6.6 Test all Telecommunications Devices for the Deaf (TDD) for proper operation;
- 3.6.7 Log all TDD 9-1-1 calls and equipment testing as required by the Americans with Disabilities Act of 1990 (see attached TDD Log Attachment E);
- 3.6.8 Log all trouble reports and make copies available to the RPC as required by the RPC (see attached 9-1-1 Trouble/Alarm Log Attachment D);
- 3.6.9 Make no changes to 9-1-1 equipment, software or programs without prior written consent from the RPC.
- 3.6.10 Log all Language Line assistance calls. Report each of those calls as soon as possible after the call is completed. (see attached Language Line Report Attachment F)

Article 4: Performance Monitoring

4.1 The RPC and the Commission reserve the right to perform on-site monitoring of the PSAP(s) for compliance with Applicable Law and performance of the deliverables specified in this Agreement. The Local Government agrees to fully cooperate with all monitoring requests from the RPC and/or the Commission for such purposes. (see attached PSAP Monitoring Checklist - Attachment J)

Article 5: Procurement

5.1 The RPC and the Local Government agree to use competitive procurement practices and procedures required by Applicable Law and RPC procurement policies in connection with any procurement to be funded with 9-1-1 Funds.

Article 6: Financial

6.1 As authorized by Applicable Law, the provisioning of 9-1-1 service throughout the Region is funded by Commission grants of appropriated 9-1-1 Funds.

Article 7: Records

- 7.1 The RPC or its duly authorized representative shall have access to and the right to examine records, files, and/or other papers or property pertaining to the 9-1-1 service belonging to or in use by the Local Government, the PSAP, or by any other entity that has performed or will perform services related to this Agreement.
- 7.3 The Commission and State Auditor's Office shall have the same access and examination rights as the RPC.

Article 8: Assignment

8.1 The Local Government may not assign its rights or subcontract its duties under this Agreement. An attempted assignment or subcontract in violation of this paragraph is void.

Article 9: Nondiscrimination and Equal Opportunity

9.1 The RPC and the Local Government shall not exclude anyone from participating under this Agreement, deny anyone benefits under this Agreement, or otherwise unlawfully discriminate against anyone in carrying out this Agreement because of race, color, religion, sex, age, disability, handicap, or national origin.

Article 10: Dispute Resolution

- 10.1 Disputes include, but are not limited to, disagreement between the parties about the meaning or application of the Strategic Plan, the Applicable Law or policy, or this Agreement.
- 10.2 The parties desire to resolve disputes without litigation. Accordingly, if a dispute arises, the parties agree to attempt in good faith to resolve the dispute between them. To this end, the parties agree not to sue one another, except to enforce compliance with this Article 10, until they have exhausted the procedures set out in this Article 10.
- 10.3 At the written request of either party, each party shall appoint one non-lawyer representative to negotiate informally and in good faith to resolve any dispute arising between the parties. The representatives appointed shall determine the location, format, frequency, and duration of the negotiations.

- 10.4 If the representatives cannot resolve the dispute within 30 calendar days after the first negotiation meeting, the parties agree to submit the dispute to a mutually designated legal mediator. Each party shall pay one-half the total fee and expenses for conducting the mediation.
- 10.5 The parties agree to continue performing their duties under this Agreement, which are unaffected by the dispute, during the negotiation and mediation process.
- 10.6 If mediation does not resolve the parties' dispute, the parties may pursue their legal and equitable remedies.

Article 11: Suspension for Unavailability of Funds

11.1 In the event that (i) the RPC's approved budget and/or appropriations to the Commission from the Texas Legislature do not permit or otherwise appropriate funds for maintaining the PSAP provided for in this Agreement, and (ii) such lack of permission or non-appropriation shall not have resulted from any act or failure to act on the part of the RPC, and (iii) the RPC has exhausted all funds legally available for operations of the PSAP, and no other legal procedure shall exist whereby the PSAP cannot be maintained; and (iv) RPC has negotiated in good faith with Local Government to develop an alternative or new agreement that will accommodate RPC's approved budget and/or appropriations for the applicable period, then RPC will not be obligated to maintain operations of the PSAP for the applicable budget year(s).

Article 12: Notice to Parties

- 12.1 Notice under this Agreement must be in writing and received by the party against whom it is to operate. Notice is received by a party (1) when it is delivered to the party personally; or (2) on the date shown on the return receipt if mailed by registered or certified mail, return receipt requested, to the party's address specified in this Article and signed on behalf of the party.
- 12.2 The RPC's address is:

Nortex Regional Planning Commission 4309 Jacksboro Hwy Suite 200 Wichita Falls, TX 76302

The Local Government's address is:

Montague County 101 E Franklin St Montague, TX 76251

12.3 A party may change its address by providing notice of the change in accordance with paragraph 12.1.

Article 13: Effective Date and Term

13.1 This Agreement is effective as of September 1, 2013 and shall terminate on August 31, 2015.

- 13.2 In the event of default in the performance of this Agreement, the non-defaulting party may terminate this Agreement after providing written notice of the default to the defaulting party, and the failure of the defaulting party to cure said default within 30 calendar days of said notice.
- 13.3 If this Agreement is terminated for any reason, the RPC shall not be liable to the Local Government for any damages, claims, losses, or any other amounts arising from or related to any such termination.

Article 14: Force Majeure

14.1 The RPC may grant relief from performance of the Agreement if the Local Government is prevented from performance by act of war, order of legal authority, act of God, or other unavoidable cause not attributable to the fault or negligence of the Local Government. The burden of proof for the need of such relief shall rest upon the Local Government. To obtain release based on force majeure, the Local Government shall file a written request with the RPC.

Article 15: Confidentiality

- 15.1 The parties will comply with the Texas Public Information Act, Government Code, Chapter 552 as interpreted by judicial opinions and opinions of the Attorney General of the State of Texas. This Agreement and all data and other information generated or otherwise obtained in its performance may be subject to the Texas Public Information Act. The parties agree to maintain the confidentiality of information received during the performance of this Agreement.
- 15.2 The Local Government or its duly authorized representative will notify the RPC upon receipt of any requests for information.

Article 16: Indemnification

16.1 To the extent authorized by law, each party agrees to indemnify the other and agrees to defend its governing body members, officers and employees, against any claim, suit or administrative proceeding, and to indemnify them against any liability including all costs, expenses, and reasonable attorney's fees incurred arising out of an act or omission of the governing body, any officer, employee or agent in carrying out this Agreement.

Article 17: Historically Underutilized Business Requirements

17.1 The Local Government shall comply with requirements of Chapter 2261 of the Government Code regarding Historically Underutilized Businesses.

Article 18: Miscellaneous

- 18.1 For purposes of this Agreement, terms not specifically defined herein are defined in the Applicable Laws.
- 18.2 Each individual signing this Agreement on behalf of a party warrants that he or she is legally authorized to do so, and that the party is legally authorized to perform the obligations undertaken.

- 18.3 This Agreement constitutes the entire agreement between the parties and supersedes any and all oral or written agreements between the parties relating to matters herein. An amendment to this Agreement is not effective unless in writing and signed by both parties.
- 18.4 All parties agree that should any provision of this Agreement be determined to be invalid or unenforceable, such determination shall not affect the term of this Agreement, which shall continue in full force and effect.
- 18.5 The following Attachments are part of this Agreement:

Attachment A	PSAP Operations Performance Measures and Monitoring
Attachment B	Commission Documents: Rules and Program Policy Statements
Attachment C	Form 911-B ANI/ALI Problem Call Report
Attachment D	Form 914-B 9-1-1 Trouble/Alarm Log
Attachment E	Form 915-B TDD Call/TDD Test Log
Attachment F	Form 916-B Language Line Report
Attachment G	Form 917-B Network Testing Log
Attachment H	TDD/TTY Training Document
Attachment I	Ownership Agreement
Attachment J	Form 935-M PSAP Visit Observation and Findings

- 18.6 This Agreement is binding on, and to the benefit of, the parties' successors in interest.
- 18.7 This Agreement is executed in duplicate originals.

NORTEX REGIONAL PLANNING COMMISSION By MMUN JULY	By: Deminie Doppensty)
Printed Name: <u>Dennis Wilde</u>	Printed Name: Tommie Sappington
Title: Executive Director	Title: County Judge
Date: 7-/8-20/3	Date: 8-8-2013

Attachment A PSAP Operations Performance Measures and Monitoring

Reports

The RPC may request that the Local Government provide it with specialized reports which will not duplicate information readily available from vendors.

Logs

The Local Government shall provide copies of logs and reports to assist with the RPC's collection of efficiency data on the operation of PSAPs including, but not limited to:

- 1. ANI/ALI Problem Call Report after the call (See Attached Form 911-B);
- 2. Trouble report logs at least once per month (See Attached Form 914-B);
- 3. TTY/TDD actual calls and test calls once per month (See Attached Form 915-B);
- 4. Language Line report logs after service is used (See Attached Form 916-B); and
- 5. Network Testing Log once per month (See Attached Form 917-B).

Quality Assurance Inspections

RPC personnel will conduct site visits at least twice per year to evaluate the condition of equipment, efficiency of PSAP operations, and compliance with the Agreement.

In addition, quality assurance inspections will be conducted using the attached Nortex Form 935-M.

ATTACHMENT A

Attachment B Commission Documents

The following documents govern the funding and provisioning of 9-1-1 services by the RPC:

- 1. Commission Legislation: http://www.911.state.tx.us/browse.php/rules_legislation
- 2. Commission Rules: http://www.911.state.tx.us/browse.php/rules_legislation
- 3. Commission Program Policy Statements: http://www.911.state.tx.us/browse.php/program_policy_statements

ATTACHMENT B

ANI/ALI PROBLEM CALL REPORT (FORM 911-B)

PSAP:		_		CALL	TAKER	K:	
DISPLAYED INFORMATION							
DATE:		ANI:					
TIME:		NAME: _					
		ADDR: _					
ESN:		COMMU	NITY: _				
PHONE TYPE (Circle one)	BUSN	RESD	COIN	CELL	CNTX	OTHER:	
PROBLEM REPORT							
Record Not Found							
Foreign Exchange							
ANI Incorrect		Change To:					
ALI Address Incorred	ot	Change To:					
Misrouted to this PS/	Δ P	Send To:					
ESN Assignment Inco	orrect	Change To:				POLICE:	
		FIRE:				EMS:	
REMARKS:							
Telephone Company USE:	Recvd. Da	 ate:			Recvd. By	v:	
	Correction					ity Notified:	
						• • • • • • • • • • • • • • • • • • • •	

Form 911-B

ATTACHMENT C

9-1-1 TROUBLE / ALARM LOG

PSAP:	PSAP:			MONTH	:	YR:	
DATE	TIME	REPORTED BY	NETWORK OUTAGES OR EQUIPMENT TROUBLE	REPORTED TO	TICKET NO.	DATE/TIME RESOLVED	COMMENTS

Submit completed form by the 10th day of the following month to:

Tommy Keesee, Director of 9-1-1 Emergency Services Nortex Regional Planning Commission P.O. Box 5144

Wichita Falls, TX 76307

OR, FAX TO: 940/322-6743

ATTACHMENT D

Form 914-B

TDD CALL LOG / TDD TEST LOG

	PSAP:		_		MONTH: YR:
DATE	TIME	TYPE OF CALL (Actual / Test)	CALL TAKER	EQUIPMENT (Internal / Standalone)	COMMENTS (Successful, disconnected, equipment failure, transmission problems, etc.)

Submit completed form by the 10th day of the following month to:

Tommy Keesee, Director of 9-1-1 Emergency Services Nortex Regional Planning Commission P.O. Box 5144 Wichita Falls, TX 76307

Form 915-B

Or, Fax To: 940/322-6743

ATTACHMENT E

PAGE

LANGUAGE LINE REPORT

PSAP:			DATE	<u> </u>
CALL DATE	CALL	LANGUAGE	PURPOSE OF CALL	LENGTH OF CALL (est.)
		CALL-TAKER:		

Submit completed form as soon as possible after the call to:

Tommy Keesee, Director of 9-1-1 Emergency Services Nortex Regional Planning Commission P.O. Box 5144 Wichita Falls, TX 76307

Form 916-B

Or, Fax To: 940/322-6743

ATTACHMENT F

NORTEX REGIONAL PLANNING COMMISSION NETWORK TESTING LOG

	PSAP:			MONTH:	YR:	
DATE	TIME	NUMBER TESTED	TESTED BY	COMMENTS: (Successful, disconnected, equipment failure,	LANDLINE /	
	-			etc.)	WIRELESS	
						· · · · · · · · · · · · · · · · · · ·

Submit completed form by the 10th day of the following month to:

Tommy Keesee, Director of 9-1-1 Emergency Services Nortex Regional Planning Commission P.O. Box 5144 Wichita Falls, TX 76307 Or, Fax To:940-322-6743

Form 917-B

ATTACHMENT G

PAGE

Attachment I Ownership Agreement

As stipulated in Article 3 of the Agreement, the RPC shall establish ownership of all 9-1-1 equipment located within the Local Government's jurisdiction.

The RPC hereby establishes all 9-1-1 equipment located at Montague County Sheriff's Office, in Montague County, to be the property of Nortex Regional Planning Commission, hereinafter referred to as "Owner".

NORTEX REGIONAL PLANNING COMMISSION	MONTAGUE COUNTY, TEXAS
By Janus Sille	Ву:
Printed Name: <u>Dennis Wilde</u>	Printed Name: Tommie Sappington
Title: Executive Director	Title: County Judge
Date: 7-/8-20/3	Date:

ATTACHMENT I



COURT OF APPEALS SECOND DISTRICT OF TEXAS

TIM CURRY CRIMINAL JUSTICE CENTER 401 W. BELKNAP, SUITE 9000 FORT WORTH, TEXAS 76196 CLERK

DEBRA SP

LISA M. W

TEL: (817) 884-1900 FAX: (817) 884-1932 www.2ndcoa.courts.state.tx.us

July 11, 2013

* 1 1

Honorable Tommie Sappington County Judge of Montague County P.O. Box 475 Montague, TX 76251

CHIEF JUSTICE TERRIE LIVINGSTON

> ANNE GARDNER SUE WALKER BOB McCOY

BILL MEIER LEE GABRIEL

LEE ANN DAUPHINOT

JUSTICES

Re: Legislation establishing a new fee under Chapter 22 of the Texas Government Code

Dear Honorable Sappington:

The purpose of this letter is to notify you of recent legislation which amended Ch of the Texas Government Code by revising Texas Government Code Section 22.20° legislation affects all the counties within the Second Court of Appeals District. Tarrhas been the only county collecting this fee for us so far. Please note that this law wi' September 1, 2013. A copy of this legislation is attached for your reference.

The statute will require the Commissioners' Court of each county within cestablish an appellate judicial system to assist the Second Court of Appeals ir appeals. To fund the system, the statue requires each of our twelve Commiss a court costs fee of \$5 for each civil suit filed in county court, statutory court, or district court in the county, but the fee does not apply governmental entity or to a suit for delinquent taxes. This fee shall be year other court costs in a suit. The clerk of the respective courts should the county officer who performs the county treasurer's functions. The fee in a separate appellate judicial system fund account for the Sec funds should be segregated from the general fund accounts of the county used for any other purpose and is not subject to the counties' be Commissioners' Court should order the funds collected under Second Court of Appeals on a monthly basis. We would prefer funds on or about the 10th day of the month following collect

TEXAS DEPARTMENT OF AGRICULTURE TEXANS FEEDING TEXANS: HOME DELIVERED MEAL GRANT PROGRAM

RESOLUTION AUTHORIZING COUNTY GRANT

A RESOLUTION OF THE COUNTY OF MONTAGUE TEXAS CERTIFYING THAT THE COUNTY HAS MADE A GRANT TO **THE BOWIE SENIOR CITIZEN'S PROJECT**, AN ORGANIZATION THAT PROVIDES HOME-DELIVERED MEALS TO HOMEBOUND PERSONS IN THE COUNTY WHO ARE ELDERLY AND/OR HAVE A DISABILITY AND CERTIFYING THAT THE COUNTY HAS APPROVED THE ORGANIZATION'S ACCOUNTING SYSTEM OR FISCAL AGENT.

WHEREAS, the Organization desires to apply for grant funds from the Texas Department of Agriculture to supplement and extend existing services homebound persons in the County who are elderly and/or have a disability, pursuant to the Home-Delivered Meal Grant Program (Program); and

WHEREAS, the Program rules require the County in which an Organization is providing home-delivered meal services to make a grant to the Organization, in order for the Organization to be eligible to receive Program grant funds; and

WHEREAS, the Program rules require the County to approve the Organization's accounting system or fiscal agent, in order for the Organization to be eligible to receive Program grant funds.

BE IT RESOLVED BY THE COUNTY:

SECTION 1: The County hereby certifies that it has made a grant to the Organization in the amount of \$1.027.33 to be used between the:

1st day of October, 2013 and the 30th day of September, 2014

SECTION 2: The County hereby certifies that the Organization provides home-delivered meals to homebound persons in the County who are elderly and/or have a disability.

SECTION 3: The County hereby certifies that it has approved the Organization's accounting system or fiscal agent.

Introduced, read, and passed by the affirmative vote of the County on this day of Aug

Sawar Jobbrigal

Tommie Sappington, Montague County Judge

SIONERS COUNTY C

TEXAS DEPARTMENT OF AGRICULTURE TEXANS FEEDING TEXANS: HOME DELIVERED MEAL GRANT PROGRAM

RESOLUTION AUTHORIZING COUNTY GRANT

A RESOLUTION OF THE COUNTY OF MONTAGUE TEXAS CERTIFYING THAT THE COUNTY HAS MADE A GRANT TO **THE MONTAGUE COUNTY CARPENTERS SHOP, INC.**, AN ORGANIZATION THAT PROVIDES HOME-DELIVERED MEALS TO HOMEBOUND PERSONS IN THE COUNTY WHO ARE ELDERLY AND/OR HAVE A DISABILITY AND CERTIFYING THAT THE COUNTY HAS APPROVED THE ORGANIZATION'S ACCOUNTING SYSTEM OR FISCAL AGENT.

WHEREAS, the Organization desires to apply for grant funds from the Texas Department of Agriculture to supplement and extend existing services homebound persons in the County who are elderly and/or have a disability, pursuant to the Home-Delivered Meal Grant Program (Program); and

WHEREAS, the Program rules require the County in which an Organization is providing home-delivered meal services to make a grant to the Organization, in order for the Organization to be eligible to receive Program grant funds; and

WHEREAS, the Program rules require the County to approve the Organization's accounting system or fiscal agent, in order for the Organization to be eligible to receive Program grant funds.

BE IT RESOLVED BY THE COUNTY:

SECTION 1: The County hereby certifies that it has made a grant to the Organization in the amount of \$513.67 to be used between the:

1st day of October, 2013 and the 30th day of September, 2014

SECTION 2: The County hereby certifies that the Organization provides home-delivered meals to homebound persons in the County who are elderly and/or have a disability.

SECTION 3: The County hereby certifies that it has approved the Organization's accounting system or fiscal agent.

Introduced, read, and passed by the affirmative vote of the County on this

Tommie Sappington,

Montague County Judge