

THE STATE OF TEXAS

IN THE COMMISSIONERS COURT

OCTOBER TERM 2015

COUNTY OF MONTAGUE

REGULAR SESSION

BE IT REMEMBERED, That on this 26th day of October 2015 at 9:00 a.m., Commissioners Court of Montague County, Texas met at a regular meeting with the following present:

Rick Lewis	County Judge	Herman Conway	Commissioner Precinct 1
Mike Mayfield	Commissioner Precinct 2	Mark Murphey	Commissioner Precinct 3
Bob Langford	Commissioner Precinct 4	Glenda Henson	County Clerk

The meeting was called to order by Judge Lewis.

Invocation

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

#15-310-APPROVAL OF MINUTES

Motion by Commissioner Murphey and seconded by Commissioner Mayfield to approve the minutes for the October 12th, 2015 meeting.

All Voted For
Motion Carried

#15-311-MONTHLY REPORTS

Motion by Commissioner Langford and seconded by Commissioner Murphey to approve the monthly reports: JP 1, JP 2, District Clerk (September), District Clerk (August), County Clerk, and Ad Valorem.

All Voted For
Motion Carried

#15-312-PAY CLAIMS

Motion by Commissioner Murphey and seconded by Commissioner Langford to approve the bills as presented in open court.

All Voted For
Motion Carried

#15-313-DISCUSS AND CONSIDER S.B. 1747

No Action Taken

#15-314-DISCUSS AND CONSIDER ACCEPTING COUNTY TREASURER MONTHLY REPORTS

Motion by Commissioner Langford and seconded by Commissioner Murphey to approve the County Treasurer Monthly Reports as presented.

All Voted For
Motion Carried

#15-315-DISCUSS CONSIDER AND APPROVE AUTHORIZING JUDGE LEWIS TO SIGN THE HOME-DELIVERED MEAL GRANT PROGRAM RESOLUTIONS PROVIDED BY THE TEXAS DEPARTMENT OF AGRICULTURE

Motion by Commissioner Langford and seconded by Commissioner Murphey to approve the amended Home-Delivered Meal Grant Program Resolution, giving Judge Lewis authority to sign.

I, Glenda Henson, County Clerk of Montague County, and Ex-Officio Clerk of the Commissioners Court, Montague County, Texas do hereby certify that the foregoing Commissioners Court Minutes are a true and correct record of the proceedings.

ATTEST: *Glenda Henson*
Glenda Henson, Montague County Clerk



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Bob Langford	Commissioner Precinct 4	Glenda Henson	County Clerk

All Voted For
Motion Carried

#15-316-DISCUSS AND CONSIDER NTTA ACCOUNT

Motion by Commissioner Murphey and seconded by Commissioner Mayfield to allow the Auditor to apply for an account with NTTA (North Texas Tollway Authority) giving the Auditor authority to sign such paperwork.

All Voted For
Motion Carried

#15-317-BRANDI SHIPMAN, ELECTION ADMINISTRATOR, TO PRESENT CONFIRMATION FROM THE SECRETARY OF STATE'S OFFICE THAT MONTAGUE COUNTY HAS A "SUCCESSFUL" DESIGNATION IN THE COUNTYWIDE POLLING PLACE PROGRAM

No Action Taken

#15-318-DISCUSS AND CONSIDER GOING OUT FOR BIDS FOR BASE ROCK

Motion by Commissioner Murphey and seconded by Commissioner Langford to allow to go out for bids for base rock.

All Voted For
Motion Carried

#15-319-DISCUSS AND CONSIDER APPROVING COMMISSIONERS COURT BUDGETARY RESPONSIBILITY RESOLUTION

Motion by Commissioner Murphey and seconded by Commissioner Langford to approve the resolution for Budgetary Responsibility as recommended and prepared by Allison Bass.

All Voted For
Motion Carried

#15-320-DISCUSS AND CONSIDER ACCEPTING COUNTY ATTORNEY'S 2015 CHAPTER 59 ASSET FORFEITURE REPORT

Motion by Commissioner Langford and seconded by Commissioner Murphey to approve the 2015 County Attorney's Chapter 59 Asset Forfeiture Report, giving the Auditor authority to sign such documents.

All Voted For
Motion Carried

Meeting Adjourned at 9:17 a.m.

I, Glenda Henson, County Clerk of Montague County, and Ex-Officio Clerk of the Commissioners Court, Montague County, Texas do hereby certify that the foregoing Commissioners Court Minutes are a true and correct record of the proceedings.

ATTEST: *Glenda Henson*
Glenda Henson, Montague County Clerk



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I, Glenda Henson, County Clerk of Montague County, and Ex-Officio Clerk of the Commissioners Court, Montague County, Texas do hereby certify that the foregoing Commissioners Court Minutes are a true and correct record of the proceedings.

ATTEST: *Glenda Henson*
Glenda Henson, Montague County Clerk



Commissioners Court Budgetary Responsibility

WHEREAS, the Texas Constitution was carefully drafted to divide governmental powers between the legislative, executive, and judicial branches; and

WHEREAS, the Commissioners Court is constitutionally and statutorily charged with the responsibility to determine the county budget and the funding necessary for county departments; and

WHEREAS, Texas statutes, including the Texas Local Government Code and the Texas Government Code, provide an orderly process for the creation and compensation of county employees, including judicial department positions; and

WHEREAS, Senate Bill 1913 (codified as Section 75.401, Government Code) maintains the proper constitutional separation of powers, securing necessary staff for the judiciary while preserving the authority of the Commissioners Court to determine the creation and compensation of county positions through the budget; and

WHEREAS, the Commissioners Court of Galveston County has properly implemented the provisions of S.B. 1913 in the county budget; and

WHEREAS, certain members of the judiciary have refused to acknowledge the constitutional responsibility of the Commissioners Court and continue to litigate this matter; now

THEREFORE, be it Resolved that the County Judges and Commissioners Association of Texas does hereby urge that all parties recognize the proper budgetary responsibility of the Commissioners Court to determine the creation and compensation of county positions and implement the provisions of S.B. 1913 without further delay or litigation.

Read and adopted on this 26th day of October, 2015.



Rick Lewis, County Judge


Herman Conway, Pct. #1
Mike Mayfield, Pct. #2
Mark Murphey, Pct. #3
Bob Langford, Pct. #4