

NAVARRO COUNTY COMMISSIONER'S COURT

A Special meeting of the Navarro County Commissioner's Court was held on Friday, the 27<sup>th</sup>, day of April, 2018 at 9:00 a.m., in the Commissioners Courtroom of The Navarro County Courthouse 300 W. 3<sup>rd</sup> Avenue, in Corsicana, Texas. Commissioners present Dick Martin, Eddie Moore, and James Olsen.

1. 9:00 A.M. Motion to convene by Comm. Moore sec by Comm. Martin  
Carried unanimously
2. Opening prayer by Comm. Olsen
3. Pledge of Allegiance
4. Public Comment-No comments

**Action Items**

5. Motion to approve Bond for Reserve Deputy Constable Robert Moehring by  
Comm. Moore sec by Comm. Olsen **TO WIT PG 711-712**  
Carried unanimously
6. Motion to approve additional Part-time Clerk for the County Clerk utilizing  
records management money for finalizing that pay by Comm. Martin sec by  
Comm. Olsen  
Carried unanimously
7. 9:11 A.M. Motion to approve to go into Executive Session Pursuant to the Texas  
Government Code Section 551.071(2) to confer regarding matters, which are  
privilege pursuant to the attorney client privilege by Comm. Moore sec by Comm.  
Olsen  
Carried unanimously  
  
9:36A.M. Motion to come out of Executive Session Pursuant to the Texas  
Government Code Section 551.071(2) to confer regarding matters, which are  
privilege pursuant to the attorney client privilege by Comm. Olsen sec by Comm.  
Martin  
Carried unanimously
8. Motion to approve taking action on Executive Session Pursuant to the Texas  
Government Code Section 551.071(2) to confer regarding matters, which are  
privileged pursuant to the attorney client privilege to approve letter that will go  
out to every entity in Navarro County with changes discussed and approved by  
Comm. Martin sec by Comm. Moore **TO WIT PG 714**

Carried unanimously

9. Table to go into Executive Session Pursuant to the Texas Government Code Section 551.072 to discuss Real Property by Comm. Martin sec by Comm. Olsen  
Carried unanimously
10. Tabled to approve of action taken on Executive Session Pursuant to the Texas Government Code Section 551.072 to discuss Real Property
28. Motion to adjourn by Comm. Martin sec Comm. Moore  
Carried unanimously

I, Sherry Dowd, Navarro County Clerk, Attest that the Foregoing is a True and accurate accounting of the commissioners Court's authorized proceeding for April 27<sup>th</sup> , 2018.

Signed 27<sup>th</sup> day of April, 2018

  
Sherry Dowd, County Clerk



Texas



# Western Surety Company

FILED FOR RECORD  
11:51 O'CLOCK A.M.

APR 23 2018

## OFFICIAL BOND AND OATH

THE STATE OF TEXAS }  
County of NAVARRO / PRECINCT 3 } ss

SHERRY DOWD, County Clerk  
NAVARRO COUNTY, TEXAS  
BY [Signature] DEPUTY

KNOW ALL PERSONS BY THESE PRESENTS:

BOND No. 63552475

That we, ROBERT E MOEHRING, as Principal, and WESTERN SURETY COMPANY, a corporation duly licensed to do business in the State of Texas, as Surety, are held and bound unto 1 CONSTABLE, his successors in office, in the sum of 2 Two Thousand and 00/100 DOLLARS (\$ 2,000.00 ), for the payment of which we hereby bind ourselves and our heirs, executors and administrators, jointly and severally, by these presents.

Dated this 6th day of March, 2018.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the above bounden Principal was on the 1st day of April, 2018, duly Appointed (Elected-Appointed) to the office of RESERVE DEPUTY CONSTABLE in and for 3 NAVARRO / PRECINCT 3 County, State of Texas, for a term of 2 year commencing on the 5th day of February, 2018.

NOW THEREFORE, if the said Principal shall well and faithfully perform and discharge all the duties required of him by law as the aforesaid officer, and shall 4 faithfully perform the duties of office

then this obligation to be void, otherwise to remain in full force and effect.

PROVIDED HOWEVER, that regardless of the number of years this bond may remain in force and the number of claims which may be made against this bond, the liability of the Surety shall not be cumulative and the aggregate liability of the Surety for any and all claims, suits, or actions under this bond shall not exceed the amount stated above. Any revision of the bond amount shall not be cumulative.

PROVIDED FURTHER, that this bond may be cancelled by the Surety by sending written notice to the party to whom this bond is payable stating that, not less than thirty (30) days thereafter, the Surety's liability hereunder shall terminate as to subsequent acts of the Principal.

Principal  
WESTERN SURETY COMPANY  
By [Signature]  
Paul T. Bruffat, Vice President

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ACKNOWLEDGMENT OF PRINCIPAL

THE STATE OF TEXAS

County of \_\_\_\_\_ } ss

Before me, \_\_\_\_\_ on this day, personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office at \_\_\_\_\_, Texas, this \_\_\_\_\_ day of \_\_\_\_\_.

SEAL

\_\_\_\_\_ County, Texas

OATH OF OFFICE (COUNTY COMMISSIONERS and COUNTY JUDGE)

I, \_\_\_\_\_, do solemnly swear (or affirm) that I will faithfully execute the duties of the office of \_\_\_\_\_, of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly swear (or affirm) that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward for the giving or withholding a vote at the election at which I was elected; and I furthermore solemnly swear (or affirm) that I will not be, directly or indirectly, interested in any contract with or claim against the County, except such contracts or claims as are expressly authorized by law and except such warrants as may issue to me as fees of office. So help me God.

Signed \_\_\_\_\_

Sworn to and subscribed before me at \_\_\_\_\_, Texas, this \_\_\_\_\_ day of \_\_\_\_\_.

SEAL

\_\_\_\_\_ County, Texas

OATH OF OFFICE (General)

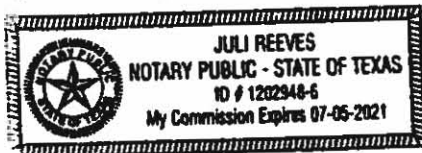
I, Robert E. Moehrkings, do solemnly swear (or affirm) that I will faithfully execute the duties of the office of Reserve Deputy Constable, of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly swear (or affirm) that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward for the giving or withholding a vote at the election at which I was elected. So help me God.

Signed [Signature]

Sworn to and subscribed before me at Corsicana, Texas, this 23rd day of April, 2018.

SEAL

[Signature]  
Navarro County, Texas



THE STATE OF TEXAS }  
County of Navarro } ss

The foregoing bond of Robert E Moehring as  
Reserve Deputy Constable Pct'n 3 and for Navarro County and State of Texas, this day  
approved in open Commissioner's Court.

ATTEST:  
Sherry Dowd Clerk  
County Court Navarro County

Date April 27, 2018  
[Signature] County Judge,  
Navarro County, Texas

THE STATE OF TEXAS }  
County of Navarro } ss

I, Sherry Dowd, County Clerk, in and for said County, do hereby certify  
that the foregoing Bond dated the 23 day of April, 2018, with its certificates of  
authentication, was filed for record in my office the 23 day of April, 2018, at  
11:31 o'clock A. M., and duly recorded the 23 day of April, 2018, at  
3:00 o'clock P. M., in the Records of Official Bonds of said County in Volume \_\_\_\_\_, on page \_\_\_\_\_.

WITNESS my hand and the seal of the County Court of said County, at office in Corsicana,  
Texas, the day and year last above written.

Sherry Dowd Clerk  
County Court Navarro County



ACKNOWLEDGMENT OF SURETY  
(Corporate Officer)

STATE OF SOUTH DAKOTA }  
County of Minnehaha } ss

Before me, a Notary Public, in and for said County and State on this 6th day of March,  
2018, personally appeared Paul T. Bruflat to me known to be the identical  
person who subscribed the name of WESTERN SURETY COMPANY, Surety, to the foregoing instrument as the  
aforesaid officer and acknowledged to me that he executed the same as his free and voluntary act and deed, and as the  
free and voluntary act and deed of such corporation for the uses and purposes therein set forth.



M. Bent  
Notary Public

My Commission Expires March 2, 2020



**NAVARRO COUNTY COMMISSIONERS' COURT**

**H.M. Davenport – County Judge**  
**Jason Grant – Precinct 1**  
**Dick Martin – Precinct 2**  
**Eddie Moore – Precinct 3**  
**James Olsen – Precinct 4**

300 West Third Avenue, Suite 2  
Corsicana, TX 75110-4672

**Kim Southard**  
**Administrative Assistant**

Phone: (903) 654-3030

Fax: (903) 874-6053

April 27, 2018

To all entities using the Navarro County Jail to hold Class C inmates:

Navarro County Jail is fast approaching the population limits set by the Texas Jail Standards Commission. We appreciate your entities' ongoing voluntary help with curtailing the jail population and we are asking that you continue that help. However, even though we are overcrowded, for the protection of the community we will always follow the rule of the Texas Code of Criminal Procedure.

Per the Code of Criminal Procedure, once a magistrate commits a defendant to the county jail for a State Class C Misdemeanor, the Sheriff must accept the prisoner, TEX. CODE CRIM. PROC. art. 2.18; TEX. OP. ATTORNEY GENERAL DM-313 (1995). The Sheriff has no discretion in this matter, but the Sheriff is not required to take a city/municipal prisoner until after that prisoner is taken before a magistrate and committed to the county jail by said magistrate. Id. TEX. OP. ATTORNEY GENERAL. JM-151 (1984).

Even though we have no formal agreement to house Class C Misdemeanors without a prior magistrate's commitment, the jail will continue to accept the offenses of Class C Assault Family Violence and Public Intoxication. The jail will accept these two specific offenses with, or without, a prior magistrate's commitment order. Keeping in mind the safety of our citizens, the County feels this is an important exception given the potential dangerousness of Class C Assault Family Violence, and Public Intoxication offenses.

However, the jail is to the point, where booking-in any other Class C defendants may push our jail beyond jail standard requirements and become cost prohibitive. The jail may have to take other high-level inmates it is holding to an out-of-county facility, and pay a commitment rate daily, in order to have room to hold class C inmates who are charged with lesser violations. This has the potential to affect every tax-paying citizen of this county. The County for its part is looking for ways to prevent any negative taxpayer impact.

Thank you in advance for agreeing to help us out at this time.

Respectfully,  
The Navarro County Commissioners Court.