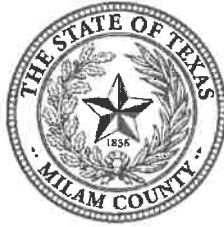


**MILAM COUNTY COMMISSIONERS COURT**

**Henry “Hub” Hubnik  
Commissioner, Precinct #1**

**James Denman  
Commissioner, Precinct #2**



**Art Neal  
Commissioner, Precinct #3**

**Wesley Payne  
Commissioner, Precinct #4**

**Bill Whitmire  
Milam County Judge  
102 S. Fannin Ave.  
Cameron, Texas 76520**

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

**MONDAY, JANUARY 9, 2023, AT 10:00 AM**

The Court will convene in person in the Milam County Courtroom, located at the Milam County Courthouse, 102 S. Fannin Ave., Cameron, Texas 76520. If any member of the public would like to speak in person regarding any of the agenda items, please register with the County Judge’s Office before 10:00 am, on January 9, 2023.

The following items will be addressed, discussed, considered, passed, or adopted to-wit:

1. A quorum will be established, and the meeting of the Milam County Commissioners Court will be called to order.
2. Invocation.
3. Pledge of Allegiance to the American Flag and the Texas Flag.
4. Consider the minutes from previous commissioner’s court meetings and act on any corrections, changes, or approval of any of the said minutes.
5. Comments from the Public (limited to five minutes).
6. Consider, Discuss, and Take Appropriate Actions on Approval of the revised Rules of Procedure, Conduct, and Decorum to be used as Standard Operating Procedure for the Milam County Commissioners Court as shown in the attached Exhibit “A”.
7. Receive a Report from the Milam County Emergency Managements Coordinator, Bryan Burns, on Milam County’s Emergency Management Status.
8. Discuss upcoming Emergency Management training and upcoming drills to be conducted in the coming month.

9. Consider, discuss, and possibly act on the branding of all county vehicles, trucks, and mechanized equipment with a system of uniformed identification markings. Said markings to be placed on the front sides and on the rear of the vehicles; and made using permanent paint or stickers (not magnetic stickers) in order to provide easy identification and inventorying of Milam County vehicles. Said inventory to be kept in the Milam County Auditor's office. Identification markings would be in a manner as provided by the examples below:
  - a. General Use Vehicles – "MCGUV-0001"
  - b. Precinct 1 – "MCPCT-1001"
  - c. Precinct 2 – "MCPCT-2001"
  - d. Precinct 3 – "MCPCT-3001"
  - e. Precinct 4 – "MCPCT-4001"
10. Consider, discuss, and possibly act on the use and approval of a standardized Permit Application for County Road Entrance as shown in the attached Exhibit "B".
11. Consider and discuss changing the venue of the Milam County Commissioners Court Meetings to the Milam County Annex, inside Bea's Kitchen, and held on the second and fourth Thursdays of the Month at 2:00 pm.
12. Review and discuss the assignment of collateral duties and assignments for the commissioners as listed below:
  - a. CT-COG Representative – Commissioner Hubnik
  - b. CT-COG Solid Waste Disposal (Garbage Clean-Up) – Commissioner Neal
  - c. Milam County Economic Development – Commissioner Denman
  - d. Bail Board Exploratory Panel – Commissioner Payne
  - e. County Handbook Committee
    - a. Commissioner Hubnik
    - b. Commissioner Neal
  - f. Long-Range Planning Committee
    - a. Commissioner Hubnik
    - b. Commissioner Denman
  - g. TX-DOT Liaison – Commissioner Hubnik
  - h. Emergency Services Panel – Commissioner Neal
  - i. Animal Control Panel – Commissioner Payne
13. Review, discuss, and take necessary action on holding a workshop on preparing standardized information surveys for use in acquiring grants for road and bridge projects.
14. Review, discuss and accept excess proceeds from property tax foreclosure sales pursuant to Texas Tax Code Section 34.03
15. Consider, discuss and take action on the approval of Bartlett Electric Right of Way on CR 322.
16. Review, discuss and possibly take action to approve corrections to line-item adjustments from 12-27-22.
17. Review, discuss, and take necessary action to pay the bills of Milam County, Texas as presented by the County Auditor's Office.
18. Consider, discuss, and possibly take action on the donation of funds to the Blessings From God Food Pantry to help with repairs.
19. Adjourn

Dated this 4<sup>th</sup> day of January 2023

Bill Whitmire  
Bill Whitmire  
Milam County Judge

I, the undersigned County Clerk, do hereby certify that the above notice of the **Regular Meeting** of the Milam County Commissioners Court is a true and correct copy of said Notice. Further, the Notice is published on the Courthouse Door and the County Clerk's Office of Milam County, Texas and at other places readily accessible to the public at all times beginning on the **4<sup>th</sup> day of January 2023**. The Notice will remain posted continuously for at least 72 hours preceding the schedules date and time of said court.

County Clerk of Milam County, Texas  
Jodi Morgan  
Jodi Morgan,  
Milam County Clerk



**JODI MORGAN**  
County Clerk

Filed 5<sup>th</sup> day of Jan  
in 2023, At 8:44A M.  
JODI MORGAN  
County Clerk Milam County, Texas  
By Jodi Morgan  
Deputy

*(This Court reserves the right to convene in executive session at any time deemed necessary for the consideration of confidential matters in accordance with Texas 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.)*

## EXHIBIT A



### RULES OF PROCEDURE, CONDUCT, AND DECORUM

#### AT MEETINGS OF THE

#### MILAM COUNTY COMMISSIONERS COURT

- I. All Regular, Special, Emergency and Executive Session Meetings of the Milam County Commissioners Court will be called and conducted in accordance with the provisions of the Texas Open Meetings Act, Chapter 551, Government Code.
- II. Regular, Special, and Emergency Meetings of the Milam County Commissioners Court are open to the public and to representatives of the press and media. Executive Sessions of the Commissioners Court are not open to the public, the press, or the media and only those individuals expressly requested or ordered to be present are allowed to attend Executive Sessions.
- III. The Milam County Commissioners Court generally meets in Regular Session on the second and fourth Mondays of each month. In order for a matter or issue to appear as an agenda item on the Agenda of any Regular Meeting of the Commissioners Court, a request must be filed with and approved by at least the County Judge or one Commissioner by 12:00 p.m. on the Monday immediately preceding the next Regular Meeting of the 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 general 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 on an agenda item and submits the same to the County Clerk prior to the time the Court convenes the meeting. A sample of the Milam County Commissioners Court Public Participation Form is attached hereto as Exhibit "A".
  - 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 person designated by the Commissioners Court.
  - b. Maximum discussion on any agenda, regardless of the number of members of the public wishing to address the Commissioners Court shall be limited to thirty (30) minutes. In the event that more than six (6) members of the public wish to address the court on a particular agenda item (or items), then no more than six (6) members of the public shall be recognized to speak and that number 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), with speakers selected in the order received by the court.
  - c. In matters of exceptional interest to the Court, the Court may, by the majority vote of the members of the Court in attendance at the meeting, shorten or lengthen the time allocated

for comments from the public and/or the amount of time allocated for all agenda items and/or a specific agenda item.

- d. It is the intention of the Court to provide an opportunity 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, with both judicial and legislative powers, created under Article V, Section 1 and Section 18 of the Texas Constitution. As 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.
  - e. It is not the intention of the Milam County Commissioners Court to provide a public forum for discussion of non-agenda matters, nor 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:
    - i. Cancellation of a speaker's remaining time,
    - ii. Removal from the Commissioners Courtroom,
    - iii. A Contempt Citation, and/or
    - iv. Such other civil and/or criminal sanctions as may be authorized under the Constitution, Statutes and Codes of the State of Texas.
- V. All members of the Court and public are expected to conduct themselves in a manner that demonstrates respect towards others and the Court itself. Behavior that impedes or disrupts the business of the Commissioners Court with Court is in session is prohibited and unlawful pursuant to Texas Penal Code § 42.05. It is the intention of the Milam County Commissioners Court to attend to the County business effectively and efficiently, without undue interruption. All cell phones, pagers, and other mobile devices should be in silent mode at all times while this Court is in session.
- VI. The County Judge is the presiding officer of the Milam County Commissioners Court and is a fully participating member thereof. In the event of the absence of the County Judge, the senior member of the Commissioners Court (in terms of total number of years as an elected member of Commissioners Court) present at the Regular, Special, Emergency meeting or Executive Session, shall serve as the Judge Pro-Tern of the Court. However, nothing herein shall prevent the senior member of this Commissioners Court from delegating this duty to another member of the Commissioners Court.
- VII. The County Judge (or the designated Judge Pro-Temp of the Commissioners Court), as presiding officer of the Commissioners Court, is responsible for conducting all meetings in accordance with these Rules of Procedure, Conduct, and Decorum. Members of the public who have properly

completed a Public Participation Form and submitted same to the County Judge's office must wait to be recognized before they will be allowed to address the Court.

VIII. Special rules for the press and media:

- a. No media personnel or equipment, including lights, cameras or microphones will be located in the Commissioners Court in a manner that would obstruct the view or hearing of any attendees in the audience, and, in no event, will personnel or equipment be placed closer than ten (10) feet from the bench.
  - b. Reporters and media technicians are required to structure their movements, equipment set-up, take-down and adjustments, etc., in such a manner as to not disrupt the Commissioners Court deliberations or the ability of the public to see, hear, and participate in the proceedings.
  - c. Media interviews shall not be conducted inside the Commissioners Courtroom during the time the Court is in session.
  - d. Media interviews which are conducted outside the Commissioners Courtroom should be conducted in such a manner that the interview does not disturb, impede, or disrupt the proceedings of any regular, special, or emergency and/or executive session of the Court.
- IX. The Sheriff of Milam County, Texas, or his designated deputy, shall serve as the bailiff at all regular, special, and emergency meetings of the Court; however, in the event of the absence of the Sheriff, or in the event that there exists a conflict of interest between the Sheriff, any member of the Sheriff's office, and the Commissioners Court, or in the event of an Executive Session of the Court in which the Sheriff is not an authorized participant, then in such event, the Court shall appoint such other commissioned peace officer to serve as bailiff as may be necessary.
- X. From time to time, the Commissioners Court shall conduct town meetings and public hearings. These rules of procedure, conduct and decorum shall also apply to such town meetings and public hearings; however, the Commissioners Court may adopt such additional and supplemental rules for such meetings and hearings as may be necessary and appropriate to conduct such meetings and hearings in accordance with State Law in an orderly, efficient, and proper manner.
- XI. These Rules of Procedure, Conduct and Decorum at Meetings of the Milam County Commissioners Court shall be effective immediately upon adoption by the Court and shall remain in full force and effect until amended or repealed by a majority vote of the Commissioners Court. These rules may be temporarily suspended by majority vote of the Court in a manner that does not conflict with the Texas Open Meetings Act.

*[Signature Page Follows]*

**ADOPTED BY A UNANIMOUS VOTE OF THE MILAM COUNTY COMMISSIONERS COURT, on this the \_\_\_\_\_ Day of \_\_\_\_\_ 2023, as a modification of the Rules adopted on the 12<sup>th</sup> day of April 1999.**

\_\_\_\_\_  
Bill Whitmire, County Judge

\_\_\_\_\_  
Henry Hubnik, Commissioner, Precinct 1

\_\_\_\_\_  
James Denman, Commissioner, Precinct 2

\_\_\_\_\_  
Art Neal, Commissioner, Precinct 3

\_\_\_\_\_  
Wesley Payne, Commissioner, Precinct 4

**Attest:**

\_\_\_\_\_  
Jodi Morgan, County Clerk

**EXHIBIT B**

**PERMIT APPLICATION FOR COUNTY ROAD ENTRANCE**

**Henry “Hub” Hubnik  
Commissioner, Precinct #1  
P. O. Box 25  
Buckholts, Texas 75618  
254-593-3171**



**Art Neal  
Commissioner, Precinct #3  
107 N. FM 487  
Rockdale, Texas 76567  
512-446-2580**

**James Denman  
Commissioner, Precinct #2  
3106 N. Travis  
Cameron, Texas 76520  
254-697-7054**

**Wesley Payne  
Commissioner, Precinct #4  
P. O. Box 395  
Thorndale, Texas 76577  
512-898-2115**

DATE OF APPLICATION: \_\_\_\_\_

TYPE OF USE (Check One):            \_\_\_\_\_ RESIDENTIAL USE            \_\_\_\_\_ AGRICULTURE USE  
   \_\_\_\_\_ COMMERCIAL USE            \_\_\_\_\_ INDUSTRIAL USE

NAME OF THE APPLICANT: \_\_\_\_\_

APPLICANT MAILING ADDRESS: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

PROPERTY OWNER’S NAME: \_\_\_\_\_; PROPERTY ID#: \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_

COUNTY ROAD(S) INVOLVED: \_\_\_\_\_

DESCRIPTION OF THE LOCATION FOR ROAD RIGHT-OF-WAY TO BE UTILIZED (including the length of the right-of-way):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**\*\* PRIOR TO ANY INSTALLATION, CONTACT THE PRECINCT COUNTY COMMISSIONER \*\***

Instructions

1. Fill out the County Road Entrance Permit Applications and contact the County Commissioner’s office for the respective precinct.
2. Applicants must meet the Milam County Commissioner on site with a County Road Entrance Permit Application.
3. A representative from the County Commissioner’s office will inspect the driveway location and determine the required culvert diameter, length, and type, including concrete abutments if necessary. Any needed modifications to the ditch/flowline will be noted and established by the Precinct Commissioner prior to commencing driveway construction. The County Commissioner’s office will notify the applicant of culvert specifications within seven (7) days.

Permit Fee:

- Private & Agriculture: \$25 (\$100 Penalty for not acquiring a permit)



- Commercial: \$150 (\$500 Penalty for not acquiring a permit)
- Industrial: \$1,000 (\$20,000 Penalty for not acquiring a permit)

**BY GRANTING THIS PERMIT, THE COUNTY DOES NOT ASSUME ANY RESPONSIBILITY FOR ANY DAMAGES FROM ANY SOURCES THAT MIGHT OCCUR TO MATERIAL AND/OR OBJECTS PLACED ON COUNTY RIGHT-OF-WAY.**

<b><u>OFFICIAL USE</u></b>	
_____ ft culvert X \$ _____ / ft = _____ + \$ _____ (permit fee);	Penalty \$ _____; Total Pd. \$ _____
Sized By: _____; Printed Name: _____	
Date: _____; Required Culvert Diameter: _____ Inches; No Culvert Required: _____	
Comments: _____ _____	
Inspected By: _____; Printed Name: _____	
Date: _____	
Comments: _____ _____	
County Commissioner Signature: _____	
Comments: _____ _____	

**Entrance Cost Per Foot of Culvert**

Private/Agricultural:	\$15 per foot
Commercial:	\$25 per foot
Industrial:	\$100 per foot

**MILAM COUNTY REQUIREMENTS FOR PERMITS  
TO CONSTRUCT ACCESS DRIVEWAYS ON COUNTY RIGHT-OF-WAY**

By adoption of these requirements, the Milam County Commissioners Court finds that the purpose of the Milam County Right-of-Way Driveway Access Standards is to promote the public health, safety, and general welfare of the county, to ensure access that does not impede public drainage, traffic, public safety, or public road maintenance; and to ensure accurate 911 addressing for EMS employees, emergency response vehicles, Sheriff's Deputies, First Responders, and other service providers.

1. A permit from Milam County will be required for any driveway connecting to a county road. The Private/Agricultural driveway permit fee is \$25 plus any additional fees based on the installation of a culvert or other structure in the county right-of-way. The fee for noncommercial joint access driveways is \$50 plus any additional fees based on the installation of a culvert or other structure in the county right-of-way. The commercial driveway permit fee is \$150 plus any additional fees for installation of a culvert or other structure placed in the county right-of-way. Commercial driveways include but are not limited to, multiple residence developments or subdivisions, RV parks, manufactured home parks, retail businesses. The industrial driveway permit fee is \$1,000 plus any additional fees for installation of a culvert or other structure placed in the county right-of-way. Industrial driveways include but are not limited to, oil and gas facilities, oil field location entrances, and large-scale industrial complexes.
2. Permits for driveways not requiring a culvert (dip-type driveways) will not have any additional fees. Dip-type driveways are allowed and must be properly designed to not impede the natural drainage along the roadway, to not cause damage to the road shoulder, and to not cause scouring of the public roadway surface or of the county drainage ditch.
3. The driveway must be located within twenty-five feet (25') of the designated 911 address. Driveway permits will not be issued without applicant also obtaining a 911 address.
4. No more than two (2) properties may be serviced by a joint driveway.
5. Non-Commercial driveways shall be spaced no closer than twenty-five feet (25") to any other driveway. Driveways serving a commercial development shall be spaced at the minimum intervals of one hundred-fifty feet (150').
6. Installation of non-commercial driveways requiring culverts will be done by the Milam County Commissioner in whose precinct the driveway is located. Milam County sets culverts at the additional fee of \$15.00 per foot of culvert. At the sole discretion of the Milam County Commissioner in whose precinct the driveway is to be located, Milam County may allow a culvert installation by a private contractor in compliance with County standards. Included in as part of Milam County's installation of culverts, Milam County will provide the labor and equipment needed to set the culvert and enough flexible base material to adequately cover said culvert. Entrances, fencing, gates, road surface materials will be the sole obligation of the Applicant.
7. Commercial driveways and real estate development driveways will be installed by a contractor approved by County and be constructed in compliance with county standards or as requested by the Milam County Commissioner. A representative of Milam County will inspect the installation to make determinations on the required structure and placement according to County requirements.
8. All persons needing culverts must acquire them and have them delivered to the site where they are to be installed. All driveway pipes shall be corrugated galvanized metal pipe of adequate size and length per the application site as approved by the Milam County

- Commissioner. Alternate driveway pipe material may be permitted at the sole discretion of the Milam County Commissioner in whose precinct the driveway is located.
9. Minimum culvert length is twenty-four feet (24'). Maximum culvert length is forty feet (40'). Any culvert lengths over forty feet must be approved in writing by the Milam County Commissioner in whose precinct the driveway is located.
  10. Existing driveways and the associated maintenance are the responsibility of the current landowner.
  11. Milam County reserves the right to inspect driveways and to require such changes as may be necessary. If at any time a driveway or culvert is deemed to cause a traffic hazard, maintenance obstacle, adverse drainage, or pose damage to the existing roadway, Milam County will notify the property owner. If the culvert cannot be repaired, the driveway may be removed by the county. Applicant will be required to re-apply for a driveway permit with no fee, except owner is responsible for any additional costs based on the size of the new culvert and provided the landowner provides an approved replacement culvert.
  12. Failure to obtain a permit prior to installing a driveway incurs a penalty as follows \$100 for noncommercial driveways and \$500 for commercial driveways. Imposition of the penalty may be appealed to the Milam County Commissioners Court for a determination whether the penalty shall be imposed.
  13. Milam County shall adopt forms for use in the administration of these regulations.
  14. Typically, only one driveway to a property under the same ownership or controlling interest may be granted. Additional driveways may be permitted by the Milam County Commissioners Court as a variance to these rules if the necessity for such access (due to topography, size of the tract, number of roads adjacent to the property, proposed use of the driveway(s), e.g., residential/commercial/oil activities) is demonstrated.
  15. These amended rules take effect upon their passage.

*1 to 15 – adopted in Milam County Commissioner’s County on date*