

THE STATE OF TEXAS

COUNTY OF LYNN

On this, the 28th day of October, 2024, the Lynn County Commissioner's Court of Lynn County met in a Regular Called meeting at 9:30 a.m., at the regular meeting place thereof in the County Court Room in the Courthouse in Tahoka, Lynn County, Texas, with the following members of court, to wit:

Mike Braddock

Matt Woodley

John Hawthorne

Don Blair

Larry Durham

Karen Rendon

County Judge

Commissioner, Precinct One

Commissioner, Precinct Two

Commissioner, Precinct Three

Commissioner, Precinct Four

County Clerk and Ex Officio Clerk of the Court

Commissioner's Hawthorne, Blair, Durham, and Judge Braddock were present, and the following member(s) absent: Matt Woodley constituting a quorum of the Court present, at which time the following business, among other proceedings, was had:

Judge Mike Braddock started the meeting with the pledge of allegiance to the United States and Texas flags, and County Commissioner Hawthorne, lead the invocation.

2. Public Comments pertaining to agenda items

Judge Braddock gave the public an opportunity to discuss anything relating to agenda items. No one from the public addressed the court.

3. Tyler Norris to Speak about CR L

Judge Braddock introduced Tyler Norris to speak about CR L.

Tyler Norris, from Broadview Estates, discussed a cost share with the County and Judge Braddock stated that Mr. Arm had promised that the county would never have to maintain the road. Norris was interested in making ½ mile of County Road L a private road to not have the subdivision to the north of the benefiting from the road they are maintain. Judge Braddock did not see it becoming a private road, because then the whole section of L from 211 North to the county line would be private. It was suggested that Broadview reach out to the subdivision to the North and cost share.

4. Discuss and Act upon Commissioner's Court Order – DMV Form VTR-119, Application for General Issue License Plates for Exempt vehicle for Chris Hennsley, Chief Deputy. This will be on the 2024 Chevrolet Trail Boss pickup.

Sheriff Mason states that this item was tabled in the last session for the Judge's input. The only thing we have to say we have had one for three years that has been unmarked and no one's told me until now. The other thing will be the emergency management coordinator does not have plates on his vehicle either and he is not marked. If there is only supposed to be one in the county that is not marked and we have two.

Judge Braddock asked why is his not marked.

Sheriff Mason stated she did not know.

Tax Assessor Grant stated he is supposed to be.

Sheriff Mason asked if Kathy remembered.

Tax Assessor Grant stated yes.

Judge Braddock asked if he is supposed to be marked.

Tax Assessor Grant stated yes, he showed me.

Sheriff Mason asked if it says exempt on the tag.

Tax Assessor Grant stated no.

Sheriff Mason stated then it does not have to be marked.

Treasure Schuknecht asked if his license plate states exempt.

Sheriff Mason stated yes.

Treasurer Schuknecht stated that yes she does believe that his license plate does say exempt. He does have the wording for what is supposed to be on the vehicle. He is just waiting to get something.

Chief Deputy Hennsley stated it is not a big deal to him. His personal opinion is that the white Chevy pickup is the only vehicle that you can do any surveillance from. Even the Sheriff's is an unmarked black truck, but it has police wheels on it. It looks like a police vehicle. It whatever you guys want to do with it. I think it would be a waste to do that to that vehicle and not utilize it.

Judge Braddock stated you know when the first time this came up and we did it to your vehicle. We pretty well agreed it was going to be one vehicle in the county. But y'all had mentioned that was what you were going to use the old dodge for, was undercover.

Chief Deputy Hennsley stated the dodge is its way out the door. We just had to put an exhaust manifold replaced on it and a battery on it this weekend.

Sheriff Mason there was at a domestic and the vehicle did not turn over.

Chief Deputy Hennsley stated it will be what y'all want to do he is just giving his input over it.

Judge Braddock stated that he believes it was decided to just have one vehicle. I don't know if anyone else agrees.

Sheriff Mason asked when that was decided and put in play.

Judge Braddock stated it had not been decided until right now.

Sheriff Mason stated that she had been told last week it was decided.

Judge Braddock stated that they had talked about it.

Treasurer Schuknecht stated that she knows it was talked about with Abraham (previous sheriff) too. Abraham was the one that came and said if it was not marked, they could not lead a pursuit, they couldn't make a stop.

Chief Deputy Hennsley none of that is accurate.

Sheriff Mason stated it is on a call out basis. He is not leading anything.

Chief Deputy Hennsley stated that most policies, even Lubbock, that if you are in an unmarked vehicle and initiate a pursuit. One that is marked gets there and the unmarked becomes number two and drops out of the pursuit. That is common sense in law enforcement. In general, the way our Tahoe's are equipped the lights, dash lights, and rear lights. Anyone running from you unless they are beside you. Will not know if it is marked or unmarked. It is a hazard to do that. There is a minimal time that is going to happen. It will be pretty rare.

Sheriff Mason states that her question is she has an unmarked unit for a chief deputy for three years and no one said a word.

Judge Braddock ask if he had VTR plates on it?

Sheriff Mason states she doesn't think they were doing VTR-119 before Kathy came. She is the one that brought that in. She said this is mandated through the MDR. If you do not put the word "EXEMPT" on you license plate, there will pay the \$107 fee. That is the only difference between the \$7

dollar fee and the \$107 fee. Mason than ask Grant Is that about to go up to \$14.50? Are they going to take the Motor Vehicle Inspection off?

Tax Assessor Grant said yes.

Sheriff Mason states January 1, the registration does go up to \$14.50 for registration.

Judge Braddock asks for the commissioners' thoughts on having two unmarked vehicles in the county.

Commissioner Blair asks if you are in a unmarked vehicles you cannot make stops.

Sheriff Mason states if you are in an unmarked vehicle, you can stop any violation except for speed by itself. If there is a radar in that vehicle, he can check speed, but in order to stop a vehicle using red and blue lights you have to have another violation. That is state law. He is not in the habit of stopping vehicles either. At this stage he is an investigator.

Chief Deputy Hennsley states it cannot be used for routine traffic enforcement. We are not going to try and catch people or bait them to try and go fast. That is what they have moved away from, because that was an issue back in the day. Now it is simply the vehicle I get called out to usually three times a week. I do have lights and sirens on it, to get to barricade subjects or whatever I have to get to it. If it is huge heartburn, it is no big deal. I am just giving my input that vehicle is about as undercover as you are going to get for a police vehicle.

Commissioner Blair asked if he would drive this vehicle every day even though it is unmarked.

Chief Deputy Hennsley stated yes sir.

Commissioner Durham asked if he does not usually stop someone that is speeding.

Chief Deputy Hennsley responded no sir, not unless it is a reckless driver or a careless driver.

Commissioner Durham asked what if they are driving 25 mph over the speed limit.

Chief Deputy Hennsley responded yes sir, but there is a different violation at that point. It is not just speeding. What we are saying is we will not just go sit out on the side of the highway and people not believing it is a police vehicle and do radar with it.

Sheriff Mason said you can legally though. If he chooses to.

Commissioner Blair asked if this vehicle will have all of the lights.

Sheriff Mason and Chief Deputy Hennsley both responded yes sir.

Chief Deputy Hennsley said Just like the Tahoes, the same lights on the visors, rear dash, and the back of the pickup. If you get right up on it you can tell it is a police vehicle.

Commissioner Hawthorne said I see what you are saying it will be like a lot of unmarked vehicles you can tell what it is.

Chief Deputy Hennsley said that if we do set up on someone's house like in Wilson, no offense, is the worse. You put an unmarked cop car in that town and if it even looks like a cop car everybody knows it is there. I get text from the crooks saying hey we know you are watching our house.

Judge Braddock asked is it necessary to have it if everybody knows.

Sheriff Mason said that on my vehicle you can tell. The chevy looks like a civilian vehicle till you get up closer to the sun visor and see the lights. We are at the mercy of the court on whatever y'all decide.

Judge Braddock asked what are you thinking Don. It is hard for him to do.

Commissioner Blair states one of the questions brought up is do you have to stop for an unmarked vehicle.

Chief Deputy Hennsley said yes sir, because of the audio and visual warning signs. It is no different than form our Tahoes. Unless you are alongside it you will not be able to tell any way. The lighting is the same on both units and the sirens.

Sheriff Mason stated that covert actions are what the vehicle will be used for, investigating purposes.

Tax Assessor Gant stated that in the past the department just paid the fees.

Sheriff Mason stated that yes, in the past she just paid the fees. She must have permission to get the VTR-119, because it is what we would call an undercover.

Commissioner Hawthorne asked if it has the exempt plates, does it have to be marked.

Sheriff Mason said yes sir.

Treasurer Schuknecht stated that on the extension vehicles we had to put something on there.

Chief Deputy Hennesley stated that on the extension vehicles it should be a lot bigger than what is on there.

Sheriff Mason added yes, it is supposed to be much larger than what y'all have.

Commissioner Blair asked if we just have one right now.

Sheriff Mason said yes sir.

Judge Braddock asked if there were any other thoughts.

Sheriff Mason stated that after this year she does not have a problem not doing the VTR-119 on mine getting an exempt plate and having hers marked. So, there would only be one since she did hers in August.

Chief Deputy Hennesley added that the vehicle does not belong to him but to the county. That if the guys have a spot. They can come get that vehicle for that purpose. It is not a Chris vehicle it is a county vehicle.

Commissioner Hawthorne confirmed that when her vehicle comes up then she will get the exempt plates.

Commissioner Durham asked if people who they are surveilling look at the license plates.

Sheriff Mason said yes.

Chief Deputy Hennesley they will look at the license plate, but not so much at nighttime. To get the exempt license plates though the vehicle will have to be stripped.

Commissioner Durham stated he never looked at the license plate, but if those particular people are looking at the license plate.

Sheriff Mason stated the lieutenant has some input.

Lieutenant Dahl asked if he was allowed to speak as the lead investigator for the sheriff's office. The condition of our nation and the threats that are coming in it is very beneficial to have an unmarked police vehicle. There are numerous instances where we cannot act, because of the markings. I think with the things that are going on in our nation and world now that's a valuable asset. As the lead investigator of the sheriff's office, I would like to keep it unmarked. So, that I can have access to it.

Judge Braddock asked if it would be feasible to allow the Chevy to do it then allow sheriffs to go back to exempt next year.

Sheriff Mason said yes, and asked if she would have to come back in front of the leadership to do that?

Tax Assessor Grant stated that we could fill out one of the forms and let it be generic going and forward. I don't think we have to do this for every vehicle, but I am new too so.

Judge Braddock asked for a motion to accept.

Commissioner Blair made the motion that (Hennesley's) vehicle be unmarked, and that (Mason's) vehicle will go back to being exempt vehicle after the expiration in August (2025). Commissioner Durham seconded the motion. All were in favor and motion carried.

5. Discuss and act upon 2025 Lynn County Resolution for Indigent Defense Grant Program

Judge Braddock discussed the current cost of the Indigent Defense Program. It is probable for an increase of what will be paid in the near future to have enough attorneys. Currently we are paying \$300.00. All of the other counties have gone to \$500.00. Judge Braddock asked for the motion on Indigent Defense.

Commissioner Durham made the motion and Commissioner Hawthorne made the second. All were in favor and motion carried.

6. Consider and act upon Budget Amendments

Amy Schuknecht, County Treasurer, stated there were no budget amendments to be approved.

7. Approve County Finance Reports

Amy Schuknecht, County Treasurer, stated there was not a finance report to approve.

8. Approve Bonds

Karen Rendon, County Clerk, stated there were no bonds to approve.

9. Sheriff's Office to give report

22 - Lynn

7 - Potter

7 - Lubbock

36 - Total inmates housed

Sheriff Mason also stated the Lubbock wishes to bring 7 more and they said yes. There will be an increase to 43 inmates housed at that point.

Judge Braddock asked for the latest information on the Prison in Post.

Sheriff Mason stated it is shut down September 30th. She has hired 2 jailers, and one is from there.

10. Approve and pay claims and payroll against the County

Amy Schuknecht, County Treasurer, read the bills to court. Commissioner Hawthorne made the motion with Commissioner Blair seconding the motion to approve and pay the claims and payroll against the county. All voted in favor, motion carried.

11. Discuss any other items pertaining to County Business for informational purposes only, no action may be taken on these items except to schedule them for future agenda

Commissioner Durham asked if Broadview Estates will be on the agenda after County Attorney Filley is done with research.

Judge Braddock introduced the new commissioner for precinct 3, Jerry "Tate" Gass.

12. Adjourn or recess meeting

Commissioner Blair made the motion with Judge Braddock seconding the motion to adjourn the meeting at 10:17 AM. All voted in favor, motion carried.