



April 12, 2022

**NOTICE OF COMMISSIONERS COURT MEETING**

Notice is hereby given that the Erath County Commissioners Court will meet in Emergency Session on Tuesday, April 12, 2021, at 10:00 a.m. in the 2<sup>nd</sup> floor courtroom at the Erath County Courthouse, Stephenville, Texas to consider the following agenda items for discussion and possible action:

1. Presentation and acceptance of Official Bond and Oath of Kay McLearen, County Auditor First Assistant for filing with County Clerk.
2. Closed Executive Session in Accordance with the Open Meeting Act, *Tex. Govt. Code 551.071 through 551.086*, to discuss:
  - a. Personnel
  - b. Legal Matter
  - c. Real Estate
  - d. Reconvene
3. Adjourn

*Alfonso Campos*

COUNTY JUDGE  
ERATH COUNTY, TEXAS



POSTED

A.M. 6:40 P.M.

APR 11 2022

GWINDA JONES, COUNTY CLERK  
ERATH COUNTY, TEXAS

By G Deputy

Erath County Reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed, as authorized by the Texas Government Code, §551.071 (Consultation with Attorney), subsection 551.071(2) (Consultation with Attorney on legal matters that are not related to litigation), §551.072 (Deliberations regarding Real Property), §551.073 (Deliberations about Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations about Security Personnel or Devices), §551.087 (Economic Development), §551.088 (Deliberation regarding Test Item), and §551.089 (Deliberation regarding Security Devices or Security Audits).

Commissioner's Court  
Emergency Meeting  
April 12, 2022  
10:00 a.m.  
Courthouse – County Courtroom

Present:

Commissioner Precinct #1 – Dee Stephens - Present

Commissioner Precinct #2 – Albert Ray - Present

Commissioner Precinct #3 – Joe Brown - Present

Commissioner Precinct #4 – Jim Buck - Present

County Judge, Alfonso Campos

County Clerk, Gwinda Jones

Others present in the courtroom: See attached roster

Agenda Item #1 Presentation and acceptance of Official Bond and Oath of Kay McLearen, County Auditor First Assistant for filing with County Clerk.

Judge Cashon signed Order granting 1<sup>st</sup> Assistant County Auditor Kay McLearen the authority to perform all statutory duties required by law of the county auditor in Kent Reeves absence.

Number 2022-109

Motion: To accept Bond and Oath of Kay McLearen County Auditor First Assistant

Made By: Commissioner Buck

Second By: Commissioner Ray

Ayes: Stephens X Ray X Brown X Buck X Judge Campos X

Noes: None

Motion Carried

Agenda Item #2 Closed Executive Session in Accordance with the Open Meeting Act, Tex. Govt. Code 551.071 through 551.086, to discuss:

a. Personnel

b. Legal Matter

c. Real Estate

d. Reconvene

Number 2022-110

Motion: To recess and go into Closed Executive Session 10:03 a.m.

Made By: Commissioner Buck

Second By: Commissioner Stephens

Ayes: Stephens X Ray X Brown X Buck X Judge Campos X

Noes: None

Motion Carried

\*No votes were taken in closed session

Number 2022-111

Motion: To re-open in open session 10:12 a.m.

Made By: Commissioner Buck

Second By: Commissioner Brown

Ayes: Stephens X Ray X Brown X Buck X Judge Campos X

Noes: None

Motion Carried

Motion To Adjourn:

Made By: Commissioner Buck

Second By: Commissioner Ray

All Ayes Meeting Adjourned At 10:13 a.m.

STATE OF TEXAS

COUNTY OF ERATH

The above and foregoing is a true and complete copy of the minutes taken in my capacity as County Clerk of the Commissioners Court of Erath County, Texas, at the time and place heretofore set forth.

DATED at Stephenville, Texas, this 12th day of April, 2022.

ATTESTED BY:

GWINDA JONES, Erath County Clerk

A handwritten signature in cursive script that reads "Gwinda Jones". The signature is written in black ink and is positioned above a horizontal line.

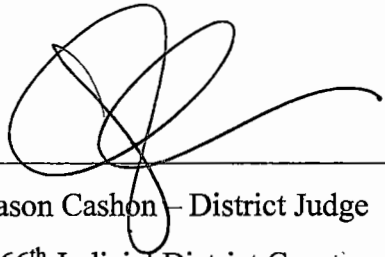


In the 266<sup>th</sup> District Court

Erath County, Texas

**ORDER PURSUANT TO TEXAS GOVERNMENT CODE**  
**SECTION 84.021 APPOINTING 1<sup>ST</sup> ASSISTANT AUDITOR**

On this the 11<sup>th</sup> day of April, 2022 the Court finds that County Auditor Kent Reeves is absent or unavoidably detained and unable to perform the statutorily required duties. The Court ORDERS that 1<sup>st</sup> Assistant County Auditor Kay McLearn has the authority to perform all statutory duties required by law of the county auditor. This Order shall include, but is not limited to, the authority to conduct banking transactions, investment transactions, grant transactions, and all other regular duties of the county auditor. A bond shall be executed in the name of Kay McLearn running in favor of Erath County and the County Auditor at the expense of Erath County. This Order shall be valid and subsisting until further order of this Court.



Jason Cashion – District Judge  
266<sup>th</sup> Judicial District Court  
Erath County, Texas

4/11/22

Date

FILED FOR RECORD  
AT 1:56 O'CLOCK PM

APR 11 2022

*Wanda Green*  
CLERK DISTRICT COURT ERATH COUNTY, TEX

Texas



# Western Surety Company

## OFFICIAL BOND AND OATH

THE STATE OF TEXAS }  
County of ERATH } ss

KNOW ALL PERSONS BY THESE PRESENTS:

BOND No. 66211794

That we, Kay Mclearn, 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 COUNTY JUDGE, his successors in office, in the sum of 2 Five Thousand and 00/100 DOLLARS (\$5,000.00), for the payment of which we hereby bind ourselves and our heirs, executors and administrators, jointly and severally, by these presents.

Dated this 11th day of April, 2022.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the above bounden Principal was on the 11th day of April, 2022, duly Appointed County Auditor FIRST (Elected—Appointed) to the office of ASSISTANT in and for 3 ERATH County, State of Texas, for a term of 1 year commencing on the 11th day of April, 2022.

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 first assistant county auditor.

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 claim made against this bond, the liability of the Surety shall not be cumulative and the aggregate liability for any and all claims, suits, or actions under this bond shall not exceed the amount stated above. Any 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.



Kay Mclearn Principal  
WESTERN SURETY COMPANY  
By Paul T. Bruffat  
Paul T. Bruffat, Vice President

ACKNOWLEDGMENT OF PRINCIPAL

THE STATE OF TEXAS

County of ERATH } SS

Before me, JASON CASHON on this day, personally appeared KAY McLearen, 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 Erath County, Texas, this 11 day of April, 2022.

JC - DISTRICT JUDGE  
Erath County, Texas

SEAL

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, KAY McLearen, do solemnly swear (or affirm) that I will faithfully execute the duties of the office of 1st ASSISTANT AUDITOR - Erath Co., 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 Kay McLearen

Sworn to and subscribed before me at Erath County, Texas, this 11 day of April, 2022.

JC - DISTRICT JUDGE  
Erath County, Texas

SEAL

THE STATE OF TEXAS }  
County of Erath } ss

The foregoing bond of Kay Mc Learen as  
County Auditor First Assistant in and for Erath County and State of Texas, this day  
approved in open Commissioner's Court.

ATTEST:

[Signature] Clerk  
County Court Erath County

Date April 12, 2022  
[Signature] County Judge,  
Erath County, Texas

THE STATE OF TEXAS }  
County of \_\_\_\_\_ } ss

I, \_\_\_\_\_, County Clerk, in and for said County, do hereby certify  
that the foregoing Bond dated the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, with its certificates of  
authentication, was filed for record in my office the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at  
\_\_\_\_\_ o'clock \_\_\_ M., and duly recorded the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at  
\_\_\_\_\_ o'clock \_\_\_ 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 \_\_\_\_\_,  
Texas, the day and year last above written.

\_\_\_\_\_  
Clerk  
By \_\_\_\_\_ Deputy County Court \_\_\_\_\_ 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 11th day of April,  
2022, 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.



[Signature]  
Notary Public

My Commission Expires June 18, 2025



# Western Surety Company

## POWER OF ATTORNEY

### KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Paul T. Bruflat of Sioux Falls,  
State of South Dakota, its regularly elected Vice President,  
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One County Auditor County of JUDGE JASON CASHON

bond with bond number 66211794

for Kay Mclearen

as Principal in the penalty amount not to exceed: \$ 5,000.00.

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its Vice President with the corporate seal affixed this 11th day of April, 2022.

ATTEST

P. Leitheiser, Assistant Secretary

WESTERN SURETY COMPANY

Paul T. Bruflat, Vice President

STATE OF SOUTH DAKOTA }  
COUNTY OF MINNEHAHA } ss



On this 11th day of April, 2022, before me, a Notary Public, personally appeared Paul T. Bruflat and P. Leitheiser who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Vice President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.



My Commission Expires March 2, 2026

Notary Public

To validate bond authenticity, go to [www.cnasurety.com](http://www.cnasurety.com) > Owner/Obligee Services > Validate Bond Coverage.

