

THE STATE OF TEXAS     )  
                                      :  
COUNTY OF WINKLER     )

On this the 10<sup>th</sup> day of February, 2014, the Commissioners' Court of Winkler County, Texas, met in Regular Term of Court at the Courthouse in Kermit, Texas, with the following members present, to-wit:

- |                    |  |
|--------------------|--|
| Bonnie Leck        | County Judge   |
| Billy Stevens      | Commissioner, Precinct No. 1                                 |
| Robbie Wolf        | Commissioner, Precinct No. 2                                 |
| Randy Neal         | Commissioner, Precinct No. 3                                 |
| Billy Ray Thompson | Commissioner, Precinct No. 4                                 |
| Shethelia Reed     | County Clerk and Ex-Officio<br>Clerk of Commissioners' Court |

constituting the entire Court, at which time the following among other proceedings were had:

At 9:00 o'clock A.M. Judge Leck called the meeting to order and asked for matters of business from the audience. Hope Williams addressed the Court regarding County finances and buildings.

The Court heard presentation of Phil Gustafson of Parsons Commercial Roofing.

A motion was made by Commissioner Neal and seconded by Commissioner Thompson to table receiving Hospital Board of Control report from John Clark, Winkler County Memorial Hospital Administrator, and reviewing Financial Information and Monthly Reports from Winkler County Memorial Hospital; which motion became an order of the Court upon the following vote:

Ayes:           Commissioners Stevens, Wolf, Neal and Thompson  
Noes:           None

A motion was made by Commissioner Neal and seconded by Commissioner Thompson to table approving line item transfer(s), budget amendment(s) and salary schedule change(s) for Winkler County Memorial Hospital; which motion became an order of the Court upon the following vote:

Ayes:           Commissioners Stevens, Wolf, Neal and Thompson  
Noes:           None

A motion was made by Commissioner Wolf and seconded by Commissioner Neal to approve request of County Clerk to use the following County Buildings for Primary Election on Tuesday, March 04, 2014 and Primary Runoff Election on Tuesday, May 27, 2014:

**WINKLER COUNTY POLLING LOCATIONS****VOTING PRECINCT NO. 101**

Kermit Community Center  
118 N. Poplar  
Kermit, TX

**VOTING PRECINCT NO. 201**

Precinct Community Building  
735 N. Pine  
Kermit, TX

**VOTING PRECINCT NO. 202**

Community Center  
201 NE 3rd  
Wink, TX

**VOTING PRECINCT NO. 301**

Recreation Center  
1507 School Street  
Kermit, TX

**VOTING PRECINCT NO. 401**

Westside Community Center  
1204 W. San Antonio  
Kermit, TX

**EARLY VOTING**

County Clerk's Office  
Courthouse/100 E. Winkler  
Kermit, TX

which motion became an order of the Court upon the following vote:

Ayes: Commissioners Stevens, Wolf, Neal and Thompson  
Noes: None

A motion was made by Commissioner Neal and seconded by Commissioner Thompson to approve request of JoAnn Lujan to use Recreation Center at County Park in Kermit for birthday party on Saturday, March 22, 2014; which motion became an order of the Court upon the following vote:

Ayes: Commissioners Stevens, Wolf, Neal and Thompson  
Noes: None

A motion was made by Commissioner Thompson and seconded by Commissioner Stevens to approve request of Kermit Chamber of Commerce to use Community Center in Kermit on Tuesday, April 15, 2014 for Bunny Bingo; which motion became an order of the Court upon the following vote:

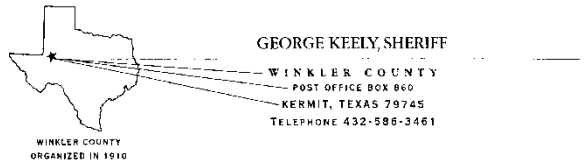
Ayes: Commissioners Stevens, Wolf, Neal and Thompson  
Noes: None

A motion was made by Commissioner Neal and seconded by Commissioner Stevens to approve request of Homer Lujan, on behalf of Kermit Independent School District, to use County Park in Kermit for bus rodeo on Saturday, April 26, 2014; which motion became an order of the Court upon the following vote:

Ayes: Commissioners Stevens, Wolf, Neal and Thompson  
Noes: None

A motion was made by Commissioner Neal and seconded by Commissioner Stevens to receive 2013 Racial Profiling Report from Winkler County Sheriff; which motion became an order of the Court upon the following vote:

Ayes: Commissioners Stevens, Wolf, Neal and Thompson  
Noes: None



WINKLER COUNTY  
SHERIFF'S DEPARTMENT  
RACIAL PROFILING REPORT  
FOR 2013


FEBRUARY 4, 2014

Since January 1, 2004, the Winkler County Sheriff's Office in accordance with the Texas Racial Profiling Law (S.B. No. 1074), has been collecting police contact data for the purpose of identify and responding (if necessary) to concerns regarding racial profiling practices. It is my hope that the findings provided in this report will serve as evidence that the Winkler County Sheriff's Office continues to strive towards the goal of maintaining strong relations with the community.

In this report, the reader will encounter several sections designed at providing background information on the rationale and objectives of the Texas Racial Profiling Law. Other sections contain information relevant to the institutional policies adopted by the Winkler County Sheriff's Office banishing the practice of racial profiling among its officers.

The final components of this report provide statistical data relevant to the public contacts made during the period of 1/1/13 and 12/31/13. It is my sincere hope that the channels of communication between community leaders and the Winkler County Sheriff's Office continue to strengthen as we move forward to meet the challenges of the near future.

GEORGE KEELY  
SHERIFF  
FEBRUARY 4, 2014

Sincerely,  
  
George Keely  
Sheriff

MISSION STATEMENT

The Winkler County Sheriff's Department will always strive to provide the highest quality service, preserving human rights, lives, and property, while attempting to achieve the mission goals of the department and the community. The Winkler County Sheriff's Department is committed to the highest professional standards, working in partnership with our citizens to problem solve and meet the challenges of reducing crime, creating a safer environment, and improving the community members' quality of life.

THE TEXAS LAW ON  
RACIAL PROFILING  
S.B. No. 1074

AN ACT relating to the prevention of racial profiling by certain peace officers BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Articles 2.131 through 2.138 to read as follows:

Art. 2.131. RACIAL PROFILING PROHIBITED. A peace officer may not engage in racial profiling.

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING. (a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties

(2) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual.

who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

Art. 2.133. REPORTS REQUIRED FOR TRAFFIC AND PEDESTRIAN STOPS. (a) In this article:

(1) "Race or ethnicity" has the meaning assigned by Article 2.122(a).

(2) "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic or who stops a pedestrian for any suspected offense shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of each person detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the traffic law or ordinance alleged to have been violated or the suspected offense;

(4) provide public education relating to the agency's complaint process;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article.

(6) require collection of information relating to traffic stops in which a citation is issued and to arrests resulting from those traffic stops, including information relating to:

(A) the race or ethnicity of the individual detained; and

(B) whether a search was conducted and, if so, whether the person detained consented to the search; and

(7) require the agency to submit to the governing body of each county or municipality served by the agency an annual report of the information collected under Subdivision (6) if the agency is an agency of a county, municipality, or other political subdivision of the state.

(c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make traffic stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make traffic stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a traffic stop or about an individual

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband was discovered in the course of the search and the type of contraband discovered;

(5) whether probable cause to search existed and the facts supporting the existence of that probable cause;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;

(7) the street address or approximate location of the stop; and

(8) whether the officer issued a warning or a citation as a result of the stop, including a description of the warning or a statement of the violation charged.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED. (a) In this article, "pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each local law enforcement agency shall submit a report containing the information compiled during the previous calendar year to the governing body of each county or municipality served by the agency in a manner approved by the agency.

(c) A report required under Subsection (b) must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) determining the prevalence of racial profiling by peace officers employed by the agency; and

(B) examine the disposition of traffic and pedestrian stops made by officers employed by the agency, including searches resulting from the stops, and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a traffic or pedestrian stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Commission on Law Enforcement Officer Standards and Education shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

Art. 2.135. EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and a law enforcement agency is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted,

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make traffic and pedestrian stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make traffic and pedestrian stops is equipped with transmitter-activated equipment, and

effort, financial hardship, available revenue, and budget surpluses. The criteria must give priority to

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A). The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has installed video and audio equipment as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1).

Art. 2.138. RULES. The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.

SECTION 2. Chapter 3, Code of Criminal Procedure, is amended by adding Article 3.05 to read as follows:

(B) each traffic and pedestrian stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each traffic and pedestrian stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a traffic or pedestrian stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

Art. 2.136. LIABILITY. A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT. (a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax

Art. 3.05. RACIAL PROFILING. In this code, "racial profiling" means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

SECTION 3. Section 96.641, Education Code, is amended by adding Subsection (j) to read as follows:

(j) As part of the initial training and continuing education for police chiefs required under this section, the institute shall establish a program on racial profiling. The program must include an examination of the best practices for

(1) monitoring peace officers' compliance with laws and internal agency policies relating to racial profiling;

(2) implementing laws and internal agency policies relating to preventing racial profiling; and

(3) analyzing and reporting collected information.

SECTION 4. Section 1701.253, Occupations Code, is amended by adding Subsection (e) to read as follows:

(e) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on racial profiling for officers licensed under this chapter. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

SECTION 5. Section 1701.402, Occupations Code, is amended by adding Subsection (d) to read as follows:

(d) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on racial profiling established by the commission under Section 1701.253(e).

SECTION 6. Section 543.202, Transportation Code, is amended to read as follows:

Sec. 543.202. FORM OF RECORD. (a) In this section, "race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) The record must be made on a form or by a data processing method acceptable to the department and must include:

- (1) the name, address, physical description, including race or ethnicity, date of birth, and driver's license number of the person charged;
- (2) the registration number of the vehicle involved;
- (3) whether the vehicle was a commercial motor vehicle as defined by Chapter 522 or was involved in transporting hazardous materials;
- (4) the person's social security number, if the person was operating a commercial motor vehicle or was the holder of a commercial driver's license or commercial driver learner's permit;
- (5) the date and nature of the offense, including whether the offense was a serious traffic violation as defined by Chapter 522;
- (6) whether a search of the vehicle was conducted and whether consent for the search was obtained;
- (7) the plea, the judgment, and whether bail was forfeited;
- (8) [ (7) ] the date of conviction; and
- (9) [ (8) ] the amount of the fine or forfeiture.

SECTION 7. Not later than January 1, 2002, a law enforcement agency shall adopt and implement a policy and begin collecting information under the policy as required by Article 2.132, Code of Criminal Procedure, as added by this Act. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.132, Code of Criminal Procedure, as

added by this Act, on March 1, 2003. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2002, and ending December 31, 2002.

SECTION 8. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.134, Code of Criminal Procedure, as added by this Act, on March 1, 2004. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2003, and ending December 31, 2003.

SECTION 9. Not later than January 1, 2002,

(1) the Commission on Law Enforcement Officer Standards and Education shall establish an education and training program on racial profiling as required by Subsection (e), Section 1701.253, Occupations Code, as added by this Act; and

(2) the Bill Blackwood Law Enforcement Management Institute of Texas shall establish a program on racial profiling as required by Subsection (j), Section 96.641, Education Code, as added by this Act.

SECTION 10. A person who on the effective date of this Act holds an intermediate proficiency certificate issued by the Commission on Law Enforcement Officer Standards and Education or has held a peace officer license issued by the Commission on Law Enforcement Officer Standards and Education for at least two years shall complete an education and training program on racial profiling established under Subsection (e), Section 1701.253, Occupations Code, as added by this Act, not later than September 1, 2003.

SECTION 11. An individual appointed or elected as a police chief before the effective date of this Act shall complete a program on racial profiling established under Subsection (j), Section 96.641, Education Code, as added by this Act, not later than September 1, 2003.

SECTION 12. This Act takes effect September 1, 2001.

S.B. No. 1074

S.B. No. 1074

\_\_\_\_\_  
President of the Senate      Speaker of the House

I hereby certify that S.B. No. 1074 passed the Senate on April 4, 2001, by the following vote: Yeas 28, Nays 2; May 21, 2001, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 22, 2001, House granted request of the Senate; May 24, 2001, Senate adopted Conference Committee Report by a viva-voce vote.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 1074 passed the House, with amendments, on May 15, 2001, by a non-record vote; May 22, 2001, House granted request of the Senate for appointment of Conference Committee; May 24, 2001, House adopted Conference Committee Report by a non-record vote.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor

WINKLER COUNTY  
SHERIFF'S DEPARTMENT  
RACIAL PROFILING POLICY

Winkler County Sheriff's Department  
Racial Profiling Policy  
Effective January 1, 2002

I. Purpose

The purpose of the policy is to reaffirm the Winkler County Sheriff's Department's commitment to unbiased policing in all its encounters between officer and any person, to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion, and to protect our officers from unwarranted accusations of misconduct when they act within the dictates of the departmental policy and the law.

II. Policy

It is the policy of the Winkler County Sheriff's Department to police in a proactive manner and, to aggressively investigate suspected victims of law. Officers shall actively enforce state and federal laws in a responsible and professional manner, without regard to race, ethnicity or national origin. Officers are strictly prohibited from engaging in racial profiling as defined in this policy. This policy shall be applicable to all persons, whether drivers, passengers or pedestrians.

This policy shall not preclude officers from offering assistance, such as upon observing a substance leaking from a vehicle, a flat tire, or someone who appears to be ill, lost or confused. Nor does this policy prohibit stopping someone suspected of a crime based upon observed action and/or information received about the person.

III. Definitions

**Racial Profiling** - A law enforcement initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

Racial profiling pertains to persons who are viewed as suspects or potential suspects of criminal behavior. The term is not relevant as it pertains to witnesses, complainants or other citizen contacts.

The prohibition against racial profiling does not preclude the use of race, ethnicity or national origin as factors in a detention decision. Race, ethnicity or national origin may be legitimate factors in a detention decision when used as part of an actual description of a specific suspect for whom an officer is searching. Detaining an individual and conducting an inquiry into that person's activities simply because of that individual's race, ethnicity or national origin is racial profiling. Examples of racial profiling include but are not limited to the following:

1. Citing a driver who is speeding in a stream of traffic where most other drivers are speeding because of the cited driver's race, ethnicity or national origin.
2. Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity or national origin is unlikely to own or possess that specific make or model of vehicle.
3. Detaining an individual based upon the determination that a person of that race, ethnicity or national origin does not belong in a specific part of town or a specific place.

A law enforcement agency can derive at two principles from the adoption of this definition of racial profiling:

1. Law Enforcement may not use racial or ethnic stereotypes as factors in selecting whom to stop and search, while they may use race in conjunction with other known factors of the suspect.
2. Law Enforcement may not use racial or ethnic stereotypes as factors in selecting whom to stop and search. Racial profiling is not relevant as it pertains to witnesses, etc.

**Race or Ethnicity** - Of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American.

**Publicities Stop** - An interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

**Traffic Stop** - A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic.

IV. TRAINING

Officers are responsible to adhere to all Texas Commission on Law Enforcement Officer Standards and Education training and the Law Enforcement Management Institute of Texas requirements as mandated by law.

All officers shall complete a TCLEOSE training and education program on racial profiling not later than the second anniversary of the date the officer is licensed under Chapter 1701 of the Texas Occupations Code or the date the officer applies for and intermediate proficiency certificate, which ever date is earlier. A person who on September 1, 2001, held a TCLEOSE intermediate proficiency certificate, or who had held a peace officer license issued by TCLEOSE for at least two years, shall complete a TCLEOSE training and education program on racial profiling not later than September 1, 2003.

V. COMPLAINT INVESTIGATION

1. The Winkler County Sheriff's Department will accept written complaints from any person who believes he/she has been stopped or searched based on racial, ethnic or national origin profiling. No person will be discouraged, intimidated or coerced from filing a complaint.
2. Any employee who received an allegation of racial profiling, including the officer who initiated the stop, shall record the person's name, address and telephone number, and forward the complaint through the appropriate channel or direct the individual(s). Any employee contacted will provide to that person a copy of a complaint form or the departmental process for filing a complaint. All employees will report any allegation of racial profiling to their superior immediately.
3. Investigation of a complaint will be conducted in a thorough and timely manner. All complaints will be acknowledged in writing to the initiator who will receive disposition regarding said complaint within a reasonable period of time. The investigation will be reduced to writing and any reviewer's comments or conclusions will be filed with the Sheriff. When applicable, make and/or suggestions for disciplinary action, retraining, or changes in policy will be filed with the Sheriff.
4. If a racial profiling complaint is sustained against an officer, it will result in appropriate corrective and/or disciplinary action that is at the discretion of the Sheriff.
5. If there is a departmental video or audio recording of the events upon which a complaint of racial profiling is based, upon commencement of an investigation by this department from the complaint and written request of the officer made the subject of the complaint, this department shall promptly provide a copy of the recording to that officer.

VI. PUBLIC EDUCATION

The Winkler County Sheriff's Department will inform the public of its policy against racial profiling and the complaint process. Methods that may be utilized to inform the public are news media and radio. Additionally, information will be made available and easy in the English language but also in the Spanish language.

VII. COLLECTION AND REPORTING INFORMATION GATHERED FROM TRAFFIC AND PEDESTRIAN STOPS (WITH OR WITHOUT VIDEO/AUDIO CAMERA)

An officer who stops a motor vehicle for an alleged violation of a law regulating traffic, or who stops a pedestrian for any suspected offense, shall record and report the following information:

1. A physical description of each person detained as a result of the stop, including:
  - a. The person's gender
  - b. The person's race or ethnicity, as stated by the person or as determined by the officer to the best of his/her ability
2. The street address or approximate location of the stop. The suspected offense or the traffic law or ordinance alleged to have been violated.
3. Whether probable cause to search existed and, if so, the fact(s) supporting the existence of that probable cause.
4. Whether any contraband was discovered in the course of the search and, if so, the type of contraband discovered.
5. Whether the officer made an arrest as a result of the stop and/or search, and, if so, a statement of the offense charged.
6. Whether the officer issued a warning or a citation as a result of the stop and, if so, a statement of the offense charged.

Note: The Winkler County Sheriff's Department will compile and analyze the information contained in these individual reports. Not later than March 1<sup>st</sup> of each year, this department will submit a report to the Commissioners Court of Winkler County, and a Tier 2 report with the TCLEROSK web site, containing the information compiled from the preceding calendar year.

1. A comparative analysis of the information contained in the individual reports in order to:
  - a. Determine the prevalence of racial profiling by officers in this department, and
  - b. Examine the disposition of traffic and pedestrian stops made by this department's Officer's including searches resulting from stops.
2. Information relating to each complaint filed with this department alleging racial profiling.

This report will not include identifying information about a peace officer who makes a stop or about an individual who stopped or arrested.

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FILING A COMPLAINT WITH THE WINKLER COUNTY SHERIFF'S OFFICE

The following information has been disseminated to the public as part of an educational campaign aimed at informing community members of the complaint process relevant to violations of the Texas Racial Profiling Law.

UNDERSTANDING THE PROCESS

Once an individual has filed a complaint regarding racial profiling, he/she should expect the following process to commence:

THE INTERVIEW

The Chief Deputy or Chief Investigator will interview the individual filing the complaint. The officer will ask the alleged victim questions about what happened. It is possible that the officer may be able to explain the officer(s)' actions to your satisfaction.

- Usually, the alleged victim will be interviewed at the Winkler County Sheriff's Office. It is possible that he/she may be videotaped during the interview.
- The individual filing the complaint may bring a lawyer, family member or friend to the interview.
- The interviewing officer will ask the individual filing a complaint for the names of witnesses and other police officers that may know facts about the complaint.
- A police photographer may take pictures of any injuries that the alleged victim think are related to the complaint.

THE INVESTIGATION

After the interview, the Winkler County Sheriff's Office will investigate the alleged misconduct.

- The investigators will consist of senior officers experienced in internal department investigations.
- All officers will be interviewed and witnesses whom the alleged victim has named will be contacted and interviewed, if they agree.
- The alleged victim will receive a letter regarding the progress of the investigation. Although it is impossible to estimate how long the investigation will take, the alleged victim will receive periodic reports on its status.
- A report will be prepared upon completion of the investigation.

THE REVIEW PROCESS

The Sheriff reviews every complaint after the investigation is completed and a report is written.

- If the complaint includes excessive force or charges an officer with a crime, it will also be investigated by an independent police agency i.e., The FBI, The Texas Rangers or the Kermit Police Department.
- The results of investigations that suggest there are no charges that the deputy used excessive force or committed a crime are also reviewed by the Sheriff.
- Findings of criminal conduct will be submitted to the grand jury for consideration of prosecution.
- The Sheriff reviews investigations and makes the final decision on all complaints.

THE FINDINGS

The results of your complaint are called "findings". There are four possible findings:

- **Sustained** – The complaint has been supported. The officer(s) involved acted improperly and may be disciplined.
- **Unfounded** – The investigation found no basis to the complaint filed.
- **Exonerated** – The deputy(s) involved acted properly and will not be disciplined, or
- **Not provable** – There was not enough evidence to prove the complaint true or false so no further action will be taken.

The Sheriff will decide on a finding after the complaint has been reviewed. Further, he/she will inform the alleged victim through an official letter of the final decision.



**TIER 2 - FULL RACIAL PROFILING REPORT**

**Agency Name:** WINKLER CO. SHERIFF'S OFFICE  
**Reporting Date:** 02/04/2014  
**TCOLE Agency Number:** 495100  
**Chief Administrator:** GEORGE KEELY  
**Agency Contact Information:** Phone: 432-586-3461  
 Mailing Address:  
 WINKLER CO. SHERIFF'S OFFICE  
 P.O. Box 860  
 1300 Bellaire  
 Kermit, TX 79745

This Agency filed a full report because  
 Our agency has no motor vehicle or audio equipment.

Certification to This Report 2 132 (Tier 2) – Full Report

Article 2.132(b) CCP Law Enforcement Policy on Racial Profiling  
 WINKLER CO. SHERIFF'S OFFICE has adopted a detailed written policy on racial profiling. Our policy:

- (1) clearly defines acts constituting racial profiling;
- (2) strictly prohibit peace officers employed by the WINKLER CO. SHERIFF'S OFFICE from engaging in racial profiling;
- (3) implements a process by which an individual may file a complaint with the WINKLER CO. SHERIFF'S OFFICE if the individual believes that a peace officer employed by the WINKLER CO. SHERIFF'S OFFICE has engaged in racial profiling with respect to the individual;
- (4) provides public education relating to the agency's complaint process;
- (5) requires appropriate corrective action to be taken against a peace officer employed by the WINKLER CO. SHERIFF'S OFFICE who, after an investigation, is shown to have engaged in racial profiling in violation of the WINKLER CO. SHERIFF'S OFFICE's policy adopted under this article;
- (6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to
  - (A) the race or ethnicity of the individual detained;
  - (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and

Page 1 of 5 pages submitted electronically to the  
 Texas Commission on Law Enforcement

- (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and
- (7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to
  - (A) the Commission on Law Enforcement; and
  - (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state

I certify these policies are in effect.

Executed by: GEORGE KEELY  
 Chief Administrator  
 WINKLER CO. SHERIFF'S OFFICE

Date: 02/04/2014

Page 2 of 5 pages submitted electronically to the  
 Texas Commission on Law Enforcement

**WINKLER CO. SHERIFF'S OFFICE Motor Vehicle Racial Profiling Information**

**Gender:**  
 1. 161 Female  
 2. 559 Male  
 3. **720 Total** (3, 10, 13, 18, 21, 40 and 51 must be equal)

**Race or Ethnicity:**  
 4. 26 African  
 5. 1 Asian  
 6. 356 Caucasian  
 7. 336 Hispanic  
 8. 1 Middle Eastern  
 9. 0 Native American  
 10. **720 Total** (3, 10, 13, 18, 21, 40 and 51 must be equal)

**Race or Ethnicity known prior to stop?**  
 11. 23 Yes  
 12. 697 No  
 13. **720 Total** (3, 10, 13, 18, 21, 40 and 51 must be equal)

**Reason for stop:?**  
 14. 62 Violation of law other than traffic  
 15. 6 Pre-existing knowledge (i.e. warrant)  
 16. 491 Moving Traffic Violation  
 17. 161 Vehicle Traffic Violation (Equipment, Inspection or Registration)  
 18. **720 Total** (3, 10, 13, 18, 21, 40 and 51 must be equal)

Page 3 of 5 pages submitted electronically to the  
 Texas Commission on Law Enforcement

**Search conducted?**  
 19. 60 Yes  
 20. 660 No  
 21. **720 Total**

**Reason for search?**  
 22. 23 Consent  
 23. 7 Contraband/evidence in plain sight  
 24. 21 Probable cause or reasonable suspicion  
 25. 2 Inventory search performed as result of towing  
 26. 7 Incident to arrest/warrant  
 27. **60 Total** (must equal line 19)

**Contraband discovered?**  
 28. 24 Yes  
 29. 36 No  
 30. **60 Total** (must equal line 19)

**Description of Contraband**  
 31. 10 Illegal drugs/drug paraphernalia  
 32. 0 Currency  
 33. 5 Weapons  
 34. 7 Alcohol  
 35. 1 Stolen property  
 36. 1 Other  
 37. **24 Total** (must equal line 28)

**Arrest result of stop or search:**  
 38. 44 Yes  
 39. 676 No  
 40. **720 Total** (3, 10, 13, 18, 21, 40 and 51 must be equal)

Page 4 of 5 pages submitted electronically to the  
 Texas Commission on Law Enforcement

**Arrest based on:**

- 41. 30 Violation of the Penal Code
- 42. 2 Violation of a Traffic Law
- 43. 3 Violation of City Ordinance
- 44. 9 Outstanding Warrant

**Street address or approximate location of the stop:**

- 45. 178 City Street
- 46. 494 US Highway
- 47. 26 County Road
- 48. 22 Private Property or Other

**Written warning or a citation as a result of the stop:**

- 49. 121 Yes
- 50. 599 No

51 720 Total

WINKLER CO SHERIFF'S OFFICE has submitted electronically the analysis in PDF format required by 2.134 CCP(c) which contains

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities; and

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any seizures resulting from stops within the applicable jurisdiction; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

I certify the analysis meets the above requirements.

Executed by: **GEORGE KEELY**

Chief Administrator

WINKLER CO. SHERIFF'S OFFICE

Date: 02/04/2014

Page 5 of 5 pages submitted electronically to the  
Texas Commission on Law Enforcement

	AMERICAN INDIAN/ALASKAN NATIVE	ASIAN/PACIFIC ISLANDER	BLACK	HISPANIC	WHITE	OTHER	ALL RACES
79745							
Male	5	15	88	567	2646	21	3342
Female	5	10	57	389	2351	18	2840
All	10	25	145	956	4997	39	6182
79789							
Male	0	0	9	44	451	3	537
Female	0	1	8	20	433	1	465
All	0	1	17	64	884	4	1002

RACIAL PROFILING 2013

STATISTICAL ANALYSIS OF MOTOR VEHICLE STOPS COMPARED TO GENDER

TABLE 1 NUMBER OF MOTOR VEHICLE STOPS COMPARED TO GENDER.

RACE/ETHNICITY	CONTACTS		GENDER			
	N	%*	MALE		FEMALE	
AFRICAN	26	3%	22	3%	4	2%
ASIAN	1	<1%	1	<1%	0	0
CAUCASIAN	357	49%	279	49%	79	49%
HISPANIC	335	46%	258	46%	77	48%
MIDDLE EASTERN	1	<1%	1	<1%	0	0
NATIVE AMERICAN	0	0	0	0	0	0
TOTAL	720		560		160	

% OF CONTACTS IN EACH CATEGORY

\*% RACE/ETHNICITY ARE ROUNDED UP OR DOWN TO TOTAL AS PERCENT OF A PARTICULAR CATEGORY. INCLUDES: AFRICAN, ASIAN, CAUCASIAN, HISPANIC, MIDDLE EASTERN AND NATIVE AMERICAN

TABLE 2 WRITTEN WARNING OR CITATION AS A RESULT OF STOP

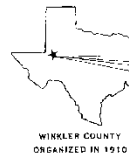
NUMBER OF VEHICLE STOPS	YES		NO	
	N	%*	N	%*
720 VEHICLES STOPPED	121	16%	599	83%

TABLE 3 ARREST RESULTING IN STOP

ARREST RESULTING IN STOP	YES		NO	
	N	%*	N	%*
720 VEHICLES STOPPED	44	6%	676	93%

NOTE: PERCENTAGES MAY HAVE 1% VARIANCE

THERE WERE NO COMPLAINTS OF RACIAL PROFILING OR DISCRIMINATION REGISTERED FOR THE YEAR 2013.



GEORGE KEELY, SHERIFF

WINKLER COUNTY  
POST OFFICE BOX 460  
KERMIT, TEXAS 79745  
TELEPHONE 432-586-3461

WINKLER COUNTY  
ORGANIZED IN 1910

January 17, 2013  
Texas Department of Public Safety  
Public Information Office  
Attn: Open Records  
P.O. Box 4087  
Austin, Texas 78773-0170

In accordance with the Public Information Act I am requesting the following information:

For all licensed drivers with a zip code of 79745, Winkler County, Texas address on their driver's license, I would request information on the gross numbers as follows:

- Number of female licensed drivers in Kermit, Texas, zip code 79745
- Number of male licensed drivers in Kermit, Texas, zip code 79745
- Number of white female licensed drivers in Kermit, Texas, zip code 79745
- Number of black female licensed drivers in Kermit, Texas, zip code 79745
- Number of black male licensed drivers in Kermit, Texas, zip code 79745
- Number of Hispanic female licensed drivers in Kermit, Texas, zip code 79745
- Number of Hispanic male licensed drivers in Kermit, Texas, zip code 79745
- Number of Oriental/Asian female drivers in Kermit, Texas, zip code 79745
- Number of Oriental/Asian male drivers in Kermit, Texas, zip code 79745
- Number of Native American female licensed drivers in Kermit, Texas, zip code 79745
- Number of Native American male licensed drivers in Kermit, Texas, zip code 79745
- Number of other female licensed drivers in Kermit, Texas, zip code 79745
- Number of other male licensed drivers in Kermit, Texas, zip code 79745

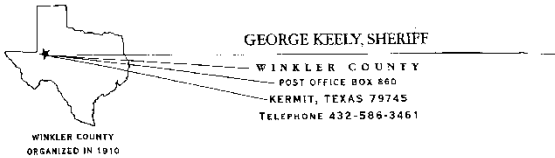
In addition I would request the definition of "Other" as used by your department with regards to classifying holders of driver's licenses

This information will be used for official governmental purposes and will not be otherwise released unless required by law.

Sincerely,

*George Keely*  
George Keely  
Sheriff

COPY



WINKLER COUNTY  
ORGANIZED IN 1910  
January 17, 2013  
Texas Department of Public Safety  
Public Information Office  
Attn: Open Records  
P.O. Box 4087  
Austin, Texas 78773-0170

In accordance with the Public Information Act I am requesting the following information:

For all licensed drivers with a zip code of 79789, Winkler County, Texas address on their driver's license, I would request information on the gross numbers as follows:

- Number of female licensed drivers in Wink, Texas, zip code 79789
- Number of male licensed drivers in Wink, Texas, zip code 79789
- Number of white female licensed drivers in Wink, Texas, zip code 79789
- Number of black female licensed drivers in Wink, Texas, zip code 79789
- Number of black male licensed drivers in Wink, Texas, zip code 79789
- Number of Hispanic female licensed drivers in Wink, Texas, zip code 79789
- Number of Hispanic male licensed drivers in Wink, Texas, zip code 79789
- Number of Oriental/Asian female drivers in Wink, Texas, zip code 79789
- Number of Oriental/Asian male drivers in Wink, Texas, zip code 79789
- Number of Native American female licensed drivers in Wink, Texas, zip code 79789
- Number of Native American male licensed drivers in Wink, Texas, zip code 79789
- Number of other female licensed drivers in Wink, Texas, zip code 79789
- Number of other male licensed drivers in Wink, Texas, zip code 79789

In addition I would request the definition of "Other" as used by your department with regards to classifying holders of driver's licenses.

This information will be used for official governmental purposes and will not be otherwise released unless required by law.

Sincerely,

*George Keely*  
George Keely  
Sheriff

COPY

Following discussion regarding using jailers for courtroom bailiffs when constables are not available, a motion was made by Commissioner Neal and seconded by Commissioner Thompson to allow Sheriff to train jailers to be courtroom bailiffs and use said jailers as bailiffs when constables or other law enforcement personnel are not available; which motion became an order of the Court upon the following vote:

Ayes: Commissioners Stevens, Wolf, Neal and Thompson  
Noes: None

At this time the Court recognized employees who used no sick time in 2013.

A motion was made by Commissioner Neal and seconded by Commissioner Thompson to approve payment for purchase of sick time in the amount of \$18,079.12 from budgeted funds; which motion became an order of the Court upon the following vote:

Ayes: Commissioners Stevens, Wolf, Neal and Thompson  
Noes: None

Employees Eligible for Sick Buy Back 2/12/2014		# hours eligible to sell from	Hourly Wage	Total Wages
		2013		
Johnny Armendariz	10-404-011	80	20.35	\$ 1,628.00
Christine Cartwright	10-404-023	24	17.77	\$ 426.48
Sammie Gates	10-213-020	40	16.14	\$ 645.60
Monty Egger	10-404-023	40	21.20	\$ 848.00
James Everett	10-236-010	80	22.65	\$ 1,812.00
Carl Garrett	10-404-011	24	19.72	\$ 473.28
Anthony Glover	10-404-023	72	18.06	\$ 1,300.32
Tiffany Holley	10-236-010	24	19.40	\$ 465.60
Cheryl Johnson	10-404-023	24	18.48	\$ 443.52
Rodney LaLonde	10-209-020	24	15.14	\$ 363.36
Raul Lara	10-203-044	24	15.51	\$ 372.24
John Leavitt	10-213-011	24	20.81	\$ 499.44
Johnny Martinez	10-404-023	24	17.77	\$ 426.48
Darin Mitchell	10-404-017	24	21.58	\$ 517.92
Dixie Randolph	10-409-020	24	14.92	\$ 358.08
Walter Roberts	10-209-010	80	17.23	\$ 1,378.40
Sandra Shepard	10-236-010	80	19.88	\$ 1,590.40
Vida Simpson	10-403-020	24	18.41	\$ 441.84
Brian Spaulding	10-404-023	24	16.72	\$ 401.28
Mark Terry	10-234-010	24	21.74	\$ 521.76
Renee Treadwell	10-202-020	80	18.41	\$ 1,472.80
Pete Velasquez	10-203-011	80	17.23	\$ 1,378.40
Blane Wolf	10-236-010	24	13.08	\$ 313.92
				\$ 18,079.12

A motion was made by Commissioner Neal and seconded by Commissioner Stevens to replace Patti Franks, former County Tax Assessor-Collector, with Minerva Soltero, County Tax Assessor-Collector and replace Minerva Soltero, former Chief Deputy Tax Assessor-Collector, with Paula Holder, Chief Deputy Tax Assessor-Collector on signature cards at West Texas State Bank effective February 01, 2014; which motion became an order of the Court upon the following vote:

Ayes: Commissioners Stevens, Wolf, Neal and Thompson  
 Noes: None

A motion was made by Commissioner Neal and seconded by Commissioner Thompson to approve the following changes to salary schedule for employees in Tax Assessor-Collector office effective 02-01-2014:

WINKLER COUNTY, TEXAS  
MAXIMUM SALARIES AND ALLOWANCES  
APPROVED  
2014

Service in Position	Amount Budgeted Per Emp.	Hourly/Monthly Salary
<b>AGRICULTURE DEPT</b>		
Agriculture Agent	\$12,130	\$ 1,010.83 per month
Clerk	0-24 Months: \$26,523 25-48 Months: \$25,772 49+ Months: \$26,208	\$ 12.27 per hour \$ 12.39 per hour \$ 12.60 per hour
<b>Courthouse Officials and Employees</b>		
Auditor	\$59,207	\$ 4,933.92 per month
Salary Supplement-Hospital Commissioners (4)	\$6,000	\$ 500.00 per month
County Attorney	\$54,193	\$ 4,518.08 per month
State Supplement-County Attorney	\$54,193	\$ 4,518.08 per month
County Clerk	\$31,250	\$ 2,604.16 per month
County Judge	\$54,193	\$ 4,518.08 per month
Co Judge-Juvenile Board	\$55,136	\$ 4,594.58 per month
State Supplement-County Judge	\$1,200	\$ 100.00 per month
Tax Assessor/Collector	\$54,193	\$ 4,518.08 per month
Treasurer	\$54,193	\$ 4,518.08 per month
District Clerk	\$54,193	\$ 4,518.08 per month
Hospital Liaison	0-24 Months: \$49,847 25-48 Months: \$50,271 49+ Months: \$51,126	\$ 4,153.92 per month \$ 4,189.25 per month \$ 4,260.67 per month
Chief Deputy/First Assistants (7)	0-24 Months: \$37,420 25-48 Months: \$37,670 49+ Months: \$38,293	\$ 17.99 per hour \$ 18.11 per hour \$ 18.41 per hour
Chief Deputy Treasurer (1)	\$936	\$ 53.00 per month

Winkler County  
Salaries and Allowances 2014

Service in Position	Amount Budgeted Per Emp.	Hourly/Monthly Salary
<b>Courthouse-Cont</b>		
Deputy Clerks (6)	0-24 Months: \$30,327 25-48 Months: \$30,598 49+ Months: \$31,035	\$ 14.66 per hour \$ 14.71 per hour \$ 14.92 per hour
Courthouse Yard/Supervisor	0-24 Months: \$34,467 25-48 Months: \$35,007 49+ Months: \$35,839	\$ 16.57 per hour \$ 16.83 per hour \$ 17.23 per hour
Courthouse Labor (1)	0-24 Months: \$31,014 25-48 Months: \$31,492 49+ Months: \$32,262	\$ 14.91 per hour \$ 15.14 per hour \$ 15.51 per hour
Janitors-Part Time (2) 16 Hrs per week	\$9,951	\$ 11.96 per hour
<b>Community Center</b>		
Janitor (1) 15 hrs per week	\$9,328	\$ 11.96 per hour
<b>Swimming Pools</b>		
Kermit	\$27,900	\$ 12.00 per hour
Wink	\$15,000	\$ 12.00 per hour
Supervisors		\$ 10.00 per hour
Lifeguards		\$ 15.00 per hour
Certified Pool Operator		\$ 16.57 per hour
<b>Kern/Wink Parks</b>		
Supervisors (11)	0-24 Months: \$34,467 25-48 Months: \$35,007 49+ Months: \$35,839	\$ 16.57 per hour \$ 16.83 per hour \$ 17.23 per hour
Laborers (3/2)	0-24 Months: \$31,014 25-48 Months: \$31,492 49+ Months: \$32,262	\$ 14.91 per hour \$ 15.14 per hour \$ 15.51 per hour
Labor-Part Time (21)	\$10,600	\$ 8.00 per hour
First Year Experienced		\$ 9.00 per hour
<b>Recreation Center</b>		

Winkler County  
Salaries and Allowances 2014

Service in Position	Amount Budgeted Per Emp.	Hourly/Monthly Salary
<b>Golf Course Cont</b>		
Golf Course Greenskeeper	\$43,287	\$ 20.81 per hour
Golf Course Assistant (1)	0-24 Months: \$32,303 25-48 Months: \$32,803 49+ Months: \$33,572	\$ 15.53 per hour \$ 15.77 per hour \$ 16.14 per hour
Golf Course Labor (1)	0-24 Months: \$31,014 25-48 Months: \$31,492 49+ Months: \$32,262	\$ 14.91 per hour \$ 15.14 per hour \$ 15.51 per hour
<b>Libraries</b>		
Librarian-Kermit	0-24 Months: \$34,883 25-48 Months: \$35,132 49+ Months: \$36,694	\$ 16.77 per hour \$ 16.88 per hour \$ 17.18 per hour
Asst Librarian-Kermit	0-24 Months: \$27,487 25-48 Months: \$28,081 49+ Months: \$28,455	\$ 13.20 per hour \$ 13.50 per hour \$ 13.88 per hour
Asst Librarian-Wink (25 hr per week)	0-24 Months: \$17,021 25-48 Months: \$17,372 49+ Months: \$17,606	\$ 13.09 per hour \$ 13.36 per hour \$ 13.54 per hour
<b>Health &amp; Welfare</b>		
County Health Officer	\$3,490	\$ 291.50 per month
Veterans Officer	\$2,184	\$ 182.00 per month
Emergency Management Coordinator	0-24 Months: \$37,420 25-48 Months: \$37,670 49+ Months: \$38,294	\$ 17.99 per hour \$ 18.11 per hour \$ 18.41 per hour
<b>Adult &amp; Juvenile Probation</b>		
Chief Adult Officer--Grant	\$6,874	\$ 264.38 per pay period
Adult Probation Officer--Grant (2)	0-24 Months: \$35,125 25-48 Months: \$4,875 49+ Months: \$4,950	\$ 16.89 per hour \$ 2.34 per hour \$ 2.40 per hour
Adult Probation Clerk--Grant	0-24 Months: \$26,790 25-48 Months: \$10,629 49+ Months: \$10,879	\$ 12.88 per hour \$ 5.11 per hour \$ 5.23 per hour
		\$ 5.53 per hour

Winkler County  
Salaries and Allowances 2014

Service in Position	Amount Budgeted Per Emp.	Hourly/Monthly Salary
<b>Adult &amp; Juvenile Probation-Cont</b>		
Adult Probation Secretary--Grant	\$16,640	\$ 8.00 per hour
	\$11,773	\$ 5.66 per hour
	\$11,836	\$ 5.69 per hour
	\$11,877	\$ 5.71 per hour
Chief Juvenile Officer--Grant-State Aid County	0-24 Months: \$24,825 25-48 Months: \$33,311 49+ Months: \$34,000	\$ 954.81 per pay period \$ 1,280.80 per pay period \$ 1,288.88 per pay period
<b>District Court</b>		
District Judge	\$3,800	\$ 316.66 per month
Dist Judge, Juvenile Board	\$1,200	\$ 100.00 per month
Bailiff	\$1,500	\$ 35.00 per day
<b>Professional Prosecuting District Attorney</b>		
District Attorney	\$12,447	\$ 1,037.25 per month
Legal Assistant/CVC Coordinator	0-24 Months: \$37,420 25-48 Months: \$37,670 49+ Months: \$38,293	\$ 17.99 per hour \$ 18.11 per hour \$ 18.41 per hour
Salary Receptionist (40 hrs per wk)	\$24,087	\$ 11.58 per hour
<b>County Attorney</b>		
Hot Check Clerk (15 hrs per wk)	\$9,033	\$ 11.58 per hour
Receptionist (25 hrs per wk)	\$15,054	\$ 11.58 per hour
<b>Animal</b>		
General Labor (17 hr wk)	\$10,043	\$ 11.36 per hour
<b>Senior Citizens Center/Meals Program</b>		
Director	0-24 Months: \$27,427 25-48 Months: \$28,081 49+ Months: \$28,455	\$ 13.20 per hour \$ 13.50 per hour \$ 13.88 per hour
Meal Program Director	0-24 Months: \$2,871 25-48 Months: \$2,954 49+ Months: \$3,016	\$ 1.38 per hour \$ 1.42 per hour \$ 1.45 per hour
Meal Program Aide-25 hrs per wk	\$14,148	\$ 10.54 per hour
Labor-Part Time -17 hrs per wk	\$9,380	\$ 10.61 per hour

Winkler County Salaries and Allowances 2014 Page 5

Service in Position	Amount Budgeted Per Emp.	Hourly/Monthly Salary
<b>Maintenance Engineer</b>		
Engineer		
0-24 Months	\$44,846	\$ 21.56 per hour
25-48 Months	\$45,220	\$ 21.74 per hour
49+ Months	\$45,949	\$ 22.09 per hour
<b>Emergency Ambulance Service</b>		
Supervisor		
0-24 Months	\$45,927	\$ 22.06 per hour
25-48 Months	\$46,322	\$ 22.27 per hour
49+ Months	\$47,112	\$ 22.65 per hour
Office Assistant	16 hrs per week	\$ 14.13 per hour
EMT-Basic		
0-24 Months	\$27,207	\$ 13.08 per hour
25-48 Months	\$27,727	\$ 13.33 per hour
49+ Months	\$28,050	\$ 13.48 per hour
EMT-Intermediate		
0-24 Months	\$33,447	\$ 16.08 per hour
25-48 Months	\$34,133	\$ 16.41 per hour
49+ Months	\$34,685	\$ 16.68 per hour
Paramedic		
0-24 Months	\$39,687	\$ 19.09 per hour
25-48 Months	\$40,352	\$ 19.40 per hour
49+ Months	\$41,351	\$ 19.88 per hour
*No Holidays paid to EMS		
<b>Road &amp; Bridge Maintenance</b>		
Foreman/Equip Operator (2)		
0-24 Months	\$38,190	\$ 18.36 per hour
25-48 Months	\$38,481	\$ 18.50 per hour
49+ Months	\$39,084	\$ 18.79 per hour
0-24 Months	\$32,262	\$ 15.51 per hour
25-48 Months	\$32,491	\$ 15.62 per hour
49+ Months	\$33,011	\$ 15.87 per hour
General Labor-Area #1	\$5,825	\$ 10.00 per hour
Shop Foreman-Kermil Barn		
0-24 Months	\$38,189	\$ 18.36 per hour
25-48 Months	\$38,481	\$ 18.50 per hour
49+ Months	\$39,084	\$ 18.79 per hour
Shop Labor-Kermil Barn		
0-24 Months	\$31,913	\$ 14.91 per hour
25-48 Months	\$31,482	\$ 15.14 per hour
49+ Months	\$32,262	\$ 15.51 per hour
Shop Labor-Part-Time (2) First Year Experienced	\$7,200	\$ 8.00 per hour
		\$ 9.00 per hour

Winkler County Salaries and Allowances 2014 Page 6

Service in Position	Amount Budgeted Per Emp.	Hourly/Monthly Salary
<b>Sheriff Department</b>		
Sheriff	\$55,135	\$ 4,594.58 per month
Sheriff-Salary Supplement		
Jail Food	\$24,000	\$ 2,000.00 per month
Chief Deputy*		
0-24 Months	\$44,804	\$ 21.54 per hour
25-48 Months	\$45,158	\$ 21.71 per hour
49+ Months	\$45,686	\$ 22.06 per hour
Chief Investigator		
0-24 Months	\$44,534	\$ 21.41 per hour
25-48 Months	\$44,887	\$ 21.58 per hour
49+ Months	\$45,511	\$ 21.88 per hour
Deputies-		
Field Deputies (4)*		
0-24 Months	\$39,750	\$ 19.11 per hour
25-48 Months	\$41,019	\$ 19.72 per hour
49+ Months	\$42,329	\$ 20.35 per hour
Deputy/Jailer (1)*		
0-24 Months	\$39,750	\$ 19.11 per hour
25-48 Months	\$41,019	\$ 19.72 per hour
49+ Months	\$42,329	\$ 20.35 per hour
K9 Officer	\$5,000	\$ 192.30 per pay period
Jail Administrator		
0-24 Months	\$42,329	\$ 20.35 per hour
25-48 Months	\$43,057	\$ 20.70 per hour
49+ Months	\$44,097	\$ 21.26 per hour
Jail Shift Supervisors (6)		
0-24 Months	\$36,983	\$ 17.77 per hour
25-48 Months	\$37,566	\$ 18.06 per hour
49+ Months	\$38,439	\$ 18.48 per hour
Jailers (10)		
0-24 Months	\$34,259	\$ 16.47 per hour
25-48 Months	\$34,779	\$ 16.72 per hour
49+ Months	\$35,819	\$ 17.22 per hour
Jail Cooks (3)		
0-24 Months	\$26,875	\$ 12.92 per hour
25-48 Months	\$27,062	\$ 13.01 per hour
49+ Months	\$27,457	\$ 13.20 per hour
Jail Cooks-Temporary	811 hrs per yr	\$10,008 \$ 12.34 per hour
Jail Nurse	407 hrs per yr	\$8,906 \$ 21.88 per hour
<b>*Salaries do not include law enforcement longevity pay of \$20.00 month for every year of service.</b>		
<b>Justice Courts and Constables</b>		
Justice of Peace #1	\$33,900	\$ 2,825.00 per month
Justice of Peace #1 Receptionist	\$14,300	\$ 11.00 per hour
Justice of Peace #2	\$32,900	\$ 2,825.00 per month
Constable Precinct #1	\$10,358	\$ 863.17 per month
Constable Precinct #2	\$10,358	\$ 863.17 per month

Winkler County Salaries and Allowances 2014 Page 7

Service in Position	Amount Budgeted Per Emp.	Hourly/Monthly Salary
<b>Other</b>		
Vacation Clerks		\$ 7.25 per hour
Longevity is paid to employees after one year of service at the rate of \$20.00 per month per year of service.		
Longevity is paid to elected officials after the first year in office at the rate of \$20.00 per month per year of service.		
Each employee will receive a \$400.00 Cost of Living Adjustment paid in January 2014.		

Amended 2-10-14

which motion became an order of the Court upon the following vote:

Ayes: Commissioners Stevens, Wolf, Neal and Thompson  
 Noes: None

A motion was made by Commissioner Neal and seconded by Commissioner Thompson to approve hiring one (1) part-time employee for Kermit water park; which motion became an order of the Court upon the following vote:

Ayes: Commissioners Stevens, Wolf, Neal and Thompson  
 Noes: None

A motion was made by Commissioner Neal and seconded by Commissioner Thompson to approve request of Wink Volunteer Fire Department for funds in the amount of \$6,655.15 to rig out donated 2005 Chevrolet Silverado pickup with \$4,280.60 to come from Shell Oil Grant and \$2,374.55 from budgeted funds to be reimbursed by Wink Volunteer Fire Department; which motion became an order of the Court upon the following vote:

Ayes: Commissioners Stevens, Wolf, Neal and Thompson  
 Noes: None

A motion was made by Commissioner Neal and seconded by Commissioner Thompson to rescind selection of Aquatic Recreational Specialties, L.P. as qualified design/build contractor and authorization of pre-design scope of work evaluation for Area I Park improvements and after receiving specifications, authorize the County Auditor to advertise for bids for Phase V of construction improvements to County Park in Kermit consisting of:

electrical, demolition, dirt work, ball field lighting, irrigation and sod ; said bids to be received until 10:00 o'clock A.M. on Monday, March 10, 2014, with the Commissioners' Court reserving the right to reject any and all bids; which motion became an order of the Court upon the following vote:

Ayes: Commissioners Stevens, Wolf, Neal and Thompson  
Noes: None

**REQUEST FOR BID**

The Winkler County Commissioners' Court will accept sealed bids for Phase V construction improvements to the County Park in Kermit consisting of electrical, demolition, dirt work and lighting for 4 ball fields. Bids will be received until 10:00 a.m., March 10, 2014. Specifications may be obtained from the office of County Auditor, 1<sup>st</sup> Floor Courthouse or by writing the County Auditor at P.O. Drawer O, Kermit, Texas 79745. The Commissioners' Court reserves the right to reject any or all bids.

2-20-2014 & 2-27-2014  
Winkler County News

**Scope of Work to Include:**

**Survey Work:** Site survey and stakeout will be performed by professional surveyor. Engineering survey as needed.

**Plans & Permits:** Contractor shall provide Civil Site Plan, Engineering Plans, Landscape Architect Plans pre and post demolition, Electrical Demolition Plans as needed and any and all shop drawings. Contractor shall provide working or updated Storm Water Plan and signage for site.

**Preconstruction & Layout:** Contractor shall perform site layout and pre-construction inspection prior to demolition. Contractor shall provide construction fencing and posts to secure demolition site as required.

**Utility Location:** All electric, gas, water, sewer, and other services lines should be shut off, capped, or otherwise controlled, at or outside the building before demolition work is started. In each case, any utility company which is involved should be notified in advance and its approval or services, if necessary, shall be obtained. If it is necessary to maintain any power, water, or other utilities during demolition, such lines shall be temporarily relocated as necessary and/or protected. The location of all overhead power sources should also be determined, as they can prove especially hazardous during any machine demolition. All workers should be informed of the location of any existing or relocated utility service.

**Demolition of Existing Structures:** Per Engineer approved site plan, demolish two existing ball fields including tear down and removal of fencing, bleachers, shade coverings, dugouts, and BBQ barn with picnic tables. Complete removal and haul off of existing ball field lighting which consists of (7) oil derrick lighting structures. Full demolition and removal of green block restroom building. Contractor shall include the removal of all trees east of the center maintenance road.

**Electrical:** Contractor shall contact TNMP for coordination of electrical demolition and removal of TNMP power lines as needed and for coordination of new electrical service for ball parks. Complete removal and haul off of existing ball field lighting which consists of (7) oil derrick lighting structures. Remove four (4) electrical posts from center of park and relocate as needed for 3 phase power to existing park. County well must maintain power at all times.

**Deliver Fill Dirt and Dirt Work:** Perform preliminary grade, clean up and dirt work. Includes delivery of fill dirt, installation, compaction, watering and rolling as needed to meet compaction percentage of approximately 95%. Grade plan as needed to maintain 1/8" fall from Concession Stand to top of curb at all 3 surrounding streets (Cecil Ave, School St, Lane of Roses); the fourth side grade shall blend to existing grade. The approximate amount of soil needed for fill will be 20,000 – 25,000 cubic yards. This amount is equal to about 1,000 trucks, plus or minus, carrying 20 cubic yard loads. Amount of soil needed will be dependent upon compaction rate and quality of the fill. All fill dirt used must be compaction to meet or exceed 95% compaction requirement.

**WINKLER COUNTY**

**KERMIT PARK BALL FIELDS**

**REQUIREMENTS**

Construction to be performed in accordance with:  
International Building Code  
American National Standards Institute (ANSI): Safety Requirements for Demolition Operations  
National Electrical Code  
Contractor Health and Safety Plan

**THE FOLLOWING MUST BE INCLUDED IN THE BID SUBMITTED:**  
Bidder shall furnish a good and sufficient bid bond from a surety company authorized to do business in the State of Texas, or a cashier's check. The amount of the bond or cashier's check shall be five percent (5%) of the total amount of the bid.

**THE FOLLOWING DOCUMENTATION AND BOND MUST BE PROVIDED WITHIN TEN DAYS OF THE AWARD BID:**  
The successful bidder must provide proof of general liability insurance (minimum of \$1,000,000) and workers' compensation insurance. Bidder shall furnish to Winkler County a bond for performance which includes payment for materials and labor. The amount of the bond shall be for the full amount (100%) of the bid.

A motion was made by Commissioner Wolf and seconded by Commissioner Thompson to approve request of Commissioner, Precinct No. 2 and Commissioner, Precinct No. 4 to purchase fertilizer in the approximate amount of \$5,640.00, of which \$1,860.00 is for the Courthouse and \$3,780.00 is for the Wink substation, Wink Library, Wink Park and Wink Community Center, from budgeted funds; which motion became an order of the Court upon the following vote:

Ayes: Commissioners Stevens, Wolf, Neal and Thompson  
Noes: None

A motion was made by Commissioner Wolf and seconded by Commissioner Neal to approve payment in the amount of \$5,180.00 to Diamond A Ranch for caliche for County Road 306 from lateral road funds; which motion became an order of the Court upon the following vote:

Ayes: Commissioners Stevens, Wolf, Neal and Thompson

Noes: None

A motion was made by Commissioner Wolf and seconded by Commissioner Stevens to approve payment in the amount of \$9,600.00 to Adlerhorst International, Inc. for Winkler County Sheriff Department's police service dog from committed capital expenditure funds and budgeted funds; which motion became an order of the Court upon the following vote:

Ayes: Commissioners Stevens, Wolf, Neal and Thompson  
Noes: None

A motion was made by Commissioner Thompson and seconded by Commissioner Stevens to approve payment in the amount of \$3,200.00 for repair and installation of pump on Courthouse boiler from budgeted funds; which motion became an order of the Court upon the following vote:

Ayes: Commissioners Stevens, Wolf, Neal and Thompson  
Noes: None

A motion was made by Commissioner Wolf and seconded by Commissioner Stevens to approve payment in the amount of \$2,130.00 to State Farm Insurance for Official Bonds for Minerva Soltero, Winkler County Tax Assessor-Collector, from budgeted funds as follows:

1. Official Bond in the amount of \$62,000.00 payable to Governor of the State of Texas for the term of February 01, 2014 to January 01, 2017 at a cost of \$816.00; and
2. Official Bond in the amount of \$100,000.00 payable to Winkler County Commissioners' Court for the term of February 01, 2014 to January 01, 2017 at a cost of \$1,314.00

which motion became an order of the Court upon the following vote:

Ayes: Commissioners Stevens, Wolf, Neal and Thompson  
Noes: None

A motion was made by Commissioner Wolf and seconded by Commissioner Neal to approve payment in the amount of \$250.00 to State Farm Insurance from budgeted funds for the following surety bonds:

1. Surety bond in the amount of \$5,000.00 for Rhonda Wilhelm, Winkler County Auditor, for the term of March 01, 2014 to March 01, 2015 at a cost of \$50.00;
2. Surety bond in the amount of \$5,000.00 for Cheryl Johnson, Winkler County Sheriff Department Shift Manager, for the term of March 01, 2014 to March 01, 2015 at a cost of \$50.00;
3. Surety bond in the amount of \$5,000.00 for Dana Shipley, Winkler County Adult Probation Office Clerk, for the term of March 01, 2014 to March 01, 2015 at a cost of \$50.00;
4. Surety bond in the amount of \$5,000.00 for Barbara Childress, Winkler County Probation Office Community Supervision Officer, for the term of January 17, 2014 to January 17, 2015 at a cost of \$50.00; and
5. Surety bond in the amount of \$5,000.00 for Bonnie Roberts, Administrative Assistant, for the term of



April 16, 2014 to April 16, 2015 at a cost of \$50.00

which motion became an order of the Court upon the following vote:

Ayes: Commissioners Stevens, Wolf, Neal and Thompson  
Noes: None

There were no park project claims for the Court to consider at this time.

A motion was made by Commissioner Neal and seconded by Commissioner Stevens to approve payroll; which motion became an order of the Court upon the following vote:

Ayes: Commissioners Stevens, Wolf, Neal and Thompson  
Noes: None

A motion was made by Commissioner Neal and seconded by Commissioner Thompson to approve the following line item adjustment(s):

**WINKLER COUNTY  
LINE ITEM ADJUSTMENTS  
FEBRUARY 10, 2014**

**EMS**

10-236-021	COLA	\$ 2,800.00	
10-230-021	COLA		\$ 2,800.00
AMD-NONDESIGNATED COLA EXPENSE TO EMS COLA EXPENSE			

**PROFESSIONAL PROSECUTOR**

10-226-021	COLA	\$ 1,200.00	
10-230-021	COLA		\$ 1,200.00
AMD-NONDESIGNATED COLA EXPENSE TO PROF PROSECUTOR COLA			

**JUVENILE PROBATION**

10-243-021	COLA	\$ 400.00	
10-230-021	COLA		\$ 400.00
AMD-NONDESIGNATED COLA EXPENSE TO JUVENILE PROBATION COLA			

**PROBATION**

10-223-022	COLA	\$ 1,200.00	
10-230-021	COLA		\$ 1,200.00
AMD-NONDESIGNATED COLA EXPENSE TO PROBATION COLA			

which motion became an order of the Court upon the following vote:

Ayes: Commissioners Stevens, Wolf, Neal and Thompson  
Noes: None

There were no budget amendment(s) for the Court to consider at this time.

A motion was made by Commissioner Neal and seconded by Commissioner Stevens to receive the following Monthly Reports from County Officials of fees earned and collected for the month of January, 2014;

MONTHLY REPORTS

Jan 2014

For the Month of

	Date	Amount
Steve Taliaferro, Co Attorney Fee <del>\$50.00</del> Hot Check <input checked="" type="checkbox"/>	2/5/14	\$50.00
Bonnie Leck, County Judge	2-5-14	\$10.00
Patti Franks, Tax Assessor		
Shethelia Reed, County Clerk	2-5-14	\$20,582.75
Glenda Mixon, JP Precinct #2	1-31-14	\$202.00
Sherry Terry, District Clerk	2-7-14	\$5,470.46
DeLynn Trammell, JP Precinct #1	1-31-14	\$4,638.00
George Keely, Sheriff	2-5-14	\$7,254.59
Eric DeAnda, Probation		
Billy Stevens, Commissioner Precinct #1		
Robbie Wolf, Commissioner Precinct #2		
Randy Neal, Commissioner Precinct #3		
Billy Ray Thompson, Commissioner Precinct #4		
Jeanna Wilhelm, Auditor Investment		
Eulonda Everest, Treasurer	2-7-14	\$
Lee Wilson, Constable Pct # 2		
Richard Crow, Constable Pct #1	2-5-14	<input checked="" type="checkbox"/>

which motion became an order of the Court upon the following vote:

Ayes: Commissioners Stevens, Wolf, Neal and Thompson  
 Noes: None

A motion was made by Commissioner Neal and seconded by Commissioner Thompson to examine and approve bills over \$500.00 and place in line for payment; which motion became an order of the Court upon the following vote:

Ayes: Commissioners Stevens, Wolf, Neal and Thompson  
 Noes: None

A motion was made by Commissioner Neal and seconded by Commissioner Thompson to approve claims against the County and pay as per list of vouchers submitted; which motion became an order of the Court upon the following vote:

Ayes: Commissioners Stevens, Wolf, Neal and Thompson  
 Noes: None

A motion was made by Commissioner Neal and seconded by Commissioner Thompson to adjourn the meeting; which motion became an order of the Court upon the following vote:

Ayes: Commissioners Stevens, Wolf, Neal and Thompson  
Noes: None

MINUTES approved the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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COUNTY CLERK