



2000 MAR 16 PM 4:15

*Barbara Middleton*  
BARBARA MIDDLETON

**NOTICE OF MEETING OF THE  
COMMISSIONERS COURT OF POLK COUNTY, TEXAS**

# 24

Notice is hereby given that a Emergency meeting of the above named Commissioners' Court will be held on Friday, March 17, 2000 at 9 00 a.m in the County Courthouse, Livingston, Texas, at which time the following subjects will be discussed, to wit

**1. CONSIDER STATUS AND TAKE ANY/ALL NECESSARY  
ACTION PERTAINING TO COUNTY-WIDE BURN BAN**

Dated Thursday, March 16, 2000

Commissioners' Court of Polk County, Texas

By *John P. Thompson*  
John P. Thompson, County Judge

I, the undersigned County Clerk, do hereby certify that the above Notice of Meeting of Polk County Commissioners Court, is a true and correct copy of said Notice, and that I posted a true and correct copy of said notice at the door of the County Courthouse of Polk County, Texas, at a place readily accessible to the general public at all times on Thursday, March 16, 2000, and said notice remained so posted continuously for at least 3 hours preceding the scheduled time of said meeting

Notice filed, Thursday, March 16, 2000

Barbara Middleton, County Clerk

By *Barbara Middleton*

STATE OF TEXAS }

DATE March 17, 2000

COUNTY OF POLK }

"EMERGENCY" CALLED MEETING  
Commissioner Smith Absent

**"COMMISSIONERS COURT"**

BE IT REMEMBERED ON THIS THE 17<sup>th</sup> DAY OF MARCH, 2000  
THE HONORABLE COMMISSIONERS COURT MET IN "EMERGENCY"  
CALLED MEETING WITH THE FOLLOWING OFFICERS AND MEMBERS  
PRESENT, TO WIT

JUDGE JOHN P THOMPSON, PRESIDING

B E "Slim" SPEIGHTS COUNTY COMMISSIONER PCT#1, JAMES J "Buddy" PURVIS  
COUNTY COMMISSIONER PCT#3 (Via Conference Call) R R "Dick" HUBERT  
COUNTY COMMISSIONER PCT#4, BARBARA MIDDLETON COUNTY CLERK  
THE FOLLOWING AGENDA ITEMS, ORDERS, AND DECREES WERE DULY HAD,  
CONSIDERED & PASSED

- 1 JUDGE JOHN THOMPSON CALLED THE MEETING TO ORDER AT 9 00 A M  
AND STATED THE REASON FOR THE EMERGENCY MEETING

Discussion was held regarding the recommendations of all area Fire Departments and the amount of rainfall recently and the anticipated rainfall during the week end

- 2 MOTIONED BY R R "Dick" HUBERT, SECONDED BY JAMES J "Buddy" PURVIS,  
APPROVAL TO LIFT THE BURN BAN, EFFECTIVE IMMEDIATELY THE COURT  
ALSO AGREED THAT ON ANY FUTURE BURN BAN ACTION, THE COUNTY JUDGE  
(AS ALWAYS) MAY INITIATE A BURN BAN WHEN EMERGENCY CONDITIONS  
EXIST AND THE COURT WILL MEET TO TAKE ANY FURTHER ACTION EITHER  
TO EXTEND OR TO LIFT THE BAN  
ALL VOTING YES

- 3 MOTIONED BY R R "Dick" HUBERT, SECONDED BY B E "Slim" SPEIGHTS TO  
ADJOURN COURT THIS 17<sup>th</sup> DAY OF MARCH, 2000 AT 9 10 A M  
ALL VOTING YES



JOHN P THOMPSON, COUNTY JUDGE

ATTEST

  
BARBARA MIDDLETON, COUNTY CLERK



POLK COUNTY, TEXAS

FOR POLK COUNTY, TEXAS

March 2, 2000

*John P. Thompson*  
John P. Thompson, County Judge

**PROHIBITION OF OUTDOOR BURNING  
EMERGENCY ORDER #00-03**

**WHEREAS**, in accordance with provisions of the Texas Disaster Act of 1975, a state of disaster has been declared based on the imminent threat of disaster from wildfire, and  
**WHEREAS**, declaration of such disaster authorized the imposition of controls on activities which tend to increase the likelihood of such fires  
**BE IT THEREFORE ORDERED** that the following emergency regulations are hereby established for all unincorporated areas of Polk County, Texas for the duration of the above-mentioned declaration

**(1) Actions Prohibited**

A person violates this order if he/she burns any combustible materials outside of an enclosure which serves to contain all flames and/or sparks, or orders such burning by others

**(2) Enforcement**

- (a) Upon notification of suspected outdoor burning, the fire department assigned to the location of the fire shall respond to the scene and take immediate measures to contain and/or extinguish the fire
- (b) As soon as possible, a duly commissioned peace officer shall be sent to the scene to investigate the nature of the fire
- (c) If in the opinion of the officer at the scene and/or the Fire Chief, the goal of the order can be attained by informing the responsible party about the prohibitions established by this order, the officer may, at his/her discretion, notify the party about the provisions of this order and request compliance with it. In such instances, an entry of this notification shall be made into the dispatcher's log containing the time, date, and place of the warning, and the name of the person receiving the warning

- (3) At the discretion of a peace officer and/or Fire Chief, second or flagrant violations of this order may be prosecuted in accordance with the statutes and procedures governing misdemeanors

**BE IT ALSO ORDERED** that this order may be enforced by any duly commissioned peace officer and that the venue for prosecution of this order will be the County Court-at-Law, Livingston, Texas

FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS

2000 MAR -3 AM 10 30

*Handwritten signature and initials*



**DECLARATION OF DISASTER  
THREAT OF WILDFIRES**

**WHEREAS**, Polk County has not had sufficient rainfall for an extended period,  
**WHEREAS**, weather forecasters offer little promise of a change in The  
Conditions in the near future, and

**WHEREAS**, these hot, dry conditions pose the threat of large, Dangerous Fast-  
moving wildfires, and

**WHEREAS**, such fires have the potential of endangering lives and Property on a  
large scale, and

**WHEREAS**, the Texas Disaster Act of 1975 authorizes declaration of a state of  
disaster "if the threat of disaster is imminent", and

**WHEREAS**, the magnitude of the potential damage and the rapidity at which  
such a Fire could escalate to major proportions constitute an imminent Threat of  
Disaster

**WHEREAS**, declaration of such disaster authorizes the imposition of controls on  
activities which tend to increase the likelihood of fires and

**WHEREAS**, such controls, once implemented, have the potential of Protecting  
lives and property by mitigating the threat of dangerous fires,


**BE IT THEREFORE PROCLAIMED** that I, John P Thompson, County Judge, do  
hereby declare a state of disaster based on the threat of large wildfires in Polk County,  
Texas, and

**BE IT ALSO PROCLAIMED** that this state of disaster will continue until rescinded in  
accordance with the above statute and order, but in no instance will this declaration  
extend for more than seven days without authorization by the Polk County  
Commissioners Court

**BE IT ALSO PROCLAIMED** this state of disaster is being declared solely for Purpose  
of implementing controls aimed at mitigating the hazard posed by Wildfires during the  
current hot, dry weather

**BE IT ALSO ORDERED THAT** the purpose of this order is the mitigation of the hazard  
posed by wildfires by curtailing the practice of outdoor burning, excluding fireworks,  
which purpose is to be taken into account in any enforcement action based upon this  
order

**IN WITNESS WHEREOF**, I affix my signature this the 2nd day of March, 2000

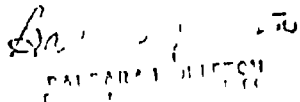
  
John P Thompson, Polk County Judge

**Filed in the Office of the County Clerk**

  
Barbara Middleton, County Clerk

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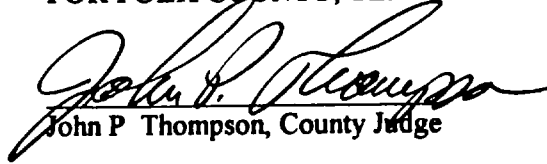


03-03-2000  
Date



FOR POLK COUNTY, TEXAS

March 2, 2000

  
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*Dr.*  
MAR 3 11 17 AM '00



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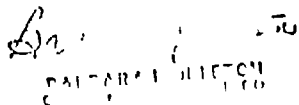
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