

STATE OF TEXAS:

COUNTY OF FISHER:

FISHER COUNTY COMMISSIONER COURT MINUTES

November 18, 2024

Be it remembered that on Monday, the 18th day of November 2024 the Commissioners' Court of Fisher County, Texas, convened in Special Session in the Commissioners' Courtroom, Fisher County Courthouse, Roby Texas

Ken Holt, County Judge

Pat Thomson, County Clerk

Gordon Pippin, Commissioner #1

Dexter Elrod, Commissioner #2

Preston Martin, Commissioner #3

Micah Evans, Commissioner #4

And the proclamation having been made the Court was in session, the following business came on to be considered:

CALL MEETING TO ORDER & ESTABLISH QUORUM – All Present

Public Comment: Simon Wade candidate for Sheriff announced that he was not able to serve as Sheriff do to his relinquishing his license in the State of Arizona, which bars him from peace officer.

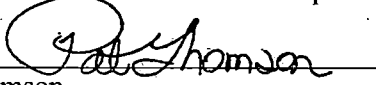
Order 1- Motion Commissioner Martin, second by Commissioner Pippin to approve canvassing of the votes for the November 5, 2024 General Election. Simon Wade candidate for Sheriff was declared ineligible to serve as Sheriff in accordance with Section 85.0011 of the Texas Local Government Code (see attached). This motion having been put to vote prevailed the vote being unanimous.

Order 2-Motion by Commissioner Martin, second by Commissioner Pippin to adjourn. This motion having been put to vote prevailed, the vote being unanimous.

State of Texas:

County of Fisher:

I, Pat Thomson, Fisher County Clerk, attest that the foregoing is a true and accurate accounting of the Commissioner Court's authorized proceedings for November 18, 2024


Pat Thomson
County Clerk and Ex-Officio Member
Of Commissioners' Court, Fisher County, Texas



**NOTICE OF SPECIAL OPEN MEETING AND
AGENDA COMMISSIONER'S COURT OF FISHER
COUNTY, TEXAS**

Notice is hereby given that a meeting of the Commissioners Court of Fisher County, Texas will be held on Monday, November 18, 2024, at 9:00 a.m. in the District Courtroom located in the Fisher County Courthouse, 112 N. Concho, Roby, Texas, to consider, discuss, pass or adopt such items of business as identified below:

A. CALL TO ORDER

Determination of Quorum

**B. PUBLIC COMMENTS—PRESENTATIONS OR MISCELLANEOUS REPORTS—
DISCUSSION ITEMS (No vote will be taken on any of these items)**

PUBLIC COMMENT NOTE: Anyone wishing to address the Court during Public Comments is required to register your name on the Clerk's registry prior to the meeting and indicate which item or subject you wish to address. Speakers are limited to THREE (3) minutes maximum, and if there are more than three speakers who wish to address the same item, the Court reserves the right to limit speakers. **THE COURT CANNOT DELIBERATE OR ACT ON MATTERS NOT LISTED ON THE AGENDA.**

NON-VOTING ITEMS:

C. DELIBERATE/CONSIDER ACTION ON NEW BUSINESS ITEMS:

1. Canvass November 5, 2024 General Election/Pat Thomson

I, Pat Thomson, Fisher County Clerk, do hereby certify that the above Notice of Open Meeting and Agenda of the Commissioners Court is a true and correct copy of said Notice and Agenda, and said Notice and Agenda was posted on the bulletin board of the Fisher County Courthouse, 112 N. Concho Roby, Texas 79543 and a copy was emailed to website administrator for posting to the Fisher County Website at www.fishercounty.org, on 11/7/2024 and said Notice will remain posted continuously for at least 72 hours preceding the scheduled time of said Meeting.


Pat Thomson
Fisher County Clerk



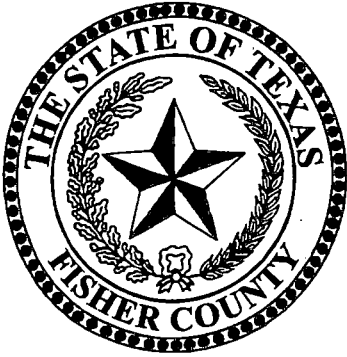
(In accordance with Title III of the Americans with Disabilities Act, we invite all attendees to advise us of any special accommodations due to disability. Please submit your request as far as possible in advance of the meeting you wish to attend.)

As authorized by the Texas Government Code, the Commissioners' Court of Fisher County, Texas reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed above as they may relate to Texas Government Code Section 551.071(1) (Consultation with Attorney about pending or contemplated litigation or settlement offers);

Texas Government Code Section 551.071(2) (Consultation with Attorney when the Attorney's obligations under the Texas Disciplinary Rules of Professional conduct of the State Bar of Texas conflicts with Chapter 551 of the Texas Government Code);

Texas Government Code Section 551.072 (Deliberations About Real Property); Texas Government Code Section 551.073 (Deliberations about Gifts and Donations); Texas Government Code 551.074 (Personnel Matters); Texas Government Code Section 551.0745 (Deliberations about a County Advisory Body); Texas Government Code Section 551.076 (Deliberations about Security Devices); and Texas Government Code Section 551.007 (Economic Development Negotiations).

In the event that the court adjourns into Executive Session, unless otherwise specified on the agenda, the Court will announce any other parties who are authorized to be present during the deliberations in Executive Session and will announce under what section of the Texas Government code the Commissioners Court is using as its authority to enter into Executive Session.



KEN HOLT
Fisher County Judge

112 N. Concho
P.O. Box 306
Roby, Texas 79543

TO: Fisher County Commissioner's Court
Simon Wade, Candidate for Fisher County Sheriff

FROM: Ken Holt, Fisher County Judge 

DATE: November 12, 2024

RE: Administrative Declaration of Ineligibility, Simon Wade, Candidate for Fisher County Sheriff

In accordance with Section 145.003, Texas Election Code, as the presiding officer of the final canvassing authority for the office of Fisher County Sheriff, I have been presented with the attached letter from James Beauchamp, General Counsel of the Texas Commission on Law Enforcement. I have filed this letter with the records of my office, as it contains information pertinent to the eligibility of Simon Wade, candidate for Fisher County Sheriff in the 2024 General Election for State and County Officers.

I have reviewed this election record, and have concluded that the facts contained in it conclusively establish that Simon Wade is ineligible to serve as Fisher County Sheriff or be a candidate for that same office in accordance with Section 85.0011, Texas Local Government Code. This law requires that in order to be a candidate for or serve as a county sheriff, Simon Wade must either hold an active permanent peace officer license or if he does not, otherwise is eligible to be licensed under Sections 1701.309 and 1701.312, Occupations Code, and either (i) has a minimum of five years of experience as a federal special investigator; or (ii) is a military veteran with a minimum of 10 years of combined active duty or national guard service.

This record conclusively establishes that Simon Wade does not hold an active permanent peace officer license in the State of Texas, and is not eligible to be licensed under Chapter 1701, Texas Occupations Code, due to his relinquishment of license in the State of Arizona in lieu of discipline, which is permanent and bars him from peace officer work in Arizona. Since Texas Commission on Law Enforcement rules bar him from obtaining a Texas peace officer license because he does not meet the minimum standards for licensure under Chapter 1701, Occupations Code, and this condition is a permanent bar to employment as a Texas Peace Officer, I determine this record establishes ineligibility as provided by subsection (f), Section 145.003, Texas Election Code, and therefore am declaring Simon Wade ineligible to the office of Fisher County Sheriff. By this memorandum, I certify the same to the Fisher County Commissioners Court, and am giving written notice to Mr. Wade of his ineligibility.



TEXAS COMMISSION ON LAW ENFORCEMENT

November 5, 2024

Judge Ken Holt
Fisher County Texas
112 N. Concho
Roby, Texas 79543

via e-mail: Ken.holt@fishercounty.org

Re: Minimum Standards for Enrollment and Licensure, Mr. Simon Wade

Dear Judge Holt:

Thank you for your submission to the Texas Commission on Law Enforcement (TCOLE) inquiring the licensure eligibility of Mr. Simon Wade.

A review of Texas Commission on Law Enforcement records indicates that Simon Wade does not hold an active permanent peace officer license in the State of Texas, and does not meet the minimum standards to obtain a peace officer license in Texas.

An individual that has a surrender of license currently in effect does not meet the minimum standards for enrollment and licensure. *See* 37 Tex. Admin. Code § 217.1(b)(15).

Mr. Wade voluntarily relinquished his Arizona peace officer certification as a settlement of a case against his Arizona peace officer certification. According to the Decision and Order entered by the Arizona Peace Officer Standards and Training Board, the voluntary relinquishment of Mr. Wade's Arizona peace officer certification is permanent and bars him from peace officer work in Arizona. In this situation, a voluntary relinquishment is the equivalent of a surrender in Texas.

As Mr. Wade's voluntary relinquishment is currently in effect, Mr. Wade does not meet the minimum standards to obtain a peace officer license under Chapter 1701 of the Texas Occupations Code.

Please reach out with any further questions.

Sincerely,

A handwritten signature in black ink that reads "John P. Beauchamp". The signature is stylized and cursive.

John P. Beauchamp
General Counsel
Texas Commission on Law Enforcement

Cc: Mr. Eric Opiela
Eric Opiela, PLLC
9415 Old Lampasas Trl
Austin, Texas 78750

via e-mail: ecopiela@ericopiela.com

Texas Secretary of State

Canvass Report
2024 NOVEMBER 5TH GENERAL ELECTION
November 05, 2024

FISHER Total # of Voters Voted: 1842
Provisional Votes Counted: 0 Votes

PRESIDENT/VICE-PRESIDENT

Donald J. Trump/Jd Vance	REP	<u>1487</u>
Kamala D. Harris/Tim Walz	DEM	<u>330</u>
Chase Oliver/Mike Ter Maat	LIB	<u>10</u>
Jill Stein/Rudolph Ware	GRE	<u>2</u>
Shiva Ayyadurai/Crystal Ellis	WRI	<u>0</u>
Jessie Cuellar/Wesley Lasley	WRI	<u>0</u>
Claudia De La Cruz/Karina Garcia	WRI	<u>0</u>
Cherunda Fox/Harlan Mcvay	WRI	<u>0</u>
Peter Sonski/Lauren Onak	WRI	<u>0</u>
Cornel West/Melina Abdullah	WRI	<u>1</u>

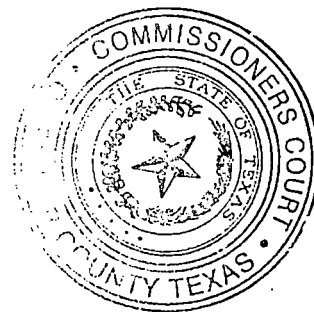
I, PAT THOMSON, FISHER County County Clerk+Enr (Senior) do hereby certify the returns as shown on the official canvass statement are true and correct as certified by the FISHER County Commissioners Court.



Signature

11-18-24

Date



Texas Secretary of State

Canvass Report
2024 NOVEMBER 5TH GENERAL ELECTION
November 05, 2024

FISHER

Total # of Voters Voted: 1842
Provisional Votes Counted: 0

Votes

U. S. SENATOR

Ted Cruz	REP	<u>1420</u>
Colin Allred	DEM	<u>358</u>
Ted Brown	LIB	<u>33</u>
Tracy Andrus	WRI	<u>0</u>
Analisa Roche	WRI	<u>1</u>

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Canvass Report

2024 NOVEMBER 5TH GENERAL ELECTION

November 05, 2024

FISHER

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Votes

U. S. REPRESENTATIVE DISTRICT 19

Jodey C. Arrington	REP	<u>1524</u>
Bernard Johnson	LIB	<u>95</u>
Nathan Lewis	IND	<u>104</u>

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Canvass Report

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November 05, 2024

FISHER

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Votes

RAILROAD COMMISSIONER

Christi Craddick	REP	<u>1378</u>
Katherine Culbert	DEM	<u>281</u>
Hawk Dunlap	LIB	<u>64</u>
Eddie Espinoza	GRE	<u>19</u>
Richard Mckibbin	WRI	<u>2</u>

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Canvass Report

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November 05, 2024

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Votes

JUSTICE, SUPREME COURT, PLACE 2

Jimmy Blacklock REP 1436

Dasean Jones DEM 287

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Canvass Report

2024 NOVEMBER 5TH GENERAL ELECTION

November 05, 2024

FISHER

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Votes

JUSTICE, SUPREME COURT, PLACE 4

John Devine REP 1410

Christine Vinh Weems DEM 306

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Canvass Report

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Votes

JUSTICE, SUPREME COURT, PLACE 6

Jane Bland	REP	<u>1396</u>
Bonnie Lee Goldstein	DEM	<u>290</u>
J. David Roberson	LIB	<u>39</u>

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Canvass Report

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Votes

PRESIDING JUDGE, COURT OF CRIMINAL APPEALS

David J. Schenck REP 1414

Holly Taylor DEM 306

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Canvass Report
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November 05, 2024

FISHER
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JUDGE, COURT OF CRIMINAL APPEALS, PLACE 7

Gina Parker	REP	<u>1429</u>
Nancy Mulder	DEM	<u>290</u>

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Canvass Report
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Votes

JUDGE, COURT OF CRIMINAL APPEALS, PLACE 8

Lee Finley	REP	<u>1426</u>
Chika Anyiam	DEM	<u>281</u>

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MEMBER, STATE BOARD OF EDUCATION, DISTRICT 15

Aaron Kinsey	REP	<u>1367</u>
Morgan Kirkpatrick	DEM	<u>307</u>
Jack B. Westbrook	LIB	<u>45</u>

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Canvass Report

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FISHER

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Votes

STATE REPRESENTATIVE DISTRICT 69

James B Frank REP 1410

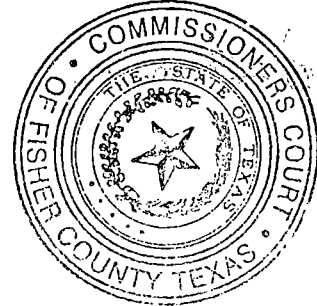
Walter Copping DEM 296

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Canvass Report
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November 05, 2024

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CHIEF JUSTICE, 11TH COURT OF APPEALS DISTRICT

John Bailey REP 1489

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Texas Secretary of State

Canvass Report
2024 NOVEMBER 5TH GENERAL ELECTION
November 05, 2024

FISHER

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Votes

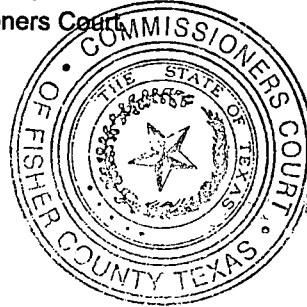
DISTRICT JUDGE, 32ND JUDICIAL DISTRICT

Glen Harrison

REP

1453

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Canvass Report

2024 NOVEMBER 5TH GENERAL ELECTION

November 05, 2024

FISHER

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Votes

DISTRICT ATTORNEY, 32ND JUDICIAL DISTRICT

Ricky Thompson

REP

1481

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Texas Secretary of State

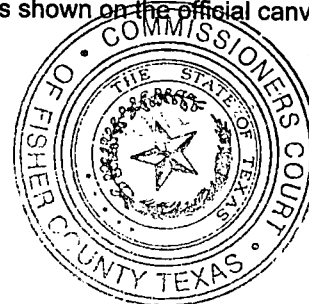
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2024 NOVEMBER 5TH GENERAL ELECTION
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FISHER
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SHERIFF

Simon Wade REP 1105
Tom Pohlman WRI 293

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Signature

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Texas Secretary of State

Canvass Report
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November 05, 2024

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SHERIFF

Simon Wade REP 1105
Tom Pohlman WRI 293

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Pat Thomson

Texas Secretary of State

Canvass Report

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Votes

COUNTY TAX ASSESSOR-COLLECTOR

Jonnye Lu Speck

REP

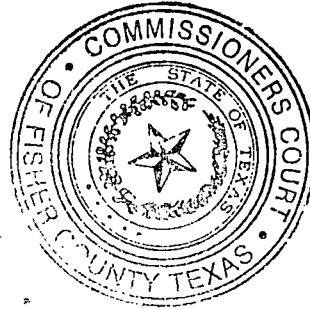
1590

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Canvass Report

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FISHER

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Votes

COUNTY COMMISSIONER PRECINCT 1

Gordon Pippin

REP

421

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Votes

COUNTY COMMISSIONER PRECINCT 3

Stuart Posey

REP

330

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Pat Thomson

Signature

11-18-24

Date