

**Tom Green County Commissioners' Court
December 30, 2005**

The Commissioners' Court of Tom Green County, Texas, met for an Emergency Meeting December 30, 2005 in the Edd B. Keyes Building, with the following members present:

Ralph Hoelscher, Commissioner of Precinct #1
Karl Bookter, Commissioner of Precinct #2
Steve Floyd, Commissioner of Precinct #3
Richard Easingwood, Commissioner of Precinct #4
Michael D. Brown, County Judge

1. County Judge, Michael Brown, called the meeting to order at 9:14 A.M.
2. Judge Brown explained that with Governor Perry declaring a state of emergency, this broadened the scope of the Courts authority.

Judge Brown moved to Declare a Disaster for Tom Green County because of the threat by high or extreme fire hazard due to the drought across the State of Texas. He also moved to adopt the Executive Order of the Commissioners Court banning all outdoor burning and the use of combustible materials, which shall specifically include, but are not limited to, fireworks and any other pyrotechnic material, which in the manner or means of its use could result in a wildfire. The order will be enforced and punishable by fines up to \$500.00. Commissioner Bookter seconded the motion. The motion passed 5 to 0. (Recorded with these minutes and posted on the Web.)

3. Judge Brown adjourned the meeting at 8:33 A.M.

As per HB 2931, Section 4:

I, Elizabeth McGill, County Clerk of Tom Green County, Texas do hereby attest that this is an accurate accounting of the proceedings of the Commissioners' Court that met for an Emergency Meeting on December 30, 2005.

I hereby set my hand and seal to this record December 30, 2005.

Elizabeth McGill, County Clerk and
Ex-officio Clerk of the Commissioners' Court

DECLARATION OF DISASTER FOR TOM GREEN COUNTY, TEXAS

WHEREAS, the Commissioners' Court of Tom Green County, on this the 30th day of December, 2005, does hereby certify that it is threatened by high or extreme fire hazard. This threat was caused by drought across the State of Texas and in Tom Green County.

WHEREAS, the Commissioners Court of Tom Green County have determined that extraordinary measures must be taken to alleviate the suffering of people and to protect or rehabilitate property,

NOW THEREFORE, IN ACCORDANCE WITH THE AUTHORITY VESTED IN THE TOM GREEN COUNTY COMMISSIONERS' COURT BY SECTION 418.014 OF THE TEXAS GOVERNMENT CODE, THE COURT DOES HEREBY PROCLAIM THE EXISTENCE OF SUCH DISASTER AND DIRECT THAT ALL NECESSARY MEASURES BOTH PUBLIC AND PRIVATE AS AUTHORIZED UNDER SECTION 418.015 OF THE CODE BE IMPLEMENTED TO MEET THAT DISASTER :

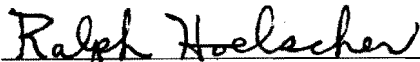
1. That a local state of disaster is hereby proclaimed for Tom Green County pursuant to Section 418.108 (a) of the Texas Government Code.
2. Pursuant to Section 418.108 (b) of the Government Code, this Declaration of a local state of disaster shall continue for so long as such conditions exist.
3. Pursuant to Section 418.108 (c) of the Government Code, this Declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the County Clerk of Tom Green County.
4. Pursuant to Section 418.108 (d) of the Government Code, this Declaration of a local state of disaster activates the Tom Green County Emergency Management Plan.

This Proclamation shall take effect immediately from and after its issuance.

ORDERED THIS THE 30TH DAY OF DECEMBER 2005.



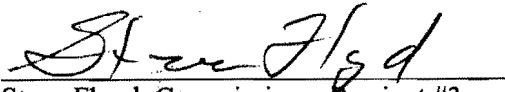
Hon. Mike Brown, County Judge



Ralph Hoelscher, Commissioner Precinct #1



Karl Bookter, Commissioner Precinct #2



Steve Floyd, Commissioner Precinct #3



Richard Easingwood, Jr., Commissioner Precinct #4

EXECUTIVE ORDER OF COMMISSIONERS COURT

WHEREAS, by proclamation issued December 30, 2005 the Commissioners Court of Tom Green County declared a state of disaster for Tom Green County, resulting from:

THE POTENTIAL THREAT OF WILDFIRES DUE TO DROUGHT AND ADVERSE WEATHER CONDITIONS

WHEREAS, said state of disaster requires that certain emergency measures be taken pursuant to the Texas Disaster Act of 1975 relating to Emergency Management;

NOW, THEREFORE, the following regulations shall take effect immediately upon issuance of this order and shall remain in effect until the state of disaster is terminated:

- 1. ALL OUTDOOR BURNING AND THE USE OF COMBUSTIBLE MATERIALS IN AN OUTDOOR ENVIRONMENT BY ANY PERSON IS PROHIBITED.**
- 2. COMBUSTIBLE MATERIALS SHALL SPECIFICALLY INCLUDE, BUT ARE NOT LIMITED TO: FIREWORKS AND ANY OTHER PYROTECHNIC MATERIAL, WHICH IN THE MANNER OR MEANS OF ITS USE COULD RESULT IN A WILDFIRE.**

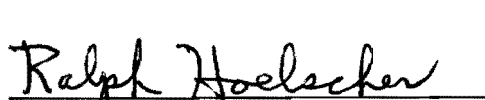
In accordance with the Local Government Code, a person who knowingly or intentionally violates this order commits a Class C Misdemeanor, punishable by a fine of up to \$500.00


This Proclamation shall take effect immediately from and after its issuance.

THE PURPOSE OF THIS ORDER IS THE MITIGATION OF THE PUBLIC SAFETY HAZARD POSED BY WILDFIRES DURING THE CURRENT DROUGHT CONDITIONS BY CURTAILING THE USE OF ALL COMBUSTIBLE MATERIALS.

ORDERED THIS THE 30TH DAY OF DECEMBER 2005.


Hon. Mike Brown, County Judge


Ralph Hoelscher, Commissioner Precinct #1


Karl Bookter, Commissioner Precinct #2


Steve Floyd, Commissioner Precinct #3


Richard Easingwood, Jr., Commissioner Precinct #4