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Clay County Commissioners' Court
Clay County Courthouse Annex
Henrietta, TX 76365

Re: The Illegal and Petty Actions of the Commissioners' Court

Gentlemen & Commissioner Collins:

During the early 1970s I was a member of the State Bar Board of Directors. There were about 30 members composed of some of the smartest people I've ever worked with. However, the board's collective wisdom was way below the average of the smart folks. Their decisions often wound up around the level of the bottom of the total crew. You folks are pretty much the same. I intend to address a few of your worst decisions today. I realize that some of what I say here today may be things some of you were not involved in. Some of the things I mention today are merely examples where your foolishness, selfishness, jealousy, or pettiness has overridden your good judgment.

The County Phone and Internet System – it Sucks

1. The fiasco of getting pissed at the person representing Comcell and getting a company from Houston 360 miles away instead of working it out to get the best service in our area for our citizens.
2. To be sure, the Comcell representative was partly responsible. But you are the County Commission. You are supposed to make decisions that benefit the County as a whole. You are not supposed to let personalities influence you to make decisions not in the County's best interest. But you do.
3. You clearly let your dislike for the Comcell representative seriously effect your decision. You bought an internet and phone system from the company located 360 miles away (Houston) and got a phone and internet set up that is clearly less than adequate.
4. Your pettiness caused that blunder at the expense of the County Citizens. You did not perform your stewardship duty to the people that elected you.

Buffalo Crest Attempt to Circumvent Clay County Subdivision Regulations

1. Discovered late, just before the promoters were to have a publicized mass sale of lots, you hired me to represent the county over the Buffalo Crest subdivision issue because Seth was compromised.
2. On the very day you asked me to represent you in the matter, Judge Campbell and I met with the representative of the Florida promoters. During that meeting Judge Campbell kept telling the representative that “we are going to work with you on this.” I kept being a lawyer and saying they were going to be required to satisfy the subdivision regulations.
3. I later learned that afer that meeting and on the same day, The Judge and the promoter’s representative met again without me and without my knowledge. I’m sure the Judge continued to encourage them by telling the representative the County would cooperate. Thereafter the Florida promoters began filing papers to try to comply with our subdivision regulations. I was never informed of any of the filings. I was never told there were filings. In short, I knew nothing of their attempts to satisfy our regulations. No one ever provided me copies of what they filed. NOT ONE THING.
4. Judge Campbell, you have to quit trying to placate everyone when you are dealing for the County. It’s bad practice. You represent the County and the county taxpayers. You have a duty to stand up for them.
5. The first I knew of their attempts was when the subject of the approval appeared in the agenda. Seeing that I immediately notified you I was no longer your lawyer in the matter because I had been kept in the dark.
6. I understand the person they used to support their water well plans was also the same guy they are going to send the well drilling work for lot buyers to drill wells for the them. A clear conflict of interest.
7. That subdivision is going to be a headache for you and the County. Here again you shirked your responsibility to the county.

The Former Wells Fargo Building

1. You paid for plans to use this property for a Justice Center. That would have put the District Court System all in one place. You abandoned that plan to turn that property

into an unneeded community center. The facility would still have been available for public gatherings when court was not in session.

2. If we needed a community center, why did you not take over the Holman Center when the city gave it away? I guess that would have required too much foresight for you.
3. Our population here is getting older. Our current court set up requires our citizens with business before the court or who have been summoned for jury service to use a too small and slow elevator to get to and from the courtroom. This occurs sometimes several times a day during trials.
4. In the then proposed Justice Center all court personnel would be in the same building on the ground floor.
5. There are three vaults that are seriously needed for the court system and are clearly not needed for a community center.
6. The plan was approved by the then court personnel.
7. You have, as of now, passed up the opportunity to get Clay County an outstanding District Court system we could all be proud of. Why? To satisfy an unneeded whim.

The SB 22 money

1. You are now in the process of mishandling the SB 22 money intended to assist small law enforcement agencies retain qualified personnel and secure needed personnel.
2. This is a place where you do not have a roll. It likely should not have ever been on a agenda in any way subject to your approval. You have no say.
3. You are now trying to tell elected public officials how they can spend that money. Apparently you want the sheriff to pay for vehicles when the statute (SB 22) says what the money is to be used for.
4. You need to learn that you get to make the budget, but you do not get to micro manage each elected office.
5. Do you remember how unhappy you are when the legislature sends you an unfunded mandate? This is the opposite. This is a gift to strengthen rural law enforcement and you are making a mockery of it.

Sec. 130.911. Of SB 22 is entitled: "RURAL SHERIFF'S OFFICE SALARY ASSISTANCE GRANT PROGRAM Sec. 130.913. RURAL PROSECUTOR'S OFFICE SALARY ASSISTANCE GRANT PROGRAM."

6. Do you think maybe the legislature called it salary assistance so petty county commissioners like you would not try to otherwise direct the money? The statute also says:
 - a. §(f) "A county that is awarded a grant may not use or authorize the use of the grant money for a purpose other than to meet the minimum salary requirements prescribed by Subsection (e)(1) until those requirements are satisfied."
 - b. §(g) "A county may not reduce the amount of funds provided to the sheriff's office because of grant funds provided under this section."
7. Sec. 130.913. RURAL PROSECUTOR'S OFFICE SALARY ASSISTANCE GRANT PROGRAM
 - a. §(b) "The comptroller shall establish and administer the rural prosecutor's office salary assistance grant program to support the state purpose of ensuring professional legal representation of the people's interests throughout the state by providing financial assistance to qualified prosecutor's offices."
 - b. §(f) "A county may not reduce the amount of funds provided to a prosecutor's office because of grant funds provided under this section."
8. Do you think maybe the legislature called it salary assistance so petty county commissioners like you would not try to otherwise direct the money?
9. You are trying to deny money to the County Attorney's office because you don't like the man that holds that elected position. That conduct is illegal, immoral, and disgusting. I'm ashamed of you.
10. I intend to do everything possible to defeat any one of you that continues this petty conduct relating to the SB 22 money. That includes the possibility of suing you both as the Court and individually.
11. I'm disappointed in you and I'm disgusted with you. I'm also through with you. I have no intention of representing you again. Considering that, you are reminded that I have

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not charged you for any work in my various representative capacities. It's time you started acting like the government of Clay County.

12. Once before you accused me of calling you dumb. I did not. I did say that if you let a grant fail, it would be dumb. Now I'm telling you that all the above items I have used as examples of your neglect and irresponsibility are DUMB as well as irresponsible. You still have time to correct you mistakes on the SB22 money and the Wells Fargo Building. The rest is likely too late. But you will wind up spending more taxpayer money to fix those mistakes as well. You already know your choice on the phones and internet was a mistake.
13. The people that showed up at a prior meeting complaining about Buffalo Crest should have made you know how you screwed up. If that did not do it, just wait until buyers of lots there start getting or salt water wells and start asking why you didn't do your job.
14. I've done a hell of a lot of free legal work for Clay County. I'm done with you.
15. You have and are handling these items I've listed like a school kid at recess who takes his marbles and heads home when he loses the marble game.
16. I have read this to you. I also have a copy for each of you and the clerk. I plan to post this on Facebook so everyone can see how you have been operating the County and how you are wasting our money through pettiness and jealousy.

Very truly yours,



Frank J. Douthitt