

Lindale News & Times

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Breakthrough deal on property tax legislation announced

AUSTIN - Texas Lieutenant Governor Dan Patrick and Speaker Dade Phelan Monday issued a joint statement to announce an agreement on proposed legislation that will deliver the biggest property tax cut in Texas history. Both leaders met last week in Austin and, along with members of the House and Senate, have continued working day and night to reach a consensus. The deal represents a significant win for providing relief to Texas property owners and reflects the commitment of Texas leaders to address the concerns of taxpayers and provide significant relief from the burden of escalating property taxes.

Highlights of the \$18 billion tax cut legislation include:

- Over \$12 billion will be spent on reducing the school property tax rate for all homeowners and business properties.

- Every homeowner who homesteads their home (approximately 5.7 million homeowners) will get a \$100,000 homestead exemption.

- Non-homesteaded properties, valued at \$5 million and under, including residential and commercial properties, will receive a 20% circuit breaker on appraised values as a 3-year pilot project.

- Legislation will also include savings on the franchise tax for small businesses and create newly elected positions on local appraisal boards.

"Reducing property taxes, providing relief to small business owners, and reforming our appraisal system will ensure economic growth and prosperity, and this agreement is a significant victory for all Texans," said Speaker Dade Phelan.

"I appreciate Rep. Morgan Meyer, Rep. Will Metcalf and all the dedicated members of the House who worked tirelessly behind the scenes to help us reach a consensus, and the Texas House will soon do its part to deliver historic property tax relief. Negotiations with the Lieutenant Governor have been extremely productive, and by coming together and finding common ground, the House and Senate are one step closer to providing much-needed, much-deserved relief. I look forward to the passage of this package in the coming days and delivering on our commitment to the people of Texas."

"I started working to reduce property taxes at a Capitol hearing in 2003, 4 years before I was elected to the Texas Senate. It has been a long road, but this is a great day for all property owners. Speaker Phelan and I worked diligently together over the last week on the final bill. It made the difference. It may have taken overtime, but the process has produced a great bill for homeowners and businesses," said Lt. Gov. Patrick. "I thank all 31 Senators for working together and being patient through this process. I especially thank Sen. Paul Bettencourt, who was with me on that first bus trip to Austin 20 years ago, for his tireless work on this issue."

County Road 2212 (Surrey Trail)



County Road 2212, also known as Surrey Trail, is shown in before and after photos.

Courtesy photo

County road projects completed

Two Smith County projects that are part of the Road and Bridge Bond Program have been completed, said Public Information Officer Casey Murphy.

A project in Precinct 2 included County Roads 2222 and 2260, east of New Chapel Hill. Part of the roadwork to CR 2222 included adding a thicker layer of pavement because of heavy truck traffic on the cut-through road, Smith County Engineer Frank Davis said.

Work was done to CR 2222, starting from Farm-to-

Market Road 850, south to CR 2260, which ends at CR 223. Texana Land & Asphalt reconstructed the 2.62 miles of roads for a cost of \$956,370.

Reconstruction of CR 2212, also known as Surrey Trail, was also recently completed. The road is just east of Tyler and south of Texas Highway 31 East, in Precinct 3. Reynolds & Kay reconstructed 0.7 miles of roadway in the residential neighborhood. The project included two streets and cost \$247,435.

City sidewalk bid awarded

A bid was awarded this past Thursday by the Lindale City Council for work on downtown sidewalks during the council's meeting at city hall.

This meeting was rescheduled due to the July 4 holiday.

C.E Marler from Kilgore was awarded the bid from four submitted. The cost of \$403,876 will be funded from money available from the Texas Department of Agriculture Community Development Block Grant Project.

Work will be eastward from Highway 69 on Highway 16.

Council members also approved the Midnight Bash Baseball Tour-

Kinzie Center ribbon cutting set

The officials opening of the new Kinzie Community Center at Pool Park is scheduled for 5 p.m., Thursday, July 15, city officials said.

The date was set during the Lindale City Council meeting on June 6.

Following the ribbon cutting, an open house will commence and conclude at 7 p.m., giving visitors the opportunity to tour the facility and enjoy refreshments.

ment scheduled for July 14-15 at Pool Park and approved the use of the park for overnight campers.

In other action, council members:

- Approved the underground installation of utilities in the alley from North Street to Valley Street, between Miranda Lambert Way

and Highway 69;

- OK'd the replacement of the air conditioner at the Old Mill Pond museum;

- Tabled an ordinance to sell water based on an emergency need to Lindale Rural Water for 30 days while an agreement is being facilitated.

Construction company approved for courthouse parking garage job

Hoar Construction was appointed to lead the Smith County Courthouse and Parking Garage Bond project by county commissioners during their weekly meeting this past Wednesday, said Public Information Officer Casey Murphy.

The company will team with SCI Construction on the project, Murphy said.

A five-member review committee reviewed the qualifications and bids of four contractors and recommended the Hoar Construction/SCI Construction team to Commissioners Court.

"We are excited about having our construction manager-at-risk on board to complete the planning process and start construction of our parking garage and courthouse,"

Smith County Judge Neal Franklin said. "This allows us to remain on schedule."

The construction contractors will begin working with the architects and county officials on the project.

The parking garage will be built first and construction is expected to start in October.

Hoar Construction and SCI Construction are collaborating for the entirety of the courthouse and parking facility, working together to provide preconstruction and construction staffing.

Hoar Construction was founded 83 years ago and has nine offices in seven states.

Currently, they are building the School of Nursing

Continued on Page 2

Commissioners unanimously approve Findley as fire marshal

Smith County Commissioners voted unanimously to appoint Paul Findley as the Smith County Fire Marshal during their regular weekly meeting this past Wednesday, July 5, County Public Information Officer Casey Murphy said.

Findley is retiring from his post as city of Tyler Fire Marshal and Public Information Officer, which he served for 14 years.

He began his new duties on Monday, July 10.

"I am excited about this new opportunity, and I look forward to seeking out avenues to connect with our community and to work alongside our public safety partners as we strive to make our county as safe and healthy as possible," Findley said.

Smith County Judge Neal Franklin said they received 15 applications for the job and the top three candidates were reviewed during the Commissioners Court's executive session on July 5.

"Paul Findley, with his background and experience, professionalism and education, stood out above the rest of the candidates," Franklin said. "We are excited for him to bring that to the Smith County Fire Marshal's Office."

Findley has worked for the city of Tyler for 25 years.

"I have been blessed with so many opportunities in my time with the city of Tyler, and I have been fortunate to work with multiple chiefs and city managers in my career. I wouldn't be here today without their influence and support," Findley said. "Additionally, I am thankful to have worked with several past county fire marshals and their staff over the years. I have nothing but respect for each of my predecessors, and I hope that I can continue their legacy of service to those that entrust us to fulfill the role of public servants."

Findley is a certified fire executive and graduated from the Texas Fire Chiefs Academy in 2013. He attended the United States Fire Administration National Fire Academy in Maryland in 2017.

He holds certifications as a Master Firefighter, Master Fire Inspector, Master Arson Investigator, and Fire Instructor with the Texas Commission on Fire Protection.

He holds a Bachelor's Degree in Business Management and a Master of Science Degree, with an emphasis in Disaster Preparedness and Executive Fire Leadership.

Findley is a licensed master peace officer and has worked as an adjunct professor for Tyler Junior College in Emergency Management and Fire Protection Technology since 2012.

Before becoming fire marshal, he served as deputy fire marshal for the city of Tyler for six years, and as a firefighter for five years.

Findley serves on multiple local, state and national organizations.

Smith County Chief Deputy Fire Marshal Chad Hogue has served in the interim since the former fire marshal Jay Brooks resigned in September, 2022.



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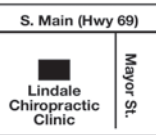


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OPINION/COMMENTARY

Not a garden party...

When you break your fairly new computer it sure ain't a garden party. More like "Dumb and Dumber"...I could play both parts in that ridiculous movie I have never seen. One thing I know for sure is that stupidity, at least my brand of it, is expensive. As in flat-pocket expensive.

Ever the multi-tasker I was working on my computer and answering an office phone call when I knocked over a glass of tea that short circuited my one year and four month old MacAir laptop computer ending its young and productive life.

That \$2,000 glass of tea is one mistake I will NOT be repeating. AND, this go round the \$260 Apple Care insurance for my new laptop looks like an excellent bargain.

Now here is the rub...we can't set the new computer up because I can't remember my Apple ID which is locked and inaccessible for several days before I can reset it. Have I told you lately how much I HATE technology?...at least when it comes to expense in money, time and my darlin' hubby's limited patience in the delay to activate the new computer.

I am paying to have my old hard drive salvaged. Please put that on your prayer list because naturally I hadn't backed up all that important info in, oh, say, a year. Plus the stuff I needed for this week's papers resides somewhere within the corroded circuits.

Indeed, dumb and dumber.

And fellow mid-lifers don't you just hate going to Best Buy, the Apple store or to buy a smartphone and those smart aleck, millennial geeks who work there are smirking at your attempts to purchase the right computer or phone for poor, old decrepit you?

Maybe AARP needs to come up with a dedicated computer model for Baby Boomers as they did with the geriatric cell phone which we smirkingly bought for our parents in their 80s and 90s. Dang, now that I recall my own smirk, I owe that Geek Squad kid at Best Buy an apology.

House Democrats' tax plan would help renters

Texas House Democrats unveiled a \$20.9 billion plan for property tax relief that drops tax rates, increases the homestead exemption, gives annual rebates to renters, and includes pay raises for teachers, the Austin American-Statesman reported.

The newest proposal comes as the Legislature continues wrangling over the issue in the second special session this year.

The bill, proposed by Rep. John Bryant, D-Dallas, is a combination of previous proposals with the added wrinkle of providing benefits for renters, who do not directly pay property taxes. The proposal also would raise the state's per-student funding to public schools by \$1,000 and give a permanent annual raise of \$4,300 for teachers.

"Our effort is one that recognizes that you can't talk about property taxes without talking about public education," Bryant said of his proposal to raise the state's basic allotment for school funding by \$1,000.

The Senate has already passed a proposal to increase the homestead exemption to \$100,000 and give a \$2,000 pay hike for teachers in urban districts and a \$6,000 increase to teachers in rural districts over the next two years.

Paxton won't testify at impeachment trial

Attorney General Ken Paxton won't testify at his upcoming impeachment trial in the Senate, according to his lead defense attorney, Tony Buzbee.

"We will not bow to their evil, illegal, and unprecedented weaponization of state power in the Senate chamber," Buzbee said. The Senate could still try to force Paxton to testify, but Buzbee's statement makes it apparent the defense would fight those efforts, the Statesman reported.

The House impeached Paxton in late May on 20 counts of misusing his office and other alleged crimes. He was immediately suspended from office pending the trial, which is set for Sept. 5. The rules adopted by the Senate give Lt. Gov. Dan Patrick as presiding officer the "power to compel the attendance of witnesses."

Paxton was indicted on securities fraud charges in 2015. In 2020, several whistleblowers in his office claimed he had abused his powers to assist Austin developer Nate Paul, who was charged in June with eight felony counts of making false statements to lenders.

The Best of Suzanne Bardwell



The AARP computer would have a screen the size of an old drive-in movie theater and process at the speed of light. And while they are at it 'they' need to create a Help Desk that speaks impatient Baby Boomer. Yeah, yeah, Mac says it does, but if I can't figure out the solution in two minutes or less I am done. I need someone to TALK me through it NOT a long list of 'Help Desk' instructions that Dumb and Dumber here can't decipher...which actually translates to: I don't have the patience to wade through to completion. Just give me a great big red SOLUTION button for me to push NOW. (MY typical 'solution button' is named Jim Bardwell and when working on computers he does sometimes turn red.)

The laptop I am typing on is my worn out teacher model with a short which requires me to hold the screen and my mouth just right to type. Serves me right. Repentance occurred with my MacAir's death certificate, penance is occurring as I type this on my ancient, by computer standards, MacPro. When I am not repenting from cursing my laptop, I am praying to find solutions. I don't know if that means this situation is good for my spiritual growth or not.

The moral of this tale is: ALWAYS keep a lid on drinks, keep them well away from your computer, ALWAYS buy the computer protection plan AND appreciate the fact that your boss/hubby says patiently "these things happen" when you kill a \$1,700 computer and then overlook his meltdown when you can't remember your Apple ID to access your new computer for the newspaper deadline.

Apple...hmmmm...wasn't that the first problem in the Garden of Eden?

That sounds about right.

Gary Borders Capital Highlights



TxDOT seeks input on \$100 billion plan

The Texas Department of Transportation is seeking public input on a proposed 10-year, \$100 billion transportation plan. The Unified Transportation Plan for 2024 is the agency's road map to developing projects across the state.

"It's important to work with our transportation partners and hear from the public to guide transportation improvements that address congestion and enhance safety," Marc Williams, TxDOT executive director, said.

Projects included in the plan seek to ease congestion and improve connectivity. They address all types of transportation, including aviation, rail, freight, maritime and public transportation. The public comment period ends on Aug. 7. To weigh in, go to txdot.gov and click on the public input link.

State gets \$60 million from feds for grid

The federal government is providing \$60.6 million to the Texas Division of Emergency Management to help utilities strengthen the state's power grid, the Texas Tribune reported. The grant program is funded by the Bipartisan Infrastructure Law passed in late 2021.

"These grants will help modernize the electric grid to reduce impacts of extreme weather and natural disasters while enhancing power sector reliability," U.S. Secretary of Energy Jennifer Granholm said in a statement.

State emergency officials will decide how to use the money. Possibilities include improving how power-producing equipment performs in extreme heat or cold, or trimming trees near power lines.

Since Winter Storm Uri caused widespread outages in 2021, other storms have also caused power crises. An ice storm in late January and early February sent tree limbs crashing into power lines, particularly in Austin. In June, severe storms swept through East Texas, again knocking out power lines.

A total of \$2.3 billion will be distributed by the Department of Energy across the nation to address power grid reliability issues.

THE FIRST AMENDMENT: Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of all the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

THE ECONOMIST

By Dr. M. Ray Perryman

People ...

Texas reached a notable milestone according to the latest release of US Census Bureau population data – the Lone Star State's Hispanic racial/ethnic group is now the largest. According to the July 2022 estimates, Hispanics comprise 40.2% of the population, while the second largest group (non-Hispanic white) is 39.8%. The state is also adding almost 1,300 people a day. That's more than my hometown



had when I was growing up (or at least having my first 18 birthdays).

Note that Hispanics can be of any race (or multiple races), and 59.8% of the state's population is counted as not Hispanic. The Black or African American (but not Hispanic) population is now 12.5% of the total, a share which has been slowly increasing. The Asian group has also increased modestly to

5.5%.

Other Census data released relates to the percent of the population 18 and older and median age. Texas is second only to Utah in the youth of its population. In the United States, 21.7% of the population is younger than 18. In Utah, the share is 27.6%, and in Texas, it's 24.8%. Other states with high proportions of youth include Nebraska, Alaska, South Dakota, Idaho, and Oklahoma. At the other end of the spectrum are many of the New England states, with Vermont having only 17.7% young people.

There you have it! A large and well-trained workforce is the currency for long-term economic expansion, and Texas has young people in abundance.

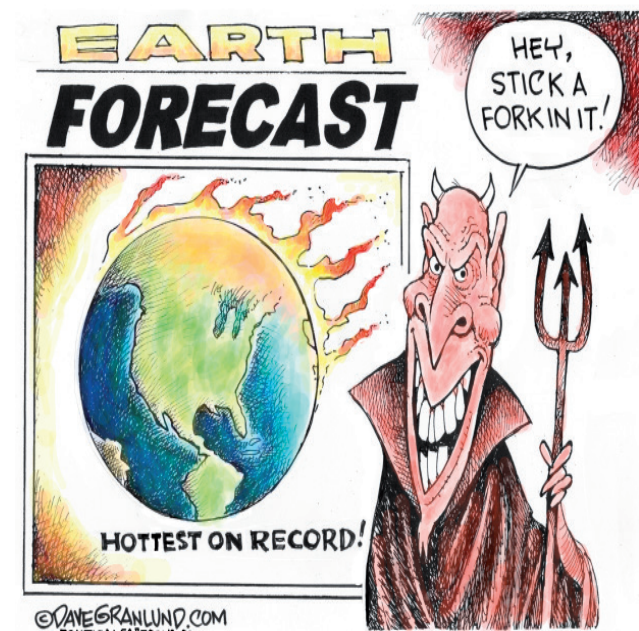
The key to success is, thus, ensuring adequate investment in education for the state's greatest resource – its young people. While many areas struggle with aging populations and a lack of workers, Texas will be in a much stronger position. However, preparation for the jobs of the future is imperative, from both individual and societal perspectives.

As with all areas, Texas students lost ground during the pandemic. While faring better than most in terms of the setback, there is much work to be done and resources are crucial. Supporting schools is an investment in the future for all of us.

Access to opportunities beyond high school will also be critical, as will affordability. One factor is that the Hispanic share of total wealth in Texas is notably smaller than the group's proportion of population. Although the situation is improving, I estimate that Hispanics hold about 9-10% of wealth compared to a share of population of over 40% (and well above 50% of the school-aged group, a percentage that is rapidly expanding). Assuring access and educational excellence is essential.

Texas is well positioned for the future with a large and expanding group of young people compared to many areas. If they become a world-class workforce, the sky's the limit! Stay safe!

Dr. M. Ray Perryman is President and Chief Executive Officer of The Perryman Group (www.perrymangroup.com), which has served the needs of over 3,000 clients over the past four decades.



Construction company approved for courthouse parking garage job

Continued from Page 1

at UT Tyler, along with many other higher education projects, a project for the Texas Department of Transportation, multiple healthcare facilities and renovations, as well as office and hospitality work across the state.

Hoar Construction is a privately owned, family oriented, and relationship driven company with Rob

Burton being the primary shareholder. For more information about Hoar Construction, visit: www.hoar.com.

SCI's local presence and existing relationships with local trade partners will enhance Hoar's depth of knowledge and experience as the two organizations work together towards successful completion, com-

pany representatives said.

SCI Construction is a family-owned business managed by Larry Parker and his son Brandon Parker.

Established more than 20 years ago as a Tyler-based construction management firm, SCI's staff is a diverse mix of professionals with experience from medical to multi-family housing and education facilities to office buildings.

For more information about SCI Construction, visit: www.scitx.com.

For more information on the courthouse and parking garage bond project, visit: www.smith-county.com/online-services/online-county-services/court-house-planning



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It's time for some really funny business

Movies, whether in the theater or on the telly, are a great way to pass the time. The Lovely Bride and I have passed through the doors of dozens upon dozens of theaters during the past 44 years, enjoying everything from adventure to comedies to thrillers.

And speaking of comedies (you could see a list coming, couldn't you?) let's dive into the top 10 comedies of all time as ranked by me, myself and I.

Some we enjoyed at the theater but since I'm such a fan of classic films, others were seen for the first time on TV.

And we're off....

(10) Libeled Lady, 1936, Jack Conway director: Just in star power alone – Spencer Tracy, William Powell, Myrna Loy and the fabulous Jean Harlow – this film deserved more than a measly one Oscar nomination. A perfect screwball comedy, Libeled Lady details the story of a socialite (Loy) who sues a big paper (Tracy, the editor) for libel. Tracy then summons a former star reporter (Powell) to frame Loy and make the false story seem true. Oh and by the way, Harlow portrays Tracy's neglected and put upon fiancé, Warren Hagerty, who says "She may be his wife, but she's engaged to me!"

(9) The Seven Year Itch, 1955, Billy Wilder director: Tom Ewell portrays a somewhat neurotic "summer" bachelor living in an apartment beneath Marilyn Monroe, who almost beans him with her tomato plant from her upstairs balcony. Billy Wilder's expert pace and crisp writing put a hilarious new spin to the guy who wants to but doesn't really want to step out on his wife, who just happens to be away for the summer.

(8) Some Like it Hot, 1959, Billy Wilder director: Perhaps better known for his dramas, Billy Wilder



Some of Hollywood's finest actors were showcased in the 1936 screwball comedy, "Libeled Lady." From left, William Powell, Myrna Loy, Jean Harlow and Spencer Tracy.

also had a deft comic touch. This was his third foray into funny business and his magic touch turns this film into pure gold. Jack Lemmon and Tony Curtis are two Depression-era musicians on the lam from Chicago mobsters. They wind up in drag in an all-girl band featuring Marilyn Monroe as Sugar Kane, and Curtis is determined to reel her in. Classic quote: "Well, nobody's perfect!"

(7) Best in Show, 2000, Christopher Guest director: Did you think there would ever be a funny movie about dog shows? Guess what, it's Best in Show, from mockumentary expert Christopher Guest. The humor is so low key it's laugh out loud funny because people and their dogs can be, well, very funny. The ensemble cast is terrific and Guest's regulars Catherine O'Hara, Eugene Levy, Michael McKean and John Michael Higgins are

perfect as persnickety dog owners at the Mayflower Dog Show.

(6) National Lampoon's Animal House, 1978, John Landis director: A frenetic ride, this hilarious film tells the story of the Delta Tau Chi fraternity at Faber College in 1962. John Belushi steals this movie from the start. "Raucous" is too tame to describe the Delts, who are boorish, sexist but above all, funny. Keep an eye out for Kevin Bacon, who painfully asks "May I have another?"

(5) Slap Shot, 1977, George Roy Hill director: Paul Newman has been quoted as saying this one of the most enjoyable films of his career and he does a believable turn as player/coach of a miserable, nearly broke minor league hockey team. Frequent Newman co-star Strother Martin is wonderful as the team's cheap owner. A special comedy indeed, even

if you don't like hockey.

(4) The Sting, 1973, George Roy Hill director: The first of two collaborations on this list featuring Paul Newman and George Roy Hill. Another film that I will stop what I'm doing and re-watch. It won seven Academy Awards, including Best Director, Best Screenplay and Best Picture. As entertaining a con artist film that has ever been made and if you haven't seen it, watch every bit of it, especially the final 15 minutes.

(3) It's A Mad, Mad, Mad, Mad World, 1963, Stanley Kramer director: The large ensemble cast includes comic geniuses Jonathan Winters, Sid Caesar, Phil Silvers, Buster Keaton, Jack Benny, Don Knotts and Dick Shawn (whew!) playing off one of the best actors of his generation, Spencer Tracy. So how can it not be funny? That's exactly what it is, each and every time I'm lucky enough to see it again. And again. And again.

(2) Airplane, 1980, Jim Abrahams, David Zucker, Jerry Zucker directors: The best all-time satire on disaster movies. You just have to laugh when you hear "Don't call me Shirley," or "They're flying on instruments," or "I picked the wrong day to quit smoking/sniffing glue/give up amphetamines." It turned previously serious actor Leslie Nielsen into a comic genius for the rest of his career.

(1) Blazing Saddles, 1974, Mel Brooks director: At the time of its release, Brooks was roasted for his supposed "racial" slurs against African-Americans, Native Americans, Jewish Americans, etc. If you've seen the film, you know he treated each minority with respect but roasted the bigots. This is a classic even if he had left out the cowboys-eating-beans scene. Simply hilarious and I laugh till I cry each time I see it.

Chin hair, cellulite and creatures ... Oh my!

Guess what! Yep, you guessed it. I got another call from a phone creature the other day. I'm gettin' fewer and fewer of them here lately because my wife put us on one of those do not call lists because she's the one who doesn't like to talk to them, not me.

Heck, I'm findin' it harder and harder to find anybody that will talk to me. For some reason they think that I'm some kind of reporter for the paper or something. Well, let me inform you right now, I am not a reporter. If you don't believe me, call the paper. They'll tell you.

Reporters are trained to do their craft. Nobody ever trained me to do this stuff, as you can probably tell. Now, where was I? Oh yeah, the phone creature.

Phone creatures, for you out there who haven't been readin' this junk I write, are what I call those pesky phone solicitors. I like to mess with them, if you know what I mean. Anywho, I got a call the other day.

"Yellow," I said as I answered the phone. I didn't hear anything on the other end. "Yellow!" I said louder, and then I heard that faint click that tells you it's a phone creature.

"Mr. Mitchum? Hi, this is Stacy Lyndon, and I am calling to let you know that you have been selected as our winner for a new DVD player."

"A what?" I asked.
"A DVD player," she repeated.
"How do you spell that?" I asked.



"Uh, how do you spell DVD?" she asked back.

"I asked you first," I said.
"Well..uh..It's spelled D-V-D."

"Oh, just like it sounds, huh?"

"Uh, yes sir."

"How'd I win it?" I asked.

"Well, first you would have to sign on with our satellite dish service and let us install you a new satellite dish."

"Is that one of those things that gets pictures from outer space?"

"Well, sort of."

"It's for your TV, ain't it?"

"Yes sir."

"Well then, you're gonna have to talk to my wife, 'cause she's the only one who watches TV around here."

"I see. Is she in?"

"Naw," I said. "She's in the hospital."

"Oh, I'm sorry. It's nothing serious, I hope."

"Well, she electrocuted herself."

"Oh my!"

"Yeah, it all started out with her wantin' to get rid of some hair on her face and those dents in her thighs."

"Dents?"

"Yeah, you know, she had a bunch of tiny little dents all over her thighs."

"Oh, you mean cellulite."

"Whatever. It looked like hail damage to me. She tried

exercise, and creams and all sorts of stuff, but nothin' worked. I suggested Bondo, but she just looked at me like I was an idiot or somethin'.

"Anywho, she also wanted to get rid some of them old black hairs on her chin. I told her to shave 'em off, but she said that they'd grow back thicker. Then she seen this advertisement where they remove the hair through electrocution."

"You mean electrolysis," the creature said.

"Yeah, that's it, electrolysis. Anywho, she called and they wanted too much money for the procedure, so she figured that she'd just do it herself. So, she gets the lamp off of the nightstand, and yanks the cord out. She stripped the wires, attached one of 'em to one of them hairs on her chin and the other she tied around her little finger. Then she stuck her foot in the commode, so she'd get a good ground. Water's a good conductor, you know. Then she plugged it in."

"You're kidding," said the creature.

"Wish I was," I said.

"Anywho, it worked."

"It did?"

"Yeah," I said. "It worked a little too good. It not only took care of the hair on her chin, but the hair on the rest of her head, too."

"Oh my."

"Yeah, it weren't pretty. But, on the plus side, it did blow all of them dents out of her thighs."

"You are kidding, right?"

"Naw, I ain't kiddin'. Heck, the house still smells like burnt hair."

"This just sounds too unreal."

"You think this sounds unreal, you should have heard her hollerin'. The ambulance that picked her up didn't even have to use the siren. They just hung her head out the window."

There was silence on the other end. "Hello?" I said.

"Are you still there?"

"Mr. Mitchum, this was not funny, and just for that, I'm taking you off the list for the free DVD player," and she hung up.

"Ha!" I said as I hung up the phone. I knew before I even turned around that my wife Janet was standin' somewhere behind be. I could feel her eyes borin' into the back of my head. Slowly, I turned around. I was right. There she was.

"What?" I said.

"Hair? On my chin? Cellulite? Where do you come up with this stuff?"

"It's a gift?"

"A gift? More like a curse. And guess who the curse is on. Me, that's who! Now, people will think I have a beard and cellulite."

"Why would they think that?"

"Because you'll probably write about it."

"Who me? Naw. Never." Heh, heh. Don't tell her about it. Let her read it for herself.

LETTERS TO THE EDITOR

Appreciation for columns

Dear Editor,

I just want to say that we just love Suzanne Bardwell's very meaningful editorials each week. She really was a caring, loving, as well as intelligent journalist, teacher, wife, mother and person.

Thank you for reprinting her editorials.

Ed Kaup
Lindale

Times of Lindale



EDITOR'S NOTE: This column comes from the archives of the Lindale News and Times, which is available online for \$2.99 per month. Call 903-882-8880 to set up your online subscription.

ONE YEAR AGO, July 14, 2022

Sallie Black was sworn in as the new Place 4 member of the Lindale City Council during the council's regularly scheduled meeting after winning a runoff election over Owen Scott on June 25.

Lindale City Secretary Michelle Wiese performed the swearing in duties.

Black received 68 votes (63.55 percent) to Scott's 39 votes (36.45 percent).

The runoff was needed following the May election when Black tallied 36.6 percent of the vote for 31.8 percent for Scott.

Black joins Rick Thelan (Place 1), Yvette Aguirri Martin (Place 2), Mayor Pro Tem Ginger Sims (Place 3) and Gavin Rasco, elected in May to Place 5.

Rasco won the Place 5 seat on the council with 60.7 percent of the vote over Brandon Whitham's 39.2 percent.

The two Lindale council seats came open this election cycle due to term limits mandated by the city charter.

FIVE YEARS AGO, July 12, 2018

Former Lindale High School student Dylan Tiiman earned Dean's List honors at Barton Community College in Great Bend, Kan., for the spring semester. He was one of 266 students to earn the honor, which is achieved by being enrolled in at least 12 hours and maintaining a 3.5 to 3.99 grade point average on a 4.0 scale.

10 YEARS AGO, July 11, 2013

Lindale ISD trustees hired three new teachers and approved three bids for food items for the district during their regularly scheduled meeting at the administration office.

Board members also approved a list of teacher appraisers and OK'd an appraisal calendar for 2013-14.

Superintendent Stan Surratt recommended three new instructors – Candice Munoz as a 5th grade resource teacher, Paige Sellers as a 5th grade math teacher and Seth Bauman as a health teacher and coach at Lindale High School.

Resignations also approved by the board were high school health teacher and coach Hart Hering, librarian Karon Clinton, 4th grade teacher Carmen Snow and 5th grade teacher Cheryl LaPrade.

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TxDOT seeks public input concerning 10-year road plan

As the Texas population continues to boom, Texas Department of Transportation officials are drafting a record-breaking 10-year transportation plan and now the public is invited to weigh in on the projects proposed in their communities, said TxDOT spokesman Jeff Williford.

To help guide transportation projects over the next decade, TxDOT is seeking public input on the draft 2024 Unified Transportation Program, the state's 10-year transportation plan.

The public is invited to learn about the UTP to participate in a virtual public meeting on July 25 at 2 p.m.

The public may join the meeting and hearing by phone or online via TxDOT Public Involvement.

The draft 2024 UTP totals \$100 billion, which is \$15 billion more than the 2023 plan. The increase primarily comes from growth in revenues from Proposition 1 (passed in the 2015 legislative session) generated by oil and gas severance fees dedicated to highway improvements.

"The UTP is TxDOT's road map to developing projects across the state," said TxDOT Executive Director Marc Williams. "It's important to work with our transportation partners and hear from the public to guide transportation improvements that address congestion and enhance

safety."

Projects included in the UTP will improve safety, address congestion and connectivity, and preserve roadways for Texas drivers. The UTP also addresses public transportation, maritime, aviation, rail, freight and international trade, and bicycle and pedestrian connectivity.

The draft 2024 UTP public comment period began July 7, 2023, and ends Monday, Aug. 7, 2023, at 4 p.m.

There are multiple ways to comment throughout the process, and they can all be found on the Public Involvement section of TxDOT.gov, along with recordings and presentations from each meeting and hearing. Comment forms are also available in English, Arabic, Cantonese, Hindi, Mandarin, Spanish and Vietnamese.

The UTP is updated annually, and TxDOT works with its transportation partners to identify projects to be included. Public comments and feedback are a very important part of developing the plan. Available in English and Spanish, a UTP Fact Sheet provides an overview of the program.

The Texas Transportation Commission approves the UTP annually in accordance with Texas state law at its August commission meeting and publishes the approved UTP on TxDOT.gov.

OBITUARIES

Aubrey Downing Keith



A celebration of life service for Aubrey Downing Keith, 84, of Hideaway was held Wednesday, July 12, 2023 at Caudle-Rutledge-Daugherty Funeral Home in Lindale with the Rev. Nick Sholars officiating.

After a lengthy battle with Lewy Body Dementia, Aubrey passed away peacefully at home on July 3, 2023, with his wife Carole by his side.

Burial will be at Harris Creek Cemetery in Winona. Aubrey was born June 28, 1939, in Winona to Aubrey and Helen Keith.

At two years of age his family moved to Dallas where he graduated from Sunset High School in 1957. Upon graduation he served in the United States Coast Guard.

He obtained his Bachelor of Business Administration degree with a major in accounting in 1963 from the University of Texas at Arlington. He became a Certified Public Accountant in 1972.

Aubrey's early professional career was in the oil and gas industry with employment in Dallas, Brownsville, and Amarillo. His entrepreneurial spirit was always present. He owned numerous restaurants, and in 1983, he purchased Grace

Healthcare Services in Jacksonville.

After moving to Hideaway in 1990, he acquired a home health agency changing the name to Grace Visiting Nurses and relocating the agency to Jacksonville.

In 2017, Aubrey sold both businesses and retired. Aubrey enjoyed many sports, and he loved being outdoors with his family participating in golf, snow skiing, sailing, running, and tennis.

He and Carole often traveled alone or with friends playing many well-known golf courses. Aubrey was preceded in death by his parents, Aubrey and Helen Keith, and his sister Zey-phene McMackin.

He is survived by his wife of 60 years, Carole; son, Brian Keith of Hideaway; daughter, Carrie Provinsal of Lansing, Mich.; 2 grandsons, Tyler Provinsal of Hideaway and George Provinsal of Lansing, Mich.; sister, Bailey Sue Marland of Spring; four nephews and one niece.

Aubrey's family would like to thank all the nurses and aides from The Hospice of East Texas for their loving care, especially Stacey, Joyce, and Jackie. They would also like to thank caregivers Tameka and Tawatha of Living Angels for their kind and compassionate care.

In lieu of flowers, donations may be made to The Hospice of East Texas, 4111 University Blvd, Tyler, 75701 or the charity of your choice.

Celebrations of Faith

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BAPTIST
Antioch Baptist Church
793 CR 313W Tyler TX 75706
903-597-6131
Pastor Stephen Nipp

Bethel Baptist Church
FM 16 West, Lindale, TX 75771
903-882-8275

Bible Baptist Church
16173 CR 431, Lindale, TX 75771
903-882-1454

Carmel Baptist Church
10969 CR 481, Lindale, TX 75771
903-882-3852
James Cheatham

Central Baptist Church
13745 FM 16 East, Lindale, TX 75771
903-882-3179
Byron Howard

Damascus Baptist Church
17052 CR 4105 Lindale, TX 75771
903-882-3392
Bennie Portwood

Dover Baptist Church
21166 FM Road 1995, Lindale, TX 75771
903-882-5106

Duck Creek Baptist Church
Lindale, TX 75771
903-882-9558

East Foothills Missionary Baptist Church
810 E South St, Lindale, TX 75771
903-574-2672
Gary Dinger

Fairview Baptist Church
Van Highway, Lindale, TX 75771
903-882-9500

First Baptist Church
Hwy 69 (in Swan) Lindale, TX 75771
903-882-6432

First Baptist Church of Lindale
110E Hubbard St. Lindale, TX 75771
903-882-3396
Tom Buck

Foundation Baptist Church
715 S Main St. Lindale 75771
903-881-9490

Garden Valley Baptist Church
17816 CR 442, Lindale, TX 75771
903-882-7671

Greater Hopewell Baptist Church
10480 CR 492 • Tyler, TX 75706
903-882-4726

Hopewell Baptist Church
11804 CR 494, Lindale, TX 75771
903-882-5381



Hopewell Valley Baptist, Church No 1
CR 429 • Van, TX
903-882-5136

Mt. Sylvan Baptist Church
13073 Hwy 110 N • Lindale, TX 75771
903-882-3890
Bruce Rudd

New Harmony Baptist Church
10251 FM 727, Tyler, TX 75704
903-593-5811

Red Springs Baptist Church
Red Springs, TX
903-858-2365

St Mary Baptist Church
12050 CR 452., Lindale, TX 75771
903-882-8066

Thompson Hill Baptist Church
14657 CR, Lindale, TX 75771
903-882-0849

Walnut Springs Baptist Church
211 Walnut Springs., Lindale, TX 75771
903-882-7858

Wood Trails Baptist Church
11804 CR 494,
Lindale, TX 75771
903-882-5381

CATHOLIC

Holy Family Catholic Church
16314 FM 849,
Lindale, TX 75771
903-882-4079
Rev. David Bailey, Pastor

St. Joseph the Worker Tridentine Latin Mass
5075 FM 14, Tyler, 75712
903-593-5055
Rev. Joseph Valentine, FSSP

CHURCH OF CHRIST
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211 W. Hubbard, Lindale, TX 75771
903-882-6455

Church of Christ – South Main
2425 S Main St,
Lindale, TX 75771
903-882-8933

Church of Christ – Swan County
Road 471, Lindale, TX 75771
903-882-8009

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St Luke's Episcopal Church
16292 FM 849
Lindale, TX 75771
903-882-8118
Rev. John Carr

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10119 Gina Rd., Lindale, TX 75771
Dr. Lawrence Zillmer

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Michael Peschke

Harris Chapel Southern Methodist Church
17069 CR 452 Lindale TX
903.253.3175
John Roach, Pastor

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Mt. Sylvan • 903-882-5479
Swan-Wood Springs Methodist Church
Hwy 69, Tyler, TX 75706
903-882-6382

NON DENOMINATIONAL

Clearview Church

13933 Hwy 110 N
Lindale, TX 75771
903-882-8949

Community Christian Fellowship
15704 Hwy 110 N Lindale, TX 75771
903-882-8501
David Hickey

Cross Brand Cowboy Church
11915 FM 2015, Tyler, Texas 75708
903-535-9155

Crossroads Community Church
20465 US Highway 69 North
Lindale TX 75771-4206
903-881-9844
Tim Letsch

Bethesda Church
2401 S Main St
Lindale, TX 75771
903-882-7597
Steven & Camilla Charles

Friendship CME Church
20428 CR 482
Lindale, TX 75771
903-882-7269

Garden Valley Bible Church
17117 FM 1253
Lindale, TX 75771
903-882-9665

Grace Community Church
15567 Wood Springs Rd
Lindale, TX 75771
903-882-3323

Hide-A-Way Lake Community Church
1115 Lake Cross Rd
Lindale, TX 75771
903-882-6966

Life of Glory Church
14623 CR 463
Lindale, TX 75771
903-882-7997
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1601 S. Main, Lindale
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Trial date set for county commissioner's son

A trial date of Aug. 16 has been set for Lance Phillips, son of Smith County Precinct 3 Commissioner Terry Phillips and county clerk Karen Phillips, following his arraignment on July 3, officials said.

Lance Phillips will be tried for disrupting a meeting or procession after being led from the commissioner's court during a May 9 meeting.

He was handcuffed and led out of the courtroom by sheriff's deputies after shouting "let her speak" when a woman, who had signed up to discuss the county jail operations instead began talking about Sheriff Larry Smith.

It was at this point County Judge Neal Franklin cut her off, saying she was violating the court's rules

concerning the public forum.

Lance Phillips could be heard shouting from the gallery and at this point, Sheriff Smith ordered his deputies to escort him from the courtroom.

After being arrested, Phillips was charged with disrupting a meeting or procession. He was later released from jail on a \$500 surety bond.

The previous week, Lance Phillips appeared during the public speaking portion of the commissioners' meeting and after he went off topic, Franklin admonished him and ended the public forum session.

He indicated he wanted to speak on an agenda item dealing with replats in the county, but immediately went in another direction.

"This is what can happen to you when you're driving down Smith County roads. I just want to correct the slander against my family," he said.

Franklin then interrupted him. "I'm going to stop you right there. If you are not going to speak on the replats you cannot speak," Franklin said.

Lance Phillips then returned to the gallery and began speaking from his seat.

"Mr. Phillips please do not call out from the crowd," Franklin said. "Thank you."

At this point, Lance Phillips was escorted out of the courtroom. He returned several minutes later.

Lance Phillips tried to address the arrest of his brother Derrick Phillips who allegedly interfered

with a traffic stop involving another man, Cody Voss, who was being pulled over for having one of his tail lights out on his vehicle.

Voss pulled into the Phillips' residence and Derrick Phillips got involved in the traffic stop. Sheriff's office spokesman Larry Christian said Phillips became belligerent and another deputy came to assist with the arrest.

At that point, Christian said, Derrick Phillips ran into the house and deputies followed. It was at this point Karen Phillips became involved in the incident.

She was jailed on a Class B Misdemeanor and was released the next day.

In a related matter, Karen Phillips filed a \$10 million lawsuit on May 30 against Smith County, its

sheriff and multiple Smith County Sheriff's Office deputies.

In her lawsuit, Phillips asserts her arrest on April 4 for allegedly interfering with her son's arrest is erroneous and that she committed no crime and her Fourth, Fifth and Eighth Amendment rights were violated.

She said after video of that night released by Sheriff Smith she has been harassed by drivers outside her home, threatening phone calls and vulgar emails, which have resulted in mental distress, depression and headaches.

In addition to Karen Phillips' suit, Derek Phillips also has filed a \$150 million suit against the county as he too claims multiple Constitutional rights were violated during the incident.



Precinct 3 road, bridge work announced

A portion of County Road 370, also known as Howell Lake Road in Precinct 3, has been closed so a bridge can be replaced, said Smith County Public Information Officer Casey Murphy.

The concrete bridge with wooden piers, which runs over the private Howell Lake, will be replaced with a wider concrete bridge with concrete piles, Smith County Engineer Frank Davis said.

Signs are up alerting drivers of the closure and drivers will need to take an alternate route.

Work is being done by True Roads Construction and is expected to take about three months.

For current Smith County road projects, visit: www.smith-county.com/government/departments/road-and-bridge/current-road-projects

Jacksonville man sentenced to 5-plus years in fed methamphetamine case

The final defendant has been sentenced in an East Texas drug trafficking operation in the Eastern District of Texas, said Davilyn Walston, spokesperson for U.S. Attorney Damien M. Diggs.

Darrell Lynell Horace, Jr., 29, pleaded guilty to possession with intent to distribute methamphetamine and was sentenced to 63 months in federal prison by U.S. District Judge Jeremy D. Kernodle.

According to information presented in Court, Horace and four others admitted to selling methamphetamine in Cherokee County, Texas. Horace also admitted to possessing a firearm as well as methamphetamine. One of Horace's co-defendants, Pablo Antonio Sandoval, 24, of Bakersfield, California, admitted to transporting large quantities of methamphetamine from California-based suppliers to Jacksonville. Upon delivery, the methamphetamine was repackaged and sold by Hunter Chase Davlin, 27, of Jacksonville, Sissy Gail Parks, 39, of Bullard, and Joshua Ryan Starkey, 30,

of Jacksonville.

Davlin was sentenced to 108 months in prison on February 22, 2023; Parks was sentenced to 70 months in prison on December 14, 2022; Starkey was sentenced to 130 months in prison on November 4, 2022; and Sandoval was sentenced to 170 months in prison on April 18, 2023.

This case was investigated by Homeland Security Investigations, the Bureau of Alcohol, Tobacco, Firearms and Explosives, Cherokee County Sheriff's Department, and the Jacksonville Police Department and prosecuted by Assistant U.S. Attorney Lucas Machicek.

Frisco man gets 4-plus years for wire fraud

A Frisco man was sentenced to federal prison this past week for wire fraud violations in the Eastern District of Texas, Walston said.

Oscar Simon Ndereva, 45, pleaded guilty to wire fraud and was sentenced to 54 months in federal prison by U.S.

District Judge Sean D. Jordan.

According to information presented in court, Ndereva was involved in an intricate scheme to defraud private pay health insurance payors.

Specifically, he used a fraudulent healthcare pharmacy called "Healogix" to submit fraudulent claims.

Ndereva caused the fraudulently obtained funds to be paid directly to bank accounts he opened in the name of another individual.

During the course of the scheme, Ndereva moved money through various accounts in order to conceal the nature and source of those funds, and also structured check cashing transactions to avoid financial reporting requirements and to evade law enforcement detection.

In all, Ndereva's company Healogix submitted over 780 fraudulent claims totaling more than \$5 million.

This case was investigated by the FBI and Health and Human Service—Office of Inspector General.

Tyler man sentenced to life in prison for sexual abuse

Rainer Wiseman, 57 of Tyler, has been sentenced to life in prison without parole for continuous sexual abuse of a child under 14, said Emily Starkey, spokesperson for Smith County District Attorney Jacob Putman.

Wiseman was found guilty by a Smith County jury two weeks ago.

County prosecutors Emil Mikkelsen and Angela Faulkner presented evidence that Wiseman had sexually abused a 13 year old girl on multiple occasions during a six month time span.

The victim testified against Wiseman,

along with witnesses from the Tyler Police Department. The jury also heard that Wiseman had only recently been released from prison, serving a 25 year sentence for a previous sexual assault conviction out of another state.

"We appreciate the hard work of the Tyler Police Department and the Smith County Children's Advocacy Center. Both agencies are instrumental in protecting our community from predators like Rainer Wiseman and in bringing justice to victims," said Putman.

Suspect apprehended after weekend stabbing on FM 14

Smith County Sheriff's Department officials announced the suspect in a weekend stabbing on FM 14 late Saturday night has been taken into custody.

Abiel Alberto Correa, 61, was booked into the county jail on Sunday after he was spotted walking along FM 14 on Sunday.

He has been charged with aggravated assault with a deadly weapon in the stabbing at



the Flamingo Club, 10749 FM 14 at approximately 10:14 p.m. Saturday.

The victim was transported to UTHealth Hospital and remains in stable condition, Smith SO spokesman Larry Christian said.

According to witnesses at the time of the stabbing, Correa made threatening statements toward anyone who tried to apprehend him

Eight Lindale residents among 193 indictments

During the past four weeks, Smith County Grand Juries handed down 193 indictments, including eight from Lindale, said Grand Jury Coordinator Mariliza Martinez.

Lindale indictments include:

- James Culpepper, 43, possession of a controlled substance on March 17, 2023;
- Brittney Mireles, 22, possession of a controlled substance, May 14, 2022;
- Casey Salazar, 21, sexual assault of a child, March 4, 2023;

-- Johnathon Daniel, 29, manufacture/delivery of a controlled substance, March 9, 2023;

-- Aaron Matthews, 41, aggravated assault causing seriously bodily injury, April 4, 2023;

-- Jazzlyn Cooper-Holmes, 23, abuse of a corpse without legal authority, March 15, 2023;

-- Allen Johnson, 45, solicitation of prostitution/other payor, May 17, 2022;

-- Kerry West, 34, abandonment/endangering child, Nov. 1, 2022.

Soaring temperatures cause sunscald on trees

By Greg Grant
Smith County Extension Agent

Scorching temperatures occur every summer in Texas and can cause ugly scars on young smooth tree trunks.

Sunscald is a physiological disorder that occurs on the lower part of the trunk on the southwest side, typically on young trees. Thin barked trees such as red maples, Japanese maples, and dogwoods are most susceptible, but even young oaks can be affected.

The trunk damage is most prevalent on **young, recently planted trees that have not developed a thick, cork insulating bark.** The damage usually starts a few inches above the ground and extends as high as the first branches.

Sunscald is a summertime problem.

Trees are kept cool by transpiration, the evaporation of water from the leaves. If a tree is newly planted or a severe drought oc-

curs, transpiration can be slowed and temperatures in the tree can begin to increase. Not only does transpiration cool the leaves but the flow of water through the tree trunk also cools the trunk.

Temperatures near 140 degrees are lethal to most cells. In drought conditions, established oak trees with thick bark have been measured with temperatures above 135 degrees so one can only imagine the trunk temperature of a young, newly planted red maple in an asphalt parking lot or next to the concrete in a new subdivision.

The southwest side of the tree gets the most sun, so that portion of the trunk will be the hottest. Usually there is no bark cracking when this kind of injury occurs, but a year or two after the damage a flat side of the trunk will develop and new bark growth will push in from the side of the wound, pushing the old, dead bark off the trunk.

With good care, trees survive,



The trunk of this newly planted red maple has been wrapped to prevent sunscald. (Courtesy photo)

but the trunk is disfigured for years, and the open wound can be the source for borers or a hollow tree later in the tree's life.

Preventing sunscald injury means paying special attention to watering during the first few years of establishment for young

trees. Keeping the tree trunk out of direct sunlight during the heat of summer is the first consideration. Retaining as many of the lower branches as possible on young trees and wrapping the trunk with a light-colored tree wrap that reflects the sun's heat away can

prevent the issue.

Thereafter, watering during prolonged periods of drought is also important until the tree develops a large enough canopy to shade its trunk during the heat of summer.

There is no quick cure for trees that have experienced this common problem. First assess the damage and see what percentage of the tree trunk's circumference is girdled.

This will approximately equal the percentage of reduced growth and vigor in the surviving tree. If the damage is less than halfway around the tree and new callus growth is growing into it, the tree may be worth saving by cleaning the dead bark and wood from the wound, mulching, lightly fertilizing each spring and fall, and watering deeply once a month during June, July, and August. However, replacement in the fall or winter with a healthy new tree is often the best option.

Lindale athletes earn Super Elite status

Several athletes from Lindale High School have been selected to the 2022-23 Texas High School Coaches' Association Super Elite Teams, publicity officials announced.

Eagles selected included: Brett Maya, Colter Maya and Justin Seekford in Class AAAA boys track and Taegan Michel and Breanna Taylor in girls tennis.

The THSCA Super Elite Teams consists of high school players nominated by current professional members of the Texas High School Coaches Association, officials said.

The player must meet the THSCA award criteria to be nominated. The award recognizes student athletes across the state of Texas for their exemplary athletic achievement in their respective sport.

Each nomination will go to the Super Elite Teams Committee to determine the finalists who have made the Super Elite team in each classification.

This award will begin in the Fall of the 2022-23 school year.

In order to be considered, athletes must be of good moral character, play varsity sports only, be a member of the team in good standing at the time of nomination and have excelled as an elite member of their respective sport.

CLASS AAAA TRACK SUPER ELITE TEAM

MVP: Zane Hodges, Fort Stockton
 -- Victor Aviles, Burnet
 -- Hudson Bennett, Burnet
 -- Creece Brister, Stephenville
 -- Xavier Butler, Brazosport
 -- Hector Gaza III, Alice
 -- E.J. Hiitola, Stephenville
 -- Andrew Huff, Stafford
 -- Hunter Kunkel, Bellville
 -- Carlo Martinez, Gatesville
 -- Brett Maya, Lindale
 -- Colter Maya, Lindale
 -- Jayden Mccoy, Tuloso-Midway

-- Garrett Nuckolls, Bullard
 -- Justin Seekford, Lindale
 -- Matthew Tyeskie, Kilgore
 -- Gabriel Wray, Wimberly

CLASS AAAA SUPER ELITE TENNIS TEAM

-- Scout Adams, West Plains
 -- Kynley Craddock, Randall
 -- Carson Dyess, Randall
 -- Aidan Gilbert, Randall
 -- Jess Gonzales, Boerne
 -- Sam Gonzales, Boerne
 -- Elizabeth Guevara, Madisonville
 -- Ella Hester, Randall
 -- Samuel Holden, Rockport-Fulton
 -- Taegan Michel, Lindale
 -- Chloe O'Connor, Boerne
 -- Landrey Posey, Randall
 -- Mason Railsback, Madisonville
 -- Ian Siemens, Boerne
 -- Parker Steinman, West Plains
 -- Breanna Taylor, Lindale
 The THSCA Super Elite Teams consists

of high school players nominated by current professional members of the Texas High School Coaches Association. The player must meet the THSCA award criteria to be nominated. The award recognizes student athletes across the state of Texas for their exemplary athletic achievement in their respective sport.

Each nomination will go to the S.E.T. (Super Elite Teams) Committee to determine the finalists who have made the Super Elite team in each classification. Super Elite teams will be honored after the state championships have been announced. This award will begin in the Fall of the 2022-23 school year.

CRITERIA:

Be of good moral character
 Varsity sports only.
 Have been a member of the team in good standing at the time of nomination
 Player has excelled as an elite member in their respective sport

TPWD announces promotions

Officials with the Texas Parks and Wildlife Department have announced two promotions to its Executive Office staff.

Inland Fisheries Division Director Craig Bonds will serve as Chief Operating Officer in place of Clayton Wolf, who announced his retirement after 30 years of service to TPWD.

Senior Government Relations Specialist Allison Winney will fill a newly created chief of staff position administering agency policy, managing external partnerships and serving as liaison to the Texas Parks and Wildlife Commission.

"I want to extend sincere appreciation to Clayton for his faithful service and unwavering stewardship of TPWD and the resources we work so diligently to protect for present and future generations," said Executive Director David Yoskowitz, Ph.D. "I am personally grateful for his attentive guidance as I have settled into my role, so I will feel his loss keenly, but am grateful to have two fine leaders who humbly stepped up to embrace new challenges. Craig and Allison will ensure we remain agile and responsive to future opportunities. I am excited about the team we will have in place and am resolutely optimistic for the future of TPWD."

As COO, Bonds will implement agency strategic planning, oversee agency administration, prioritize key budgetary needs and apprise Yoskowitz on the day-to-day operations of the agency. He will also work with Winney to respond to the commissioners, elected officials, partners and constituents.

Bonds began his career with TPWD in 1999 as an assistant district fisheries biologist in Tyler and San Marcos.

He later became a district supervisor in San Angelo and regional director in Tyler before accepting his division director role in 2015. He holds a bachelor's degree from Texas A&M University and a master's degree in fisheries management from Virginia Tech University.

He is also a graduate of the Governor's Executive Development Program, National Conservation Leadership Institute and TPWD's former Natural Leaders Program.

Craig led our agency's efforts to develop and implement our strategic Recruitment, Retention, and Reactivation plan, sponsored the creation of TPWD's mentoring programs and, as Yoskowitz noted, has championed countless other collaborative endeavors with partners inside and outside TPWD.

Winney has been a "fierce champion" for TPWD at the Texas Capitol as a senior government relations specialist and liaison to the Sunset Commission. In her role as liaison, she led the compilation of the nearly 500-page report for sunset review and successfully ensured passage of TPWD's sunset bill in the Texas Legislature.

Prior to joining TPWD nearly five years ago, she worked in the office of then-Texas House Speaker Joe Straus and as chief of staff in the Texas House of Representatives.

Winney holds a bachelor's degree in political science from Baylor University, a Master of Science in information systems and security and a Master of Business Administration in management from Our Lady of the Lake University.



Asian Jasmine is a reliable groundcover for East Texas.

The attractive varieties of Jasmine

By Jim S. Powell
 Smith County Master Gardener

Asian Jasmine, *Trachelospermum asiaticum*, looks very attractive and spreads very freely, making it one of the most popular ground covers in our area.

Its 8 to 10 inch tall trailing vine will cover a large area with rich green, shiny leaves. It grows best in sun to some shade, requiring moderate water.

A low-maintenance ground cover that doesn't attract insects and diseases, Jasmine won't freeze in our area.

It's a great alternative to turf grass because it is much more tolerant to drought and shade. Unlike other types of Jasmine, the Asian variety does not bloom.

Star Jasmine, *Trachelospermum jasminoides*, is sometimes called Confederate Jasmine or Trader's Compass. Its beautiful small white flowers produce a jasmine-like smell in the spring and on into summer. As

an evergreen ground cover or as a climber it is attractive on trellises or surfaces.

Star Jasmine requires support as a climber. It performs in full sun, part shade or full shade. I use it as a wall climber in full shade. It can also be used in a pot with smaller plants.

Carolina Jasmine, *Gelsemium sempervirens*, is one of the most popular vines in East Texas, actually in the entire South. Its easily-maintained slender vines produce small funnel-shaped bright yellow flowers in the spring and will usually bloom again in the fall.

Carolina Jasmine will grow in full sun or part shade, reaching a height of ten feet if not trimmed. I have this jasmine growing on trellises and on a metal fence.

The Smith County Master Gardener program is a volunteer organization in connection with the Texas A&M AgriLife Extension Service.

TPWD wants everyone to enjoy lakes, watch for invasive species

Every year, Texans enjoy the summer months on the water and the Texas Parks and Wildlife Department urges boaters and paddlers to do their part to protect the Texas lakes we love from aquatic invasive species during the heart of boating season.

"While we want everyone to have a great time, we also want them to avoid giving invasive species free rides to new lakes," said Brian Van Zee, TPWD Inland Fisheries

regional director. "The best way to prevent the spread of many harmful aquatic invasive species is to clean, drain and dry your boats and equipment every time."

Zebra mussels and giant salvinia continue to spread to new areas in Texas. While they remain as some of the biggest threats to Texas lakes, other highly invasive species that boaters can transport include water hyacinth, crested floating heart and quagga mussels.

Zebra mussels, a non-native shellfish that attaches to hard surfaces, also pose a significant threat to our lakes. These invasive mussels damage boats and infrastructure for water supply and control, alter lake ecosystems and cause harm to native species. They also litter shorelines with hazardous, sharp shells that impact lakefront recreation.

"Zebra mussels and quagga mussels can be attached to boats or even carried by anchors or attached to plants clinging to boats," said Monica McGarrity, TPWD senior scientist for aquatic invasive species. "Microscopic zebra mussel larvae can be transported in residual water in the boat. Taking just a few minutes to clean, drain and dry boats can make a huge difference in our efforts to prevent further spread of this highly damaging species and harm to Texas lakes."

Zebra mussels are now found in 36 Texas lakes across seven river basins, as well as in river reaches downstream of infested lakes. TPWD and partners monitor numerous at-risk lakes around the state for early detection of zebra (and closely related quagga) mussels, but once they've been

introduced and become established in a lake, nothing can be done to control or eradicate them.

Giant salvinia, a free-floating aquatic fern that can double its coverage area in a week, is one of the major threats to our lakes. This highly invasive plant can produce thick surface mats that make fishing, boating, swimming and other water recreation nearly impossible.

"There's no doubt that Texans love their lakes, but we also need Texans to take action to help protect them," said John Findeisen, TPWD aquatic habitat enhancement team lead. "It only takes a tiny fragment of an invasive plant to create a new infestation and preventing aquatic invasive species introductions avoids costly, long-term efforts to manage these species once they infest a lake. An ounce of prevention is worth a pound of cure — a small amount of our time as responsible boaters to clean, drain, and dry our boats and equipment can prevent new introductions of aquatic invasive species."

Giant salvinia is currently present on 36 East Texas lakes and numerous rivers, creeks and marshes between Houston and Beaumont.

While TPWD efforts have kept giant salvinia from limiting angling or boating access in Texas public waters, they can still hitchhike from one lake to another on a boat, trailer or other equipment.

TPWD urges boaters to follow these three simple but crucial steps to clean, drain and dry boats and gear before traveling from lake to lake.

-- Remove plants, mud and debris.

-- Drain all water from the boat and gear.

-- Once back home, open compartments and allow everything to dry completely for at least a week, if possible.

If a boat has been stored in the water at a lake with invasive mussels, it is likely infested and poses an extremely high risk for transporting these invasive species to a new lake. Before moving the boat, call TPWD at (512) 389-4848 for guidance.

In addition to the harm invasive species can cause to aquatic ecosystems, water infrastructure and the recreational experience at lakes, the transport of these organisms can result in legal trouble for boaters. Transporting prohibited aquatic invasive

species in Texas is illegal and punishable with a fine of up to \$500 per violation for the first offense. It's also the law that boaters must drain all water from their boat and onboard receptacles, including bait buckets, before leaving or approaching a body of fresh water. They must also remove all invasive plants from the boat and trailer before leaving a lake.

For more information on how to properly clean, drain and dry boats and equipment, visit the TPWD YouTube channel for a [short instructional video](#). To learn more about zebra mussels and other invasive species in Texas, visit tpwd.texas.gov/StopInvasives.

TPWD and partners monitor for invasive species in Texas lakes, but anyone who spots them on boats, trailers or equipment that is being moved can help prevent new introductions by reporting the sighting to TPWD at (512) 389-4848. Anyone who finds invasive species such as zebra mussels in lakes where they haven't been found before can help identify new introductions by emailing photos and location information to aquaticinvasives@tpwd.texas.gov.



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Be careful with pet food beyond its shelf life

People may choose to eat foods past their expiration date, as long as the food looks and smells good, but that doesn't mean this practice is safe for pet food. Ensuring pet food is suitable to eat is the first step to preventing your dog or cat from becoming ill.

Dr. Katie Tolbert, a clinical associate professor in small animal and comparative gastroenterology at the Texas A&M School of Veterinary Medicine and Biomedical Sciences, says dog and cat food with prolonged exposure to air, heat, humidity and moisture can increase the risk of spoilage.

Spoilage may not be discernible upon first glance, Tolbert said, but it can be more easily determined if the food is past its shelf life.

"Shelf life is dependent on the type of food and its composition," she said. "For example, canned food has a longer shelf life, while foods with more fat, especially polyunsaturated fat, will have a shorter shelf life. Most quality dry dog and cat food is designed to have a reasonable shelf life, assuming the food is kept indoors and away from heat or humidity."

At the end of shelf life, food begins to deteriorate and becomes unsuitable to eat. Yet spoiled food may not always lead to food poisoning unless organisms that release harmful toxins were present.

"The side effects of spoiled food are related to the production of toxins caused by bacteria or mold and are dependent on the specific toxin that is encountered and the amount a pet was exposed to," Tolbert explained. "An animal that has vomiting or diarrhea that develops acutely (painfully sudden) with a potential exposure to spoiled food — such as garbage ingestion, eating unknown items on a walk, or access to a wide area of land — would increase a veterinarian's suspicion for possible food poisoning."

While vomiting or diarrhea can indicate a mild case of food poisoning, Tolbert pointed out that the illness can lead to more extreme, life-threatening signs, such as kidney or liver failure. No matter the severity of the symptoms, owners should visit their veterinarian so that they can provide their pet care.

"Unfortunately, there is not a specific anti-toxin that can be given for the majority of food-borne illnesses, so these cases are

treated by veterinarians with supportive care, including anti-nausea drugs; intravenous or subcutaneous fluids (fluids injected into veins or under the skin) to address dehydration from diarrhea and vomiting; and a slow introduction of a highly digestible, gastrointestinal diet," Tolbert said.

Since food poisoning can lead to severe complications and there is no one way to resolve the illness, it is important for owners to check that food is not spoiled before feeding it to pets.

"The color and smell test are the most available tools for a pet parent to check for rancidity, or a form of spoilage that causes unpleasant smells and flavors due to a chemical change in the food," Tolbert said. "If the color of the food looks different than previous batches or the smell is different, owners should not feed their pet the food and should contact the company immediately in case it is a widespread occurrence that needs to be addressed."

In the event of such a problem, Tolbert suggests that owners record the lot number of the food, typically found by the expiration date, so that a pet food company can locate and address

the problem quickly.

Tolbert also encourages owners to pay close attention to the expiration date, which alerts owners when food is no longer considered fresh, and the storage recommendations that provide the best method for storing food without spoiling quickly.

"Open canned food can generally be kept covered in the refrigerator for up to 72 hours; otherwise, canned and dry cat and dog food should be stored in its original container or in an airtight container, such as a large plastic container, away from light, heat, and moisture," Tolbert said. "If dry food is stored in a plastic container, the container should be cleaned regularly to prevent contamination from dust mites and other parasites, especially before pouring more food into the container once it is empty."

Pets will eat almost anything, but just because they can, doesn't mean they should. With the help of your veterinarian and by following Tolbert's advice, our pets can safely enjoy their food.

Pet Talk is a service of the School of Veterinary Medicine & Biomedical Sciences, Texas A&M University.



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903-590-1660

ATTORNEY FOR PLAINTIFF
Anthony J. King
115 East 6th Street
P.O. Box 537
Rusk, Texas 75785
(903)-683-5427

CAUSE NO. 23-1119-C
THE STATE OF TEXAS
CITATION BY PUBLICATION

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by Ten O'clock (10:00) A.M. on the first Monday after the expiration of forty-two (42) days from the date of issuance of this citation, a default judgment may be taken against you. In addition to filing a written answer with the Clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than thirty (30) days after you file your answer with the Clerk. Find out more at TexasLawHelp.org."

TO: THE UNKNOWN HEIRS AND ASSIGNS OF ARTHUR G. REX and LIDDIE WORREAN REX, DEFENDANT

GREETINGS: YOU ARE HEREBY COMMANDED to appear by filing a written answer to the **PLAINTIFF'S ORIGINAL PETITION** at or before 10 o'clock A.M. of the first Monday after the expiration of forty-two (42) days from and after the date of issuance of this citation, same being the 18th day of August, 2023, in the 241st Judicial District Court of Smith County, Texas, at the Courthouse of said County located at 100 N. Broadway, Tyler, Texas, 75702. Said **PLAINTIFF'S ORIGINAL PETITION** was filed in said Court on May 11, 2023, in this case, numbered. 23-1119-C, and styled: **MATTHEW ADAM TURNER VS THE UNKNOWN HEIRS AND ASSIGNS OF ARTHUR G. REX AND LIDDIE WORREAN REX**

The Plaintiff is MATTHEW ADAM TURNER. The Defendants are THE UNKNOWN HEIRS AND ASSIGNS OF ARTHUR G. REX AND LIDDIE WORREAN REX. The attorney for the Plaintiff is Anthony J. King whose address is 115 East 6th Street/P.O. Box 537, Rusk, Texas 75785.

This action seeks Declaratory Relief under Chapter 37 of the Civil Practices and remedies Code and is an a Trespass to Try Title action under Chapter 22 of the Texas Property Code and Rules 783 et seq., of the Texas Rules of Civil Procedure, and concerns title to the real estate described hereinafter referred to as "the Property," said property being property described in Volume 978, page 614, more particularly described as follows:

A tract of land in the Aaron Vickery Survey, A-1007, Smith County, Texas, and being a portion of that certain 61 acre tract conveyed by T.B. Lukenbill to Gibraltar Development Company by Deed dated October 9, 1958, and recorded in Volume 923, Page 128-132, Deed Records of said County. Said tract of land being more particularly described as follows:

Beginning at the Southeast corner of said 61 Acre Tract; Thence North 0° 15' 54" West with the East line of said 61 Acre Tract 1175.21'; Thence South 89° 44' 06" West 186.00' to the beginning corner of the tract herein described; Thence South 89° 44' 06" West 126.00' to a point for corner; Thence North 0° 15' 54" West 70.00' to a point for corner; Thence North 89° 44' 06" East 126.00' to a point for corner; Thence South 0° 15' 54" East 70.00' to the PLACE OF BEGINNING Title to this property is clouded and negatively affected by the record rights of the Defendants.

The Officer executing this process shall promptly serve the same according to the requirements of law, and the mandates thereof. If this citation is not served within ninety (90) days after it sued, it must be returned unserved.

Issued and given under my hand and seal of said Court at Tyler, Texas, this date: July 7, 2023.

ATTEST:
CLERK OF THE COURT
PENNY CLARKSTON
Smith County District Clerk
100 N. Broadway, Rm. 204
Tyler, Texas 75702
BY: /S/ Gina McClung
Deputy Clerk

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LEGAL NOTICE

CITATION BY PUBLICATION
THE STATE OF TEXAS § **Attorney of Record:**
STEPHEN HUBBARD
COUNTY OF SMITH § **100 E FERGUSON STE 714**
TYLER TX 75702
903-533-0018

TO: ALL UNKNOWN HEIRS IN THE ESTATE OF WALTER SMITH, JR., DECEASED:

On the 26th day of June, 2023, **ANGELA N. SMITH** filed an **APPLICATION TO DETERMINE HEIRSHIP** in a proceeding styled **IN THE ESTATE OF WALTER SMITH, JR., DECEASED** and bearing the number 47539P in the County Court at Law #3 of Smith County, Texas.

The Court will hear the aforesaid **APPLICATION TO DETERMINE HEIRSHIP** on the Monday next after the expiration of ten (10) days from the date of publication of this citation, in the Courtroom in the County Courthouse Annex of Smith County, in Tyler, Texas.

All persons interested in the aforesaid Estate are commanded to appear at or before the time set for said hearing by filing a written contest or answer to said Application.

Said written contest or answer shall be filed in the office of the County Clerk of Smith County, Texas in Tyler, Texas.

In compliance with the law, this citation shall be served by publication once in a newspaper of general circulation in this, the County in which such proceeding is pending, not less than ten (10) days before the return date hereof, exclusive of the day of publication, and the date of publication said newspaper bears shall be the day of publication.

If this citation is not served within ninety (90) days after the date of issuance, it shall be returned unserved.

Issued and given under my hand and seal of office, the 26th day of June, 2023, at the office in Tyler, Texas.

KAREN PHILLIPS, COUNTY CLERK
Smith County, Texas
By: Shanae Howell, Deputy Clerk

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