



Man asks court for dog restraint; indigent care also discussed

— By Erik Onstott
The Orange Leader

A leash law for county pets, seismic testing and indigent health care were the top issues discussed Monday during the Orange County Commissioners Court meeting.

David McWright of Orange spoke before the court, telling the commissioners how his 16-month-old son was bitten by his neighbor's dachshund.

"Last Sunday, my son was attacked by a dog in our neighborhood. He was sitting up there, he petted the dog a few times, and then all of a sudden that dog took two bites out of his face. We took him straight to the emergency room," McWright said. "He hasn't slept through the night since."

McWright acknowledged he knew there was no leash law because there was no place to impound the dogs, but he said that after seeing what the dog did to his son, that explanation is not good enough.

"I can understand you don't have a place to put the dogs; that's fine. But in my neighborhood there are about 10 dogs running loose. They have owners there, but they're not confined to their property," he said. "There's no dog more important than a kid. Do you want me to carry a pistol down the road to protect my son?"

County Judge Carl Thibodeaux said he did not see the point of a leash law if there was no way to punish the offending dog's owner.

"Fine them \$200. It will wake them up. If you fine a working man, he will keep an eye on his dog. He can't afford that every time the sheriff's department calls," McWright responded. "All I am asking is, pass a law. Make them be responsible."

Commissioner Owen Burton recommended looking into contracting with local veterinarians to impound dogs in violation of a potential leash law, while Commissioners Beamon Minton and John Dubose expressed interest in holding a workshop to see if county residents would be receptive to the idea of a leash law.

The court also discussed Tyler-based oil company Lake Ronel's plans to use seismographic charges to test for oil and gas deposits. The company's plans are to put the charges in place and detonate them on Sunday afternoons.

"The real reason behind that is economics," Lake Ronel representative George Hutcherson said, responding to Dubose's questioning the necessity of drilling the holes on Sunday afternoons. "If we could put in these half-days for shooting these test holes, we could get out quicker."

Hutcherson said before the company starts its work, it has a hazard crew come through and identify anything that could be damaged by the tests, such as houses, swimming pools and water wells.

One of the commissioners said a representative of the company came by and offered him \$150 to detonate a charge on his land without determining the safe distance and that he was certain the man was a representative of Lake Ronel because he had the representative's card.

"He may not have addressed that with you, just due to the fact that those issues come after the hazard survey. We come to you to get a blanket permit, so to speak, to get permission to lay our cables and drill our test holes," Hutcherson said. "We try to be diligent in identifying all those areas. There's also a recommended safe distance — typically about 300 feet for a water well."

Hutcherson noted the final decision was contingent on the results of the hazard survey. He also assured commissioners they would not have to go far to get a response to their concerns, as his office is in Orange County and the company has had an office here since 1998.

Minton wondered if there was any kind of bond to protect the citizens on their swimming pools and wells.

Hutcherson said typically, landowners do not request to be added to the insurance and that it was mostly cities and municipalities that asked for it, but if landowners request general liability it can be added to the insurance.

The court passed a motion to let the company drill over the next three Sundays and to reevaluate the decision at a later date.

Also discussed was an indigent care affiliation agreement between Orange County and Memorial Hermann Baptist Hospital of Orange.

“This is an agreement to enter into an agreement,” Assistant County Attorney Doug Manning said. “If this agreement is signed, there will be additional negotiations to develop what is called a final-needs analysis or final needs criteria. We looked over the agreement and requested some changes. Most of those changes were made; for instance, the timing and payment of providers are going to be addressed in the needs analysis.” The agreement would not change what the county currently does; it would just change the entity providing payment for the hospital’s services.

Memorial Hermann representative Stephen Elwell assured the council there would be no liability for the city if something were to happen. The agreement would mirror what the hospital authority currently does; it would just change the entity providing payments to the hospital.

“I can assure the court that if there’s anything that even remotely catches my attention, raises a red flag, the court will be the first to know,” Elwell said. As it is now, the hospital has been fairly accommodating in its language.”

“The concept here is, the county will continue to operate as gatekeeper,” Manning said. This initial agreement is nothing more than an agreement to agree.”

The court passed a motion to allow the county to enter into the agreement.

In other action, the court passed motions:

Accepting and recording into the minutes of the court the governor’s proclamation ordering the constitutional amendment special election for May 12;

Authorizing County Judge Carl Griffith to sign the Notice of Election for the constitutional amendment special election for May 12; and

Renewing Orange County’s membership in the Texas Building and Procurement Commission Cooperative Purchasing Program.

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