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**Caddo Flooding Closes Cafe** Water flows through the Shady Glade Cafe in Uncertain last weekend as water in Caddo Lake rose above the bank, impacting businesses and residences. Wednesday morning, the Caddo Lake level stood at 176.4 feet, 7.9 feet above the full pool level, according to Lakes on Line. Lake O' the Pines, which feeds Caddo along with Little Cypress and Black Cypress creeks, was 12.91 feet above full pool at 241.41 feet, an increase of more than four feet since last Tuesday. More rain is in the forecast for this weekend and next week.

## Corps Seeks Input on Lake Shoreline Uses

**By BOB PALMER** Persons interested in plans for the Lake O' the Pines shoreline have 23 days left to submit their ideas to the Corps of Engineers, persons attending a public hearing in Jefferson learned last week.

The Corps of Engineers, which operates the lake, hopes to prepare a revision to the 1978 LOP Shoreline Management Plan following the comment period and a second hearing set for Longview.

"The Shoreline Management Plan provides rules and policies that govern private activity along shoreline," Don Weise, Corps natural resources manager for the Fort Worth region, said.

The U.S. Government owns a strip of property around the entire reservoir.

"The plan would regulate boat docks, mowing and removing underbrush along the government boundary line," Weise explained.

A new plan will impact recreational users of Lake O' the Pines as well as adjoining property owners.

"Those items that are of particular interest to our neighbors and the general public," Weise said.

One of the primary points of interest is how that shoreline around the lake is allocated for private uses. "There are some specific areas called limited development areas," Weise said. "Those areas are where private activities can be allowed by written permit. Allocation of those areas are limited and are important to everyone."

One of the objectives of the revision process is to evaluate those areas.

"Do they serve the purpose they were intended to serve?" Weise asked. "Are they too big, too little, etc."

The shoreline management plan has a fairly narrow focus on private activities with four types of permitted usage.

"You have limited development areas. You also have public recreation areas and park areas where private activities can not take place," Weise said.

"There are protected shoreline areas - they are not suitable for private docks, but some limited mowing may be allowed for reasons of fire safety."

"The prohibited access areas are areas around the dam where we do not allow private activities and in some cases public activities," Weise concluded.

The natural resources manager said suggestions like more hiking trails were considered when drafting the new master plan for Lake O' the Pines that was completed recently.

"The master plan is all encompassing and does address issues like trails and park areas," Weise said. He did note hiking trails are mentioned and the Corps would like to partner with interested groups to establish more trails around the lake.

"It was a good meeting," Weise said of the hearing at the Jeffersonian Institute. "There were about 35 in attendance."

A second hearing soliciting public input is planned for May 22 at the Maude Cobb Center in Longview.

## Texas High-speed Rail Project Dodges Bullet After Budget Rider Dies

**By ARYA SUNDARAM** The Dallas-Houston and chairman of grassroots opposition group Texans Against High-Speed Rail.

high-speed rail project dodged a bullet this week when lawmakers hushing out the state budget released their decision to strike a provision that could have delayed the project.

A committee of Texas House and Senate members ditched language that would have prevented the Texas Department of Transportation from coordinating with a high-speed rail company so its project could cross state highways until a court definitively affirms the company's ability to use eminent domain with an unappealable ruling. That provision, called a budget "rider," could have delayed the project for several years, according to Patrick McShan, an attorney for an opposition group and more than 100 landowners along the train's planned route.

Project developer Texas Central Partners LLC lauded the legislative move. The company has been battling legislative efforts that it says could cripple the project and impose unfair requirements that other similar projects, like natural gas pipelines, don't have.

"Today's action ensures the project continues to be treated like any other major infrastructure project in Texas," said Holly Reed, Texas Central's managing director of external affairs.

But project opponents say several bills targeting the project would provide "common sense" regulations to protect private property owners in the rail's path. They chalked up this week's decision to the lobbying power of Texas Central.

"It just goes to show you that high-paid lobbyists are more effective than the truth when it comes to Austin," said Kyle Workman, president

and chairman of grassroots opposition group Texans Against High-Speed Rail. Yet that was not what led to the language's removal, according to one legislator.

The Senate added the rider in its proposed 2020-21 budget, but the House's spending plan didn't include the language. So that was one of several differences that a conference committee of members from both chambers are hashing out behind closed doors. Once that process is done, both chambers will vote on the revised budget.

Houston Democrat state Rep. Armando Walle, one of the members of the conference committee, said the rider was removed out of fear that a lawmaker could argue the language changes general law, something that House rules don't allow the budget to do. If such an argument were successful, that could have threatened the entire spending plan.

"In order to not have the whole appropriations bill go down, I think that was the safest way to address the issue," Walle said.

While project supporters and opponents say that the legislative fight isn't over just yet, it's unclear if any other anti-rail bills will gain traction before the legislative session ends in less than two weeks. Project opponents were pushing for so many bills this session that an entire subcommittee was created to tackle the subject.

However, their efforts in the House look bleak: A number of House bills that could have delayed or crippled the project failed to reach the chamber floor last week before a key deadline. Two anti-rail measures in the Senate received hearings, but they still haven't budged from the

## Sheriff Answers Jimp FOIA Request

**By BOB PALMER** Marion County Sheriff David McKnight *Jimplecute News Editor* has made a written response to a *Jimplecute* Freedom of Information Act request where he accepted "full responsibility" for the "Elmer" Facebook post.

Some may have found the photo of the wild-looking homeless man presented as the county's new animal control officer who offered, "if you want them caught, fed or skint, just flag me down," humorous. Others said they thought it was inappropriate and offensive.

McKnight had previously indicated, as reported in our May 9 Jimp story, he would deny the FOIA request dated May 2 because the Facebook page was not an official government location.

"It's attached to a private email," McKnight said on May 2. "Anyone can take a picture of a sheriff's car and create a Facebook page."

Asked on May 2 whose email was linked to the page, McKnight admitted the email was his.

Previously, McKnight in media statements had asserted the Marion County Sheriff's Office Facebook account may have been hacked.

"We use the page to go on and post weather updates and things of that nature," McKnight said April 24. "We didn't make this post, someone had to have hacked into the account somehow but I took it down."

Burn bans put in effect or lifted for Marion County are routinely posted as well as job openings for the department, and various public relations messages are also included in posts.

According to Texas Penal Code 33.01 (Texas Computer Crimes Statute), "Knowingly accessing a computer, computer network or computer system without the consent of the owner" is a crime.

Asked on May 9 if he personally had made the "Elmer" post, McKnight replied, "What difference does it make. I said I accepted responsibility."

The sheriff also added that he did not want to throw a member of his staff under the bus.

These are the questions posed by the *Jimplecute* and McKnight's responses received Saturday, May 11 via a USPS letter postmarked Thursday, May 9:

1. Facebook postings to the Marion County Sheriff Department's Facebook page from all computers in the MCSO department from 12:01 a.m. April 23 through 11:59 p.m. April 27.

**"There was only one posting to the facebook page (sic), the one that you are referring to as Elmer the Animal Control Officer."**

2. Names of the personnel authorized to post to the department Facebook page.

**"David McKnight, Frank Cason"**

3. Record of any contact with Facebook to determine the IP address of the computer used to post the Elmer the Animal Control Officer post to the department's Facebook page.

**"There has been no contact with facebook (sic) officials."**

4. The name of the person whose computer was used, if it has been determined.

**"Not determined."**

5. The name of any individual who has admitted responsibility for this post.

**"As sheriff I take full responsibility to the referenced facebook (sic) page."**

6. Record of any disciplinary action against any member of the department for making that post, allowing that post or having knowledge of that post without taking action.

**"No disciplinary action was taken against any department personnel."**

7. If an unauthorized person made the post, does that constitute a crime and is it being investigated?

**"No incident reports were made and there was no criminal activity."**

8. New policies or procedures that have been adopted to prevent another unauthorized social media message from MCSO from being posted.

**"The post was removed when deemed offensive by some. Steps were taken to prevent future occurrences."**

McKnight did not elaborate what specific steps were taken even though the FOIA requested "an opportunity to inspect or obtain copies of public records pertaining to applicable 'new policies or procedures.'"

The *Jimplecute* is filing additional FOIA requests of county officials for further records regarding the Facebook post. Sheriff McKnight now requires FOIA requests for routine jail activity reports. Those requests, which now include weekly blotter reports and the front page of each incident report, are now filed with his office each week.

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More on TRAINS, see page 8



120 North Vale St • Jefferson, TX 75657  
PHONE 903.665.2462 FAX 903.705.4326  
Editor@jimplecute1848.com



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