

FILED FOR RECORD: 8-10 19 87 at 9:10 o'clock 11 M.
DULY RECORDED: 8-11 19 87 at 9:10 o'clock A M.
INSTRUMENT NUMBER: _____ DONECE GREGORY TYLER CO. CLK.

Donece Gregory

TYLER COUNTY COMMISSIONER'S COURT
REGULAR MEETING
July 13, 1987 --- 10:00 A.M.

VOL 013 PAGE 876

The Regular Meeting of the Commissioner's Court was held on Monday, July 13, 1987 at 10:00 A.M. All members being present with the exception of Commissioner Jordan. The meeting was opened with prayer by Rev. Durl Patrick, pastor of Katy Baptist Church, Colmesneil, Texas.

After having considered all the proposals presented to the court earlier from firms for the collection of **delinquent ad valorem taxes**, and hearing qualifications from **Chester Young** and **Ralph Roberts**, a motion was made by **Commissioner Graham** to retain Mr. Young as recommended by the Tax Assessor-Collector, **Barbara Tolbert**. The motion was seconded by **Commissioner Barnes**. All voted yes and none no. SEE ATTACHED.

Mrs. Peggy Burton, a Director for the **Allan Shivers Library** presented a plea to the court to re-evaluate their priorities and restore their full contribution. Mrs. Burton stated her reasons for the record: 1) in the 1964 Contract the County agreed to supply and furnish necessary professional labor, books and library supplies, the City of Woodville agreed to furnish the utilities and the School District agreed to supply the insurance and custodial supplies. 2) the Library will lose its state accreditation if the County is not the major contributor and the Library must show a gradual increase in the operating budget over a 3 year period. 3) the Shivers family has agreed to raise funds for a permanent endowment with the stipulation that the County, City and School meet their budget obligations. 4) that the Library is extensively used by the taxpayers-from January to June there had been 9816 users and visitors. 5) a future solution to funding would be to create a Library District by a called special election. No motions were made.

A motion was made by **Commissioner Barnes** to retain **Monroe & Hendrickson, P.C., CPA's** to perform an **Annual Audit** for FY'87 as per recommendation of County Auditor, **JANIE DUBOSE**. The motion was seconded by **Commissioner Conner**. All voted yes and none no. SEE ATTACHED.

Bids were opened for the **Motor Grader** for Precinct #4 and read in open court by the County Clerk as follows:

Harrell Machinery	\$64,975.00 net price
George P. Bane, Inc.	\$56,223.00 net price
Mustang Tractor & Equip.	\$69,994.00 net price

The Judge tabled this item until the next meeting for further study.

Bids were opened for the **Dump Truck** for Precinct #2 and read in open court by the County Clerk as follows:

Knapp Ford Sales	\$18,874.21
	OPT.2- \$22,870.46
Allison Chevrolet	\$18,941.52
	OPT.2- \$22,936.52

The Judge tabled this item until the next meeting for further study.

Bids were opened for **two new cars** for the **Sheriff's department** and read in open court by the County Clerk as follows:

Knapp Ford Sales	\$13,042.82 each
------------------	------------------

This bid was the only one received by the clerk. Judge Wheat tabled this item until the next meeting for further study.

Judge Wheat asked for recommendations for the disposition of the **1982 Chevrolet pickup truck**. Sheriff Fowler stated that he felt the bids previously taken did not offer enough for the truck. He also felt that his department could not use the truck as an under-cover vehicle because of the extensive publicity.

The court heard John Morrison's plea for the truck to be sold to the **Tyler County Youth Development Center** for \$1.00. This would be a benefit for the Center to help the youth of Tyler County.

Judge Wheat then called for an opinion by the Criminal District Attorney, Pat Hardy. Pat Hardy recited Article 6687-1, Sect. 49, Vernon Annt. Civ. Statutes to which he concluded that it is in the **discretion of the Sheriff** to dispose of the pick-up truck. Judge Wheat stated that the court would be bound to honor the opinion of the Criminal District Attorney. No motions were made.

Janie Marquiss, County Extension Agent, brought before the court bids which she had solicited for a **typewriter** for her department. Her recommendation was for a IBM Wheelwriter 3 MD from Traid in the amount of \$ 1716.00. Judge Wheat deferred this until the next meeting.

A motion was made by **Commissioner Conner** and seconded by **Commissioner Barnes** to purchase an **air-conditioner** from Mann Furniture (Whirlpool 14,000 BTU Heat & Cool Model) for the **Distict Clerk's office**. All voted yes and none no. SEE ATTACHED.

Commissioner Graham made a motion to authorize the **County Clerk, Donece Gregory**, to invite bids for a **rotation filing system** for her office. The bids will be opened at the regular meeting, August 10, 1987. The motion was seconded by **Commissioner Barnes**. All voted yes and none no.

Commissioner Barnes made a motion to amend the budget of **Justice of Peace, Precinct #1** in order to authorize the purchase of an **office chair**. The funds will be transferred from Mrs. Brashier's office supplies into office equipment. The motion was seconded by **Commissioner Conner**. All voted yes and none no.

A motion was made by **Commissioner Graham** to allow **Wanda Brasher, JP, Prect. #1**, \$100.00 to attend a **Seminar** in Ennis, Texas on July 15, 1987. **Commissioner Barnes** seconded this motion. All voted yes and none no.

A motion was made by **Commissioner Barnes** to delete a **1977 Ford Dump Truck** from the inventory of **Precinct #2** and salvage all usable parts. **Commissioner Barnes** stated he felt the truck would bring more of a profit with the parts than it would bring by selling it. The motion was seconded by **Commissioner Conner**. All voted yes and none no.

Commissioner Conner made a motion to approve the payment to **H.B. Nield** in the amount of \$ 126,207.50 for work performed on the **Justice Center**. **Commissioner Graham** seconded this motion. All voted yes and none no. SEE ATTACHED.

Iris Whigham, supervisor for the Tyler County Aging Center asked the court to increase the wages of the two part-time van drivers at the Center. **Commissioner Barnes** made a motion to defer taking any action until the upcoming budget is studied to see if money is available for such raise. The motion was seconded by **Commissioner Conner**. All voted yes and none no. SEE ATTACHED.

J.W. Ray, insurance agent for the County, reported to the court that effective August 1, 1987 the medical rates would be elevated. Mr. Ray stated that the increase is due to the claims to **American National** being several thousand dollars more than the collection of premiums. He presented other options that the County might consider, one being to increase the deductible in order to lower the premium. The Court asked Mr. Ray to take bids from other insurance carriers and present them in two weeks. A motion was made by **Commissioner Barnes** and seconded by **Commissioner Conner** to officially designate J.W. Ray as "agent of Record" enabling him to obtain bids from other companies. All voted yes and none no. SEE ATTACHED.

COURT RECESSED AT 11:45 A.M. TO RECONVENE AT 1:00 P.M.

COURT BACK IN SESSION:

A motion was made by **Commissioner Barnes** and seconded by **Commissioner Conner** to approve changing a line item in the **District Clerk's budget** enabling her to attend the Texas Association of Counties meeting in Austin, Texas, July 29-30. All voted yes and none no.

Melvin A. Mitchon petitioned the court to revise the action taken on May 11, 1987 concerning the removal of cattle guards on **Fox Bend Road**. **Kenneth Castle** also appeared before the court stating that "from the last cattle guard on down was not a county road." "If it is maintained as a public road, let the rest of the people down there help pay for it." **Pat Hardy** stated to Mr. Mitchon that "If it's your cattle guard - you bring it up to specifications." "If it's the County's cattle guard- we are going to pull them." **Judge Wheat** asked, "where the cows are roaming- is it a public road or is it a county road?" After much discussion, a decision could not be reached. **Judge Wheat** called for motions. **Commissioner Barnes** recommended a solution from a similar case in his precinct. No motions were made. ATTCH.

G.C. Shepherd reported to the court that he had purchased an island consisting of several lots in **Section C of Lake Hyatt Estates**. He asked the court to withdraw them as potential developed land from the plat records for tax purposes. **Judge Wheat** recommended that Mr. Shepherd hire an attorney for this purpose; that the Court could not authorize such action.

A motion was made by **Commissioner Graham** and seconded by **Commissioner Barnes** to appoint the **Election Judges and Alternate Judges** as recommended by the County Clerk. Such appointment will be from August 1, 1987 to July 31, 1988. The Commissioners had stated that they did not have any changes in their precinct from the last appointments. **Commissioner Barnes** had a change of officials in Voting Box #18. All voted yes and none no. SEE ATTACHED,

Commissioner Graham made a motion to authorize **David Enloe, veterans' officer** to attend a conference in Dallas, Texas, August 31 through September 4. The County Auditor stated that the money was in his budget. The motion was seconded by **Commissioner Conner**. All voted yes and none no.

Commissioner Barnes made a motion to approve the **County Extension Departments' monthly reports**. The motion was seconded by **Commissioner Conner**. All voted yes and none no. SEE ATTACHED.

A motion was made by **Commissioner Conner** to approve the **monthly report from the County Treasurer, Jean Phillips**. The motion was seconded by **Commissioner Graham**. All voted yes and none no. SEE ATTACHED.

A motion was made by **Commissioner Conner** and seconded by **Commissioner Graham** to approve the **County Probation Department's monthly report**. All voted yes and none no. SEE ATTACHED.

Commissioner Graham made a motion to accept the **monthly report from J.P. #1, Wanda Brasher**. The motion was seconded by **Commissioner Barnes**. All voted yes and none no. SEE ATTACHED.

Commissioner Barnes made a motion to approve the **County Auditor's monthly report** as submitted by **Janie DuBose**. The motion was seconded by **Commissioner Conner**. All voted yes and none no. SEE ATTACHED.

A motion was made by **Commissioner Barnes** and seconded by **Commissioner Graham** to approve payment of the **monthly allowances and accounts payable**. All voted yes and none no. SEE ATTACHED.

Judge Wheat deferred the authorization of certificates of obligation to pay for the purchase of phones for the County Clerk and the County Judge for further study.

The consideration and report from the County Auditor as to the creation of a centralized purchasing procedure for all county purchases was deferred until a special meeting could be called.

Judge Wheat declared that item #21-discuss the recommendations of the independent auditor for year ending 9/30/86-had been a duplication and should not have been on the agenda.

Also tabled, was the report from Criminal District Attorney, Pat Hardy on the law governing moving the office of Justice of Peace, Pct. #1 from the Courthouse to the Justice Center.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED---2:50 P.M.

SIGNED: *Josiah Wheat* Josiah Wheat, County Judge

J. Carrol Conner J. Carrol Conner, Comm. Pct. #1

A.M. Barnes A.M. Barnes, Comm. Pct. #2

Willis Graham Willis Graham, Comm. Pct. #3

J.R. Jordan James R. Jordan, Comm. Pct. #4

ATTEST: *Donece Gregory* Donece Gregory, County Clerk

