

FOR RECORD: 9-3- 19 87 at 2:00 o'clock P M.  
DULY RECORDED: 10-6- 19 87 at 9:00 o'clock A M.  
INSTRUMENT NUMBER: \_\_\_\_\_ DONECE GREGORY, TYLER CO. CLK.

*Donece Gregory*

TYLER COUNTY COMMISSIONER'S COURT  
REGULAR MEETING  
September 14, 1987 --- 10:00 A.M.

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The Regular Meeting of the Commissioner's Court was held on Monday, September 14, 1987 at 10:00 A.M. All members being present. The meeting was opened with prayer by Rev. Clyde Bennett, pastor emeritus of First Christian Church-Disciples of Christ.

**Sheriff Leon Fowler** presented the court with a writ that orders him to remove the residents of house from premises and their personal belongings being that of George Irving, Jr. and Janice Irving. Billy J. Faircloth had obtained this property from the Internal Revenue Service and had filed a civil suit in J.P. Court, Prec. #3. Sheriff Fowler stated to the court that Mrs. Irving was very ill and that he did not have the funds to provide for serving of this writ. (i.e. Bonded moving van, bonded personnel, bonded storage; ambulance, hospital and doctor's expense for Mrs. Irving) It was asked of the court, by Sheriff Leon Fowler, that it be in the minutes of the Court as to what expenses including hospital expense the County would provide. Judge Wheat instructed the Sheriff to obtain an Indemnity Bond as recommended by Criminal District Attorney, Pat Hardy. Sheriff Fowler reiterated that he did not have the funds to do what he had to do. The court also heard from Mark Irving, George Irving and Billy Faircloth. Judge Wheat resolved that the commissioner's court was not a judicial body but a legislative body. No motions were made.

A motion was made by **Commissioner Barnes** to accept the monthly report from the **County Extension Department**. The motion was seconded by **Commissioner Conner**. All voted yes and none no. SEE ATTACHED REPORT-MARQUISS

A motion was made by **Commissioner Conner** and seconded by **Commissioner Barnes** to accept the monthly report from the County Extension Department. All voted yes and none no. SEE ATTACHED REPORT-ARMENTROUT

**Commissioner Jordan** made a motion to table approving the **County Treasurer's monthly report** until Friday so that it can be compared with the monthly report of the Auditor. **Commissioner Graham** seconded this motion. All voted yes and none no.

A motion was made by **Commissioner Barnes** to accept the monthly report from the **Probation department**. The motion was seconded by **Commissioner Conner**. All voted yes and none no. SEE ATTACHED REPORT

A motion was made by **Commissioner Jordan** to table approving the **County Auditor's monthly report** until Friday, September 18, 1987. **Commissioner Graham** seconded this motion. All voted yes and none no.

**Commissioner Graham** made a motion to approve the payment of the **monthly allowances** as submitted by the County Auditor, Janie DuBose. The motion was seconded by **Commissioner Jordan**. All voted yes and none no. SEE ATTACHED ALLOWANCES

A motion was made by **Commissioner Barnes** to designate **David Enloe** as the **Civil Defense director** replacing George McCuen. The motion was seconded by **Commissioner Conner**. All voted yes and none no.

A motion was made by **Commissioner Jordan** that the filling of the vacancy of Harold Hatton as member of the **Tyler County Appraisal Review Board** be deferred until the regular meeting in October. **Commissioner Barnes** seconded this motion. All voted yes and none no.

**Commissioner Conner** made a motion to approve the payment of \$2,529.08 to **A.I.D. architects**. The motion was seconded by **Commissioner Jordan**. All voted yes and none no. SEE ATTACHED STATEMENT

**Commissioner Jordan** made a motion to table the consideration of the copy machines of the **County Clerk** for further study by the Clerk. The motion was seconded by **Commissioner Barnes**. All voted yes and none no.

The meeting was turned over to the Judge Pro Tem (Commissioner Jordan) to preside at the point of discussing item #13-...Solid Waste.....

Following discussion it was moved by **Commissioner Conner** to accept the proposal from the City of Woodville to pay \$12,500 to the County per year for the disposal of **solid waste**. The motion was seconded by **Commissioner Barnes**. All voted yes and none no.

A motion was made by **Commissioner Jordan** and seconded by **Commissioner Conner** to designate the area under the steps at the front of the courthouse as the place where **sales of property under lien** are to take place pursuant to Section 51.002 Prop. Cd. All voted yes and none no. SEE ATTACHED DESCRIPTION

**Commissioner Conner** made a motion to accept the resignation of **John D. Young** as **Constable, Pct. #1** to be effective August 28, 1987. The motion was seconded by **Commissioner Barnes**. All voted yes and none no. The filling of the vacancy will be deferred until Friday, September 18, 1987. SEE ATTACHED LETTER

**Commissioner Jordan** made a motion to authorize the creation by the County Treasurer of a new fund for the **Operator's** and **Chauffeur's License Fund (OCLF)**. Of this fund the State gets 90% of the fees (\$75) and the County retains 10%. The motion was seconded by **Commissioner Barnes**. All voted yes and none no.

A motion was made by **Commissioner Conner** and seconded by **Commissioner Jordan** to approve the payment to **H.B. Nield & Sons, Inc.** in the amount of \$228,627.95 for the **Justice Center**. All voted yes and none no. SEE ATTACHED STATEMENT

Wade Skinner reported to the Commissioner's Court that the radio tower and teletype had suffered storm damage. It was the court's consensus that the insurance coverage would pay 80%, but that it would be studied further.

A motion was made by **Commissioner Jordan** to accept the monthly report from the **Justice of Peace, Pct. #1**. The motion was seconded by **Commissioner Barnes**. All voted yes and none no. SEE ATTACHED REPORT

"Proposed Budget #2" was discussed by Judge Wheat and County Auditor, Janie DuBose. A motion was made by **Commissioner Jordan** to recess court until 1:30 P.M. The motion was seconded by **Commissioner Barnes**. All voted yes and none no.

COURT RECESSED 12:00 P.M.

THE COURT RECONVENED AT 1:50 P.M.

Comments were heard from Commissioner Jordan, Wanda Brasher, Pat Brown, Mr. M.D. Holland, Pat Hardy, J.C. Henry, Jean Phillips, and Donece Gregory concerning the budget for FY 1988.

After discussion a motion was made by **Commissioner Jordan** to approve "**Budget #1**" with the amendments aforementioned adding the book binding for the County Clerk's department. The motion was seconded by **Commissioner Barnes**. All voted yes and none no. SEE ATTACHED BUDGET

A motion was made by **Commissioner Conner** and seconded by **Commissioner Barnes** to adopt, by ordinance, a **tax rate for Tax Year 1987** as follows: 26¢-General Fund; 12¢-Lateral Road; 04¢-Hospital; 05¢-Jail Fund...Total Tax Rate = \$.47. All voted yes and none no. SEE ATTACHED ORDINANCE

**Commissioner Graham** made a motion for the meeting to adjourn. The motion was seconded by **Commissioner Jordan**. All voted yes.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED.

SIGNED: Josiah Wheat Josiah Wheat, County Judge  
J. C. Conner J. Carrol Conner, Comm. Pct. #1  
A.M. Barnes A.M. Barnes, Comm. Pct. #2  
Willis Graham Willis Graham, Comm. Pct. #3  
James R. Jordan James R. Jordan, Comm. Pct. #4  
ATTEST: Donece Gregory Donece Gregory, County Clerk

