

FOR RECORD: 11-10 1987 at 11:00 o'clock A M.
DULY RECORDED: 11-12- 1987 at 9:00 o'clock A M.
INSTRUMENT NUMBER: _____ DONECE GREGORY, TYLER CO. CLK.

Donece Gregory

TYLER COUNTY COMMISSIONER'S COURT
REGULAR MEETING
October 12, 1987 --- 10:00 A.M.

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The Regular Meeting of the Commissioner's Court was held on Monday, October 12, 1987 at 10:00 A.M. All members being present. The meeting was opened with prayer by Rev. Ray Tillery, pastor of Woodville Assembly of God Church.

Judge Wheat asked the court to take one matter out of order of the agenda and act upon it immediately. The matter being a statement from John Kinney and Jerome Owens for legal services provided to the County pursuant to the instructions of District Judge, Earl B. Stover.

A motion was made by **Commissioner Jordan** to approve payment of the bill for their services. The motion was seconded by **Commissioner Conner**. All voted yes with the exception of Commissioner Graham abstaining.

The Judge further asked the court to instruct the County Auditor and County Treasurer to immediately pay the same. County Treasurer, Jean Phillips advised the court that she has had an injunction filed against her concerning this matter. County Judge, Josiah Wheat stated that the injunction had no binding force or effect since it had not been signed nor heard by the District Judge.

A motion was made by **Commissioner Conner** and seconded by **Commissioner Jordan** to authorize the County Auditor and County Treasurer to issue a check in payment of the bill to **Kinney & Owens**. There being no restraining order entered of record. All voted yes with the exception of Commissioner Graham abstaining. SEE ATTACHED STATEMENT.

Commissioner Jordan made a motion to defer action upon the monthly report from the Extension department until the afternoon meeting. The motion was seconded by **Commissioner Barnes**. All voted yes and none no.

A motion was made by **Commissioner Barnes** and seconded by **Commissioner Conner** to approve the monthly report from the County Treasurer. All voted yes and none no. SEE ATTACHED REPORT.

A motion was made by **Commissioner Graham** and seconded by **Commissioner Barnes** that the Probation department's monthly report be accepted. All voted yes and none no. SEE ATTACHED REPORT.

Commissioner Conner made a motion to accept the monthly report from Justice of Peace, Pct. #1. **Commissioner Barnes** seconded this motion. All voted yes and none no. SEE ATTACHED REPORT.

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

A motion was made by **Commissioner Conner** and seconded by **Commissioner Jordan** to approve payment of allowances as submitted by the County Auditor. All voted yes and none no. SEE ATTACHED ALLOWANCES.

County Clerk, Donece Gregory asked the court to table the discussion of the copy machine (Xerox 7000) for further study. This matter was deferred until the next regular meeting.

The appointment of a member to the Tyler County Appraisal Review Board was deferred until the afternoon meeting at 1:00 P.M.

A motion was made by **Commissioner Barnes** to authorize for sell a wrecked dump truck from Precinct #2. **Commissioner Conner** seconded this motion. All voted yes and none no. The truck may be viewed at the Precinct #2 County Barn. Bids will be opened at the next regular meeting. SEE ATTACHED BID NOTICE.

A motion was made by **Commissioner Barnes** to advertise for bids for a new **3/4 ton truck** for **Precinct #2**. To be bid with and without trade-in. Specifications will be available in the County Clerk's office. A portion of the payment for this purchase will be by time warrants not to exceed \$ 12,000.00. The motion was seconded by **Commissioner Conner**. All voted yes and none no. Bids opened November 9, 1987. SEE ATTACHED.

Approval of payments to A.I.D. was deferred until the afternoon meeting.

The County Judge having to leave the room, Commissioner Jordan presided at this time as Judge Pro Tem:

Commissioner Conner made a motion to accept the petition from residents and property owners on the **Old Harmony Road** and authorizing the State to proceed with the project of designating same as a farm market road. The motion was seconded by **Commissioner Graham**. All voted yes and none no. SEE ATTACHED PETITION.

A motion was made by **Commissioner Graham** and seconded by **Commissioner Conner** to appoint Aloha Freeland as **Alternate Judge** for **Precinct #13** voting box. This was due to the resignation of Jewel Pedigo. All voted yes and none no.

Judge Wheat presiding again at this time:

A motion was made by **Commissioner Graham** authorizing **Election Judges** to employ the amount of clerks needed not to exceed 4(four). With the request that they hold it at three if at all possibly. The motion was seconded by **Commissioner Barnes**. All voted yes and none no.

County Treasurer, Jean Phillips presented to the court that **overtime** was increasing on the **payroll sheets** and that she felt that the County Auditor and herself did not have the authority to O.K. the overtime. Mrs. Phillips asked the court to authorize the time sheets before payroll. Following discussion, it was moved by **Commissioner Graham** that County policy be enacted that overtime will not be paid, however overtime will be made-up by taking time and one-half off compensatory time, with the exception of the Sheriff's department. Also, that the policy be enacted that payroll sheets be signed by the Officials/Department Heads and not the secretaries. The motion was seconded by **Commissioner Barnes**. All voted yes and none no.

A motion was made by **Commissioner Graham** and seconded by **Commissioner Barnes** to consider payment of bills Friday, October 16, 1987. All voted yes and none no.

Acceptance of Road Easement in Pct. #4 was deferred until the afternoon meeting.

Commissioner Jordan made a motion to disapprove the budget submitted by the **Tyler County Tax Appraisal Board**. The motion was seconded by **Commissioner Conner**. All voted yes and none no. SEE ATTACHED BUDGET.

Approval of drawdown to H.B. Nield was deferred until afternoon meeting.

A motion was made by **Commissioner Graham** and seconded by **Commissioner Conner** to ask all department heads to refrain from any purchases except for essentials, until tax money comes in. All voted yes and none no.

District Clerk, Patricia Brown requested the court to reconsider the cut in her **budget** and amend it by an increase of \$7,823.34. As explained, this would enable her to keep an employee due to an increase in workload from having a court master. Also, this employee will be trained to operate the future purchase of a computer. Following discussion, it was moved by **Commissioner Graham** and seconded by **Commissioner Conner** to deny the request until money is available. When money is available, it could be considered at that time. All voted yes and none no.

COURT RECESSED UNTIL 1:00 P.M.

COURT BACK IN SESSION 1:00 P.M.

A motion was made by **Commissioner Jordan** and seconded by **Commissioner Barnes** to approve the **County Extension department's** monthly report. All voted yes and none no. SEE ATTACHED REPORT.

Appointment of member to Tyler County Appraisal Review Board was deferred to Friday, October 16, 1987.

Commissioner Conner made a motion to approve payment to **AID-architects** in the amount of \$ 2,758.99(September statement). The motion was seconded by **Commissioner Graham**. All voted yes and none no. SEE ATTACHED STATEMENT.

Commissioner Jordan made a motion to defer accepting a **road easement** in **Precinct #4** until Friday, October 16, 1987. The motion was seconded by **Commissioner Barnes**. All voted yes and none no.

A motion was made by **Commissioner Conner** and seconded by **Commissioner Graham** to approve payment to **H.B. Nield & Sons, Inc.** in the amount of \$ 140,472.70. Also, approving the request for an extension of time of three days. All voted yes and none no. SEE ATTACHED STATEMENT.

A motion was made by **Commissioner Jordan** and seconded by **Commissioner Barnes** for the meeting to adjourn. All voted yes.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED ...1:50 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

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

ATTEST: *Donece Gregory* Donece Gregory, County Clerk

