

FILED FOR RECORD: 1-11- 19 88 at 11:00 o'clock A M.
DULY RECORDED: 1-12- 19 88 at 9:00 o'clock A M.
INSTRUMENT NUMBER: _____ DONECE GREGORY, TYLER CO. CLK.
Dale Davis BY Dale Davis Deputy

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

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The Regular Meeting of the Commissioner's Court was held on Monday, December 14, 1987 at 10:00 A.M. All members being present. The meeting was opened with prayer by Rev. Jack Lewellen, pastor of Mount Carmel Baptist Church.

A motion was made by **Commissioner Jordan** and seconded by **Commissioner Graham** to defer consideration of adopting a resolution from DETCOg on 911 Emergency Program. All voted yes and none no.

Commissioner Conner made a motion to approve payment of **allowances and accounts payable** as submitted by the **County Auditor, Janie DuBose**. The motion was seconded by **Commissioner Barnes**. All voted yes and none no. SEE ATTACHED REGISTER.

The bids for a **teletype** for the **Justice Center** was opened and read aloud by the County Clerk in open court. A motion was made by **Commissioner Jordan** and seconded by **Commissioner Barnes** to turn the bids over to the Sheriff's department for review and recommendations. All voted yes and none no.

The bids for a **new car** for the **Sheriff's department** was opened and read in open court by the County Clerk. A motion was made by **Commissioner Barnes** and seconded by **Commissioner Conner** to turn the bids over to the Sheriff's department for review and recommendations. All voted yes and none no.

Criminal District Attorney, Pat Hardy requested that his department be moved to the offices now occupied by the Sheriff's department after they have moved to the **Justice Center**. Mr. Hardy also requested that the **District Clerk** be given the office space that he now occupies. A motion was made by **Commissioner Jordan** and seconded by **Commissioner Barnes** to defer any consideration concerning allocation of office space until Friday, December 18. All voted yes and none no.

A motion was made by **Commissioner Graham** and seconded by **Commissioner Conner** that the County enter into the Standard Form of Agreement with **KLOTZ/Associates, Inc.** to provide **engineering services** for the implementation of **water service north of Woodville**. Also, that the County enter into contract for grant administration with **David Waxman, Inc.** for the **Community Development Block Grant** which has been authorized by the U.S. Department of Housing and Urban Development. All voted yes and none no. SEE ATTACHED AGREEMENTS.

Following discussion, it was moved by **Commissioner Jordan** and seconded **Commissioner Barnes** to adopt the resolution against making additional lands available to the **Big Thicket National Preserve** deleting the provision in paragraph 9 "even if land owners were willing to sell". All voted yes and none no. SEE ATTACHED RESOLUTION.

Commissioner Graham made a motion that the dedication of "**Kirby Forest Road**" to the County be accepted. The motion was seconded by **Commissioner Jordan**. All voted yes and none no. SEE ATTACHED EASEMENT.

Charles Ratcliff presented to the court the **Flexable 125 Benefit Program**. A motion was made by **Commissioner Barnes** and seconded by **Commissioner Conner** to appoint a committee being **Commissioner Jordan, Janie DuBose, and Jean Phillips** to meet with the Tyler County Hospital (now participating) and make recommendations to the court. All voted yes and none no.

A motion was made by **Commissioner Conner** to accept the bid from **Lone Star Computer Corp.** for a teletype/computer for the **Justice Center** in the amount of \$5,912.00 subject to the approval of the **Criminal District Attorney**. The motion was seconded by **Commissioner Graham**. All voted yes and none no. SEE ATTACHED BIDS.

Elaine Clow from the **Tyler County Child Welfare Board** presented to the court a list of prospective members to fill the vacancies that have occurred on the board. Also, she asked that the court consider amending the by-laws which state that non-attendance by a Regular Board member of five consecutive regular meetings will result in retirement to the Reserve Board, creating a vacancy on the Regular Board.

COURT RECESSED UNTIL 1:30 P.M.

COURT BACK IN SESSION:

A motion was made by **Commissioner Jordan** and seconded by **Commissioner Barnes** to authorize the **Sheriff** and four dispatchers to attend a **training school** on the new **teletype system** on January 5. The Sheriff's department has money available in their budget for this expense. All voted yes and none no.

Commissioner Conner made a motion to accept the bid from **Larry Trest Chrysler Center, Inc.** in the amount of \$12,014.56 for a 1988 Dodge car for the **Sheriff's department**. The motion was seconded by **Commissioner Jordan**. All voted yes and none no. SEE ATTACHED BIDS.

A motion was made by **Commissioner Barnes** to appoint **Jim McWilliams, Beverly Brown, Vicki Thompson, Derinda (Dee) Brown, Dorothy Kimball, and Peggy Morrell** to fill vacancies on the Regular Board of the **Tyler County Child Welfare Board**. All other members listed on the "Prospective List" will serve on the Reserve Board. The motion was seconded by **Commissioner Jordan**. All voted yes and none no. SEE ATTACHED LIST.

A motion was made by **Commissioner Graham** and seconded by **Commissioner Jordan** to amend Article III in the By-Laws of the **Tyler County Child Welfare Board for Protective Services** to provide that "non-attendance by any Regular Board member of (3) consecutive regular meetings without adequacy by Board vote, will act as automatic retirement of such non-attending member to the Reserve Board, creating a vacancy on the Regular Board." All voted yes and none no. SEE ATTACHED BY-LAWS.

Commissioner Jordan made a motion to approve a \$1,040.00 expenditure to the **Extension department** for services of installing a **computer**. This expenditure will come from "Office Equipment- Comm.Court Appr". The motion was seconded by **Commissioner Graham**. All voted yes and none no. The computer will be purchased by A&M University Extension System. **Bob Armentrout** also reported to the court landscaping ideas for the **Justice Center**. Mr. Armentrout also requested that the court consider allocating the office space, now occupied by the DPS License Department, for the use of the Extension department and also for an employees lounge.

The approval of membership dues with **Texas Association of Counties** for 1988 was deferred until Friday.

A motion was made by **Commissioner Barnes** and seconded by **Commissioner Conner** to set holidays for 1988 as follows:

- | | |
|---------------------------------|-----------------------|
| Friday, January 1 | New Year's Day |
| Monday, January 18 | Martin Luther King |
| Monday, February 15 | Washington's birthday |
| Friday, April 1 | Good Friday/Easter |
| Monday, May 30 | Memorial Day |
| Monday, July 4 | Independence Day |
| Monday, September 5 | Labor Day |
| Monday, October 10 | Columbus Day |
| Friday, November 11 | Veteran's Day |
| Thursday/Friday, November 24,25 | Thanksgiving |
| Friday/Monday, December 23,26 | Christmas |
- All voted yes and none no.

Harley Crews, Constable Pct. #3 appeared before the court and stated that he had a **Writ of Possession** to serve on **George Irving**, taking possession of his home. However, Mr. Crews stated that he did not have monies available in his budget to cover expenses of moving vans, storage, and ambulance fees for Janice Irving. Criminal District Attorney, Pat Hardy, stated he would not make recommendations until he could study further. Mr. Crews stated that it was his duty to serve the writ but that Mr. Irving nor Mr. Faircloth was not going to bear expenses involved. Mr. Crews also stated in discussion that he was not asking the court for money but asking for advice. Judge Wheat stated he felt that this was a judicial matter and that the Commissioner's Court could not act on judicial matters. Following discussion, a motion was made by **Commissioner Jordan** and seconded by **Commissioner Barnes** to defer any action on this matter until the regular meeting in January. All voted yes and none no.

Commissioner Barnes made a motion to accept the resignation of **W.D. Mahan** as **Election Judge** of **Box #18** with appreciation for his past service. The motion was seconded by **Commissioner Conner**. All voted yes and none no. SEE ATTACHED LETTER.

Consideration of appointing a Judge to fill the **vacancy** in **Box #18** was deferred until Friday, December 18.

Other matters deferred until Friday, December 18 are:

1. Approve County Extension Monthly Report
2. Approve County Treasurer's Monthly Report
3. Approve County Probation Monthly Report
4. Approve J.P. #1 monthly report
5. Approve County Auditor's Monthly Report
24. Consider Payment to AID #87-11016
25. Consider Drawdown from H.B.Nield

Commissioner Jordan stated that the Commissioners furnished their own trucks and the \$400.00 monthly allowance was not enough to cover all expenses for the operation of the trucks. Also, that the law provides that the County can furnish **gasoline** for the **vehicles**. **Commissioner Jordan** so moved that the County furnish gasoline for the Commissioners. The motion was seconded by **Commissioner Barnes**. All voted yes and none no. This addition of allowances will come from the **Road and Bridge** accounts.

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

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED.

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

