

TYLER COUNTY COMMISSIONER'S COURT
REGULAR MEETING
SEPTEMBER 12, 1988 --- 10:00 A.M.

THE STATE OF TEXAS §

COUNTY OF TYLER § ON THIS THE 12th day of September, A.D. 1988

the Commissioner's Court in and for Tyler County, Texas convened in a Meeting at the Commissioner's Courtroom in Woodville, Texas, the following members of the Court present, to wit:

- JOSIAH WHEAT COUNTY JUDGE
- J. CARROL CONNER COMMISSIONER, PCT. #1
- A.M. BARNES COMMISSIONER, PCT. #2
- WILLIS GRAHAM COMMISSIONER, PCT. #3
- JAMES R. JORDAN COMMISSIONER, PCT. #4
- DONECE GREGORY COUNTY CLERK, Ex-Officio

the following were absent: none thereby constituting a quorum. In addition to the above were:

- JANIE DUBOSE COUNTY AUDITOR
- JEAN PHILLIPS COUNTY TREASURER
- JEROME P. OWENS DEMOCRATIC NOMINEE FOR COUNTY JUDGE

Judge Wheat made the Court aware that Don Shaw had found out that the Farmer's Home Administration had a grant program which would be applicable to the proposed community center at the fair grounds. The only obligation of the County in the pre-application would be to prepare the site at a cost not to exceed \$2500.00 and asking Farmer's Home Administration to make a grant to Tyler County not to exceed \$50,000.00 for building, electrical work and plumbing. A motion was made by Commissioner Barnes to authorize the County Judge to sign the pre-application for federal funds from the Farmer's Home Administration for the community center at the fair grounds. The motion was seconded by Commissioner Conner. All voted yes and none no. SEE ATTACHED PREAPPLICATION.

Judge Wheat stated that the Human Services Building Committee was not prepared to give a report at this time. The report was deferred until October.

A motion was made by Commissioner Graham and seconded by Commissioner Conner to adopt a resolution supporting the proposed constitutional amendment dedicating federal highway funds received by the State of Texas exclusively for the intended purpose of improving Texas highways. All voted yes and none no. SEE ATTACHED RESOLUTION.

Judge Wheat presented a statement from d.p. Consulting Engineers for services on the Tyler County Airport. This was deferred until later in the meeting.

A motion was made by Commissioner Conner and seconded by Commissioner Barnes adopting a resolution proclaiming October 15, 1988 as Warren Community Volunteer Fire Department Appreciation Day in Tyler County and extending the Court's congratulations and best wishes to the citizens of the Warren area on their outstanding achievement and contribution to the public good. All voted yes and none no. SEE ATTACHED RESOLUTION.

Commissioner Jordan made a motion to authorize advertisement for bids on a radio system for the Tyler County Justice Center including that the bids will be for a turn-key job based on the specifications prepared by Mr. Ed Phillips. The motion was seconded by Commissioner Conner. All voted yes and none no. SEE ATTACHED.

A motion was made by Commissioner Graham to approve the 1987 contract to build a fence for O.B. Gentle in Precinct #3 for an amount not to exceed \$2000.00. The motion was seconded by Commissioner Conner. All voted yes and none no. This will be for 1 4/10ths miles.

Judge Wheat deferred the consideration of the request from the **Sheriff's department** for the purchase of two flags until Friday, September 16, 1989 in order to get cost of all-weather flags.

Donece Gregory, representative to the **Tyler County Tax Appraisal Board** made the Court aware that the Review Board was requesting compensation of \$69.00 per person per day to be put into the budget of the Tax Appraisal District for 1989. A motion was made by **Commissioner Graham** and seconded by **Commissioner Conner** to table this consideration for further study. All voted yes and none no.

Judge Wheat stated that he felt the **service fees** for the **sheriff's department** should be set at the maximum allowed by law. The sheriff's department had not responded as to a recommendation. A motion was made by **Commissioner Graham** and seconded by **Commissioner Jordan** to retain the present fee schedule at the present level. All voted yes and none no. SEE ATTACHED SCHEDULE.

Since there were no bids received on the **Xerox 7000**, a motion was made by **Commissioner Graham** and seconded by **Commissioner Barnes** to keep the copy machine and use it as a trade-in when another one is needed. All voted yes and none no.

A motion was made by **Commissioner Jordan** and seconded by **Commissioner Graham** to authorize the advertisement for proposals on a **computer system** for the **County Clerk's department**. All voted yes and none no. SEE ATTACHED AFFIDAVIT.

Judge Wheat made the Court aware of his conversations with **Dennis Ultican** and **John Nield** as to the invoices for electrical work at the **Justice Center**. Mr. Ultican felt that the Court was indebted to **Jasper County Ace Electric** and **Southwest Building Systems** for an amount of \$2290.98 additionally for additional work done required by the inspector from the Commission on Jail Standards that was not covered by the contract; that he submitted the work done without a "change-order" process so as to eliminate 15% mark-up from cost from the general contractor. Mr. Ultican rejected \$18,000.00 in claims from the electrical contractor. Mr. Nield also agreed that the Court remit payment to **Jasper County Ace Electric** and **Southwest Building Systems** in the amount of \$2290.98. Judge Wheat also stated that Mr. Ultican approved the County paying the retainage to **H.B. Nield**. **Commissioner Barnes** stated that the Court was available any hour for the architect to present change orders and that Mr. Ultican was aware of this. Judge Wheat stated that unless there was a defect that **H.B. Nield** needed to rectify they were entitled to their retainage. **Commissioner Jordan** stated that **H.B. Nield** would be responsible for the jail for a period of one year. A motion was made by **Commissioner Barnes** to pay **H.B. Nield** the retainage of \$82,912.75 and that the balance be held in the **Justice Center fund** to pay for the radio system and other needed improvements. The motion was seconded by **Commissioner Graham**. All voted yes and none no. SEE ATTACHED CORRESPONDANCE AND APPLICATION FOR PAYMENT.

A motion was made by **Commissioner Graham** that users of the dumps will pay \$1.00 a month on a 6 month basis and 12 month basis to the **County Treasurer** and will be issued a receipt and/or membership card. All dumps will be locked, subject to approval by **Champion** for **Precinct #2 site**, and opened Wednesday through Sunday from 8:00 a.m. to 4:30 p.m. with exception to the **County sanitary landfill at Woodville**. Pick-up truck loads other than household garbage will be charged \$5.00 per load and commercial haulers will be charged \$60.00 per month. The motion also included approval for the **County Auditor** to transfer \$3000.00 from each **Road and Bridge Budget** to the **Sanitary Landfill Budget** as a loan. The motion was seconded by **Commissioner Jordan**. All voted yes and none no. This will become effective October 15, 1988 after sufficient notice to the public through the media. SEE ATTACHED PUBLIC NOTICE.

Judge Wheat presented statements from A I D dated February 3, 1988 and March 11, 1988 for a total amount of \$2,299.15 stating that he felt it was in order for these bills to be paid because the Court had a contract with A I D. Commissioner Conner disagreed stating that the problems with the antenna wiring, etc. had not been resolved. Other Commissioners agreed with Commissioner Conner. Therefore this matter was deferred until Friday, September 16, 1988. SEE ATTACHED INVOICES.

Judge Wheat presented a statement from d.p. Consulting Engineers in the amount of \$2,970.40. The County Auditor stated that there was \$1400.00 in the General Fund for airport maintenance and repairs. A motion was made by Commissioner Barnes and seconded by Commissioner Graham to approve a partial payment of \$1000.00 from the airport line item in the General Fund. All voted yes and none no. SEE ATTACHED INVOICE.

Cassey Drake presented a proclamation to the Commissioner's Court concerning Early Childhood Intervention Month. A motion was made by Commissioner Barnes and seconded by Commissioner Graham to adopt the proclamation designating September 1988 as "Early Childhood Intervention Month" in an effort to provide the residents of this area with a better understanding of ECI services provided through local programs such as Cornerstone. All voted yes and none no. SEE ATTACHED PROCLAMATION.

A motion was made by Commissioner Graham to retain the present policy on travel and education. The motion was seconded by Commissioner Jordan. All voted yes and none no.

A motion was made by Commissioner Jordan and seconded by Commissioner Graham to accept the monthly report from the County Extension Department. All voted yes and none no. SEE ATTACHED REPORT.

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

Commissioner Jordan made a motion to approve the County Auditor's monthly report. The motion was seconded by Commissioner Graham. All voted yes and none no. SEE ATTACHED STATEMENT OF CONDITION.

The monthly report from Justice of Peace, Precinct #1 was not presented, therefore this item was deferred.

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

A motion was made by Commissioner Jordan and seconded by Commissioner Barnes to approve the allowances and accounts payable as submitted by the County Auditor. All voted yes and none no. SEE ATTACHED GENERAL LEDGER DISTRIBUTION REGISTER.

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