

TYLER COUNTY COMMISSIONER'S COURT
SPECIAL MEETING
JULY 25, 1989 --- 10:00 A.M.

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THE STATE OF TEXAS

COUNTY OF TYLER ON THIS THE 25th DAY OF JULY, A.D.1989

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

JEROME OWENS	COUNTY JUDGE, Presiding
MAXIE L. RILEY	COMMISSIONER, PCT.#1
A.M. BARNES	COMMISSIONER, PCT.#2
JERRY MAHAN	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 LISS	COUNTY AUDITOR
JEAN PHILLIPS	COUNTY TREASURER
BARBARA TOLBERT	TAX ASSESSOR/COLLECTOR
KENNY SIMPSON	ADULT PROBATION OFFICER
BETTY MCBRIDE	JUVENILE PROBATION OFFICER
GARY HENNIGAN	COUNTY SHERIFF
BOB ARMENTROUT	COUNTY EXTENSION AGENT

A motion was made by Commissioner Riley and seconded by Commissioner Barnes to appoint Election Judges and Alternate Judges to the respective precincts as recommended by the County Clerk, Donece Gregory. All voted yes and none no. SEE ATTACHED LIST.

A motion was made by Commissioner Mahan and seconded by Commissioner Barnes that the County enter into a franchise agreement with ChannelVision Cable T.V. subject to the contract meeting the approval of the Criminal District Attorney and the County Judge. All voted yes and none no. SEE ATTACHED PROPOSAL.

After it being read in it's entirety, a motion was made by Commissioner Riley to adopt the resolution whereby Tyler County seeks state grant funding for the construction of a solid waste incinerator to provide solid waste disposal services in the event that the County is selected as a location for a second 1000-bed prison facility. Commissioner Jordan seconded this motion. All voted yes and none no. SEE ATTACHED RESOLUTION.

Sheriff Hennigan requested that a Notary Bond be approved for payment by the County for Valerie Celestine. The County Auditor advised the Court that Miss Celestine was not an employee of the County and she felt it was not a good practice to pay for bonds of non-employees. Commissioner Mahan expressed that he felt she would be considered an employee of the County since she was working for the County on JTPA even though her salary was not paid by the County. A motion was made by Commissioner Riley that the bond of Valerie Celestine be approved for payment pending that the Criminal District Attorney deems it proper and further stipulates that upon ceasing employment with the Sheriff's department that the bond will be cancelled with the premium returning to the County. Commissioner Mahan seconded this motion. All voted yes and none no.

Betty McBride informed the Court of the separation of duties of the juvenile probation with that of the adult probation. She further added that the department had been cited for inadequacies in office space and support staff. Bearing upon the citation by the Juvenile Probation Commission, Mrs. McBride requested office space for her department other than the present location she shares with the adult probation. The juveniles should be isolated from adult offenders. Commissioner Mahan made a motion, which was seconded by Commissioner Barnes that this request be tabled for further study. All voted yes and none no.

A motion was made by Commissioner Mahan and seconded by Commissioner Barnes to pay \$5630.93 out of the Capitol Improvement Fund to be reimbursed with exception of \$1097.00 upon approval by the Texas Aeronautics Commission to cover expenditures outstanding, amending the budget by transferring these funds to the Airport Fund. All voted yes and none no.

A motion was made by Commissioner Riley that a change order be issued to the contractor of the Tyler County Human Services Center to change the type of window to an aluminum frame window being a reduction in cost to the County in the amount of \$600.00. Commissioner Mahan seconded this motion. All voted yes and none no. SEE ATTACHED CHANGE ORDER.

Larry Lassiter explained a problem with a possible previous sewer system found when establishing the foundation for the Tyler County Human Services Center. The Court wanted to take ample precautions that the building have a good foundation. Accordingly, a motion was made by Commissioner Mahan to approve a change order as recommended to correct sub grade work needed as to the foundation. The contractor will make the corrections on a time & materials basis. The motion was seconded by Commissioner Riley. All voted yes and none no.

COURT ENTERED INTO EXECUTIVE SESSION (Thomas Simmons vs. Tyler County)...11:00 A.M.

COURT BACK IN SESSION....11:20 A.M.

Judge Owens abstained from discussion and action, therefore Commissioner Jordan presided as Judge Pro Tem: Criminal District Attorney Pat Hardy had met with the Court and explained to persons present the outcome of the lawsuit. The jury had awarded Mr. Simmons \$2500 due to overcrowding of the Tyler County jail. Upon recommendation by the Criminal District Attorney, Commissioner Riley made a motion to approve payment of \$2500 with interest; that the check be given to Mr. Hardy for him to remit with correspondence. Commissioner Barnes seconded this motion. All voted yes and none no.

Judge Owens presiding:
Commissioner Mahan made a motion to advertise for bids on a maintenance contract for the elevator in the Courthouse to be opened August 18, 1989. Commissioner Jordan seconded this motion. All voted yes and none no. Judge Owens wanted the bids to specify that the County would have 30 days in which to reject increases and reject the contract. SEE ATTACHED NOTICE.

A motion was made by Commissioner Barnes that Sun Pipe Line Co. be granted an extension for road crossing of the J.R Barnes Road for up to 45 days. Commissioner Riley seconded this motion. All voted yes and none no.

Commissioner Barnes made a motion to table granting permission to build a bridge and headwalls in Precinct #2. Motion was seconded by Commissioner Riley. All voted yes and none no.

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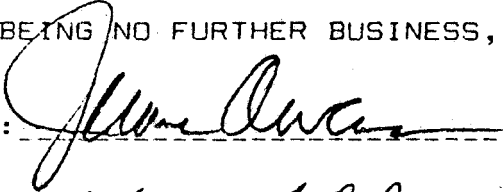
The County Treasurer discussed with the Court funds within the budget that could possibly be transferred to cover the increase in health insurance premiums. J.W. Ray and Grant Whitehurst, manager of employee benefits with Travelers presented higher deductible options that would decrease the premiums. After much discussion, a motion was made by Commissioner Mahan and seconded by Commissioner Riley that monies be appropriated to pay Traveler's at the new rate to August 1989 and advertise for bids within the bounds of the law possibly rewriting coverage within the specifications. All voted yes and none no.

A motion was made by Commissioner Mahan and seconded by Commissioner Riley to amend the previous motion keeping the insurance policy at the new rates for the months of August and September 1989 still advertising for bids to be opened September 18, 1989. All voted yes and none no. SEE ATTACHED NOTICE TO BIDDERS.

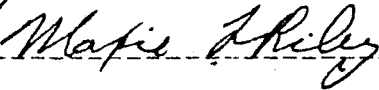
A motion was made by Commissioner Riley and seconded by Commissioner Mahan that the meeting adjourn. All voted yes and none no.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED.

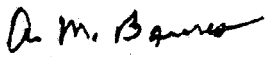
SIGNED:



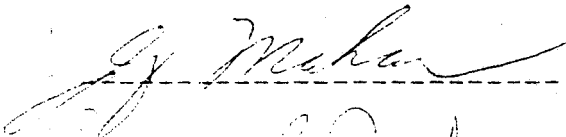
Jerome Owens, County Judge



Maxie L. Riley, Comm. Pct. #1



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

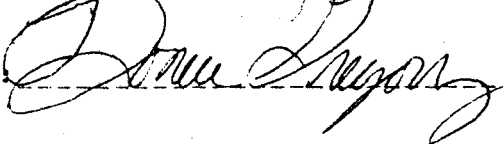


Jerry Mahan, Comm. Pct. #3



James R. Jordan, Comm. Pct. #4

ATTEST



Donece Gregory, County Clerk

