

TYLER COUNTY COMMISSIONERS' COURT  
EMERGENCY MEETING  
JANUARY 31, 1990 --- 10:00 A.M.

THE STATE OF TEXAS

VOL. 019 PAGE 366

COUNTY OF TYLER ON THIS THE 31ST DAY OF JANUARY, A.D. 1990

the Commissioner's Court in and for Tyler County, Texas convened in a Emergency 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:

GARY HENNIGAN	COUNTY SHERIFF
PAT HARDY	CRIMINAL DISTRICT ATTORNEY

Judge Owens welcomed guest and explained that matters concerning litigation involving the County and officials of the county in their official capacity are ordinarily covered in executive session outside the presence of the public. The closed session will be for discussion only and the Court will reconvene in open court to take action. Judge Owens asked that all persons present step outside the courtroom with exception to Sheriff Hennigan and Criminal District Attorney, Pat Hardy.

AFTER ADVISEMENT OF THE CRIMINAL DISTRICT ATTORNEY, PAT HARDY, THE COURT ENTERED INTO EXECUTIVE SESSION...10:03 A.M.

COURT RECONVENED IN OPEN SESSION...11:15 A.M... to discuss a lawsuit filed against the Parks and Wildlife and other individuals including Gary Hennigan individually and in his official capacity .

Judge Owens explained that the County was obligated to file an answer within 20 days in response to the lawsuit filed against Mr. Hennigan in his official capacity, which brings the County in as a participant in this lawsuit to the extent that defense will be required to be made on behalf of the County's interest. The Court is also obligated to insure that the County has full and complete representation during the initiation of this lawsuit.

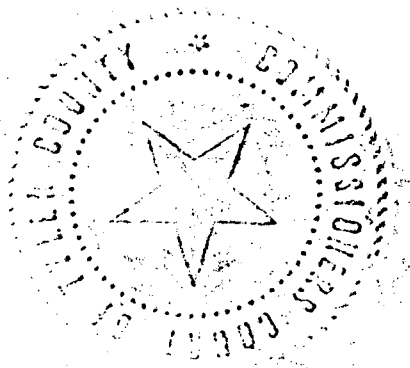
Pat Hardy added that he intends to answer the suit and represent Sheriff Hennigan; however due to the possibility that Mr. Hardy is called as a witness he may need some help with outside counsel. Judge Owens asked for the general policy concerning hiring additional counsel. Mr. Hardy responded that the policy had always been that the County hire outside counsel, with the exception of one case, and he saw no reason to differentiate from that now.

A motion was made by Commissioner Mahan and seconded by Commissioner Riley to authorize the Criminal District Attorney, County Judge and County Sheriff to meet and discuss hiring counsel to represent the Sheriff after his consultation, and such counsel be employed to represent the County, assisting the Criminal District Attorney, in the prosecution of the law suit filed in Federal Court in Lufkin, Texas and as further directed by the Commissioners' Court. All voted yes and none no.

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

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED...11:30 A.M.

SIGNED: Jerome Owens Jerome Owens, County Judge  
Maxie L. Riley Maxie L. Riley, Comm. Pct. #1  
A. M. Barnes A. M. Barnes, Comm. Pct. #2  
Jerry Mahan Jerry Mahan, Comm. Pct. #3  
James R. Jordan James R. Jordan, Comm. Pct. #4  
 ATTEST: Donece Gregory Donece Gregory, County Clerk



THE STATE OF TEXAS  
County of Tyler

I hereby certify that the foregoing instrument with its certificate of authentication was filed for record in my office on the 16th day of February 1990 at 1:00 o'clock P M. and was this day duly recorded at 9:00 o'clock A M., in Vol. 19 Pages 364 et seq. Commissioner's Court Records of said County.

Witness my hand and official seal at office in Woodville this 20th day of February 1990



Donece Gregory  
Clerk, County Court, Tyler County, Texas

By DS Deputy