

TYLER COUNTY COMMISSIONER'S COURT
SPECIAL MEETING
April 20, 1990 --- 10:00 A.M.

VOL. C19 PAGE 891

THE STATE OF TEXAS

COUNTY OF TYLER ON THIS THE 20th DAY OF APRIL, 1990

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

JOYCE MOORE	COUNTY AUDITOR
JAMES A. CLARK	CRIMINAL DISTRICT ATTORNEY-ELECT

Upon reading the resolution aloud by Judge Owens, a motion was made by Commissioner Jordan and seconded by Commissioner Barnes to adopt the resolution commending Bill Brown for his dedicated service as a member and past chairman of the Tyler County Hospital Board of Directors. All voted yes and none no. Pat Brown accepted the resolution on Mr. Brown's behalf. SEE ATTACHED RESOLUTION.

Commissioner Barnes reported his phone conversation with representative from FranMar Machinery & Parts International. The representative agreed to sign a statement to fulfill his obligations of the bid as stated by Commissioner Barnes. When asked by Commissioner Jordan if other Commissioners were satisfied, Commissioner Mahan stated that the rock crusher was a good deal, however, they did not have all that was bid on the site. (lacks a motor and a generator) He further stated that he was uncomfortable with complications the County might have from making a partial payment, if upon completion of the project it would be unsatisfactory. Judge Owens recommended a conditional acceptance whereby the Criminal District Attorney draw up an agreement stating that the rock crusher is being conveyed for total price of \$47,750.00 (being the bid price); that he would accept \$30,000 as conditional payment; that he would provide the County with a motor and a generator satisfactory to the Court within a specific period of time; that if within that period it is not produced to the Court's satisfaction, he will waive all his rights to the rock crusher or will tender a certified check back to the County for the \$30,000 and will pick up the rock crusher with no further liability and expense to the County. Upon their execution of the agreement with the County, Judge Owens would recommend the Court adoption that action. If "FranMar" would not consent to this agreement then he would consider that FranMar has not met their obligation and could come get the rock crusher. A time limit was set not to exceed 21 days to meet the obligation of the motor and generator. Further stipulation was made that the agreement would be executed within seven days from today. Commissioner Mahan in agreement made Judge Owens' recommendation in the form of a motion. Commissioner Mahan further questioned the method of payment. Commissioner Jordan and Commissioner Riley stated they felt that two time warrants could be issued with the maturity date to remain the same as previously voted upon. Judge Owens stated that the financing should remain the same. Commissioner Riley seconded this motion. All voted yes and none no.

After discussion with the "press" as to the projected savings compared to buying crushed rock, a motion was made by Commissioner Mahan and seconded by Commissioner Riley that the meeting adjourn. All voted yes and none no.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED...10:35 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

