

TYLER COUNTY COMMISSIONERS' COURT  
REGULAR MEETING  
DECEMBER 10, 1990 --- 10:00 A.M.

THE STATE OF TEXAS

VOL. 021 PAGE 53

COUNTY OF TYLER ON THIS THE 10th DAY OF DECEMBER, 1990

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

MAXIE L. RILEY	COMMISSIONER, PCT.#1
A.M. BARNES	COMMISSIONER, PCT.#2
JERRY MAHAN	COMMISSIONER, PCT.#3
JAMES R. JORDAN	COMMISSIONER, PCT.#4, Presiding
DONECE GREGORY	COUNTY CLERK, Ex-Officio

the following were absent: Judge Owens thereby constituting a quorum. In addition to the above were:

JOYCE MOORE	COUNTY AUDITOR
JAMES CLARK	CRIMINAL DISTRICT ATTORNEY-ELECT
JEAN PHILLIPS	COUNTY TREASURER
GARY HENNIGAN	COUNTY SHERIFF

The invocation was given by Reverend Bill Swearingen.

A motion was made by Commissioner Riley and seconded by Commissioner Barnes to approve the 10:00 A.M. and 3:00 P.M. minutes of August 17th meetings. All voted yes and none no.

A motion was made by Commissioner Barnes and seconded by Commissioner Riley that the monthly report of the Extension Department be approved. All voted yes and none no. SEE ATTACHED REPORT.

Commissioner Riley motioned to approve the County Treasurer's monthly report as submitted by Jean Phillips. The motion was seconded by Commissioner Mahan. All voted yes and none no. SEE ATTACHED REPORT.

Commissioner Riley made a motion to accept the monthly reports of the Probation Departments (Adult and Juvenile) as filed. This motion was seconded by Commissioner Barnes. All voted yes and none no. SEE ATTACHED REPORTS.

Commissioner Riley made a motion to accept the monthly report of Wanda Brasher, J.P. #1. Commissioner Mahan seconded this motion. All voted yes and none no. SEE ATTACHED REPORT.

After review of the monthly report submitted by the County Auditor, a motion was made by Commissioner Riley to approve same as printed. This motion was seconded by Commissioner Barnes. All voted yes and none no. SEE ATTACHED STATEMENT OF CONDITION.

Commissioner Riley made a motion to approve payment of the allowances and accounts payable. Commissioner Mahan seconded this motion. All voted yes and none no. SEE ATTACHED GENERAL LEDGER DISTRIBUTION REGISTER AND ACCOUNTS PAYABLE PAID.

Bill Swearingen made a request to Commissioners' Court to use part of the fairgrounds for an Evangelistic Tent Crusade from Sunday, August 4, 1991 to Friday, August 9, 1991, sponsored by the New Bethel Association. He continued that the best place to use would be North of 190. Commissioner Riley said that the end of the runway could not be used because of violation of the FAA regulations. A motion was then made by Commissioner Riley and

seconded by Commissioner Barnes to authorize the New Bethel Association to use part of the fairgrounds for the Crusade with the understanding that the Association would be responsible for any accidents or injuries which might occur. All voted yes and none no.

Sheriff Hennigan told Commissioners' Court that he had received bids from Ed Summerall in the amount of \$890 for the 1985 Plymouth and he received a bid from Clarence Murray in the amount of \$852 for the Dodge. Commissioner Riley made the motion to sell the used Plymouth for \$890 to Ed Summerall and the used Dodge for \$852 to Clarence Murphy. The motion was seconded by Commissioner Barnes. All voted yes and none no. SEE ATTACHED BIDS.

Commissioner Riley made the motion to table adopting the Policy Manual until Friday. The motion was seconded by Commissioner Mahan. All voted yes and none no.

Commissioner Jordan told Commissioners' Court that the County did not have money in the budget for the County Health Inspector. Nova Rae Michaux reminded Commissioners' Court that establishments are not inspected within the County. She also stated that the law does not require a health inspector. Commissioner Riley made the motion to table the consideration of County Health Inspector until Judge Owens returned and there was full court consent. The motion was seconded by Commissioner Mahan. All voted yes and none no.

Commissioner Mahan made the motion to table the approval of an outside auditing firm until Judge Owens returns. The motion was seconded by Commissioner Barnes. All voted yes and none no.

A motion was made by Commissioner Mahan and seconded by Commissioner Riley to accept the 1991 holidays as present. All voted yes and none no.

Commissioner Riley made the motion to advertise for bids on a new maintainer for Precinct #1. He stated that he would like to have time warrants for 4 or 5 years not to exceed \$95,000 with a trade-in of a 100C maintainer. He would also like the companies bidding to offer financing. The motion was seconded by Commissioner Mahan. All voted yes and none no. SEE ATTACHED NOTICE TO BIDDERS.

A motion was made by Commissioner Riley and seconded by Commissioner Mahan to advertise for bids to sell the used 100C maintainer from Precinct #1. All voted yes and none no. SEE ATTACHED NOTICE TO BIDDERS.

Commissioner Mahan made the motion to table the consideration of employing legal counsel for Cause #13,901, Patsy Ruth and Willis Graham vs Tyler County until Friday. The motion was seconded by Commissioner Barnes. All voted yes and none no.

James Clark requested Commissioners' Court to approve the purchase of computer software for the District Attorney's Office. He stated that if the County ordered now it could be paid in 1991. The County Auditor alerted the Court that this request had been put on hold during the budget workshop to be reconsidered in June. A motion was made by Commissioner Riley and seconded by Commissioner Mahan to table until Friday. All voted yes and none no.

David Waxman and Randy Blanks presented a resolution to Commissioners' Court concerning the authorization of submission of the Texas Capitol Fund Program Grant to provide water and sewer service to Sam Houston Electric Corporation Service Center. The project application is for slightly less than \$200,000. The project will create 16 jobs. Commissioner Mahan made the motion to approve the application and to authorize Commissioner Riley to sign it. Commissioner Riley agreed, stipulating that he would like

for Pat Hardy, District Attorney or James Clark, District Attorney-Elect to read before he signs the document. Commissioner Barnes seconded the motion. All voted yes and none no. SEE ATTACHED.

After the County Clerk read aloud the resolution, a motion was made by Commissioner Riley and seconded by Commissioner Barnes to authorize James R. Jordan to execute the Global Release and Assignment of All Claims on behalf of Tyler County in Cause No. 88-2789, U.S. District Court, Dr. Douglas Hallmark vs Tyler County, Texas Etal. All voted yes and none no. SEE ATTACHED RESOLUTION.

Commissioner Riley made the motion to table the approval of the agreement between Tyler County Commissioners' Court and Tyler County Community Supervision and Corrections Department until Friday. The motion was seconded by Commissioner Barnes. All voted yes and none no.

A motion was made by Commissioner Riley and seconded by Commissioner Mahan to adjourn. All voted yes.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED...11:00 A.M.

*Maxie L. Riley*  
SIGNED: Maxie L. Riley Maxie L. Riley, Comm. Pct. #1

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

*Jerry Mahan*  
Jerry Mahan Jerry Mahan, Comm. Pct. #3

*James R. Jordan* #4  
James R. Jordan James R. Jordan, Comm. Pct. #4

*Denece Gregory*  
ATTEST: Denece Gregory Denece Gregory, County Clerk

