

TYLER COUNTY COMMISSIONERS' COURT  
SPECIAL MEETING  
JANUARY 18, 1991 --- 10:00 A.M.

VOL 021 PAGE 580

THE STATE OF TEXAS

COUNTY OF TYLER ON THIS THE 18TH DAY OF JANUARY, A.D.1991

the Commissioners' Court in and for Tyler County, Texas convened in a Special Meeting at the Commissioners' 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
HENRY EARL SAWYER	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
JEAN PHILLIPS	COUNTY TREASURER
JAMES CLARK	CRIMINAL DISTRICT ATTORNEY

Commissioner Riley made the motion to approve the minutes from the September 10, 1990 and January 14, 1991 meetings. Commissioner Barnes seconded the motion. All voted yes and none no.

The County Auditor called attention to certain bills that had not been previously approved by the Commissioners' Court. Commissioner Mahan motioned that the allowances and accounts payable as presented by the Auditor's office be approved after receiving proper signatures. Commissioner Barnes abstained from discussion and voting because of bills submitted from Barnes Plumbing. The motion was seconded by Commissioner Riley. All voted yes and none no with Commissioner Barnes abstaining. SEE ATTACHED GENERAL LEDGER DISTRIBUTION REGISTER AND LIST OF ADDITIONAL BILLS.

The selection of administrative services for the Texas Department of Commerce Grant was discussed by Commissioner Riley in connection with a road in Precinct #1. Commissioner Riley stated that this was the third year the grant had been worked on and the amount of the grant was approximately \$241,000, with the cost to Precinct #1 approximately \$49,000. Judge Owens reported that he had only received one proposal for administrative services, that being from David Waxman. Commissioner Riley motioned that David Waxman be approved for administrative services for the purposes of the program under the Texas Department of Commerce Grant. The motion was seconded by Commissioner Barnes. Mr. Waxman stated that the County will not have enough money to complete the 21,000 feet. Several request for proposals went out to engineering firms all of which have the credentials to do the design work on the project. The Court received three proposals. Mr. Waxman continued by giving instruction steps for selecting an engineer. Once the selection is made the fee envelope will be opened for the engineer that was ranked #1 and if this is within their budget and approved the contract will continue. The state law states that the basis of the selection may not be monetary. The engineers then supply the information on the project such as the budget. Jimmie Griffith, president of Everett Griffith and Associates, Inc. after introducing Wayne Stokes as the project manager, began his proposal with the qualifications of his firm. Mr. Griffith also states that he will have the project basically under way by June. Wayne Stokes states that his staff will meet the demands and meeting schedules. Commissioner Riley comments that the completion is due by October 5, and he would like for the job to be done this summer.

Judge Owens added that Commissioner Riley has been working for two years on the road project and we are extremely pleased to acquire the funds to build the road in Tyler County because the first time this was presented it was not approved. He further stated that Jimmie Griffith and his firm were there to help the County to shepherd this project. Dave Perrell with D.P. Consulting Engineers began his presentation by informing the Court that his firm had 40 years of experience in engineering and construction. They also offer a local field office which they will operate from and their work will originate in Woodville. They are set up with minority input if required. He feels that this will give adequate control for the soil to determine what can be done with it and he feels that this is the secret to get the project within the allocated funds. Commissioner Riley ask what the time frame is on this. Mr. Perrell responded that he is available to begin on this work hopefully starting in the next two weeks with preliminary plans completed in two months. Judge Owens states that the County has worked with Mr. Perrell and his firm before and they have always been very professional and done everything they stated they would do. Judge Owens concurs that all the firms are qualified but he knew that Everett Griffith has more experience on this project because they have been working with the County for two years on this project. They have also fronted some of their own cost to help the County to get grant for the road. Commissioner Riley made the motion to approve Everett Griffith and Associates, Inc. as engineering services for the Texas Department of Commerce project for a road in Precinct #1. Commissioner Sawyer seconded the motion. All voted yes and none no. Upon recommendation of David Waxman, Commissioner Riley made the motion to approve D.P. Consulting Engineering as the second choice for the Precinct #1 Road Project. The motion was seconded by Commissioner Barnes. All voted yes and none. Judge Owens opened the bid for the service cost of David Waxman and that of Everett Griffith, Jr. & Assoc. After review by Commissioners' Court, Commissioner Riley asked Mr. Waxman if it falls within the guidelines of the grant. Mr. Waxman answered in the affirmative that the contract they proposed to Commissioners' Court in keeping with the fee that was specified in the agreement was a fixed fee contract and if something unforeseen happens, it will fall on him. Mr. Waxman continued saying there isn't any more money and there will be no more money for this project. He also stated that Mr. Griffith proposes \$19,400 for engineering purposes for basic fees. Mr. Waxman stated that they were under the understanding that the County plans to do their own inspection however, if they desire inspection they propose to provide part-time inspection for \$4500 which is budgeted. SEE ATTACHED PROPOSALS AND CONTRACTS. (Contracts will be held by the County Clerk until notification by David Waxman.)

Commissioner Riley made the motion to approve the purchase of a new typewriter in the amount of \$539.00 for the County Treasurer's Office. The motion was seconded by Commissioner Barnes. All voted yes and none no.

A motion was made by Commissioner Riley and seconded by Commissioner Sawyer to appoint O.B. Johnson, John English and Dale Sellers for a two year term to Rural Fire District #1 and to appoint Harold Young and Tom Harvey for a two year term to Rural Fire District #2. All voted yes and none no.

Judge Owens read the letter he had drafted to Mr. Sam Collins for the purpose of the Sabine River Authority to handle the bonds for the building of a solid waste disposal site. Judge Owens states in his letter that the current cost of the engineering studies are estimated at \$20,000. Tyler County agrees to pay the Sabine River Authority its pro-rata share of the \$20,000 but not to exceed \$5,000 outlined above if the project does not result in the study effort or Tyler County elects not to participate in the project. Judge Owens states that it is his feeling that the \$20,000 will not get the study done. He feels that the County can at least say that we will go for our pro-rata share not to exceed \$5,000 of the State. A motion was made by Commissioner Riley and seconded by Commissioner Barnes for Tyler County to pay our pro-rata share and to authorize Judge Owens to execute the letter, setting forth the County's intentions, and deliver it to the Sabine River Authority. All voted yes and none no. SEE ATTACHED LETTER.

Commissioner Riley motioned to reject all bids on the new maintainer for Precinct #1 and to rebid at a later date. The motion was seconded by Commissioner Sawyer. All voted yes and none no. SEE ATTACHED BIDS.

A motion was made by Commissioner Riley and seconded by Commissioner Mahan to reject bids on selling the used maintainer from Precinct #1. All voted yes and none no. SEE ATTACHED BID.

The County Auditor told Commissioners' Court that her selection for the outside auditing firm was based on her personnel interview and the price they would charge. Her recommendation was Pattillo, Brown & Hill from Waco. Robert Belt was in attendance representing Earl Larrison & Co. Commissioner Mahan was in favor of Earl Larrison and Company, stating that Larrison had two representatives residing in Tyler County and although they would be \$1900 higher, broken down by hours projected for the study, it would be less. Commissioner Mahan motioned to employ the services of Larrison and Company. The motion died for lack of a second motion. The motion was then withdrawn. Commissioner Mahan then made the motion to award the recommendation of the County Auditor to employ Patillo, Brown & Hill. The motion was seconded by Commissioner Sawyer. Commissioners' Mahan and Sawyer voted yes and Commissioners' Riley and Barnes abstained. Judge Owens then took a voting stand for the motion in favor of Pattillo, Brown & Hill. Rationalizing that he hoped that next year the County could use a local firm. He believed that the County Auditor has the professional responsibility to see that the County's finances are handled properly and finds it difficult to over-ride someone who has that responsibility unless there is some kind of over-compelling reason why he should not support her decision. SEE ATTACHED PROPOSALS.

Commissioner Sawyer made the motion to reject all bids on the maintainer for Precinct #4. The motion was seconded by Commissioner Riley. All voted yes and none no. SEE ATTACHED BIDS.

A motion was made by Commissioner Mahan and seconded by Commissioner Riley to reject all bids and to negotiate the best price to sell the used Ford pickup from Precinct #3 and tabled until the February agenda. All voted yes and none no. SEE ATTACHED BID.

Commissioner Riley made the motion for Judge Owens to appoint a committee to develop a form with requirements of a doctor to perform physical exams of new County employees. Commissioner Mahan seconded the motion. All voted yes and none no. Judge Owens appointed Commissioner Riley, James Clark and Jean Phillips to the committee.

Betty Jo Davis presented to Commissioners' Court letters of right-of-ways to make it official that these people have committed

TYLER COUNTY COMMISSIONERS' COURT  
January 18, 1991

to the project of extending Highway 92 through the Dam B area. She told the Court that Louisiana-Pacific has to have an official request from the County to ask for the donation of the right-of-way. Judge Owens affirmed that the County will follow up with Louisiana-Pacific. Mrs. Davis wants to know if there is a need for an update on the resolution with Mr. Franklin Young. Commissioner Mahan replied that he doesn't think it is necessary. Judge Owens deems that the Court needs to check with Mr. Young to see if there is some other type of commitment they need from the County, then put this in the resolution rather than send the same resolution. SEE ATTACHED.

Commissioner Riley made the motion to adopt the Resolution concerning the records management program submitted by the County Clerk and approved by the County Attorney. The motion was seconded by Commissioner Barnes. All voted yes and none no. SEE ATTACHED RESOLUTION.

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

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED.

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

Henry Earl Sawyer Henry Earl Sawyer, Comm. Pct. #4

ATTEST: Donece Gregory Donece Gregory, County Clerk

