

TYLER COUNTY COMMISSIONERS' COURT  
REGULAR MEETING  
FEBRUARY 13, 1995 --- 10:00 A.M.

THE STATE OF TEXAS

COUNTY OF TYLER ON THIS THE 13th DAY OF FEBRUARY, 1995 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:

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
TINA BUMP	COUNTY TREASURER
GARY HENNIGAN	COUNTY SHERIFF

A motion was made by Commissioner Mahan and seconded by Commissioner Riley to approve the minutes of January 13, January 17 at 8:30AM and January 17 at 8:45AM, January 18, January 23 at 9:45AM, and January 24. All voted yes and none no.

Upon balancing with the County Auditor, a motion was made by Commissioner Riley and seconded by Commissioner Mahan to approve the County Treasurer's monthly report as submitted. All voted yes and none no. SEE ATTACHED REPORT.

Commissioner Mahan motioned to approve the monthly reports of the Adult Probation and Juvenile Probation Department. Commissioner Riley seconded the motion. All voted yes and none no. SEE ATTACHED REPORTS.

Commissioner Riley motioned to accept the monthly report of the Justice of the Peace, Pct. #1. The motion was seconded by Commissioner Sawyer. All voted yes and none no. SEE ATTACHED REPORT.

A motion was made by Commissioner Mahan to approve the monthly reports of the County Extension Department. Commissioner Sawyer seconded the motion. All voted yes and none no. SEE ATTACHED REPORTS.

A motion was made by Commissioner Riley and seconded by Commissioner Barnes to approve the monthly report of the County Auditor, upon balance with the County Treasurer. All voted yes and none no. SEE ATTACHED STATEMENT OF CONDITION.

Commissioner Mahan made the motion to approve the accounts payable from the County Auditor's Office as submitted. Commissioner Sawyer seconded the motion. All voted yes and none no. SEE ATTACHED ACCOUNTS PAYABLE PAID & GENERAL DISTRIBUTION LEDGER.

Only one bid was received for road oil and asphalt road surfacing were opened and read aloud. A motion was made by Commissioner Riley to award the bid to Matthews Construction of Jasper, Texas. The motion was seconded by Commissioner Barnes. All voted yes and none no. SEE ATTACHED BID.

Only one bid was received for cracked road oil was opened and read aloud, that being from Bryan & Bryan. A motion was made by Commissioner Riley to accept the bid from Bryan & Bryan. The motion

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was seconded by Commissioner Mahan. All voted yes and none no. SEE ATTACHED BID.

A motion was made by Commissioner Sawyer and seconded by Commissioner Mahan to table consideration of fuel until Friday, February 17th. All voted yes and none no.

Bids for a used soil stabilizer for Precincts #1 & #4 were opened and read aloud: Matthews Construction, R.B. Everett, George P. Bane and North Texas Construction. A motion was made by Commissioner Sawyer and seconded by Commissioner Mahan to table a decision until Friday, February 17th. All voted yes and none no.

Bids for a bank depository were opened and read aloud. Bids were received timely from First National Bank of Jasper-Woodville Branch, Community Bank and Citizens State Bank. Commissioner Riley motioned to table a decision on the bids until Friday, February 24 at 9:00 A.M., for further study. This motion was seconded by Commissioner Mahan. All voted yes and none no.

A motion was made by Commissioner Mahan and seconded by Commissioner Riley to appoint the following Fire Commissioners for Rural Fire Prevention District #5: Leo Gunter, Johnny Page, Jimmy Walker, Lance Champagne and Jiles Lindsey. All voted yes and none no. Judge Owens commended them on the way they informed the people of their purpose. (C)

Commissioner Riley motioned to adopt the resolution from Texas Association of Counties for worker's compensation coverage to include election personnel and jurors. Commissioner Mahan seconded the motion urging the insistence to jurors to pickup their checks for service. All voted yes and none no. SEE ATTACHED RESOLUTION.

Commissioner Riley motioned to grant right-of-way in the BBB & CRR Survey, Abst.#139 for installation of a 2" gas line. Commissioner Riley will inspect the installation. Commissioner Sawyer seconded the motion. All voted yes and none no. SEE ATTACHED AGREEMENT.

A motion was made by Commissioner Sawyer and seconded by Commissioner Mahan to appoint Curtis Pardon as Commissioner of the Rural Fire Prevention District #1 replacing J.C. Wilson. All voted yes and none no. (C)

Judy Brown, executive director for the Dogwood Festival requested the Court to pay for the port-a-potties, as last year, for both the Dogwood Festival and Western Weekends. A motion was made by Commissioner Riley and seconded by Commissioner Sawyer to authorize the \$725 expenditure for 10 units and one handicap unit which includes a service fee between the weekends. All voted yes and none no.

COURT RECESSED FOR 15 MINUTES  
COURT IN SESSION:

Commissioner Mahan explained the need of approximately one acre for additional working space for the Texas Department of Transportation due to problems with slopes sliding under and away from Highway 92 South of 190. An appraiser will need to be hired. The cost share

will be 90%/10%. A motion was made by Commissioner Mahan to pursue the hiring of an appraiser. The motion was seconded by Commissioner Riley. All voted yes and none no.

The Court once again discussed the salary of the court reporter and secretary for the 88th Judicial District. A motion was made by Commissioner Riley and seconded by Commissioner Mahan to discontinue the salary of the court reporter and secretary until the appointment of a District Judge, effective February 1, 1995. All voted yes and none no.

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COURT RECESSED TO ENTER INTO EXECUTIVE SESSION to discuss the possibility of taking legal action for damage to the county park in the Peavy Baldwin Survey in Precinct #3.....11:00 A.M.

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

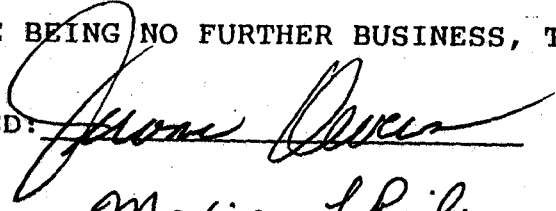
The Court had discussed the particulars on the damages to the county park. Judge Owens summarized the executive session, stating "the Court felt it best to authorize the District Attorney to negotiate or take such legal action as necessary to protect the County's interest in this park; and, that Commissioner Mahan consult with the District Attorney toward discussions with the responsible party to determine what solutions can be worked out or if legal action will be required to protect the County with regard to the park and boat ramp". Commissioner Mahan made Judge Owens' recitation into a formal motion adding the if negotiations does not bring about results that formal action be taken before the statute of limitations ends. This motion was seconded by Commissioner Sawyer. All voted yes and none no.

County Treasurer, Tina Bump made the court aware that Donice Foster was in the process of preparing an appeal of a Tyler County case. Judge Owens advised that she requisition for her compensation.

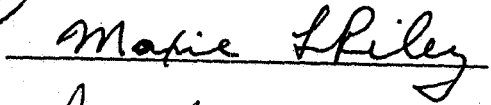
The meeting was adjourned by motion from Commissioner Riley.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED...11:25 A.M.

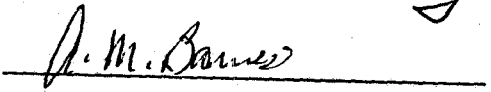
SIGNED:



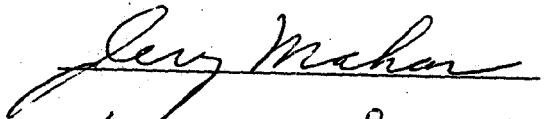
Jerome Owens, County Judge



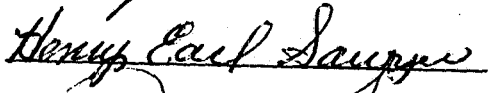
Maxie L. Riley, Comm. Pct. #1



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

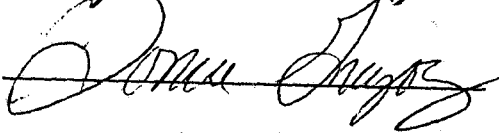


Jerry Mahan, Comm. Pct. #3



Henry Earl Sawyer, Comm. Pct. #4

ATTEST:



Donece Gregory, County Clerk