

TYLER COUNTY COMMISSIONERS' COURT
REGULAR MEETING
APRIL 8, 1996 --- 10:00 A.M.

THE STATE OF TEXAS

COUNTY OF TYLER ON THIS THE 8th DAY OF APRIL, 1996 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

Commissioner Riley welcomed his constituents from Ivanhoe Subdivision. He reiterated his desire to listen to their concerns for the maintenance of the roads. Refer to further bottom of page one.

A motion was made by Commissioner Riley and seconded by Commissioner Mahan to approve the minutes of March 25, 1996. All voted yes and none no.

Tina Bump reported that First National Bank was giving an interest on the accounts lower than that in the depository contract. She will update this at the Friday meeting, April 12th. Commissioner Riley motioned to approve the monthly report of the County Treasurer. Commissioner Sawyer seconded the motion. All voted yes and none no. SEE ATTACHED REPORT.

Commissioner Mahan motioned to approve the monthly reports of the Adult and Juvenile Probation Departments. The motion was seconded by Commissioner Sawyer. All voted yes and none no. SEE ATTACHED REPORTS.

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

A motion was made by Commissioner Mahan to table approval of the monthly report of the County Extension Department. Commissioner Sawyer seconded the motion. All voted yes and none no. Judge Owens reported the birth of the baby of Sherry Gardner. All seems well.

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

Commissioner Riley motioned to approve the accounts payable from the County Auditor's office, as submitted. Commissioner Barnes seconded the motion. All voted yes and none no. SEE ATTACHED ACCOUNTS PAYABLE PAID & GENERAL DISTRIBUTION LEDGER.

Judge Owens received several statements from persons having interest in Ivanhoe: Concerned Owners of Property in Ivanhoe(COPI)
Evan B. Glich, attorney on behalf of Timberlakes Dev. Co.
Joy Ostroski, presenting a petition

Dr. Jim Maynard, representing COPI, addressed the issues they represented: 1) that the Court refuse the Warranty Deeds sent to them

TYLER COUNTY COMMISSIONERS' COURT
APRIL 8, 1996

2) felt the "Board" erroneously interpreted the plats designating that "public" meant general public 3) petition received was signed by many people who indicated it was signed basically under duress and people were misled 4) other county taxpayers would be upset that their taxes would be spent on roads where the parks and lakes could not be used by them

Timberlakes Development Co. - no one present for representation

Joy Ostroski - 1) thanked Court for assistance in repairing the dam 2) petition showed favor to boards actions by 290 residents, not falsely obtained 3) in their best interest that Tyler Co. accept the roads

Prentice Odom, IPOIA - 1) deeds did not come from the board 2) petition was not a petition, but only a survey 3) previous deeds to 21 sections, out of the 27 sections, was dedicated to the public and nothing indicating the property was private; other six sections are private 4) mailed a letter of intentions to approx. 2200 property owners, received 170 replies of 2:1 in favor in the intentions 5) 150 to 170 persons vote in general elections, felt the letter and petition represented the favor of the people without the expense of another election

Marg Ross, Board of Directors - 1) Ivanhoe property owners paid a large percentage of the taxes, but felt they have not gotten anything for their taxes 2) They were not asking for something for their taxes

Ann King, IPOIA - 1) thanked Maxie and Court for help in repairing the dam 2) "the decision to deed the roads over to the county was a cry for help"

Commissioner Riley - 1) County could only take the roads 2 miles at a time 2) received a majority show of hands to his inquiry of an election on a Saturday to find the decision of the residents.

Judge Owens summarized the issues as 1) Do you want the roads to be public or private? 2) If public, the roads do not automatically come under the jurisdiction of the County. The roads would have to meet the specifications and the Commissioner would make the determination to recommend acceptance by the Court.

Commissioner Riley and Judge Owens both reiterated that the Court would work with the people once they are assured of the view of the majority.

Lady (name not given) - 1) What does dedicated to the public really mean? 2) board was always in contention and turned many away from attending the meetings 3) many residents were confused on the issues and what they have been told. **Commissioner Riley** answered that public roads did not mean county roads, unless they had been dedicated and accepted by the County.

Shirla Yawn - 1) bought the property under the pretention of security for her daughters 2) in favor of security of sheriff's department by having the guard gate down

In conclusion, other commissioners voiced their support of Commissioner Riley and his statement that the people should pull together to accomplish their goals and not in separate directions. Judge Owens recommended that sufficient notice should be given as to an election, if such election is desired; that, locally they should decide how they want to be governed and under what circumstances. Commissioner Riley reminded that three wheelers and golf carts could not be driven on county roads. All vehicles must be registered.

COURT RECESSED FOR 10 MINUTES.
COURT IN SESSION:

Commissioner Mahan motioned to approve the load posting agreement for bridges with the Texas Department of Transportation. Commissioner Sawyer seconded the motion. All voted yes and none no. SEE ATTACHED AGREEMENT.

A motion was made by Commissioner Sawyer to reappoint Maxie Riley to the DETCOG Board of Directors. Commissioner Mahan seconded the motion. All voted yes and none no. ATTACHED.

Leon Hastings made the Court aware of a dangerous location at the fire station in Spurger. Upon his request, Commissioner Sawyer motioned to request a study from the Texas Department of Highways and Transportation to install a red light at this location. The motion was seconded by Commissioner Riley. All voted yes and none no. Mr. Hastings invited the court to attend the meeting for the 250 persons to be laid-off from Keller Industries.

Jennie Mallet presented a proposal for insurance benefits for police and fire fighter employees. A payroll deduction of \$1.39 per pay period would reap such membership benefits as: \$30,000 insurance coverage, scholarships, orphan income, reward fund of up to \$2500, memorial fund and "in the spirit of brotherhood" fund for disaster relief. Commissioner Riley motioned to table this matter until Friday, April 12th, for action. Commissioner Mahan seconded the motion. All voted yes and none no.

A motion was made by Commissioner Riley to authorize advertisement for bids for a dump truck for Precinct #1. The method of payment is contemplated to be by time warrants not to exceed \$25,000 for four years. Bids will be opened on May 13th 10:00AM. Commissioner Mahan seconded the motion. All voted yes and none no. NOTICE ATTACHED.

A motion was made by Commissioner Sawyer to allow dumping of "white goods" along with all metals (except cast iron), at no charge until April 30th. Commissioner Riley seconded the motion. All voted yes and none no.

A motion was made by Commissioner Riley and seconded by Commissioner Sawyer to accept the resignation of Luther Moye, due to health reasons, on the MHMR Board. All voted yes and none no. ATTACHED

Sheriff Hennigan requested approval for allowing three of the reserve deputies to work as relief for off duty deputies and give more coverage on the highways. The reserve deputies have an agreement with the Sheriff to work 16 hours a month at no expense to the County in exchange for the sheriff carrying their commission. Commissioner Mahan motioned to add three reserve deputies to the sheriff's department at no expense to the County. Commissioner Riley seconded the motion. All voted yes and none no. The County Auditor and Sheriff Hennigan will work out insuring the deputies driving county vehicles.

Being approved by the water board, Commissioner Riley motioned to award the Cypress Creek Water Well contract to Holmes Water Well Service of Lumberton, as recommended by Wayne Stolz. The motion was seconded by Commissioner Barnes. All voted yes and none no. SEE ATTACHED.

A motion was made by Commissioner Mahan and seconded by Commissioner Riley to authorize advertisement for bids for the water plant improvement, upon a property site being secured. The bids will be opened May 13th at 10:00AM. All voted yes and none no.

The County Clerk requested the court set forth guidelines for postings on the bulletin board at the courthouse. It has been construed that it being a public bulletin board it could be used to post any type notice requested by the public. A motion was made by Commissioner Riley that only the required postings under laws of the United States of America and those of the State of Texas be posted by

TYLER COUNTY COMMISSIONERS' COURT
APRIL 8, 1996

the office of the County Clerk or Sheriff of Tyler County. The motion was seconded by Commissioner Barnes. All voted yes and none no.

The meeting was adjourned by motion from Commissioner Sawyer.

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