

TYLER COUNTY COMMISSIONERS' COURT
SPECIAL MEETING
MAY 16, 1997 --- 8:30 A.M.

THE STATE OF TEXAS

COUNTY OF TYLER ON THIS THE 16th DAY OF MAY, 1997 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
JOE MARSHALL	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:

TINA BUMP	COUNTY TREASURER
JOYCE MOORE	COUNTY AUDITOR
GARY HENNIGAN	SHERIFF
WADE SKINNER	CONSTABLE, PCT.#3

The invocation was delivered by Frank Grimes of Dam B area.

A motion was made by Commissioner Marshall and seconded by Commissioner Sawyer to approve the minutes of May 12, 1997. All voted yes and none no.

The County Auditor called attention to two corrections on page 8: changing vendor to Gardner Oil and page 9: vendor to Eastex Truck & Mill. Commissioner Riley motioned to approve paying the bills as presented by the County Auditor. Commissioner Sawyer seconded the motion. Commissioner Barnes abstained from voting on item #85801. All others voted yes and none no. SEE ATTACHED GENERAL DISTRIBUTION LEDGER.

Commissioner Riley stating that he rotated his appointments every six years, submitted the name of Alan Bell as a board member replacing Henry Shettles; Judge Owens submitted the name of Lloyd Hendrix for the unexpired term of Johnnie Hickman to the board of director of the Tyler County Hospital. Judge Owens commended the service and credits of Mr. Shettles and Mr. Hickman to the Tyler County Hospital -making critical changes they felt needed to be made and bringing the hospital from a rough cash position to a very favorable position. (c)

Jeanette Mills and Bob Johnson presented a formal request for a polling place in Wildwood Resort. Voters have to drive 11 to 13 miles to Warren to vote. The majority of the voters are elderly. There are approximately 277 Tyler County voters in Wildwood. Commissioner Riley in agreement that a polling place was needed in Wildwood, motioned to accept the petition and to proceed with establishing a voting box in this subdivision, subject to approval by the Justice Department. Commissioner Sawyer seconded the motion. All voted yes and none no. SEE ATTACHED PETITION.

Jeff McCrae presented a report on the collection of delinquent taxes. Commissioner Riley motioned to accept the report. The motion was seconded by Commissioner Barnes. All voted yes and none no. SEE ATTACHED REPORT.

Mr. Moyer was not able to attend the meeting at this time, Item #6 was tabled until a later date by motion from Commissioner Riley. Commissioner Sawyer seconded the motion. All voted yes and none no.

Lindsey Whisenant requested the blessing of the court for the Sheriff's Possee to open an account to solicit funds to improve the rodeo arena. Judge Owens preferred this account not come under the

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umbrella of the County. Commissioner Riley preferred the expenditure of funds be approved by the Tyler County Fair Board and motioned the court's favor of an account in the name of the Tyler County Sheriff's Possee. Commissioner Sawyer seconded the motion. All voted yes and none no. Mr. Whisenant updated the court as to their search for grants with Mr. Kitchens with RC &D.

Judge Owens read a letter from Jim Clark, Criminal District Attorney, regretting his inability to attend the meeting. Marie Walker voiced her dissatisfaction as to her experience with filing criminal charges. Billie Willis, captain of a neighborhood watch team, expressed their concern as to the lower penalties given to defendants of theft charges in the absence of the district attorney. Frank Grimes queried the expected time for the district attorney to return to office; and suggested his retirement. Connie Clark replied that through Mr. Clark's illness his office had not been without coverage and encouraged citizens to contact him in the hospital if they were not satisfied with contacting his department.

After confrontation by Mrs. Clark toward Judge Owens and Commissioner Riley, Judge Owens responded that: the civil matters of the court had not been taken care of; that business matters of the commissioners could not be responded to by the District Attorney in his absence; that friendships would have to be set aside to see that the people of the County were given justice and the matters of the County are taken care of. Commissioner Riley responded that they had met with the Attorney General for assistance; that Inez Knight was not hired for opinions to the commissioner's court; that he did not want Mr. Clark out of office he wanted a D.A. Connie Clark finalized that when Mr. Clark was fully recovered he would be back to his office.

THE COURT RECESSED FOR 40 MINUTES TO ACCOLADE THE 4-H YOUTH HONOREES.
9:15a.m.

COURT IN SESSION....10:20 a.m.

Sheriff Hennigan stated that he was satisfied with the bid from Philpott for a transport van with all specifications requested. Commissioner Riley questioned that payment of two time warrants would come out of the Sheriff's budget even if generated revenue from contract was less than expected, and was assured by Sheriff Hennigan that was correct. The van is to be used stictly by and for Tyler County with no loans to other counties. Commissioner Sawyer made the motion that the low bid from Philpott be accepted and Commissioner Barnes seconded the motion. All voted yes and none no.

Sheriff Hennigan requested \$100 per month increase in stockman's salary based upon fees collected by stockman. If fees were not collected, the increase would not be paid. A question was raised about the legal fee to charge. Commissioner Riley made a motion to table action until a written opinion was obtained from the Attorney General's office. Commissioner Sawyer seconded the motion. All voted yes and none no.

Jeff McCrae, representing Calame, Linebarger, Graham & Pena law firm presented a letter concerning the settlement of a personal property tax clain in the Keller bankruptcy case. A motion was made by

Commissioner Riley and seconded by Commissioner Marshall to accept the recommendation of our Tax Attorney-Calame, Linebarger, Graham & Pena and settle the personal property tax claim of \$46,600 for \$11,912 subject to the County receiving the final settlement. All voted yes and none no.

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Commissioner Riley made the motion to adjourn.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED....10:40 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

Joe Marshall

Joe Marshall, Comm. Pct. #3

Henry Earl Sawyer

Henry Earl Sawyer, Comm. Pct. #4

ATTEST:

Donece Gregory

Donece Gregory, County Clerk