

TYLER COUNTY COMMISSIONERS COURT
SPECIAL MEETING
MAY 12, 2000 ---- 8:30 a.m.

THE STATE OF TEXAS ON THIS THE 12th day of May, 2000 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
C. D. WOODROME
RUSTY HUGHES
JOE MARSHALL
HENRY EARL SAWYER
DONECE GREGORY

COUNTY JUDGE, Presiding
COMMISSIONER, PCT. #1
COMMISSIONER, PCT. #2
COMMISSIONER, PCT. #3
COMMISSIONER, PCT. #4
COUNTY CLERK, EX OFFICIO

The following were absent: none thereby constituting a quorum. In addition to the
above were:

JOYCE MOORE
LYNNETTE CRUSE

COUNTY AUDITOR
TAX ASSESSOR/COLLECTOR

A motion was made by Commissioner Marshall and seconded by Commissioner Sawyer
to approve the minutes of May 8, 2000. All voted yes and none no.

Commissioner Marshall motioned to approve paying the Tyler County bills.
Commissioner Hughes seconded the motion. All voted yes and none no.

Van Bush presented the 911 update:

- He made the court aware of a needed contingency plan whereby if a line goes
does or other emergency the 911 line will roll-over to the Jasper Co. Sheriff.
- There has been delays going through the State database due to some fields not the
same and caused errors. This has been corrected.
- Possibly will be hiring two temporary employees that have been on a volunteer
basis. One being Leon Hastings.
- Third county in-line for completion

Leon Hastings reiterated the need for better designation of "loop roads".

Don Head was not available to present changes to the Head Acres Subdivision plat,
therefore **Commissioner Marshall** motioned this item be tabled. **Commissioner
Sawyer** seconded the motion. All voted yes and none no.

A motion was made by **Commissioner Marshall** and seconded by **Commissioner
Hughes** to approve the sale of a used patrol car, as is, to Colmesneil ISD for \$2500. The
sale of the radio will be negotiated. All voted yes and none no.

Commissioners' Court
May 12, 2000

Judge Owens announced that Tyler County did not receive granting funding for preservation of the courthouse in this "round". \$337 million was requested with only \$50 million in funding available. Tyler County will continue to submit an application for future funding. A motion was made by **Judge Owens** and seconded by **Commissioner Hughes** to appoint Jack Whitmeyer, Commissioner Sawyer and Judge Owens to the Preservation Texas Courthouse Team. All voted yes and none no.

A motion was made by **Commissioner Marshall** to table approval of the County treasurer's and County Auditor's monthly reports. **Commissioner Hughes** seconded the motion. All voted yes and none no. SEE ATTACHED

Commissioner Marshall motioned to approve the purchase of a computer and printer for the Criminal District Attorney. **Commissioner Sawyer** seconded the motion. All voted yes and none no. SEE ATTACHED

Judge Owens read aloud bids received for property struck off for taxes. **Commissioner Marshall** motioned to accept the bids for the properties submitted and approve the recovery to Tyler County after legal fees:

- White Tail Ridge - \$174.80
- Wildwood - \$607.10
- 1.5 acres in the B. Burke Survey - \$129.89

Commissioner Hughes seconded the motion. All voted yes and none no. SEE ATTACHED.

Elaine Clow presented a list of volunteers for a "Friends" program for children in transition of being placed due to accidents or parents being jailed, etc. A motion was made by **Commissioner Woodrome** that the court execute a letter of support for the "Friends" program. Terry Allen, Joe Smith and Robert Walker will be presenting training for the program. Volunteers will be required to have criminal background checks before participating in the program. **Commissioner Hughes** seconded the motion. All voted yes and none no. SEE ATTACHED LIST

A motion was made by **Commissioner Hughes** and seconded by **Commissioner Marshall** to approve the rental of office space for the Child Welfare Board from Robert Wood in the amount of \$100 per month as per a previous budget request. All voted yes and none no.

Judge Owens presented a proposal from a firm from Baylor University for a redistricting plan. This firm will also be compiling a plan for Polk County. **Commissioner Hughes** motioned to hire Professor David Guinn and Professor Michael Morrison at a rate not to exceed \$16,000 with expenses not to exceed \$4000. **Commissioner Woodrome** seconded the motion. All voted yes and none no.

Commissioners' Court
May 12, 2000

Commissioner Marshall motioned to approve the budget amendments as presented by the County Auditor in the following departments: Road and Bridge #1 - Road and Bridge #3. Commissioner Woodrome seconded the motion. All voted yes and none no. SEE ATTACHED BUDGET AMENDMENTS

A motion was made by Commissioner Marshall and seconded by Commissioner Sawyer to approve the bond of the County Treasurer. All voted yes and none no. SEE ATTACHED BONDS

Approval of bond for Assistant was dropped from the agenda as not being necessary.

Commissioner Hughes motioned the meeting adjourned.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED.

SIGNED: Jerome Owens Jerome Owens, County Judge

CD Woodrome ~~Maxie L. Riley, Comm. Pct. #1~~
C.D. WOODROME

Rusty Hughes Rusty Hughes, 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

Volunteers for the "Friends" Program

Name	DOB	Driver's License	Address	Phone No.	Organization
1. Angle, Lila	12-25-26	04039141	65 Cobb Mill Rd., Apt. 29	Woodville, TX 283-7133	Police Academy
2. Clow, Elaine	12-07-43	05698536	811 W. Bluff St.	Woodville, TX 283-7200	Child Welfare Board - CASA
3. Dengler, Bobby	01-12-	09043499	P.O. Box 595	Woodville, TX 283-2378	Child Welfare Board
4. Eifert, Pat	02-02-61	12746602	504 Redbud	Woodville, TX 283-2295	Child Welfare Board
5. Gardner, Sherry	06-08-59	08231062	Rt. 2, Box 2738	Woodville, TX 283-5982	Child Welfare Board
6. Hamilton, Tommy Sr.	09-21-32	02948842	128 Sherwood Forest Dr.	Woodville, TX 283-3607	
7. Harris, Kathy	10-11-56	08223495	104 N. Pecan St.	Woodville, TX 283-8369	Juvenile Probation
8. Havard, Herman	05-22-30	03982929	82 Sherwood Forest Dr.	Woodville, TX 283-3212	
9. Jackson, Hazel	02-02-20	03884431	P.O. Box 294	Woodville, TX 283-2070	Foster Mother
10. LaBorde, Huron Joseph			Sherwood Forest Dr., N	Woodville, TX 283-7848	Police Academy
11. LaBorde, Billy Pauline			Sherwood Forest Dr., N	Woodville, TX 283-7848	Police Academy
12. Lewis, Alice	09-22-58	0214924	1114 Albert Dr.	Woodville, TX 283-3359	Child Welfare Board
13. MacEllven, David H.	08-09-33	12442410	835 FM 256	Woodville, TX 283-5531	St. Paul's Episcopal Church
14. Martin, Christine	12-15-59	08551949	P.O. Box 174	Woodville, TX 283-6885	Child Welfare Board
15. Rice, Patricia	01-30-33	16025033	65 Cobb Mill Rd., Apt. 24	Woodville, TX 283-3847	St. Paul's Episcopal Church
16. Schultz, Marjorie	01-03		Rt. 1, Box 1807	Woodville, TX 283-5313	Police Academy
17. Scott, Rhoda	01-05-21	0284738	P.O. Box 911	Woodville, TX 283-7701	Child Welfare Board
18. Spense, Betty	07-19-48	03345020	1180 Sir Henry	Woodville, TX 283-8193	
19. Taylor, Pat	12-28-45	09617810	P.O. Box 2184	Woodville, TX 837-2134	
20. Winberry, Elizabeth	06-22-36	07784022	RR1, Box 992	Woodville, TX 331-0199	Boy's & Girl's Club
21. Witte, Anne	12-02-22	02135430	3184 RM 256	Woodville, TX 837-9024	St. Paul's Episcopal Church
22. Witte, John	04-29-26	02774182	3184 RM 256	Woodville, TX 837-9024	St. Paul's Episcopal Church



TYLER COUNTY TREASURER
100 WEST BLUFF - ROOM 100
WOODVILLE, TEXAS 75979

County of the Dogwood Festival

(409) 283-3054

May 12, 2000

The Honorable Commissioner's Court
100 West Bluff Room 101
Woodville, Texas 75979

Re: Monthly Treasurer's Report


Gentlemen:

I respectfully request that the Treasurer's Report for the month of April 2000 be tabled until the next regular Commissioner's Court Meeting.

I have my report ready but have been gone to College Station this week for certification and have been unable to meet with the Auditor to make sure we are in balance.

I apologize for this delay in reporting to you but will have it ready for you in your next meeting..

Sincerely,


Jackie Skinner
County Treasurer

TRIAD
Leonard Lance
809 South Wheeler
Jasper, Texas 75951

□
Telephone (409) 384-5601
Fax (409)384-9794

April 20, 2000

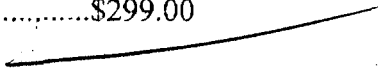
TO: Tyler County District Attorney
ATTN: Melanie Tubb
SUBJECT: COMPUTER AND PRINTER
409-283.8136P/409-283.6128F

Listed below are the specifications for the equipment we discussed. If you have any questions, please call.

INTEL PENTIUM III 550MHZ\$1795.00
MID TOWER CASE
CPU COOLING FAN
20.4 GIG ULTRA DMA HARD DISK
128 MEG PC100 SDRAM
104 WINDOWS 95 KEYBOARD & MICROSOFT PS/2 -MOUSE
16 MEG ATI RAGE AGP VIDEO CARD
ONE PARALLEL PRINTER PORT & TWO SERIAL PORTS
MS WINDOWS 98 CDROM AND BOOK (LATEST VERSION)
3.5" 1.44 MG FDD
48 X CD ROM
ENSONIQ CT4811 128V PCI LUG AND PLAY 16 BIT SOUND CARD & STEREO
SPEAKERS
56.6 INTERNAL FAX/MODEM
KINGSTON 10/100 ETWORK INTERFACE CARD
✓ 17" SVGA COLOR MONITOR ✓
100 MEG ZIP DRIVE

1) UPS BATTERY BACKUP.....\$169.00
1) LEXMARK Z31 PHOTOCOLOR PRINTER.....\$299.00

1795



LINEBARGER HEARD GOGGAN BLAIR
GRAHAM PEÑA & SAMPSON, LLP

ATTORNEYS AT LAW
1949 SOUTH I.H. 35
P. O. BOX 17428
AUSTIN, TEXAS 78760

512/447-6675
FAX 512/443-3494

Douglas Steven Bird

email to steve.bird@publicans.com

May 2, 2000

Honorable Jerome P. Owens, Judge
102 Courthouse
100 West Bluff
Woodville, Texas 75979

~~Re: Tax Suit number B-1482; Woodville ISD, et al v. Calvin C. Brown, et al; property described as 1.5~~
acres, more or less, Abstract 8, B. Burke League; account number R 14435

Dear Judge Owens:

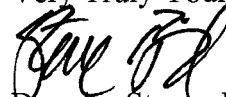
We recently received a bid on the property referenced above currently being held in trust. The bid was tendered by Jennifer and Jerry Sims. If accepted the bid would be distributed as noted below.

Amount of Bid: \$1,300.00
Less Court Costs of: \$ 892.00
Date of Tax Sale: May 1997
Amount to be distributed: \$ 408.00

	<u>Judgment Amt.</u>	<u>Percent of Total</u>	<u>Actual Recovery</u>
Woodville ISD	\$3,699.64	68.36%	\$278.91
Tyler County	\$1,712.40	31.64%	\$129.09

Your assistance in presenting this information to the Commissioners Court and insuring that it gets placed on the agenda for action would be appreciated. Please feel free to contact me should you have any questions. Once action has been taken, please notify me in writing so that we may take the next appropriate step.

Very Truly Yours,


Douglas Steven Bird
Attorney at Law

xc: Jennifer and Jerry Sims
RR 2 Box 126
Woodville, Texas 75979

LINEBARGER HEARD GOGGAN BLAIR
GRAHAM PEÑA & SAMPSON, LLP

ATTORNEYS AT LAW
1949 SOUTH I.H. 35
P. O. BOX 17428
AUSTIN, TEXAS 78760

512/447-6675
FAX 512/443-3494

Douglas Steven Bird

email to steve.bird@publicans.com

May 2, 2000

Honorable Jerome P. Owens, Judge
102 Courthouse
100 West Bluff
Woodville, Texas 75979

~~Re: Tax Suit number B-1495, Woodville ISD, et al v. Vernon C. Byers, et al; property described as lots 134, 136, 138, 140 and 142, Section 2 in the White Tail Ridge Subdivision; account number R 30820 and R 31346~~

Dear Judge Owens:


We recently received a bid on the property referenced above currently being held in trust. The bid was tendered by Murland Higley. If accepted the bid would be distributed as noted below.

Amount of Bid: \$1,250.00
Less Court Costs of: \$ 729.00
Date of Tax Sale: May 1997
Amount to be distributed: \$521.00

	<u>Judgment Amt.</u>	<u>Percent of Total</u>	<u>Actual Recovery</u>
Woodville ISD	\$4,607.18	66.45 %	\$346.20
Tyler County	\$2,325.68	33.55%	\$174.80

Your assistance in presenting this information to the Commissioners Court and insuring that it gets placed on the agenda for action would be appreciated. Please feel free to contact me should you have any questions. Once action has been taken, please notify me in writing so that we may take the next appropriate step.

Very Truly Yours,


Douglas Steven Bird
Attorney at Law

xc: Murland Higley
369 White Tail Ridge
Woodville, Texas 75979

LINEBARGER HEARD GOGGAN BLAIR
GRAHAM PEÑA & SAMPSON, LLP

ATTORNEYS AT LAW
1949 SOUTH I.H. 35
P. O. BOX 17428
AUSTIN, TEXAS 78760

512/447-6675
FAX 512/443-3494

Douglas Steven Bird

email to steve.bird@publicans.com

May 2, 2000

Honorable Jerome P. Owens, Judge
102 Courthouse
100 West Bluff
Woodville, Texas 75979

~~Re: Tax Suit number B-1735; Warren ISD, et al v. W. E. Ferrett, et al; property described as Lot 1,
Block B, Wildwood Resort; account number R 19220~~

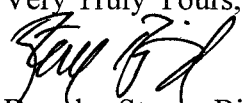
Dear Judge Owens:

We recently received a bid on the property referenced above currently being held in trust. The bid was tendered by Shirley L. Marks. If accepted the bid would be distributed as noted below.

Amount of Bid: \$2,200.00
Less Court Costs of: \$ 464.00
Date of Tax Sale: January 2000
Amount to be distributed: \$ 1,736.00

	<u>Judgment Amt.</u>	<u>Percent of Total</u>	<u>Actual Recovery</u>
Warren ISD	\$1,280.52	61.40%	\$ 1,065.90
Tyler County	\$ 804.98	38.60%	\$ 670.10

Your assistance in presenting this information to the Commissioners Court and insuring that it gets placed on the agenda for action would be appreciated. Please feel free to contact me should you have any questions. Once action has been taken, please notify me in writing so that we may take the next appropriate step.

Very Truly Yours,

Douglas Steven Bird
Attorney at Law

xc: Shirley L. Marks
P.O. Box 385
Village Mills, Texas 77663



Tyler County Child Welfare Board
P. O. Box 32
Woodville, Texas 75979
1-409-283-7200

27 March 2000

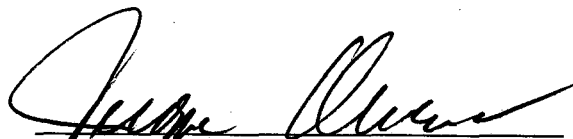
Due to the fact that various entities within Tyler County have expressed concerns about not having an emergency shelter for placement of children, the Tyler County Child Welfare Board has begun a program called "Friends". Although we are aware this program will not solve the entire problem, it will provide time to find other solutions.

Attached is a letter explaining to the Tyler County Commissioners' Court the "Friends" program now being formed and the requirements of the program volunteers. With the approval of the Tyler County Commissioners' Court and the cooperation of local law enforcement and those agencies that deal directly with children, we are confident the "Friends" program will provide a much needed service for the community.

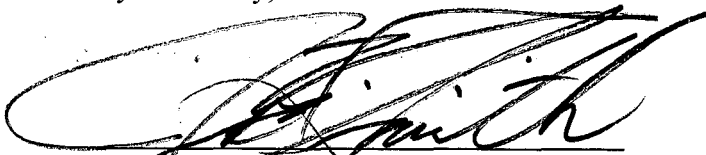
The following is a Memorandum of Understanding between those agencies involved:

1. The Tyler County Juvenile Probation Department, the Tyler County Sheriff's Department, the Woodville Police Department and the "Friends" Program Coordinator shall adopt a joint memorandum of understanding to implement a system on the local level to coordinate services for children-at-risk pursuant upon Family Code, Title 5, Subtitle E, Chapter 262, Subchapter B, § 262.104. Taking Possession of a Child in Emergency Without a Court Order and § 262.108. Unacceptable Facilities for Housing Child.
2. This memorandum includes:
 - a. When an officer of the Juvenile Probation Department, the Sheriff's Department or the Woodville Police feels a child/ren are at-risk, s/he will bring the child/ren into the Justice Center.
 - b. The officer/department bringing the child/ren will call the "Friends" Program Coordinator.
 - c. A "Friends" volunteer/s will accompany the child/ren at the Justice Center until disposition is made or for no more than a twenty-four (24) hour period.
 - d. Under no circumstances will an "Friends" volunteer/s remove a child/ren from the Justice Center.

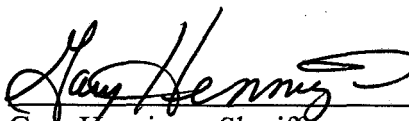
On this date, the 27th of March, 2000, the following parties have read, understood and agreed upon putting this Memorandum of Understanding into effect by signing:




Jerome P. Owens, Judge
Tyler County, Texas



Joe R. Smith, Criminal District Attorney
Tyler County, Texas



Gary Hennigan, Sheriff
Tyler County, Texas



Scott Yosko, Police Chief
Woodville, Tyler County, Texas



Terry Allen, Juvenile Probation Officer
Tyler County, Texas



Elaine B. Clow
"Friends" Program Coordinator
Tyler County, Texas

FAMILY CODE

Title 5. The Parent-Child Relationship and the Suit Affecting the Parent-Child Relationship

..Subtitle E. Protection of the Child

...Chapter 262. Procedures in Suit by Governmental Entity to Protect Health and Safety of Child

....Subchapter B. Taking Possession of Child

..... § 262.104. Taking Possession of a Child in Emergency Without a Court Order

If there is no time to obtain a temporary restraining order or attachment before taking possession of a child consistent with the health and safety of that child, an authorized representative of the Department of Protective and Regulatory Services, a law enforcement officer, or a juvenile probation officer may take possession of a child without a court order under the following conditions, only:

- (1) on personal knowledge of facts that would lead a person of ordinary prudence and caution to believe that there is an immediate danger to the physical health or safety of the child;
- (2) on information furnished by another that has been corroborated by personal knowledge of facts and all of which taken together would lead a person of ordinary prudence and caution to believe that there is an immediate danger to the physical health or safety of the child;
- (3) on personal knowledge of facts that would lead a person of ordinary prudence and caution to believe that the child has been the victim of sexual abuse;
- (4) on information furnished by another that has been corroborated by personal knowledge of facts and all of which taken together would lead a person of ordinary prudence and caution to believe that the child has been the victim of sexual abuse; or
- (5) on information furnished by another that has been corroborated by personal knowledge of facts and all of which taken together would lead a person of ordinary prudence and caution to believe that the parent or person who has possession of the child is currently using a controlled substance as defined by Chapter 481, Health and Safety Code, and the use constitutes an immediate danger to the physical health or safety of the child.

..... § 262.108. Unacceptable Facilities for Housing Child

When a child is taken into possession under this chapter, that child may not be held in isolation in a jail, juvenile detention facility, or other secure detention facility.

LINE ITEM TRANSFER

Department & Fund Road & Bridge I

Date May 12, 2000

Honorable Commissioners' Court of Tyler County:

I submit to you for consideration the following:

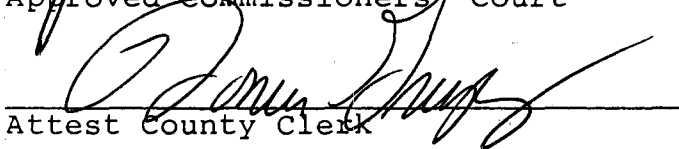
Expenditures:

<u>Line Item</u>	<u>Budget</u>	<u>Amended</u>	<u>Increase (Decrease)</u>	<u>Additional Revenue</u>
Beginning Balance	\$125,000.00	\$111,857.00	\$ 13,143.00	
Purch of Equipment	<u>59,925.00</u>	<u>46,782.00</u>	<u>(13,143.00)</u>	<u>-0-</u>

Reason: Significantly different beginning-of-year fund balances than anticipated.


 C. D. Woodrome, Commissioner, Pct. 1


 Approved Commissioners Court


 Attest County Clerk

LINE ITEM TRANSFER

Department & Fund Road & Bridge III

Date May 12, 2000

Honorable Commissioners' Court of Tyler County:

I submit to you for consideration the following:

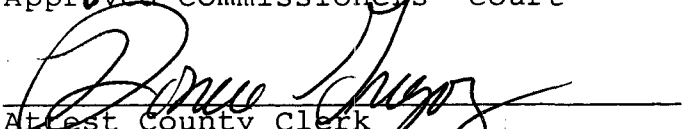
Expenditures:

<u>Line Item</u>	<u>Budget</u>	<u>Amended</u>	<u>Increase (Decrease)</u>	<u>Additional Revenue</u>
Beginning Balance	\$128,163.00	\$83,665.00	\$44,498.00	
Purch of Equipment	<u>90,654.00</u>	<u>46,156.00</u>	<u>(44,498.00)</u>	<u>-0-</u>

Reason: Significantly different beginning-of-year fund balances than anticipated.


Joe Marshall, Commissioner, Pct. 3


Approved Commissioners' Court


Attest County Clerk



Tyler County

Commissioners
Maxie L. Riley, Pct. I
Rusty Hughes, Pct. II

JEROME P. OWENS JR.
County Judge

Commissioners
Joe Marshall, Pct. III
Henry Earl Sawyer, Pct. IV

May 15, 2000

Professor David M. Guinn
Guinn & Morrison
P. O. Box 97288
Waco, Texas 76798-7288

Re: Redistricting Plan, Tyler County, Texas

Dear David:

The Commissioners' Court approved your firm for the upcoming redistricting based on the 2000 census. I am enclosing a signed copy of the agreement for your files.

I look forward to working with you. Hopefully, I will see you in the very near future.

Best regards,

A handwritten signature in cursive script that reads "Jerome Owens".

Jerome Owens, County Judge

JO:mlh

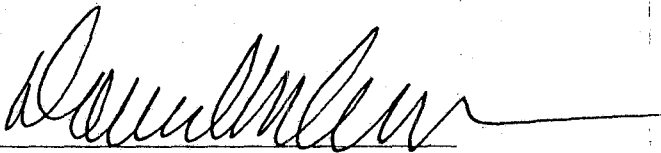
cc: Joyce Moore (with enclosure)
Donece Gregory (with enclosure)
enc: 1

Dear Judge Owens and Commissioners:

Professor Michael Morrison and I agree to prepare a redistricting plan for Tyler County as soon as possible following the delivery of the 2000 Census data to appropriate officials within the State of Texas. It is our understanding that this documentation will be furnished to state and local governmental authorities sometime subsequent to April 1, 2001. Our services will include the preparation of a new reapportionment plan. We will prepare as many preliminary plans as is reasonably necessary drawn in light of the constitutional mandate of one-person-one-vote as required by the Fourteenth Amendment, the Equal Protection guarantee of the United States Constitution, and the Federal Voting Rights Act of 1965 as amended. The accomplishment of this undertaking may well involve reconfiguring the justice and constable precincts as well as the realignment of the election precinct boundaries and polling places within the county.

We will be responsible for the preparation of all materials, statistics, and conducting all public hearings relevant to this undertaking and will submit the Section 5 preclearance documents to the Attorney General of the United States. The county will only be responsible for providing information and data required by the process and the map reflecting the new election precinct lines and the preparation of the legal description (field notes) of the new boundaries. We have found that this is usually better done by a local surveyor such as the county engineer. We anticipate that our professional services will not exceed \$16,000 and expenses that will not exceed \$4,000.

Preclearance under the Voting rights Act is traditionally secured through the administrative process of submission to the Attorney General, however, judicial preclearance in the courts of the District of Columbia is available as a last alternative. The quoted fee anticipates administrative review by the Department of Justice. If judicial preclearance becomes necessary, our hourly rate will be \$150.

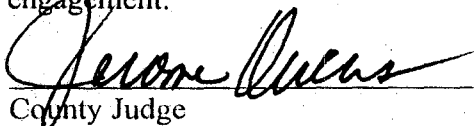


David M. Guinn



Michael D. Morrison

The Commissioners Court of Tyler County agrees to the terms and conditions of this letter of engagement.



County Judge

12 May 2000
Date