

TYLER COUNTY COMMISSIONERS COURT  
SPECIAL MEETING  
July 22, 2005 ---- 8:30 a.m.

THE STATE OF TEXAS                      ON THIS THE 22<sup>th</sup> day of July, 2005 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
MARTIN NASH	COMMISSIONER, PCT. #1
RUSTY HUGHES	COMMISSIONER, PCT. #2
JOE MARSHALL	COMMISSIONER, PCT. #3
JACK WALSTON	COMMISSIONER, PCT. #4
DONECE GREGORY	COUNTY CLERK, EX OFFICIO

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

JOE R. SMITH	CRIMINAL DISTRICT ATTORNEY
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Court entered into **executive session** to discuss possible litigation regarding **road  
damage in Precinct #3**.

Court in open session:                      9:05 a.m.  
Judge Owens reported the District Attorney would be studying the matter of road  
damage; therefore, no action was required at this time.

A motion was made by **Commissioner Nash** and seconded by **Commissioner Walston**  
to adopt the **Resolution** supporting replacement, by **TXTDOT**, of a **bridge on FM1013**  
at **Turkey Creek in Precinct #1**. All voted yes and none no. SEE ATTACHED  
RESOLUTION.

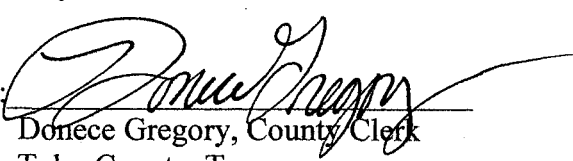
The meeting was adjourned upon motion from Commissioner Walston.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED- 9:08a.m.

I, Donece Gregory, County Clerk and ex officio member of the Tyler County  
Commissioners Court, do hereby certify to the fact that the above is a true and correct  
record of the Tyler County Commissioners Court session held on July 22, 2005.

Witness my hand and seal of office on this the 22nd day of July, 2005.

Attest:

  
Donece Gregory, County Clerk  
Tyler County, Texas

NOTICE OF TIME AND PLACE OF MEETING  
COMMISSIONERS' COURT, TYLER COUNTY, TEXAS

THIS NOTICE IS POSTED IN ACCORDANCE WITH V.A.T.S.-17 NOTICE IS HEREBY GIVEN THAT A SPECIAL MEETING WILL BE HELD ON FRIDAY JULY 22, 2005 AT 8:30 A.M. IN THE COMMISSIONERS' COURTROOM, FIRST FLOOR, TYLER COUNTY COURTHOUSE.


AGENDA

1. EXECUTIVE SESSION TO DISCUSS POSSIBLE LITIGATION REGARDING ROAD DAMAGE IN PRECINCT 3.
2. OPEN SESSION TO CONSIDER AND APPROVE ANY ACTION TO BE TAKEN AS A RESULT OF EXECUTIVE SESSION.
3. CONSIDER AND APPROVE RESOLUTION IN SUPPORT OF BRIDGE REPLACEMENT ON FM 1013 AT TURKEY CREEK, TX DOT PROJECT CSJ NO. 1237-01-024.

9:05 - No Action at this time - DA will study motion

N/W

all yes

  
JEROME OWENS  
COUNTY JUDGE

adj 9:08

NO. \_\_\_\_\_ TIME 1:40pm

JUL 18 2005

DONECE GREGORY, COUNTY CLERK  
TYLER COUNTY, TEXAS  
By Jackie Kenner

**RESOLUTION**

WHEREAS, the Texas Department of Transportation has approved ROW CSJ No. 1237-01-024, relative to the bridge replacement on FM 1013 at Turkey Creek and subject to certain provisions, and;

WHEREAS, upon acceptance of the provisions provided by Tyler County, the Texas Department of Transportation will:

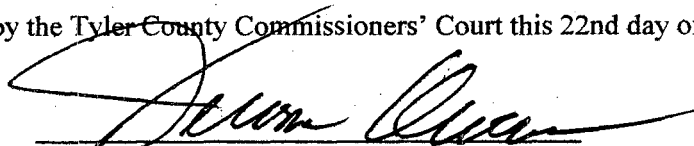
1. Designate the above referenced limits to a Farm to Market Road.
2. Provide advance planning including route studies, preparation of environmental documents and required public involvement, schematics and determination of right of way requirements.
3. Provide relocation assistance as may be determined to be eligible under the Relocation Assistance Program.

NOW THEREFORE Tyler County does agree to the following provisions:

1. Accept responsibility for any required environmental mitigation, including special biological studies, mitigations lands if needed, and/or special environmentally related design features.
2. Provide one hundred percent of the right of way clear of obstructions and free of cost to the State with acquisition procedures to be in accordance with policies of the Texas Department of Transportation and with applicable Federal and State laws governing the acquisition policies for acquiring real property.
3. Provide one hundred percent of the cost of all utility adjustments as may be required in accordance with policies of the Texas Department of Transportation.
4. Continue to provide maintenance for all county roads within the above referenced limits until construction by the Texas Department of Transportation begins.

THEREFORE, BE IT RESOLVED that the Tyler County Commissioners' Court does approve and agree to the foregoing provisions.

APPROVED by the Tyler County Commissioners' Court this 22nd day of July, 2005.

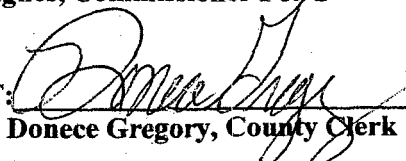
  
Jerome Owens, County Judge

  
Martin Nash, Commissioner Pct. 1

  
Rusty Hughes, Commissioner Pct. 2

  
Joe Marshall, Commissioner Pct. 3

  
Jack Walston, Commissioner Pct. 4

ATTEST:   
Donece Gregory, County Clerk