

TYLER COUNTY COMMISSIONERS COURT
SPECIAL MEETING
September 27, 2010 ---- 8:30 a.m.

THE STATE OF TEXAS ON THIS THE 27th day of September, 2010 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
were present, to wit:

JACQUES L. BLANCHETTE	COUNTY JUDGE, Presiding
MARTIN NASH	COMMISSIONER, PCT. #1
RUSTY HUGHES	COMMISSIONER, PCT. #2
MIKE 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:

JACKIE SKINNER	COUNTY AUDITOR
LYNETTE CRUSE	TAX ASSESSOR-COLLECTOR
SHARON FULLER	COUNTY TREASURER
TERRY ALLEN	JUVENILE PROBATION OFFICER
BRIAN WEATHERFORD	JUSTICE OF PEACE, PCT #1
DAVID HENNIGAN	SHERIFF

A motion was made by **Commissioner Walston** to adopt the **Budget for Fiscal Year 2011** for Tyler County. **Commissioner Marshall** seconded the motion. All voted yes with exception of Commissioner Nash voting no. SEE ATTACHED BUDGET

Judge Blanchette explained the court had held two public hearings as required by law; and, the court proposes the same tax rate as adopted last year. He then read aloud the proposed tax rate. **Commissioner Marshall** motioned to adopt the order setting the 2010 tax rate. The motion was seconded by **Commissioner Walston**. Commissioner Nash questioned whether the motion was for all three rates since one may be opposed to one of the rates but "good" with two of the rates. The motion was for all rates: a **tax rate of .4433 for the County General Fund; .1668 for County Special (Road & Bridge);** and, to adopt a tax rate of .1369 for the **Tyler County Hospital**. All voted yes with exception of Commissioner Nash voting no. SEE ATTACHED ORDER

Judge Blanchette reported the representative from Patillo, Brown & Hill could not attend this meeting, but requested presentation of the **2009 Audit** at the meeting in October. He further reported he had read the entire audit. The Judge and Jackie Skinner will meet at 2:00 p.m. concerning some spelling corrections and forward them to the audit firm. No action was taken.

Judge Blanchette explained the court's interest in appointing an investment committee that will serve in a different capacity from the advisory committee. Commissioner Nash proposed the committee be made up of a representative from the court, county treasurer and county auditor and a representative from the criminal district attorney's office. He stated the committee needs to bring a plan to the court setting up a schedule with the following recommendations:

- How much money to have available
- What type of investments to make for a periodic time so the county will have access to "x" number of dollars
- The committee can make investments by a due date

Judge Blanchette added the audit report recommended the county look into making investments within the statutes in a time frame so they can be rotated. Commissioner Nash commented the county has 11 million dollars that is not in any kind of investment and should never have more than two or three million dollars available at any one time. A motion was made by **Commissioner Walston** to appoint an **Investment Committee** and authorize them to make investments on behalf of the county. The members of the committee will be **Commissioner Nash, County Treasurer, County Auditor, County Judge and a representative of the Criminal District Attorney's office**. **Commissioner Marshall** seconded the motion. The committee is charged to report to the court at the November regular meeting with a game plan. Mrs. Fuller asked about having a representative from the community. Judge Blanchette responded this is an internal

directive for the benefit of the county treasurer to give her instructions on where to place the money and move forward with investing the funds. All voted yes and none no.

The County Clerk presented a comparison with surrounding counties of fees charged by the sheriff and constables. She stated this was not a list of every fee. Mrs. Gregory reminded the court of the discussion in the budget workshops concerning the constable's increase in car allowance. She recommended the citations and other documents served by the Constables increase by at least \$5. After much discussion with JP#1 Weatherford, Sheriff Hennigan and the County Clerk, **Commissioner Marshall** motioned to set the fees as follows:

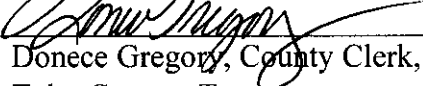
Subpoenas	\$100.00	Summons	\$100.00
All Writs	\$150.00	Order of Sale	\$150.00
Forcible Detainer	\$100.00	Executions	\$150.00
Small Claim Citations	\$ 75.00	Justice Court Citations	\$ 75.00
Posting Notices	\$ 40.00	Taking & Approving Bonds	\$ 15.00
Other Citations	\$ 80.00		

The motion was seconded by **Commissioner Nash**. All voted yes and none no. SEE ATTACHED.

A motion was made by Commissioner Nash and seconded by Commissioner Marshall to adjourn.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED:10:35a.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 September 27, 2010. Witness my hand and seal of office on this the 19th day of November, 2010.

Attest: 
Donece Gregory, County Clerk,
Tyler County, Texas



Order

BY THE
Commissioners Court of Tyler County

MARTIN NASH
Commissioner, Pct. 1

RUSTY HUGHES
Commissioner, Pct. 2

JACQUES L. BLANCHETTE
County Judge

MIKE MARSHALL
Commissioner, Pct. 3

JACK WALSTON
Commissioner, Pct. 4

STATE OF TEXAS §
 §
COUNTY OF TYLER §

ORDER ADOPTING TAX RATE

BE IT ORDERED by the Commissioners' Court of Tyler County, Texas that:

The Commissioners' Court of Tyler County, Texas does hereby adopt the tax rate on \$100 valuation for Tyler County for the tax year 2010 as follows:

\$0.4433	General Fund
\$0.1668	County Special (Lateral Road)
<u>\$0.1369</u>	Hospital
\$0.7470	Total Tax Rate

ORDERED this 27TH day of September, 2010.

Jacques L. Blanchette

Jacques L. Blanchette, Tyler County Judge

Martin Nash, Commissioner, Precinct 1

Rusty Hughes

Rusty Hughes, Commissioner, Precinct 2

Mike Marshall

Mike Marshall, Commissioner, Precinct 3

J. A. Walston

Jack Walston, Commissioner, Precinct 4

ATTEST: *Donece Gregory*

Donece Gregory, County Clerk

	TYLER COUNTY	ANGELINA CO	HARDIN CO.	JASPER CO.	POLK CO
Supoenas	100 80 75	80	75	80	90
Summons	100 80 75	80	75	80	90
Writ of Attachment	100 150 100	165	100	100	140
Writ of Garnishment	100 150 100	165	100	100	140
Writ of Sequestration	150 100	165	100	100	140
Orders of Sale	150 100	165	100	100	140
Writ of Posession	150 100	165	100	100	140
Forcible Detainer	100 80	80	75	80	75
Small Claims Citations		75	65	75	80
Justice Court Citations		75		75	80
All other Citations	80 100			75	80
Posting Notices		40		25	
Taking & Approving Bonds		15			
Executions	150 100				

TRINITY COUNTY (continued)

Address:

County Clerk, P.O. Box 456, 109 South Main Street,
Groveton, TX 75845, phone 936-642-1208, fax 936-
642-3004;
Trinity County District Clerk, P.O. Box 549, 219 West
First Street, Groveton, TX 75862, phone 936-642-
1118, fax 936-642-0002.

TYLER COUNTY

Notices:

Subpoenas	.....	\$75.00
Summons	.....	\$75.00
Writ of Attachment	.....	\$100.00
Writ of Garnishment	.....	\$100.00
Writ of Sequestration	.....	\$100.00
Orders of Sale	.....	\$100.00
Writ of Possession	.....	\$100.00
Forcible Detainer	.....	\$75.00

Service Fees:

Small Claims Citation	.....	\$75.00
Justice Court Citation	.....	\$75.00
All Other Courts' Citations	.....	\$75.00

Other Service Fees:

Citations	.....	\$75.00
Precepts	.....	\$75.00
Writ of Restitution	.....	\$75.00
Injunctions	.....	\$75.00
Temporary Restraining Order	.....	\$75.00
Posting Notices	.....	\$40.00
Taking & Approving Bonds	.....	\$15.00
Jury Fee	.....	\$22.00
Mental Commitment	.....	\$45.00
Executing Deeds	.....	\$45.00
Executions	.....	\$100.00

with commissions:

with sale, 1 percent (max \$500.00);

without sale, 1 percent (max \$500.00).

Executing Bill of Sale	.....	\$45.00
Filing Peace Bond	.....	\$45.00
Releasing Impounded Vehicles	.....	\$45.00
Offense Reports	.....	\$10.00
Civil Capias	.....	\$65.00
Return Postage Fee	.....	\$0.42

Address:

Sheriff, 702 North Magnolia, Woodville, TX 75979,
phone 409-283-2172.

UPSHUR COUNTY

JP & Small Claims Court

Citation - Publication	\$75.00
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Citation for Eviction/ Forcible

Detainer	\$75.00
Citation - All	\$75.00
Notice	\$75.00
Order of Sale	.....	\$75.00
Subpoena	.....	\$75.00
Summons	.....	\$75.00
Temporary Restraining Order	.....	\$75.00
Writ of Execution	.....	\$100.00
Writ of Sequestration	.....	\$100.00
Writ of Attachment	.....	\$100.00
Writ of Possession	.....	\$100.00
Writ of Garnishment	.....	\$100.00
Writ Not Otherwise Provided For	.....	\$100.00

County & District Courts:

Citation by Publication	.....	\$75.00
Citation - Forcible Detainer	.....	\$75.00
Citation - All	.....	\$75.00
Notice	.....	\$75.00
Order of Sale	.....	\$75.00
Posting	.....	\$15.00
Subpoena	.....	\$75.00
Summons	.....	\$75.00
Temporary Restraining Order	.....	\$75.00
Writ of Execution	.....	\$100.00
Writ of Sequestration	.....	\$100.00
Writ of Attachment	.....	\$100.00
Writ of Possession	.....	\$100.00
Writ of Garnishment	.....	\$100.00
Writ Not Otherwise Provided For	.....	\$100.00

Service in excess of 4 hours is \$35/hour

Address:

Judge, P.O. Box 790, Gilmer, TX 75644, phone 903-
843-4003.

UPTON COUNTY

Notices:

Subpoenas	.....	\$60.00
Summons	.....	\$60.00
Writ of Attachment	.....	\$60.00
Writ of Garnishment	.....	\$60.00
Writ of Sequestration	.....	\$60.00
Orders of Sale	.....	\$60.00
Writ of Possession	.....	\$60.00
Forcible Detainer	.....	\$60.00

Service Fees:

Small Claims Citation	.....	\$30.00
Justice Court Citation	.....	\$60.00
All Other Courts' Citations	.....	\$60.00

Other Service Fees:

All Writs	.....	\$60.00
Restraining Orders	.....	\$60.00
Notice of Hearing	.....	\$60.00
Show of Cause	.....	\$60.00



TYLER COUNTY COMMISSIONERS COURT

County Courthouse, Room 101 / Woodville, Texas

Monday
September 27, 2010
10:00 AM

*Sharon, Judge
Jury, J. Smith
Bryer, David*

MARTIN NASH
Commissioner, Pct. 1

RUSTY HUGHES
Commissioner, Pct. 2

JACQUES L. BLANCHETTE
County Judge

MIKE MARSHALL
Commissioner, Pct. 3

JACK WALSTON
Commissioner, Pct. 4

NOTICE Is hereby given that a *Special Meeting* of the Tyler County Commissioners Court will be held on the date stated above, at which time the following subjects will be discussed;

Agenda

All present

"the wisdom to know the right thing and the courage to do it"

> CALL TO ORDER

- Establish Quorum

I. CONSIDER/APPROVE

- w/m* A. Adoption of the County Budget for Fiscal Year 2011 *Nash voted Nay All other voted yes*
- m/w* B. Adoption of Order Setting 2010 Tax Rate *Same Rate as last year Two public hearings Nash voted Nay Comment by Nash about separate tax votes*
- C. 2009 Audit of Tyler County presented by Pattillo, Brown, & Hill, C.P.A.'s - Jackie Skinner, Auditor *rep not here will be here in October No Action Judge: Jackie will meet w/ rep at 2:00 pm about some "spelling" corrector.*
- w/m* D. Appointing an Investment Committee and authorizing them to make investments on behalf of the County - D. Gregory *Commissioner Nash Treasurer, Auditor, DA rep., Co Judge. Have 11 million that is not in any kind of*
- m/N* E. Sheriff, Constable, and other fees set by Commissioners Court - D. Gregory *give charge to report at Next Con Session Fuller -> Clarity this is Internal Not the Advising*
- m/m* > ADJOURN 10:35 AM