

THE REGULAR SESSION OF COMMISSIONERS' COURT OF TRINITY COUNTY WAS HELD MONDAY, AUGUST 10, 2009 AT 9:00AM IN THE COMMISSIONERS' COURTROOM, 219 WEST FIRST STREET, TRINITY COUNTY COURTHOUSE ANNEX, GROVETON, TEXAS, WITH THE FOLLOWING MEMBERS PRESENT:

MARK EVANS, COUNTY JUDGE
GROVER WORSHAM, COMMISSIONER, PCT. 1
JANNETTE HORTMAN, COMMISSIONER, PCT. 2
CECIL WEBB, COMMISSIONER, PCT. 3
JIMMY BROWN, COMMISSIONER, PCT. 4

1. JUDGE EVANS CALLED THE MEETING TO ORDER AT 9:00AM AND NOTED THAT THE AGENDA WAS PROPERLY FILED AND POSTED 8-7-09 AT 8:45AM. ALL COMMISSIONERS WERE PRESENT. JUDGE EVANS WELCOMED EVERYONE TO THE MEETING. COUNTY OFFICIALS PRESENT INCLUDED JOE WARNER BELL, COUNTY ATTORNEY, SHEILA JOHNSON, COUNTY AUDITOR, CONSTABLE PCT 1 WOODY WALLACE, AND DIANE MCCRORY, COUNTY CLERK.
2. THE OPENING PRAYER WAS GIVEN BY BROTHER JAMES WHITTLESEY, PASTOR, CALVARY NOGALUS CHURCH.
3. THE MINUTES FROM THE REGULAR SESSION HELD JULY 13, 2009 AND THE SPECIAL SESSIONS HELD AUGUST 4, 2009 AND AUGUST 6, 2009 WERE APPROVED BY A MOTION FROM COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER WEBB. MOTION CARRIED.
4. REPORTS FOR JUNE 2009 FROM JUSTICE OF THE PEACE #1 AND REPORTS FOR JULY 2009 FROM JUSTICES OF THE PEACE #1, #3, & #4, COUNTY EXTENSION AGENT, CONSTABLE #2, COUNTY CLERK, DISTRICT CLERK, COUNTY ATTORNEY, COUNTY TAX COLLECTOR, AND SHERIFF WERE APPROVED BY A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER BROWN. MOTION CARRIED.
5. APPROVAL OF THE G/L EXPENSE DISTRIBUTION, CHECK AND PAYROLL REGISTERS FOR JULY 2009 WAS MADE BY A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER HORTMAN. MOTION CARRIED.
6. THE TREASURER'S MONTHLY REPORT FOR JULY 2009 WAS APPROVED BY A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER WORSHAM. MOTION CARRIED.
7. PAYMENT FOR PAUPER FUNERAL WAS APPROVED FOR RICHARD W. KUEHN BY A MOTION FROM COMMISSIONER HORTMAN AND SECONDED BY COMMISSIONER BROWN. MOTION CARRIED.
8. OFFICIAL BONDS FOR TRAVIS HAYGOOD, DEBRA NELL LEE AND JAMIE PARKER WERE PRESENTED AND APPROVED BY A MOTION FROM COMMISSIONER WORSHAM SECONDED BY COMMISSIONER HORTMAN. MOTION CARRIED.
9. THIS ITEM WAS DELETED PURSUANT TO ADDENDUM AND AMENDMENT TO AGENDA FILED 8-7-09 AT 2:10PM.
10. AMENDMENTS TO THE FY 2008-2009 BUDGET WERE APPROVED BY A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER BROWN. MOTION CARRIED. (SEE FURTHER COMMENT FROM AUGUST 11, 2009 SESSION).
11. AT 9:26AM A PUBLIC HEARING WAS OPENED PURSUANT TO SECTION 251.052 OF THE TEXAS TRANSPORTATION CODE TO OPEN AND ADOPT THE ROAD IN COLONY PARK ESTATES AND TO ACCEPT SUCH ROADS FOR MAINTENANCE BY TRINITY COUNTY, TEXAS. HARRY BAUDER, RESIDENT OF COLONY PARK ESTATES ADDRESSED THE COURT SPEAKING IN FAVOR OF THE COUNTY ACCEPTING THE ROADS. NO FURTHER PUBLIC COMMENT WAS MADE AND THE HEARING WAS CLOSED AT 9:29AM.
12. ON A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER WORSHAM, THE ROADS IN COLONY PARK ESTATES WERE OPENED, ADOPTED AND ACCEPTED FOR MAINTENANCE BY TRINITY COUNTY. MOTION CARRIED.
13. A PUBLIC HEARING WAS SET FOR SEPTEMBER 14, 2009 AT 9:00AM PURSUANT TO SECTION 251.154 OF THE TEXAS TRANSPORTATION CODE TO DETERMINE REASONABLE OR SAFE SPEED LIMITS ON THE ROAD IN COLONY PARK ESTATES AND TO DECLARE A SPEED LIMIT OF 25 MILES PER HOUR THEREON BY A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER BROWN. MOTION CARRIED.

14. AT 9:35AM, A PUBLIC HEARING WAS HELD TO DISCUSS CHANGING THE NAME OF HILL ROAD IN PRECINCT ONE, TRINITY COUNTY TO HENRY PARKER ROAD. NO ONE WAS PRESENT FOR PUBLIC COMMENT AND THE HEARING WAS CLOSED AT 9:36AM.

15. ON A MOTION FROM COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER HORTMAN, THE NAME OF HILL ROAD IN PRECINCT ONE, TRINITY COUNTY WAS CHANGED TO HENRY PARKER ROAD. MOTION CARRIED.

16. AT 9:37AM, A PUBLIC HEARING WAS CONDUCTED TO REVIEW AND DISCUSS THE APPLICATION PAT APPROVAL FOR EAGLE FALLS SUBDIVISION. MR. FLOURNOY WITH KLOTZ AND ASSOCIATES ADDRESSED THE COURT ON BEHALF OF EAGLE FALLS SUBDIVISION. JUDGE EVANS AND COMMISSIONERS EXPRESSED CONCERN OVER THE TRAFFIC FLOWAGE EASEMENT, ROAD ELEVATIONS, AND BOND CONSIDERATION FOR WATER, SEWER AND ROADS WITHIN THE PLANNED SUBDIVISION.

17. PLAT APPROVAL FOR EAGLE FALLS SUBDIVISION WAS TABLED PENDING VISUAL INSPECTION BY COMMISSIONER WORSHAM AND BOND DISCUSSION FOR WATER AND ROADS UNTIL THURSDAY, SEPTEMBER 13, 2009 AT 9:00AM.

18. APPROVAL OF A CONTRACT BETWEEN TRINITY COUNTY AND BEDNAR ENTERPRISES FOR 911 RURAL ADDRESSING SERVICES WAS MADE BY A MOTION FROM COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER WEBB. MOTION CARRIED.

19. ON A MOTION FROM COMMISSIONER WEBB SECONDED BY COMMISSIONER BROWN, COMMISSIONER WORSHAM WAS APPOINTED TO A TWO-YEAR TERM ON THE BURKE CENTER BOARD OF TRUSTEES. MOTION CARRIED.

20. APPROVAL OF AN INTERLOCAL CONTRACT BETWEEN TRINITY COUNTY AND UTMB FOR FY2010 HEALTH CARE SERVICES WAS MADE BY A MOTION FROM COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER HORTMAN. MOTION CARRIED.

21. NO ONE WAS PRESENT FOR THE PUBLIC FORUM.

22. COURT WAS RECESSED UNTIL 11:15AM TO CONTINUE WITH THE ADDENDUM AND AMENDMENT TO AGENDA.

ADDENDUM AND AMENDMENT TO AGENDA: POSTED 8-7-09 AT 11:15AM.

1. APPROVAL OF THE MINUTES FROM THE JULY 22, 2009 SPECIAL SESSION WAS MADE BY A MOTION FROM COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER WEBB. MOTION CARRIED.

2. MICHAEL GAERTNER, JAN WITTE AND CURTIS STODDARD ADDRESSED THE COMMISSIONERS' COURT REGARDING ASBESTOS ABATEMENT PROCESS FOR THE RESTORATION OF THE COUNTY COURTHOUSE. APPROVAL OF COURTHOUSE RESTORATION PROJECT CHANGE ORDER #1 RELATING TO ASBESTOS ABATEMENT WAS MADE BY A MOTION FROM WORSHAM AND SECONDED BY COMMISSIONER WEBB. MOTION CARRIED.

3. CHANGE ORDER #2 RELATING TO A TEST WELL FOR THE GEOTHERMAL/GROUND SOURCE HEAT PUMP SYSTEM WAS DISCUSSED BY MICHAEL GAERTNER. THIS ITEM WAS FOR DISCUSSION ONLY AS NO CHANGE ORDER WAS PREPARED FOR APPROVAL.

4. THE 2008 SUPPLEMENTAL DISASTER RECOVERY FUND GRANT APPROVAL AND ADDITIONAL DISASTER FUNDING WAS DISCUSSED. JUDGE EVANS UPDATED COMMISSIONERS REGARDING THE PROJECTS ON THE BOOKS THAT WOULD BE UNDER WAY IN APPROXIMATELY 90 DAYS AS WELL AS FUTURE PLANNED PROJECTS. NO OFFICIAL ACTION WAS TAKEN BY COMMISSIONERS ON THIS ITEM.

5. EMERGENCY PREPAREDNESS WAS DISCUSSED AND APPROVAL OF EMERGENCY GENERATOR FOR THE COUNTY AUXILIARY BUILDING WAS MADE BY A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER HORTMAN. MOTION CARRIED.

6. JUDGE EVANS DISCUSSED WEBSITE/IT AND EMERGENCY MANAGEMENT PLANNING. HE RECOMMENDED HIRING ROBBIE THOMAS PART-TIME TO CONTINUE TO MAINTAIN THE WEBSITE AND ASSIST HIS OFFICE WITH GRANT PLANNING AND EMERGENCY MANAGEMENT PLANNING. APPROVAL OF FY2008-2009 BUDGET AMENDMENT TO FUND THIS POSITION WAS MADE BY A MOTION FROM COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER WEBB. MOTION CARRIED.

7. ROY TIPTON ROAD WAS DISCUSSED. COUNTY ATTORNEY JOE WARNER BELL DISCUSSED RECENT CORRESPONDENCE HE RECEIVED CONCERNING THE ROAD. NO OFFICIAL ACTION WAS TAKEN BY COMMISSIONERS ON THIS ITEM.

22. COURT WAS RECESSED UNTIL 9AM, AUGUST 11, 2009.

ADDENDUM AND AMENDMENT TO AGENDA POSTED 8-7-09 AT 2:10PM

THE REGULAR SESSION OF COMMISSIONERS' COURT WAS RECONVENED TUESDAY, AUGUST 11, 2009 AT 9AM WITH ALL MEMBERS PRESENT. OTHER OFFICIALS PRESENT INCLUDED CONSTABLES BLANCHARD, JOHNSON AND WALLACE, COUNTY ATTORNEY JOE WARNER BELL, AUDITOR SHEILA JOHNSON, SHERIFF RALPH MONTEMAYOR AND COUNTY CLERK DIANE MCCRORY.

1. ON A MOTION FROM COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER BROWN, JERI CARPENTER WAS APPROVED AS DEPUTY CONSTABLE FOR TRINITY COUNTY PRECINCT ONE. MOTION CARRIED.

ADDENDUM AND AMENDMENT TO AGENDA POSTED 8-7-09 AT 4:50PM

1. BIDS WERE OPENED FOR THE SALE OF A 1988 FONTAINE PUP TRAILER - \$3200.00 FROM JAMES GATES AND \$1001.00 FROM HOWARD KINSEL, FOR THE SALE OF A 1989 GMC PICKUP - \$1027.00 HOWARD KINSEL AND \$850.00 JAMES GATES AND FOR THE SALE OF A 1980 HERCULES LOWBOY TRAILER - \$640.00 HOWARD KINSEL. ON A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER WORSHAM THE BIDS FOR THE 1988 FONTAINE PUP TRAILER AND THE 1980 HERCULES LOWBOY TRAILER WERE DECLINED AND THE BID OF \$1027.00 BY HOWARD KINSEL FOR THE 1989 GMC PICKUP WAS ACCEPTED. MOTION CARRIED.

ITEM 10 OF THE AGENDA CONCERNING BUDGET AMENDMENTS WAS REVISITED. THE BUDGET AMENDMENT CONCERNING \$1000.00 BEING TRANSFERRED FROM R&B#3 TO R&B#4 WAS EXCEPTED AND WOULD BE HANDLED BY A JOURNAL ENTRY FROM THE COUNTY AUDITOR. THIS ACTION WAS APPROVED BY A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER HORTMAN. MOTION CARRIED.

22. THE REGULAR SESSION OF COMMISSIONERS' COURT WAS RECESSED UNTIL 9AM THURSDAY, AUGUST 13, 2009 TO CONTINUE THE DISCUSSION OF EAGLE FALLS SUBDIVISION PLATS.

AUGUST 13, 2009 AT 9:00AM, THE AUGUST 10, 2009 REGULAR SESSION RE-CONVENED WITH COMMISSIONERS WEBB, HORTMAN AND BROWN PRESENT. COMMISSIONER WORSHAM WAS UNABLE TO ATTEND THIS SESSION.

17. JUDGE EVANS ADVISED THAT PURSUANT TO AN EARLIER TELEPHONE CONVERSATION WITH COMMISSIONER WORSHAM, THE PLAT FOR EAGLE FALLS SUBDIVISION WAS NOT READY FOR APPROVAL. THIS ITEM WAS PASSED.

22. WITH NO FURTHER BUSINESS TO COME BEFORE COMMISSIONERS' COURT, COURT WAS ADJOURNED AT 9:11AM, AUGUST 13, 2009 BY A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER HORTMAN. MOTION CARRIED.

MARK EVANS, COUNTY JUDGE

GROVER WORSHAM, COMMISSIONER PCT. 1

JANNETTE HORTMAN, COMMISSIONER PCT. 2

CECIL WEBB, COMMISSIONER PCT. 3

ATTEST:

JIMMY BROWN, COMMISSIONER PCT. 4

DIANE MCCRORY, COUNTY CLERK