

THE REGULAR SESSION OF COMMISSIONERS' COURT OF TRINITY COUNTY WAS HELD MONDAY, OCTOBER 11, 2010 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 AT 8:55AM ON OCTOBER 8, 2010. ALL COMMISSIONERS WERE PRESENT. OTHER OFFICIALS PRESENT INCLUDED COUNTY AUDITOR SHEILA JOHNSON, COUNTY TAX ASSESSOR COLLECTOR, LINDY WARREN, COUNTY ATTORNEY JOE WARNER BELL, SHERIFF RALPH MONTEMAYOR, JP#4 SAM BLAIR, AND COUNTY CLERK DIANE MCCRORY. JUDGE EVANS WELCOMED EVERYONE TO THE MEETING.
2. THE OPENING PRAYER WAS GIVEN BY REVEREND MIKE LOFTIN, PASTOR OF THE RIVER OF LIFE CHURCH IN TRINITY.
3. THE MINUTES FROM THE REGULAR SESSION HELD SEPTEMBER 13, 2010 AND THE SPECIAL SESSIONS HELD SEPTEMBER 14, 2010, SEPTEMBER 16, 2010, SEPTEMBER 24, 2010 AND OCTOBER 1, 2010 WERE APPROVED BY A MOTION FROM COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER BROWN. MOTION CARRIED.
4. REPORTS FOR SEPTEMBER 2010 FOR JUSTICE OF THE PEACE #2 & #3, AND #4, CONSTABLE #2, COUNTY EXTENSION AGENT, COUNTY CLERK, DISTRICT CLERK, COUNTY ATTORNEY, SHERIFF AND TAX ASSESSOR WERE APPROVED BY A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER HORTMAN. MOTION CARRIED.
5. APPROVAL OF THE G/L EXPENSE DISTRIBUTION, CHECK AND PAYROLL REGISTERS FOR SEPTEMBER 2010 WAS MADE BY A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER BROWN. MOTION CARRIED.
6. THE TREASURER'S MONTHLY REPORT FOR SEPTEMBER 2010 WAS APPROVED BY A MOTION FROM COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER WEBB. MOTION CARRIED.
7. CLAIMS AND INVOICES WERE APPROVED AS PRESENTED BY A MOTION FROM COMMISSIONER BROWN AND SECONDED BY COMMISSIONER WEBB. MOTION CARRIED.
8. NO REQUESTS FOR PAYMENT OF PAUPER FUNERALS WERE PRESENTED TO THE COURT.
9. APPROVAL OF OFFICIAL BOND FOR SHERIFF RALPH MONTEMAYOR WAS MADE BY A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER HORTMAN. MOTION CARRIED.
10. APPROVAL OF A RESOLUTION AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF RURAL AFFAIRS FOR THE COMMUNITY DEVELOPMENT FUND AND AUTHORIZING THE COUNTY JUDGE TO ACT AS THE COUNTY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT PROGRAM WAS MADE BY A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER BROWN. MOTION CARRIED.
11. COMMISSIONERS AND SHERIFF MONTEMAYOR DISCUSSED ENTERING INTO AN INTERLOCAL AGREEMENT WITH WALKER COUNTY FOR SERVICES OF AN ENVIRONMENTAL OFFICER. NO OFFICIAL ACTION WAS TAKEN BY COMMISSIONERS ON THIS ITEM.
12. APPOINTMENT OF MARK COLE AS PRECINCT ONE DEPUTY CONSTABLE WAS APPROVED BY A MOTION FROM COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER HORTMAN. MOTION CARRIED.
13. RATIFICATION OF THE PROCESSING SERVICES AGREEMENT BETWEEN TRINITY COUNTY AND CERTIFIED PAYMENTS REGARDING ACH (E-CHECK) FOR ONLINE CHECK

ACCEPTANCE WAS MADE BY A MOTION FROM COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER BROWN. MOTION CARRIED.

14. COUNTY CLERK DIANE MCCRORY GAVE COMMISSIONERS AN UPDATE ON ELECTION SCHOOL HELD OCTOBER 5, 2010. NO OFFICIAL ACTION WAS TAKEN BY COMMISSIONERS ON THIS ITEM.

15. APPROVAL OF AN AGREEMENT BETWEEN CENTERVILLE INDEPENDENT SCHOOL DISTRICT AND TRINITY COUNTY FOR LEASE OF AUTOMARK MACHINE WAS MADE BY A MOTION FROM COMMISSIONER BROWN AND SECONDED BY COMMISSIONER WEBB. MOTION CARRIED.

16. APPROVAL OF SOFTWARE LICENSE AND MAINTENANCE AGREEMENT BETWEEN KELLPRO, INC. AND TRINITY COUNTY FOR THE OFFICE OF COUNTY CLERK WAS MADE BY A MOTION FROM COMMISSIONER HORTMAN AND SECONDED BY COMMISSIONER WEBB. MOTION CARRIED.

17. AT 9:45AM A PUBLIC HEARING WAS HELD TO DISCUSS THE DEDICATION BY DAVID A. PRICE AND CONNIE E. PRICE OF THE 40 FOOT WIDE ROAD TO INSPIRATION VILLAGE IN PRECINCT OFF TEXAS STATE HIGHWAY 94. NO ONE HAD PUBLIC COMMENTS AND THE HEARING WAS CLOSED AT 9:46AM.

18. DEDICATION OF THE ROAD TO INSPIRATION VILLAGE WAS ACCEPTED WITH COUNTY MAINTENANCE ASSUMED BY A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER BROWN. MOTION CARRIED.

19. THE ROAD TO INSPIRATION VILLAGE WAS OFFICIALLY NAMED INSPIRATION VILLAGE DRIVE BY A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER HORTMAN. MOTION CARRIED.

20. APPROVAL OF CHIP-SEALING A PORTION OF PINECREST ROAD AND AUTHORIZING THE EXPENDITURE OF \$49,315.20 WAS MADE BY A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER BROWN. MOTION CARRIED.

21. APPROVAL OF CONTRACT WITH WATERS CONSTRUCTION COMPANY TO CHIP-SEAL A PORTION OF PINECREST ROAD WAS MADE BY A MOTION FROM COMMISSIONER HORTMAN AND SECONDED BY COMMISSIONER WEBB. COMMISSIONERS WEBB, HORTMAN AND BROWN VOTED AYE. COMMISSIONER WORSHAM VOTED NAY. MOTION CARRIED.

22. LETTER OF RESIGNATION FROM CONSTABLE #4 KENT BLANCHARD WAS ACCEPTED BY A MOTION FROM COMMISSIONER BROWN AND SECONDED BY COMMISSIONER WORSHAM. MOTION CARRIED.

23. THE POSITION OF CONSTABLE PRECINCT #4 WAS DECLARED VACANT BY A MOTION FROM COMMISSIONER BROWN AND SECONDED BY COMMISSIONER WEBB. MOTION CARRIED.

24. TRAVIS HAYGOOD, RICHARD STEPTOE, KENNETH WRIGHT, SHERMAN JONES AND RONALD HUNT ADDRESSED THE COURT REGARDING THEIR QUALIFICATIONS AND DESIRE TO SERVE AS CONSTABLE FOR PRECINCT #4. APPOINTMENT OF RONALD HUNT TO THE UNEXPIRED TERM OF CONSTABLE PRECINCT #4 WAS MADE BY A MOTION FROM COMMISSIONER BROWN AND SECONDED BY COMMISSIONER HORTMAN. MOTION CARRIED.

25. RECOMMENDATION BY KSA ENGINEERS OF LUDCO, INC AS CONTRACTOR FOR THE 2008 HURRICANE IKE AND DOLLY RECOVERY PROJECTS WAS MADE BY A MOTION FROM COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER HORTMAN. MOTION CARRIED.

26. MICHAEL GAERTNER, GAERTNER AND ASSOCIATES, GAVE COMMISSIONERS A STATUS UPDATE OF THE COURTHOUSE RESTORATION PROJECT. NO OFFICIAL ACTION WAS TAKEN BY COMMISSIONERS ON THIS ITEM.

27. CONTRACTOR'S CHANGE ORDER TO THE COURTHOUSE RESTORATION PROJECT WAS APPROVED BY A MOTION FROM COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER HORTMAN. MOTION CARRIED.

28. THE TREASURER'S QUARTERLY REPORT FOR THE QUARTER ENDING SEPTEMBER 30, 2010 WAS APPROVED BY A MOTION FROM COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER BROWN. MOTION CARRIED.

29. NO ONE WAS PRESENT FOR THE PUBLIC FORUM.

ADDENDUM AND AMENDMENT TO AGENDA FILED 10-8-2010 AT 10:00AM

1. APPROVAL OF TITLE IV-E COUNTY CHILD WELFARE SERVICES NON-FINANCIAL CONTRACT WAS MADE BY A MOTION FROM COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER WEBB. MOTION CARRIED.
2. APPROVAL OF RESOLUTION PROCLAIMING NOVEMBER AS HOME CARE AND HOSPICE MONTH IN TRINITY COUNTY WAS MADE BY A MOTION FROM COMMISSIONER HORTMAN AND SECONDED BY COMMISSIONER BROWN. MOTION CARRIED.
3. APPROVAL OF THE PAYMENT FOR SERVICES RELATED TO THE MAINTENANCE AND UPDATING/POSTING FOR THE COUNTY WEBSITE WAS MADE BY A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER WORSHAM. MOTION CARRIED.

ADDENDUM AND AMENDMENT TO AGENDA FILED 10-8-2010 AT 10:50AM

1. DROUGHT CONDITIONS IN TRINITY COUNTY WERE DISCUSSED BY COMMISSIONERS.
 2. A FINDING THAT CIRCUMSTANCES PRESENT IN UNINCORPORATED AREAS OF THE COUNTY CREATE A PUBLIC SAFETY HAZARD THAT WOULD BE EXACERBATED BY OUTDOOR BURNING WAS MADE BY A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER HORTMAN. MOTION CARRIED.
 3. APPROVAL OF AN ORDER PROHIBITING OUTDOOR BURNING IN TRINITY COUNTY WAS MADE BY A MOTION FROM COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER HORTMAN. MOTION CARRIED.
30. WITH NO FURTHER BUSINESS TO COME BEFORE COMMISSIONERS' COURT, ON A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER WORSHAM, COURT WAS ADJOURNED AT 11:40AM. MOTION CARRIED.

MARK EVANS, COUNTY JUDGE

GROVER WORSHAM, COMMISSIONER PCT. 1

JANNETTE HORTMAN, COMMISSIONER PCT. 2

CECIL WEBB, COMMISSIONER PCT. 3

JIMMY BROWN, COMMISSIONER PCT. 4

ATTEST:

DIANE MCCRORY, COUNTY CLERK