

THE REGULAR SESSION OF COMMISSIONERS' COURT OF TRINITY COUNTY WAS HELD MONDAY, FEBRUARY 8, 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 2-4-2010 AT 5:00PM. ALL COMMISSIONERS WERE PRESENT. JUDGE EVANS WELCOMED EVERYONE TO THE MEETING. COUNTY OFFICIALS PRESENT INCLUDED SHEILA JOHNSON, COUNTY AUDITOR, COUNTY TREASURER JO BARTEE, COUNTY ATTORNEY JOE WARNER BELL, TAX COLLECTOR LINDY WARREN, SHERIFF RALPH MONTEMAYOR, JP#4 SAM O. BLAIR, AND COUNTY CLERK DIANE MCCRORY.
2. THE OPENING PRAYER WAS GIVEN BY REVEREND JASON BURDEN FROM DORCAS WILLS BAPTIST CHURCH, TRINITY, TEXAS.
3. THE MINUTES FROM THE REGULAR SESSION HELD JANUARY 11, 2010 AND THE SPECIAL SESSION HELD JANUARY 27, 2010 WERE APPROVED BY A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER BROWN. MOTION CARRIED.
4. REPORTS FOR DECEMBER 2009 FROM JUSTICE OF THE PEACE #1, REPORTS FOR DECEMBER 2009 AND JANUARY 2010 FROM CONSTABLE #4, AND REPORTS FOR JANUARY 2010 FROM JUSTICES OF THE PEACE #3 AND #4, CONSTABLE #2, COUNTY CLERK, DISTRICT CLERK, COUNTY ATTORNEY, COUNTY TAX COLLECTOR, AND SHERIFF WERE APPROVED BY A MOTION FROM COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER BROWN. MOTION CARRIED.
5. APPROVAL OF THE G/L EXPENSE DISTRIBUTION, CHECK AND PAYROLL REGISTERS FOR JANUARY 2010 WAS MADE BY A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER WORSHAM. MOTION CARRIED.
6. THE TREASURER'S MONTHLY REPORT FOR JANUARY 2010 WAS APPROVED BY A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER WORSHAM. MOTION CARRIED.
7. APPROVAL OF CLAIMS AND INVOICES AS PRESENTED WAS MADE BY A MOTION FROM COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER BROWN. MOTION CARRIED.
8. PAYMENT OF A PAUPER FUNERAL FOR EARL BROOKS, JR. WAS APPROVED BY A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER HORTMAN. MOTION CARRIED.
9. OFFICIAL BOND FOR THOMAS LEVI HUTT, DEPUTY CONSTABLE #4, WAS APPROVED BY A MOTION FROM COMMISSIONER BROWN AND SECONDED BY COMMISSIONER HORTMAN. MOTION CARRIED.
10. PURSUANT TO TEXAS PROPERTY TAX CODE 31.11, IT WAS DETERMINED THAT A TAX PAYMENT WAS ERRONEOUS AND A TAX PAYMENT RETURN OF \$1,191.14 WAS APPROVED FOR S.E. DENMAN BY A MOTION FROM COMMISSIONER BROWN AND SECONDED BY COMMISSIONER HORTMAN. MOTION CARRIED.
11. APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE BETWEEN THE TRINITY COUNTY SHERIFF'S OFFICE AND THE U.S. FOREST SERVICE (USDA), SOUTHERN REGION, LAW ENFORCEMENT AND INVESTIGATIONS WAS MADE BY A MOTION FROM COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER HORTMAN. MOTION CARRIED.
12. APPROVAL OF AN AGREEMENT BETWEEN THE SHERIFF'S OFFICE AND THE BURKE CENTER RELATING TO THE ACCESS OF LIMITED HEALTH INFORMATION WAS MADE BY A MOTION FROM COMMISSIONER HORTMAN AND SECONDED BY COMMISSIONER BROWN. MOTION CARRIED.
13. APPROVAL OF A LEASE AGREEMENT BETWEEN CITIZENS STATE BANK AND TRINITY COUNTY ON THE LEASE BY TRINITY COUNTY OF LOT 4, BLOCK 15 OF THE TOWN OF

GROVETON WAS MADE BY A MOTION FROM COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER WEBB. MOTION CARRIED.

14. THE ANNUAL REPORT ON RACIAL PROFILING PURSUANT TO TEXAS CODE OF CRIMINAL PROCEDURE FOR PCT. 2 CONSTABLE JOHNSON WAS SUBMITTED FOR THE RECORD OF COMMISSIONERS' COURT PROCEEDINGS. NO ACTION WAS TAKEN BY COMMISSIONERS ON THIS ITEM.

15. MICHAEL GAERTNER AND ASSOCIATES GAVE COMMISSIONERS A CONSTRUCTION PROGRESS UPDATE ON THE RENOVATION/RESTORATION OF THE TRINITY COUNTY COURTHOUSE. A MOTION TO APPROVE PLANS FOR THE COMMISSIONERS COURTROOM WAS MADE BY COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER WEBB. MOTION CARRIED.

16. MICHAEL GAERTNER AND ASSOCIATES GAVE COMMISSIONERS A REVIEW AND REQUEST FOR CHANGES TO WINDOW AND PLUMBING INSTALLATION. A CHANGE ORDER WAS APPROVED BY A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER BROWN. MOTION CARRIED.

17. A PUBLIC HEARING WAS SET PURSUANT TO SECTIONS 251.151 AND 251.154 OF THE TEXAS TRANSPORTATION CODE TO DETERMINE A MAXIMUM REASONABLE AND PRUDENT SPEED FOR A VEHICLE TRAVELING ON THE BELL ROAD, AKA AS LLOYD BELL ROAD FROM THE BEGINNING OF FM356 TO ITS END AND DECLARE A SPEED LIMIT OF 25 MILES PER HOUR THEREON FOR MARCH 8, 2010 AT 10AM BY A MOTION FROM COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER HORTMAN. MOTION CARRIED.

18. ADDRESSING THE COMMISSIONERS ON THIS ITEM WERE PATRICK AND SHELLY MALONEY, RESIDENTS OF EAGLEWOOD SUBDIVISION. A PUBLIC HEARING WAS SET TO DISCUSS ACTION TO AMEND PLAT MAPS FOR EAGLEWOOD SUBDIVISION IN TRINITY COUNTY, TO WIT: TO MAKE MINOR CHANGE TO EASEMENT ON LOT 6, EAGLEWOOD SUBDIVISION ON MARCH 8, 2010 AT 9AM BY A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER WORSHAM. MOTION CARRIED.

19. APPROVAL OF AMENDMENTS TO THE FY2009-2010 BUDGET AS PRESENTED WAS MADE BY A MOTION FROM COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER WEBB. MOTION CARRIED.

20. JUDGE EVANS ANNOUNCED THAT A CLOSED SESSION WOULD BE HELD PURSUANT TO GOVERNMENT CODE SECTION 551.101.

21. A CLOSED SESSION IN EXECUTIVE SESSION WAS HELD FROM 10:50AM TO 11:15AM WITH THE COURT'S ATTORNEY CONCERNING LITIGATION, CAUSE #20226 MCFARLIN, ETAL VS. TRINITY COUNTY, ETAL, PURSUANT TO GOVERNMENT CODE SECTION 551.071(1) (A).

22. COMMISSIONERS' COURT WAS RECONVENED IN OPEN MEETING PURSUANT TO THE GOVERNMENT CODE, SECTION 551.102 AT 11:15AM WITH NO ACTION TAKEN BY COMMISSIONERS ON MATTERS DISCUSSED DURING CLOSED SESSION.

23. DURING THE PUBLIC FORUM, LARRY MAHLER FROM HARBOR POINT SUBDIVISION ADDRESSED THE COMMISSIONERS COURT REGARDING CONTRACTING WITH CONSTABLE PCT. #1 FOR SECURITY PURPOSES FOR THE SUBDIVISION. COUNTY ATTORNEY JOE WARNER BELL STATED THAT HE WOULD LOOK INTO DRAWING UP THE NECESSARY CONTRACT FOR SERVICES. PEGGY MOSLEY, EAGLEWOOD SUBDIVISION, ADDRESSED THE COMMISSIONERS' COURT REGARDING ITEM #18 AND PRESENTED ADDITIONAL PLATS TO THE COURT FOR THEIR CONSIDERATION. NO OTHER COMMENTS WERE MADE DURING THE PUBLIC HEARING.

24. WITH NO FURTHER BUSINESS TO COME BEFORE COMMISSIONERS' COURT ON A MOTION FROM COMMISSIONER HORTMAN SECONDED BY COMMISSIONER BROWN, COURT WAS ADJOURNED AT 11:20AM. 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