

SPECIAL SESSION

JULY 22, 2009

THE SPECIAL SESSION OF COMMISSIONERS' COURT OF TRINITY COUNTY WAS HELD WEDNESDAY, JULY 22, 2009 AT 10:00AM IN THE COMMISSIONERS' COURTROOM, TRINITY COUNTY COURTHOUSE ANNEX, GROVETON, TEXAS, WITH THE FOLLOWING MEMBERS PRESENT:

MARK EVANS, COUNTY JUDGE

GROVER "TIGER" 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 10:00AM, WELCOMED EVERYONE TO THE MEETING AND NOTED THAT THE AGENDA WAS PROPERLY FILED AND POSTED. AGENDA WAS FILED JULY 17, 2009 AT 2:10PM. ALL COMMISSIONERS WERE PRESENT. OTHER OFFICIALS PRESENT INCLUDED COUNTY ATTORNEY JOE WARNER BELL AND COUNTY CLERK DIANE MCCRORY.

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

3. AT 10:02AM A CLOSED MEETING IN EXECUTIVE SESSION TO CONSULT WITH THE COURT'S ATTORNEY CONCERNING PENDING, OR CONTEMPLATED LITIGATION REGARDING THE ROY TIPTON ROAD, PURSUANT TO GOVERNMENT CODE 551.071, WAS HELD.

4. AT 10:24AM, COURT WAS RECONVENED IN OPEN MEETING PURSUANT TO GOVERNMENT CODE, SECTION 551.102.

5. POSSIBLE ACTIONS REGARDING ROY TIPTON ROAD WAS DISCUSSED BY COMMISSIONERS. JOE SCOTT EVANS, ATTORNEY REPRESENTING F.E. TIPTON, COMPLETED A PARTICIPATION FORM FOR THIS ITEM AND EXPRESSED HIS CONCERN OVER KEEPING THE ROY TIPTON ROAD OPEN. COMMISSIONER WORSHAM STATED THE COUNTY HAD MAINTAINED THE ROAD FOR YEARS AND

ENCOURAGED KEEPING THE ROAD OPEN DESPITE POSSIBLE LITIGATION. COUNTY ATTORNEY JOE WARNER BELL WAS INSTRUCTED TO WRITE TO THE PROPERTY OWNER AND ADVISE HIM THAT THE GATE WOULD BE REMOVED. NO ACTION WAS TAKEN BY COMMISSIONERS ON THIS ITEM AS IT WAS DISCUSSED DURING REGULAR SESSION ON JULY 13, 2009.

6. APPROVAL OF A RESOLUTION REQUESTING AND INTERIM STUDY OF THE EFFECT OF TEXAS TAX CODE SEC. 23.175 ON ALL TEXAS TAXPAYERS WAS MADE BY A MOTION FROM COMMISSIONER HORTMAN AND SECONDED BY COMMISSIONER WORSHAM. MOTION CARRIED.

7. THE EXTENSION OF CHAPTER 248, TEXAS TRANSPORTATION, KNOWN AS HB 1117 COUNTY ROAD MAP STATUTE WAS DISCUSSED BY COUNTY JUDGE AND COMMISSIONERS. ALL COMMISSIONERS AGREED TO GO FORWARD WITH THE APPROVAL OF EXTENSION. NO OFFICIAL ACTION WAS TAKEN ON THIS ITEM.

8. APPROVAL OF A CONTRACT FOR PROFESSIONAL SERVICES BETWEEN TRINITY COUNTY AND ALLISON, BASS AND ASSOCIATES, LLP FOR ALL LEGAL SERVICES NECESSARY TO SUCCESSFULLY COMPLETE ALL PROCEDURAL STEPS OUTLINED IN CHAPTER 258 OF THE TEXAS TRANSPORTATION CODE WAS MADE BY A MOTION FROM COMMISSIONER WEBB AND SECONDED BY COMMISSIONER HORTMAN. MOTION CARRIED. PAYMENT OF THIS CONTRACT WOULD BE DIVIDED EQUALLY BETWEEN THE FOUR ROAD AND BRIDGE PRECINCTS BUDGETS WAS APPROVED BY A MOTION FROM COMMISSIONER WORSHAM AND HORTMAN. MOTION CARRIED.

9. THE COUNTY ROAD AND BRIDGE FEE AND CHILD SAFETY FEE FOR CALENDAR 2010 WAS DISCUSSED AND ON A MOTION FROM COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER WEBB, IT WAS DECIDED TO RETAIN THE SAME FEE AS 2009. MOTION CARRIED.

10. APPROVAL OF PRECINCT 4 ACCEPTANCE, PLACEMENT, USE AND MAINTENANCE OF A U.S. FOREST SERVICE STEEL BRIDGE TO BE PLACED AT A STREAM CROSSING ON THE NORTH POSSUM WALK ROAD WAS MADE BY A MOTION FROM COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER BROWN. MOTION CARRIED. IT WAS NOTED FOR THE RECORD THAT WHEN THE BRIDGE WAS NO LONGER NEEDED BY THE COUNTY, IT WOULD BE RETURNED TO THE U.S. FOREST SERVICE.

11. WITH NO FURTHER BUSINESS TO COME BEFORE COMMISSIONERS' COURT ON A MOTION FROM COMMISSIONER WORSHAM AND SECONDED BY COMMISSIONER HORTMAN, COURT WAS ADJOURNED AT 11:00AM. 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