

Monday, August 23, 1993, the Sabine County Commissioners' Court met in a regular session at 8:30 A. M., with the following members present:

John L. Hyden	County Judge
Keith Clark	Commissioner, Prct. # 1
Lynn Smith	Commissioner, Prct. # 2
Kenneth White	Commissioner, PRct. # 3
Chester Cox, Sr.	Commissioner, Prct. 3 4
Nadine gary	County Clerk

Judge Hyden called meeting to order; Brother Clarence Howell led opening prayer.

Minutes of the last meetings were approved as read.

The following monthly reports were presented: Judge Hamilton, J.P. 1, Place 1, gave his report. He also stated Geraldine Beeson has resigned as Court Clerk and he hired Gina white as Court Clerk, J.P.1, place 1 and 2. County Clerk, Nadine Gary, gave the report for her office. Judge Hyden gave the County Criminal report, and Sheriff Bradberry gave the report for the Sheriff department.

#3 - Policy and Precedures Manuel- Motion made by Commissioner Keith Clark to accept as presented. Commissioner Chester Cox seconded, and motion carried.

#4 - Mr. Lemoine, a resident of Old Highway 96 in Brookeland, was present. Due to dumping, shootings and such that happens on this side road, he requested this road be closed. Old Highway 96 belongs to the Corp of Engineers, not Sabine County. Road was deeded to Corp of Engineers, not to Sabine County.

Judge Hyden submitted to Court Sabine County rescind all action previously taken with regard to this road, and recognise road does not belong to Sabine County and does belong to Corp of Engineers, and we will have no further business with it one way or the other. Commissioner Cox seconded, and motion carried, with three voting for. Commissioner White voted against. Road never belonged to Sabine County. Judge Hyden then stated the gate should be replaced, since it belonged to Corp of Engineers, to avoid any Civil litigation against the County. Commissioner White informed the Court he gave the gate to the City of Pineland to be used at dump.

Judge Hyden stated by majority vote of this Court, all actions previously taken on this particular road, Old Highway 96 is hereby rescinded and this Court does hereby recognise that that property does and always has belonged to the Corp of Engineers, and this County has no right to make any changes whatsoever of what ever sort or kind. We further recognise and acknowledge the fact that we will not, from this point forward, take action, whether it be maintenance of a road or anything else on that property that does belong to the Corp of Engineers.

#5 - Windham Cemetary Road- Precinct 4 Commissioner, Chester Cox, reported it has been fixed. No action taken.

# 6 - Road to Tebo from 1592 - Judge appointed court as jury of review to see who holds title to road. Jury of review which is this entire Court, under formal documentation to be filed with the

County Clerk; let its findings be known and read at the regular Commissioners' Court meeting on Monday, the 13th of September. This will be an agenda item September 13th. Commissioner Kenneth White, Commissioner in this precinct, should have findings of Jury review between September 7 and September 10. Will file findings with Clerk. On Monday, September 13 will make findings public, and at that point we will schedule hearings for the same and put notice in paper of same.

Commissioner Lynn Smith has a road in his precinct he wants checked at the same time. This is Forest Service Road 114, known as South Extension of 114 from 117.

#10 - Curtis King - Ford Tractor and Bush Hog, Prct. 3: Mr. King stated he was here at the request of Judge Hyden, and said they had not received payment for cutter; this has been over 45 days. When he talked with the Treasurer, he was informed she was instructed to hold payment. There was physical damage to tractor and cutter which they were not responsible for, but he did state they would take care of the gear box. He will work as close with the County as possible, but this machinery had not been used correctly. Mr. King questioned the withholding of payment for 45 days.

Judge Hyden asked who ordered holding payment, and why? Commissioner White said he did because tractor didn't work right.

Judge then said law says we are under a contract obligation under a bid; Under Sect. 512 of State Statute we have no more than 30 days from the time that we accept delivery of that piece of equipment,<sup>or</sup> whatever it might be. Payment is due and payable, and to be received by that person on date due. Does not mean to write the check that day, but get it, if they follow with a piece of equipment. Withholding payment after contractual obligation to a bid is not going to apply. Judge told Mr. King he doesn't have to do for this County anything he wouldn't do for anybody else. Don't cover anything under warranty you don't cover for anybody else. We are not entitled to, nor do we expect any special treatment from anybody. We will hold up our end of the obligation, and expect him to do the same.

Mr. King asked to go on record that he was present in Court at the request of Judge Hyden.

#13 - County Line Road - Residents present stating their roads are better now, but are concerned for when rainy weather starts. Roads are too narrow to meet big trucks, and ditches have not been pulled. Judge Hyden explained Sonat spent a little over \$50,000.00 on this road and Sabine County spent \$6,000.00.

Court recessed 10 minutes.

When we re-convened, County Extension Agent, John Toner, presented certificates of Continuing Education from V.G. Young Institute for 6 hours for Commissioners Keith Clark, Lynn Smith and Chester Cox. Motion made by Commissioner Clark and seconded by Commissioner Smith to approve as a matter of record. Judge Hyden made motion to approve certificate for 20 hours of Continuing Education for County Treasurer, Ollie Faye Sparks. Commissioner

Clark seconded, and motion carried. This, too, was approved as a matter of record.

#9 - R&B Special Account: Money is needed to pay for tire for gradall. Court agreed to split this bill 4 ways between the precincts.

Charlotte King was on the agenda, but was not present.

#7 - Motion made by Commissioner Clark to grant a 20 mile speed limit in Harborlight Subdivision. Commissioner Smith seconded, and motion carried.

#8 - Dump Truck, Precinct 3: Will be an agenda item Sept. 13.

#11 - Lease of Maintainer - Precinct 4: Purchased with time warrant to bind this County for 5 years. Judge Hyden suggested we pay time warrant off, and place on lease agreement. Monthly payment will be \$1413.55, with interest rate at 6.93 %; this rate will be locked in for length of lease. (5 years) Interest with time warrant is floating. Commissioner Cox made motion to go with lease agreement. Commissioner Smith seconded, and all voted for. Record vote resolution passed by Court to enter into a lease agreement to purchase a John Deere Maintainer and retire debt with First State Bank and enter into that with Capitol City Leasing. Judge asked for record vote of the Court authorizing County Judge to sign lease and certify same on behalf of County. Motion made by Commissioner Clark to allow County Judge to sign resolution. Commissioner Smith seconded, and motion carried.

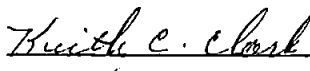
Commissioner Keith Clark made motion to pay accounts and salaries. Commissioner Lynn Smith seconded, and motion carried.

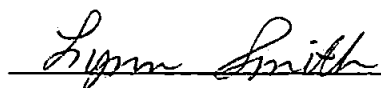
Judge Hyden informed the Court the ladies have completed the roads for 911. They ended with about 150 miles of roads the State doesn't have. They showed between 350 to 360 miles.

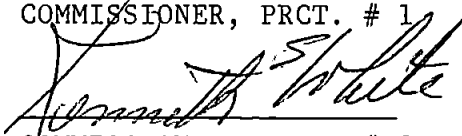
Commissioner Smith asked to fax to Texas Department of Transportation in/<sup>Austin</sup>for meeting 8/24 the following resolution: In his motion he asked that the Judge be allowed to word resolution. Commissioner Clark seconded, and motion carried. Motion made by Commissioner Smith to propose resolution to Court in opposition of discontinuing wide mowing on Highway ROW. Commissioner Clark seconded, and motion carried.


Commissioner Clark made motion meeting adjourn. Meeting adjourned.

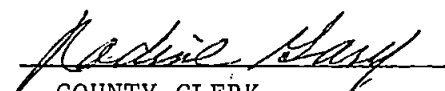
  
COUNTY JUDGE

  
COMMISSIONER, PRCT. # 1

  
COMMISSIONER, PRCT. # 2

  
COMMISSIONER, PRCT. # 3

  
COMMISSIONER, PRCT. # 4

  
COUNTY CLERK