

COMMISSIONERS COURT MINUTES JULY 12, 1976

The Hunt County Commissioners Court met in Regular Session, Monday July 12, 1976 at 10:00 A.M. in the Commissioners Courtroom, Hunt County Courthouse, Greenville, Texas with Commissioners Johnnie H. Lyon, Henry L. Grimes, and James A. Speight present and Judge Ed Terrell presiding. Commissioner Roy L. Holder was absent.

Invocation was given by County Auditor Lee Bostick.

Minutes of the June 28, 1976 Regular Session were read and approved.

Margaret Sharp of Global Properties, Inc. requested the vacation of the plat "Conner Grove Sub-division" in Commissioner Precinct 3. The Court took no action on the request at this date in order to check on the status of taxes on the property concerned and agreed to place the matter on the next regular agenda of the Court.

Mrs. Joe Herlocker and Vaughn Martin representing Control of Drug Elements, Inc. made a presentation to the Court of a proposed program of drug control on public school grounds that would implement the use of a trained dog working under the control of the Sheriff's Department. CODE, Inc. asked for the Court's support and a resolution of approval of the program. The Court agreed to meet with a steering committee of Control of Drug Elements, Inc. and discuss the legality of the program with the County Attorney and consider the program again at a later meeting of the Court.

371 On a motion by James A. Speight, seconded by Henry L. Grimes, the Court voted to amend Order # 368 of June 28, 1976 which added Marilyn Corbett to the payroll of the County Attorney's office. Mrs. Corbett was unable to accept the position, therefore* the County Attorney asked to replace Marilyn Corbett with Kathie Morgan of Greenville, Texas. The Motion to amend Order # 368 to add Kathie Morgan to the payroll of the County Attorney's office effective July 1, 1976 carried with all members of the Court voting AYE.

372 On a motion by Henry L. Grimes, seconded by James A. Speight, the Court approved the transfer of \$50,000.00 from the General Fund to the Officers Salary Fund. Motion carried with all members present voting AYE.

373 On a motion by James A. Speight, seconded by Henry L. Grimes, the Court approved the following Resolution with all members of the Court voting AYE:

BE IT RESOLVED BY THE COMMISSIONERS COURT OF HUNT COUNTY, TEXAS:

That the County Judge of the said Hunt County, Texas, be and he is hereby, authorized and directed to execute, and the County Clerk of said County be, and she is hereby, authorized and directed to attest, for and on behalf of said County, that certain document of easement relating to the grant of right-of-way to the City of Greenville, Texas, a copy of which said document being attached hereto, marked "Exhibit A", and reference to which being here made for all purposes as if the same were copied in its entirety herein.

ADOPTED, this the 12th day of July, 1976.

/s/ Ed Terrell
Ed Terrell
County Judge

/s/ Johnnie H. Lyon
Johnnie H. Lyon
Commissioner, Precinct No. 1

/s/ H. L. Grimes
H. L. Grimes
Commissioner, Precinct no. 2

Roy Holder
Commissioner, Precinct No. 3

/s/ James Speight
James A. Speight
Commissioner, Precinct No. 4

ATTEST:

/s/ Mrs. Bloom Johnson by
Mrs. Bloom Johnson Edna Beene
County Clerk

"EXHIBIT A"

EASEMENT

THE STATE OF TEXAS :

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF HUNT :

That HUNT COUNTY, TEXAS, a political subdivision of the State of Texas, acting herein by and through its County Judge and County Clerk, pursuant to a resolution duly adopted at a regular meeting of the Commissioners Court of said County held and conducted on the 12th day of July, 1976, of the County of Hunt and State of Texas, hereinafter called "Grantors", whether one or more, for and in consideration of the sum of ONE AND NO/100 DOLLARS (\$1.00), to said Grantors in hand paid by the CITY OF GREENVILLE, TEXAS, a municipal corporation, hereinafter called "Grantee", the receipt and full sufficiency of which is hereby acknowledged and confessed, and for which no lien is retained either expressed or implied, have granted, bargained, sold and conveyed, and by these presnets do grant, bargain, sell and convey, unto said Grantee an easement of right-of-way for the purpose of laying out, opening, constructing, operating, maintaining and reconstructing streets, highways and roads, public utilities, and storm water drainage facilities, together with necessary and customary

incidentals, appurtenances and uses attendant thereto, in, along, upon, over, under and across all that certain tract and parcel of land located and situated in the County of Hunt and State of Texas, being out of and a part of a tract of land within the C. B. McDonald Survey, Abstract No. 692, conveyed by W. M. Payne, et ux to Hunt County, Texas, by warranty deed dated May 30, 1942, and recorded in Volume 429, Page 117-119, of the Deed Records of Hunt County, Texas, and more particularly described as follows:

BEGINNING at a point in the Eastern right-of-way line of F. M. Highway 2101 at Station No. 228 + 68.7, said point being 18.3 feet, South 0 degrees 50 minutes West of concrete monument located on said Eastern right-of-way line of F. M. Highway at Station No. 228 + 87;

THENCE in a Northeasterly direction along a curve to the left a distance of 80.27 feet for a corner, said curve having a radius of 73 feet and a central angle of 63 degrees 00 minutes 00 seconds;

THENCE North 27 degrees 50 minutes 00 seconds East, 27.6 feet along a line to a point for a corner, marking the beginning of a curve to the right having a radius of 153.43 feet and a central angle of 34 degrees 45 minutes 00 seconds;

THENCE in a Northeasterly direction along said curve to the right a distance of 93.06 feet for a corner, said corner being located in the Eastern boundary line of said Payne to County tract of land and the Western boundary line of a 225.9 acre tract of land conveyed by the County of Hunt, Texas, to the City of Greenville, Texas, by warranty deed dated April 20, 1966, and recorded in Volume 643, Page 496 of the Deed Records of Hunt County, Texas;

THENCE South 1 degree 04 minutes 00 seconds West, 76.37 feet along said Eastern and Said Western boundary lines for a corner;

THENCE in a Southwesterly direction along a curve to the left a distance of 19.57 feet for a corner, said curve having a radius of 93.43 feet and a central angle of 12 degrees 00 minutes 00 seconds;

THENCE South 27 degrees 50 minutes 00 seconds West, 27.6 feet along a line to a point for a corner, marking the beginning of a curve to the right, having a radius of 113 feet and a central angle of 63 degrees 00 minutes 00 seconds;

THENCE in a Southwesterly direction along said curve to the right a distance of 146.24 feet for a corner, said corner being located in the Eastern right-of-way line of said F. M. Highway 2101 and at Station No. 228 + 8.7;

THENCE North 0 degrees 50 minutes 00 seconds East, 60 feet along said Eastern right-of-way line to the POINT OF BEGINNING and containing .27 acres of land.

It is hereby understood, agreed and recognized that said Grantors retain title to all of the oil, gas, sulphur and other minerals in and under said above-described tract and parcel of land, but waive any and all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for the same; provided, however, that operations for exploration or recovery of any such minerals shall be permissible so long as all surface operations in connection therewith are located at a point outside of said tract and parcel of land, and upon the condition that none of such operation shall be conducted so near the surface of said tract and parcel of land as to interfere with the intended uses thereof or in any way interfere with, jeopardize or endanger any of the facilities hereinabove described or create a hazard to the public users thereof; it being intended, however, that nothing herein shall affect the right of said Grantee to take and use without additional compensation any water, stone, earth, gravel, caliche, iron ore gravel or any other road building materials upon, in or under said tract and parcel of land for the construction or maintenance of any of said facilities.

It is further understood, agreed and recognized that said Grantee may grant, sell, convey, transfer or assign any right or interest granted, sold and conveyed herein to any and all public utility companies operating within the said City of Greenville, Texas.

It is further understood, agreed and recognized that the laying out, opening, constructing, operating maintaining and reconstruction of any of said facilities may be performed, conducted and accomplished in accordance with such designs, plans and specifications as will in the opinion of said Grantee best serve the public purpose and that the payment of the above-mentioned purchase price shall be considered full compensation

for the rights and interests granted, sold and conveyed herein and hereby and for any damages that may be claimed or asserted by virtue of the establishment and construction of any of such facilities.

It is further understood, agreed and recognized that the fee title to the above-described tract and parcel of land is reserved to said Grantor and the successors and assigns thereof subject, however, to said easements, rights and interest granted, sold and conveyed herein and hereby.

TO HAVE AND TO HOLD SAID easements together with all and singular the rights, privileges and appurtenances thereto in any manner belonging unto the said City of Greenville, Texas, forever.

IN WITNESS WHEREOF, said Grantors have caused this instrument to be executed on this the 12th day of July, A. D. 1976.

Hunt County, Texas

By: /s/ Ed Terrell
County Judge

ATTEST:

/s/ Mrs. Bloom Johnson by
County Clerk Edna Beene

THE STATE OF TEXAS :

COUNTY OF HUNT :

BEFORE ME, C Wallace, a Notary Public in and for the County of Hunt and State of Texas, on this day personally appeared Ed Terrell, the duly elected, qualified and acting County Judge in and for Hunt County, Texas, a political subdivision of the State of Texas, and a body corporate and politic, known to me to be the person and official whose name is subscribed to the above, foregoing and attached instrument, and acknowledged to me that the same was the act of the said Hunt County, Texas, that he was duly authorized to perform the same by appropriate resolution duly adopted by the Commissioners Court of said County, and that he executed the same as the act of said County for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 12th day of July, 1976.

C Wallace
Notary Public in and for Hunt County, Texas

(SEAL)

374 On a motion by James A. Speight and seconded by Johnnie H. Lyon, the Court approved the following Order with all members of the Court present voting AYE:

WHEREAS on the 3rd day of June, 1975, at a regular meeting of the City Commission of the City of Commerce, Texas, Resolution Number 132 was adopted wherein the City of Commerce, Texas approved several offers by Hunt County, Texas to purchase Right-of-Way on several parcels of land, owned by the City of Commerce, for the construction of a proposed highway to be known as F. M. 3218; and

WHEREAS it has come to the attention of this Court that one of the said offers, an offer of \$1,728.00, was made by Hunt County to the City of Commerce with respect to a parcel of land which was in fact not owned by the City of Commerce but by the Commerce Independent School District.

IT IS THEREFORE ORDERED that said offer to purchase said land for Right-of-Way purposes at \$1,728.00, is hereby rescinded and withdrawn from the City of Commerce, Texas by Hunt County, Texas as the said offer should be been made to the true owner of the said parcel of land, the Commerce Independent School District.

Passed by the governing body of Hunt County, Texas, at a regular meeting of the Hunt County Commissioners' Court on the 12th day of July, 1976.

/s/ Ed Terrell
ED TERRELL, HUNT COUNTY JUDGE

/s/ Johnnie Lyon
COMMISSIONER PRECINCT NUMBER ONE

/s/ Henry Grimes
COMMISSIONER PRECINCT NUMBER TWO

COMMISSIONER PRECINCT NUMBER THREE

/s/ James Speight
COMMISSIONER PRECINCT NUMBER FOUR

375 On a motion by James A. Speight, seconded by Henry L. Grimes, the Court voted to enter into a new hospitalization plan with Blue Cross and Blue Shield for County employees. The new program proposes 80% coverage of all hospital costs, \$100 deductible on out of hospital costs and an increase in maximum lifetime

benefits from \$10,000.00 to \$250,000.00. The new plan should go into effect September 1, 1976. Motion carried with all members present voting AYE.

Landowners in "Sandy Lynn Hide a While" addition of West Tawakoni appeared before the Court to discuss a road in need of repair in their addition. The road is not a county road therefore the Court took no action on the matter.

376 On a motion by Johnnie H. Lyon, seconded by Henry L. Grimes, the Court unanimously approved accounts for the month of June, 1976. Balance of accounts is as follows:

General Fund	99,522.40
Officers Salary Fund	72,949.95-CR
Road and Bridge No 1	5,651.33
Road and Bridge no 2	17,493.79
Road and Bridge No 3	35,214.80
Road and Bridge No 4	3,594.49-CR
Jury Fund	8,688.07
Courthouse and Jail	252.41
County Law Library	713.75
Hunt County Tex Road Bond 1949	15,670.19
Hunt Co Tex Rd Bd Invest. 1949	.00
Social Security	1.00
Hunt Co ROW Hwy I and S	16,172.10-CR
Hunt Co ROW Hwy I and S Invest.	.00
Permanent School Fund	39,733.49
Hunt Co Perm. Imp Fair	12,811.18
Hunt Co Perm. Fair Invest.	.00
Hunt County Insurance Commission	612.08
Revenue Sharing	55,185.85
Hunt Co-Payroll Acct	.00
Total	209,189.19

377 On a motion by James A. Speight, seconded by Henry L. Grimes, Mack Peirson of Celeste and Mrs. Scottie Burnett of Quinlan were named to the Hunt County Committee on Aging. Motion carried with all members present voting AYE.

378 On a motion by James A. Speight, seconded by Henry L. Grimes, the following payroll changes were made in the Juvenile Office: Jerry Morrow was removed from the position of Juvenile Officer effective July 2, 1976, Austin Stewart was named Acting Juvenile Officer at \$600.00 per month effective July 2, 1976 and Gary Wayne Morgan was added to the payroll of the Juvenile Detention Center as a worker at \$2.00 per hour effective July 12, 1976. Motion carried with all members present voting AYE.

At 11:50 A. M., Judge Terrell called the Court into Executive Session to discuss a personnel matter. Court was returned to open session at 12:00 Noon.

Judge Ed Terrell announced, as a matter of record, the completion of a twenty-hour course in the responsibilities of the office of Justice of the Peace by Judges George Antilley and Frank Lane. This course was completed during the week of June 1-4, 1976 at Southwest Texas State University in San Marcos, Texas.

There being no further business, Judge Ed Terrell adjourned the meeting.

Minutes read and approved this the 26th day of July, 1976.

Attest: Mrs. Bloom Johnson
County Clerk, Hunt County, Texas

Ed Terrell
County Judge, Hunt County, Texas

By Carolyn Patterson Deputy

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