

COMMISSIONERS COURT AGENDA
Tuesday, March 13, 2018
9:30 a.m.



Striving for Excellence

COMMISSIONERS COURT
Nathaniel Moran, County Judge
Commissioner Jeff Warr, Precinct 1
Commissioner Cary Nix, Precinct 2
Commissioner Terry Phillips, Precinct 3
Commissioner JoAnn Hampton, Precinct 4



**COUNTY OF SMITH
COMMISSIONERS COURT
200 E. Ferguson, Suite 100
Tyler, Texas 75702**

Phone: (903) 590-4600

Fax: (903) 590-4615

Pursuant to Chapter 551 of the Texas Government Code, this notice is to advise that a regular meeting of the **Smith County Commissioners Court** will be held at **9:30 a.m. on Tuesday, March 13, 2018**, in the **Smith County Commissioners Courtroom** on the 1st floor of the **Smith County Courthouse Annex**, 200 E. Ferguson, Tyler, Texas.

Questions regarding this agenda should be directed to Commissioners Court Administrative Assistant at 903-590-4605. The agenda is available on the County's website (<http://www.smith-county.com>).

**CALL TO ORDER
DECLARE A QUORUM PRESENT
DECLARE LEGAL NOTICES POSTED AND COURT DULY CALLED
INVOCATION
PLEDGE OF ALLEGIANCE**

PUBLIC COMMENT: Members of the public who have previously filled out a participation form have an opportunity to address the Commissioners Court on agenda items. The Court is unable to deliberate on nonagenda items. If you desire to request a matter on a future agenda, you may make the request to a member of Commissioners Court or the County Administrator. However, if you would like to make the request during an open meeting of Commissioners Court, you may do so but must confine your comments to your proposed agenda language. Individual comments are limited to a maximum of three (3) minutes. If you wish to address the Court, obtain a public participation form at the Commissioners Court entryway and submit the completed form to a staff member before the meeting begins. Please be mindful of the Commissioners Court Rules of Procedure, Conduct and Decorum when making your comments and/or attending public meetings.

PUBLIC HEARING-9:30 a.m.:

1. Receive public comment regarding the fiscal year 2018 amounts of mandatory payments from the institutional health care providers located in Smith County pursuant to Texas Health and Safety Code, § 291A.101.

OPEN SESSION:

COURT ORDERS

SHERIFF'S OFFICE/ENVIRONMENTAL CRIMES

2. Consider and take necessary action regarding plans for the 2018 Smith County Wide Clean-up.

COMMISSIONERS COURT

3. Consider and take necessary action to approve a Resolution Approving Smith County's Local Provider Participation Fund Rate, Affiliations, and Intergovernmental Transfers and authorize the County Judge to sign all related documents.
4. Consider and take necessary action to approve the following Indigent Care Affiliation agreements between Smith County and the following hospitals:
 - a. UT Health, UT Health East Texas, and their affiliated hospitals;
 - b. CHRISTUS Health, CHRISTUS Mother Frances Hospital, and their affiliated hospitals;
 - c. CHRISTUS Health, CHRISTUS Good Shepherd Medical Center, and their affiliated hospitals; and
 - d. Baylor Scott & White Health, and their affiliated hospitals.
5. Consider and take necessary action to adopt a resolution supporting approval of the bids for the sale of struck-off properties and authorize the County Judge to sign all related documentation for the following:
 - a. Suit No. 17,600-F

TAX OFFICE

6. Consider approval of tax refund(s) in excess of \$2,500.00 pursuant to Tex. Tax Code § 31.11.

ROAD AND BRIDGE

7. Receive update from Specialized Public Finance Inc. ("SPFI") on the financing plan for the issuance of the Road and Bridge road plan bonds.
8. Consider and take necessary action to approve the purchase of two (2) Boom-Axe assemblies from George P. Bane, Inc., for the Smith County Road and Bridge Department, in the amount of \$61,985.60, and authorize the County Judge to sign all related documents.
9. Consider and take necessary action to authorize the County Judge to sign the:
 - a. Resubdivision Plat of Emerald Bay Subdivision Unit XXXII, Precinct 1; and
 - b. Replat of Emerald Bay Subdivision Unit X, Lot 88 W, Precinct 1.
10. Receive pipe and/or utility line installation request (notice only):
 - a. County Road 2191, Centerpoint Energy, install pipe for service to Whitehouse elementary and junior high schools, Precinct 2.

11. Approve ratification of standard letters of agreement for disposal of dredged materials:
 - a. C. Laughlin, Precinct 2;
 - b. P. McIntyre, Precinct 3;
 - c. M. Madlock, Precinct 3;
 - d. E. Jones, Precinct 3;
 - e. M. Parga, Precinct 3; and
 - f. J. Phillips, Precinct 4

FIRE MARSHAL'S OFFICE

12. Consider and take necessary action to accept a donation of \$3,860.00 from the Smith County 911 District to Smith County for electrical work to be completed at the EOC Building pursuant to Texas Local Government Code § 81.032 and authorize the County Judge to sign all related documents.

RECURRING BUSINESS

COMMISSIONERS COURT

13. Receive monthly reports from Smith County departments.

COUNTY COURT

14. Receive into Commissioners Court minutes the approved minutes of the January 23, 2018, meeting of the Andrews Center Board of Trustees.

COUNTY CLERK

15. Accept Commissioners Court Minutes for February 2018.
16. Receive Commissioners Court Recordings for February 2018.

AUDITOR'S OFFICE

17. Approve and/or ratify payment of accounts, bills, payroll, transfer of funds, amendments, and health claims.

SHERIFF'S OFFICE

18. Report on Smith County Jail Status and related information.

EXECUTIVE SESSION: For purposes permitted by Texas Government Code, Chapter 551, entitled Open Meetings, Sections 551.071, 551.072, 551.073, 551.074, 551.0745, 551.075, and 551.076. The Commissioners Court reserves the right to exercise its discretion and may convene in executive session as authorized by the Texas Government Code, Section 551.071, et seq., on any of the items listed on its formal or briefing agendas.

PENDING OR CONTEMPLATED LITIGATION, TEXAS GOV'T CODE § 551.071

19. Receive legal update, briefing, and consultation and seek legal advice regarding potential and pending litigation, including but not limited to claims placed with outside counsel:
 - a. Texas Association of Counties Claim No. PO20183813-1; and
 - b. Gregory Dewayne Tennyson v. Smith County, et. al., Civil Action No. 6:16cv1206, United States District Court, Eastern District of Texas

OPEN SESSION: Pursuant to the Texas Government Code, Section 551.001, *et seq.*, the Commissioners Court will reconvene into Open Session to take any action necessary on matters discussed in Executive Session.

20. Consider and take any necessary action regarding potential and pending litigation, including but not limited to claims placed with outside counsel:
 - a. Texas Association of Counties Claim No. PO20183813-1; and
 - b. Gregory Dewayne Tennyson v. Smith County, et. al., Civil Action No. 6:16cv1206, United States District Court, Eastern District of Texas

ADJOURN

SMITH COUNTY COURTHOUSE ANNEX ACCESSIBILITY STATEMENT FOR DISABLED

PERSONS This meeting site is accessible to disabled persons as follows: Entrance to the Courthouse Annex is accessible through the front entrance on the south side of the Courthouse Annex located at 200 E. Ferguson. A wheelchair ramp provides access to the front entrance. The Commissioners Courtroom is on the first floor. If any special assistance or accommodations are needed in order to attend a Commissioners Court meeting, please contact Commissioners Court staff at 903-590-4605, in advance, so accommodations can be arranged.

Date: March 9, 2018

Time: 3:30 p.m.



NATHANIEL MORAN, COUNTY JUDGE

Posted By:

