

COMMISSIONERS COURT AGENDA

Tuesday, November 29, 2016

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, November 29, 2016, 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 non-agenda 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.

OPEN SESSION:

PRESENTATION

PERSONNEL

1. Presentation of employee recognition, longevity certificates, and service pins.

COURT ORDERS

COUNTY COURT

2. Consider and take necessary action to authorize the County Judge to hire a part-time employee as a trainee for the Probate Auditor position for the month of December 2016, and to authorize the necessary budget transfer of up to \$4,000 to cover the associated costs.

CONSTABLE, PRECINCT 5

3. Consider and take necessary action to approve Federal Equitable Sharing Agreement and Certification Report for Smith County Constable Precinct 5 and authorize the County Judge to sign related documents.

SHERIFF'S OFFICE

4. Consider and take necessary action regarding the donation of kitchen countertops, sinks and miscellaneous items from the old Low Risk facility kitchen to the Chapel Hill Independent School District, in accordance with Local Government Code 263.152.

PURCHASING

5. Consider and take necessary action to sign an Order granting Discretionary Exemption pursuant to Texas Local Government Code § 262.024 and approve professional service agreement with Wharry Engineering for investigation and design of the replacement roof for the Cotton Belt Building.
6. Consider and take necessary action to approve renewal of Public Official Bond with Western Surety for Richard Andrew Dunklin, Constable, Precinct 2, for a four-year term.
7. Consider and take necessary action to award RFP-15-16 Inmate Phone System to IC Solutions and authorize the County Judge to sign contract and related documents.

ROAD AND BRIDGE

8. Receive pipe and/or utility line installation requests (notice only):
 - a) CR 2207, City of Arp, install service line, Precinct 2; and
 - b) CR 424, TWS Management, install casing for service line, Precinct 3.
9. Approve ratification of standard letters of agreement for disposal of dredged materials
 - a) G. Wedgeworth, Precinct 2;
 - b) T. Aary, Precinct 2;
 - c) J. Willmon, Precinct 2;
 - d) T. Cann, Precinct 3;
 - e) J. Jones, Precinct 3;
 - f) B. Lanham, Precinct 3;
 - g) J. Arriaga, Precinct 3;
 - h) B. Bryant, Precinct 4;
 - i) M. Haisten, Precinct 4; and
 - j) R. Wideman, Precinct 4

RECURRING BUSINESS

AUDITOR'S OFFICE

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

SHERIFF'S OFFICE

11. Receive information and consider recommendation(s) for all jail projects.
12. 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 AND ATTORNEY-CLIENT INFORMATION

13. *Curtis Dinger and Brian Scott Bradley v. Smith County, Texas*; Cause No. 12-16-00101-CV (12th Court of Appeals).
14. *James D. Hinson Electrical Contracting Co., Inc. et. al v. AT&T Services, Inc., et. al*; Cause No. 3:13-CV-29-J-32JRK (U.S. District Court, Middle District of Florida). [Class Action Lawsuit].

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.

15. Consider and take necessary action to authorize the County Judge to sign documents relating to AT&T repair billing litigation.

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: 11-23-2016

Time: 11:30 a.m.

Nathaniel Moran
NATHANIEL MORAN, COUNTY JUDGE

Posted By: Yvonne Howard