

10-14  
COMMISSIONERS COURT MINUTES  
March 11, 2014

On Tuesday March 11, 2014, the Honorable Commissioners Court of Smith County, Texas, met for a regular meeting in the Smith County Commissioners Courtroom at the Smith County Courthouse Annex, 200 East Ferguson, in the City of Tyler, Texas.

**I. CALL TO ORDER**

Joel P. Baker, County Judge, called the meeting to order with members present:

|   |           |
|---|-----------|
| County Judge: Joel P. Baker             | Presiding |
| Commissioner: Precinct 1 Jeff Warr      | Present   |
| Commissioner: Precinct 2 Cary Nix       | Present   |
| Commissioner: Precinct 3 Terry Phillips | Present   |
| Commissioner: Precinct 4 JoAnn Hampton  | Present   |

**II. INVOCATION**

Commissioner Cary Nix led the invocation.

**III. PLEDGE OF ALLEGIANCE TO THE UNITED STATES AND THE STATE OF TEXAS**

**IV. OPEN SESSION**

1. Bids: Struck-off Properties

Motion made by Commissioner – Precinct 1 Jeff Warr and seconded by Commissioner – Precinct 4 JoAnn Hampton to ratify a resolution supporting approval of the bids for the sale of struck-off properties and authorize the County Judge to sign papers pertaining to the sale.

a) Cause No. 22,831-C

*Passed 5-0; Absent: (None); Absent: (None).*

2. Certificate: Local Community Hero

Commissioners Court received information from Commissioner Terry Phillips, regarding certificate of recognition for local community hero Antonio Henderson. Certificate attached. (NOTE: Court will take action to appropriately close this item at a future meeting.)

3. Interlocal Agreements: May 7, 2014 Election

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 4 JoAnn Hampton to approve the May 7, 2014 City and School Elections interlocal agreements with City of Bullard, City of Troup, City of Lindale, City of Winona, City of Arp, City of Tyler, Tyler ISD, Whitehouse ISD, and Chapel Hill ISD (corrected from City of Chapel Hill). Agreements attached.

*Passed 5-0; Abstain: (None); Absent: (None).*

4. Contract: Autopsy Services for Smith County

Motion made by Commissioner – Precinct 2 Cary Nix and seconded by Commissioner – Precinct 4 JoAnn Hampton to approve an addendum to the current contract between Smith County and Suddenlink Communications to increase the current Internet Bandwidth from 50M to 100M for Smith County.

*Passed 4-0; Abstain: Commissioner Jeff Warr; Absent: (None).*

5. Report: Andrews Center

Commissioners Court received into Commissioners Court minutes the Andrews Center Annual Financial and Compliance Report for the year ended August 31, 2013, approved FY2014 Operating Budget, and staff salaries by position. Minutes attached.

6. Minutes: Andrews Center Board of Trustees Meeting

Commissioners Court received into Commissioners Court minutes the minutes from the January 28, 2014, Andrews Center Board of Trustees meeting. Minutes attached.

7. Commissioners Court Minutes: February 2014

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 2 Cary Nix to accept Commissioners Court minutes for February 2014. Copies attached.

*Passed 5-0; Abstain: (None); Absent: (None).*

8. Commissioners Court Recordings: February 2014

Commissioners Court received recordings of the Commissioners Court meetings for February 2014.

9. Report: Environmental Crimes February 2014

Commissioners Court received into the Court's minutes the Smith County February 2014 Environmental Crimes Report. Report attached.

10. Smith County Wide Clean Up Program 2014

Commissioners Court received information from Detective Tommy Goodman, Environmental Officer, regarding plans for Smith County Wide Clean Up Program 2014 set for April 3-15, 2014. (NOTE: Corrected dates for Clean Up Program are March 31-April 12, 2014.)

11. Resolution: Pastor James Dill Day

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 3 Terry Phillips to ratify a resolution declaring March 9, 2014, as Pastor James Dill Day in Smith County. Resolution attached.  
*Passed 5-0; Abstain: (None); Absent: (None).*

12. Resolution: Poison Prevention Week

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 2 Cary Nix to adopt resolution declaring March 16–22, 2014, as Poison Prevention Week in Smith County. Resolution attached.  
*Passed 5-0; Abstain: (None); Absent: (None).*

13. Payment of Accounts

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 3 Terry Phillips to approve and/or ratify payment of accounts, bills, payroll, and transfer of funds, amendments, and health claims. Copies attached.  
*Passed 5-0; Abstain: (None); Absent: (None).*

14. Report: Road and Bridge Department

Commissioners Court received status report from the Road and Bridge Department.

15. Jail Projects Update and Recommendation(s)

Commissioners Court received status report and update from Commissioner Jeff Warr on the progress of the jail project.

16. Report: Smith County Jail Status and Related Information

\$19,950,764 Expenditure to date (Contract Housing)  
\$365,190 Expenditure Budget Year 13/14 (Contract Housing)  
691 Total Population, 533 Male, 138 Female  
611 in Smith County Jail and 80 transferred to other Counties.  
6 Federal Prisoners, 25 scheduled to TDC, 57 papers ready.  
36 Parole violations and 52 Parole violations with other charges.  
70 Total child support cases, 37 non-payment of child support and  
33 non-payment of child support with other charges.  
Average stay for non-payment of child support: 100 days.  
8 open jailer positions  
Smith County Jail Population Summary attached. No action necessary.

Commissioners Court recessed Open Session at 9:46 a.m. and went into Closed Session.

V. **CLOSED SESSION: To consult, receive, and seek advice from attorney pursuant to Section 551.071 and 551.076 of the Texas Government Code.**

17. Receive consultation, and seek legal advice regarding available options concerning security issues at Smith County facilities, including but not limited to the deployment or specific occasions for implementation of security personnel or devices or a security audit pursuant to Tex. Gov't Code 551.076.

18. Receive consultation, and seek legal advice regarding county-wide permit program for charitable organizations soliciting donations in the roadways pursuant to Texas Transportation Code § 552.007.

Commissioners Court recessed Closed Session at 10:32 a.m. and went directly into Open Session.

VI. **OPEN SESSION**

19. Security: Personnel/Devices/Audit

Commissioners Court took no action on agenda item 19 to discuss, consider and take any necessary action relevant to the development or specific occasions for implementation of security personnel devices or a security audit.

20. County-wide Permit Program

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 3 Terry Phillips to approve setting a 30 day comment period to obtain comments pertaining to County-wide permit program for charitable organizations soliciting donations in the roadways.

*Passed 5-0; Abstain: (None); Absent: (None).*

**VII. PUBLIC COMMENT**

Public Comment: Mr. Bob Brewer. Public participation form attached.

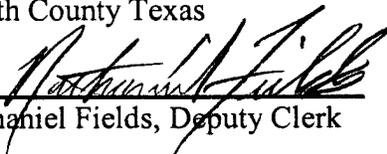
**VIII. ADJOURNMENT**

Meeting was adjourned by Judge Joel P. Baker.

Approved:   
Chairperson Commissioners Court



ATTESTED:  
Karen Phillips, County Clerk  
Smith County Texas

By:   
Nathaniel Fields, Deputy Clerk