

14-14
COMMISSIONERS COURT MINUTES
April 8, 2014

On Tuesday April 8, 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. Road & Bridge Capital Improvement Plan

Commissioners Court discussed and received information from Smith County Purchasing Director Karen DeVasto regarding development of 5-year Road & Bridge Capital Improvement Plan and future decisions related to procurement of professional services. No action necessary. Copies attached.

2. Smith County No Smoking Policy & Enforcement Order

Commissioners Court took no action on agenda item 2 to discuss, consider, and take any necessary action to review and/or revise the Smith County No Smoking Policy and the Smith County No Smoking Enforcement Order.

Commissioner Jeff Warr left the courtroom at 9:37 a.m.

Commissioner Jeff Warr returned to the courtroom at 9:38 a.m.

3. Bids: Struck-off Properties

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 2 Cary Nix 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. 23,145-B

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

4. Comprehensive Planning and Professional Services

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 2 Cary Nix to approve a \$9,000.00 initial budget for comprehensive planning for professional services to be provided by Core Insights for facilitation of stakeholder meetings and related functions.

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

5. Resolution: National Public Health Week

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 1 Jeff Warr to ratify a resolution declaring April 7-13, 2014, as National Public Health Week in Smith County. Resolution attached.

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

6. Temporary Road Closure: TxDOT Bridge Work

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 2 Cary Nix to approve temporary road closures related to the bridge work in Smith County by TxDOT on CR 46 at Prairie Creek Tributary for September 2014 to November 2014 and CR 448 at Village Creek for December 2014 to February 2015. Copies attached.

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

7. Resubdivision of Lots 4A-4B, 5C-6D, 5A-7B of Garden Valley, Precinct # 4

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 3 Terry Phillips to authorize County Judge to sign the resubdivision of Lots 4A-4B, 5C-6D, 5A-7B of Garden Valley, Pct. 4. Copies attached.

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

8. Public Hearing: Road Closure for County Road 1212

Motion made by Commissioner – Precinct 1 Jeff Warr and seconded by Commissioner – Precinct 4 JoAnn Hampton to set a public hearing for Tuesday, May 6, 2014, at 9:30 a.m. regarding road closures concerning CR 1212, Pct. 1
Passed 5-0; Abstain: (None); Absent: (None).

9. Public Hearing: Relinquishing County ROW, Lot # 15 County Road 1336

Motion made by Commissioner – Precinct 1 Jeff Warr and seconded by Commissioner – Precinct 2 Cary Nix to set a public hearing for Tuesday, May 6, 2014, at 9:30 a.m. regarding relinquishing 77.51 square feet of County ROW, Lot # 15 of Silver Pines Addition CR 1336, Pct. 1.
Passed 5-0; Abstain: (None); Absent: (None).

10. Pipe and/or Utility Line Installation

Commissioners Court received pipe and/or utility line installation requests:
(notice only):

- a) CR 313 Goldston Oil Corporation, Approx. 100' of pipe for oil flow line, Pct. 3
- b) CR 426 PEG Bandwidth TX, LLC, Approx. 7000' of underground construction, Pct. 3
- c) CR 363 Star Mountain Water Supply, 3" road bore for water service, Pct. 3
- d) CR 357 Star Mountain Water Supply, 2" road bore for water service, Pct. 3
- e) CR 2110, 2113, and 2115, Brammer Engineering, Inc. 10" temporary water line for service, Pct. 2

These lines will be constructed as directed by the Road Administrator in accordance with Smith County specifications. Copies attached.

11. Standard Letter of Agreements: Dredged Materials

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 2 Cary Nix to ratify standard letter of agreements for disposal of dredged materials. Agreements attached.
Passed 5-0; Abstain: (None); Absent: (None).

12. Report: Road and Bridge Department

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

13. Payment of Accounts

Motion made by Commissioner – Precinct 3 Terry Phillips and seconded by Commissioner – Precinct 4 JoAnn Hampton 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. Minutes: Andrews Center Board of Trustees Meeting

Commissioners Court received into Commissioners Court minutes the minutes from the February 25, 2014, Andrews Center Board of Trustees meeting. Minutes attached.

15. Report: Environmental Crimes March 2014

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

16. Activity Report: Constable – Precinct 4

Commissioners Court received into the Court's minutes the March 2014 Monthly Activity Report from Precinct 4 Constable's Office. Report attached.

17. Jail Projects Update and Recommendation(s)

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

18. Report: Smith County Jail Status and Related Information

\$19,991,564 Expenditure to date (Contract Housing)
\$405,990 Expenditure Budget Year 13/14 (Contract Housing)
660 Total Population, 522 Male, 138 Female
522 in Smith County Jail and 42 transferred to other Counties.
8 Federal Prisoners, 14 scheduled to TDC, 48 papers ready.
35 Parole violations and 39 Parole violations with other charges.
67 Total child support cases, 37 non-payment of child support and
30 non-payment of child support with other charges.
Average stay for non-payment of child support: 68 days.
7 open jailer positions
Smith County Jail Population Summary attached. No action necessary.

19. Smith County Veterans Court Program

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 2 Cary Nix to authorize the Veterans Service Office to act on the behalf of Smith County to work to bring the County into compliance with Veterans Court requirements and reporting in order to qualify for grant funding to support Veterans Court operation.

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

Commissioners Court recessed Open Session at 10:06 a.m. and went into Closed Session.

V. **CLOSED SESSION: To consult, receive, and seek advice from attorney pursuant to Section 551.071, 551.074 and 551.076 of the Texas Government Code.**

20. Receive legal update briefing and consultation, and seek legal advice regarding pending legal matters, including but not limited to legal matters placed with outside counsel.

21. Receive consultation, and seek legal advice regarding available options concerning security issues at Smith County Jail 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.

Commissioners Court recessed Closed Session at 10:38 a.m. and went directly into Open Session.

VI. **OPEN SESSION**

Commissioner Jeff Warr did not return to Open Session.

22. Settlement: Release Agreement

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 4 JoAnn Hampton to approve the settlement release agreement in the Williams matter
Passed 4-0; Abstain: (None); Absent: Commissioner Jeff Warr.

23. Security: Personnel/Devices/Audit

Commissioners Court took no action on agenda item 22 to discuss, consider and take any necessary action relevant to the development or specific occasions for implementation of security personnel devices or a security

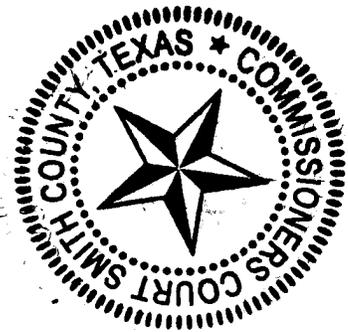
VII. PUBLIC COMMENT

No public comment at this time.

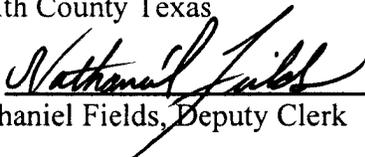
VIII. ADJOURNMENT

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