

18-14
COMMISSIONERS COURT MINUTES
May 6, 2014

On Tuesday May 6, 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

Rev. Jerome Milton, Senior Pastor of Greater New Pleasant Hill Missionary Baptist Church led the invocation.

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

IV. PUBLIC COMMENT

Commissioners Court recognized Rev. Jerome Milton, for his years of service to the Smith County Community and on his retirement.

V. PUBLIC HEARING – 9:30 a.m.

1. Road Closure: County Road 1212, Precinct # 1

Commissioners Court went to agenda item number 1 to receive public input regarding request for road closure of Smith County Road 1212, Precinct # 1. No public input received.

2. Relinquishing County ROW: County Road 1336, Precinct #1

Commissioners Court went to agenda item number 2 to receive public input regarding relinquishing 77.51 sq. ft. of Smith County Road 1336, Precinct # 1. No public input received.

VI. OPEN SESSION

3. Partial Road Closure: County Road 1212, Precinct # 1

Motion made by Commissioner – Precinct 1 Jeff Warr and seconded by Commissioner – Precinct 2 Cary Nix to approve the request for road closure of Smith County Road 1212, Precinct # 1.

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

4. Relinquishing County ROW: County Road 1336, Precinct #1

Motion made by Commissioner – Precinct 1 Jeff Warr and seconded by Commissioner – Precinct 3 Terry Phillips to approve relinquishing 77.51 sq. ft. of Smith County Road 1336, Precinct # 1.

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

5. Presentation: IT Managers Excellence Award

Don Bell, County's Information Technology Director, presented the 2014 Texas Association of Government IT Managers (TAGITM) Excellence Award for the Smith County Electronic Bonding (eBonds) Program and congratulated the members who helped with this achievement. Copy attached.

6. Contract: Westlaw – Support Court Operations

Motion made by Commissioner – Precinct 2 Cary Nix and seconded by Commissioner – Precinct 4 JoAnn Hampton to approve Westlaw Subscriber Agreement to support court operations for Smith County. Contract attached.

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

7. Federal Transit Administration Fiscal Year 2014 Certificate of Assurances

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 1 Jeff Warr to authorize County Judge to sign Federal Transit Administration (FTA) FY14 Certificate of Assurances.

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

8. Increasing County Clerk Change Fund

Motion made by Commissioner – Precinct 2 Cary Nix and seconded by Commissioner – Precinct 1 Jeff Warr to approve an increase in the County Clerk's change fund.

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

9. Resolution: Increased Transportation Funding

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 1 Jeff Warr to adopt a resolution in support of a proposed Texas constitutional amendment for increased transportation funding. *Passed 5-0; Absent: (None); Absent: (None).*

10. Vehicle and Budget Transfer

Motion made by Commissioner – Precinct 2 Cary Nix and seconded by Commissioner – Precinct 3 Terry Phillips to approve vehicle transfer request (VIN#2G1WS57M591256042) from Constable, Pct. 5, to the Sheriff's Office. Copies of budget transfer and request attached. *Passed 5-0; Abstain: (None); Absent: (None).*

11. Minutes: Andrews Center Board of Trustees Meeting

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

12. Engagement Letter: Henry and Peters, PC. Audit Services

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 3 Terry Phillips to approve the engagement letter from Henry and Peters, PC, for audit services for FY14. Letter 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 2 Cary Nix 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. Final Plat: Star Village Subdivision, Pct. 3

Motion made by Commissioner – Precinct 3 Terry Phillips Nix and seconded by Commissioner – Precinct 4 JoAnn Hampton to authorize County Judge to sign final plat for Star Village Subdivision, Pct. 3. *Passed 5-0; Abstain: (None); Absent: (None).*

16. Positions: Road and Bridge Department

Motion made by Commissioner – Precinct 3 Terry Phillips Nix and seconded by Commissioner – Precinct 4 JoAnn Hampton to approve Road and Bridge Department request to fill vacant Mechanic II position.

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

17. Oil Dirt Re-Construction list 2014

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 2 Cary Nix to approve proposed Oil Dirt Re-Construction list for 2014.

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

18. Pipe and/or Utility Line Installation

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

- a) CR 3100 Starrville W.S.C. 60' bore for water service, Pct. 3

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

19. Jail Projects Update and Recommendation(s)

Motion made by Commissioner – Precinct 1 Jeff Warr and seconded by Commissioner – Precinct 2 Cary Nix to approve \$4,886.00 in expenditures for the jail project.

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

20. Report: Smith County Jail Status and Related Information

\$20,020,424 Expenditure to date (Contract Housing)

\$439,470 Expenditure Budget Year 13/14 (Contract Housing)

689 Total Population, 560 Male, 129 Female

656 in Smith County Jail and 33 transferred to other Counties.

10 Federal Prisoners, 23 scheduled to TDC, 34 papers ready.

42 Parole violations and 34 Parole violations with other charges.

78 Total child support cases, 36 non-payment of child support and

21 non-payment of child support with other charges.

Average stay for non-payment of child support: 78 days.

10 open jailer positions

Smith County Jail Population Summary attached. No action necessary.

Commissioners Court recessed Open Session at 10:01 a.m. and went into Closed Session.

VII. CLOSED SESSION: To consult, receive, and seek advice from attorney pursuant to Section 551.076, 551.071 and 551.0725 of the Texas Government Code.

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.
22. Receive legal update briefing and consultation and seek legal advice regarding pending contracts for Public Service.
23. Discuss personnel matters and employment or duties of departments supervised by the Smith County Commissioners Court.

Commissioners Court recessed Closed Session at 11:00 a.m. and went directly into Open Session.

VIII. OPEN SESSION

24. Security: Personnel/Devices/Audit

Commissioners Court took no action on agenda item 24 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.

25. Contracts: Public Service

Commissioners Court took no action on agenda item 25 to discuss, consider and take any necessary action regarding pending contracts for Public Service.

26. Personnel: Employment / Duties of Departments

a.) Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 1 Jeff Warr to approve the order related to Key Leader Supplement as presented.
Passed 5-0; Abstain: (None); Absent: (None).

b.) Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 4 JoAnn Hampton to authorize the Personnel Director to handle temporary staff agreements with Express Personnel.

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

27. Repair: Constables Office's 2010 Chevrolet Tahoe

Motion made by Commissioner – Precinct 3 Terry Phillips and seconded by Commissioner – Precinct 2 Cary Nix to authorize the transfer of \$3,822.58 from contingency fund to vehicle expense to make the repairs to Smith County Pct. 3 Constable's Office 2010 Chevrolet Tahoe. Transfer attached.

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

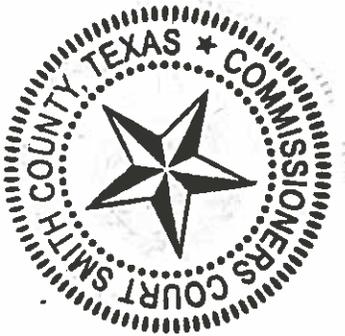
XI. PUBLIC COMMENT

No public comment at this time.

X. ADJOURNMENT

Meeting was adjourned by Judge Joel P. Baker.

Approved: Joel Baker
Chairperson Commissioners Court



ATTESTED:

Karen Phillips, County Clerk
Smith County Texas

By: Nathaniel Fields
Nathaniel Fields, Deputy Clerk