

25-14  
COMMISSIONERS COURT MINUTES  
June 10, 2014

On Tuesday June 10, 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 Terry Phillips led the invocation.

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

**IV. OPEN SESSION**

1. Smith County Tax Office

Motion made by Commissioner – Precinct 1 Jeff Warr and seconded by Commissioner – Precinct 4 JoAnn Hampton to receive into Smith County Tax Office supplemental budget, in accordance with Section 111.095 of the Texas Local Government Code, for fund not included in the County budget, including FY15 Restricted Special Funds Vehicle Inventory Tax Estimated Budget.  
*Passed 5-0; Abstain: (None); Absent: (None).*

2. Interlocal Agreement: Storm Water Management Program

Motion made by Commissioner – Precinct 3 Terry Phillips and seconded by Commissioner – Precinct 2 Cary Nix to approve Interlocal Agreement with the City of Tyler for Storm Water Management Program (SWMP). Contracts attached.  
*Passed 5-0; Abstain: (None); Absent: (None).*

3. Agreement: Department of Justice JAG 2014 Program

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 2 Cary Nix to approve Interlocal Agreement with the City of Tyler for the 2014 Byrne Justice Assistance Grant (JAG) Program Award. Copies attached.  
*Passed 5-0; Abstain: (None); Absent: (None).*

4. Activity Report: Constable – Precinct 4

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

5. Report: Auditor/Treasurer

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 3 Terry Phillips to accept the Auditor/Treasurer report for May, 2014.

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

6. 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).*

7. Pipe and/or Utility Line Installation

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

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- a) CR 144 CenterPoint Energy, install approx. 70' of 1" plastic pipe, Pct. 1.

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

8. Jail Projects Update and Recommendation(s)

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

9. Report: Smith County Jail Status and Related Information

\$20,075,624 Expenditure to date (Contract Housing)  
\$490,050 Expenditure Budget Year 13/14 (Contract Housing)  
718 Total Population, 573 Male, 145 Female  
657 in Smith County Jail and 61 transferred to other Counties.  
11 Federal Prisoners, 10 scheduled to TDC, 32 papers ready.  
31 Parole violations and 29 Parole violations with other charges.  
66 Total child support cases, 31 non-payment of child support and  
35 non-payment of child support with other charges.  
Average stay for non-payment of child support: 79 days.  
12 open jailer positions  
Smith County Jail Population Summary attached. No action necessary.

Commissioners Court recessed Open Session at 9:41 a.m. and went into Closed Session.

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

10. Discuss personnel matters, including but not limited to employment or duties of departments supervised by the Smith County Commissioners Court.

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11. Discuss personnel matters, including but not limited to Smith County Health Plan.
12. Receive legal update briefing and consultation and seek legal advice regarding pending contracts and procurement requirements.
13. Receive legal update briefing and consultation and seek legal advice regarding pending legal matters, including but not limited to matters placed with outside counsel.

Commissioners Court recessed Closed Session at 11:15 a.m. and went directly into Open Session.

VI. OPEN SESSION

14. Personnel: Employment / Duties of Departments

Commissioners Court took no action on agenda item 14 to discuss, consider and take any necessary action pertaining to personnel matters, including but not limited to employment or duties of departments supervised by the Smith County Commissioners Court.

15. Smith County Health Plan

a.) Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 2 Cary Nix to authorize the County Judge to execute documents contained in the packet addressing providing coverage for breast cancer preventive medications and screening for colorectal cancer.

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

b.) Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 3 Terry Phillips to approve the exclusion of the drug Zohydro from the county prescription benefit plan with an effective date of June 1, 2014.

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

c.) Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 3 Terry Phillips to authorize the County Judge to enter into an agreement with Action Pharmaceutical Consulting to engage in a proactive approach curtailing the rising cost the county is experiencing in prescription benefits.

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

d.) Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 4 JoAnn Hampton to authorize (1) the proposed changes to the in-network medical plan for deductibles and co-pays for urgent care and emergency care, (2) the enrollment in Tela-medicine benefit with TelaDoc, and (3) engage in the employee benefit portal internet cost effective October 1, 2014, for a projected net savings at \$121,938.00.

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

e.) Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 2 Cary Nix to authorize an additional benefit to be added with Block Vision making it available to the employees as a voluntary benefit and authorize the Personnel Director to attempt to make it a platinum package.

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

16. Contract: Procurement Requirements.

a.) Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 3 Terry Phillips to authorize the agreement with Advance Air for test, adjust, and balance proposal at the new jail facilities and that adjustments to the contract go through Legal Counsel and the Purchasing Director for review.

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

b.) Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 2 Cary Nix to authorize contract negotiations with Adkins for road planning and that adjustments go through Legal Counsel and the Purchasing Director for review.

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

c.) Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 1 Jeff Warr to authorize the Clean-up Committee, Purchasing Director, and Legal Counsel to make the decisions on what can be reused or scrapped from the jail kitchen project demolition.

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

17. Legal Matters: Outside Counsel

Commissioners Court took no action on agenda item 17 to discuss, consider, and take any action pertaining to pending legal matters, including but not limited to matters placed with outside counsel.

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VII. BUDGET WORKSHOP:

18. FY15 Budget Requests

Commissioners Court received presentation from Sheriff Larry Smith.

VIII. PUBLIC COMMENT

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

IX. ADJOURNMENT

Meeting was adjourned by Judge Joel P. Baker.



Approved: Joel Barber  
Chairperson Commissioners Court

ATTESTED:

Karen Phillips, County Clerk  
Smith County Texas

By: Nathaniel Fields  
Nathaniel Fields, Deputy Clerk