

26-14
COMMISSIONERS COURT MINUTES
June 17, 2014

On Tuesday June 17, 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

Nathaniel Fields, Deputy Clerk, led the invocation.

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

IV. OPEN SESSION

1. Election District Boundaries: Emergency Service Districts 1 & 2

Public Comment: Ms. Annie Bell Baldwin. Public participation form attached.

Motion made by Commissioner – Precinct 3 Terry Phillips and seconded by Commissioner – Precinct 2 Cary Nix to adopt election district boundaries draft plan 1 for Smith County Emergency Services Districts 1 and 2 effective today. *Passed 5-0; Abstain: (None); Absent: (None).*

2. Legal Settlement: Counterfeit Bill

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 2 Cary Nix to approve the legal settlement transfer from the legal settlement fund for counterfeit bill received by Justice of the Peace, Pct. 5. *Passed 5-0; Abstain: (None); Absent: (None).*

3. Interlocal Agreement: Energy Center Addition

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 3 Terry Phillips to approve Interlocal Agreement with the City of Tyler, City of Tyler TIF Board, and Tyler Junior College District regarding the Energy Center Addition to the Skills Training Center. Agreement attached.

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

4. Report: Property Tax Collections Current/Delinquent

Commissioners Court received into the Court's minutes the current and delinquent property tax collections report for Smith County from Linebarger Goggan Blair & Sampson, LLP. Report attached.

5. Plat: Emerald Bay Subdivision Unit 10, Lots 1JHB and 14, Pct. 1

Motion made by Commissioner – Precinct 2 Cary Nix and seconded by Commissioner – Precinct 4 1 Jeff Warr to authorize County Judge to sign plat for Emerald Bay Subdivision Unit 10, Lots 1JHB and 14, Pct. 1.

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

6. Pipe and/or Utility Line Installation

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

- a) CR 1113 Dean Water Supply, 1700' 6" pipe for service, Pct. 1.
- b) CR 326 Tyler Water Utilities, Install sewer service, Pct. 3.

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

7. Standard Letters of Agreement: Dredged Materials

Motion made by Commissioner – Precinct 3 Terry Phillips and seconded by Commissioner – Precinct 1 Jeff Warr to ratify standard letters of agreement for disposal of dredged materials. Agreements attached.

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

8. Report: Road and Bridge Department

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

9. 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).

10. Jail Projects Update and Recommendation(s)

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

11. Report: Smith County Jail Status and Related Information

\$20,089,154 Expenditure to date (Contract Housing)

\$503,580 Expenditure Budget Year 13/14 (Contract Housing)

723 Total Population, 572 Male, 151 Female

658 in Smith County Jail and 65 transferred to other Counties.

10 Federal Prisoners, 20 scheduled to TDC, 38 papers ready.

27 Parole violations and 29 Parole violations with other charges.

72 Total child support cases, 39 non-payment of child support and

33 non-payment of child support with other charges.

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

12 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, 551.0725 and 551.072 of the Texas Government Code.**

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

13. Receive legal update briefing and legal advice regarding eBonding software resolution and order, including but not limited to matters placed with outside counsel.

14. 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 10:23 a.m. and went directly into Open Session.

VI. OPEN SESSION

15. Security: Personnel/Devices/Audit

Commissioners Court took no action on agenda item 15 to discuss, consider, and take any necessary action relevant to the deployment or specific occasions for implementation of security personnel or devices or a security audit.

16. Resolution & Order: eBond Software

Motion made by Commissioner – Precinct 1 Jeff Warr and seconded by Commissioner – Precinct 3 Terry Phillips to approve a resolution and order pertaining to the Smith County eBond software. Copies attached.
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 regarding pending legal cases, including but not limited to matters placed with outside counsel.

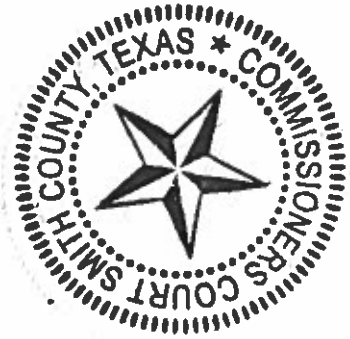
VII. PUBLIC COMMENT

No public comment at this time.

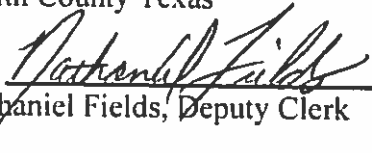
VIII. ADJOURNMENT

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