

31-14  
COMMISSIONERS COURT MINUTES  
July 22, 2014

On Tuesday July 22, 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**

Tyler City Councilman Rev. Darryl Bowdre, Minister of SouthCentral Church of Christ led the invocation.

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

**IV. PUBLIC COMMENT**

Public Comment: Rev. Darryl Bowdre and Ernie Clark. Public participation forms attached.

**V. OPEN SESSION**

1. Texas Department of Motor Vehicles Fees

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 3 Terry Phillips to approve and file with the Texas Department of Motor Vehicles to maintain the same fees for FY2015 that are currently assessed. Form attached.

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

2. Interlocal Cooperation Agreement: Smith County and Andrews Center

Commissioners Court took no action until later in the session on agenda item number 2 to discuss, consider, and take any necessary action to approve an Interlocal Cooperation Agreement between Andrews Center Behavioral Healthcare System and the Smith County Sheriff's Office.

3. Interlocal Cooperation Agreement: Texas Department of Public Safety, Reprographics, and Distribution Services Division

Motion made by Commissioner – Precinct 2 Cary Nix and seconded by Commissioner – Precinct 1 Jeff Warr to adopt an Interlocal Cooperation Contract with the Texas Department of Public Safety, Reprographics, and Distribution Services Division for paperwork and supplies for the Sheriff's office. Interlocal agreement attached.

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

4. Resolution: Bids for Sale of Delinquent Properties

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 4 JoAnn Hampton to adopt resolution supporting approval of the bids for the sale of delinquent properties from Linebarger Goggan Blair & Sampson, LLP, and authorize County Judge to sign same. Contracts attached.

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

5. Tyler Airport Reinvestment Zone Number One/Faulconer

Motion made by both Judge Joel Baker and Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 2 Cary Nix to adopt a resolution to renew the designation of Tyler Airport Reinvestment Zone Number One/Faulconer. Copies attached.

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

Commissioners Court received status report and update Tom Mullins, President/CEO of the Tyler Development Council, on the progress of the Tyler Airport Reinvestment Zone project.

6. Nomination: East Texas Council of Governments (ETCOG)

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 1 Jeff Warr to approve the nomination of Commissioner JoAnn Hampton as the Smith County representative on the Executive Committee of ETCOG.

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

7. Resolution: Disability Awareness Month

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 1 Jeff Warr to adopt a resolution proclaiming July 2014 as Disability Awareness Month.

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

8. Resolution: To Protect the Health, Safety, and Security of the Residents of Smith County, Texas

Motion made by Commissioner – Precinct 3 Terry Phillips and seconded by Commissioner – Precinct 2 Cary Nix to adopt a resolution presented by Commissioner Terry Phillips regarding the immigration issue.

*Motion failed 2-3; Opposed: Judge Joel P. Baker, Commissioner Jeff Warr and Commissioner JoAnn Hampton; Absent: (None).*

Motion made by Commissioner – Precinct 1 Jeff Warr and seconded by Judge Joel Baker to adopt a resolution drafted by legal and presented by Judge Joel Baker regarding the immigration issue.

*Motion failed 2-3; Opposed: Commissioner Terry Phillips, Commissioner Cary Nix and Commissioner JoAnn Hampton; Absent: (None).*

9. 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 June, 2014.

*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 433, CenterPoint Energy 1,495' of plastic pipe for service, Pct. 4.

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

11. Payment of Accounts

Motion made by Commissioner – Precinct 3 Terry Phillips 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).*

12. Jail Projects Update and Recommendation(s)

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 1 Jeff Warr to approve maintenance items on the air unit in the amount of \$3,074.00 and replace insulation on some existing pipes at a cost of \$751.00 for the jail project.

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

13. Report: Smith County Jail Status and Related Information

\$20,124,434 Expenditure to date (Contract Housing)  
\$538,860 Expenditure Budget Year 13/14 (Contract Housing)  
718 Total Population, 581 Male, 137 Female  
691 in Smith County Jail and 27 transferred to other Counties.  
12 Federal Prisoners, 18 scheduled to TDC, 54 papers ready.  
25 Parole violations and 43 Parole violations with other charges.  
68 Total child support cases, 42 non-payment of child support and  
26 non-payment of child support with other charges.  
Average stay for non-payment of child support: 74 days.  
11 open jailer positions  
Smith County Jail Population Summary attached. No action necessary.

2. Interlocal Cooperation Agreement: Smith County and Andrews Center

Commissioners Court received presentation from Ms. Valerie Holcomb, Division Director at the Andrews Center, regarding an Interlocal Cooperation Agreement between Andrews Center Behavioral Healthcare System and the Smith County Sheriff's Office. Copies attached.

**VI. CLOSED SESSION: To consult, receive, and seek advice from attorney pursuant to Section 551.071 and 551.072 of the Texas Government Code.**

14. Receive consultation and seek legal advice regarding available options for general real estate and lease matter related to master plan and county facilities.

Commissioners Court passed on Closed Session and moved to agenda item 15 still in Open Session.

**VII. OPEN SESSION**

15. County Facilities: Real Estate

Commissioners Court took no action on agenda item 15 to discuss, consider, and take any necessary action regarding available options for general real estate and lease matters related to master plan and county facilities.

**VIII. PUBLIC COMMENT**

No public comment at this time.