

32-14
COMMISSIONERS COURT MINUTES
July 29, 2014

On Tuesday July 29, 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 Jeff Warr led the invocation.

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

IV. OPEN SESSION

1. Presentation: Employee Recognition/Longevity Certificates/Service Pins

Employee Recognition:

Angie Butler, Constable, Pct. 4, 5 years of service
Bobby Sanders, Constable, Pct. 4, 5 years of service

2. Approval of Public Official Bond

Motion made by Commissioner – Precinct 2 Cary Nix and seconded by Commissioner – Precinct 1 Jeff Warr to approve renewal of public official bond for Roy J. Brooks, Smith County Fire Marshal, for two-year term. Bond attached. *Passed 5-0; Abstain: (None); Absent: (None).*

3. Interlocal Cooperation Agreement: Smith County and Andrews Center

Commissioners Court took no action until later in the session on agenda item number 3 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.

4. Application Renewal: D G Auto Salvage

Motion made by Commissioner – Precinct 3 Terry Phillips and seconded by Commissioner – Precinct 1 Jeff Warr to approve application for renewal of provisional salvage yard license for D G Auto Salvage, 1009 FM 14, Tyler, Texas 75706. Application attached.

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

5. Grant: East Texas Auto Theft Task Force

Motion made by Commissioner – Precinct 1 Jeff Warr and seconded by Commissioner – Precinct 4 JoAnn Hampton to approve the East Texas Auto Theft Task Force grant application and related documents. Copies attached.

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

6. Polling Locations: for 2014 - 2015 Election

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 2 Cary Nix to approve polling locations with the exception of Flint Baptist Church for 2014 - 2015 election. Polling locations attached.

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

7. 2014-2015 Republican & Democratic Judge List

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 1 Jeff Warr to approve the 2013-14 Republican and Democratic Judge List. List attached.

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

8. Final Plat: Country Way, Phase I, Pct. 3.

Motion made by Commissioner – Precinct 3 Terry Phillips and seconded by Commissioner – Precinct 4 JoAnn Hampton to sign Final Plat of Country Way, Phase I, Pct. 3.

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

9. Resubdivision of Plat of Emerald Bay Lake Subdivision, Pct. 1.

Motion made by Commissioner – Precinct 1 Jeff Warr and seconded by Commissioner – Precinct 3 Terry Phillips to authorize the County Judge to sign the resubdivision Plat of Emerald Bay Lake Subdivision, Pct. 1. Copies attached.

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

10. Resubdivision of Lot 13-15, Block 2 and Lots 2-5, Block 4 of Garden Valley Addition Unit 1, Pct. 4

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 3 Terry Phillips to authorize the County Judge to sign the resubdivision of Lots 13-15, Block 2 and Lots 2-5, Block 4 of Garden Valley Addition Unit 1, Pct. 4. Copies attached.

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

11. Standard Letters of Agreement: Dredged Materials

Motion made by Commissioner – Precinct 3 Terry Phillips and seconded by Commissioner – Precinct 4 JoAnn Hampton to ratify standard letters of agreement for disposal of dredged materials. Copies attached.

Passed 4-0; Abstain: (None); Absent: Judge Joel P. Baker.

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 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. Jail Projects Update and Recommendation(s)

Motion made by Commissioner – Precinct 1 Jeff Warr and seconded by Commissioner – Precinct 4 JoAnn Hampton to approve contract on furnishings for the jail project in the amount of \$104,997.24.

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

15. Report: Smith County Jail Status and Related Information

\$20,132,084 Expenditure to date (Contract Housing)
\$546,510 Expenditure Budget Year 13/14 (Contract Housing)
696 Total Population, 556 Male, 140 Female
663 in Smith County Jail and 28 transferred to other Counties.
14 Federal Prisoners, 16 scheduled to TDC, 37 papers ready.
29 Parole violations and 49 Parole violations with other charges.
64 Total child support cases, 38 non-payment of child support and
26 non-payment of child support with other charges.
Average stay for non-payment of child support: 75 days.
13 open jailer positions
Smith County Jail Population Summary attached. No action necessary.

Commissioners Court recessed Open Session at 9:57 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.**

16. 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.
17. Discuss personnel matters, including but not limited to employment or duties of departments supervised by the Smith County Commissioners Court.
18. Discuss personnel matters, including but not limited to the Smith County Health Plan.
19. Receive legal update briefing and consultation and seek legal advice regarding pending contracts and procurement requirements.
20. Receive consultation and seek legal advice regarding available options for general real estate and lease matters related to acquisition of county facilities.

21. 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 11:44 p.m. and went directly into Open Session.

VI. OPEN SESSION

22. Security: Personnel/Devices/Audit

Motion made by Commissioner – Precinct 2 Cary Nix and seconded by Commissioner – Precinct 4 JoAnn Hampton to approve the ISIS Investigation contract for enhancing the security system at Smith County buildings not to exceed \$10,000.00 as requested by the Sheriff's Office.

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

23. Personnel Matters

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 4 JoAnn Hampton to approve hiring of an Administrative Assistant for the Commissioners Court effective August 6, 2014.

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

24. Smith County Health Plan

a.) Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 3 Terry Phillips to authorize rescinding the previous action that named ING as the stop loss insurance provider for FY15.

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

b.) Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 4 JoAnn Hampton to award the stop loss contract to HCC insurance provider effective October 1, 2014.

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

25. Contract: PATH

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 3 Terry Phillips to approve the amended contract with PATH for the remainder of the current fiscal year.

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

26. County Facilities: Real Estate

a.) Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 1 Jeff Warr to approve the corrected quick claim deed 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 approve the purchase of the 911 property at a price of \$1,235,000.00 plus \$8,000.00 in closing cost, and to transfer money from contingency to cover the closing cost, authorizing the payment to be made by July 31, 2014.

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

27. Legal Matters: Outside Counsel

Commissioners Court took no action on agenda item 27 to discuss, consider, and take any necessary action pertaining to legal matters, including but not limited to matters placed with outside counsel.

25. Contract: Carstens & Cahoon, LLP

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 4 JoAnn Hampton to approve a professional services agreement with Carstens & Cahoon, LLP, for an amount up to \$4,000.00.

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

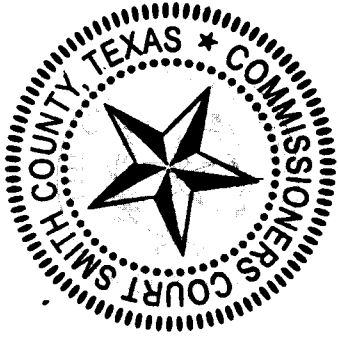
VII. PUBLIC COMMENT

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