

36-14
COMMISSIONERS COURT MINUTES
August 12, 2014

On Tuesday August 12, 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	Absent
Commissioner: Precinct 4 JoAnn Hampton	Present

II. INVOCATION

Commissioner Cary Nix led the invocation.

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

IV. PUBLIC COMMENT

Public Comment: Mr. Ernie Clark. Public participation form attached.

V. PUBLIC HEARING – 9:30 p.m.

1. FY2015 Proposed Tax Rate

Commissioners Court went to agenda item number 1 to receive public input regarding the FY15 Proposed Tax Rate.

Public Comment: Ernie Clark. Public participation forms attached.

VI. OPEN SESSION

2. Agreement: Victim Information & Notification Everyday (VINE) Program

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 1 Jeff Warr to approve renewal of the 2015 Service Agreement for the Victim Information & Notification Everyday (VINE) program, including authorizing the County Judge to sign all related documents.

Passed 4-0; Abstain: (None); Absent: Commissioner Terry Phillips.

3. Tax Refund

Motion made by Commissioner – Precinct 2 Cary Nix and seconded by Commissioner – Precinct 1 Jeff Warr to approve a tax refund in excess of \$2,500.00 pursuant to Tex. Tax Code § 31.11.

Passed 4-0; Abstain: (None); Absent: Commissioner Terry Phillips.

4. Donation: Computer

Motion made by Commissioner – Precinct 1 Jeff Warr and seconded by Commissioner – Precinct 4 JoAnn Hampton to approve the donation of a computer no longer in service from the Smith County Auto Theft Task Force to Rusk County.

Passed 4-0; Abstain: (None); Absent: Commissioner Terry Phillips.

5. Resolution: Texas Department of Transportation

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 1 Jeff Warr to adopt a resolution to engage Texas Department of Transportation to assist in the creation of a Rural Transit District.

Passed 4-0; Abstain: (None); Absent: Commissioner Terry Phillips.

6. Order: Local Option Election Upon Presentation of Verified Petitions

Motion made by Commissioner – Precinct 2 Cary Nix and seconded by Commissioner – Precinct 4 JoAnn Hampton to approve effective August 12, 2014, the Order for Local Option Election Upon Presentation of Verified Petitions legalizing the Sale of Beer and Wine for Off-Premise Consumption only and the Order for Local Option Election Upon Presentation of Verified Petitions legalizing the sale of mixed beverages in restaurants by food and beverage certificate holders only within the limits of the Justice of the Peace, Precinct 5 boundaries, Smith County, Texas (Special Election to be held on November 4, 2014).

Passed 4-0; Abstain: (None); Absent: Commissioner Terry Phillips.

7. Payment of Accounts

Motion made by Commissioner – Precinct 1 Jeff Warr and seconded by Commissioner – Precinct 4 JoAnn Hampton to approve and/or ratify payment of accounts, bills, payroll, and transfer of funds, amendments, and health claims. Copies attached.

Passed 4-0; Abstain: (None); Absent: Commissioner Terry Phillips.

8. Report: Road and Bridge Department

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

9. Jail Projects Update and Recommendation(s)

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 4 JoAnn Hampton to approve change order request (PCO) #078 in the amount of \$3,083.00 to add flood buster for revisions to the jail project.

Passed 4-0; Abstain: (None); Absent: Commissioner Terry Phillips.

10. Report: Smith County Jail Status and Related Information

\$20,143,124 Expenditure to date (Contract Housing)

\$557,550 Expenditure Budget Year 13/14 (Contract Housing)

723 Total Population, 579 Male, 144 Female

693 in Smith County Jail and 30 transferred to other Counties.

12 Federal Prisoners, 27 scheduled to TDC, 62 papers ready.

29 Parole violations and 60 Parole violations with other charges.

60 Total child support cases, 34 non-payment of child support and

26 non-payment of child support with other charges.

Average stay for non-payment of child support: 68 days.

9 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.

VII. CLOSED SESSION: To consult, receive, and seek advice from attorney pursuant to Sections 551.071, 551.074, and 551.0725 of the Texas Government Code.

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

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 pending litigation and matters placed with outside counsel.
14. Receive consultation and seek legal advice regarding available options for general real estate and lease matters related to master plan and county facilities.
15. Discuss personnel matters, including but not limited to employment or duties of departments supervised by the Smith County Commissioners Court.

Commissioners Court recessed Closed Session at 11:05 a.m. and went directly into Open Session.

VIII. OPEN SESSION

16. Security: Personnel/Devices/Audit

Commissioners Court took no action on agenda item number 16 to consider deployment or specific occasions for implementation of security personnel or devices or a security audit within County facilities.

17. Procurement Matters

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 1 Jeff Warr to approve a professional service agreement with ATS, pursuant to authorization by Legal Counsel, Purchasing, and County Auditor.

Passed 4-0; Abstain: (None); Absent: Commissioner Terry Phillips.

18. Legal Matters: Outside Counsel

Commissioners Court took no action on agenda item number 18 to consider pending legal matters.

19. Agreement: Public Safety

Commissioners Court took no action on agenda item number 19 to consider professional services agreement regarding public safety.

20. Request: Congressional Delegation

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 1 Jeff Warr to approve correspondence to Federal legislative representatives.
Passed 4-0; Abstain: (None); Absent: Commissioner Terry Phillips.

21. County Facilities: Real Estate

Commissioners Court took no action on agenda item number 21 to consider general real estate and lease matters related to master plan and county facilities.

IX. BUDGET WORKSHOP:

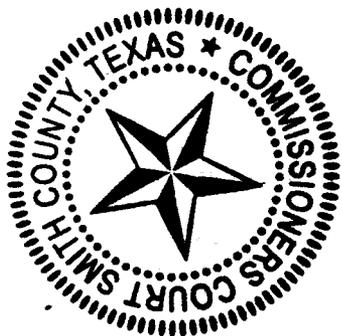
22. FY15 Budget Requests

Commissioners Court took no action on agenda item number 22 to discuss and consider FY15 Budget requests and take any necessary action regarding the same.

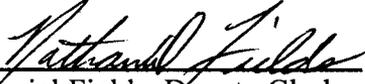
X. ADJOURNMENT

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