

38-14
COMMISSIONERS COURT MINUTES
August 26, 2014

On Tuesday August 26, 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. PUBLIC COMMENT

Public Comment was budget-related and taken during the Public Hearing.

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: Mr. Ernie Clark and Bobby Garmon. Public participation form attached.

Commissioner JoAnn Hampton left the court room at 9:32 a.m.
Commissioner JoAnn Hampton returned to the court room at 9:33 a.m.

Court requested comments from Sheriff Larry Smith and Constable Henry Jackson, Pct.1.

VII. OPEN SESSION

2. FY14 Budget, Tax Rate and Property Tax

A.) Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 4 JoAnn Hampton to adopt the FY15 proposed budget. FY15 proposed budget attached.

Passed 3-2. Opposed: Commissioner Terry Phillips and Commissioner Cary Nix; Abstain: (None); Absent: (None).

B.) Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 4 JoAnn Hampton to adopt the tax rate.

Passed 3-2. Opposed: Commissioner Terry Phillips and Commissioner Cary Nix; Abstain: (None); Absent: (None).

C.) Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 1 Jeff Warr to ratify property tax increase from raising more revenue from property taxes than in the previous year.

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

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

Employee Recognition:

Tammy Camp, 114th District Court, 20 years of service

4. Resolution: Sam & Sherry Kidd

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 4 JoAnn Hampton to ratify a resolution of a resolution honoring Sam and Sherry Kidd for their years of service at the Smith County Historical Society.

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

5. Law Enforcement (TCOLE) Peace Officer Commission

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 4 JoAnn Hampton to authorize the Smith County Fire Marshal's office to carry the Texas Commission on Law Enforcement (TCOLE) Peace Officer commission for Mr. Gary Pinkerton.

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

6. Texas Commission for Environmental Quality (TCEQ) On-Site Sewage Facility (OSSF) program

Motion made by Commissioner – Precinct 1 Jeff Warr and seconded by Commissioner – Precinct 4 JoAnn Hampton to approve amending the County's Order agreements relating to Texas Commission for Environmental Quality (TCEQ) On-Site Sewage Facility (OSSF) program administration within the County with public hearing to be set at a later date.

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):

- a) CR 2222 TWS Management, Inc., Road bore approx. 800' for water service, Pct. 3.
- b) CR 233 TWS Management, Inc., Road bore for water service, Pct. 3.

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

8. Report: Road and Bridge Department

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

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. Report: Maintenance at the Smith County Jail

Commissioners Court received status report on the maintenance at the Smith County Jail. Copy attached.

11. Jail Projects Update and Recommendation(s)

- a.) Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 4 JoAnn Hampton to approve change order request (PCO) #080 in the amount of \$5,328.00 to relocate the power in the intake area for the jail project.

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

b.) Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 2 Cary Nix to approve change order request in the amount of \$3,720.00 to purchase a magnetometer security detector for to the jail project.

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

12. Report: Smith County Jail Status and Related Information

\$20,156,384 Expenditure to date (Contract Housing)

\$570,810 Expenditure Budget Year 13/14 (Contract Housing)

707 Total Population, 554 Male, 153 Female

682 in Smith County Jail and 16 transferred to other Counties.

12 Federal Prisoners, 27 scheduled to TDC, 48 papers ready.

28 Parole violations and 44 Parole violations with other charges.

64 Total child support cases, 37 non-payment of child support and

27 non-payment of child support with other charges.

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

6 open jailer positions

Smith County Jail Population Summary attached. No action necessary.

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

13. 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.

Commissioners Court passed on Closed Session and moved to agenda item 14 still in Open Session.

IX. OPEN SESSION

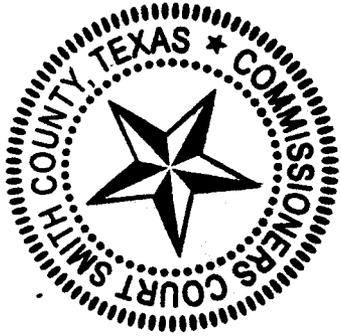
14. Security: Personnel/Devices/Audit

Commissioners Court took no action on agenda item number 14 to consider deployment or specific occasions for implementation of security personnel or devices or a security audit within County facilities.

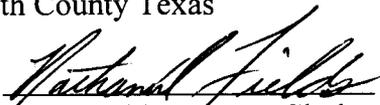
X. ADJOURNMENT

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