

46-14
COMMISSIONERS COURT MINUTES
October 7, 2014

On Tuesday October 7, 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. PUBLIC COMMENT

No public comment at this time.

V. OPEN SESSION

1. Indigent Defense Contracts

Motion made by Commissioner – Precinct 3 Terry Phillips and seconded by Commissioner – Precinct 4 JoAnn Hampton to approve the Smith County Indigent Defense Contracts. Contracts attached.

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

3. Resolution: Authorizing County Grant to Meals on Wheels

Motion made by Commissioner – Precinct 3 Terry Phillips and seconded by Commissioner – Precinct 2 Cary Nix to approve a resolution authorizing county grant to Meals on Wheels in order to obtain matching funds and public service benefits for Smith County. Resolution attached.

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

3. Settlement: Farmers Insurance

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 1 Jeff Warr action to approve settlement of legal claim brought by Farmers Insurance.

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

4. Appointment: Smith County Tax Abatement Committee

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 1 Jeff Warr to approve reappointments of Price Arredondo, Michael Barnett, Larry Bolton, Randy Clark, Gene Cottle, Barham Fulmer, and Bill Morales to the Smith County Tax Abatement Committee for two-year terms beginning October 1, 2014.

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

5. Award: Smith County Tax Assessor/Collector

Commissioners Court received presentation from the Smith County Tax Assessor/Collector Gary Barber regarding the completion of a continuing education certificate. No action necessary.

6. Commissioners Court Minutes: September 2014

Commissioners Court passed on agenda item 6 to accept Commissioners Court Minutes for September 2014.

7. Commissioners Court Recordings: September 2014

Commissioners Court passed on agenda item 7 to receive Commissioners Court Recordings for September 2014.

8. Monthly Report(s): Smith County Departments

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

9. Minutes: Andrews Center Board of Trustees Meeting

Commissioners Court received into Commissioners Court minutes the minutes from the August 26, 2014, Andrews Center Board of Trustees meeting. Minutes attached.

10. Temporary Construction Easement: County Road 349, Pct. 3.

Motion made by Commissioner – Precinct 3 Terry Phillips and seconded by Commissioner – Precinct 4 JoAnn Hampton to authorize County Judge to sign temporary construction easement on County Road 349, Pct. 3. Copy attached.
Passed 5-0; Abstain: (None); Absent: (None).

11. Right-of-Way Easement: County Road 349, Pct. 3.

Motion made by Commissioner – Precinct 3 Terry Phillips and seconded by Commissioner – Precinct 2 Cary Nix to authorize County Judge to sign right-of-way easement on County Road 349, Pct. 3. Copy attached.
Passed 5-0; Abstain: (None); Absent: (None).

12. 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).

13. Jail Projects Update and Recommendation(s)

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

14. Report: Smith County Jail Status and Related Information

\$20,222,174 Expenditure to date (Contract Housing)
\$632,880 Expenditure Budget Year 13/14 (Contract Housing)
697 Total Population, 557 Male, 140 Female
648 in Smith County Jail and 49 transferred to other Counties.
17 Federal Prisoners, 15 scheduled to TDC, 40 papers ready.
34 Parole violations and 40 Parole violations with other charges.
71 Total child support cases, 40 non-payment of child support and
31 non-payment of child support with other charges.
Average stay for non-payment of child support: 66 days.
20 open jailer positions
Smith County Jail Population Summary attached. No action necessary.

Commissioners Court recessed Open Session at 9:44 a.m. and went into Closed Session.

VI. CLOSED SESSION: To consult, receive, and seek advice from attorney pursuant to Section 551.071, 551.0725 and 551.076 of the Texas Government Code.

15. 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.
16. Receive legal update briefing and seek legal advice regarding pending legal matters.
17. Receive legal update briefing and consultation and seek legal advice regarding pending contracts and procurement requirements.
18. Discuss personnel matters, including but not limited to employment or duties of departments supervised by the Smith County Commissioners Court.
19. Receive consultation and seek legal advice regarding available options for general real estate and lease matters related to master plan and county facilities.

Commissioners Court recessed Closed Session at 11:36 a.m. and went directly into Open Session.

VII. OPEN SESSION

20. Reclassify Positions: Sheriff's Office

Motion made by Commissioner – Precinct 1 Jeff Warr and seconded by Commissioner – Precinct 2 Cary Nix: (1) to approve the move of a vacant position from Facilities Services Department to the Sheriff's Office as a Maintenance Coordinator; (2) to allow the upgrade of one position within the Sheriff's Office from a Sergeant to a Lieutenant to be paid for from the Sheriff's salary fund; (3) to review the move in six months; and (4) to request appropriate documentation be done of jail facilities work by the Maintenance Coordinator.
Passed 4-1; Abstain: (None); Opposed: Judge Joel P. Baker.

21. Security: Personnel/Devices/Audit

Motion made by Commissioner – Precinct 1 Jeff Warr and seconded by Commissioner – Precinct 2 Cary Nix to approve up to but not to exceed \$10,000 for security expenditures for the jail project.

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

22. Legal Matters: Outside Counsel

Commissioners Court took no action on agenda item 22 to discuss, consider and take any necessary action regarding pending legal cases, including but not limited to matters placed with outside counsel.

23. Contract: Procurement Requirements

Commissioners Court took no action on agenda item 23 to discuss, consider and take any necessary action regarding pending contract and procurement requirements.

24. Departments Supervised by Commissioners Court

Commissioners Court took no action on agenda item 24 to discuss, consider and take any necessary action regarding employment or duties of departments supervised by the Smith County Commissioners Court.

25. County Facilities: Real Estate

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 3 Terry Phillips to approve a budget for \$11,500.00 and a budget transfer from Fund 45 contingency for signage at Camp Ford.

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

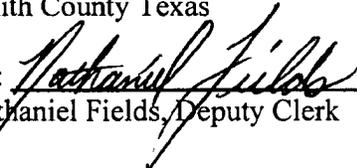
VIII. ADJOURNMENT

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



COUNTY OF SMITH
KAREN PHILLIPS, County Clerk
200 East Ferguson Street, Suite 300
Tyler, Texas 75702

THE STATE OF TEXAS §

COUNTY OF SMITH §

I, KAREN PHILLIPS, COUNTY CLERK, OF SMITH COUNTY, TEXAS, do hereby certify that the foregoing is a Notice of Commissioners Court Meeting of Smith County as appears on record in Commissioners Court Minutes records of Smith County, Texas.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 7th day of October, 2014 A.D.



KAREN PHILLIPS, CLERK
COUNTY COURT,
SMITH COUNTY, TEXAS

By: Nathaniel Fields
Nathaniel Fields, Deputy Clerk