

51-14
COMMISSIONERS COURT MINUTES
November 4, 2014

On Tuesday November 4, 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

Pastor Emmy of Uganda 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. Report: Emergency Services District (ESD) # 1

Commissioners Court received into Commissioners Court minutes the July 1, 2014, through September 30, 2014, Quarterly Report for Emergency Services District (ESD) #1. Report attached.

2. Monthly Report(s): Smith County Departments

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

3. Agreement: Northeast Texas Public Health District

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 1 Jeff Warr to approve the FY2015 cooperative agreement regarding the Northeast Texas Public Health District for the benefit of Smith County.

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

4. Interlocal Agreement: City of Tyler Regarding the Downtown Tax Increment Reinvestment Zone

Commissioners Court passed until later in the session on agenda item number 4 to consider and take any necessary action to approve interlocal agreement with the City of Tyler regarding the Downtown Tax Increment Reinvestment Zone (TIRZ No.2) pursuant to Texas Government Code, Chapter 791 and the Texas Tax Code, Chapter 311.

5. Interlocal Agreement: City of Tyler Regarding the North End Tax Increment Reinvestment Zone

Commissioners Court took passed until later in the session on agenda item number 5 to consider and take any necessary action to approve interlocal agreement with the City of Tyler regarding the North End Tax Increment Reinvestment Zone (TIRZ No. 3) pursuant to Texas Government Code, Chapter 791 and the Texas Tax Code, Chapter 311.

6. Agreement and Resolution: Fixed Rate Option, Spur 248 Project

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 3 Terry Phillips to approve the offer from Texas Department of Transportation (TxDOT) for a Fixed Rate option for the Agreement to Contribute Right of Way for the road improvement project on Spur 248 from FM 848 to SH 64, including the resolution, and authorize the County Judge to sign all appropriate documents.
Passed 5-0; Abstain: (None); Absent: (None).

7. Grant Application: Texas Capital Fund Infrastructure Program

Motion made by Commissioner – Precinct 3 Terry Phillips and seconded by Commissioner – Precinct 1 Jeff Warr to approve submission of preliminary application for grant funding under the Texas Capital Fund Infrastructure Program, in support of East Texas MUD for expansion of its Primary Wastewater Treatment Plant and authorize the County Judge to sign all appropriate documents.
Passed 5-0; Abstain: (None); Absent: (None).

8. 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).

9. Pipe and/or Utility Line Installation

Commissioners Court received pipe and/or utility line installation requests:
(notice only):

- a.) CR 2192, CenterPoint Energy, Install 80' of pipe for service, Pct. 2.

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

10. Jail Projects Update and Recommendation(s)

Motion made by Commissioner – Precinct 1 Jeff Warr and seconded by Commissioner – Precinct 2 Cary Nix to approve Change Order Requests (COR) #048, #051, #052, #056, and #060 for required work and equipment at jail construction project for a total expenditure of \$13,546.00. Copy attached.
Passed 5-0; Abstain: (None); Absent: (None).

11. Report: Smith County Jail Status and Related Information

\$20,255,144 Expenditure to date (Contract Housing)
\$45,240 Expenditure Budget Year 14/15 (Contract Housing)
626 Total Population, 519 Male, 142 Female
626 in Smith County Jail and 35 transferred to other Counties.
20 Federal Prisoners, 22 scheduled to TDC, 59 papers ready.
18 Parole violations and 31 Parole violations with other charges.
61 Total child support cases, 34 non-payment of child support and
27 non-payment of child support with other charges.
Average stay for non-payment of child support: 77 days.
19 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.

VI. **CLOSED SESSION: To consult, receive, and seek advice from attorney pursuant to Sections 551.071, 551.072, and 551.0725 of the Texas Government Code.**

12. 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.

13. Discuss personnel matters, including but not limited to employment and duties of departments supervised by the Smith County Commissioners Court.
14. 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 10:41 a.m. and went directly into Open Session.

VII. OPEN SESSION

4. **Interlocal Agreement: City of Tyler Regarding the Downtown Tax Increment Reinvestment Zone**

Commissioners Court passed on agenda item 4 to consider and take any necessary action to approve interlocal agreement with the City of Tyler regarding the Downtown Tax Increment Reinvestment Zone (TIRZ No.2) pursuant to Texas Government Code, Chapter 791 and the Texas Tax Code, Chapter 311.

5. **Interlocal Agreement: City of Tyler Regarding the North End Tax Increment Reinvestment Zone**

Commissioners Court passed on agenda item 5 to consider and take any necessary action to approve interlocal agreement with the City of Tyler regarding the North End Tax Increment Reinvestment Zone (TIRZ No. 3) pursuant to Texas Government Code, Chapter 791 and the Texas Tax Code, Chapter 311.

15. **Security: Personnel/Devices/Audit**

Commissioners Court took no action on agenda item 15 to discuss, consider, and take any necessary action relevant to the deployment or specific occasions for implementation of security personnel or devices or a security audit within County facilities.

16. **Departments Supervised by Commissioners Court**

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 3 Terry Phillips to approve the salary plan as budgeted and discussed regarding the Patrol and CID departments effective with the next pay period.

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

17. County Facilities: Real Estate

Commissioners Court took no action on agenda item 17 to consider general real estate and lease matters related to master plan and county facilities.

Commissioners Court recognized Ms. Denise Sullivan as the new Purchasing Director for the county.

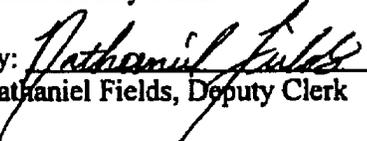
VIII. ADJOURNMENT

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

