

**COMMISSIONERS COURT OF TITUS COUNTY
PUBLIC HEARING
DECEMBER 21, 2007**

Public and County Officials Attending:

**Sam W. Russell, County Judge
Bob Fitch, Commissioner Pct 1
Phillip Hinton, Commissioner Pct 3
Carl Johnson, County Auditor
Ron Staggs, Environmental Investigator
Ronny Babcock
Tony Douglas
Brett Thomas
Dale McGongagill**

**Teresa Price, County Clerk
Mike Fields, Commissioner Pct 2
Thomas Hockaday, Commissioner Pct 4
Woody Hughes, Sheriff's Department
Paula Dyke, JP 2
Kenny Rollins
Linda Ferrell
Gary McGongagill
Joyce Simpson, Assistant to Judge**

Judge Sam Russell called the Public Hearing on Taxation to order at 9:03 stating that for the record, notice had been posted 72 hours prior to today's Public Hearing according to the Open Meetings Act.

Judge Sam Russell introduced Ronny Babcock from the Titus County Appraisal District to talk to the court about the Taxation of Personal Property in Transit and the impact it would have on Titus County. Mr. Babcock stated he did not know what kind of impact it would have but that it would essentially reduce taxes paid to the county to some extent. The County now gives Freedom Exemption to some companies. House Bill 621 would extend this exemption to a larger and wider area thus reducing taxes paid to the County and taxpayers would not like to see the county reduce exemptions anymore than it does now. The bill would allow for this new exemption to automatically go into effect unless the county adopts an order to continue taxing the property. Judge Russell asked Mr. Babcock if this bill was what was referred to as the Super Freeport Exemption and Mr. Babcock answered that it was. The bill would still leave the County the exemptions they have been giving all along. If the County does not act today, it will automatically go into effect and there will be nothing the County can do about it.

Commissioner Thomas Hockaday asked if this was supposed to be renewed every seven (7) years and was told by Mr. Babcock that he doesn't think that is the case. Judge Russell stated that when the legislature passed this bill, they did not realize the burden it would put on the County because the appraisal district would have to go in and determine the value of property in storage. Until we have a better feel of what it is going to cost the County, Judge Russell did not feel that it should be passed. We can always come back later and pass it if the court chooses.

Judge Russell stated that he had received calls wanting to know if this applied to personal property such as boats, campers and trailers and stated that it did not. It would cover businesses that lease storage for parts, merchandise, equipment, machinery, materials and other components to claim the exemption.

Motion was made by Commissioner Thomas Hockaday and seconded by Commissioner Phillip Hinton to continue the current taxation and exemption as it is now and to adopt an order to tax Tangible Personal Property in Transit which would otherwise be exempt pursuant to Texas Tax Code, Section 11.253. Motion carried unanimously.

Judge Russell closed the public hearing at this time in order to begin the Special Meeting of the Commissioners Court.

**TITUS COUNTY COMMISSIONERS' COURT
TITUS COUNTY COURTHOUSE
MOUNT PLEASANT, TEXAS 75455**

**AN ORDER OF TITUS COUNTY TO TAX TANGIBLE PERSONAL
PROPERTY IN TRANSIT WHICH WOULD OTHERWISE BE EXEMPT
PURSUANT TO TEXAS TAX CODE, SECTION 11.253**

WHEREAS, the 80th Texas Legislature in Regular Session enacted House Bill 621, effective January 1, 2008, which added Tex. Tax Code § 11.253 to exempt from taxation certain tangible personal property held temporarily at a location in this state for assembling, storing, manufacturing, processing or fabricating purposes (goods-in-transit) which property has been subject to taxation in the past; and

WHEREAS, Tex. Tax Code § 11.253(j) as amended allows the governing body of a taxing unit, after conducting a public hearing, to provide for the continued taxation of such goods-in-transit; and

WHEREAS, the Commissioners Court of Titus County, having conducted a public hearing as required by Section 1-n(d), Article VIII, Texas Constitution, is of the opinion that it is in the best interests of the county to continue to tax such goods-in-transit.


NOW THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF TITUS COUNTY THAT: All goods-in-transit, as defined Tex. Tax Code 11.253 shall remain subject to taxation by Titus County, Texas.

Dated this 21st day of DECEMBER, 2007



Titus County Judge

Attest:



Titus County Clerk

**TITUS COUNTY COMMISSIONERS' COURT
TITUS COUNTY COURTHOUSE
MOUNT PLEASANT, TEXAS 75455**

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WHEREAS, Tex. Tax Code § 11.253(j) as amended allows the governing body of a taxing unit, after conducting a public hearing, to provide for the continued taxation of such goods-in-transit; and

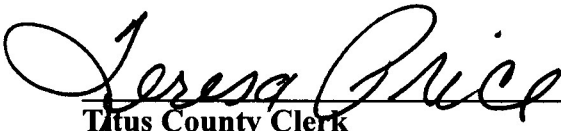
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Dated this 21st day of DECEMBER, 2007


Titus County Judge

Attest:


Teresa Price
Titus County Clerk

NOTICE OF PUBLIC HEARING ON
TAXATION OF PERSONAL PROPERTY IN TRANSIT
TITUS COUNTY, TEXAS

Friday - December 21, 2007 - 9:00 O'clock A.M.
Room 205, Titus County Courthouse
100 West First Street, Mt. Pleasant, Texas 75455

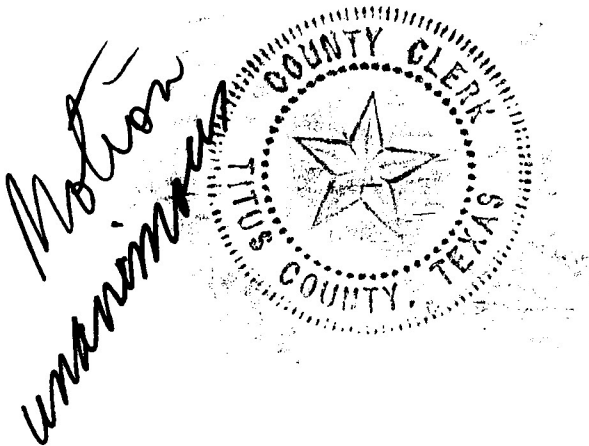
Notice is hereby given in compliance with Subchapter B, Chapter 11, Section 11.253, Texas Tax Code, and Article VIII, Section 1-n(d), Texas Constitution, that the Commissioners' Court of Titus County, Texas, at its meeting at the above-named time, date and location, will conduct a Public Hearing on the adoption of an Order to tax tangible personal property in transit which would otherwise be exempt pursuant to Section 11.253, Texas Tax Code. This action relates to whether certain tangible personal property held temporarily at a location in this state for assembling, storing, manufacturing, processing or fabricating purposes (goods-in-transit) shall remain subject to taxation by Titus County.


County Judge

I, the undersigned County Clerk of Titus County, Texas, do hereby certify that the above Notice of Public Hearing on Taxation of Personal Property in Transit is a true and correct copy of said Notice, and that I posted a true and correct copy of said Notice on the bulletin board and doors of the Titus County Courthouse and Annex, places readily accessible to the general public at all times, prior to 9:00 o'clock A.M., on the 18th day of December, 2007, and remained so posted for at least 72 hours preceding the scheduled time of said hearing.



County Clerk/Deputy Clerk



*Hochaday
Hinton*

NOTICE OF PUBLIC HEARING ON
TAXATION OF PERSONAL PROPERTY IN TRANSIT
TITUS COUNTY, TEXAS

Friday - December 21, 2007 – 9:00 O'clock A.M.
Room 205, Titus County Courthouse
100 West First Street, Mt. Pleasant, Texas 75455

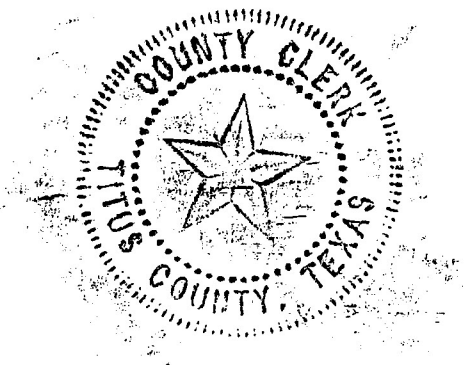
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County Judge

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County Clerk/Deputy Clerk



**TITUS COUNTY COMMISSIONERS' COURT
TITUS COUNTY COURTHOUSE
MOUNT PLEASANT, TEXAS 75455**

**AN ORDER OF TITUS COUNTY TO TAX TANGIBLE PERSONAL
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WHEREAS, Tex. Tax Code § 11.253(j) as amended allows the governing body of a taxing unit, after conducting a public hearing, to provide for the continued taxation of such goods-in-transit; and

WHEREAS, the Commissioners Court of Titus County, having conducted a public hearing as required by Section 1-n(d), Article VIII, Texas Constitution, is of the opinion that it is in the best interests of the county to continue to tax such goods-in-transit.

NOW THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF TITUS COUNTY THAT: All goods-in-transit, as defined Tex. Tax Code 11.253 shall remain subject to taxation by Titus County, Texas.

Dated this _____ day of _____, 2007

Titus County Judge

Attest:

Titus County Clerk

Wednesday, December 19, 2007

Commissioners plan public hearing Friday

Titus County Commissioners' Court will hold a public hearing on taxation of personal property in transit beginning at 9 a.m., Friday, in room 205 of the Titus County Courthouse.

Joycê Simpson

From: "Gene Terry" <genet@county.org>
To: <joycesimpson@co.titus.tx.us>
Sent: Monday, December 17, 2007 2:52 PM
Subject: FW: [TAC-Judicial] Re: County Judges and Commissioners Association of Texas Legislative Update

Gene Terry
Director of Operations
Texas Association of Counties

From: Paul Sugg
Sent: Monday, December 17, 2007 2:45 PM
To: Gene Terry
Subject: FW: [TAC-Judicial] Re: County Judges and Commissioners Association of Texas Legislative Update

----- Original Message -----

From: Andrea Beard
To: TAC-Judicial
Sent: Tuesday, October 09, 2007 5:40 PM
Subject: [TAC-Judicial] County Judges and Commissioners Association of Texas Legislative Update

Message from: secretary@allison-bass.com

Legislative Update

H.B. 621 – Another Business Property Tax Exemption

While state leaders accused counties of over-taxing homeowners, the legislature passed more legislation to shift additional tax burdens on homeowners by exempting certain property from taxation. H.B. 621 by Rep. Chavez and Senator Duncan would provide a "goods-in-transit" exemption for most tangible personal property stored off-site in a warehouse or other storage facility. However, it does provide an opportunity for the county to opt out of the exemption.

Efforts by commercial-interest lobbyists to gain exemptions for business personal property have led to several constitutional amendments. In 2001, the voters approved section 1-n to Article VIII, authorizing the legislature to exempt business personal property stored off the owner's premises with certain exemptions. Effective January 1, 2008, H.B. 621 will implement this exemption unless the taxing authority conducts a public hearing and adopts an order to continue taxing the property.

Since the legislation broadly defines tangible personal property held in storage, it is difficult to analyze the potential effect on the tax roll. It will certainly encourage businesses to lease storage for parts, merchandise, equipment, machinery, materials, and other components to claim the exemption. Determining the value of the goods and components will place an additional burden on the appraisal district.

12/18/2007

Each taxing unit may determine whether to tax these "goods-in-transit" by taking action before January 1. The action may be reconsidered each year. If your county wishes to prevent the automatic implementation of this exemption, the Commissioners Court must: (1) give notice and conduct a hearing on whether to continue to tax this property; (2) adopt an Order to Continue Taxation and deliver a copy of the Order to the Appraisal District. I recommend that the Notice be published at least twice with the first publication at 10 days before the hearing. A sample Notice and Order are included below.

NOTICE OF PUBLIC HEARING ON
TAXATION OF PERSONAL PROPERTY IN TRANSIT
____ COUNTY, TEXAS
(DAY), (DATE), (TIME)
(LOCATION) _____ COUNTY COURTHOUSE
(CITY), TEXAS

Notice is hereby given in compliance with Subchapter B, Chapter 11, Section 11.253, of the Texas Tax Code and Article VIII, Sec. 1-n(d) of the Texas Constitution that the Commissioners Court of _____ County, Texas, at its meeting at the above-named time, date, and location, will conduct a Public Hearing on the adoption of an Order to tax tangible personal property in transit which would otherwise be exempt pursuant to Sec. 11.253 of the Texas Tax Code. This action relates to whether certain tangible personal property held temporarily at a location in this state for assembling, storing, manufacturing, processing or fabricating purposes (goods-in-transit) shall remain subject to taxation by _____ County.

ORDER NO. _____
AN ORDER OF _____ COUNTY TO TAX TANGIBLE PERSONAL
PROPERTY IN TRANSIT WHICH WOULD OTHERWISE BE EXEMPT
PURSUANT TO TEXAS TAX CODE, SECTION 11.253

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NOW THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF _____ COUNTY THAT: All goods-in-transit, as defined Tex. Tax Code 11.253 shall remain subject to taxation by _____ County, Texas.

Dated this ____ day of _____, 2007.

County Judge

Attest:

County Clerk

12/18/2007

✓
For more information, please call me at 1-800-733-0699

James P. Allison
General Counsel
County Judges & Commissioners Association of Texas
402 W. 12th Street
Austin, Texas 78701
(800) 733-0699- toll free
(512) 482-0701 - office
(512) 480-0902 – fax
j.allison@allison-bass.com

Send TAC-Judicial mailing list submissions to
tac-jud@list.county.org

To subscribe via the World Wide Web, visit
<http://list.county.org/lists>

To update your personal information or unsubscribe
via the World Wide Web, visit
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via the World Wide Web, visit
<http://list.county.org/ips-cp>

Titus County Appraisal District
Property ID: P 24980
Geo ID: 01040400120
Ref ID1:
Ref ID2:
Legal Desc: INVENTORY
Rendition Date: 04/15/2007
Submitted By:
SITUS
DBA

Owner ID: 104179
INTERNATIONAL SULPHUR INC
PO BOX 611
MT PLEASANT , TX 75456-0611

Ownership %:
 100.00%

Entities:
 225 100%
 230 100%
 231 100%
 902 100%
 CAD 100%

Exemptions:
 FR

Appraisal Year 2007
Appraised Value 442,170
Last Yr Value N/A
Last Inspection Date:
Last Appraiser:
SIC Code:
SIC Description:
Remarks

SEQ TYPE	DESCRIPTION	QUALITY/ DENSITY CLASS	AREA	UNIT COUNT	YEAR ACQ	ORIGINAL COST	UNIT PRICE	PCT. GOOD	DEPR. TABLE	DEPR. PCT	PRIOR VALUE	APPRAISED	RENDERED	MTH	MARKET
Grand Totals:															
			0	0.0000		0					0	0	0	0	0

Shirley
8 accounts
Freeport

BUSINESS PERSONAL PROPERTY CANKU 2007

Titus County Appraisal District

Property ID: P 234980
 Geo ID: 01040400120
 Ref ID1:
 Ref ID2:
 Legal Desc: INVENTORY
 Rendition Date: 04/15/2007
 Submitted By:
 SITUS
 DBA

Owner ID: 104179
 INTERNATIONAL SULPHUR INC
 PO BOX 611
 MT PLEASANT , TX 75456-0611

Ownership %:
 100.00%
 Entities:
 225 100%
 230 100%
 231 100%
 902 100%
 CAD 100%

Exemptions:
 FR

Appraisal Year: 2007
 Appraised Value: 442,170
 Last Yr Value: N/A
 Last Inspection Date:
 Last Appraiser:
 SIC Code:
 SIC Description:
 Remarks

SEQ	TYPE	DESCRIPTION	QUALITY/ DENSITY CLASS	AREA	UNIT COUNT	YEAR ACQ	ORIGINAL COST	UNIT PCT. PRICE GOOD	DEPR. TABLE PCT	PRIOR VALUE	APPRAISED	RENDERED WITH	MARKET
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Grand Totals: 0 0 0.0000 0 0 0 0 0 0 0

PROPERTY: 30018800030
 OWNER: TOP HAT INDUSTRIES INC
 ADDRESS: 335 FM 1993
 CITY: COOKVILLE, TX 75558-4044

Owner ID: 104439
 TOP HAT INDUSTRIES INC
 335 FM 1993
 COOKVILLE, TX 75558-4044

Property ID: P 254765
 Geo ID: 30018800030
 Ref ID1:
 Ref ID2:
 Legal Desc: INVENTORY
 Rendition Date: 04/15/2007
 Submitted By:
 SITUS
 DBA

Exemptions:
 FR
 Appraisal Year
 Appraised Value
 Last Yr Value
 Last Inspection Date:
 Last Appraiser:
 SIC Code:
 SIC Description:
 Remarks

Entities:
 225 100%
 230 100%
 231 100%
 902 100%
 CAD 100%

Ownership %:
 100.00%

SEQ	TYPE	DESCRIPTION	QUALITY/ DENSITY CLASS	AREA	UNIT COUNT	YEAR ACQ	ORIGINAL COST	UNIT PCT. PRICE	DEPR. GOOD	DEPR. TABLE	DEPR. PCT	PRIOR VALUE	APPRAISED	RENDERED	MTH	MARKET
Grand Totals:																
				0	0.0000		0					0	0	0	0	0

TEXAS COUNTY APPRAISAL DISTRICT

Property ID: P 254880
 Geo ID: 30019200060
 Ref ID1:
 Ref ID2:
 Legal Desc: INVENTORY
 Rendition Date: 04/15/2007
 Submitted By: SITUS DBA

Owner ID: 104443
 TEXAS BRAGG ENTERPRISE
 DOUGLAS BRAGG
 1495 COUNTY ROAD 3320
 MOUNT PLEASANT, TX 75455-7724

Ownership %: 100.00%
 Entities:
 225 100%
 230 100%
 231 100%
 902 100%
 CAD 100%

Exemptions:
 FR
 Appraisal Year
 Appraised Value
 Last Yr Value
 Last Inspection Date:
 Last Appraiser:
 SIC Code:
 SIC Description:
 Remarks

2007
 1,407,400
 N/A

SEQ	TYPE	DESCRIPTION	QUALITY/ DENSITY CLASS	AREA	UNIT COUNT	YEAR ACQ	ORIGINAL COST	UNIT PRICE	PCT. GOOD	DEPR. TABLE	DEPR. PCT	PRIOR VALUE	APPRAISED	RENDERED	MTH	MARKET
Grand Totals:																
				0	0.0000		0					0	0	0	0	0

UNIVERSITY APPRAISAL SERVICES

UNIVERSITY APPRAISAL SERVICES

Owner ID: 104442
 DIAMOND C TRAILERS
 ROADCLIPPER ENTERPRISE
 4006 FARM ROAD 3417
 MOUNT PLEASANT, TX 75455-8784

Property ID: P 254879
 Geo ID: 30019100060
 Ref ID: 1
 Legal Desc: INVENTORY
 Rendition Date: 04/15/2007
 Submitted By:
 SITUS
 DBA

Ownership %:
 100.00%

Entities:
 225 100%
 230 100%
 231 100%
 902 100%
 CAD 100%

Exemptions:
 FR

Appraisal Year
 Appraised Value
 Last Yr Value
 Last Inspection Date:
 Last Appraiser:
 SIC Code:
 SIC Description:

2007
 1,383,610
 N/A

Remarks

SEQ	TYPE	DESCRIPTION	QUALITY/ DENSITY CLASS	AREA	UNIT COUNT	YEAR ACQ	ORIGINAL COST	UNIT PRICE	PCT. GOOD	DEPR. TABLE	DEPR. PCT	PRIOR VALUE	APPRAISED	RENDERED	WITH	MARKET
Grand Totals:																
				0	0.0000		0					0	0	0	0	0

Property ID: P 255087
 Geo ID: 14168200180
 Ref ID1:
 Ref ID2:
 Legal Desc: INVENTORY
 Rendition Date: 04/15/2007
 Submitted By:
 SITUS
 DBA

Owner ID: 104545
 PRIEFERT MANUFACTURING COMPANY
 % TED GATSCHE
 PO BOX 1540
 MOUNT PLEASANT, TX 75456-1540

Ownership %: 100.00%
 Entities:
 103 100%
 225 100%
 230 100%
 231 100%
 902 100%
 CAD 100%

Exemptions:
 FR

Appraisal Year: 2007
 Appraised Value: 12,855,140
 Last Yr Value: N/A
 Last Inspection Date:
 Last Appraiser:
 SIC Code:
 SIC Description:
 Remarks

SEQ	TYPE	DESCRIPTION	QUALITY/ DENSITY CLASS	AREA	UNIT COUNT	YEAR ACQ	ORIGINAL COST	UNIT PCT.	DEPR. TABLE	DEPR. PCT	PRIOR VALUE	APPRAISED	RENDERED	MTH	MARKET
Grand Totals:															
				0	0.0000		0				0	0	0	0	0

Property ID: P 20687
 Geo ID: 08888-99900-06896
 Ref ID: 20687
 Legal Desc: INVENTORY, FURNITURE, FIXTURES & LINDEN, TX 75563-0360
 Rendition Date: 04/16/2007
 Submitted By: SUTUS
 DBA: HWY 11 TX

Owner ID: 14635
 CASON WOODYARD INC
 WARD TIMBER CO
 PO BOX 360

Ownership %: 100.00%
 Entities:
 225 100%
 230 100%
 231 100%
 908 100%
 CAD 100%

Appraisal Year: 2007
 Appraised Value: 159,820
 Last Yr Value: 37,980
 Last Inspection Date: 02/04/2005
 Last Appraiser: None Assigne
 SIC Code:
 SIC Description:
 Remarks

Exemptions:

FR

SEQ	TYPE	DESCRIPTION	QUALITY/	DENSITY	CLASS	AREA	UNIT	COUNT	YEAR	ACQ	ORIGINAL	COST	UNIT	PCT.	DEPR.	TABLE	PCT.	PRICE	GOOD	UNIT	PCT.	DEPR.	PCT.	PRIOR	VALUE	RENDERED	MTH	MARKET
1	FF&E	FURN, FIXT. & EQUIP				0	1.0000	2007			0	0	500.00	100.00	100.00	100.00	100.00	500.00	100.00	0	0	500	R	0	0	500	R	500
2	FF&E	FURN, FIXT. & EQUIP				0	1.0000	2007			0	0	3,000.00	100.00	100.00	100.00	100.00	3,000.00	100.00	0	0	3,000	R	0	0	3,000	R	3,000
3	IN	INVENTORY				0	1.0000	2007			0	0	6,480.00	100.00	100.00	100.00	100.00	6,480.00	100.00	0	0	19,320	R	0	0	19,320	R	19,320
4	MACH	MACH&EQUIP (MACHINERY & MACHINERY & EQUIPMENT				0	1.0000	2007			0	0	0.00	100.00	100.00	100.00	100.00	0.00	100.00	0	0	19,320	R	0	0	19,320	R	19,320
5	VEH	TRAILERS, ETC				0	1.0000	2007			0	0	8,000.00	100.00	100.00	100.00	100.00	8,000.00	100.00	0	0	130,000	R	0	0	130,000	R	130,000
1	VEH	VEHICLE				0	1.0000	2007			0	0	0.00	100.00	100.00	100.00	100.00	0.00	100.00	0	0	7,000	R	0	0	7,000	R	7,000
Grand Totals:																												
						0	6.0000				0	0											0	0	0	159,820		159,820

BUSINESS PERSONAL PROPERTY CARD 2007

Titus County Appraisal District

Property ID: P 254977
 Geo ID: 70239200110
 Ref ID1:
 Ref ID2:
 Legal Desc: INVENTORY
 Rendition Date: 04/15/2007
 Submitted By:
 SITUS
 DBA

Owner ID: 104787

QUALITY TRAILER PRODUCTS INC
 % AD VALOREM SERVICES
 PO BOX 211507
 BEDFORD , TX 76095-8507

Ownership %:

100.00%

Entities:

103 100%
 225 100%
 230 100%
 231 100%
 902 100%
 CAD

Exemptions:

FR

Appraisal Year
 Appraised Value
 Last Yr Value
 Last Inspection Date:
 Last Appraiser:
 SIC Code:
 SIC Description:

2007
 909,420
 N/A

Remarks

SEQ	TYPE	DESCRIPTION	QUALITY/ DENSITY CLASS	AREA	UNIT COUNT	YEAR ACQ	ORIGINAL COST	UNIT PCT. PRICE	GOOD TABLE	DEPR. PCT	PRIOR VALUE	APPRAISED	RENDERED	WITH MARKET
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Grand Totals: 0 0 0.0000 0 0 0 0 0 0 0 0