

NOTICE OF MEETING OF THE  
COMMISSIONERS' COURT OF TITUS COUNTY, TEXAS

Notice is hereby given that a Special Meeting of the Commissioners' Court of Titus County, Texas, will be held on the 28th day of December, 2009, at 9:00 o'clock A.M., in the Titus County Courthouse, County Courtroom, 100 West First Street, Suite 205, Mt Pleasant TX 75455, at which time the following subjects will be discussed not necessarily in the order presented:

PLEDGE OF ALLEGIANCE

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INVOCATION

1. Public comments and/or requests for information on non-agenda items in accordance with Section 551.042, Texas Government Code (Open Meetings Act)
2. Consider and Possibly Approve Commissioners' Court minutes for December 14, 2009 Regular Meeting
3. Consider and Possibly Approve Resolution for Energy Efficiency and Conservation Block Grant
4. Consider and Possibly Approve Loan to Nortex VFD
5. Consider and Possibly Approve Purchase of two computers from HAVA Grant
6. Consider and Possibly Take Action on Monthly Contributions for Lakes Regional MHMR
7. Consider and Possibly Approve Plat for Plat on SE corner of E Arkansas and E Austin Avenue for Habitat
8. Consider and Possibly Approve Renewal of Medical Plan
9. Discuss various requests by County Clerk:
  - a) Plat Monitor and printer
  - b) Disaster Recovery Services
  - c) Security System
  - d) IBM System
  - e) Digitizing and uploading pre-1974 marriage licenses
  - f) Server for Internet Security
  - g) Adobe Standard
10. Consider and possibly approve travel and seminars for Titus County employees and elected officials
11. Approve oral and written reports of county officials
12. Approve budget amendments
13. Sign pay orders and approve payments
14. Closing comments by County Judge and Commissioners, if any

ADJOURN

Commissioners' Court of Titus County, Texas



County Judge

I, the undersigned County Clerk, do hereby certify that the above Notice of Meeting of the Commissioners' Court of Titus County, Texas, 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 and remained so posted for at least 72 hours preceding the scheduled time of said meeting.

COMMISSIONERS' COURT  
SPECIAL MEETING  
December 28, 2009

BE IT REMEMBERED THAT THE TITUS COUNTY COMMISSIONERS' COURT met in a Special Meeting on Monday, December 28, 2009 at 9:00 a.m. in the Titus County Courtroom with the following members present:

SAM W. RUSSELL  
DON BOGGS  
MIKE FIELDS  
PHILLIP HINTON  
THOMAS HOCKADAY  
TERESA PRICE

COUNTY JUDGE  
COMMISSIONER PRECINCT 1  
COMMISSIONER PRECINCT 2  
COMMISSIONER PRECINCT 3  
COMMISSIONER PRECINCT 4  
COUNTY CLERK

PUBLIC AND COUNTY OFFICIALS ATTENDING MEETING

CARL JOHNSON, AUDITOR  
SCOTT SARTAIN, CHIEF DEPUTY  
JAKE NARRAMORE  
BRIAN LEE

DEBBIE RHEA, TREASURER  
NORMA NARRAMORE, DEM. CHAIR  
JOYCE SIMPSON  
DAVID JANAKES

LEONARD ROCKWELL, EA  
LOU ANTONELLI, TRIBUNE  
BOBBY SPEARMAN  
SHAWN BRYAN

Pledge of Allegiance: Led by Judge Sam Russell  
Invocation: Commissioner Thomas Hockaday

1. IN THE MATTER OF PUBLIC COMMENTS AND/OR REQUESTS FOR INFORMATION ON NON-AGENDA ITEMS IN ACCORDANCE WITH SECTION 551-042, TEXAS OPEN MEETINGS ACT.  
NONE

2. IN THE MATTER OF CONSIDERING AND POSSIBLY APPROVING MINUTES FOR COMMISSIONERS' COURT REGULAR MEETING ON DECEMBER 14, 2009.

Commissioner Boggs asked if the court had a copy of the minutes. Clerk informed the court she provided a copy for each Commissioner prior to leaving for the holidays. The Clerk's copy was provided for the court to view. Judge Russell asked if the copy of the minutes were placed in their boxes. Clerk's response was yes and an email was provided for 3 members of the court. Commissioner Boggs stated, "I had a change on 4, it had to do with item 5 from the previous minutes, as I raise the speed limit from 40 to 50 mph, that needs to be on CR 1200, inserted after mph, to read I raise the speed limit from 40 to 50 mph on CR 1200 from the city limits to the intersection of CR 1220. Commissioner Boggs moved to have minutes amended.

Motion was made by Commissioner Don Boggs and was seconded by Commissioner Mike Fields to approve the December 14, 2009 minutes.

Motion carried unanimously.

SEE ATTACHMENT #2

3. IN THE MATTER OF CONSIDERING AND POSSIBLY APPROVING THE RESOLUTION FOR ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT.

Judge Sam Russell mentioned the comptroller's office had informed the court that Titus County is one of the 1127 cities and 244 counties that are eligible for these funds under the American Recovery and Reinvestment Act; we are eligible to receive up to \$75,000 for energy efficiency and conservation matters. In order to be eligible to receive those we have to adopt a resolution. Morris County is planning to use the monies to upgrade their air conditioner system and so if that is an eligible project then it may be a good investment for us. Commissioner Hockaday adds that the County has units that currently need to be replaced. Commissioner Boggs inserted the systems could be replaced with a more energy efficient system and made the motion to approve the resolution.

Motion was made by Commissioner Don Boggs and was seconded by Commissioner Phillip Hinton to approve the resolution for Titus County to participate in the Block Grant Program for Energy Efficiency and Conservation.

Motion carried unanimously.

SEE ATTACHMENT#3

4. IN THE MATTER CONSIDERING AND POSSIBLY APPROVING THE LOAN TO NORTEX VFD.

Commissioner Hockaday states this was in his precinct and the court had approved a 10% part of their engine they were buying and they needed their money before they could pick up the engine. The Forest Service stated it would take 3 to 4 weeks to get the money to them. NORTEX wanted to get the engine early. NORTEX requested the county to fund the purchase until the grant money came in. After speaking with the other Commissioners and the Auditor a loan of \$170,845.00 was made to purchase a fire truck for NORTEX Volunteer Fire Dept. from Commissioner Thomas Hockaday's budget funds, of which \$154,845 will be reimbursed with the grant funds and 10% or \$16,000 will be reimbursed through general county funds.

Motion was made by Commissioner Thomas Hockaday and was seconded by Commissioner Mike Fields to approve the loan to the NORTEX VFD for the matching portion of the funds for the new fire truck.

Motion carried unanimously.

SEE ATTACHMENT #4

5. IN THE MATTER OF CONSIDERING AND POSSIBLY APPROVING PURCHASE OF TWO COMPUTERS FROM HAVA GRANT.

Leonard Rockwell explained to the Court in 2005 the EA went on the Secretary of State statewide Board of Registration System which offered grant money to keep the computers updated. Our computers are running slow and we are having trouble getting on and I would like to use these funds to replace 2 computers. The computers will cost \$1800 to replace and the funds will be reimbursed within 90 days by the state. Stated Mr. Rockwell. Commissioner Boggs asks if these computers were tied to our county server system or are they independent. County auditor stated the computers were laptops. Mr. Rockwell informed the court that the system was independent.

Motion was made by Commissioner Mike Fields and was seconded by Commissioner Thomas Hockaday to approve the purchase of two computers with the use of HAVA Grant money.

Motion carried unanimously.

6. IN THE MATTER OF CONSIDERING AND POSSIBLY TAKING ACTION ON MONTHLY CONTRIBUTIONS FOR LAKES REGIONAL MHMR.

Lakes MHMR has purchased a building on West 16<sup>th</sup> up by the soccer fields from the Lawler's. The County has been contributing \$303.90 a month towards the rent payment and they have asked if the County would continue to make that contribution to Lakes MHMR so they can use the money towards the purchase of that building. Commissioner Hockaday stated "I don't see any difference in making it to one as making it to the other it's the same amount, it's just changing them and every year we renew it anyway, so I make that motion."

Motion was made by Commissioner Thomas Hockaday and was seconded by Commissioner Phillip Hinton to approve the change in the monthly contribution to go to Lakes Regional, instead of being used to pay rent to the Lawler's.

Motion carried unanimously.

SEE ATTACHMENT #6

7. IN THE MATTER OF CONSIDERING AND POSSIBLY APPROVING PLAT FOR PLAT ON SE CORNER OF E. ARKANSAS AND E. AUSTIN AVENUE FOR HABITAT.

Plat had not been returned at time of court.

Motion was made by Commissioner Mike Fields and was seconded by Commissioner Phillip Hinton to table item 7.  
Motion carried unanimously.

8. IN THE MATTER OF CONSIDERING AND POSSIBLY APPROVING RENEWAL OF MEDICAL PLAN.

Commissioner Hockaday made the motion to approve the medical plan with no changes. Auditor, Carl Johnson reminds the court that this is the part where the County determines the deductible for the employees. Judge Russell asks, "But it is what we talked about in our previous meetings, right?" The Court replies, "Right." Discussion was made regarding the transplant policy and Commissioner Hockaday explained "that this is for payments and deductibles." Motion was made by Commissioner Thomas Hockaday and was seconded by Commissioner Phillip Hinton to approve the renewal of the Medical Plan with no changes.

Commissioner Don Boggs: No

Commissioner Mike Fields: Yea

Commissioner Phillip Hinton: Yea

Commissioner Thomas Hockaday: Yea

Judge Sam Russell: Yea

9. IN THE MATTER OF DISCUSSION OF VARIOUS REQUESTS BY COUNTY CLERK:

a) Plat monitor and printer

County Clerk reminds the Court that the item was in the 2010 budget. The cost of \$3,151 was requisitioned and she has not been successful in obtaining a PO. The Clerk also reminds the court that the County Clerk has Record Management Money and that the two things needed from them are: One, to know if the item requested can be paid through R&M, and two, if there are available monies in R&M. It is the County Clerk's responsibility to know the needs of the office. This item falls under R&M and there is approximately \$214,000 available. Clerk explains the need to the public and efficiency of the office. Commissioner Boggs was concerned if we change from server base to a web base, Kaybro interjected the service was web based and not tied to the server in anyway. Judge Russell inserted, "Now, we were doing a lot of copying last week, plats, were we not?" The Clerk explained the resolution on the original plats copied, in 2006, were copied at a 200 dpi and not of good quality. She stated "the plats were not legible" "finally convinced them to redo them at a 400 dpi at no cost to the County." Commissioner Boggs asked if this implementation would save the County money down the road and the County Clerks response was yes. Judge Russell wanted to see if the Clerk's office was duplicating what the Appraisal District was doing and could the public use that service. Commissioner Boggs understands the monitor and printer has already gone through budget and states "What we are needing is justification for the system to make sure it is not being duplicated and could be accessed for free." The Clerk responded the records were not being duplicated and that County records were to be made available to the public from her office. Judge Russell asks if the Clerk's office was charging people if they do not understand how to use the system. The Clerk assures the Court that no fee is assessed. The Clerk told the Court there would be a fee assessed for copies of plats. Commissioner Boggs moves that we approve the purchase. Judge Russell wanted to see if the Clerk's office was duplicating what the Appraisal District was doing and whether that service could be used interchangeably between the two governmental bodies, so we can save the tax payers some money. Auditor explains its \$3551.00 and is not a lot of money; he also, doubts the Appraisal District does anything else. Commissioner Boggs again states "My motion still stands." The Clerk again explains, "this is for public viewing, this is what my job is."

Motion was made by Commissioner Boggs and seconded by Commissioner Hinton to approve the purchase of the Plat Monitor and printer.

Commissioner Boggs: Yea

Commissioner Fields: Yea

Commissioner Hinton: Yea

Commissioner Hockaday: Yea

Judge Sam Russell: No

b) Disaster Recovery Service

Clerk reiterates the obligation by the State to have a disaster program in place. The policy passed in budget was \$10,000. Auditor, Carl Johnson worked with Net Data to get the first year for \$5,000.00 and explains to the Court it is similar to an insurance policy. Mr. Johnson restates this item was already in the budget and did not know why we were coming to court with this request and that the requisition should have gone through his office for a PO. Judge Russell asked, "Do we not have a backup system at all?" Shawn from Kaybro explained this allows the office to be up and running within 48 hours in case of any natural disaster. The Clerk informs the Court that the State also requires an offsite location set up within a reasonable amount of time for public use. Commissioner Fields states, "Then since this was in the budget and already been approved in the budget, this money is coming from your special fund we don't have to approve anything." Clerk request a PO. Commissioner Boggs asks if this requires a motion. Commissioner Fields explains he agrees with the Judge that the agenda item does not state "to consider or approve" therefore the court cannot take any action, but since it did go through the 2009-2010 budget that the Court can approve the purchase. He continues to inform the Court the items in the budget still needed to go through Court because the Court in the past had funds used where they should not have been used, thus, the need to be approved by the Court. The Auditor claims that some of the confusion was his fault because in the past when things went through Court in budget hearing. Commissioner Boggs feels that this confusion may have been good the court had not acted at the time because of the possibilities of going to another system. Boggs had assurances from some of the departments that they will be able to erase a lot of hard drive of data they have on the server freeing up some space to use for an interim time where we could change over if we need to. If in the Clerk's opinion a wise move might hold off on some of the archiving until we could determine the system the Court will go with and if we go with an upgrade then archiving could continue.

c) Security System

Clerk reiterates the security fees collected can be used only for security issues, and recounts incidences where her staff and the public were put in danger and explained that all county offices should have camera surveillance. Clerk reminds the court that this item had been approved through the budget process. She had a local vender set up to install the system it was stopped mid-stream. Judge Russell stated, "Yeah, I did, because I didn't like someone coming in offices in the court house without my approval." The Clerk's response was "The approval of the court, and it was my understanding the court did approve." The requisition for 10 cameras for the 2<sup>nd</sup> and 3<sup>rd</sup> floor was in the amount of \$6100. Commissioner Fields felt that instead of just doing the Clerk's office it would be beneficial to do all county offices, "If we have the funds let's secure everything." Commissioner Boggs interjected, "Let me say this, from my perspective I have a system at my store with 4 cameras and it cost me \$12,400.00 six years ago, this \$6100.00 looks attractive to me. I think instead of just focusing on the clerk's office and another thing is that technology changes so fast I did catch a burglar with my system and we could not prosecute because the resolution was so bad." The Judge suggested having the annex included as well as all other departments. The court decided to postpone the purchase or not act on the clerk's budgeted item and will get a request for proposal to set specs from Hopkins or Lamar County and the auditor suggested contacting Tyler because of an incident that occurred in their county. The Clerk requested the court give the local vender originally offered the job, the opportunity to bid.

NO ACTION TAKEN.

d) IBM

Clerk reiterates the need to have the workshop and informs the Court the urgency of the status of the present hardware and the possibility of the system crashing. Judge stated he was looking at mid January for the workshop. The Clerks concern is the current system crashing. Commissioner Fields expresses the system is 7 years old and that most system last 5 years saving the County thousands of dollars in those 2 years. But it comes a point in time that we upgrade. He also states that the mainframe has not to his knowledge had any viruses or hackers get into the current system. The Auditor and Commissioner Hockaday both agree that this is one of the reasons the County should stay with Net Data. The concern of the Court is whether to upgrade or replace and the security issues with mainframe vs. web base.

NO ACTION TAKEN

e) Digitizing and uploading pre-1974 marriage licenses

Clerk requests authorization of expenditure of all marriage licenses prior to 1973 be digitized for approximately \$3,150.00 and requested this item be placed on the next agenda. The Judge asked if there was a state requirement that we scan pre-1974 marriage license. The Clerk let the Court know it is availability to the public and that is part of the back scanning project that began last year. Commissioner Boggs agreed with the request to not burden the server until the Court could determine the best direction for the County regarding a new or upgraded computer system. Judge Russell states "I think we are getting the cart before the horse." Commissioner Boggs states "he wants to do it, it is her off ice, I would prefer it wait until we get the new system, but that is her decision." The court agrees that they cannot approve and agrees to place on the next agenda.

NO ACTION TAKEN

f) Server for Internet Security

Clerk agrees to move this item to be discussed after the workshop. Judge Russell asks, "Server for what security?" Shawn Bryan, Kaybro Technology, replies, "We talked about this a couple of times, the Clerk has public terminals that need to be locked down. But if you are going to change systems, this will change the way things work anyway. Judge Russell, "I thought we prevented any kind of outside access." Mr. Bryan explained the County has prevented access from the outside in, but not from the inside out, thus the need for a server.

NO ACTION TAKEN

g) Adobe Standard

Clerk explains the need to acquire this software to scan documents that are outside the Net Data System. The cost is approximately \$80 per every 2 licenses. Clerk stated "When I sent in my agenda request, I did not put discuss, I actually put discuss and possibly approve or withdraw. This did not get on the agenda otherwise we would be taking care of this now, thus not have to be pushed to the next agenda. Judge Russell stated, "Yeah, I put discuss, I think I have a little bit of control with the agenda, I may not" Clerk's response was "Yes sir, you have a lot"

County Auditor restated the court's decision as PO # on g(a) and g(b), item g(e) and g(g) will be placed on the next agenda all other items will be addressed after the workshop. Judge requested for the record nay on both (a) and (b).

Conversation regarding the location of all the books that have all the printed copies of the Commissioners Court Minutes was discussed. (See audio)

10. IN THE MATTER OF CONSIDERING AND POSSIBLY APPROVING TRAVEL AND SEMINAR FOR TITUS COUNTY EMPLOYEES AND ELECTED OFFICIALS.

Two items here, Joyce to attend County Court Assistants Training Conference Feb 17-19, in San Marcos and Debra Abston and Renee Dethrow to attend the 38<sup>th</sup> Annual County & District Clerks Continuing Education Seminar in College Station Jan. 11-14. Commissioner Boggs asked if these were required hours on both of them. Judge Russell replied Yes Commissioner Boggs, Okay, so move.

Motion was made by Commissioner Don Boggs and was seconded by Commissioner Phillip Hinton to approve travel and seminars.

Motion carried unanimously.

SEE ATTACHMENT # 10

11. IN THE MATTER OF CONSIDERING AND POSSIBLY APPROVING ORAL AND WRITTEN REPORTS OF COUNTY OFFICIALS.

No oral reports. Auditor, Carl Johnson notes his office was still keypunching data up until court time and did not have the items subtracted like they usually do. Commissioner Boggs ask why there was an X by the Homeland Security and was informed the negative balance is because the County spends the money up front and then the funds will be reimbursed. Auditor spoke with Fire Chief Larry McRae, who informed him that he expected the money in the next two or three weeks. Commissioner Boggs moved to approve written reports.

Motion was made by Commissioner Don Boggs and was seconded by Commissioner Phillip Hinton to approve written reports.

Motion carried unanimously

SEE ATTACHMENT # 11

12. IN THE MATTER OF CONSIDERING AND POSSIBLY APPROVING BUDGET AMENDMENTS.

# 31 - #42 year end clean up (see attached), #2 for this year, County Attorney state pay changed a little bit from what I originally funded, that just an in and out because they send the money. The clean up included the County Attorney borrowing money from the hot check fund to pay his employees who were needed while still paying a secretary prior to retiring. The County Attorney will be paid back from the hot check fund. Commissioner Boggs inquires if the other budget amendments are just cleaning up accounts.

Motion was made by Commissioner Thomas Hockaday and was seconded by Commissioner Don Boggs to approve the budget amendments.

Motion carried unanimously

SEE ATTACHMENTS # 12

13. IN THE MATTER OF SIGNING PAY ORDERS AND APPROVING PAYMENTS.

Motion was made by Commissioner Thomas Hockaday and seconded by Commissioner Don Boggs to approve pay orders.

Motion carried unanimously

SEE ATTACHMENT # 13

14. IN THE MATTER OF CLOSING COMMENTS BY COUNTY JUDGE AND COMMISSIONERS.

Commissioner Thomas Hockaday inquired about the time, place and to whom the H1N1 vaccines would be made available to the county. The vaccines will be available January 6, 2010 at 8:30 am in the Annex to all employees and their families at no charge.

Judge Sam Russell mentioned having the technology workshop for the middle of January and Commissioner Boggs requested notification so he could contact knowledgeable web masters to attend. Mike Fields wants Shawn Bryan from Kaybro in attendance as well as representatives from Net Data.

Carl Johnson, County Auditor informed the Court outside auditors will be coming in the next couple of weeks.

IN THE MATTER OF ADJOURNMENT

Motion was made by Commissioner Thomas Hockaday and seconded by Commissioner Phillip Hinton to adjourn.

Motion carried unanimously.