

[Link to Audio](#)  
[Link to Audio](#)  
[Link to Agenda](#)  
[Link to Attachments](#)

**COMMISSIONERS' COURT OF TITUS COUNTY, TEXAS  
SPECIAL MEETING  
March 22, 2010**

**PUBLIC OFFICIALS AND PUBLIC ATTENDING:**

Sam W. Russell, County Judge  
Mike Fields, Commissioner Precinct 2  
Thomas Hockaday, Commissioner Precinct 4  
Carl Johnson, County Auditor  
Tim Ingram, County Sheriff  
Mike Ahrens  
Brian Whitfield  
Brian Lee  
David Jones  
Tabatha Hackler

Don Boggs, Commissioner Pct 1  
Phillip Hinton, Commissioner Pct 3  
Teresa Price, County Clerk  
Debby Rhea, County Treasurer  
Norma Narramore  
Paul Heidaker  
Lou Antonelli  
Barbara Bruechner  
Lance White

Judge Sam Russell called the Special Meeting to order after 9:04 a.m. on March 22, 2010 stating that for the record, notices had been posted 72 hours preceding the meeting as requested by the Open Records Act.

Judge Russell led the Commissioners' Court in the Pledge of Allegiance. Commissioner Thomas Hockaday followed with the invocation.

**1. Public Comments and/or Requests for Information on Non-agenda Items in accordance with Section 551.042, Texas Open Meetings Act**

There were no public comments and/or requests for information on non-agenda items.

**2. Presentation on Loop Project**

Paul Heidaker provided the following update as to the progress of the Titus County Loop.

The Environmental Clearance is complete on US 271 and the FONSI has been issued. The Section 404 Permitting is complete with permit being issued. Archeological mitigation and data recovery still continues on US 271 with inclement weather causing some delay. Weather permitting; they hope to complete this during the month of March.

On the Environmental Assessment of FM 2348, FHWA has requested the electronic files of the Request for FONSI in "word" document in order to make minor changes. PBS&J has forwarded this information and expects that the FONSI should be issued in less than two weeks based upon this request.

Regarding Environmental Assessment on FM 1000, a conference call was held on February 2nd with PTP, PBS&J, TxDOT-Atlanta and FHWA to discuss questions involving the need and purpose of the project as well as the logical termini. According to the PTP Director of Environmental

Services, all FHWA questions/concerns have been answered and the EA document has been revised to reflect FHWA comments, both written and those made during the teleconference. Revised copies of the EA documents were sent to TxDOT-ENV for resubmission on March 15. Based on comments from FHWA and TxDOT-ENVF-PTP expects the document to receive SFP (sufficient for further processing) in less than a month. PBS&J has been directed to finalize all documents necessary for the Public Hearing and wrap-up coordination with TxDOT-Atlanta and TxDOT-ENV. A public hearing is expected to be held the latter part of May.

The ROW acquisition is ongoing for the US 271 project. To date, agreements have been reached with thirteen property owners and several of these parcels have been closed. The remainder will be closed within two weeks, pending receipt of funds from the County. Eminent domain proceedings have commenced on five properties. It is expected that several more parcels will be sent to the legal team for condemnation within the next two weeks. The first hearing will be on April 19.

On March 4<sup>th</sup>, PTP and PAS met with TxDOT-Atlanta District to resolve access management issues. It was critical to resolve the issues to allow appraisals to be completed on three parcels situated north of US 67. PTP proposed a solution which resolved TxDOT concerns and will still allow the parcels to maintain access and access rights. The design engineer is completing a submittal which details the solution for final approval by TxDOT. The appraiser has been released to appraise the parcels accordingly.

**3. Review minutes from Commissioners Court for February 22, 2010 Special Meeting and March 8, 2010 Regular Meeting**

Motion was made by Commissioner Don Boggs and seconded by Commissioner Mike Fields to approve minutes from February 22, 2010 Special Meeting and March 8, 2010 Regular Meeting with corrections as discussed prior to meeting. Motion carried unanimously.

**4. Consider and Possibly Approve Proclamation Designating April, 2009 as Child Abuse Prevention Month in Titus County**

Motion was made by Commissioner Mike Fields and seconded by Commissioner Phillip Hinton to approve proclamation designating April, 2010 as Child Abuse Prevention Month in Titus County. Motion carried unanimously. (Note change from 2009 to 2010)

**5. Consider and Possibly Approve Resolution Recognizing the Month of April, 2010 as County Government Month 2010**

Motion was made by Commissioner Phillip Hinton and seconded by Commissioner Don Boggs to approve resolution recognizing the month of April, 2010 as County Government Month 2010. Motion carried unanimously.

**6. Consider and Possibly Approve bid process for a Dump Truck and a 1-1/2 ton flatbed truck for Precinct 1 & 4**

Commissioner Boggs informed the court that there was a change in this item and that was that they will not be buying a 1-1/2 ton flatbed truck for either Precinct 1 or 4. He wants to take

advantage of the price that Precinct 3 got. They will just be purchasing a dump truck and dump bed.

Motion was made by Commissioner Thomas Hockaday and seconded by Commissioner Don Boggs to approve bid process for purchase of dump truck with bed for Precinct 1 and 4. Motion carried unanimously.

#### **7. Discuss and Possibly Take Action on the Broadband Initiative Request**

Judge Russell informed the court that Congress passed a bill dealing with the Broadband Initiative and there is a group of private industries and different entities interested in this initiative. It would be significant to people in rural areas having to use dial up or high speed internet service.

Judge Russell then introduced David Jones from Ark-Tex Council of Governments in Texarkana. Mr. Jones began by stating that broadband is no longer a luxury. They are asking the support of different counties to participate in a Stimulus Broadband Grant being offered. The purpose will be to bring fiber optic to all rural areas and schools enabling faster and less expensive internet connectivity for our area. The speed will be 23 times faster than what we now have.

The projected cost of the project is expected to be \$35-40 million and the grant requires a 30% funding match of both \$1 million cash and \$11 million in-kind match. They are asking each County to consider a per capita pledge based on the 2000 Census of \$1 to be spread over a five-year period if and when the Broadband Grant is awarded to ATCOG. He stressed the urgency in this matter as the deadline to apply is March 23, 2010, the next day. Mr. Jones stressed that ATCOG would not be in the Internet providing business.

Mr. Lance White from Peoples Telephone Co-Op spoke next stating that they are not asking for financial aid but for letters of support. They will finance the project and hope to get 100 letters of support. They have already submitted their grant application. Their goal is also for all government offices and schools to have intranet.

Motion was made by Commissioner Don Boggs and seconded by Commissioner Phillip Hinton to provide Letters of Support to ATCOG and Peoples Telephone Co-Op and to provide a commitment of \$5624/year to ATCOG if they receive the grant. Motion carried unanimously.

#### **8. Consider and Possibly Approve Travel and Seminars for Titus County Employees and Elected Officials**

Travel requests were received from:

- District Clerk, Debra Abston, to attend the CDCAT Conference 2010 in Amarillo, Texas June 13-17, 2010 – 115<sup>th</sup> Annual County & District Clerk's Conference
- County Clerk office for Lydia Gonzalez for a Master Registrar Certification Course scheduled March 22-26, 2010 to be paid from Records Management
- Sheriff's office for Deputy David Robertson and Deputy Craig Brown to attend a Desert Snow Criminal Interdiction and Legal Aspects Course in Tyler March 22-23.

Motion was made by Commissioner Phillip Hinton and seconded by Commissioner Mike Fields to approve travel and seminars for Titus County Employees and Elected Officials. Motion carried unanimously.

**9. Consider and Possibly Approve Oral and Written Reports of County Officials**

There were no oral reports. Written reports were received from City of Talco VFD; Winfield VFD and the Auditor's Department.

Motion was made by Commissioner Phillip Hinton and seconded by Commissioner Don Boggs to approve written reports of County Officials. Motion carried unanimously.

**10. Approve Budget Amendments**

Carl Johnson, County Auditor, presented the court with Budget Amendments #5-9.

Motion was made by Commissioner Don Boggs and seconded by Commissioner Phillip Hinton to approve Budget Amendments #5-9. Motion carried unanimously.

**11. Sign Pay Orders and Approve Payments**

Motion was made by Commissioner Phillip Hinton and seconded by Commissioner Thomas Hockaday to sign pay orders and approve payments. Motion carried. Judge Russell abstained from voting.

**12. Closing Comments by County Judge and Commissioners, if any**

Commissioner Don Boggs asked about the Personnel Manual and Judge Russell asked if he would like to take on that project with an answer that he would. He will need to get with the County Attorney. Judge Russell is to give him the copy that he has from his meeting with Gerald Schroeder from TAC.

Commissioner Mike Fields announced that Clean-Up Week will begin Monday, March 29<sup>th</sup> and end Saturday, April 3<sup>rd</sup> at noon. Dumpsters will be at the same locations as last year. Items that will not be accepted include tires, batteries, paint and oil. Appliances wishing to be disposed of can be taken to the Pleasant Oaks Landfill.

Judge Russell read an email received from Larry McRae showing that Titus County had been allocated \$31,684.73 for FY2009 funds from Homeland Security.

**Adjourn**

Motion was made by Commissioner Don Boggs and seconded by Commissioner Phillip Hinton to adjourn. Motion carried unanimously.