Link to Audio
Link to Audio
Link to Agenda
Link to Attachments

COMMISSIONERS' COURT OF TITUS COUNTY, TEXAS
SPECIAL MEETING
June 28, 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
Joyce Simpson, Asst to County Judge
Norma Narramore
Barbara Bruechner
Mike Mahar
Mike Ahrens
Bobby Joe Spearman
Brian Lee
Tammy Shelton
Lou Antonellio
Don Boggs, Commissioner Pct 1
Phillip Hinton, Commissioner Pct 3
Teresa Price, County Clerk
Debby Rhea, County Treasurer
William White, Business Manager
Jerene Sarratt, County Clerk's Office
Jake Narramore
Jennie Taraborelli
Robert Black
Larry McRae
David Janakes
Chris Shelton
Mark Harkrider
Brian Whitfield

Judge Sam Russell called the Special Meeting to order at 9:05 a.m. on June 28, 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 Opens Meetings Act

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

a. Status Report on Pass-Through Program was presented by Jennie Taraborelli. Ms. Taraborelli began with informing the court that Titus County has been released for Public Hearing on FM 1000 to be held on July 22, 2010 at the Extension Office. Open house will be held from 5:30 – 6:30 p.m. at which time the public can view maps and layout of the proposed alignment. Public hearing to begin at 6:30 p.m. with TxDOT at the hearing to present findings of the preliminary engineering studies, environmental studies and recommended alignment of FM 1000. Ms. Taraborelli stated that by mid-September, we should have clearance on FM 1000 which would allow us to start ROW acquisition.

   Bids were accepted on the Clearing & Grubbing contract on June 15, 2010 with a total of seven (7) bids being received.

Groundbreaking for the US 271 will be held immediately following Commissioners Court at the southwest corner of US 271 and US 67.

2. Consider and Possibly Approve Minutes for April 26, 2010 Special Meeting; May 10, 2010 Regular Meeting; May 17, 2010 Special Meeting; May 24, 2010 Special Meeting and June 14, 2010 Regular Meeting of the Commissioners Court

Motion was made by Commissioner Don Boggs to approve the minutes for April 26, 2010 Special Meeting; May 10, 2010 Regular Meeting, May 17, 2010 Special Meeting and May 24, 2010 Special Meeting. His motion did not include the minutes for June 14, 2010 since he was not present at that meeting. Judge Russell asked that since the minutes were being typed verbatim as to what is on the CD, that a disclaimer be added stating that the true and correct quotes will be found on the audio CD and is an accurate record. Judge Russell then asked if we were taking up space on the server by adding the CD on the internet. Ms. Price answered that it was not.

Motion was amended by Commissioner Don Boggs and seconded by Commissioner Phillip Hinton to include disclaimer that the true and correct quotes will be found on the audio CD. Motion carried unanimously.

Motion was made by Commissioner Don Boggs and seconded by Commissioner Mike Fields to table the minutes for June 14, 2010 until the next meeting. Motion carried unanimously.

3. Consider and Possibly Approve Request for Funds from State Comptroller pursuant to Section 74.602, Texas Property Code

This is a routine request from the State Comptroller's office authorizing the Comptroller to allocate a portion of the unclaimed capital credits received from electric cooperatives back to counties in cooperative's service area. The amount allocated to Titus County is $471.73.

Motion was made by Commissioner Thomas Hockaday and seconded by Commissioner Phillip Hinton to approve Request for Funds from State Comptroller pursuant to Section 74.602, Texas Property Code. Motion carried unanimously.

4. Consider and Possibly Approve Reappointment of Hudson Old to Northeast Texas RMA for term beginning February 1, 2010

Motion was made by Commissioner Thomas Hockaday and seconded by Commissioner Phillip Hinton to approve the Reappointment of Hudson Old to the Northeast RMA for term beginning February 1, 2010. Motion carried unanimously.

5. Consider and Possibly Approve VINE Contract beginning September 1, 2010 and ending August 31, 2011

Motion was made by Commissioner Don Boggs and seconded by Commissioner Phillip Hinton to table this item until the next Commissioners' Court Meeting. Motion carried unanimously.

6. **Consider and Possibly Approve Award of a Contract for the Clearing and Grubbing of US 271 Right of Way and Removal of Structures (TxDOT CSJs: 0248-09-003 and 0248-01-071) NUN**

Jennie Taraborelli with Pate Transportation Partners came before the court on items 6-13. Judge Russell felt that the County Attorney should do a cursory review of information relating to items 9-13 before taking any action. Item 7 & 8 are needed to allow alignment maps to go with each wing of the loop.

Titus County accepted and opened bids on June 15, 2010 for the US 271 Clearing and Grubbing Contract. A total of seven bids were received with the lowest bid being from H. H. Howard & Sons, Inc. (see attachment). Ms. Pate stated that they were in compliance and recommended that the Commissioners Court approve the award of the bid to them. They will have 30 days to place the required bond with Titus County. Once bonds are in place, a preconstruction meeting will be scheduled and a Notice to Proceed will be issued.

Motion was made by Commissioner Mike Fields and seconded by Commissioner Thomas Hockaday to approve the award of a Contract for the Clearing and Grubbing of US 271 Right of Way and Removal of Structures (TxDOT CSJs: 0248-09003 and 0248-01-071) NUN to H. H. Howard & Sons, Inc. in the amount of $77,8,145.24. Motion carried unanimously.

7. **Consider and Possibly Approve Determination of Public Necessity for FM 2348**

Motion was made by Commissioner Don Boggs and seconded by Commissioner Thomas Hockaday to approve Determination of Public Necessity for FM 2348. Motion carried unanimously.

8. **Consider and Possibly Approve Determination of Public Necessity for FM 1000**

Motion was made by Commissioner Mike Fields and seconded by Commissioner Phillip Hinton to approve Determination of Public Necessity for FM 1000. Motion carried unanimously.

9. **Consider and Possibly Approve the Adoption of TxDOT Disadvantage Business Enterprise and Use Disadvantage Business Enterprise Manual for all Titus County Pass-Through Projects**

Motion was made by Commissioner Don Boggs and seconded by Commissioner Phillip Hinton to table this item until the next meeting. Motion carried unanimously.

10. **Consider and Possibly Approve Execution of Memorandum of Understanding (MOU) regarding the Adoption of the TxDOT DBE Program by Titus County**

Motion was made by Commissioner Don Boggs and seconded by Commissioner Phillip Hinton to table this item until the next meeting. Motion carried unanimously.

11. Consider and Possibly Approve the Adoption of Construction Contract Administration Procedures and Use of the Construction Contract Administration Manual for the Titus County Pass-Through Toll Projects

Motion was made by Commissioner Don Boggs and seconded by Commissioner Phillip Hinton to table this item until the next meeting. Motion carried unanimously.

12. Consider and Possibly Approve the Execution of an Interlocal Agreement between Titus County and TxDOT covering the contracting of onsite inspection services at preapproved sources

Motion was made by Commissioner Don Boggs and seconded by Commissioner Phillip Hinton to table this item until the next meeting. Motion carried unanimously.

13. Consider and Possibly Approve Resolution relating to the Pass-Through Projects to support Interlocal Agreement between Titus County and TxDOT

Motion was made by Commissioner Don Boggs and seconded by Commissioner Phillip Hinton to table this item until the next meeting. Motion carried unanimously.

14. Consider and Possibly Approve the Sale of a House Located on 0.756 acres of land situated in the Ambrose Ripley Survey A-478, Titus County, Texas to be moved

This property is one of the parcels on 271 that went to Condemnation; therefore, it is now Titus County property. Interest by someone to buy this piece of property was expressed, and since the property now belongs to Titus County, it requires a Public Sale. The property will have to be moved within 21 days as not to disrupt the clearing and grubbing. This will be the first of several. Judge Russell asked if the property owner had accepted the award of three commissioners and was told by Ms. Taraborelli that they had and that Titus County was now the legal owner of that land.

Chris Shelton was the only bid to be submitted for this property and it was in the amount of $926.99.

Motion was made by Commissioner Mike Fields and seconded by Commissioner Don Boggs to approve the bid received from Chris Shelton in the amount of $926.99 for the sale of a house located on 0.756 acres of land situated in the Ambrose Ripley Survey A-478, Titus County, Texas to be moved. Motion carried unanimously.

15. Consider and Possibly Approve Fire Protection Service Agreement between Titus County and the City of Mount Pleasant beginning October 1, 2010 and to be renewed annually until September 30, 2020

Commissioner Hockaday felt that there might be a need for three (3) separate contracts and also that the figures submitted needed to be checked. City Manager, Mike Ahrens, stated that he would check into this and get a corrected copy to Titus County.

Motion was made by Commissioner Thomas Hockaday and seconded by Commissioner Phillip Hinton to table this item. Motion carried unanimously.

16. Open bids and Consider and Possibly Approve the following:

a. **Washed Gravel (3/8" to Number 10) –** Two bids were received, R. L Gerhardt Excavation and Hanson Aggregates, Inc. One was bid in tons and the other did not specify. Need to rebid with specifications as to whether tons or yards. Motion was made by Commissioner Thomas Hockaday and seconded by Commissioner Phillip Hinton to table this item and go out for rebid specifying whether tons or yards. Motion carried unanimously.

b. **Crushed Iron Ore (Maximum 1" screen size) –** Only one bid received from R. L. Gerhardt and once again, the bid did not specify whether yards or tons. Need to rebid with specifications as to whether tons or yards. Motion was made by Commissioner Mike Fields and seconded by Commissioner Phillip Hinton to table this item and go out for rebid specifying tons or yards. Motion carried unanimously.

c. **Type A Flex base Ash –** One bid received from Lafarge located at Welch Utility in Cason. The bid was in the amount of $3.00/ton for Fly Ash Rock (Flex base) and bottom ash sand and bottom ash free as available FOB PLT. Motion was made by Commissioner Mike Fields and seconded by Commissioner Phillip Hinton to approve the bid from Lafarge for Type A Flex base Ash. Motion carried unanimously.

d. **Steel Culverts (16 gauge galvanized steel, 2.66 x ½ spiral, lock seam construction, all diameters -** One bid received from Contech Construction Products, Inc. (See attached) Motion was made by Commissioner Thomas Hockaday and seconded by Commissioner Mike Fields to approve the bid from Contech Construction Products, Inc. for Steel Culverts (16 gauge galvanized steel, 2.66 x ½ spiral, lock seam construction. Motion carried unanimously.

e. **Concrete Culverts with reinforced steel wire, all diameters –** One bid received from Cox Concrete (See attached) Motion made by Commissioner Thomas Hockaday and seconded by Commissioner Phillip Hinton to approve the bid from Cox Concrete for concrete culverts with reinforced steel wire, all diameters. Motion carried. Judge Russell abstained from voting.

f. **Asphalt, sand, cold mix and hot mix –** One bid received from Richard Drake Construction Company (see attached). Motion was made by Commissioner Phillip Hinton and seconded by Commissioner Thomas Hockaday to approve the bid from Richard Drake Construction Company for asphalt, sand, cold mix and hot mix on the basis that it is per ton bid. Motion carried unanimously.

g. **Lawn Maintenance –** the following bids were received:
King Lawn Landscape (Jeri King) - $9600/year
McMadlyn's Mowing (Bruce Gentry) - $8900/year
Gray Rock Landscape (Chet Zachary) - $8465/year
Stanley Landscape, LLC (David Stanley) - $8280/year
Richard Jones - $8400/year
David Elmore - $9852/year

Motion was made by Commissioner Phillip Hinton and seconded by Commissioner Mike Fields to approve the bid from Stanley Landscape, LLC in the amount of $8280/year subject to carrying insurance as shown in the contract. Motion carried unanimously. All bids are effective July 1, 2010 through June 30, 2011.

17. Consider and Possibly Approve Travel and Seminars for Titus County Employees and Elected Officials

Travel was submitted from Leonard Rockwell, Elections Administration, to attend the Voting System Workshop in Austin August 26-28, 2010.

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

18. Report from Shawn Bryant regarding County Computer Systems

Mr. Bryant was unable to be present. David Janakes gave the report in his place. Mr. Janakes stated that the ISeries IBM Server was at 56% of total capacity and that there were no upgrades available for this model. Mr. Janakes stated that the maintenance hardware will no longer be covering this. Commissioner Boggs stated that we had had a maintenance contract but for some reason, the contract was cancelled and no one knows by whom. We need a letter stating that this has been recontinued.

Both main controllers on the security server have been received and are ready to install. One controller is for the Sheriff's Department and the other is for the rest of the county. The process of moving the system onto the new controllers will take approximately 45 days. The on-line ticketing system is already being used by the Service Department for when a problem occurs with the computers which is supposed to give faster response time. There is one technician at Titus County Monday through Thursday from 8:30 a.m. to 4:30 p.m...

A primary contact is needed for the domain controller. The Commissioners Court felt that it was up to each elected official to be in charge of their own office. A policy needs to be in place.

19. Approve Oral and Written Reports of County Officials

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

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

20. Approve Budget Amendments
Carl Johnson, County Auditor, presented Budget Amendment #10 for approval. It was for Precinct 1 for part-time salary.

Motion was made by Commissioner Mike Fields and seconded by Commissioner Phillip Hinton to approve Budget Amendment #10. Motion carried unanimously.

21. Sign Pay Orders and Approve Payments
Motion was made by Commissioner Thomas Hockaday and seconded by Commissioner Phillip Hinton to sign pay orders and approve payments. Motion carried unanimously.

22. Closing Comments by County Judge and Commissioners, if any
Judge Russell announced that Shirley Parker would be retiring from the Tax Office and there would be a come and go retirement party for her Tuesday beginning at 11:00 a.m.

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