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COMMISSIONERS' COURT OF TITUS COUNTY, TEXAS
SPECIAL MEETING
August 23, 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
William White, Business Manager
Joyce Simpson, Asst to County Judge
Jimmy Rogers
Mike Ahrens
Brian Lee
Jimmy Parker
Carol Gresham
Sheryl Preddy
Dave Janakes

Don Boggs, Commissioner Pct 1
Phillip Hinton, Commissioner Pct 3
Debby Rhea, County Treasurer
John Livingston, Chief Deputy
Jerene Sarratt, County Clerk's office
Norma Narramore
Mamie Rogers
Jennie Taraborelli
Jon Roach
Lou Antonellio
Tom Gresham
Shawn Bryant

Judge Sam Russell called the Special Meeting to order at 9:05 a.m. on August 23, 2010 stating that for the record, notices had been posted for the appropriate amount of time preceding the meeting.

Judge Russell led the Commissioners' Court in the Pledge of Allegiance. Commissioner Mike Fields 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

Carol Gresham came before the Commissioners Court on behalf of SAFE-T requesting a token amount of funding from Titus County when considering their FY11 budget. Judge Russell asked if they had gone to the City asking for assistance in funding. Ms. Gresham stated that the City's policy was to not give any assistance to non-profit projects. He then asked if they received any monies from the prospective list of jurors and was told no.

2. Presentation on Loop Project

Jennie Taraborelli with Pate Transportation Partners updated the Commissioners Court on the Loop Project by beginning with the Public Hearing held on the FM 1000 project on July 22, 2010. The comment period ended August 5, 2010 with only three comments being received. These comments will be taken into consideration when drafting a summary report which will be completed once the transcript is received from the court reporter. Hopefully, this will be submitted to TxDOT/FHWA by the first of September. The final step will be the FONSI.

The condemnation proceedings for the remaining ten (10) parcels on US 271 are proceeding with hearings for five (5) parcels scheduled the week of August 23rd. Offers have been made on 21 of the 24 parcels on ROW acquisition for the FM 2348 project. Judge Russell asked how many parcels were on FM 1000. Ms Taraborelli answered in that there were 31.

An issue has come up regarding the Wetland No. 2 on US 271. Since the completion of the jurisdictional determination, the approval of the Section 404 permit by the United States Corps of Engineers, the purchase of the appropriate mitigation credits and the approval of bridge layouts by TxDOT, the property owner has increased the size of this wetland. This causes problems with the permit which may require either the purchase of additional mitigation credits or redesign and lengthening of the bridge at this location. Both options are very expensive and could delay the schedule. It is unknown if the property owners obtained a permit to do this. Pate Transportation has initiated conversations with the CORE as well as their legal consultants to see what is to be done. Until this is resolved, the design for 271 cannot be completed.

Judge Russell asked if this involved a pond or what to increase the size of the wetland. Ms. Taraborelli answered that they had increased the size of a pond and made it 1/3 larger than it previously was. He then asked if this would have an effect on the Clearing and Grubbing Contract and was told that it would not. Ms. Taraborelli stated that Clearing and Grubbing had started on both the north and south ends of the project.

Commissioner Fields asked when we could expect to receive the FONSI for 1000 and was told by the middle of October.

3. Consider and Possibly Approve Minutes for Regular Meeting of the Commissioners Court on August 9, 2010

Motion was made by Commissioner Don Boggs and seconded by Commissioner Mike Fields to approve minutes for Regular Meeting of the Commissioners Court on August 9, 2010 subject to the corrections in spelling and numbers as noted on Commissioner Boggs copy of the minutes. Motion carried unanimously.

4. Consider and Possibly Approve a Proposed Tax Rate for FY2011

Carl Johnson, County Auditor, recommended that the County go with the effective tax rate; therefore, a meeting would not have to be held since a tax increase is not being requested. Judge Russell asked if this was .3486 or .3487. Mr. Johnson was not sure as he did not have the figures with him.

Motion was made by Commissioner Thomas Hockaday and seconded by Commissioner Phillip Hinton to approve the effective tax rate as the proposed tax rate for FY2011. Motion carried unanimously.

5. Open Bids and Consider and Possibly Approve the following:

- a. Sawmill Equipment**
- b. Electric Control Bank**
- c. Electric Control Bank**

Bids for the Sawmill Equipment were received from Cypress Lumber Company for \$454.00 and David Elmore for \$572.68. Bids were received for the Electric Control Bank (Debarker) in the amount of \$512.00 from Cypress Lumber and in the amount of \$75.75 from David Elmore. On the Electric Control Bank (Sawmill), bids were received in the amount of \$1678.00 from Cypress Lumber and \$68.00 from David Elmore.

Motion was made by Commissioner Thomas Hockaday and seconded by Commissioner Don Boggs to accept the high bids of \$572.68 for the Sawmill Equipment from David Elmore; \$512.00 from Cypress Lumber for the Electric Control Bank (Debarker) and \$1678.00 from Cypress Lumber for the Electric Control Bank (Sawmill). Motion carried unanimously.

6. Consider and Possibly Take Action on Employee Life Insurance

County Auditor, Carl Johnson, informed the court that this is a free benefit for County employees. Presently, it is 2 x employee's salary with annual premiums being \$23,006.34. According to the IRS, anything over \$50,000 has to be reported as income. Mr. Johnson presented the court with three (3) options: (a.) Keep the current benefits with total premiums being \$1917.20 monthly and \$23,006.34 annually; (b.) flat \$50,00 with monthly premiums being \$1687.20 and annual being \$20,246.40 and (c.) 2 x salary to \$50,000 with monthly premium being \$1649.40 and annual being \$19,792.81.

Motion was made by Commissioner Don Boggs and seconded by Commissioner Mike Fields to keep the current Employee Life Insurance benefit. Commissioner Thomas Hockaday and Commissioner Phillip Hinton voted against with Judge Russell breaking the tie voting for. Motion carries.

7. Consider and Possibly Approve Contract between the Department of State Health Program Vital Statistics Unit and Titus County beginning 09/01/2010 and ending 08/31/2012

Judge Russell stated that the County Attorney had some questions regarding the contract.

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

8. Consider and Possibly Approve Appointment to Serve on the Regional Advisory Committee for ATCOG Area Agency on Aging

Paul Lindsey, County Investigator, has agreed that he would serve on this committee and the County Attorney indicated that it would not interfere with his duties as investigator.

Motion was made by Commissioner Phillip Hinton and seconded by Commissioner Thomas Hockaday to approve appointment of Paul Lindsey to serve on the Regional Advisory Committee for ATCOG Area Agency on Aging. Motion carried unanimously.

9. Report from Shawn Bryant

Shawn Bryant from KayPro gave a report on the ticketing system he is now using. Each office has a primary contact that is given a user name and password to log on to their support link. Once they have done this, they can create a problem ticket which immediately is sent to technicians who in turn, respond to that department. This system will help keep up with problems and response time. Judge Russell asked what the response time was for the weekends, i.e., when the Sheriff's department goes down. Mr. Bryant answered in that nothing is contracted at this time but have worked on weekends in the past to help solve an issue. This is considered to be overtime.

Mr. Bryant told the court that the equipment server is at 90% and should be completed by the end of September or the first of October. NetData is now operating at 80% capacity. When asked why this was so high, the court was told because of the amount of scanning that is being performed and the number of multiple users online. Judge Russell asked if anyone was allowed to access information from NetData and was told that they can go into the system and be given access. The question was then asked if anyone could get a list of who accessed the system and was told they could.

Mr. Bryant was asked about keeping computer equipment off of the floor. He said that racks could be purchased to get the equipment off of the floor and also the surplus equipment could be donated. Commissioner Boggs is to make a request to donate all surplus computers and equipment to the schools. When asked about keeping the room cool, Mr. Bryant did say that the room gets too hot for all of the servers that are in the computer room which is the reason the door is left over which then causes security issues. It really needs to be locked up. The County has a grant for Heating and Air Conditioning and will see if this can be used for this room. It was also recommended that maybe the equipment be moved to the Sheriff's office by Mr. Bryant. Chief Deputy John Livingston is to check on this.

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

Travel was submitted from the Sheriff's office requesting training for Dispatchers, Jennifer Baxter and Sue Kruse, to attend the Advanced Law Enforcement Dispatch Training presented by Frisco Police and Fire Communications September 20-21, 2010 in Frisco; JP2 Paula Dyke to attend the FY11 Justice of the Peace Seminar in Tyler 11/14/2010 – 11/17/2010 and for Veteran Service Officer, Steve Austin, to attend the training session for newly appointed VCSO September 28 – October 1, 2010 in Austin.

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.

11. 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 cash report from Auditor's office.

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

12. Consider and Possibly Take Action on Treasurer's Report

Motion was made by Commissioner Don Boggs and seconded by Commissioner Mike Fields to accept the Treasurer's Report. Motion carried unanimously.

13. Approve Budget Amendments

There were no budget amendments.

14. Sign Pay Orders and Approve Payments

Commissioner Boggs asked Treasurer Rhea if she was still making disbursements for his precinct by Certified Mail. Ms. Rhea answered that she was not. Commissioner Boggs then asked if she would start this and was told no, that she would be glad to give him the envelopes and let him do it. Commissioner Boggs then brought up again the fact that 68 checks had not reached their destination since the first of the year and this was the reason he was requesting payments to be mailed Certified. Ms. Rhea blamed the post office and once again stated that she would not do Certified Mail.

Motion was made by Commissioner Thomas Hockaday and seconded by Commissioner Phillip Hinton to sign pay orders and approve payments. Motion carried unanimously.

15. Closing Comments by County Judge and Commissioners, if any

There were no closing comments.

Adjourn

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