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**COMMISSIONERS' COURT OF TITUS COUNTY, TEXAS
SPECIAL MEETING
October 25, 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, Assistant to County Judge
Sheryl Preddy
Sue Evenwel
Barbara Bruechner
Judy Lee
Jimmy Parker
Cole Hefner
Bob Philpot
Lynn Fender Smith

Don Boggs, Commissioner Pct 1
Phillip Hinton, Commissioner Pct 3
Teresa Price, County Clerk
Debby Rhea, County Treasurer
Brad Fosdick, Captain Sheriff's Department
Norma Narramore
Steve Bragg
Chris Shelton
Eric Bruechner
Chuck Denman
Bill Sellers
Ron Smith
David Bird
Lou Antonelli

Judge Sam Russell called the Special Meeting to order on October 25, 2010 at 9:05 stating that for the record, notices had been posted for the appropriate amount of time preceding the meeting.

Invocation: Commissioner Mike Fields

1. Public Comments and/or Requests for Information on Non-Agenda Items in Accordance with Section 551.042, Texas Government code

Barbara Bruechner came before Commissioners Court again with complaints from landowners asking Titus County to exert oversight on the loop bypass construction project. Ms. Bruechner feels that this is a critical issue. She continues in that the landowners are being treated with disrespect and are dealing with unethical and unprofessional people by the companies hired by Pate Transportation. Ms. Bruechner accuses the court of turning a blind eye stating that if it was your property or your parents' property, you would be paying attention. She added that Pate is being paid \$4.26 million of our tax dollars but they can't even acknowledge that there is a problem with the land acquisition process, much less offer to address or solve it.

Steve Bragg was next with complaints that he and his wife had been treated rudely, unfairly and had been lied to by Property Acquisitions and Pate Transportation. Mr. Bragg stated that he had asked for help from his commissioner two months ago but has heard nothing back and that no one would help them in this matter. He went on to say that they had also been treated rudely by the Titus County lawyer. Mr. Bragg said that, even after a determination by a special court convened for the process of eminent domain to be awarded an amount for their

property, the attorney decided to take him to a jury trial to protest the amount they were awarded. Mr. Bragg states that he does not know who made the decision to sue – Pate, the attorney or Titus County. Now they have to hire an attorney to fight for what is rightfully theirs. He also accuses the county of wanting to take credit but do not seem to care how it gets done.

David Bird addressed the court stating that he was fairly new to Titus County and had heard a lot regarding the loop project. Mr. Bird wanted to know how to obtain information regarding the process of how the loop began and the financial part of it. Judge Russell informed him that he could submit an Open Records Request with the auditor's office or our office to get that information. There is information regarding the bond issue, TxDOT and Pate Transportation.

2. Consider and Possibly Approve Minutes for Commissioners' Court Special Meeting on September 27, 2010 and October 12, 2010 Regular Meeting

Commissioner Don Boggs stated that Tammy Shelton needed to be added to September 27, 2010 minutes and that Item #9 needed to be amended to remove "With the Exception of the over 65-Tax Freeze". This went into effect the same time as the other exemptions in 2005.

Motion was made by Commissioner Don Boggs and seconded by Commissioner Mike Fields to approve minutes for Commissioners' Court Regular Meeting on September 27, 2010 and October 12, 2010 Regular Meeting as amended. Motion carried unanimously.

3. Consider and Possibly Approve Memorandum of Understanding between Franklin County and Titus County for Veterans Service Officer

Judge Russell presented to the Commissioners Court a Memorandum of Understanding between Franklin County and Titus County for the Veterans Service Officer of Titus County to assume the duties of the Franklin County Veterans Service Officer effective November 1, 2010. At this time, Franklin County does not have a Veterans Service Officer and would pay Titus County \$100 per month to perform these duties. Our current Veterans Service Officer, Steve Austin, has agreed to do this. Commissioner Fields asked if Franklin County would let their veterans know that they were to contact Titus County and was told that they would. Titus County will establish the time, locations and days these services are available.

Motion was made by Commissioner Thomas Hockaday and seconded by Commissioner Phillip Hinton to approve the Memorandum of Understanding between Franklin County and Titus County for Veterans Service Officer. Motion carried unanimously.

4. Consider and Possibly Approve appointment of Sheila Donnelly to serve on the Titus County Child Welfare Board

Motion was made by Commissioner Phillip Hinton and seconded by Commissioner Thomas Hockaday to approve the appointment of Sheila Donnelly to serve on the Titus County Child Welfare Board. Motion carried unanimously.

5. Consider and Possibly Approve Private Rd 4742 at Caddo Trace Estates for a permanent road

Commissioner Hockaday stated that this was in his Precinct 4 and that this road was build according to specifications and will have to be maintained to meet these requirements for one (1) year.

Motion was made by Commissioner Thomas Hockaday and seconded by Commissioner Mike Fields to approve Private Rd 4742 at Caddo Trace Estates for a permanent road and at the end of one (1) year, approve as county roads if maintained to meet requirements. Motion carried unanimously.

6. Open Bids and Consider and Possibly Approve Roof Repair at the Titus County Jail

Bids were opened from the following:

- KRR Construction in the amount of \$241,071.15
- Lon Smith Roofing in the amount of \$260,480.00 with a Ten (10) Year Warranty – add \$15,144.00 with a Twenty (20) Year Warranty
- Hefner Roofing with a bid of \$186,550.00 and alternate bid of \$185,100.00

Bids were given to the Sheriff's office for their review and to bring back to the Commissioners Court on November 8, 2010 with a recommendation.

Motion was made by Commissioner Mike Fields and seconded by Commissioner Thomas Hockaday to table this item and present the proposals to the Sheriff's Department for review and report back with possible recommendation. Motion carried unanimously.

7. Consider and Possibly Approve Proclamation Proclaiming November, 2010 as Home Care & Hospice Month

Motion was made by Commissioner Thomas Hockaday and seconded by Commissioner Phillip Hinton to approve proclamation proclaiming November, 2010 as Home Care & Hospice Month. Motion carried unanimously.

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

Travel was turned in from:

- Judge Sam Russell to attend the annual judicial conference for County Judges in Austin for the dates of November 16-19, 2010
- Kay McNutt to attend the East Texas Justice of the Peace Association Annual Meeting in Tyler on November 3-4, 2010
- Sheriff's office for Lieutenant Michael Garcia to attend the National Jail Leadership Academy in Huntsville at the Corrections Management Institute of Texas from October 31, 2010 to November 5, 2010
- Sheriff's Office for Officer Sally Evans to attend training for TCLEOSE education in Kilgore on November 8-23, 2010

- Sheriff's Office for Dispatcher Jessica Ingram to attend training for 40 Hour Basic Communications Course in Henderson on November 2-6, 2010 and also for her to attend training for TCIC/NCIC Full Access in Commerce on October 27-28, 2010
- District Clerk's office for Debra Abston and Renee Blanton to attend 39th Annual County & District Clerks' Continuing Education Seminar at College Station on January 10-13, 2011.

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

9. Approve Oral and Written Reports of County Officials

Reports were turned in from Nortex VFD and cash report from the County Auditor's office.

Carl Johnson, County Auditor, stated that some of the funds will show that we are over but that the money is in a general fund. This is due to revenues from coming year not coming in yet. They are in the process of adjusting year end accounts.

Commissioner Boggs asked again if the District Attorney Forfeiture Fund could use part of their funds to pay the salary of the Assistant District Attorney and free up the money that we now pay his salary and use elsewhere. He was advised to speak to District Attorney and see if he is agreeable with this.

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

10. Report from Kaybro Technologies

Commissioner Boggs informed the court that he had received a message from Shawn Bryant that he was out of town and that his Vice-President, Dave, is ill. He asked that we place him on the next agenda. This item was passed.

11. Approve Budget Amendments

There were no budget amendments.

12. 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.

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

Commissioner Don Boggs responded to the false accusations that they had not met with Pate regarding the above issues. Commissioner Boggs stated that he had spoken with them about this and expected something to be done.

Commissioner Mike Fields stated that there was not much damage overall due to the storm last night, just a few trees down.

ADJOURN

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