

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

COMMISSIONERS' COURT
SPECIAL MEETING
November 28, 2011

Notice is hereby given that the Titus County Commissioners' Court met in a regular meeting on Friday, November 28, 2011 at 9:00 a.m. in the Titus County Courtroom, with the following members present:

Judge Brian P. Lee	County Judge
Don Boggs	Commissioner Precinct 1
Mike Fields	Commissioner Precinct 2
Phillip Hinton	Commissioner Precinct 3
Thomas Hockaday	Commissioner Precinct 4
Sheryl Preddy	County Treasurer
Carl Johnson	County Auditor
Tim Ingram	County Sheriff

Public Attending Meeting:

Jacob Hatfield, City of Mt. Pleasant	Norma Narramore	Jake Narramore
Barry A Hogan	Steve Austin, TCHC, CVSO	Jennie Taraborelli
Ludy Gibson	Mat Gibson	Mike Ahrens

Pledge of Allegiance led by:	Judge Lee
Invocation by:	Commissioner Fields

- 1) Pursuant to section 551.042, Texas Open Meeting Act, the Court is open to hear public comments and/or requests for information on non-agenda items. (Listen to audio track 1, 00:01:27).

- a. None

- 2) Consider and possibly approve Minutes from November 4, 2011 Special Meeting of the Commissioner Court. (Listen to audio track 1, 00:01:44).

Motion made by Commissioner Boggs and seconded by Commissioner Hinton. Motion carried unanimously.

- 3) Consider and possibly approve Minutes from November 7, 2011 Special Meeting of the Commissioner Court. (Listen to audio track 1, 00:01:44).

Motion made by Commissioner Boggs and seconded by Commissioner Hinton. Motion carried unanimously.

- 4) Consider and possibly approve Minutes from November 14, 2011 Special Meeting of the Commissioner Court. (Listen to audio track 1, 00:01:44).

Motion made by Commissioner Boggs and seconded by Commissioner Hinton. Motion carried unanimously.

- 5) Consider and possibly approve Minutes from November 18, 2011 Special Meeting of the Commissioner Court. (Listen to audio track 1, 00:01:44).

Motion made by Commissioner Boggs and seconded by Commissioner Hinton. Motion carried unanimously.

- 6) Status on the Titus County Pass-through Program. (Listen to audio tract 1, 00:02:51 and/or see attachment #1)

- a. Jennie Taraborelli: As you know, back in October the Court awarded the 271-construction contract to Williams Brothers Construction Company. Over the last month they have delivered the bonds with Titus County and has been going through the steps of delivering to PTP all of the necessary information that we need prior to the start of construction. I want to make the Court aware of a couple things, which I think everyone know of, but we have a coordination meeting set for this Wednesday at 1:30 with that Atlanta District. This is just a precursor to construction to sit and discuss the roles and responsibilities during construction of the District, PTP and Titus County, so that we move forward as a unified front when construction starts. Following that, in the next week on December 5, 2011 we have a pre-construction meeting scheduled with Williams Brothers Construction. It will be here at the Civic Center and we have invited all of the stake holders, the County, The City, Fire, Police, and School Districts so that they can hear the layout of how this project will progress, and be able to ask any questions so when we do have road closures the Police, Fire, and School can plan around it. TxDOT has also been invited to that meeting and I am assuming that they will attend as well. That gets us ready for the start of time charges, which we have discussed with Williams Brothers. The time charges for the project will start on January 2, 2012. That has given them this month to submit shop drawings to us for various materials that they need to order. They want to have materials onsite before construction started so that when they do hit the ground, they are not delayed in any fashion. They will start their dirt operation first, but right behind that they will need to put in pipe and culverts to accommodate flow of water. They have scheduled their time and ordered materials so on January 2, 2012 they will be able to get to work on the project. They are looking to set up their field operation, they have met with our staff here in Titus County a couple of times, looking at various sites. We have suggested a couple of different sites and think that they are still working out the finding of the location for that, but the field operations should be here in the month of December. It looks like it is sort of a slow start but I think that they are doing the right thing, especially with the Holidays, of getting their materials ordered and getting equipment in place so when we do start the time charges, and it is a pretty aggressive schedule, that they can work as efficiently as possible on the project.

On the 2348 project, I think when we were here last, we talked about how we were submitting to TxDOT the final approval for that project, that was submitted and we have received some comments from Austin. We expect to have all of those comments are being or have been answered. We expect to have the final set of comments in this week and a quick turnaround back to Austin so that package will be ready for advertising, and that is the next item on the Agenda. The comments that we received at this point have been minimal and quick to answer back. We are not expecting that we are going to receive anything this week that will delay that project any further, so we are hoping to have that final approval from TxDOT right after the first of the month to allow us to start advertising mid-December. That will give us a mid-January letting on that one.

On the FM 1000 project, the design is complete. The environmental is complete. What we are wrapping up is the Right of Way Acquisition. In talking with the Right of Way team, all parcels will be acquired through either acquisition or condemnation to accommodate a March letting, so that one is moving right behind. We have worked diligently to get all projects in construction simultaneous to each other, one right after the other. It looks like we are making that schedule.

Again, 271 will be the first one started and the last one to finish, but getting the other two projects up and running, and completed within the time-frame that 271 is under construction is our goal. So far, everything seems to be moving very well in that aspect. Starting next month, I expect to start hearing problems with why there is so much equipment running around out here on 271, but those are good problems to deal with. That is my report on the program if there are any questions. Then we will talk about the next agenda item.

- b. Judge Lee: Williams will not be in attendance at the first meeting.
- c. Jennie Taraborelli: No sir, we asked TxDOT for a meeting just so we could all sit and we invited the County and District Personnel and my staff, so that we can talk. This is the first Pass-Through project that has gone to construction with the Atlanta District, so we can talk through how the contract is structured and what the

appropriate roles and responsibilities are. When we do go to the next meeting with the contractor we are all speaking, sort of in the same book, and the contractor is not confused about whom he should be taking direction. Clearly, we want to accommodate the request by TxDOT, keep them apprised at all times as to the progress of the project, and they do have responsibility for independent assurance of the project, while Titus County has quality control responsibility. We need to accommodate all of those things, but we need to make sure that the contractor understands that this is a Titus County project and he will be taking direction from Titus County and PTP on that. All the requests or concerns from TxDOT will be addressed in that communication chain. We will continue to have coordination meetings with TxDOT throughout construction. We need to find out for ourselves exactly who is going to be the face of TxDOT, Atlanta, during construction. I think getting some of these questions answered now makes for a smooth start of construction.

- d. Commissioner Boggs: Are you saying that we will not be any actual dirt being moved during December, it will start after the first of the year?
- e. Jennie Taraborelli: It will start January 2, 2012. They have a partner that is involved in all the dirt work and they were really chomping at the bit to start in December. However, Williams Brothers' management was nervous about starting too much dirt work and not having pipe to put in the ground and then they would open areas up that they need to get pipe in. They did not want to have a miss step in that fashion. There were a couple of permits that they are required to obtain that we needed. They felt like they did not need to be haphazard about their start. This has given us some time to make sure that all of their documents are in place; everything that is required prior to construction has been received by PTP.
- f. Judge Lee: This is not Williams's first Pass-Through project, right?
- g. Jennie Taraborelli: I think it might be, I think it is. They have certainly done construction all over the state on huge projects.

- h. Judge Lee: It will be a little bit different. As well as our Atlanta office, it is the first time for them.
 - i. Jennie Taraborelli: The PTP staff has long relationships with Williams Brothers and work well with their management. I do not foresee any problems from that standpoint.
 - j. Judge Lee: Nor do I. Any other questions before she moves onto advertising?
- 7) Consider and possibly approve the advertising of FM 2348 Project pending approval of the design by the Texas Department of Transportation. (Listen to audio track 1, 00:14:43)
- a. Jennie Taraborelli: The next item deals with the 2348 project. We want to move to advertising as rapidly as we can, as soon as we have final authorization from TxDOT. I wanted to go ahead and put this on the Agenda to allow the Court to authorize us to begin advertising. This is contingent on receiving that final authorization from TxDOT. We have the bid package ready to go and have a healthy list of bidders. Everyone that bid the 271 project and several more have asked to be included on the list to be notified when that project goes to advertising. I expect a big group of bidders again, although I think you will see a stronger showing by some of the smaller contractors that are more use to dealing with projects the size of 2348. If the Court will go ahead and give approval, so as soon as we have that letter of authorization in hand from TxDOT that we can start advertising then we will move forward with that.
 - b. Commissioner Boggs: Can you tell me the length of those projects, 271 and 2348.
 - c. Jennie Taraborelli: I knew you would ask that, I cannot tell you out of memory but I will get that for you for both 2348 and 1000. In length, they a little bit shorter than the 271 project, not much. In complexity, they are much different. We are widening 2348 with one new structure. 1000 is a little different because we are extending it past 271 to tie into the new 271. They are much easier to deal with then the complexity of a project like 271 that had six major structures, heavy drainage and lots of dirt work. These other two are much different and I am expecting a little different group of bidders.

- d. Commissioner Hockaday: On 1000 that will still be a FM road even though it comes across Titus into...
- e. Jennie Taraborelli: Yes sir, it will still be FM. In all the plans, we still talk about it as FM 1000 even though I know that the Court has re-named that road to FM 4000.

Motion made by Commissioner Hockaday and seconded by Commissioner Fields. Motion carried unanimously.

- 8) Presentation by Barry Hogan, Liberty National Life Insurance, regarding employee life insurance considerations. (Listen to audio track 1, 00:18:21 and/or see Attachment #2).
 - a. Presentation made by Barry Hogan.
- 9) Consider and possibly approve Inter-Local cooperation Contract for Detention Services between Titus County and the City of Omaha, Texas. (Listen to audio track 1; 00:42:02 and/or see Attachment #3)
 - a. Sheriff Ingram explains that the City of Omaha asked if they get in a bind if we could house their prisoners. We told them that we would try to help them out for \$36.00 per person, like we do the federal prisoners.

Motion made by Commissioner Fields and seconded by Commissioner Hockaday. Motion carried unanimously.

- 10) Consider and possibly approve initiating formal discussions with the City of Mt. Pleasant for the acquisition of the Old Public Library. (Listen to audio track 1, 00:47:47).
 - a. Judge Lee: We have batted this around in casual conversation from time to time and we have a neat building over there that is going to be vacant soon. I am not pushing this, I am not pushing against it, and I just want us to start talking about it and see if this is something that we want to go visit with the City about. Alternatively, do we need to tell them that we are not interested and thank you for contacting us, and do the best that you can with it. I cannot tell you any specifics about what the City is expecting of us at this point. I do not know if it is going to be for sale or anything about that, we are not here to discuss that. We are simply here to talk about do we want to own another building and if we did what would we do with it.

- b. Commissioner Boggs: The issue came to me last year. I can see some use for the building. My concern is, has an architect or a construction engineer looked at it to see if we have any asbestos or any foundation problems, anything that we might be taking on that might be a problem down the road?
- c. Mike Ahrens: I just want to clarify that no decision has been made on the City's behalf that we are asking anyone to acquire it, or whether we might want to sell it. We have had two pretty credible interested parties to buy it, so if the County would have some interest in acquiring it we would have to consider that along with the option to sell it. The answer to your question is that we have not had any studies of the building, I could not tell you about asbestos, construction, or anything else.
- d. Steve Austin: As the Titus County Historical Commission Chair, we have always needed a home, or place to house, items that we have received thus far from citizens of the County, which are in storage in numerous places throughout the County. I think a couple of the Commissioners have warehoused a few items that have been turned over to the County. There are a number of items in the Library... and a number of items that have been promised to be donated. It could also serve as a museum; we understand that the new library complex has museum capabilities. Some items will not be able to withstand the transfer from where they are to where they might need to be in the museum. All of that is up for consideration and discussions. The County has been looking for additional spaces for certain entities within the Courthouse itself. If the Library was available, the Court could be housed there and possibly even the Veterans Service Officer could be housed there, occupying the building for at least three days week. It opens up additional space in the Courthouse to avoid having to move another occupant across the street or to other facilities. Again, the decision of whether or not to acquire the old library is something for the City and County leadership to address.
- e. Judge Lee: Mike, do you know if there is any space allocated to anything to house anything in the way of this historical...in the new library.

- f. Mike Ahrens: We do have a wing of the new library that will be a museum; we are designing that right now.

Motion made by Commissioner Boggs to table this matter indefinitely and seconded by Commissioner Fields. Motion carried unanimously.

- 11) Consider and possibly approve the 2012 Commissioners' Court Dates. (Listen to track 1, 00:57:01, and/or see Attachment #4)

Motion made by Commissioner Boggs and seconded by Commissioner Hinton. Motion carried unanimously.

- 12) Consider and possibly approve speed limit of 35 mph on CR 2910. (Listen to track 1, 00:58:06)

- a. Commissioner Fields: That is in my precinct; at one time, we really did not have much traffic on it. There has been some road change over in Franklin County that enables vehicles to cut across and cut off about a mile and a half. The traffic on that road has picked up, the last three years it has doubled or tripled what it used to be. We have two 90-degree curves, called DPS asked them about it and that is the speed that they are suggesting.
- b. Judge Lee: The absence of us putting a limit on it and a sign there, what would the default speed limit be?
- c. Commissioner Fields: 60 mph.
- d. Commissioner Hockaday: I do not think that is right, because several years ago we passed it in Court that all County Roads have a speed limit of 40 miles an hour.
- e. Commissioner Fields: That is correct, if posted.
- f. Commissioner Fields: I make a motion to set that speed limit at 35 mph.
- g. Sheriff Ingram: Will you do me a favor, if any of you are going to lower the speed limit could you put two more signs up so that people will know what it is if they are coming in from an intersecting road.
- h. Commissioner Fields: Okay...

Motion made by Commissioner Fields and seconded by Commissioner Boggs. Motion carried unanimously.

13) Consider and possibly approve resolution of votes cast to elect directors for the Titus County Appraisal District for the year 2012-2013. (Listen to track 1, 01:02:55 and/or see attachment #5).

- a. Judge Lee: It is time to cast our votes for the election of directors for Titus County Appraisal District for the next upcoming two-year period. Item number 13 is for us to cast those votes. We have 1083 of the total votes, we are not the biggest vote holder, I believe that is the School District, I guess we are the second largest with 1083 votes. I have visited with you individually and I believe we have a pretty common consensus here.
- b. Commissioner Boggs: As we went through the nominees for this position, we all had our dogs in a hunt but I think that we have come to an agreement. I will make the motion that Titus County cast 583 votes for Mike Reynolds, Titus County cast 250 votes for Randy Beckett, and Titus County cast 250 votes for Hudson Old.

Motion made by Commissioner Boggs and seconded by Commissioner Hinton. Motion carried unanimously.

14) Consider and possibly approve travel and seminars for Titus County Employees and Elected Officials. (Listen to track 1, 01:04:55 and/or see attachment #6)

- a. Sheriff Ingram would like to send Investigator Aaron Baxter, Kenneth Wilson, Wayne Minor, Sgt. David Robinson, and Deputy Ashton Lewis to "Practical Kinesics Interview, Phase 1" at Yukon Police Department in Oklahoma on December 12, 2011. The cost is \$295 for the first four employees and the fifth one is free.
- b. Judge Lee is requesting travel and expenses for himself and the Commissioners to attend the 2012 V.G. Young Institute School for County Commissioners Courts in College Station, Texas on February 7-9, 2012.
- c. Rebecca Dittmar is requesting to go to FPM Agent Training in College Station, Texas on December 13-15, 2011. She is requesting Hotel cost of \$202.74 and Dues of \$140.00.

Motion made by Commissioner Fields and seconded by Commissioner Hinton. Motion carried unanimously.

15) Approve Oral and Written reports of County Officials. (Listen to track 1, 01:09:35 and/or see Attachment #7)

Motion made by Commissioner Boggs and seconded by Commissioner Hinton. Motion carried unanimously.

16) Consider and possibly approve Treasurer's Report. (Listen to track 1, 01:10:36 and/or see Attachment #8)

Motion made by Commissioner Boggs and seconded by Commissioner Hinton. Motion carried unanimously.

17) Approve Budget Amendments. (Listen to track 1, 01:13:56 and/or see Attachment #9)

- a. Carl Johnson: There is one Budget Amendment, it is the second Budget Amendment for this year (2012), it is for Precinct 1, it is moving money around and it includes where he reduced his Commissioner's Travel.

Motion made by Commissioner Fields and seconded by Commissioner Hinton. Motion carried unanimously.

18) Sign pay orders and approve payments. (Listen to track 1, 01:14:51)

Motion made by Commissioner Hockaday and seconded by Commissioner Boggs. Motion carried unanimously.

19) Closing comments by County Judge and Commissioners, if any.

- a. Judge Lee: Tonight and Midnight, we go back on burn ban, just a reminder. I hope that everybody was able to get caught up. I am not aware of any problems. I will put it back on the Agenda, we will make it a normal item for the next few meetings.
- b. Commissioner Hinton: We are having an awful lot of road signs being ripped down now. I do not know for what reason, but I would like to remind everybody that you are not helping matters any whoever it is, as far as emergency medical. These are

the road numbers and all, and the stop signs and traffic signs too but it is generally the road markers.

Commissioner Fields: ...If you tear that sign down and somebody has a heart attack on that road and the ambulance cannot find them, and you find out who stole that sign they are liable for that.

- c. Commissioner Fields: I would like to remind everybody about District IV Northeast Texas Continuing Education Conference is here at Mt. Pleasant.

Judge Lee: We are hosting that conference once again this year on December 1, 2011, this Thursday; it will be an all-day affair at the County Extension Office. We will probably have approximately 60 people in town.

- d. Commissioner Boggs: This is the first day that we are allowed to sign up to run for office, and I have done so and officially now a candidate for re-election for Commissioner of Precinct 1.

20) Adjourn.

Motion made by Commissioner Hockaday and seconded by Commissioner Fields. Motion carried unanimously