

**COMMISSIONERS' COURT
SPECIAL MEETING
November 25, 2013**

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Notice is hereby given that the Titus County Commissioners' Court met in a Special meeting on Monday, November 25, 2013 at 6:00 p.m. in the Titus County Courtroom, with the following members present:

Judge Brian P. Lee	County Judge
Al Riddle	Commissioner Precinct 1
Mike Fields	Commissioner Precinct 2
Phillip Hinton	Commissioner Precinct 3
Thomas Hockaday	Commissioner Precinct 4
Dianne Norris	County Clerk
Sheryl Preddy	County Treasurer
Carl Johnson	County Auditor

Public Attending Meeting:

Rex McGee	Rick Simpson	Judy Kent
Tony Gesino	Dorthey West	Bobby Wilson
David Horton	John Livingston	Larry Snopel
Jimmy Parker	Tim Blair	Don Aver
Virginia Aver	Emily Aikman	Brenda Kemp
E J Kemp	Zamire Aguillar	Paul Lindsey
Nigel Christopher	Gerry Evenwel	Lisa Riddle
Carolyn Norman	Joyce Simpson	

Invocation: Judge Lee

Pledge of Allegiance: Judge Lee

- 1. PUBLIC COMMENTS AND/OR REQUESTS FOR INFORMATION ON NON-AGENDA ITEMS IN ACCORDANCE WITH SECTION 551.042, TEXAS OPEN MEETINGS ACT (Listen to audio track 1 and/or see video)**

See items #5 and 7

- 2. CONSIDER AND POSSIBLY APPROVE MINUTES FROM NOVEMBER 12, 2013 REGULAR MEETING OF THE COMMISSIONERS' COURT (Listen to audio track 1 and/or see video)**

Motion was made by Commissioner Hinton and seconded by Commissioner Fields to approve minutes from November 12, 2013 regular meeting of the Commissioners' Court. Motion passed unanimously.

- 3. CONSIDER AND POSSIBLY APPROVE MINUTES FROM NOVEMBER 14, 2013 SPECIAL MEETING OF THE COMMISSIONERS' COURT (Listen to audio track 1 and/or see video)**

Motion was made by Commissioner Hinton and seconded by Judge Lee to approve minutes from November 14, 2013 special meeting of the Commissioners' Court. Motion passed unanimously.

- 4. STATUS REPORT ON TITUS COUNTY PASS THROUGH PROJECTS (Listen to audio track 1 and/or see video)**

See attached report from Pate Transportation. ([See Attachment #01](#))

- 5. CONSIDER AND POSSIBLY APPROVE AN INTERLOCAL AGREEMENT THAT WILL ALLOW TITUS COUNTY TO PARTICIPATE IN THE TEXAS EFFECTIVE ABSENTEE SYSTEMS FOR ELECTIONS (EASE) GRANT PROJECT (TABLED 11-12-13) (Listen to audio track 1 and/or see video)**

Emily Aikman came before the court to give her reasons for opposing this agreement stating that very few ballots are being returned from the Military.

Motion was made by Commissioner Hockaday and seconded by Commissioner Riddle to not participate in the Interlocal Agreement that will allow Titus County to participate in the Texas Effective Absentee Systems for Elections (EASE) Grant Project. Motion passed three to two with Commissioner Fields and Hinton voting nay.

6. CONSIDER AND POSSIBLY MAKE A DECISION ON REMOVAL OR ENCAPSULATION OF ASBESTOS AT THE VACANT ANNEX PROPERTY (TABLED 11-12-13) (Listen to audio track 1 and/or see video)

One proposal was received from Air Quality Associates, Inc. for the asbestos removal in the amount of \$25,500.00. Another proposal was received from ERI Consulting, Inc. for Consulting/Laboratory Services not to exceed \$5000.00. There will also be a State mandatory notification fee of approximately \$1450.00 making the total cost of project \$31,950.00. Chris Basham hopes to receive two more bids before beginning the removal process. ([See Attachment #02](#))

Motion was made by Commissioner Hockaday and seconded by Commissioner Hinton to give Chris Basham the authority to move forward with the abatement of the asbestos at the vacant annex property with permission to spend up to \$31,950.00. Motion passed unanimously.

7. CONSIDER AND POSSIBLY MAKE A DECISION ON THE MONTHLY MEETING TIMES FOR COMMISSIONERS' COURT (TABLED 11-12-13) (Listen to audio track 1 and/or see video)

The following addressed the court on their concerns about why Commissioners' Court should hold night meetings: Tony Gesino; Emily Aikman; Brenda Kemp; Virginia Aver; Judy Kent; David Horton and Nigel Christopher. ([See Attachment #03](#))

Motion was made by Commissioner Al Riddle to hold all Commissioners' Court meetings in the evening. Motion died due to no second. Motion was then made by Judge Lee and seconded by Commissioner Hinton to approve the Monthly Meeting Times for Commissioners' Court to be held on the second Monday of the month at 9:00 a.m. and the fourth Monday at 6:00 p.m. for the following 12 months. Motion passed four to one with Commissioner Fields voting nay. ([See Attachment #04](#))

8. CONSIDER AND POSSIBLY APPROVE THE PURCHASE OF DEEP FREEZE ANTI-VIRUS SOFTWARE FOR THE COUNTY'S WINDOWS 7 BASED COMPUTERS (SHAWN BRYAN, KAYBRO TECHNOLOGIES) (Listen to audio track 1 and/or see video)

Shawn Bryan was unable to be present due to a previous commitment. Commissioner Riddle explained that the Technology Committee met and recommended that the County purchase this software because the one we have now is for Windows XP and needs to be updated for Windows 7 based computers.

Motion was made by Commissioner Riddle and seconded by Commissioner Hinton to approve the purchase of Deep Freeze Anti-Virus software for the County's Windows 7 based computers. Motion passed unanimously.

9. CONSIDER AND POSSIBLY APPROVE A WITHDRAWAL OF THE COUNTY'S PREVIOUS NOMINATION AND VOTES REGARDING THE TITUS COUNTY APPRAISAL DISTRICT BOARD POSITIONS (Listen to audio track 1 and/or see video)

At the last Commissioners' Court meeting, Rickey McElroy received all of the County's votes for the nomination to the Titus County Appraisal District Board. He has decided since that time that he is no longer interested in serving and the County needs to recast their votes. Two more of the incumbents need to be removed due to Randy Beckett no longer wants to serve and G. Wake Wood is thinking about moving to another location.

Motion was made by Commissioner Riddle and seconded by Commissioner Hockaday to withdraw the County's previous nomination and votes for regarding the Titus County Appraisal District Board positions for Rickey McElroy and cast 50% for Bobby Parr and 50% for Hulen Mike Reynolds. Motion passed three to two with Judge Lee and Commissioner Hinton voting nay. ([See Attachment #05](#))

10. DISCUSS REGIONAL PUBLIC DEFENDER PROGRAM (Listen to audio track 1 and/or see video)

Commissioner Riddle asked that this item be put on the agenda as he feels that this is an expense that the County doesn't need because he feels that our jury pool is not large enough for the Death penalty. He thinks we should be self-insured by putting back the amount we are paying yearly into a fund that would be used if we have a case that could require the Death penalty. This is considered as an insurance policy because if the County should have a case, it would cost over a \$1,000,000.00.

11. CONSIDER AND POSSIBLY APPROVE TRAVEL AND SEMINARS FOR TITUS COUNTY EMPLOYEES AND ELECTED OFFICIALS (Listen to audio track 1 and/or see video)

Motion was made by Commissioner Hinton and seconded by Commissioner Fields to approve Travel and Seminars for Titus County Employees and Elected Officials. Motion passed unanimously. ([See Attachment #06](#))

12. APPROVE ORAL AND WRITTEN REPORTS OF COUNTY OFFICIALS (Listen to audio track 1 and/or see video)

Motion was made by Commissioner Hinton and seconded by Commissioner Riddle to approve oral and written reports of County Officials. Motion passed unanimously ([See Attachment #07](#))

13. CONSIDER AND POSSIBLY APPROVE TREASURER'S REPORT (Listen to audio track 1 and/or see video)

Motion was made by Commissioner Riddle and seconded by Commissioner Hinton to approve Treasurer's Report. Motion passed unanimously. ([See Attachment #08](#))

14. APPROVE BUDGET AMENDMENTS (Listen to audio track 1 and/or see video)

There were no Budget Amendments.

15. SIGN PAY ORDERS AND APPROVE PAYMENTS (Listen to audio track 1 and/or see video)

Motion was made by Commissioner Hinton and seconded by Commissioner Hockaday to sign pay orders and approve payments. Motion passed unanimously. ([See Attachment #09](#))

16. CLOSING COMMENTS BY COUNTY JUDGE AND COMMISSIONERS, IF ANY (Listen to audio track 1 and/or see video)

- A. Commissioner Fields informed the court that the Texas Legislature had passed a new law that you must get a physical if you get a CDL license but that if you work for the County, they could be exempt. He recommends that the County pay for the exemptions which have to be done by the first of the year.

He also invited anyone that doesn't have any plans, to go to the Blodgett Community Center for Thanksgiving dinner sponsored by the Tri Lake Volunteer Fire Department.

- B. Judge Lee stated that the City is installing new lights around the square that will be internet accessible. They will be placed on the Annex at no cost to the County.

Workforce Solutions has given cost estimations on the renovations on the Riddle Street property totaling \$129,962.00. The County could increase their monthly lease to help recoup these expenses. Some of the renovations include ADA compliance requirements. These will be reviewed for determination as to what will be renovated.

17. COUNTY JUDGE REQUESTS AN EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.072 REGARDING A NEGOTIATED CONTRACT, LEASE OR VALUE OF REAL PROPERTY AND POSSIBLE ACTION IN OPEN SESSION THEREAFTER (Listen to audio track 1 and/or see video)

There was not an Executive Session due to the Attorney from Tyler unable to be here.

ADJOURN

Motion was made by Commissioner Hinton and seconded by Commissioner Hockaday to adjourn. Motion passed unanimously.