

**COMMISSIONERS' COURT  
REGULAR MEETING  
JUNE 9, 2014**

**AGENDA**

**AUDIO**

**ATTESTATION TO MINUTES**

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Notice is hereby given that the Titus County Commissioners' Court met in a Regular meeting on Monday, June 9, 2014 at 9:00 a.m. in the Titus County Courtroom, with the following members present:

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
Tim Ingram	County Sheriff

**Public Attending Meeting:**

Dale McGonagill	Judy Kent	Leonard Rockwell
Chris Basham	Paul Lindsey	Troy Sellers
Sue Evenwel	Judy Lee	Mac Cobb
Jeff McClendon	Norma Narramore	Barbara Bruechner
Christie Davis	Becca Bell	Mike Thompson
Mike Edwards	Lou Antonelli	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)**

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

**2. CONSIDER AND POSSIBLY APPROVE MINUTES FROM MAY 27, 2014 SPECIAL MEETING OF THE COMMISSIONERS' COURT (Listen to audio track 1 and/or see video)**

Motion was made by Commissioner Hinton and seconded by Commissioner Hockaday to approve minutes from May 27, 2014 special meeting of the Commissioners' Court. Motion passed unanimously.

**3. PRESENTATION BY MIKE EDWARDS REGARDING THE CADDO TRACE SUBDIVISION (Listen to audio track 1 and/or see video)**

Mike Edwards came before the court for two different reasons. The first being that he is not sure if 4742 Private Road became the property of the county according to the guidelines. Commissioner Hockaday stated that he thought that the county had already taken over the care of the road thereby making it CR 4742. If not, it will be placed on the next agenda.

Mr. Edwards's next item was regarding the Caddo Trace Estates by John-Paul Properties, Inc... This subdivision was approved by the Commissioners' Court in 2006 and copy of plat was filed in the County Clerk's office. Lots 1-7 are within the subdivision but are on the northern end and are not accessed from CR 4742 as are all other lots. These 7 lots are accessed from CR 4840. None of these lots have sold at this time and he thinks it is due to the neighbor behind these lots owning 300 fighting roosters thus causing a deterrent. Mr. Edwards would like to remove these seven lots with their restrictions totaling 4.377 acres and make into one plat of land allowing him to place a buffer on this land by planting a pine thicket. This should separate the subdivision from existing county road. He understands that he will not be allowed to put this back into a subdivision once he does this. Mr. Edwards does not know the proper procedures to go through to get this accomplished and was told by the Appraisal office that he needed to go through the Commissioners' Court. Judge Lee asked if he had contacted an attorney and was told no but that he would do that. This will be added to the agenda for the next Commissioners' Court meeting. [\(SEE ATTACHMENT #01\)](#)

**4. CONSIDER AND POSSIBLY TAKE ACTION ON UTILIZING AUCTIONEER EXPRESS TO SELL SURPLUS COUNTY EQUIPMENT (DALE MCGONAGILL) (Listen to audio track 1 and/or see video)**

Dale McGonagill informed the court that his company had an open-end agreement with the county and had been selling surplus for the county for over ten (10) years. He is bringing this before the court because some of the verbiage has changed. A new provision has been added to sell firearms and also a \$5.00 minimum lot fee has been added. Rates have not changed and the agreement can be cancelled with a thirty (30) day written notice by either party. Signing this agreement will not make the county exclusive to use them.

Motion was made by Commissioner Riddle to reject this agreement. Motion died due to lack of second. Motion was then made by Commissioner Hinton and seconded by Commissioner Hockaday to accept agreement with Auctioneer Express to sell surplus county equipment with a two-year term limit ending 06/30/2016. Motion passed four to one with Commissioner Riddle voting nay. ([ATTACHMENT #02](#))

**5. CONSIDER AND POSSIBLY APPROVE A RESOLUTION PERTAINING TO CLEAN WATER ACT (MIKE THOMPSON) (Listen to audio track 1 and/or see video)**

This resolution was brought before the court by Mike Thompson who explained that the EPA has a Proposed Rule Change pertaining to the Clean Water Act by removing the word navigable which would expand their regulatory reach thereby affecting the local landowners. Comment period ends June 23, 2014. ([SEE ATTACHMENT #03](#))

Motion was made by Commissioner Hockaday and seconded by Commissioner Fields to approve a resolution pertaining to Clean Water Act. Motion passed unanimously.

**6. STATUS REPORT ON COURTHOUSE ANNEX AND RATLIFF BUILDING CONSTRUCTION PROJECTS (CHRIS BASHAM) (Listen to audio track 1 and/or see video)**

Chris Basham reported that he had met with the Main Street Committee and they had approved the façade of the project. They should be finished with the Caddell Building by the end of the week. At that time, they will be able to start moving the Elections office and start work on the south end of the Ratliff building. ([SEE ATTACHMENT #04](#))

**7. CONSIDER AND POSSIBLY APPROVE ADDITIONAL EXPENDITURES RELATED TO THE ADULT PROBATION ANNEX RENOVATION FOR TELEPHONE, DATA AND SECURITY CAMERA WIRING (Listen to audio track 1 and/or see video)**

Motion was made by Commissioner Hinton and seconded by Commissioner Fields for additional expenditures related to the Adult Probation Annex renovation for telephone, data and security camera wiring in the amount of \$4900.00 to Rex Thurman and Newman Electronics. Motion passed unanimously.

**8. OPEN BIDS AND POSSIBLY AWARD CONTRACT FOR PROPERTY AND CASUALTY INSURANCE CONSULTANT (Listen to audio track 1 and/or see video)**

No bids were received.

Motion was made by Commissioner Fields and seconded by Commissioner Hinton to table this item. Motion passed unanimously.

**9. OPEN BIDS AND POSSIBLY APPROVE FOR A/C REPAIR AND MAINTENANCE (2 YEAR CONTRACT) (Listen to audio track 1 and/or see video)**

Motion was made by Commissioner Riddle and seconded by Judge Lee to table approval for A/C Repair and Maintenance (2 year contract). Motion passed unanimously. ([SEE ATTACHMENT #05 FOR BIDS](#))

**10. OPEN AND REVIEW BIDS AND POSSIBLY APPROVE FOR LANDSCAPE/MAINTENANCE SERVICE (Listen to audio track 1 and/or see video)**

Two bids were received. Better clarification is needed for bids. Motion was made by Commissioner Fields and seconded by Judge Lee to table the approval for Landscape/Maintenance Service. Motion passed unanimously. ([SEE ATTACHMENT #06 FOR BIDS](#))

**11. OPEN AND REVIEW BIDS AND POSSIBLY APPROVE FOR TYPE A FLEXBASE ASH (Listen to audio track 1 and/or see video)**

No bids were received. Motion made by Commissioner Hinton and seconded by Commissioner Hockaday to table approval for Type A Flexbase Ash. Motion passed unanimously.

**12. OPEN AND REVIEW BIDS AND POSSIBLY APPROVE FOR WASHED GRAVEL (3/8" TO NUMBER 10) (Listen to audio track 1 and/or see video)**

Only one (1) bid was received. Motion made by Commissioner Hinton and seconded by Commissioner Fields to approve the proposal from H. E. Spann & Co., Inc. for washed gravel (3/8" to Number 10) for \$20.93 per ton delivered and \$22.90 per ton picked up at 1173 US 67 East, Mt. Pleasant. Motion passed unanimously. ([SEE ATTACHMENT #07](#))

**13. OPEN AND REVIEW BIDS AND POSSIBLY APPROVE FOR STEEL CULVERTS: 16 GAUGE GALVANIZED STEEL, 2.66 X ½ SPIRAL, LOCK SEAM CONSTRUCTION (Listen to audio track 1 and/or see video)**

Only one (1) bid was received. Motion made by Commissioner Hinton and seconded by Commissioner Hockaday to approve Contech Engineered Solutions from July, 2014-June, 2015 for steel culverts: 16 gauge galvanized steel, 2.66 x ½ spiral, lock seam construction. Motion passed unanimously. ([SEE ATTACHMENT #08](#))

**14. OPEN AND REVIEW BIDS AND POSSIBLY APPROVE FOR CONCRETE CULVERTS WITH REINFORCED STEEL WIRE, ALL DIAMETERS (Listen to audio track 1 and/or see video)**

Two bids were received. However, the bid from Holmes Concrete & Pipe Co. was for plastic culverts. Motion was made by Commissioner Hinton and seconded by Commissioner Hockaday to approve Cox Concrete for concrete culverts with reinforced steel wire, all diameters. Motion passed unanimously. ([SEE ATTACHMENT #09](#) FOR BIDS)

**15. OPEN AND REVIEW BIDS AND POSSIBLY APPROVE FOR CRUSHED IRON ORE (Listen to audio track 1 and/or see video)**

Only one (1) bid was received. Motion made by Commissioner Hinton and seconded by Commissioner Fields to approve Seaton Construction, Inc. for crushed iron ore gravel to be picked up at the Pit in Morris County for \$12.00 per cu. Yd. from July 01, 2014 thru June 30, 2015. Motion passed unanimously. ([SEE ATTACHMENT #10](#))

**16. OPEN AND REVIEW BIDS AND POSSIBLY APPROVE ASPHALT SAND, COLD MIX AND HOT MIX (Listen to audio track 1 and/or see video) ([SEE ATTACHMENT #11 FOR BIDS](#))**

Motion made by Commissioner Hockaday and seconded by Commissioner Hinton for approval of Hot Oil Sand from R. K. Hall Construction delivered for \$68.00 and picked up from Richard Drake Construction Company L.P. for \$60.00. Motion passed unanimously.

Motion was made by Commissioner Hinton and seconded by Commissioner Hockaday to approve whoever is available at the time between R. K. Hall Construction and Richard Drake Construction Company L.P. for Type D Cold Mix. Motion passed unanimously.

Motion was made by Commissioner Hinton and seconded by Commissioner Hockaday to approve whoever is most convenient and affordable at the time between R. K. Hall Construction and Richard Drake Construction Company L.P. for Type D Hot Mix. Motion passed unanimously.

Motion was made by Commissioner Hinton and seconded by Commissioner Fields to approve Richard Drake Construction Company L.P. for Type D Hot Mix delivered and laid down. Motion passed unanimously.

**17. CONSIDER AND POSSIBLY TAKE ACTION ON RETAINING THE LAW FIRM OF ANDREWS KURTH TO REPRESENT THE COUNTY RELATED TO THE (EFH) ENERGY FUTURE HOLDINGS (LUMINANT) DELAWARE BANKRUPTCY (Listen to audio track 1 and/or see video)**

Motion made by Commissioner Hockaday and seconded by Commissioner Hinton to not retain the law firm of Andrews Kurth to represent the county related to the (EFH) Energy Future Holdings (Luminant) Delaware Bankruptcy at this time. Motion passed unanimously.

**18. DISCUSS TxDOT DECISION TO CONTINUE TO PROVIDE ADVANCE COUNTY ROAD SIGNS (Listen to track 1 and/or see video)**

Judge Lee received a call from TxDOT last week that they were going to continue as usual to provide Advance County Road Signs. No action is necessary.

**19. 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 #12](#))

**20. 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 Fields to approve oral and written reports of County Officials. Motion passed unanimously ([See Attachment #13](#))

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

Motion was made by Commissioner Hinton and seconded by Commissioner Fields to approve Treasurer's Report. Motion passed unanimously. ([See Attachment #14](#))

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

Motion was made by Commissioner Fields and seconded by Commissioner Hinton to approve budget amendments #32-37. Motion passed unanimously. ([See Attachment #15](#))

**23. 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 Fields to sign pay orders and approve payments. Motion passed unanimously. ([See Attachment #16](#))

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

Judge Lee announced that Scott Glover was giving rides on the C-47 that was used on D-Day in Normandy as a fundraiser for Titus County Cares on Friday evening and Saturday for \$200.00.



**ADJOURN (Listen to audio track 1 and/or see video)**

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