

**COMMISSIONERS' COURT  
NOVEMBER 10, 2014**

**[AGENDA](#)**

**[AUDIO](#)**

**[ATTESTATION](#)**

**SCROLL DOWN FOR MINUTES AND ATTACHMENTS**

**COMMISSIONERS' COURT  
REGULAR MEETING  
NOVEMBER 10, 2014**

Notice is hereby given that the Titus County Commissioners' Court met in a Regular meeting on Monday, November 10, 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
Robert Rolston	District Judge
Danny Woodson	District Judge

**Public Attending Meeting:**

Norma Narramore	Ken Wilson	Brenda Kemp
E. J. Kemp	Jimmy Parker	Chris Basham
Troy Sellers	Steve Austin CVSO/TCHC	Judy Kent
Joan Newman	Denise Reichert	Brad Lowe
Tim Taylor	Christie Davis	Lou Antonelli
Carolyn Norman	Joyce Simpson	

**Invocation: Judge Brian Lee**

**Pledge of Allegiance: Judge Brian 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)**

Steve Austin invited the public to attend a ceremony at 10:00 a.m. that the Daughters of the American Revolution were having in commemoration of the 50<sup>th</sup> anniversary of the Vietnam War. Also, P. E. Wallace is having a Veterans' celebration beginning at 11:00 a.m. in the gym. Mr. Austin also wished the United States Marine Corps a Happy 239<sup>th</sup> Birthday.

**2. CONSIDER AND POSSIBLY APPROVE MINUTES FROM OCTOBER 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 October 27, 2014 special meeting of the Commissioners' Court. Motion passed unanimously.

**3. PRESENTATION TYLER BANNISTER, CHIEF OF POLICE, WINFIELD, TEXAS (Listen to audio track 1 and/or see video)**

No presentation was presented as Mr. Bannister was unable to attend.

**4. CONSIDER AND POSSIBLY APPROVE PURCHASE OF NEW AUDITORIUM SEATING FOR THE DISTRICT COURTROOM, APPROXIMATELY \$10,400 (JUDGE ROLSTON AND JUDGE WOODSON) (Listen to audio track 1 and/or see video)**

The Honorable Robert Rolston, District Judge, came forward stating that a letter requesting new seating had been sent to the Commissioners' Court on October 30, 2014. The current seating has deteriorated to such an extent that they present a safety hazard and could result in claims against the county. He happened to be present when one of the chairs collapsed with a man sitting in it. ([SEE ATTACHMENT #1](#))

The Honorable Danny Woodson, District Judge, stated that the Indigent Defense Fund has approximately \$13,000.00 available to be used for the new seating. Some of the chairs are taped off because they are unstable to use. Some of the seats have come loose from the floor and have cracked bases.

Brad Lowe, representative from American Seating, was present to demonstrate their chairs which are made of cast iron and each chair braced with two mounts. They offer the lowest price available since they are the only company on the TSA contract. They are to measure and see how many chairs will be required and also leave room for wheelchair accessibility.

Motion was made by Commissioner Hockaday and seconded by Commissioner Fields to approve purchase of new auditorium seating for the District Courtroom up to \$10,400.00 to be paid out of the Indigent Defense Fund. Motion passed unanimously.

**5. CONSIDER AND POSSIBLY AWARD BIDS FOR REMODEL OF RATLIFF BUILDING (CHRIS BASHAM) (Listen to audio track 1 and/or see video)**

Chris Basham presented breakdown and updated bid results for the Ratliff building. Prices for new telephone control unit and additional phones as well as computer network adds are shown in blue. Commissioner Fields stated that he was interested in looking at the cost of security cameras. The bid included the addition of a trellis on the east side which will highlight which door to use for entrance. The electrical was higher than originally estimated. There will be no structural work done. Once the Elections Administration has moved to their temporary location, demolition can begin. Construction will begin after the completion of stamped architecture and engineering drawings. [\(SEE ATTACHMENT #2\)](#)

Motion was made by Judge Lee to award contract for the remodel of Ratliff building to DeAngelo and no work is to begin until after everything has finished with the Adult Probation Office and he is not to take on any other projects that would interfere with the demolition and construction of this project. The Commissioners' Court will have the opportunity to go over the engineering and architecture approved drawings with Mr. Basham. Motion died due to no second.

Motion was made by Commissioner Hinton and seconded by Commissioner Hockaday to award the contract for the Ratliff building to Jones with the agreement that he will not take on any other projects that would interfere with our project and is to let the Commissioners' Court have the opportunity to go over the engineering and architecture approved drawings with Mr. Basham prior to the beginning of demolition and construction. Motion passed unanimously.

**6. CONSIDER AND POSSIBLY APPROVE ADULT PROBATION CONFERENCE TABLE, CHAIRS, SIGNAGE AND BLINDS FOR NEW OFFICE IN THE AMOUNT OF \$3,697.36 TO BE PAID OUT OF PRE TRIAL FUND (Listen to audio track 1 and/or see video)**

Cypress Home Care has one (1) 10' long conference tables and 11 chairs that can be used in the Jury Room for \$250.00. This room can also be used as a conference room. The blinds are \$2162.00; brass room numbers - \$336.00; door logo and signs - \$580.00 and management fee is \$369.36 for a total of \$3697.36. [\(SEE ATTACHMENT 3\)](#)

Motion was made by Commissioner Fields and seconded by Commissioner Hinton to approve the purchase of conference table, chairs, signage and blinds for the new Adult Probation offices in the amount of \$3,697.36 to be paid out of Pre Trial Fund. Motion passed unanimously.

**7. CONSIDER AND POSSIBLY SUBMIT A LETTER TO THE TEXAS BOARD OF PROFESSIONAL ENGINEERS STATING THE COUNTY'S INTENTION TO COMPLY WITH PROVISIONS OF THE TEXAS ENGINEERING PRACTICE ACT AS IT RELATES TO CONSTRUCTION PROJECTS (TABLED 10-27-14) (Listen to audio track 1 and/or see video)**

Motion was made by Commissioner Fields and seconded by Commissioner Hinton to approve submittal of a letter to the Texas Board of Professional Engineers stating the County's intention to comply with provisions of the Texas Engineering Practice Act as it relates to construction projects. Motion passed unanimously. [\(SEE ATTACHMENT #4\)](#)

**8. CONSIDER AND POSSIBLY APPROVE A RESOLUTION TO APPROVE THE SALE, BY THE CITY OF MT PLEASANT, OF A 2.433 ACRE TRACT OF LAND FOR \$2,250, PREVIOUSLY STRUCK OFF THE TAX ROLLS AND UNSOLD AT AUCTION. LOT 3, TRACT 1, BLOCK 312D (TIM TAYLOR) (Listen to audio track 1 and/or see video)**

Motion was made by Commissioner Fields and seconded by Commissioner Hockaday to approve a resolution to approve the sale by the City of Mt Pleasant of a 2.433 acre tract of land (Lot 3, Tract 1, Block 312D) for \$2,250.00 which had previously been struck off the tax rolls and unsold at auction. Motion passed unanimously. ([SEE ATTACHMENT #5](#))

**9. CONSIDER AND POSSIBLY APPROVE ACCEPTANCE OF A BID TO PURCHASE AN 8.91 ACRE TRACT IN THE SETH PRYOR SURVEY, A-440 (TIM TAYLOR) (Listen to audio track and/or see video)**

Tim Taylor presented this bid to the Commissioners' Court stating that the county owns this land. It was struck off the tax rolls under Unknown Owner at a sale conducted by the Sheriff on 04-01-2014 since no sufficient bid was received. This property is completely landlocked without access except through adjoining landowners, Richard Baker and Marvin West. Mr. Baker chooses not to make a bid. Mr. West's son, Mark West, had made a bid of \$18,500.00 for this tract of land. His bid offers an explanation as to why the taxes have not been paid. ([SEE ATTACHMENT #6](#))

Judy Kent feels that the Court should accept this offer as the family thought they already owned the land and is valuable to no one but them. When asked what interest she had in this, she stated that Mr. West was her uncle. Fred Harkrider feels it should be open to the public. He had not understood that it had been advertised in the paper as required and opened for bid by the Sheriff on 4-01-2014.

Motion was made by Commissioner Riddle and seconded by Commissioner Fields to approve the acceptance of a bid in the amount of \$18,500.00 to purchase an 8.91 acre tract in the Seth Pryor Survey, A-440 which was previously struck off the tax rolls and unsold at auction, Resolution 2014-09. Motion passed four to one with Judge Lee voting nay.

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

No formal report was presented. The contractor continues to work at the intersection points at Chapel Hill and Union Hill and should be finished by the end of December. They will come back on May 1, 2015 to complete the seal coat on FM 4000. The public is asked not to drive on FM 4000 until this time. Barricades will be put up. Mr. Ratcliff from Texas Department of Transportation is to come this week and give his final approval to 271 this week.

**11. CONSIDER AND POSSIBLY APPROVE CHANGE ORDER #15 FOR THE US 271 PROJECT IN CONJUNCTION WITH THE TITUS COUNTY PASS THROUGH PROGRAM IN THE AMOUNT OF \$22,755.09 (Listen to audio track 1 and/or see video)**

Motion was made by Commissioner Fields and seconded by Judge Lee to approve Change Order #15 for the US 271 Project in conjunction with the Titus County Pass Through Program in the amount of \$22,755.09. Motion passed unanimously. ([SEE ATTACHMENT #7](#))

**12. CONSIDER AND POSSIBLY APPROVE SURETY BOND FOR RAY BARRETT, NEWLY APPOINTED CONSTABLE, PCT 2, JEWEL LEE, DEPUTY CONSTABLE AND LISA TOLAND, DEPUTY CONSTABLE (Listen to audio track 1 and/or see video)**

Motion was made by Commissioner Fields and seconded by Commissioner Hockaday to approve surety bonds for Ray Barrett, newly appointed Constable, Pct. 2; Jewel Lee, Deputy Constable and Lisa Toland, Deputy Constable. Motion passed unanimously. ([SEE ATTACHMENT #8](#))

**13. CONSIDER AND POSSIBLY ADJUST COBRA RATES RELATED TO COUNTY HEALTH INSURANCE FOR EMPLOYEES THAT TERMINATE COUNTY EMPLOYMENT (Listen to audio track 1 and/or see video)**

Motion was made by Commissioner Hockaday and seconded by Commissioner Fields to leave Cobra rates related to county health insurance for employees that terminate county employment the same as they have been which is \$750.00. Motion passed unanimously. ([SEE ATTACHMENT #9](#))

**14. CONSIDER AND POSSIBLY APPROVE THE SUBMISSION OF THE AFFORDABLE CARE ACT TRANSITIONAL REINSURANCE PROGRAM ANNUAL ENROLLMENT AND CONTRIBUTION FORM INCLUDING A PAYMENT OF \$12,348 (Listen to audio track 1 and/or see video)**

Motion was made by Commissioner Fields and seconded by Commissioner Hinton to approve the submission of the Affordable Care Act Transitional Reinsurance Program Annual Enrollment and Contribution Form including a payment of \$12,348.00. Motion passed unanimously. ([SEE ATTACHMENT #10](#))

**15. CONSIDER AND POSSIBLY APPROVE REPLACING CARPET IN JUSTICE OF THE PEACE PRECINCT 2 OFFICES AT A COST OF \$4,940 (Listen to audio track 1 and/or see video)**

Motion was made by Commissioner Hinton and seconded by Commissioner Fields to approve replacing carpet in Justice of the Peace Precinct 2 offices with Shumate Floor Covering at a cost of \$4,940.00. Motion passed unanimously. ([SEE ATTACHMENT #11](#))

**16. CONSIDER AND POSSIBLY APPROVE 2015 TITUS COUNTY HOLIDAYS (Listen to audio track 1 and/or see video)**

Motion was made by Commissioner Hinton and seconded by Commissioner Fields to approve 2015 Titus County Holidays. Motion passed unanimously. ([SEE ATTACHMENT #12](#))

**17. CONSIDER AND POSSIBLY APPROVE 2015 TITUS COUNTY COMMISSIONERS' COURT DATE AND TIMES (Listen to audio track 1 and/or see video)**

Commissioner Riddle feels that all meetings should be held at night. Commissioner Hockaday stated that we were the only county that held night meetings. The notice of Commissioners' Court comes out in Sunday's paper and Fred Harkrider does not feel that this gives the public enough notice if they want to attend and also contends that the meetings should continue to be held in the morning and one at night. Jimmy Parker would like to continue the night meetings. Judge Lee informed the court that attendance records had been kept and there were no more people attending at night than there was in the mornings.

Motion was made by Commissioner Hinton and seconded by Commissioner Hockaday to approve 2015 Titus County Commissioners' Court dates as presented with the time to be at 9:00 a.m. Motion passed three to two with Judge Lee and Commissioner Riddle voting nay. (SEE [ATTACHMENT #13](#))

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

There was no travel presented.

**19. 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 Hockaday to approve oral and written reports of county officials. Motion passed unanimously. (SEE [ATTACHMENT #14](#))

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

Motion was made by Commissioner Hockaday and seconded by Commissioner Hinton to approve Treasurer's report. Motion passed unanimously. ([SEE ATTACHMENT #15](#))

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

No budget amendments were presented.

**22. 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 #16](#))

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

Judge Lee told the Court that there would be a Special Meeting on Friday, 11/14/2014 at 9:00 a.m. to canvass the returns from the November 4, 2014 General Election for Federal, State and County Offices.

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

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