

COMMISSIONERS COURT
12-08-2014

[AGENDA](#)

[AUDIO](#)

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SCROLL DOWN FOR MINUTES AND ATTACHMENTS

**COMMISSIONERS' COURT
REGULAR MEETING
DECEMBER 8, 2014**

Notice is hereby given that the Titus County Commissioners' Court met in a Regular Meeting on Monday, December 8, 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 |
| Sheryl Preddy | County Treasurer |
| Carl Johnson | County Auditor |
| Tim Ingram | County Sheriff |
| Danny Woodson | District Judge |
| Robert Rolston | District Judge |

Public Attending Meeting:

| | | |
|-----------------------------------|-------------------------|------------------------|
| Walt Sears, G.M. of NETMWD | David Horton | Norma Narramore |
| Jimmy Parker | Brenda Kemp | E. J. Kemp |
| Kay Holloway | Gilbert Olivarez | Shawn Bryan |
| Seth Bryan | Judy Kent | Dianna Kennedy |
| Patrick Redfearn | Oscar Hill | Lou Antonelli |
| Christie Davis | Joyce Simpson | |

Invocation: Judge 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)

There were no comments and/or requests for information on non-agenda items in accordance with Section 551.042, Texas Open Meetings Act.

2. CONSIDER AND POSSIBLY APPROVE MINUTES FROM NOVEMBER 24, 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 November 24, 2014 special meeting of the Commissioners' Court. Motion passed unanimously.

3. CONSIDER AND POSSIBLY APPROVE THE FORMATION OF A DRUG COURT TO INCLUDE THE APPLICATION FOR GRANT FUNDS (ADULT PROBATION & JUDGE WOODSON) (Listen to audio track 1 and/or see video)

The Honorable Danny Woodson, District Judge of the 76th District, The Honorable Robert Rolston, District Judge of the 276th District, and Gilbert Olivarez from the Adult Probation Department were present in support of the formation of a Drug Court. The Drug Court is for those persons arrested for, charged with or convicted of certain drug or alcohol offenses. Judge Woodson explained that the underlying addiction is never addressed by simply sentencing them to jail. Part of the process of this court is to help them deal with their issues and is a very effective program. [\(SEE ATTACHMENT #1\)](#)

Gilbert Olivarez went on to address how the Drug Court program works. Treatment facilities have been in operation for the past 20 years and significantly reduce the drug use and crime and is more cost-effective. The average cost per inmate in prison is about \$28,000.00 but the Drug Court reduces the cost to only \$7000.00 per year by getting them treatment instead of jail time. Cass County has already formed a Drug Court; has been in operation for 4-1/2 years and have their own staff which is provided by grant money. They have 40 participants in the program.

Commissioner Hockaday asked how the program works. Mr. Olivarez explained that the Drug Court is made up of a panel of a judge, prosecutor, probation officer and law enforcement officers and that each participant has to go through a 12 month intensive program. The panel determines what suits each individual. The Drug Court will serve Titus, Camp and Morris Counties which are shared by the two districts. Marion County will not be a part of the program. The Drug Court program has to be approved by the Commissioners' Court. Once approved, the next step would be to apply for a State Grant which will pay all costs and will not cost the taxpayers anything.

Christie Davis from the Auditor's Department stated that money has to be sent back each year because Titus County does not have a program set up for County and District courts.

Motion was made by Commissioner Hockaday and seconded by Commissioner Hinton to approve the formation of a Drug Court to include the application for Grant Funds. Motion passed unanimously.

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

No formal report was presented today but will be given at the next meeting. There are two (2) soft spots on 2348 that are to be fixed. Striping is to be completed by the 10th on 1735. A request was made to the Sheriff's Department to patrol the area under the bridge for four wheelers that are tearing up that area.

5. PRESENTATION BY WALT SEARS, GENERAL MANAGER, NORTHEAST TEXAS MUNICIPAL WATER DISTRICT (NTMWD) (Listen to audio track 1 and/or see video)

Walt Sears, General Manager of the Northeast Texas Municipal Water District, came before the Court asking for Titus County's help to promote the growth of a water project to become a reality through the Economically Distressed Areas Program. Morris County is the first to complete their application for this project and be approved. The project consists of two pieces. The first piece is to run a water line from Hwy 71 from Titus County into Morris County. Parts of this area are economically challenged. Tri County Special Utility District in Titus County is the source of where the water comes from. The second step is to apply for the funds and promise to be responsible for securing any necessary water permits or rights, wastewater discharge permits and any other required licenses. There is \$1.3 million dollars available in Grant Funds. Minimum standards for adequate subdivisions must be drafted and approved. The purposes of sewage have already been met. Titus County has already got approved Subdivision and Plat regulations. The objective is not to develop substandard subdivisions and to address all infrastructures, i.e., roads, water and sewage. Judy Kent voiced her comments that she did not believe that we needed any more ordinances regulating our subdivisions. ([SEE ATTACHMENT #2](#))

6. CONSIDER AND POSSIBLY TAKE ACTION ON MAINTENANCE OF COUNTY CEMETERIES (Listen to audio track 1 and/or see video)

At the request of Commissioner Hockaday, this item was deferred to County Attorney, John Mark Cobern, to see if the utilization of funds could be used to provide maintenance of county cemeteries. Mr. Cobern referred to Government Code Section 713.028 which states that a Commissioners' Court may use public funds, county employees, and county equipment for the maintenance of certain cemeteries for purposes of historic preservation (cemeteries with graves more than 50 years old) and protection of the public health, safety and welfare. A list of cemeteries was provided to the court. ([SEE ATTACHMENT #3](#))

It was discussed that some cemeteries are taken care of by families but not set up as non-profit. Some cemeteries are self-supporting; some cemeteries have as few as one (1) to seven (7) graves and one has a gate that cannot be opened. Prisoners have to qualify and have a licensed jailer with them. There are some restrictions from the state on using prisoners.

Oscar Hill has three (3) cemeteries that he takes care of. David Horton provided a list of cemeteries broken down according to precincts. He expects the Commissioners Court to work with abandoned cemeteries and provide heavy equipment to remove trees, etc.

No action was taken at this time.

**7. CONSIDER AND POSSIBLY APPROVE SUBDIVISION AND PLAT REGULATIONS
ADDITIONAL STANDARDS AND RULES (Listen to audio track 1 and/or see video)**

This item was discussed in Item 5. It will be placed on the agenda on 12/22/2014.

**8. CONSIDER AND POSSIBLY APPROVE A MODIFICATION TO THE HEALTH
INSURANCE PLAN TO ADDRESS THE ISSUE OF A RETIREE THAT GOES ONTO
DISABILITY (Listen to audio track 1 and/or see video)**

After discussion of Medicare and Disability Coverage, it was determined that better clarification is needed from Capps and UMR on addressing the issue of a retiree that goes onto disability to determine if Medicare or UMR would be the primary carrier.

Motion was made by Commissioner Hockaday and seconded by Commissioner Hinton to table approving a modification to the health insurance plan to address the issue of a retiree that goes onto disability. Motion passed unanimously.

**9. CONSIDER AND POSSIBLY TAKE ACTION ON OUT OF NETWORK INSURANCE
CLAIMS PREVIOUSLY DISCUSSED 11-24-14 (Listen to audio track 1 and/or view video)**

This is in relation to the Mammogram mobile unit that was addressed at the last meeting and was approved at the Commissioners' Court that it would be the responsibility of the employees to pay for expenses that were incurred. Since that meeting, Judge Lee found out that it actually cost more to have a mammogram done at our in network provider, Titus Regional Medical Center (TRMC), than it did by the out of network, ETMC mobile unit. Based on this information, Judge Lee asked if the Court wanted to reconsider approving out of network insurance claims previously discussed. If you pay cash at TRMC, you get a break. We need to try to get a contract with TRMC to negotiate better prices.

Motion was made by Commissioner Hockaday and seconded by Commissioner Hinton to pay 100% in this particular situation; find out what potential cost at TRMC would be from this time forward and if the employees use ETMC, then they will pay the difference incurred. Motion passed unanimously.

10. CONSIDER AND POSSIBLY APPROVE RENEWAL OF CONTRACT WITH KAYBRO TECHNOLOGIES FOR INFORMATION TECHNOLOGY SERVICES (Listen to audio track 1 and/or view video)

Shawn Bryan with Kaybro Technologies gave the Court three (3) contract options to consider. The IT Committee recommends Option B or C. We need to trace computers and give information to the auditors. It was discussed as to whether to go out for bid for Information Technology Services. Kaybro has the advantage of other companies as they know the mainframe due to working with NetData previously. [\(SEE ATTACHMENT #4\)](#)

Motion was made by Commissioner Hockaday and seconded by Commissioner Hinton to table approving renewal of contract with Kaybro Technologies for Information Technology Services until next meeting. Motion passed unanimously.

11. DISCUSS AND POSSIBLY TAKE ACTION ON JANITORIAL POSITION (Listen to audio track 1 and/or view video)

This opening is due to the death of Betty Walker. The county has hired a temporary employee who cannot work more than 29 hours/week. She understands that this does not mean it will turn into a full time position.

Motion was made by Commissioner Fields and seconded by Commissioner Hockaday to advertise for a full time janitorial position to replace Betty Walker. Motion passed three to two with Judge Lee and Commissioner Riddle voting nay.

12. 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 Fields and seconded by Commissioner Riddle to approve travel and seminars for Titus County employees and elected officials. Motion passed unanimously. [\(ATTACHMENT #5\)](#)

13. 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. [\(SEE ATTACHMENT #6\)](#)

14. 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. [\(SEE ATTACHMENT #7\)](#)

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

Motion was made by Commissioner Hinton and seconded by Commissioner Fields to approve budget amendment #72 for past year and #3 for current year. Motion passed unanimously. [\(SEE ATTACHMENT #8\)](#)

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

Motion was made by Commissioner Hinton and seconded by Commissioner Fields to sign pay orders and approve payments. Motion passed unanimously. [\(SEE ATTACHMENT #9\)](#)

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

Judge Lee informed the Court that services for Betty Walker would be held at 2:00 p.m. this afternoon at Bates-Cooper-Sloan.

There will be a celebration on 12/19/2014 from 10:30 a.m. to Noon to honor any and all outgoing elected officials.

Commissioner Fields informed the court that he is checking on prices for a truck and is being advertised in the paper. Commissioner Riddle asked if it didn't first have to be approved before advertising and that he would like to investigate the truck first.

Christie Davis stated that the outside auditors will be here next week and will be working in the Adult Probations' old office.

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

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