

COMMISSIONERS' COURT

REGULAR MEETING

JANUARY 12, 2015

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**COMMISSIONERS' COURT
REGULAR MEETING
JANUARY 12, 2015**

Notice is hereby given that the Titus County Commissioners' Court met in a regular meeting on Monday, January 12, 2015 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
Jimmy Parker	Commissioner Precinct 4
Joan Newman	County Clerk
Sheryl Preddy	County Treasurer
Carl Johnson	County Auditor
Tim Ingram	County Sheriff

Public Attending Meeting:

Hudson Old, East Texas Journal	Sue Evenwell	Norma Narramore
John Gatherer	Karen Gatherer	Chris Basham
Judy Lee	Shawn Bryan	Judy Kent
Steve Austin, CVSO/TCHC	Marcia Davis	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 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 DECEMBER 22, 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 Fields to approve minutes from December 22, 2014 special meeting of the Commissioners' Court. Motion passed unanimously.

3. SPECIAL PRESENTATION BY STEVE AUSTIN TO MR. JAMES MALCOM PALMER (WWII/US ARMY AIR CORPS; EIB MARKSMANSHIP BADGE) (Listen to audio track 1 and/or see video)

Steve Austin, Titus County Veterans Service Officer, was present on behalf of Mr. Palmer and his family. Mr. Palmer was unable to be present due to a fall. Mr. Austin went over the history and qualifications for the Expert Infantryman Badge as well as Mr. Palmer's proficiency and accuracy at the shooting range. [\(SEE ATTACHMENT 01\)](#)

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

Mark Heidaker from PTP Transportation went over the updated progress and status of the Titus County Pass-Through Program. [\(SEE ATTACHMENT 02\)](#)

5. CONSIDER AND POSSIBLY APPROVE CHANGE ORDER NUMBER 08 RELATED TO THE FM 4000 LOOP PROJECT IN THE AMOUNT OF \$628.00 (Listen to audio track 1 and/or see video)

This change order is needed in order for James Construction Group, LLC to replace guardrail end treatments. [\(SEE ATTACHMENT 03\)](#)

Motion was made by Commissioner Fields and seconded by Commissioner Hinton to approve Change Order #8 Related to the FM 4000 Loop Project in the amount of \$628.00. Motion passed unanimously.

6. CONSIDER AND POSSIBLY APPROVE CHANGES AND ADDITIONAL CHARGES RELATED TO HEATING VENTILATION AIR CONDITIONING IN THE ADULT PROBATION CONSTRUCTION PROJECT (CHRIS BASHAM) (Listen to audio track 1 and/or see video)

Chris Basham gave a final closeout report to the court relating to the Adult Probation Construction Project. He reported that there were two Heating Ventilation Air Conditioning issues remaining for final closeout on the project that were not included in the original bids. The

first additional cost was an electrical change of \$2100.00 due to changing from gas units to energy efficient heat pumps. The second additional cost of \$4090.00 was incurred because of extra work associated with ducting the return air. ([SEE ATTACHMENT 04](#))

Commissioner Riddle asked why we did not have a bond and was told that a bond is not required until you have a \$1 million project. The bond cost is 1% to 3% which is added to the cost of the project and is for failure to perform and would not have helped with these issues. Commissioner Riddle would like for the County Attorney to check into this as he feels that a bond is required on any construction project.

When asked if the court could expect any additional surprises, Mr. Basham answered in that this would complete the project with no more additional costs.

Motion was made by Commissioner Fields and seconded by Commissioner Hinton to approve changes and additional charges in the amount of \$2100.00 for electrical changes and \$4090.00 to Roberts Air Conditioning for extra work associated with ducting the return air in the Adult Probation Construction Project. Motion passed unanimously.

7. CONSIDER AND POSSIBLY APPROVE RATLIFF BUILDING SIGNED AND STAMPED DRAWINGS (CHRIS BASHAM) (Listen to audio track 1 and/or see video)

Mr. Basham delivered signed and sealed drawings in hard copy for county files per request of court to allow for construction start on Ratliff renovation. Mr. Basham has met with the contractor, Richard Jones, and the following changes are being made and incorporated into the drawings at no additional costs: (1) Exterior door with glass; (2) raise work stations to counter height and hiding cash drawers and (3) separation walls from tax office and vehicle registration office. They have dropped the addition of toilet area and turned one into a staff restroom and the other to a unisex restroom. The electrical panel will be moved from an external wall. The county will be notified of any changes as soon as possible therefore eliminating the element of surprise. ([SEE ATTACHMENT 05](#))

Motion was made by Commissioner Hinton and seconded by Commissioner Fields to approve Ratliff Building Signed and Stamped Drawings as delivered by Chris Basham. Motion passed unanimously.

8. UPDATE ON THE COUNTY/REGIONAL CONTRACTORS LIST (CHRIS BASHAM) (Listen to audio track 1 and/or view video)

Mr. Basham provided the court with an updated County/Regional Contractors' List which was used to solicit bids for the computer room remodel. This list is provided to contractors and building supply stores for their use and additions also. ([SEE ATTACHMENT 06](#))

9. CONSIDER AND POSSIBLY AWARD BID FOR REMODEL OF THE COMPUTER ROOM (Listen to audio track 1 and/or view video)

This item was a rebid per the court request. Bid packets were sent to nine (9) different contractors with only four (4) responses received. Mr. Basham recommended that the court go with the low bid of Scott Redfearn with immediate availability to start work. When asked how he was able to get a lower bid, Mr. Basham responded in that the original workstation was cut and the work table scaled down with storage being added to the work table. Shawn's office will be left as is with no windows being added. [\(SEE ATTACHMENT 07\)](#)

Motion was made by Commissioner Fields and seconded by Commissioner Hinton to award the bid for remodel of the Computer room to Scott Redfearn. Motion passed unanimously.

10. CONSIDER AND POSSIBLY TAKE ACTION ON SELECTION OF IT SERVICES COMPANY (Listen to audio track 1 and/or view video)

Motion was made by Commissioner Hinton and seconded by Commissioner Fields to approve Option C with Kaybro Technologies in the amount of \$105,677.80 effective February 1, 2015 through January 31, 2017. Motion passed four to one with Commissioner Riddle voting nay. [\(SEE ATTACHMENT 08\)](#)

11. CONSIDER AND POSSIBLY APPROVE DEVELOPMENT OF A SET OF SUBDIVISION AND PLAT REGULATIONS (Listen to audio track 1 and/or view video)

It is still the consensus that we do not have a good set of subdivision and plat regulations and that the regulations set forth by Morris County is not a good document for Titus County. Judge Lee suggested joining efforts with realtors and developers to fix this document. Judy Kent from East Texas Realtors stated that she was on the Board of Realtors comprised of four counties and that they had met and gone over the regulations provided by Morris County. She feels that they could possibly come up with a document using Morris County's as a base and come back to the Court with an update in four (4) weeks.

Motion was made by Commissioner Fields and seconded by Commissioner Hinton to table approving the development of a set of subdivision and plat regulations and come back in February. Motion passed unanimously.

12. CONSIDER AND POSSIBLY APPROVE A RESOLUTION TO ADD OPTIONAL WORKERS' COMPENSATION COVERAGE FOR ELECTION WORKERS (Listen to audio track 1 and/or view video)

Judge Lee had checked with both County Attorney, John Cobern, and City Attorney, Kerry Wootten, and both felt that it would be in the best interest of the County to provide Optional Workers' Compensation Coverage for Election workers who get paid.

Motion was made by Commissioner Hinton and seconded by Commissioner Fields to approve a resolution adding Optional Workers' Compensation Coverage for Election Workers. Motion passed unanimously. [\(SEE ATTACHMENT 09\)](#)

13. CONSIDER AND POSSIBLY APPROVE RENEWAL OF \$25,000 LETTER OF CREDIT ON BEHALF OF THE TEXAS RAILROAD COMMISSION WITH CARL JOHNSON AND SHERYL PREDDY APPROVED TO SIGN ON BEHALF OF THE COUNTY (Listen to audio track 1 and/or view video)

Motion was made by Commissioner Hinton and seconded by Commissioner Fields to approve renewal of \$25,000 Letter of Credit through Guaranty Bank and Trust on behalf of the Texas Railroad Commission with Carl Johnson and Sheryl Preddy approved to sign on behalf of the County. Motion passed unanimously.

14. CONSIDER AND POSSIBLY APPROVE PAYMENT OF PAUPER'S FUNERAL FOR LINDA SHERWOOD IN THE AMOUNT OF \$950 (Listen to audio track 1 and/or view video)

Motion was made by Commissioner Hinton and seconded by Commissioner Fields to approve payment of Pauper's Funeral to Bates-Cooper-Sloan in the amount of \$950.00 for Linda Sherwood. Motion passed unanimously. ([SEE ATTACHMENT 10](#))

15. CONSIDER AND POSSIBLY APPROVE BONDS FOR ELECTED OFFICIALS TAKING OFFICE JANUARY 1, 2015 (Listen to audio track 1 and/or view video)

Motion was made by Commissioner Hinton and seconded by Judge Lee to approve bonds for Elected Officials taking office January 1, 2015. ([SEE ATTACHMENT 11](#))

16. DISCUSS AND POSSIBLY TAKE ACTION ON COURT MEETING TIMES FOR 2015 (Listen to audio track 1 and/or view video)

This was put on the agenda at the request of Commissioner Riddle. Commissioner Riddle had compared attendance over the past year and determined that 134 had attended night meetings versus 98 attending day meetings. Judge Lee's study showed that the same number attended both day and night meetings and that 20 people who attended three (3) or more night meetings also attended the day meetings. Commissioner Fields felt that this was counterproductive. Several people had told him they could not attend the night meetings because they could not drive at night and had not had anyone tell him they needed or wanted night meetings. He also stated that he had checked with several counties and no other county held night meetings.

Motion was made by Commissioner Riddle and seconded by Commissioner Parker to hold all court meetings at night for 2015. Motion failed three to two with Judge Lee and Commissioners' Fields and Hinton voting nay.

Motion was made by Commissioner Fields to have all day meetings during the months of November through February with remaining months having one day meeting and one night meeting. Motion died due to lack of a second.

Motion was made by Commissioner Parker and seconded by Commissioner Riddle to hold the first meeting during the day with the second meeting being at night; divide the Budget and Tax Hearings between day and night and to keep this schedule until it is brought up again. Motion passed three to two with Commissioners Fields and Hinton voting nay. ([SEE ATTACHMENT 12](#))

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

County Auditor, Carl Johnson, informed the court that the new rate of travel is \$0.56 per mile according to the IRS rate which is what determines the County's rate.

Motion was made by Commissioner Fields and seconded by Commissioner Hinton to approve travel and seminars for Titus County employees and elected officials. Motion passed unanimously. [\(ATTACHMENT 13\)](#)

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

19. 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 Judge Lee to approve Treasurer's Report. Motion passed unanimously. [\(SEE ATTACHMENT 15\)](#)

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

There were no budget amendments.

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

Motion was made by Commissioner Fields and seconded by Commissioner Hinton to sign pay orders and approve payments. Motion passed unanimously. [\(SEE ATTACHMENT 16\)](#)

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

Judge Lee recognized Jimmy Parker as the new Commissioner for Precinct 4 and looks forward to working with him during the next four (4) years. He also recognized the new County Clerk, Joan Newman. He congratulated Marcia Davis from the Mount Pleasant Daily Tribune on her new position.

Judge Lee announced that he had five (5) tickets for sale to attend the Chamber banquet to be held at the Civic Center tomorrow night beginning at 5:30.

Commissioner Fields thanked Commissioner Parker for going with him to FM 1735 and meeting with James Construction and PTP and that he is also looking forward to working with him.

Commissioner Hinton also voiced that he is looking forward to working with Commissioner Parker.

Commissioner Parker stated he appreciated the support he has received during his first week in office, especially from his precinct and other employees.

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

Motion was made by Commissioner Riddle and seconded by Commissioner Parker to adjourn. Motion passed unanimously.