

COMMISISONERS' COURT
01.26.2015

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**COMMISSIONERS' COURT
SPECIAL MEETING
JANUARY 26, 2014**

Notice is hereby given that the Titus County Commissioners' Court met in a special meeting on Monday, January 26, 2014 at 6:00 p.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

Public Attending Meeting:

Don Rhea	Rod Calhoun	Rodney Glenn
Danny Clark	Ken Wilson	John Livingston
Sue Evenwell	Judy Kent	Tony Gesino

Nigel Christopher
Judy Lee
E. J. Kemp
Lou Antonelli
Joyce Simpson

Troy K. Sellers
Emily Aikman
John Gatherer
Marcia Davis

Jack Anderson
Brenda Kemp
Karen Gatherer
Carolyn Norman

Invocation: Commissioner Fields

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)

Lou Antonelli suggested to the Court that they might want to have a Plan B ready in case James Construction Group doesn't come back to finish the seal coat. Judge Lee stated the court is thinking about a contingency plan and that James Construction is 90% complete and still on the job. The court is willing to bring in another contractor if necessary.

Rod Calhoun voiced his dissatisfaction with James Construction and surely hopes that the county is holding back enough money in order for them to complete the project. He has multiple issues with them concerning the following: (a) three (3) culverts that are unfinished (b) natural gas line which was in place before this project started needs to be stubbed up on Don Rheas' property but are being told that they are not going to do this (c) not putting up a fence on land across the road from him on FM 1735.

Don Stanley of Talco is leasing the land from Mr. Calhoun to keep his cattle on. Mr. Stanley was out \$1550.00 feeding his cattle hay and had to replace the fence himself because James Construction did not put it back up. Mr. Calhoun feels that Mr. Stanley should be compensated for his loss and presented an invoice to the Court. ([SEE ATTACHMENT 01](#))

Don Rhea lives next door to Mr. Calhoun and also came to the podium stating his concerns over the culverts and the pool across the road. Plastic barriers were put up but did not prevent the water from going into the pool. The EPA came in and dug out seven (7) loads of silt and mud. Asphalt was supposed to have been put down up to the culverts to prevent the water from piling up but has not been done. Judge Lee asked Commissioner Parker to check into this matter. Commissioner stated that he had met with both Mr. Calhoun and Mr. Rhea last week and was to get the culverts cleaned out. He will see what he can get done.

2. CONSIDER AND POSSIBLY APPROVE MINUTES FROM JANUARY 12, 2015 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 January 12, 2015 regular meeting of the Commissioners' Court. Motion passed unanimously.

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

Judge Lee gave a report on an email he had received from Mark Heidaker from PTP, LP regarding the Titus County Pass Through Project. ([SEE ATTACHMENT 02](#))

4. PRESENTATION BY HUDSON OLD (NETRMA) NORTHEAST TEXAS REGIONAL MOBILITY AUTHORITY (Listen to audio track 1 and/or see video)

There was no discussion on this matter as Mr. Old was unable to be present.

5. CONSIDER AND POSSIBLY APPROVE RENEWAL OF MEMBERSHIP WITH (NETRMA) NORTHEAST TEXAS REGIONAL MOBILITY AUTHORITY (Listen to audio track 1 and/or see video)

Motion was made by Commissioner Fields and seconded by Commissioner Riddle to table the approval of renewable of membership with Northeast Texas Regional Mobility Authority (NETRMA). Motion passed unanimously.

6. DISCUSS AND POSSIBLY TAKE ACTION ON THE PREPARATION OF PLAT AND SUBDIVISION REGULATIONS (TABLED 1-12-15) (Listen to audio track 1 and/or see video)

Judge Lee told the Court that this has been an ongoing discussion and that the Court had agreed to give Judy Kent the authority to meet with other realtors for input on preparing a set of plat and subdivision regulations. Ms. Kent came to the podium explaining that she was unsure whether to proceed as she had been approached by Chris Basham to assist them and about entering into an agreement with them in the amount of \$1400.00. Judge Lee informed Ms. Kent that he had already had this discussion with her and had assured her that she was to proceed with the realtors and that no agreement was in place for Mr. Basham to assist.

No action was taken on the preparation of plat and subdivision regulations.

7. CONSIDER AND POSSIBLY APPROVE PURCHASE OF A CAB AND CHASSIS FOR THE COOKVILLE VFD (Listen to audio track 1 and/or see video)

Commissioner Parker had asked for this item to be placed on the agenda but would like to talk to the Cookville Volunteer Fire Department (VFD) regarding their request to bid locally on the equipment.

Motion was made by Commissioner Parker and seconded by Commissioner Riddle to table the approval of the purchase of a cab and chassis for the Cookville VFD. Motion passed unanimously.

8. CONSIDER AND POSSIBLY APPROVE THE SALE OF PROPERTY (PREVIOUSLY STRUCK OFF THE TAX ROLLS IN APRIL 2012), LOTS 13 AND 16-20, SWANANO SUBDIVISION, HANNAH CARTER SURVEY, A-120 (TIM TAYLOR) (Listen to audio track 1 and/or view video)

The Court had previously received an offer of \$5000.00 for this property but had rejected the offer because they felt that it was an unreasonable offer. Since that time, it has been discovered that this land is flood plain bottomland. Tim Taylor has now received a second offer of \$7000.00 from the same person for the Court to consider. ([SEE ATTACHMENT 03](#))

Motion was made by Commissioner Riddle and seconded by Commissioner Fields to approve the sale of property (previously struck off the tax rolls in April, 2012) Lots 13 and 16-20, Swanano Subdivision, Hannah Carter Survey, A-120 to Kenneth Wilson. Motion passed unanimously.

9. CONSIDER AND POSSIBLY APPROVE THE SALE OF LOT 9, BLOCK 160 B, 704 EAST 8TH (PREVIOUSLY STRUCK OFF TAX ROLLS) FOR \$2,500 (TIM TAYLOR) (Listen to audio track 1 and/or view video)

Motion was made by Commissioner Hinton and seconded by Commissioner Fields to approve the sale of Lot 9, Block 160B, 704 East 8th (previously struck off tax rolls) for \$2500.00 from James Arledge (ACH Construction). Motion passed unanimously. ([SEE ATTACHMENT 04](#))

10. CONSIDER AND POSSIBLY TAKE ACTION ON REMOVAL OF OIL STORAGE TANKS LOCATED ON PCT. 4 PROPERTY ON CR 4660 (Listen to audio track 1 and/or view video)

Commissioner Parker came before the Court to see the proper procedure for the removal of damaged oil tanks and the environmental issues involved. There are eight (8) tanks in his precinct and feels that only two (2) could be used. He has not checked all of them to see if they contain oil. Commissioner Fields asked if there was any spillage or burns noted around them and was told no.

Motion was made by Judge Lee and seconded by Commissioner Fields to table any immediate action on the removal of oil storage tanks located on Pct. 4 property on CR 4660. Motion passed unanimously.

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 Parker to approve travel and seminars for Titus County employees and elected officials. Motion passed unanimously. ([ATTACHMENT 05](#))

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

Motion was made by Commissioner Fields and seconded by Commissioner Hinton to approve oral and written reports of county officials. Motion passed unanimously. ([SEE ATTACHMENT 06](#))

13. 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 07](#))

14. 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 amendments #5-9. Motion passed unanimously, ([SEE ATTACHMENT 08](#))

15. 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 09](#))

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

Judge Lee announced that there would be a Commissioners' Court meeting tomorrow where they would go into executive session.

Judge Lee had spoken with Leonard Rockwell regarding the remodel of the Ratliff building and if it would be completed in time for Early Voting in late April and early May. Mr. Rockwell has suggested that we should look into a getting a new location as a backup. The Civic Center will rent to us for seven (7) days at a cost of \$300.00. He is to get with Mr. Rockwell and see what he has found out.

Commissioner Riddle would like to see the cancelled checks in the amount of \$6400.00 for plans that came from Priefert Design and the engineering company in Longview to make sure that Chris Basham had paid them.

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

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