

COMMISSIONERS' COURT

04.27.2015

[AGENDA](#)

[AUDIO](#)

[ATTESTATION](#)

SCROLL DOWN FOR MINUTES AND/OR ATTACHMENTS

**COMMISSIONERS' COURT
SPECIAL MEETING
APRIL 27, 2015**

Notice is hereby given that the Titus County Commissioners' Court met in a special meeting on Monday, April 27, 2015 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
Carl Johnson	County Auditor
Sheryl Preddy	County Treasurer

Public Attending Meeting:

Sue Evenwell	Mary Kay Dunay	Imelda Tatsch
Charles L. Smith	Dana Applewhite	Casie Homer
Mary Katherine Milam	Jewel Lee	Elsy Y. Acuna
Enda Herzog	Jeffery Crabb	Jeanne Blevins
Bill Blevins	Judy Lee	Penny Ward
Jack Anderson	Danny Clark	Mike Cline
Mike Petree	George Winchester	Martha A. Dykes
Cookie Hall	Dorothy Brightwell	Judy Kent
Tony Gesino	Dorthey West	Karen Gatherer
John Gatherer	Brenda Kemp	Ricky Toland
Lisa Toland	Troy Sellers	Dan Schmeling
Glenn Tatsch	Chris Basham	Faustine Curry
Nigel Christopher	Jerry Ward	Cathy Haysworth
Halan Haysworth	J. Edgar	Mike Kessler
Hudson Old	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 APRIL 13, 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 Parker to approve minutes from April 13, 2015 regular meeting of the Commissioners' Court. Motion passed unanimously.

3. PRESENTATION BY MARY KAY DUNAY (Listen to audio track 1 and/or see video)

Mary Kay Dunay came before the Court asking for support in making the public aware of stickers that are being sold in support of Titus County 911 Responders. All proceeds shall go to the Memorial of Our First Responders Who Lost their Lives Serving the Public in Line of Duty. Donations of \$6.00 can be made payable to Blodgett-Monticello Neighborhood Watch. Ms. Dunay can be reached at 903-577-7632 if anyone wishes to make a donation for a sticker or has any questions pertaining to the stickers. [\(SEE ATTACHMENT 01\)](#)

4. CONSIDER AND POSSIBLY APPROVE A TAX ABATEMENT AGREEMENT WITH NEWLY WEDS FOODS, INC. (CHARLES SMITH, INDUSTRIAL DEVELOPMENT CORPORATION) (Listen to audio track 1 and/or see video)

Charles Smith from the Industrial Development Corporation presented a Tax Abatement Agreement for approval from the Commissioners' Court with Newly Weds Foods, Inc. This agreement is for the expansion of new equipment in the amount of \$618,000 and will create a minimum of 14 new full time positions. The abatement agreement covers a three (3) year period of city and county taxes in an amount equal to: 90% the first year; 75% the second year and 45% the third year. The abatement does not cover the schools, college or hospital. This abatement has already been approved by the city.

George Winchester has been with Newly Weds Foods nine years and has noticed an accelerated growth capacity during that period of time. He gave a brief overview of the company which is a custom ingredient manufacturer making over a 1000 different products that exports their products all over the world. They hope to be in operation with the new equipment by the end of June which will put them well over the 150 employee mark.

Motion was made by Commissioner Riddle and seconded by Commissioner Fields to approve a Tax Abatement Agreement with Newly Weds Foods, Inc. Motion passed unanimously. [\(SEE ATTACHMENT 02\)](#)

5. CONSIDER AND POSSIBLY APPROVE ADDITION OF TEXAS DEPARTMENT OF MOTOR VEHICLE (TxDMV) CHILD SAFETY FEE (TRANSPORTATION CODE SECTION 502.403) RELATED TO VEHICLE REGISTRATION FEE (TABLED 4-13-15) (Listen to audio track 1 and/or see video)

Judge Lee gave the background on how this came about. He first met Dan Schmeling who asked if he could meet with the Judge regarding the Child Safety Fee which would be used to provide for the safety of children as well as their nutritional needs. A meeting was held on 4/13/2015 at Judge Lee's office with Judge Lee, Imelda Tatsch, Dan Schmeling and Judy Lee from Titus County Cares. Judge Lee told the Court that they were not here to determine how the money would be allocated but if ready to implement, they would need to determine how much fee they would approve. They could approve any amount up to \$1.50. With the number of registrations in Titus County, 50 cents would bring \$15,000; \$1.00 - \$30,000 and \$1.50 - \$45,000. [\(SEE ATTACHMENT 03\)](#)

The Court heard from the following attendees who expressed their reasons as to why they were for or against the addition of this fee: Tony Gesino; Casie Homer; Jeffery Crabb; Sue Evenwel; Dana Applewhite; Imelda Tatsch and Chris Basham.

Motion was made by Commissioner Riddle and seconded by Commissioner Hinton to not approve the addition of Texas Department of Motor Vehicle (TxDMV) Child Safety Fee (Transportation Code Section 502.403) related to Vehicle Registration Fee. Motion passed three to two with Judge Lee and Commissioner Fields voting nay.

6. CONSIDER AND POSSIBLY APPROVE MODIFICATIONS TO THE RATLIFF BUILDING REMODEL INCLUDING TILE AND WINDOWS (Listen to audio track 1 and/or see video)

Chris Basham has no recommendations regarding the requests for modifications that are being brought before the court at the request of the Tax Office and the builder. He did point out that the items in bold are items that are critically needed. [\(SEE ATTACHMENT 04\)](#)

Commissioner Riddle voiced his disapproval of the renovation project and that he had not been in favor of moving the Tax office to the Ratliff building.

Motion was made by Commissioner Riddle to table this item. Motion died due to no second.

Motion was made by Commissioner Parker and seconded by Commissioner Hinton to approve items 1; 2; 3; 5; 6 and 7. Motion passed four to one with Commissioner Riddle voting nay.

7. CONSIDER AND POSSIBLY APPROVE THE DONATION OF A RETIRED VEHICLE FROM THE SHERIFF'S OFFICE TO BE USED AS A CONSTABLE VEHICLE (RAY BARRETT) (Listen to audio track 1 and/or see video)

Judge Lee read the request from Ray Barrett, Constable Pct. 2, for the approval of the donation of a retired vehicle from the Sheriff's office to be used by his Reserve Deputy Constables. Mr. Barrett was present to answer any questions. [\(SEE ATTACHMENT 05\)](#)

Motion was made by Commissioner Fields and seconded by Commissioner Riddle to approve the Donation of a Retired Vehicle from the Sheriff's Office to be used as a Constable Vehicle for Precinct 2. Motion passed unanimously.

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

Judge Lee read the email that he had received from Mark Heidaker with PTP on the update for the Titus County Pass Through Projects. Commissioner Parker pointed out that there was a problem with people driving over the base and damaging the surface of FM 4000 that will connect the south end of Hwy 271 bypass with FM 1735 at Chapel Hill. The Sheriff's department is issuing tickets to any motorist caught driving on the unfinished roadway. [\(SEE ATTACHMENT 06\)](#)

9. CONSIDER AND POSSIBLY APPROVE THE SALE OF PRECINCT 4 SURPLUS EQUIPMENT (Listen to audio track 1 and/or see video)

Motion was made by Commissioner Riddle and seconded by Commissioner Hinton to approve the sale of Precinct 4 surplus equipment. Motion passed unanimously. [\(SEE ATTACHMENT 07\)](#)

10. CONSIDER AND POSSIBLY APPROVE BEGINNING THE BID PROCESS FOR TWO NEW TRACTORS FOR PRECINCT 4 (Listen to audio track 1 and/or see video)

Motion was made by Commissioner Hinton and seconded by Commissioner Fields to give Commissioner Parker the authority to begin the bid process for two new tractors for Precinct 4. Motion passed unanimously. [\(SEE ATTACHMENT 08\)](#)

11. CONSIDER AND POSSIBLY APPROVE REAPPOINTMENT OF FRANCES NEAL TO THE LAKES REGIONAL MHMR BOARD OF TRUSTEES FOR A 2-YEAR TERM

Motion was made by Commissioner Fields and seconded by Commissioner Hinton to approve the Reappointment of Frances Neal to the Lakes Regional MHMR Board of Trustees for a 2-year term. Motion passed unanimously.

12. CONSIDER AND POSSIBLY APPROVE THE ESTABLISHMENT OF THE 76TH/276TH JUDICIAL DRUG COURT FOR CAMP, MORRIS AND TITUS COUNTIES AS A DRUG COURT TO ENABLE IT TO PROVIDE SERVICES NEEDED BY THE CITIZENS OF OUR COUNTY

Motion was made by Commissioner Parker and seconded by Commissioner Riddle to approve the Establishment of the 76th/276th Judicial Drug Court for Camp, Morris and Titus Counties as a Drug Court to enable it to provide services needed by the citizens of our county. Motion passed unanimously. ([SEE ATTACHMENT 09 – RESOLUTION](#))

13. CONSIDER AND POSSIBLY APPROVE BOND FOR CHRISTIE DAVIS, COUNTY AUDITOR'S OFFICE

Motion was made by Commissioner Fields and seconded by Commission Hinton to approve bond for Christie Davis, County Auditor's office. Motion passed unanimously. ([SEE ATTACHMENT 10](#))

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

There were no travel requests presented to the Court for approval.

15. 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 Parker to approve oral and written reports of county officials. Motion passed unanimously. ([SEE ATTACHMENT 11](#))

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

Motion was made by Commissioner Parker and seconded by Commissioner Hinton to approve Treasurer's Report. Motion passed unanimously. ([SEE ATTACHMENT 12](#))

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

There were no budget amendments.

18. 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 Riddle to sign pay orders and approve payments. Motion passed unanimously. ([SEE ATTACHMENT 13](#))

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

Judge Lee gave an update on the Subdivision Regulations Workshop and felt that they were ready to implement new rules on the critical areas which pertained to private roads and lot sizes. Commissioner Riddle is to type up a new set of rules as discussed and have them available at the next meeting.

Commissioner Fields said there were some things that were said tonight about the Ratliff building and wants to look back at the minutes of what was said and done but he thinks he was in support of Judy moving to the end building.

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

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