

**06.22.2015**

**[AGENDA](#)**

**[AUDIO](#)**

**[ATTESTATION](#)**

**SCROLL DOWN FOR MINUTES AND/OR ATTACHMENTS**

**COMMISSIONERS' COURT  
SPECIAL MEETING  
JUNE 22, 2015**

Notice is hereby given that the Titus County Commissioners' Court met in a special meeting on Monday, June 22, 2015 at 6:00 p.m. in the Titus County Courtroom with the following members present:

<b>Brian P. Lee</b>	<b>County Judge</b>
<b>Al Riddle</b>	<b>Commissioner Precinct 1</b>
<b>Mike Fields</b>	<b>Commissioner Precinct 2</b>
<b>Phillip Hinton</b>	<b>Commissioner Precinct 3</b>
<b>Jimmy Parker</b>	<b>Commissioner Precinct 4</b>
<b>Joan Newman</b>	<b>County Clerk</b>
<b>Carl Johnson</b>	<b>County Auditor</b>
<b>Sheryl Preddy</b>	<b>County Treasurer</b>
<b>Tim Ingram</b>	<b>County Sheriff</b>

**Public Attending Meeting:**

<b>Maxine Patton</b>	<b>Dianne Owens</b>	<b>Denise Reichert</b>
<b>Judy Lee</b>	<b>Troy Sellers</b>	<b>Nigel Christopher</b>
<b>Jerry D. Russell</b>	<b>Lisa Riddle</b>	<b>Rhonda Kittle</b>
<b>Judy Kent</b>	<b>Sue Evenwel</b>	<b>Nancy Leflett</b>
<b>Amanda Aguillar</b>	<b>Hanlaw Haynsworth</b>	<b>Cathy Haynsworth</b>
<b>Marcia Davis</b>	<b>Carolyn Norman</b>	<b>Joyce Simpson</b>

**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)**

Dianne Owens, former Titus County Clerk, came before the Court stating, "For the last two years while I was in office, I saw our elderly, being people that have been unable to take care of themselves, being taken advantage of. Guardians must be accountable." Ms. Owens said that while she was clerk, her job was only to file the documents and that she was not responsible for the inconsistencies and mismanagement that happened when she was County Clerk. Now as a citizen, she is speaking out. She referred the Court to the Guardianship of Ann James where James Taylor was appointed as Guardian. Ms. Owens referenced several documents relating to this case such as financial documents and reports, bond, oath and safekeeping account. She feels that there needs to be another alternative guardian besides Mr. Taylor. Ms. Owens did not give the Court copies of the documents she referenced to in Ms. James' guardianship case.

Judge Lee asked Ms. Owens what was the official name on the guardianship. She responded in that Mr. Taylor was. Judge Lee asked her to look again and she stated Family & Court Services, Inc. Judge Lee then asked Ms. Owens if she knew the difference in the rules between individual and corporate guardianship and if there was any difference in the bond amount on a corporate guardianship versus individual guardianship. Judge Lee told her that she could not make a judgment call based upon that. Ms. Owens responded in that she was just reading what was in the file. He then asked her if there was a safekeeping arrangement in place. She answered yes. Judge Lee said, "You are here to criticize our guardianship system; here to criticize James Taylor and you are here to criticize me." Ms. Owens stated that she was going home to find the law on the differences. Judge Lee apologized to the Commissioners Court for using so much time for the public comment.

**2. CONSIDER AND POSSIBLY APPROVE MINUTES FROM JUNE 8, 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 June 8, 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)**

There was no formal report but Judge Lee did read an email from Mark Heidaker from PTP on the FM 4000 update. Judge Lee did report that they were ready to start work today but that the wrong mix arrived from Houston. They will start at 6:30 a.m. in the morning. [\(SEE ATTACHMENT 01\)](#)

**4. CONSIDER AND POSSIBLY APPROVE CHANGE ORDER #10 RELATED TO THE FM 4000 SEGMENT OF THE LOOP IN THE AMOUNT OF \$1935.94 (Listen to audio track 1 and/or see video)**

Motion was made by Commissioner Fields and seconded by Commissioner Parker to approve Change Order #10 related to the FM 4000 segment of the loop in the amount of \$1935.94. Motion passed unanimously. [\(SEE ATTACHMENT 02\)](#)

**5. CONSIDER AND POSSIBLY APPROVE A COUNTY POLICY REQUIRING ALL NON PROFIT ORGANIZATIONS THAT RECEIVE FUNDS FROM THE COUNTY TO PROVIDE AN ANNUAL REPORT DETAILING INCOME AND EXPENSES TO THE COUNTY COMMISSIONERS' COURT (Listen to audio track 1 and/or see video)**

Commissioner Riddle told the Court that the taxpayers have the right to know how their money is spent. He mentioned Northeast Texas Opportunities and stated that the same thing could happen to us. In an effort to be more transparent, Commissioner Riddle feels that Charities that receive benefits from the County should be required to file an annual report. This report must include a copy of the IRS form 990 that each charity is required to report to the IRS. Show names and officers and the amount of compensation received from the Charity; names and amount of compensation of people that are employed by the Charity and furnish a certified copy of the "outside" audit that the charity has hired to be done. [\(SEE ATTACHMENT 03\)](#)

County Auditor, Carl Johnson, stated that he wasn't sure if we would be able to get the names of employees and amount of compensation. This is a question that we may have to ask the County Attorney.

Judy Kent came to the podium voicing her concerns. She said that Charities get Grant money from the government which in turn is paid by the taxpayers. She feels that the county is giving money to charities that the taxpayers may not want to give to and that she would rather give her money to the charity of her choice.

Judge Lee told the Court that he had asked this question to the President of the Texas Association of Counties and was told that as an alternative, the county should consider entering into a contract with that entity so it is clear what the services and fees are.

Motion was made by Commissioner Riddle and seconded by Commissioner Fields to approve a County Policy Requiring all Non Profit Organizations that Receive Funds from the County to Provide an Annual Report Detailing Income and Expenses to the County Commissioners' Court. Motion passed unanimously.

**6. OPEN AND REVIEW BIDS AND POSSIBLY APPROVE FOR TYPE A FLEXBASE ASH (TABLED 6-8-15, RECEIVED NO BIDS) (Listen to audio track 1 and/or see video)**

Motion was made by Commissioner Riddle and seconded by Commissioner Fields to approve purchasing Type A Flex base Ash from FlyAshDirect at the Welch plant location in Cason at \$8.00/ton picked up. Motion passed unanimously. [\(SEE ATTACHMENT 04\)](#)

**7. OPEN AND REVIEW BIDS AND POSSIBLY APPROVE FOR CRUSHED IRON ORE (TABLED 6-8-15, RECEIVED BID LATE, DID NOT OPEN) (Listen to audio track 1 and/or see video)**

Motion was made by Commissioner Hinton and seconded by Commissioner Parker to approve the purchase for Crushed Iron Ore from Seaton Construction, Inc. picked up at the pit for \$12.00 per cu. yd. Motion passed unanimously. ([SEE ATTACHMENT 05](#))

**8. CONSIDER AND POSSIBLY APPROVE REPAIR OF ROOF LEAKS AT THE 303 E. 11<sup>TH</sup> STREET BUILDING, TO BE MANAGED AND PAID FOR BY TENANT, HEALTH AND HUMAN SERVICES (Listen to audio track 1 and/or see video)**

Motion was made by Commissioner Fields and seconded by Commissioner Hinton to approve repair of roof leaks at the 303 E. 11<sup>th</sup> Street Building, to be managed and paid for by tenant, Health and Human Services. Motion passed unanimously. ([SEE ATTACHMENT 06](#))

**9. CONSIDER AND POSSIBLY APPROVE PAYMENT FOR A PAUPER'S FUNERAL FOR ROY SHERWOOD IN THE AMOUNT OF \$950 (Listen to audio track 1 and/or see video)**

Motion was made by Commissioner Hinton and seconded by Commissioner Parker to approve payment for a Pauper's funeral for Roy Sherwood in the amount of \$950 to Bates-Cooper-Sloan Funeral Home, L.L.P. Motion passed unanimously. ([SEE ATTACHMENT 07](#))

**10. CONSIDER AND POSSIBLY APPROVE REPAIRS TO FIVE OF THE EXTERIOR COURTHOUSE STEPS AT A COST OF \$400 PER STEP (Listen to audio track 1 and/or see video)**

Judge Lee received a bid by email from Daniel Apperson, who has been in the concrete business and performed this type of work for several years, in the amount of \$2000.00. He also received a verbal bid from a local contractor in the amount of \$2500.00 but the contractor admitted that he was not sure how to do this type of work. ([SEE ATTACHMENT 08](#))

Motion was made by Commissioner Riddle and seconded by Commissioner Fields to approve repairs to five of the exterior courthouse steps at a cost of \$400 per step for a total of \$2000.00. 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. ([SEE ATTACHMENT 09](#))

**12. 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. [\(SEE ATTACHMENT 10\)](#)

**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. [\(SEE ATTACHMENT 11\)](#)

**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 #39. Motion passed four to one with Commissioner Riddle voting nay. [\(SEE ATTACHMENT 12\)](#)

**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 Parker to sign pay orders and approve payments. Motion passed unanimously. [\(SEE ATTACHMENT 13\)](#)

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

Commissioner Riddle said that people should be aware of tax cuts with Luminant and need to start thinking about it now.

Judge Lee asked about the status of subdivision regulations and if the Commissioners were ready to have a meeting.

Commissioner Parker informed the Court that the Fire Protection Committee was to meet next Tuesday.

Nigel Christopher came to the podium stating that the Legislature had voted to put a tax proposal on the ballot in November, 2015 to increase Homestead deduction by \$10,000.00 which will decrease our taxes.

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

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