

**COMMISSIONERS' COURT MINUTES
SPECIAL MEETING
10.26.2015**

[AGENDA](#)

[AUDIO](#)

[ATTESTATION](#)

SCROLL DOWN FOR MINUTES AND/OR ATTACHMENTS

**COMMISSIONERS' COURT
SPECIAL MEETING
OCTOBER 26, 2015**

Notice is hereby given that the Titus County Commissioners' Court met in a special meeting on Monday, October 26, 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
Sheryl Preddy	County Treasurer
Carl Johnson	County Auditor

Public Attending Meeting:

Janice R. Chism	Jeff Parchman	Christie Davis
Judy Kent	Dorthey West	Tony Gesino
Paul Lindsey	Karen Gatherer	Claretna Vaxter
Sue Evenwell	Diana Kennedy	Steve Austin, TCHC/VSO
Keith Kridler	George Sanford	Nick Lewis
Charles Smith	David Horton	Kay Holloway
John Gatherer	Emily Aikman	T. W. Buffalo
Bobby Spearman	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 public 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 OCTOBER 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 for October 13, 2015 regular meeting of the Commissioners' Court. Motion passed unanimously.

3. CONSIDER AND POSSIBLY APPROVE ABATEMENT AGREEMENT WITH PRIEFERT MANUFACTURING (CHARLIE SMITH) (Listen to audio track 1 and/or see video)

Charles Smith informed the Court that the Abatement Agreement with Priefert Manufacturing had been approved by the City Council on 10/6/2015. They currently have 841 employees. With the approval of this abatement, they will hire a minimum of 15 new full time positions giving the facility a total of 856. Four (4) new buildings will be constructed or enlarged totaling 58,670 sq. ft. and new equipment totally \$200,000 will be located within the four buildings. Abatement will be for five (5) years as follows:

- Year One 2016 90% Abatement of City and County Taxes
- Year Two 2017 90% Abatement of City and County Taxes
- Year Three 2018 90% Abatement of City and County Taxes
- Year Four 2019 75% Abatement of City and County Taxes
- Year Five 2020 75% Abatement of City and County Taxes

Motion was made by Commissioner Fields and seconded by Commissioner Riddle to approve Abatement Agreement with Priefert Manufacturing. Motion passed unanimously. [\(SEE ATTACHMENT 01\)](#)

4. CONSIDER AND POSSIBLY APPROVE ABATEMENT AGREEMENT WITH SWEET SHOP USA (CHARLIE SMITH) (Listen to audio track 1 and/or see video)

This Abatement Agreement was also approved by the City Council on 10/6/2015. The Sweet Shop USA is expanding their warehouse by 6000 sq. ft. and adding upgrades to air conditioning and electric service and other items valued at \$235,000. The owner is also installing new equipment for the production line in the amount of \$830,000. They will hire 20 new employees for a total of 132 full time employees. Abatement will be for four (4) years as follows:

- Year One 2016 90% Abatement of City and County Taxes
- Year Two 2017 90% Abatement of City and County Taxes
- Year Three 2018 70% Abatement of City and County Taxes
- Year Four 2019 30% Abatement of City and County Taxes

Motion was made by Commissioner Hinton and seconded by Commissioner Fields to approve Abatement Agreement with Sweet Shop USA. Motion passed unanimously. ([SEE ATTACHMENT 02](#))

Judge Lee informed the Court that Priefert would not be borrowing \$731,000 from the Revolving Loan Fund as had been previously approved in Commissioners' Court after learning of the record keeping and reporting that is required which would add additional costs. They can get the same loan at a bank with low interest rates and without all of the red tape that the government requires.

5. CONSIDER AND POSSIBLY APPROVE SALE, REALLOCATION OR OTHER DISPOSAL OF FIRE DEPARTMENT CAB/CHASSIS AND TANKER TRUCK (Listen to audio track 1 and/or see video)

Chief McRae and representatives from the Volunteer Fire Departments were unable to be present due to being deployed to Corsicana to help with flooding due to the recent rain. This is equipment that is now owned by the county that was being used by the city.

Motion was made by Commissioner Hinton and seconded by Commissioner Parker to approve the sale, reallocation or other disposal of fire department cab/chassis and tanker truck but allow two (2) weeks in order to give the Commissioners time to look at the equipment. Motion passed unanimously.

6. CONSIDER AND POSSIBLY APPROVE 2016 TITUS COUNTY RESOLUTION REGARDING THE INDIGENT DEFENSE GRANT PROGRAM (Listen to audio track 1 and/or see video)

Motion was made by Commissioner Parker and seconded by Commissioner Hinton to approve the 2016 Titus County Resolution regarding the Indigent Defense Grant Program. Motion passed unanimously. ([SEE ATTACHMENT 03](#))

7. CONSIDER AND POSSIBLY APPROVE PRECINCT 2 BORROWING FROM GENERAL COUNTY FUND TO COVER 2014-15 BUDGET OVERRUN (Listen to audio track 1 and/or see video)

Judge Lee asked Precinct 2 Commissioner Fields to explain to the Court the reason for this budget overrun. Commissioner Fields, in turn, asked County Auditor, Carl Johnson, to explain. Mr. Johnson told the Court that this is a bookkeeping issue. Every 15 years, the fiscal year includes 27 payrolls instead of the normal 26. The fiscal period that just ended September 30, 2015 is one of those payroll periods which caused payroll for hourly employees to be under

budgeted. Precincts 1 and 2 had spent their budget down to the bottom and had no extra reserve to cover an extra pay period. The money is available in other funds and general fund to cover overrun. The final figures are not in because bills are still being received from the past 2014/2015 fiscal year. This does not apply to County officials as their payroll will be divided by 27 instead of 26 making their checks less each pay period.

Judge Lee asked Mr. Johnson who made the decision to change the date when the hourly employees were paid from the regular pay day which would have been in the 2015/2016 fiscal year. The employees were paid early causing the funds to come out of the 2014/2015 fiscal year. Mr. Johnson responded in that his office had made this decision.

David Horton came to the podium with comments pertaining to the budget overrun on Commissioner Riddle's Precinct 1 which was discussed at the last Commissioners' Court meeting.

Keith Kridler asked if this budget overrun would affect other departments. Mr. Johnson stated that every office will probably be over budgeted. Precinct 3 and 4 did have enough reserve in their funds to cover the extra payroll.

Motion was made by Commissioner Hinton and seconded by Commissioner Parker to table the approval of Precinct 2 borrowing from the General County Fund to cover the 2014/2015 budget overrun until all figures are in. Motion passed unanimously.

8. CONSIDER AND POSSIBLY APPROVE REVISED SUBDIVISION REGULATIONS (Listen to audio track 1 and/or see video)

The most significant requirement that will go into effect is the requirement of a minimum of a one (1) acre lot for each dwelling to help primarily with the septic system. This will essentially do away with trailer parks as they must have one acre per trailer. Walt Sears feels that these regulations will pass state requirements.

Judge Lee thanked Judy Kent, Diana Kennedy, Patrick Redfearn and Michael Mayben for their input and assistance with updating the revised regulations. Clint Bain from the Titus County Environmental Department was also a big help in helping meet the requirements from the Texas Commission on Environmental Quality.

Judy Kent feels that they have come up with a good document which would not stifle future development. She expressed her thanks to the Commissioners' Court.

George Sanford asked what the county would do about the half acre lots that already have existing structures already built on them and referred to Texas Administrative Code Chapter 289. Judge Lee responded that the lots that were approved prior to these new subdivision regulations would be exempt and be grandfathered in.

T. W. Buffalo asked the Court to consider establishing rules and regulations for buildings in the county. He feels that there should be a minimal inspection for the homeowner's protection. This would apply to new structures as well as remodels.

Motion was made by Commissioner Hinton and seconded by Commissioner Parker to approve revised Subdivision Regulations. Motion passed unanimously. [\(SEE ATTACHMENT 04\)](#)

9. CONSIDER AND POSSIBLY APPROVE POWER WASH, REPAIR, CAULK AND PAINT OF FASCIA AND RAILINGS AT RATLIFF BUILDING BY RICHARD JONES CONSTRUCTION AT A COST OF \$2700 (Listen to audio track 1 and/or see video)

At the last Commissioners' Court meeting, Sheriff Ingram had told the Court that his office would provide the labor to do this job. Since that time, there has been quite a bit of asbestos that was discovered under the fascia of the building and he decided that he did not want his people exposed to this. Commissioner Fields informed the Court that there is a lot of overhang with mold growing on it. This will not be considered as part of the remodel job.

Motion made by Commissioner Fields and seconded by Commissioner Hinton to approve power wash, repair, caulk and paint of fascia and railings at the Ratliff Building by Richard Jones Construction at a cost of \$2700. Motion passed three to two with Commissioners Riddle and Parker voting nay.

10. CONSIDER AND APPROVE OFFICE RELOCATIONS WITHIN THE MAIN COURTHOUSE (Listen to audio track 1 and/or see video)

Discussion centered around the request of relocation by the County Clerk and the Veteran Service Office to move to the space vacated due to the moving of the offices of the Auditor, Commissioners and Business Manager to the first floor of the courthouse.

Joan Newman, County Clerk, is requesting that she be able to move her Criminal Clerk to the Business Manager's old office due to confidential and sensitive data that she deals with. She is now located in the County Clerk's office where she is constantly interrupted by the public. A pass thru window would be installed in order to provide for money collection. She needs the auditor's old office to store the files which are now located across the street and on the third floor. This would allow for all files to be in one location.

Steve Austin, Veteran Service Officer, is requesting the move due to currently sharing storage space with the custodial department. There are historical exhibits that are now being stored in a warehouse due to no space to put them in the courthouse. He would like to use Room 203 for his office and his current office for storage. Commissioner Hinton asked if this would not present a problem for the Veterans getting upstairs because of trouble with the elevators. Mr. Austin did state that his primary object was storage and the need for better signage informing the public where his office is located.

Motion was made by Judge Lee and seconded by Commissioner Fields to allocate the second floor vacant offices to the County Clerk; to allow the Veteran Service Office to remain where he is now located and use the climate controlled storage areas in the Annex and to provide better signage as to the location of the Veterans' office. Motion passed unanimously.

11. CONSIDER AND POSSIBLY APPROVE CONTRACT FOR COUNTY FIRE DEPARTMENTS (Listen to audio track 1 and/or see video)

Motion was made by Commissioner Parker and seconded by Commissioner Fields to approve tabling the approval of the contract for the County Fire Departments due their being out of town. Motion passed unanimously.

12. CONSIDER AND POSSIBLY APPROVE TRIMMING OF TREES EIGHT (8) AROUND THE COURTHOUSE (Listen to audio track 1 and/or see video)

Two bids were received: Lewis Enterprises for \$3950 and Davis Tree Service for \$3500. [\(SEE ATTACHMENT 05\)](#)

Motion was made by Commissioner Fields and seconded by Commissioner Hinton to approve the trimming of eight (8) trees around the courthouse to Davis Tree Service in the amount of \$3500. Motion passed unanimously.

13. CONSIDER AND POSSIBLY APPROVE ACCEPTANCE OF CR 3207 AS A COUNTY ROAD (COMMISSIONER HINTON) (Listen to audio track 1 and/or see video)

Commissioner Hinton informed the Court that this was on the agenda a year ago that this section of road be maintained by the landowners for one (1) year and be brought back before the Court for approval and acceptance by the county. The landowners have maintained this section of the road for a year and meets county specs. [\(SEE ATTACHMENT 06\)](#)

Motion was made by Commissioner Hinton and seconded by Judge Lee to approve acceptance of CR 3207 as a county road. Motion passed unanimously.

14. CONSIDER AND POSSIBLY APPROVE MOUNT PLEASANT LIONS CLUB DONATING AN AUTOMATED EXTERNAL DEFIBRILLATOR (AED) FOR THE JUSTICE CENTER COURTROOM (BOBBY SPEARMAN) (Listen to audio track 1 and/or see video)

Bobby Spearman announced to the Court that he as Deputy Constable; Justice of the Peace Precinct 1, 3, and 4 Kay McNutt; Constable Chris Durant and Deputy Constable Harold Conner had completed the training course on how to use the AED. Mr. Spearman is past president of the Mount Pleasant Lions Club and now serves on the Board of Directors. He asked that they allocate funds to purchase the AED for the Justice Center to be used in case of a medical emergency. He is now coming before the Court and asking them to accept the donation of the AED on behalf of the Mount Pleasant Lions Club.

Motion was made by Commissioner Hinton and seconded by Commissioner Fields to approve Mount Pleasant Lions Club donating an automated external defibrillator (AED) for the Justice Center Courtroom. Motion passed unanimously.

15. CONSIDER AND POSSIBLY APPROVE PURCHASE OF ONE (1) COMPUTER, THREE (3) SCANNERS AND DATA STORAGE FOR AUDITORS' OFFICE WITH THE INITIAL COST OF APPROXIMATELY \$3,000 (Listen to audio track 1 and/or see video)

Carl Johnson stated that it is time for his office to start scanning files in order to free up storage space. Christie Davis from the Auditor's office informed the Court that they already have one (1) scanner that can be utilized and will only need two. They now pay \$115/month for storage and can use this amount toward the cost of maintaining the cost of backup provided by Kaybro.

Motion was made by Commissioner Fields and seconded by Commissioner Hinton to approve purchase of one (1) computer, two (2) scanners and data storage for Auditor's office with the initial cost of approximately \$3000. Motion passed unanimously.

16. 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. [\(SEE ATTACHMENT 07\)](#)

17. 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. [\(SEE ATTACHMENT 08\)](#)

18. 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 Fields to approve Treasurer's Report. Motion passed unanimously. [\(SEE ATTACHMENT 09\)](#)

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

There were no budget amendments.

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

Motion was made by Commissioner Hinton and seconded by Commissioner Parker to sign pay orders and approve payments. Motion passed unanimously. [\(SEE ATTACHMENT 10\)](#)

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

Judge Lee thanked everyone for the moves that were done last week.

Commissioner Fields told the Court that the JamFest went well and the event will continue to be held each year.

Commissioner Parker asked about the Burn Ban and Judge Lee announced that it is officially off per Chief McRae. He is only speaking for the county.

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

Motion was made at 7:40 p.m. by Commissioner Parker and seconded by Commissioner Hinton to adjourn. Motion passed unanimously.