

COMMISSIONERS' COURT

01.25.2016

[AGENDA](#)

[AUDIO](#)

[ATTESTATION](#)

SCROLL DOWN FOR MINUTES AND/OR ATTACHMENTS

**COMMISSIONERS' COURT
SPECIAL MEETING
JANUARY 25, 2016**

The Titus County Commissioners' Court, after notice posted in the manner, form and contents as required by law, met in Special Meeting on Monday, January 25, 2016 at 9:00 a.m. in the Titus County Courtroom, Room 205, located at 100 West 1st Street 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 |
| Tim Ingram | - | County Sheriff - Absent |
| Carl Johnson | - | County Auditor |

PUBLIC ATTENDING

| | |
|-------------------|-------------------|
| George Sanford | Glen Calvert |
| Clint Bain | Clint Foster |
| Janice R. Chism | Judy Kent |
| Sue Evenwell | Paul Lindsey |
| Claretna Vaxter | Betty Norman |
| David Horton | Edmund K. Hammond |
| Henry F. King III | Troy Sellers |
| Christie Davis | Marcia Davis |
| Carolyn Norman | Joyce Simpson |

INVOCATION: Judge Brian Lee

PLEDGE OF ALLEGIANCE: Judge Brian Lee

1. PUBLIC COMMENTS AND/OR REQUESTS FOR INFORMATION ON NON-AGENDA ITEMS IN ACCORDANCE WITH SECTION 551.042, TEXAS OPEN MEETINGS ACT

There were no comments and/or requests.

2. CONSIDER AND POSSIBLY APPROVE MINUTES FROM JANUARY 11, 2016 REGULAR MEETING OF THE COMMISSIONERS' COURT

Motion was made by Commissioner Parker and seconded by Commissioner Fields to approve minutes from January 11, 2016 regular meeting of the Commissioners' Court. Motion passed unanimously.

3. CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST FROM CLINT FOSTER TO BUILD MULTI-UNIT APARTMENTS

Clint Foster came before the Court regarding a 14-unit apartment complex he is building on 7.12 acres located on FM 1735 across from the Chapel Hill School. Each unit will be a 2 bedroom, 1 bath apartment with washer and dryer connections renting for \$850/month. There will also be a washateria for those who do not have washer and dryers. Mr. Foster stated that there will be a screening process with monthly inspections to monitor the number of people living in each apartment. Security cameras will also be located on the property. He has met with the Chapel Hill ISD and North East Texas Community College who both see a need for the apartments. These apartments could be used by students from the college who are unable to get campus housing.

The question is whether this apartment complex falls under the new guidelines for subdivisions approved by the county in October, 2015 which requires one acre per unit in order to meet subdivision regulations. Under Texas Commission on Environment (TCEQ) guidelines, the requirement is two units per acre. George Sanford, project engineer, is a Texas Certified Engineer and has been working with the TCEQ for 15 years and feels that they meet the requirements for the septic system. He explained to the Court about the design of the aerobic treatment septic system that will be used and the spray field. Titus County's Environmental Officer, Sgt. Clint Bain, stated that he did not know if this apartment complex fell under the subdivision guidelines like a trailer park would but feels that smaller lot sizes run the risk of substandard housing and that everyone will start building these complexes. He informed the Court that they are in the process of developing more stringent rules to be approved by the TCEQ but that could be as long as six months away. References were made to Local Government Code 232.007 and Texas Administrative Code 285.

The Court feels that they do not have the authority to say the project cannot be built since they do not have a county building inspector but feels that more research is needed before any regulations can be placed. Mr. Foster and Sanford agreed to meet with Sgt. Bain regarding the on-site sewage design and come to an agreement.

Motion was made by Commissioner Riddle to table this item. Motion died due to lack of a second. After further discussion, motion was then made by Commissioner Fields and seconded by Commissioner Hinton to table taking action on the request from Clint Foster to build multi-unit apartments until the next meeting in order to give Sgt. Bain and the developer time to come up with an agreeable on-site sewage design to bring back before the court. Motion passed unanimously. ([SEE ATTACHMENTS 01](#))

4. CONSIDER AND POSSIBLY TAKE ACTION ON A JOINT ORDER OF THE DISTRICT JUDGES RELATED TO FIREARM OPEN CARRY AND COUNTY LOCATIONS THAT ARE INTEGRAL TO OPERATIONS OF THE COURTS

Motion was made by Commissioner Fields and seconded by Commissioner Hinton to support and confirm the signed Order from the District Judges related to firearm open carry and county locations that are integral to operations of the courts. Motion passed unanimously. ([SEE ATTACHMENT 02](#))

5. CONSIDER AND POSSIBLY APPROVE ADVERTISING FOR BIDS FOR ANNEX CORNER REMODEL PROJECT

Glen Calvert, Structural Engineer with Priefert Complex Designs, presented the court with specs to be used for advertising for bids on the annex corner remodel project. ([SEE ATTACHMENT 03](#))

Motion was made by Commissioner Riddle and seconded by Commissioner Fields to approve the plans that were presented today for advertising for bids for annex corner remodel project and authorize Commissioner Riddle and Commissioner Fields to put together a bid packet that fully states the expectations of the contract. Motion passed unanimously.

6. CONSIDER AND POSSIBLY GIVE NORTEX VFD AUTHORITY TO PURCHASE THE BUDGETED TRUCK

Motion was made by Commissioner Riddle and seconded by Commissioner Fields to give NORTEX VFD the authority to purchase the budgeted truck with \$25,000 from county funds and the balance supplemented by NORTEX VFD funds. Motion passed unanimously.

7. CONSIDER AND POSSIBLY APPROVE TRAVEL AND SEMINARS FOR TITUS COUNTY EMPLOYEES AND ELECTED OFFICIALS

Motion was made by Commissioner Parker and seconded by Commissioner Hinton to approve travel and seminars for Titus County employees and elected officials. Motion passed unanimously. ([SEE ATTACHMENT 04](#))

8. APPROVE ORAL AND WRITTEN REPORTS OF COUNTY OFFICIALS

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 05](#))

9. CONSIDER AND POSSIBLY APPROVE TREASURER'S REPORT

Motion was made by Commissioner Hinton and seconded by Commissioner Parker to approve Treasurer's report. Motion passed unanimously. [\(SEE ATTACHMENT 06\)](#)

10. APPROVE BUDGET AMENDMENTS

There were no budget amendments.

11. SIGN PAY ORDERS AND APPROVE PAYMENTS

Motion was made by Commissioner Hinton and seconded by Commissioner Parker to sign pay orders and approve payments. Motion passed unanimously. [\(SEE ATTACHMENT 07\)](#)

12. CLOSING COMMENTS BY COUNTY JUDGE AND COMMISSIONERS, IF ANY

Judge Lee reported that he had filed a Disaster Declaration for Titus County to be considered by Federal Emergency Management Agency (FEMA). The minimum threshold for Texas is \$36 million related to the December 27, 2015 flooding in northeast Texas. FEMA sent their appointee from Austin who met with county commissioners to observe damage from recent storms. Damage estimate of \$288,000 was reported on what was seen. The commissioners can still add to that amount by submitting their dollar figures on damage that was not seen by the FEMA representative which could make the estimated \$288,000 go higher.

Judge Lee updated the Court on his and Commissioner Parker's meeting with TxDOT in Atlanta on Wednesday, January 13, 2016 on the loop project. Both he and Commissioner Parker were pleased with the multiple county locations for traffic counts. The reason why Titus County did not receive the full \$4.2 million reimbursement was because, in Atlanta's opinion, the project was not complete due to right of way discrepancies. These right of ways needs to be defined in order to make sure that landowners do not have problems in the future. Titus County, TxDOT and PTP have agreed to have regular conference calls until this has been completed or resolved. Mr. Ratcliff from Atlanta will talk to Austin to see if they will give us a year reprieve in order to get the semi-annual \$4.2 million payments.

Engineering work has begun to make an overpass at Newlywed Foods and the Mount Pleasant City Airport which will improve traffic flow at the south end of the 271 relief route. The project is estimated to cost \$12-15 million dollars.

Mike Ahrens, City Manager, forwarded an email to Judge Lee summarizing the incidents that the Mt. Pleasant Fire Department responded to during the calendar year 2015 which showed a significant increase in the response to county incidents from calendar year 2014. [\(SEE ATTACHMENT 08\)](#)

Judge Lee met at Judge Lanny Ramsey's office in Mount Vernon with his son and two attorneys from Waco about participating in a Class Action suit against Volkswagen. He will be asking for guidance on whether Titus County needs to participate or how to respond.

Commissioner Hinton will be going out for bids on cleaning out debris and prepping site for new culverts on CR 3070 with estimated cost to be \$50,000 to \$60,000 for the whole project.

Commissioner Fields commented on the damage assessment and on the new overpass on the south end of town.

ADJOURN:

Motion was made by Commissioner Hinton and seconded by Commissioner Parker to adjourn at 11:05 a.m. Motion passed unanimously.