

**COMMISSIONERS' COURT
REGULAR MEETING**

MARCH 14, 2016

[AGENDA](#)

[AUDIO](#)

[ATTESTATION](#)

SCROLL DOWN FOR MINUTES AND/OR ATTACHMENTS

**COMMISSIONERS' COURT
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The Titus County Commissioners' Court, after notice posted in the manner, form and contents as required by law, met in Regular Meeting on Monday, March 14, 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
Carl Johnson	-	County Auditor

PUBLIC ATTENDING

Mike Ahrens	Jacob Hatfield
Clint Bain	Alan McMillin
Jill Tucker	Judy Kent
Charles L. Smith	Kay Holloway
Claretna Vaxter	Gilson D. Foster
Steve Austin	Troy Sellers
Christie 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 FEBRUARY 8, 2016 REGULAR MEETING OF THE COMMISSIONERS' COURT (Tabled 2-22-16)

Motion was made by Commissioner Hinton and seconded by Commissioner Parker to approve minutes from February 8, 2016 regular meeting of the Commissioners' Court. Motion passed unanimously.

3. CONSIDER AND POSSIBLY APPROVE MINUTES FROM FEBRUARY 22, 2016 SPECIAL MEETING OF THE COMMISSIONERS' COURT

Motion was made by Commissioner Hinton and seconded by Commissioner Fields to approve minutes from February 22, 2016 special meeting of the Commissioners' Court. Motion passed unanimously.

4. CONSIDER AND POSSIBLY APPROVE MINUTES FROM FEBRUARY 24, 2016 SPECIAL MEETING OF THE COMMISSIONERS' COURT

Motion was made by Commissioner Hinton and seconded by Commissioner Parker to approve minutes from February 24, 2016 special meeting of the Commissioners' Court. Motion passed unanimously.

5. CONSIDER AND POSSIBLY APPROVE MINUTES FROM MARCH 7, 2016 SPECIAL MEETING OF THE COMMISSIONERS' COURT

Motion was made by Commissioner Parker and seconded by Commissioner Fields to approve minutes from March 7, 2016 special meeting of the Commissioners' Court. Motion passed unanimously.

6. CONSIDER AND POSSIBLY APPROVE A PROPOSED MODIFICATION TO TAX ABATEMENT APPROVED FOR PMCI PROPERTIES II, LP AND Priefert Manufacturing Co., Inc. (CHARLIE SMITH, INDUSTRIAL DEVELOPMENT CORPORATION)

Charlie Smith from the Industrial Development Corporation presented the Commissioners' Court with a Modification to Tax Abatement for PMCI Properties II, LP and Priefert Manufacturing Co., Inc. which was originally approved in October, 2015. This modification will extend the years of abatement from 5 years to ten years and makes year one 2017 rather than 2016.

Motion was made by Commissioner Fields and seconded by Judge Lee to approve the proposed Modification to Tax Abatement approved for PMCI Properties II, LP and Priefert Manufacturing Co., Inc. extending the years of abatement from 5 years to ten year and making year one 2017 rather than 2016. Motion passed unanimously. [\(SEE ATTACHMENT 01\)](#)

7. CONSIDER AND POSSIBLY APPROVE THE SALE OF PROPERTY (PREVIOUSLY STRUCK OFF THE TAX ROLLS IN MARCH, 2015) 3.294 ACRES, NORBON D. BURNETT SURVEY, A-16, TITUS COUNTY, TEXAS

Motion was made by Commissioner Fields and seconded by Commissioner Riddle to approve the sale of property previously struck off the tax rolls in March, 2015 for 3.294 acres located in the Norbon D. Burnett Survey, A-16, Titus County, Texas to Bretsyn Jones in the amount of \$1500.00. Motion passed unanimously. [\(SEE ATTACHMENT 02\)](#)

8. CONSIDER AND POSSIBLY APPROVE A RESOLUTION SUPPORTING THE TYPES OF INFORMATION TO BE INCLUDED IN THE NORTH EAST TEXAS REGIONAL MOBILITY AUTHORITY (NET RMA) STRATEGIC PLAN

Motion was made by Commissioner Fields and seconded by Judge Lee to approve a Resolution supporting the types of information to be included in the North East Texas Regional Mobility Authority (NET RMA) Strategic Plan. Motion passed unanimously. [\(SEE ATTACHMENT 03\)](#)

9. CONSIDER AND POSSIBLY SUBMIT A LOCAL TRANSPORTATION PROJECT TO NET RMA FOR POSSIBLE FUNDING

Discussion centered on different local transportation projects that could possibly be submitted to the NET RMA by April 15, 2016 for possible funding in the amount of \$200,000. Some suggestions were: service road on east side of interstate; northern loop route of Greenhill road; expansion of Chapel Hill road and left turn from 49 to Jefferson in front of Super 1 Foods shopping center.

Motion was made by Commissioner Hinton and seconded by Commissioner Parker to table this item until the next meeting. Motion passed unanimously.

10. CONSIDER AND POSSIBLY APPROVE ORDER TO PERMIT THE SALE OF FIREWORKS FOR ADDITIONAL DATES AS PER NEW OCCUPATIONS CODE OPTIONS

Commissioner Riddle made a motion not to approve the order to permit the sale of fireworks on San Jacinto Day, Texas Independence Day or Memorial Day. Motion died due to lack of second.

Motion was made by Commissioner Fields and seconded by Commissioner Hinton to approve the order to permit the sale of fireworks for San Jacinto Day beginning April 16, 2016 and ending at midnight April 21, 2016 subject to the following restriction: The order expires on the date the Texas Fire Service determines drought conditions exist in the county or midnight, April 21, 2016, whichever is earlier. Motion passed four to one with Commissioner Riddle voting nay. [\(SEE ATTACHMENT 04\)](#)

11. APPROVE RECORDING IN THE COUNTY CLERK'S MINUTES, DISTRICT JUDGES' APPOINTMENT OF COUNTY AUDITOR, CARL JOHNSON, JR.

Motion was made by Commissioner Fields and seconded by Commissioner Riddle to approve recording in the County Clerk's minutes the District Judges' Appointment of County Auditor, Carl Johnson, Jr. Motion passed unanimously. ([SEE ATTACHMENT 05](#))

12. CONSIDER AND POSSIBLY APPROVE BOND FOR COUNTY AUDITOR, CARL JOHNSON, JR.

Motion was made by Commissioner Hinton and seconded by Commissioner Riddle to approve the bond for County Auditor, Carl Johnson, Jr. in the amount of \$5000.00. Motion passed unanimously. ([SEE ATTACHMENT 06](#))

13. CONSIDER AND POSSIBLY TAKE ACTION ON USE OF WITT BUILDING

Approval has already been received on remodeling the exterior of the Witt building only. Judge Lee solicited ideas on how to best use the 1200 square foot building. Comments were heard from Judy Kent; Jacob Hatfield; Kay Holloway and Steve Austin. The majority felt that it should be a business that would be open after hours of 8:00 a.m. to 5:00 p.m. since it is in such a visible location.

Motion was made by Commissioner Fields and seconded by Commissioner Hinton to turn over to Mount Pleasant's Main Street Committee for assistance and input of what to do with the Witt building. Motion passed unanimously.

14. CONSIDER AND POSSIBLY APPROVE PAINTING THE BRICK ON THE NEW PLANTER ON THE EAST SIDE OF THE RATLIFF BUILDING

Motion was made by Commissioner Hinton and seconded by Commissioner Parker to solicit input of color on painting the brick on the new planter on the east side of the Ratliff Building from the Mount Pleasant Main Street Committee. Motion passed unanimously.

15. CONSIDER AND POSSIBLY APPROVE PAYMENT OF APPROXIMATELY \$2,200 FOR A PERFORMANCE BOND FROM RICHARD JONES

This should be a Payment Bond instead of a Performance Bond. According to law, both a Performance Bond and a Payment Bond must exist guaranteeing payment to subcontractors from the contractor. Since this was not in the original proposal, the question is whether the contractor, Richard Jones, should be compensated or the county should pay for the bond.

Motion was made by Commissioner Riddle and seconded by Commissioner Fields to approve the county paying for the Payment bond for contractor, Richard Jones, in the amount of approximately \$2200.00 since it was not included in the original proposal and bid. Motion passed unanimously. ([SEE ATTACHMENT 07](#))

16. CONSIDER AND POSSIBLY TAKE ACTION ON A PROPOSAL FROM THE TITUS COUNTY HISTORICAL COMMISSION REGARDING A PROPOSED FLAG FOR TITUS COUNTY

Steve Austin came before the court as a follow up on the proposal from the Titus County Historical Commission regarding a flag for Titus County. The only change is the rotation of the word Titus being moved counter clockwise on the star for easier reading.

Motion was made by Commissioner Fields and seconded by Commissioner Hinton to approve the proposal from the Titus County Historical Commission for a flag for Titus County with the change to rotate the word TITUS counter clockwise on the star. Motion passed unanimously. [\(SEE ATTACHMENT 08\)](#)

17. CONSIDER AND POSSIBLY AUTHORIZE CBG SURVEYING, INC., SULPHUR SPRINGS, TO COMPLETE THE SURVEYING AND RIGHT OF WAY CORRECTIONS RELATED TO FM 2348 AS PART OF THE LOOP PROJECT AT A COST OF \$1,730

Motion was made by Commissioner Hinton and seconded by Commissioner Parker to authorize CBG Surveying, Inc., Sulphur Springs, to complete the surveying and right of way corrections related to FM 2348 as part of the Loop project at a cost of \$1730.00. Motion passed unanimously. [\(SEE ATTACHMENT 09\)](#)

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

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

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

20. CONSIDER AND POSSIBLY APPROVE TREASURER'S REPORT

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

21. APPROVE BUDGET AMENDMENTS

There were no budget amendments.

22. SIGN PAY ORDERS AND APPROVE PAYMENTS

Motion was made by Commissioner Parker and seconded by Commissioner Hinton to sign pay orders and approve payments. Motion passed unanimously. [\(SEE ATTACHMENT 13\)](#)

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

Judge Lee announced that there would be an Executive Meeting at 10:00 a.m. on Thursday, March 16, 2016.

Commissioner Parker informed the Court that the County Wide Cleanup started today.

Commissioner Fields reported that there was no new debris due to the recent rain. A Request for Bid ran in the paper for cleanup work from the past storm.

ADJOURN

Motion was made at 10:28 a.m. to adjourn by Commissioner Hinton and seconded by Commissioner Fields. Motion passed unanimously.