

COMMISSIONERS' COURT

09.26.2016

[AGENDA](#)

[AUDIO A](#)

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[ATTESTATION](#)

SCROLL DOWN FOR MINUTES AND/OR ATTACHMENTS

**COMMISSIONERS' COURT
SPECIAL MEETING
SEPTEMBER 26, 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, September 26, 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
Carl Johnson	-	County Auditor
Kay McNutt	-	Justice of the Peace Precinct 1, 3, 4

PUBLIC ATTENDING

Clint Bain	Kay Holloway
Tonya Buck	Gwen Dunn
Jim D. Russell	Paul Lindsey
Christie Davis	Denise Reichert
Judy Kent	Troy Sellers
Andylyn Guess	Cary Guess
Jill Tucker	Glenn Willis
Sharon Reynolds	Dana Applewhite
Cole Hefner	John Martin

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

There were none.

2. CONSIDER AND POSSIBLY APPROVE MINUTES FROM SEPTEMBER 12, 2016 REGULAR MEETING OF THE COMMISSIONERS' COURT

Motion was made by Commissioner Hinton and seconded by Commissioner Parker to approve minutes from September 12, 2016 regular meeting of the Commissioners' Court. Motion passed unanimously.

3. CONSIDER AND POSSIBLY APPROVE MINUTES FROM SEPTEMBER 15, 2016 SPECIAL MEETING OF THE COMMISSIONERS' COURT

Motion was made by Commissioner Hinton and seconded by Commissioner Fields to approve minutes from September 15, 2016 special meeting of the Commissioners' Court. Motion passed unanimously.

4. CONSIDER AND POSSIBLY APPROVE MINUTES FROM SEPTEMBER 19, 2016 SPECIAL MEETING OF THE COMMISSIONERS' COURT

Motion was made by Commissioner Hinton and seconded by Commissioner Parker to approve minutes from September 19, 2016 special meeting of the Commissioners' Court. Motion passed unanimously.

5. ADOPT 2016-2017 BUDGET - (SEE ATTACHMENT 01)

Judge Lee presented the Court with the following allocations that need to be considered before adopting the 2016-2017 Budget:

The Proposed Budget includes these three items:

- \$1 Million item for road improvement to be taken out of fund balance
- \$340,000.00 for voting equipment to be taken out of fund balance
- Remodel of Annex - \$1 Million to be taken out of fund balance

The proposed budget does not include the following:

- \$82,000.00 for elevator repair and replacement
- \$15,600 Child Welfare Board, an increase from \$7,800
- District Attorney Assistant, David Colley, increase in salary to be paid out of Forfeiture Fund

Commissioner Fields pointed out that there was a savings of \$1.6 Million dollars from the loop project. Commissioner Riddle feels that this should be used to pay down the bonds for the loop project. County Auditor, Carl Johnson, clarified again that extra

money could not be paid on the bonds until 2018 and that any money saved could only be spent on loop project, such as attorney fees and debt service.

Commissioner Parker feels that we need to step back and look at the remodel of the Annex and thinks that the elevator is more important.

Commissioner Hinton feels that road improvements will be a big plus.

Motion was made by Commissioner Fields and seconded by Commissioner Hinton to include in the 2016-2017 Budget a total of \$15,600 per year to Child Welfare Board; District Attorney request for increase in salary for Assistant District Attorney; elevator repair and include items already allocated with the exception of changing the Annex remodel to \$900,000.00. Motion failed three to two with Judge Lee and Commissioners Riddle and Parker voting nay.

Second motion was made by Commissioner Parker and seconded by Commissioner Fields to drop the Annex remodel to \$500,000.00; add \$82,000.00 for elevator; total of \$12,000/year for Child Welfare Board; approve District Attorney's increase in salary request and leave other allocations for road improvements and voting machines in. Motion passed four to one with Commissioner Riddle voting nay. [\(SEE ATTACHMENT 01\)](#)

6. ADOPT 2016-2017 TAX RATE

Motion was made by Commissioner Fields and seconded by Judge Lee to adopt the 2016-2017 Tax Rate of \$0.4584 per \$100 of taxable value. Motion passed three to two with Commissioners Riddle and Parker voting nay. [\(SEE ATTACHMENT 02\)](#)

7. PRESENTATION BY COLE HEFNER, STATE REPRESENTATIVE ELECT, REGARDING POSSIBLE LOCATION FOR HIS LOCAL OFFICE

State Representative Elect, Cole Hefner, came to the podium seeking a possible location for his local office once he takes office in January, 2017. He would like to have an office in Mount Pleasant and an office in Lindale with his main office being in Mount Pleasant. He needs enough space to house himself and one (1) staff position for 1-2 days a week. Judge Lee stated that he and Mr. Hefner had looked at an office in the Adult Probation building that was originally put in for attorney conference space. This will be placed on next agenda as an action item.

8. CONSIDER AND POSSIBLY APPROVE CHANGES TO SELF-FUNDED INSURANCE PLAN FOR THE CALENDAR YEAR 2017 (TABLED 9-19-16) (SEE ATTACHMENT 03)

Judge Lee reminded the Court that they are considering a 2-tiered plan to employees with the option given that the base plan would cost the employees nothing but would

have a slight increase in dependent coverage and in annual deductible for individual and dependents, annual maximum out of pocket and in urgent care. Teledoc would be free on the base plan.

Motion was made by Commissioner Riddle and seconded by Judge Lee to approve changes to Self-Funded insurance plan for the calendar year 2017 as presented by chart. Motion failed two to three with Commissioners Fields, Hinton and Parker voting nay. [\(SEE ATTACHMENT 03\)](#)

Motion was made by Commissioner Fields and seconded by Commissioner Hinton to have a 1-tiered plan; increase individual deductible from \$850 to \$1000; family deductible to be \$2000; leave Coinsurance at 60% for out of network costs; brand name prescription \$25.00 if only option and \$40.00 if other options available; \$200 copay for true emergency room need and same costs of increase in dependent care. Motion failed two to three with Judge Lee and Commissioners Riddle and Parker voting nay.

Motion was made by Commissioner Parker and seconded by Commissioner Fields to approve changes to Self-Funded insurance plan for the calendar year 2017 as follows: Buy-up plan with employee paying zero but retaining increase on dependent coverage with changes as attached. Motion passed three to two with Judge Lee and Commissioner Riddle voting nay. [\(SEE ATTACHMENT 04\)](#)

9. CONSIDER AND POSSIBLY APPROVE THE APPOINTMENT OF JAN ABBOTT TO THE TITUS COUNTY CHILD WELFARE BOARD

Motion was made by Commissioner Riddle and seconded by Commissioner Fields to approve the appointment of Jan Abbott to the Titus County Child Welfare Board. Motion passed unanimously. [\(SEE ATTACHMENT 05\)](#)

10. RECORD THE AUDITOR'S OFFICE AND COURT REPORTER'S SALARIES IN COUNTY CLERK'S MINUTES

The Auditor's office and Court Reporter's salaries were approved by the District Judges on September 2, 2016 with copies of the orders to be copied into the minutes of the Commissioners' Court. [\(SEE ATTACHMENT 06\)](#)

11. CONSIDER AND POSSIBLY APPROVE RESOLUTION FOR SALE OF PROPERTY, LOTS 7-12B, ANDERSON ADDITION, CITY OF MT PLEASANT, THAT WAS PREVIOUSLY STRUCK OFF THE TAX ROLL

Motion was made by Commissioner Fields and seconded by Commissioner Hinton to approve the sale of property, Lots 7-12B, Anderson Addition, City of Mt Pleasant, that

was previously struck off the tax roll to Areli Martinez Ledezma in the amount of \$6000.00. Motion passed unanimously. [\(SEE ATTACHMENT 07\)](#)

12. CONSIDER AND POSSIBLY APPROVE RENEWAL OF A 5-YEAR CONTRACT FOR COURT COLLECTION SERVICES WITH GRAVES HUMPHRIES STAHL, LTD (GHS)

Motion was made by Commissioner Hinton and seconded by Commissioner Parker to approve the renewal of a 5-year contract for court collection services with Graves Humphries Stahl, LTD, hereinafter called GHS beginning September 26, 2016. Motion passed unanimously. [\(SEE ATTACHMENT 08\)](#)

13. CONSIDER AND POSSIBLY APPROVE REPLACEMENT OF MUSIC SPEAKERS ON COURTHOUSE ROOF

Judge Lee explained to the Court that the City of Mt Pleasant is considering adding music speakers to various poles in the downtown area but has not presented the county with anything at this time.

Motion was made by Commissioner Hinton and seconded by Commissioner Fields that in absence of plan from the City of Mt Pleasant, to approve replacing all seven (7) of the older speakers by Newman Electronics, LLC in the amount of \$1,114.00. Motion passed unanimously. [\(SEE ATTACHMENT 09\)](#)

14. CONSIDER AND POSSIBLY APPROVE OCTOBER 7 OR 11, 2016 AS THE DATE OF THE FIRST OCTOBER COMMISSIONERS' COURT MEETING

Motion was made by Commissioner Fields and seconded by Commissioner Hinton to approve the date of Tuesday, October 11, 2016 as the date of the first Commissioners' Court meeting due to Monday holiday. Motion passed unanimously. [\(SEE ATTACHMENT 10\)](#)

15. CONSIDER AND POSSIBLY APPROVE 3-YEAR RENEWAL OF COUNTY ANTI-VIRUS SOFTWARE AT A COST OF \$5,065.00

Motion was made by Commissioner Parker and seconded by Commissioner Fields to approve Option A of the 3-year renewal of county anti-virus software at a cost of \$1,688.00 per year for a total of \$5,065.00. Motion passed unanimously. [\(SEE ATTACHMENT 11\)](#)

16. CONSIDER AND POSSIBLY APPROVE PLAT FOR GUESS SUBDIVISION #1, CR 1535, PRECINCT 1 (AL RIDDLE) TABLED 9-12-16

Motion was made by Commissioner Riddle and seconded by Commissioner Fields to approve plat for Guess Subdivision #1, CR 1535. Motion passed unanimously. [\(SEE ATTACHMENT 12\)](#)

17. PRESENTATION BY JOHN MARTIN, HILLTOP SECURITIES, INC. REGARDING REFINANCING OPPORTUNITIES FOR LOOP BONDS

John L. Martin, Jr., Managing Director from Hilltop Securities, Inc. gave a report regarding the refinancing opportunities for loop bonds and the parameters that have to be met at the time the 2016 Refunding Bonds are offered. The combined amount of the 2007 and 2009 County issued Unlimited Tax and Pass-Through Toll Revenue Bonds eligible for redemption (the "Callable Bonds") have a combined average interest rate of 4.71%. Current market conditions project the County could issue refunding bonds (the "2016 Refunding Bonds") to replace the Callable Bonds and produce debt service savings between 5 and 6.4 million between now and 2032. This quoted savings is "net" to the County and is after all costs of issuance. [\(SEE ATTACHMENT 13\)](#)

18. CONSIDER AND POSSIBLY APPROVE A MUNICIPAL ADVISORY AGREEMENT WITH HILLTOP SECURITIES

Motion was made by Commissioner Riddle and seconded by Commissioner Fields to approve a Municipal Advisory Agreement with Hilltop Securities effective 09/26/2016. Motion passed unanimously. [\(SEE ATTACHMENT 14\)](#)

19. CONSIDER AND POSSIBLY APPROVE AN ORDER AUTHORIZING THE ISSUANCE OF TITUS COUNTY UNLIMITED TAX REFUNDING BONDS, SERIES 2016; APPOINTING A PRICING OFFICER AND DELEGATING TO THE PRICING OFFICER THE AUTHORITY TO APPROVE THE SALE OF THE BONDS; ESTABLISHING CERTAIN PARAMETERS FOR THE APPROVAL OF SUCH MATTERS; APPROVING AN ESCROW AGREEMENT AND PAYING AGENT/REGISTRAR AGREEMENT; LEVYING AN ANNUAL AD VALOREM TAX FOR THE PAYMENT OF THE BONDS AND ENACTING OTHER PROVISIONS RELATED TO THE SUBJECT

Motion was made by Commissioner Fields and seconded by Commissioner Hinton to approve an order authorizing the issuance to Titus County Unlimited Tax Refunding Bonds, Series 2016; appointing Judge Lee as Pricing Officer and delegating to the Pricing Officer the authority to approve the sale of the bonds; establishing certain parameters for the approval of such matters; approving an escrow agreement and paying agent/registrar agreement; levying an annual ad valorem tax for the payment of the bonds and enacting other provisions related to the subject. Motion passed unanimously. [\(SEE ATTACHMENT 15\)](#)

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

21. APPROVE ORAL AND WRITTEN REPORTS OF COUNTY OFFICIALS

Motion was made by Commissioner Parker and seconded by Commissioner Fields to approve oral and written reports of county officials. Motion passed unanimously. ([SEE ATTACHMENT 17](#))

22. CONSIDER AND POSSIBLY APPROVE TREASURER'S REPORT

Motion was made by Commissioner Riddle and seconded by Commissioner Fields to approve Treasurer's report. Motion passed unanimously. ([SEE ATTACHMENT 18](#))

23. APPROVE BUDGET AMENDMENTS

Motion was made by Commissioner Parker and seconded by Commissioner Fields to approve budget amendment #46. Motion passed unanimously. ([SEE ATTACHMENT 19](#))

24. SIGN PAY ORDERS AND APPROVE PAYMENTS

Motion was made by Commissioner Parker and seconded by Commissioner Fields to sign pay orders and approve payments. Motion passed unanimously. ([SEE ATTACHMENT 20](#))

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

Judge Lee informed the Court that he had a wrap up meeting with FEMA and that they had turned the matter over to the state for final completion.

Commissioner Fields will start on asphalt work next week.

RECESS – 12:15 p.m.

The special meeting of the Commissioners' Court continuation of September 26, 2016 reconvened on September 27, 2016 at 10:30 a.m. in the Titus County Courthouse, County Courtroom, Room 205 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

PUBLIC ATTENDING

David Wall	-	Wes Welch
Enda Herzog	-	Eleanor Sisk
Yvonne Hampton	-	Jill Tucker
Christie Davis	-	Mladen Simic
Carolyn Norman	-	Joyce Simpson

INVOCATION: Judge Brian Lee

PLEDGE OF ALLEGIANCE: Judge Brian Lee

Public comments were heard from David Wall; Wes Welch; Eleanor Sisk and Enda Herzog regarding Commissioner Riddle's comments on eliminating the position of Steve Austin, Titus County Veteran Service Officer. Each person gave their own experience with Steve Austin and how he had helped them. They feel that his position is very beneficial to the veterans and their families and that elimination of his position would be an injustice to Titus County.

26. PRESENTATION BY MLADEN SIMIC, SCHINDLER ELEVATOR CORPORATION, TO CONSIDER REPLACEMENT OF COURTHOUSE ELEVATOR, WITH POSSIBLE ACTION TO FOLLOW (THIS ITEM WILL BE CONSIDERED ON TUESDAY, SEPTEMBER 27TH AT 10:30 A.M.)

Mladen Simic from Schindler Elevator Corporation informed the Court on the background and history of the elevator. The elevator was built in the mid-1980s by Westinghouse. The cost to fix the elevator would be \$82,000.00 and would not include interior work. Door replacement and detector would be an additional \$13,000.00.

Motion was made by Commissioner Parker and seconded by Commissioner Hinton to authorize Judge Lee to contact other elevator companies to get bids on complete replacement of all necessary parts of elevator with the exception of the piston and interior finish out of cabinet. Motion passed unanimously.

ADJOURN

Motion was made at 11:30 a.m. to adjourn by Commissioner Parker and seconded by Commissioner Hinton. Motion passed unanimously.