

**COMMISSIONERS' COURT  
SPECIAL MEETING  
AUGUST 28, 2017**

**[AGENDA](#)**

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

**COMMISSIONERS' COURT  
SPECIAL MEETING  
AUGUST 28, 2017**

**The Titus County Commissioners' Court, after notice posted in the manner, form and contents as required by law, met in Special Meeting on Monday, August 28, 2017 at 9:00 a.m. in the Titus County Courtroom, Room 205, located at 100 West 1<sup>st</sup> Street with the following members present:**

Brian P. Lee	-	County Judge
Al Riddle	-	Commissioner Precinct 1
Mike Fields	-	Commissioner Precinct 2
Dana Applewhite	-	Commissioner Precinct 3
Jimmy Parker	-	Commissioner Precinct 4
Joan Newman	-	County Clerk
Sheryl Preddy	-	County Treasurer
Tim Ingram	-	County Sheriff
Carl Johnson	-	County Auditor

**PUBLIC ATTENDING**

Krissy Lytle	Charlie Smith
Janice R. Chism	Sue Evenwell
Judy Kent	Roger W. Ledbetter
Philip Hoffman	Carly Scott
Steve Austin VSO/TCHC	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**

There were no public comments and/or requests for information.

**2. CONSIDER AND POSSIBLY APPROVE MINUTES FROM AUGUST 14, 2017 REGULAR MEETING OF THE COMMISSIONERS' COURT**

Motion was made by Commissioner Parker and seconded by Commissioner Applewhite to approve minutes from August 14, 2017 regular meeting. Motion passed unanimously.

**3. REPORT FROM ROAD ENGINEER (ROGER LEDBETTER)**

Roger Ledbetter reported that the second mowing cycle and side cutting had been completed. Cold mix has been completed on County Roads 3375, 3340 and 3337. County Roads 3335 and 3330 have been patched. A new rehab process has been started on CR 3350 using a grid shell roller. No seal coating will be done this year. He will not be able to utilize all funds allocated due to the weather.

He has interviewed four (4) people for the full time mechanic position at the maintenance barn and hopes to make an offer this week.

**4. CONSIDER AND POSSIBLY APPROVE FEES FOR OIL CHANGE AND ROUTINE MAINTENANCE TO BE PAID TO MAINTENANCE BARN**

Motion was made by Commissioner Riddle and seconded by Commissioner Applewhite to approve \$35.00/hour which will include labor and overhead plus material for oil change and routine maintenance to be paid to maintenance barn. Motion passed unanimously.

**5. CONSIDER AND POSSIBLY APPROVE A PROPERTY TAX ABATEMENT AGREEMENT WITH PRIEFERT MANUFACTURING CO., INC. AND PMCI PROPERTIES**

This tax abatement allows for the expansion of an existing building and the construction of four (4) new buildings with new equipment and tax abatement duration of ten years. [\(SEE ATTACHMENT 01\)](#)

Motion was made by Commissioner Fields and seconded by Commissioner Riddle to approve a Property Tax Abatement Agreement with Priefert Manufacturing Co., Inc. and PMCI Properties. Motion passed unanimously.

**6. CONSIDER AND POSSIBLY APPROVE REVOCATION OF PROPERTY TAX ABATEMENT PREVIOUSLY APPROVED FOR PRIEFERT MANUFACTURING AND PMCI PROPERTIES**

Charlie Smith explained to the Court that state law prohibits tax abatement for more than 10 years. The previously approved Tax Abatement for Priefert Manufacturing and PMCI Properties was to begin in 2016 but was delayed until 2017. Working with Union Pacific was a major delay. This delay made the agreement extend beyond the ten years. Therefore, a request is being made to approve a Revocation of property Tax Abatement

which was previously approved for Priefert Manufacturing and PMCI Properties in 2015 and approve a new Tax Abatement Agreement. Terms remain unchanged. (See Items 5 and 7)

Motion was made by Commissioner Fields and seconded by Commissioner Riddle to approve Revocation of Property Tax Abatement previously approved to Priefert Manufacturing and PMCI Properties. Motion passed unanimously. ([SEE ATTACHMENT 02](#))

**7. CONSIDER AND POSSIBLY APPROVE A PROPERTY TAX ABATEMENT AGREEMENT WITH PRIEFERT MANUFACTURING CO., INC. AND PMCI PROPERTIES**

This Tax Abatement Agreement will be for the construction of a Railroad Crossover Building consisting of approximately 6,000 sq. ft. and costing an estimated \$300,000. In addition, Priefert Manufacturing Co., Inc. and PMCI will install equipment for a tube mill in a previously constructed building to be valued at \$2,500,000. Total equipment and improvements on this project is \$2,800,000. Tax Abatement is for a period of ten years.

Motion was made by Commissioner Fields and seconded by Commissioner Riddle to approve a property Tax Abatement Agreement with Priefert Manufacturing Co., Inc. and PMCI Properties. Motion passed unanimously. ([SEE ATTACHMENT 03](#))

**8. CONSIDER AND POSSIBLY APPROVE A PROPERTY TAX ABATEMENT AGREEMENT WHICH OFFERS A PARTIAL ABATEMENT OF PROPERTY TAXES FOR A PERIOD OF THREE YEARS TO NEWLY WEDS FOODS, INC.**

This Tax Abatement Agreement is for the installation of equipment for a new production line to be placed in the Blending Room of the existing plant in the Mount Pleasant Production Facility. The cost of the equipment is \$510,786 and will create 15 new jobs. Abatement period will be for three (3) years.

Motion was made by Commissioner Fields and seconded by Commissioner Applewhite to approve a property Tax Abatement Agreement which offers a partial abatement of property taxes for a period of three years to Newly Weds Foods, Inc. Motion passed unanimously. ([SEE ATTACHMENT 04](#))

**9. APPROVE ORDER OF ELECTION, NOVEMBER 7, 2017 (KRISSE LYTLE)**

Motion was made by Commissioner Fields and seconded by Commissioner Riddle to approve Order of Election, November 7, 2017. Motion passed unanimously. ([SEE ATTACHMENT 05](#))

**10. CONSIDER AND POSSIBLY APPROVE PROPOSED POLLING LOCATIONS FOR NOVEMBER 7, 2017 ELECTION (KRISSE LYTLE)**

Motion was made by Commissioner Riddle and seconded by Judge Lee to approve proposed polling locations for November 7, 2017 election. Motion failed 2 to 3 with

Commissioner Fields, Commissioner Applewhite and Commissioner Parker voting nay. [\(SEE ATTACHMENT 06\)](#)

Motion was made by Commissioner Applewhite and seconded by Commissioner Riddle to add Talco to the proposed polling locations for November 7, 2017 election. Motion passed four to one with Commissioner Fields voting nay.

**11. CONSIDER AND POSSIBLY APPROVE A DONATION FROM PILGRIM'S TO THE SHERIFF'S OFFICE TO PURCHASE A NEW DRONE**

Motion was made by Commissioner Applewhite and seconded by Commissioner Parker to approve a donation in the amount of \$20,000.00 from Pilgrim's to the Sheriff's office to purchase a new drone. Motion passed unanimously.

**12. CONSIDER AND POSSIBLY APPROVE A RESOLUTION APPROVING SUBMISSION OF THE GRANT APPLICATION FOR THE RIFLE ARMOR PROJECT TO THE OFFICE OF THE GOVERNOR (SHERIFF INGRAM)**

Motion was made by Commissioner Parker and seconded by Commissioner Applewhite to approve a Resolution approving submission of the grant application for the Rifle Armor Project to the Office of the Governor. Motion passed unanimously. [\(SEE ATTACHMENT 07\)](#)

**13. OPEN, REVIEW BIDS AND POSSIBLY APPROVE FOR A FOOD SERVICE PROVIDER TO RUN THE KITCHEN AT THE TITUS COUNTY JAIL**

Bids were received from Summit and Five Star for a food service provider to run the kitchen at the Titus County Jail.

Motion was made by Commissioner Parker and seconded by Commissioner Applewhite to table approval in order to allow Sheriff Ingram time to review bids. Motion passed unanimously.

**14. CONSIDER AND POSSIBLY APPROVE RESOLUTION FOR SALE OF PROPERTY, LOT 4, BLOCK 14, SUNRISE ADDITION, CITY OF MT. PLEASANT, THAT WAS PREVIOUSLY STRUCK OFF THE TAX ROLL**

Motion was made by Commissioner Fields and seconded by Commissioner Riddle to approve Resolution for Sale of Property, Lot 4, Block 14, Sunrise Addition, City of Mt. Pleasant, that was previously struck off the tax roll to Michael Bryson in the amount of \$315.00. Motion passed unanimously. [\(SEE ATTACHMENT 08\)](#)

**15. DISCUSS 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 Applewhite and seconded by Commissioner Riddle to approve Resolution for Sale of Property, Lots 7-12B, Anderson Addition, City of Mt.

Pleasant, that was previously struck off the tax roll to Felix Silva Valenzuela in the amount of \$6,000.00. Motion passed unanimously. [\(SEE ATTACHMENT 09\)](#)

**16. CONSIDER AND POSSIBLY TAKE ACTION ON CONSTRUCTION/REPAIR PROJECTS TO INCLUDE:**

- A. **WEST WALL OF ANNEX** – waiting on AEP-SWEPCO to remove wires from side of building and waiting on approval to put conduit in ground.
- B. **NORTH COURTHOUSE ENTRANCE WATER LEAK** – still waiting on bids
- C. **NORTH ANNEX ENTRY DOORS** –  
Motion was made by Commissioner Fields and seconded by Commissioner Riddle for Taylor Glass to replace and reconfigure north annex entry doors in the amount of \$5775.00. Motion passed unanimously. [\(SEE ATTACHMENT 10\)](#)
- D. **EXTENSION OFFICE ROOF LEAK** – Hefner Roofing is to finish repairs at the extension office today. [\(SEE ATTACHMENT 11\)](#)
- E. **FLAG POLE** – waiting on bids

**17. CONSIDER AND POSSIBLY APPROVE THE ANNUAL RENEWAL OF THE OFFICE OF THE ATTORNEY GENERAL (OAG) MAINTENANCE CONTRACT FOR THE STATEWIDE AUTOMATED VICTIM NOTIFICATION SERVICE (SAVNS) GRANT**

Motion was made by Commissioner Parker and seconded by Commissioner Applewhite to approve the annual renewal of the Office of the Attorney General (OAG) Maintenance Contract for the Statewide Automated Victim Notification Service (SAVNS) Grant for the period September 1, 2017 through August 31, 2018. Motion passed unanimously. **(SEE ATTACHMENT 12)**

**18. CONSIDER AND POSSIBLY PROPOSE A TAX RATE OF 48.02 CENTS FOR 2017**

The proposed tax rate for 2017 is 48.02 cents. [\(SEE ATTACHMENT 13\)](#)

Motion was made by Commissioner Riddle for no increase in tax rate for 2017. Motion died for lack of second.

Motion was made by Commissioner Fields and seconded by Commissioner Parker to propose a tax rate of 47.90 for 2017. Motion passed 4-1 with Commissioner Riddle voting nay.

**19. CONSIDER AND POSSIBLY CHANGE THE DATE OF THE FIRST SEPTEMBER COMMISSIONERS' COURT MEETING TO FRIDAY, SEPTEMBER 8, 2017**

Motion was made by Commissioner Applewhite and seconded by Commissioner Parker to change the date of the first September Commissioners' Court meeting to Friday, September 8, 2017 due to Judge Lee being at an ATCOG conference. Motion passed unanimously.

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

Motion made by Commissioner Applewhite and seconded by Commissioner Fields to approve travel and seminars for Titus County employees and elected officials. Motion passed unanimously. [\(SEE ATTACHMENT 14\)](#)

**21. APPROVE ORAL AND WRITTEN REPORTS OF COUNTY OFFICIALS**

Motion was made by Commissioner Applewhite and seconded by Commissioner Parker to approve oral and written reports of county officials. Motion passed unanimously. [\(SEE ATTACHMENT 15\)](#)

**22. CONSIDER AND POSSIBLY APPROVE TREASURER'S REPORT**

Motion was made by Commissioner Parker and seconded by Commissioner Applewhite to approve Treasurer's report. Motion passed unanimously. [\(SEE ATTACHMENT 16\)](#)

**23. APPROVE BUDGET AMENDMENTS**

Motion was made by Commissioner Applewhite and seconded by Commissioner Parker to approve budget amendments #43-51. Motion passed unanimously. [\(SEE ATTACHMENT 17\)](#)

**24. SIGN PAY ORDERS AND APPROVE PAYMENTS**

Motion was made by Commissioner Parker and seconded by Commissioner Applewhite to sign pay orders and approve payments. Motion passed unanimously. [\(SEE ATTACHMENT 18\)](#)

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

Judge Lee reported that the Bridge Law Suit is closer to a mediation date and that he and Carl Johnson, County Auditor, will be traveling to Houston on 9/22/2017 for depositions.

There will be a retirement party for Captain Brad Fosdick on Thursday, 8/31/2017, from 11:00 a.m. to 1:00 p.m. at the Sheriff's office.

There will be a workshop to discuss health insurance next week on 9/7/2017.

Commissioner Fields informed the Court that Thursday, 8/31/2017, at midnight will be the last day for the County to manage the County Park. New management will take over as of 9/01/2017.

**ADJOURN:**

Motion was made at 11:23 a.m. to adjourn by Commissioner Parker and seconded by Commissioner Applewhite. Motion passed unanimously.