

**COMMISSIONERS' COURT  
FEBRUARY 12, 2018**

**[AGENDA](#)**

**[AUDIO A](#)**

**[AUDIO B](#)**

**[ATTESTATION](#)**

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

**COMMISSIONERS' COURT  
REGULAR MEETING  
FEBRUARY 12, 2018**

The Titus County Commissioners' Court, after notice posted in the manner, form and contents as required by law, met in Regular Meeting on Monday, February 12, 2018 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
Kay McNutt	-	Justice of the Peace Precinct 1, 3 & 4
Ray Barrett	-	Constable Precinct 2

**PUBLIC ATTENDING**

John Fitch	Roger Ledbetter
Philip Hoffman	Steve Austin VSO/TCHA
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 JANUARY 22, 2017 SPECIAL MEETING OF THE COMMISSIONERS' COURT**

Judge Lee noted error in that this should have read January 22, 2018 special meeting.

Motion was made by Commissioner Applewhite and seconded by Commissioner Parker to approve minutes from January 22, 2018 special meeting. Motion passed unanimously.

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

Mr. Ledbetter reported that four (4) side cutters are running in Precincts 3 & 4. They are continuing to work on pot holes and on clearing trees. All equipment is being serviced so that they will be ready to go in the spring.

**4. DISCUSS AND POSSIBLY TAKE ACTION TO CLARIFY RIGHT OF WAY DESIGNATION ON COUNTY ROADS AS IT RELATES TO MOWING AND TREE TRIMMING**

Commissioner Parker updated the Court on his meeting with property owners, Doug and Lainie Hinton, and addressed their concerns regarding the boundary lines when side cutting on their property. An agreement was made from the county to the Hinton that the county is to notify them prior to doing anything to their property in the future. This agreement is not to be a county wide policy. County Attorney, John Mark Cobern, is still working on getting a better definition and clarification to the Right of Way designation on county roads relating to mowing and tree trimming.

Motion was made by Commissioner Parker and seconded by Commissioner Applewhite to enter into an agreement with Doug and Lainie Hinton. Motion passed four to zero with Commissioner Riddle abstaining from voting.

**5. PRESENTATION BY LANNY WALKER WITH AWA RELATED TO TITUS COUNTY AUDIT FOR THE YEAR ENDED SEPTEMBER 30, 2017 WITH POSSIBLE ACTION TO FOLLOW**

Lanny Walker from Arnold, Walker and Arnold presented the findings on the Titus County Audit for the year ended September 30, 2017. Mr. Walker directed the Court's attention to pages 15, 16, 18, 19 and 22. There were no significant findings. Mr. Walker ended by stating that it had been a good year financially and that the County remains in strong financial condition.

Motion was made by Commissioner Fields and seconded by Commissioner Riddle to accept the annual audit for the year ended September 30, 2017 from Arnold, Walker & Arnold. Motion passed unanimously. [\(SEE ATTACHMENT 01\)](#)

**6. CONSIDER AND POSSIBLY TAKE ACTION ON REQUEST FROM JUDGE KAY MCNUTT FOR PART-TIME EMPLOYEE**

Kay McNutt, Justice of the Peace for Precinct 1, 3 & 4, came before the Court asking for funds for a part-time employee. She explained that this is not a new employee but one that has worked for the county for ten (10) years as a part-time employee on an as needed basis and never over the 29 maximum hours allowed. Up until this time, salary has been taken from the Justice of the Peace's Defensive Driving Fees along with office supplies. This fund is now depleted with only \$2100.00 remaining.

Motion was made by Commissioner Fields and seconded by Commissioner Applewhite to approve the request from Judge Kay McNutt for part-time employee based on maximum amount of \$10,000.00 to be taken from Contingency Fee to have adequate resources to pay part-time employee. Motion passed unanimously.

**7. CONSIDER AND POSSIBLY APPROVE THE APPOINTMENT OF MARK DAVIS AS RESERVE DEPUTY FOR PRECINCT 2 REPLACING BRAD DUNCAN (RAY BARRETT)**

Motion was made by Commissioner Fields and seconded by Commissioner Riddle to approve the appointment of Mark Davis as Reserve Deputy for Precinct 2 replacing Brad Duncan. Motion passed unanimously.

**8. CONSIDER AND POSSIBLY APPROVE THE ADDITION OF TWO NAMES TO THE WAR MEMORIAL MONUMENT (STEVE AUSTIN)**

Steve Austin from the Titus County Veterans' Service Office came before the Court seeking approval for the addition of Staff Sergeants Clay Allen Craig and Chauncy Ryan Mays to the War Memorial Monument. Both served with the US Army during the Global War on Terror. SSgt Craig was a casualty during the Operation Iraqi Freedom (OIF). SSgt Mays was a casualty during the Operation Iraqi Freedom and the Operation Enduring Freedom (OIF/OEF). The cost will be a total of \$300.00 for 2 lines.

Motion was made by Commissioner Applewhite and seconded by Commissioner Parker to approve the addition of SSgt Clay Allen Craig and SSgt Chauncy Ryan Mays to the War Memorial Monument at a total cost of \$300.00 for two (2) lines. Motion passed unanimously. [\(SEE ATTACHMENT 02\)](#)

**9. CONSIDER AND POSSIBLY APPROVE THE TITUS COUNTY HISTORICAL COMMISSION (TCHC) APPOINTEE NOMINATIONS FOR 2018-2019: STEVE AUSTIN – TCHC-CHAIR; DESSIE GOODRICH – MEMBER; NANCY RYAN – MEMBER; MARTHA AUSTIN – TCHC PHOTOGRAPHER/VIDEOGRAPHER**

Motion was made by Commissioner Fields and seconded by Commissioner Applewhite to approve the Titus County Historical Commission (TCHC) Appointee Nominations for the year 2018-2019 as follows: Steve Austin – TCHC Chair; Dessie Goodrich – member; Nancy Ryan – member and Martha Austin – TCHC Photographer/Videographer. Motion passed unanimously. [\(SEE ATTACHMENT 03\)](#)

**10. 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 Applewhite and seconded by Commissioner Parker to approve the annual renewal of the Office of the Attorney General (OAG) Maintenance Contract for the Statewide Automated Victim Notification Service (SAVNS) Grant. Motion passed unanimously. ([SEE ATTACHMENT 04](#))

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

**A. FRONT FAÇADE OF COURTHOUSE ANNEX**

Commissioner Riddle has nothing new to report on this project.

**12. CONSIDER AND POSSIBLY AUTHORIZE THE COUNTY JUDGE, ON BEHALF OF TITUS COUNTY, TO SIGN CLOSING DOCUMENTS RELATED TO THE DONATION OF LAND FOR THE ANIMAL SHELTER**

Motion was made by Commissioner Riddle and seconded by Commissioner Fields to authorize the County Judge, on behalf of Titus County, to sign closing documents related to the donation of land for the Animal Shelter. Motion passed unanimously.

**13. UPDATE ON TXDOT CURRENT AND FUTURE PROJECTS AFTER JUDGE'S MEETING WITH MIKE ANDERSON, DISTRICT ENGINEER, ATLANTA DISTRICT**

Mike Anderson is the new District Engineer due to the transfer of Clint Green to the Tyler area. Dennis Beckham will be retiring February 18, 2018. Buddy Williams will be over construction projects and Jason DuPree will be over development projects.

The 271 South project connecting the main lanes of the loop as it approaches the high speed bridge at Priefert's estimated date of completion is October 18, 2018. There are no plans in the near future to make four (4) lanes from Hwy 271 North to Paris. Instead, there will be a Super-two application where the road will widen and become 3 lanes in order to have a passing lane.

The schematics are 30% complete on the Chapel Hill project. There will be a public meeting in 2018 at the Civic Center on this project. Right of Way acquisition will begin in 2019 with construction starting in 2021.

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

Motion was made by Commissioner Fields and seconded by Commissioner Parker to approve oral and written reports of county officials. Motion passed unanimously. ([SEE ATTACHMENT 05](#))

**15. 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 06](#))

**16. APPROVE BUDGET AMENDMENTS**

Motion was made by Commissioner Fields and seconded by Commissioner Riddle to approve budget amendments #76 & 77 for FY 2017 and #5 for FY 2018. Motion passed unanimously. ([SEE ATTACHMENT 07](#))

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

Motion was made by Commissioner Parker and seconded by Commissioner Applewhite to sign pay order and approve payments. Motion passed unanimously. ([SEE ATTACHMENT 08](#))

**18. PUBLIC ANNOUNCEMENT THAT COMMISSIONERS RIDDLE, FIELDS, APPLEWHITE AND PARKER WILL ALL BE IN ATTENDANCE AT THE V. G. YOUNG SCHOOL FOR COUNTY COMMISSIONERS' COURT IN COLLEGE STATION, FEBRUARY 20, 21 AND 22, 2018 FOR ANNUAL EDUCATION. NO COUNTY BUSINESS WILL BE DISCUSSED.**

Judge Lee announced that Commissioners Riddle, Fields, Applewhite and Parker will be attending the V. G. Young School for County Commissioners' Court in College Station on February 20, 21 and 22, 2018. This is an annual education requirement. No county business will be discussed.

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

Commissioner Fields told the Court that the Tri Lakes VFD Chili Supper cleared approximately \$8000.00 with all monies going back to the department.

The concrete work for moving the trailer three (3) ft. off the ground at the Weight Station is complete. They need someone to hook the meter back up to the trailer and are in the process of getting bids.

Commissioner Applewhite reported that \$13,000.00 was raised for the Holt family and that Jenny Holt was now home and breathing is better.

**RECESS: 10:25 A.M.**

**RECONVENED – 10:40 A.M.**

**20. WORKSHOP WITH COUNTY ROAD ENGINEER TO DISCUSS ROAD REPAIR AND MAINTENANCE PLANNING WITH POSSIBLE ACTION TO FOLLOW**

Motion was made by Commissioner Riddle and seconded by Commissioner Fields to give Roger Ledbetter the authority to go out for bids on a water truck. Motion passed unanimously.

Motion was made by Commissioner Riddle and seconded by Commissioner Fields to give Roger Ledbetter authority to go out for bids on a cab and chassis. Motion passed unanimously.

Motion was made by Commissioner Fields and seconded by Commissioner Parker to give approval to Roger Ledbetter to hire two (2) new employees with Commissioners having the option to sit in on interviews. Motion passed three to two with Commissioner Riddle and Judge Lee voting nay.

Motion was made by Commissioner Fields to authorize Roger Ledbetter to rent a soil compactor for up to six (6) months at a cost of \$33,000.00. Motion died due to lack of second.

Roger Ledbetter will present proposal at next meeting on which roads to seal coat this summer.

**ADJOURN:**

Motion was made at 1:14 p.m. to adjourn by Commissioner Parker and seconded by Commissioner Applewhite. Motion passed unanimously.