

**COMMISSIONERS' COURT
REGULAR MEETING**

JUNE 11, 2018

[AGENDA](#)

[AUDIO](#)

[ATTESTATION](#)

SCROLL DOWN FOR MINUTES AND/OR ATTACHMENTS

**COMMISSIONERS' COURT
REGULAR MEETING
JUNE 11, 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, June 11, 2018 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
Dana Applewhite	-	Commissioner Precinct 3
Jimmy Parker	-	Commissioner Precinct 4
Joan Newman	-	County Clerk - Absent
Sheryl Preddy	-	County Treasurer
Tim Ingram	-	County Sheriff
Carl Johnson	-	County Auditor
Paula Dyke	-	Justice of the Peace Pct. 2
Ray Barrett	-	Constable Pct. 2

PUBLIC ATTENDING

Roger Ledbetter	Philip Hoffman
John Fitch	Ronald Humphrey
Lisa Toland	Harold W. Conner
Krissy Lytle	Jewel Lee
Terri Aydelott	Charity Jeffery
Leonard Rockwell	Bobby Elliott
Jerry Clark	Janice R. Chism
Mike Ahrens	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

Jerry Clerk from the Sugarhill VFD addressed the Court to let them know that they had the new brush truck in service with new tank and brought up to 2018 standards.

2. CONSIDER AND POSSIBLY APPROVE MINUTES FROM MAY 25, 2018 SPECIAL MEETING OF THE COMMISSIONERS' COURT

Motion was made by Commissioner Applewhite and seconded by Commissioner Parker to approve minutes from May 25, 2018 special meeting of the Commissioners' Court. Motion passed unanimously.

3. PRESENTATION BY RAY BARRETT, CONSTABLE PCT 2

Paula Dyke, Justice of the Peace Pct. 2, came before the Court to recognize the retirement of Reserve Deputy, Jewel Lee. In appreciation, a plaque was presented honoring Mr. Lee's long time service as a Reserve Deputy Constable. Judge Dyke pointed out to the Court that Mr. Lee's many years of service had been as a volunteer and that it had been an honor to work with him.

4. CONSIDER AND POSSIBLY APPROVE A TAX ABATEMENT FOR BEST FENDER PRODUCTS, D.B.A. IMFAB, INC. (MIKE AHRENS, INTERIM EXEC. DIRECTOR, INDUSTRIAL DEVELOPMENT CORPORATION)

Mike Ahrens informed the Court that Best Fender Products has created a new manufacturing company, IMFAB, which is to be located on FM 2348. The Owner will install a minimum of \$4,400,000 in new buildings, facilities and equipment prior to January, 2019 and will create a minimum of 30 new full-time positions. The City of Mount Pleasant approved the Tax Abatement on June 5, 2018. The property is not in the city limits of Mount Pleasant but is located within the extraterritorial jurisdiction of the city and ensures that the company will receive the benefits of the abatement schedule if the property is annexed by the city in the next 10 years. Tax abatement will be for a period of ten (10) years in an amount equal to: 90% of property taxes in years one, two and three; 75% in years four, five, six and seven and 50% in years eight, nine and ten.

Motion was made by Commissioner Parker and seconded by Commissioner Applewhite to approve a Tax Abatement for Best Fender Products, dba IMFAB, Inc. for a ten year period. Motion passed unanimously. [\(SEE ATTACHMENT 01\)](#)

5. REPORT FROM ROAD ENGINEER (ROGER LEDBETTER)

Roger Ledbetter reported that they were working on sealcoating CR 1055, CR 1920 & CR 1915. Work has started on getting CR 1200 ready for sealcoating. Ditches are being cleaned out on CR 3210. H. M. Tabor has approximately 5000 cubic yards of wrap left over from a job they are doing on FM 3417 and wants to know if the county would like to purchase it. Mr. Ledbetter feels that we could purchase it and have it delivered for \$10.00 per cubic yard and that this would be a good deal. Complaints have been

received regarding lack of mowing. Mr. Ledbetter reported that two (2) mowers are down for repairs.

Commissioner Applewhite expressed his concerns regarding CR 3290 which has grooves and crevices 1-1-1/2 feet deep and feels that it is a big liability. Jerry Clark with the Sugarhill VFD stated that they had a tractor fire on this road but that they could not get the fire truck down it and had to go around. This road is not on the list for sealcoating this year. Instructions were given to go ahead and proceed on this road with funds to be taken out of Fund 19. Commissioner Parker also has some roads that are in bad need of repair and needs the culvert replaced on CR 4325.

6. OPEN AND REVIEW BIDS AND POSSIBLY APPROVE FOR ASPHALT, COLD MIX, HOT MIX, LIMESTONE ROCK ASPHALT AND HIGH PERFORMANCE COLD MIX

The following bids were received from Richard Drake Construction Company, L.P.; R. K. Hall, LLC and Longview Asphalt, Inc. for asphalt sand, cold mix and hot mix and high performance cold mix: [\(SEE ATTACHMENT 02\)](#)

	<u>DRAKE</u>	<u>HALL</u>	<u>LONGVIEW</u>
Hot Oil Sand Delivered	\$74.90	\$70.50	\$75.00
Picked Up	\$65.60	\$65.50	\$65.00

Motion was made by Commissioner Riddle and seconded by Commissioner Parker to use the lowest bidder, R. K. Hall and if not available, use the next lowest bidder for Hot Oil Sand. Motion passed unanimously.

Type D Cold Mix Delivered	\$77.90	\$71.90	\$87.00
Picked Up	\$68.70	\$66.90	\$77.00

Motion was made by Commissioner Fields and seconded by Commissioner Riddle to utilize R. K. Hall and if not available, go to the next lowest bidder for Type D Cold Mix. Motion passed unanimously.

Type D Hot Mix Delivered	\$81.80	\$77.00	\$83.00
Picked Up	\$68.90	\$72.00	\$73.00

Motion was made by Commissioner Applewhite and seconded by Commissioner Parker to use Richard Drake as the low bidder when possible and if not available, utilize other two (2) suppliers for Type D Hot Mix. Motion passed unanimously.

Type D Hot Mix Delivered and Laid Down	\$114.50	No Bid	No Bid
Plant Mix Seal (500 ton Minimum)	\$129.60	No Bid	No Bid

Motion was made by Commissioner Fields and seconded by Commissioner Parker to approve Richard Drake for Type D Hot Mix Delivered and Laid Down and for Plant Mix Seal. Motion passed unanimously.

High Performance Delivered	No Bid	\$122.75	No Bid
Picked Up		\$105.00	
Type F Cold Mix 1.5 Oil Delivered	\$82.40	No Bid	No Bid
Picked Up	\$73.30		

Motion was made by Commissioner Fields and seconded by Commissioner Riddle to utilize R. K. Hall for High Performance Cold Mix and Richard Drake for Type F Cold Mix 1.5. Motion passed unanimously,

H. E. Spann & Co., Inc. was the only bid received for Limestone Rock Asphalt:

2" Limestone Base	\$20.75 per Ton Delivered
1 ½" Limestone Base	\$24.56 per Ton Delivered

Motion was made by Commissioner Fields and seconded by Commissioner Applewhite to approve the bid from H. E. Spann & Co., Inc. for Limestone Rock Asphalt. Motion passed unanimously. ([SEE ATTACHMENT 03](#))

All approved bids are effective July 1, 2018 through June 30, 2019.

7. OPEN AND REVIEW BIDS AND POSSIBLY APPROVE FOR CONCRETE CULVERTS WITH REINFORCED STEEL WIRE, ALL DIAMETERS

Bids were received from Cox Concrete Products and Holmes Concrete & Pipe Company for the following sizes: ([SEE ATTACHMENT 04](#))

	<u>PRICE PER FOOT</u>		<u>PRICE PER 4' SECTION</u>	
	<u>COX</u>	<u>HOLMES</u>	<u>COX</u>	<u>HOLMES</u>
• 12" Reinforced Concrete Culvert	\$13.75	No Bid	\$55.00	No Bid
• 15" Reinforced Concrete Culvert	No Bid	\$15.35	No Bid	No Bid
• 18" Reinforced Concrete Culvert	\$17.25	\$20.25	\$69.00	No Bid
• 24" Reinforced Concrete Culvert	\$18.50	\$31.00	\$74.00	No Bid

Motion was made by Commissioner Applewhite and seconded by Commissioner Parker to approve the bid from Cox Concrete Products for concrete culverts with reinforced steel wire, all diameters beginning July 1, 2018 through June 30, 2019. Motion passed unanimously

8. OPEN AND REVIEW BIDS AND POSSIBLY APPROVE FOR STEEL CULVERTS 16 GAUGE GALVANIZED STEEL, 2.66 X ½ SPIRAL, LOCK SEAM CONSTRUCTION

Holmes Concrete & Pipe Company was the only bid received for steel culverts 16 gauge galvanized steel, 2.66 x ½ spiral, lock seam construction. ([SEE ATTACHMENT 05](#))

Motion was made by Commissioner Applewhite and seconded by Commissioner Parker to approve the bid from Holmes Concrete & Pipe Company for steel culverts 16 gauge galvanized steel, 2.66 x ½ spiral, lock seam construction effective July 1, 2018 through June 30, 2019. Motion passed unanimously.

9. OPEN AND REVIEW BIDS AND POSSIBLY APPROVE FOR PLASTIC CULVERTS, ALL DIAMETERS

The following bids were received for plastic culverts, all diameters: (price per foot)

	<u>HOLMES</u>	<u>BURGIN PIPE & SUPPLY</u>	<u>NATIONAL WHOLESALE</u>
12"	\$5.01	\$5.29	\$5.114
15"	\$6.81	\$7.20	\$6.955
18"	\$9.50	\$10.18	\$9.830
24"	\$15.39	\$16.42	\$15.864
30"	\$21.10	\$22.72	\$21.943
36"	\$28.05	\$32.10	\$29.182
42" *	\$38.23	\$43.93	\$39.932
48"	\$43.50	\$49.73	\$45.205
60" *	\$77.50	\$88.73	\$80.659

*Usually do not stock but can order

Motion was made by Commissioner Parker and seconded by Commissioner Applewhite to utilize Holmes as low bidder for plastic culverts, all diameters, except where cost of shipment makes National Wholesale a better option beginning July 1, 2018 through June 30, 2019. Motion passed unanimously. ([SEE ATTACHMENT 06](#))

10. OPEN AND REVIEW BIDS AND POSSIBLY APPROVE FOR SEAL COAT AGGREGATE TY B GR 4

The following bids were received from Martin Marietta and H. E. Spann Co., Inc. for seal coat aggregate TY B GR 4: ([SEE ATTACHMENT 07](#))

Martin Marietta - \$30.00 per ton FOB Sawyer

**H. E. Spann & Co., Inc. – (Gravel Hanson Aggregates) - \$41.70 per ton delivered
(Sandstone Sawyer OK) - \$43.56 per ton delivered**

Motion was made by Commissioner Applewhite and seconded by Commissioner Fields to approve purchase of seal coat aggregate TY B GR 4 effective July 1, 2018 through June 30, 2019 to H. E. Spann & Co., Inc. except where situation to buy from Martin Marietta due to availability is a better option. Motion passed unanimously.

11. OPEN AND REVIEW BIDS AND POSSIBLY APPROVE FOR TYPE A FLEXBASE ASH

The following bids were received from FlyAshDirect and H. E. Spann & Co., Inc. for Type A flex base ash: [\(SEE ATTACHMENT 08\)](#)

FlyAshDirect -	\$10.00 per ton FOB
H. E. Spann & Co., Inc.	\$16.75 per ton delivered

Motion was made by Commissioner Fields and seconded by Commissioner Parker to approve FlyAshDirect and/or H. E. Spann Co., Inc. depending upon picked up or delivered as the supplier for Type A Flex base ash effective July 1, 2018 through June 30, 2019. Motion passed unanimously.

12. OPEN AND REVIEW BIDS AND POSSIBLY APPROVE FOR FLEXIBLE BASE

The only bid received for flexible base was from Martin Marietta at a price quote of \$15.00 per ton FOB Sawyer. [\(SEE ATTACHMENT 09\)](#)

Motion was made by Commissioner Fields and seconded by Commissioner Riddle to approve Martin Marietta for flexible base effective July 1, 2018 through June 30, 2019. Motion passed unanimously.

13. OPEN AND REVIEW BIDS AND POSSIBLY APPROVE FOR COMPLETE LAWN MAINTENANCE CONTRACT

The following bids were received for the complete lawn maintenance contract: [\(SEE ATTACHMENT 10\)](#)

Stanley's Landscape	\$724.00 per month
Lewis Enterprise	\$950.00 per month

Motion was made by Commissioner Fields and seconded by Commissioner Riddle to approve Stanley's Landscape for complete lawn maintenance contract. Motion passed unanimously.

14. OPEN AND REVIEW BIDS AND POSSIBLY APPROVE FOR TWO YEAR A/C REPAIR AND MAINTENANCE CONTRACT

The only bid received for the Two Year HVAC Maintenance Program was from Roberts Air Conditioning: [\(SEE ATTACHMENT 11\)](#)

Hourly Rate - \$60.00
Overtime Rate - \$75.00
Material Discount - \$20%
Service Hours – 8:00 a.m. to 7:00 p.m.

Motion was made by Commissioner Fields and seconded by Commissioner Applewhite to approve Roberts Air Conditioning for two year A/C repair and maintenance contract effective July 1, 2018 through June 30, 2020. Motion passed unanimously.

15. BIDS FROM SHERIFF ON HAIL DAMAGE REPORT

Sheriff Ingram told the Court that the roof should be completed by Wednesday. He also informed the Court that he would like to get two employees certified to transport inmates to be used for filling potholes for the county.

16. CONSIDER AND POSSIBLY APPROVE A RESOLUTION TO ADD CASS AND CAMP COUNTIES TO THE EXISTING MEMBER COUNTIES THAT CURRENTLY MAKE UP THE MEMBERSHIP OF THE NORTH EAST TEXAS REGIONAL MOBILITY AUTHORITY (NET RMA)

Motion was made by Commissioner Applewhite and seconded by Commissioner Fields to approve a resolution to add Cass and Camp counties to the existing member counties that currently make up the membership of the North East Texas Regional Mobility Authority (NET RMA). Motion passed unanimously. [\(SEE ATTACHMENT 12\)](#)

17. CONSIDER AND POSSIBLY APPROVE A ONE YEAR EXTENSION TO AWA CPA'S & ADVISORS FOR THE COUNTY AUDIT FOR THE 2017-18 YEAR

Motion was made by Commissioner Fields and seconded by Commissioner Riddle to approve a one year extension to AWA CPAs & Advisors in the amount of \$31,900.00 for the county audit and the juvenile probation department for \$2,600.00 for the 2017-18 year. Motion passed unanimously. [\(SEE ATTACHMENT 13\)](#)

18. CONSIDER AND POSSIBLY APPROVE ANNUAL HARDWARE IT SUPPORT LEVEL 2 MAINTENANCE AGREEMENT WITH NET DATA AT AN ANNUAL COST OF \$12,000

Motion was made by Commissioner Applewhite and seconded by Commissioner Parker to approve annual Hardware IT Support Level 2 Maintenance Agreement with Net Data at an annual cost of \$12,000. Motion passed unanimously. [\(SEE ATTACHMENT 14\)](#)

19. CONSIDER AND POSSIBLY CALL FOR A SPECIAL ELECTION ON NOVEMBER 6, 2018 TO DISCONTINUE THE OPTIONAL COUNTY ROAD SYSTEM (AKA UNIT ROAD SYSTEM) IN TITUS COUNTY

Krissy Lytle explained to the Court that John Fitch had collected the required number of signatures on a petition that called for sending the Optional County Road System (aka Unit Road System) back to the voters and that the petition process had been followed properly. [\(SEE ATTACHMENT 15\)](#)

Motion was made by Commissioner Fields and seconded by Commissioner Applewhite to call for a Special Election on November 6, 2018 to discontinue the Optional County Road System (aka Unit Road System) in Titus County. Motion passed unanimously.

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

21. CONSIDER AND POSSIBLY APPROVE TREASURER'S REPORT

Motion was made by Commissioner Parker and seconded by Commissioner Fields to approve treasurer's report. Motion passed unanimously. [\(SEE ATTACHMENT 17\)](#)

22. APPROVE BUDGET AMENDMENTS

There were no budget amendments.

23. SIGN PAY ORDERS AND APPROVE PAYMENTS

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

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

Judge Lee stated that Titus County was not selected to receive funds for the project of widening and straightening the college road which was submitted to the NET RMA. It is, however, on the Texas Department of Transportation (TxDOT) list of projects within the next two (2) years.

Judge Lee, as a board member, attends the Northeast Texas Rural Railroad Board meetings in Sulphur Springs regarding the Blacklands Railroad. Funds are needed to refurbish this stretch of railroad which runs from the western border of Titus County, through Winfield and west to Greenville. A Request for Proposal has been sent to interested private companies to buy or lease some of the track. The goal is to improve the track and increase the short line usage for current and future freight customers in our region.

Commissioner Riddle has been unable to get any interested bidders on the hail damage and is going to get with the TAC adjusters.

Commissioner Fields would like to see the college road widened as the county benefits from the college. A bond was passed in 2004 toward this project. TxDOT will hold a public meeting in the fall pertaining to this.

Commissioner Applewhite told the Court that the maintenance shop had been painted.

ADJOURN:

Motion was made at 11:08 a.m. to adjourn by Commissioner Applewhite and seconded by Commissioner Parker. Motion passed unanimously.