

61-09  
COMMISSIONERS COURT MINUTES  
July 13, 2009

On Monday, July 13, 2009, the Honorable Commissioners Court of Smith County, Texas, met for a regular meeting in the Commissioners Courtroom at the Smith County Courthouse Annex in the City of Tyler, Texas.

**I. CALL TO ORDER**

Joel P. Baker, County Judge, called the meeting to order with members present:

County Judge: Joel P. Baker	Presiding
Commissioner: Precinct 1 Jeff Warr	Present
Commissioner: Precinct 2 William McGinnis	Present
Commissioner: Precinct 3 Terry Phillips	Present
Commissioner: Precinct 4 JoAnn Hampton	Present

**II. INVOCATION**

Chief Gary Pinkerton led the invocation.

**III. PLEDGE OF ALLEGIANCE TO THE UNITED STATES AND THE STATE OF TEXAS**

**IV. OPEN SESSION**

1. Employee Recognition/Longevity Certificates/Service Pin

Presentation of Employee Recognition/Longevity Certificates/Service Pin.  
Tina Martin 10 years, Road and Bridge Department.

Commissioners Court recessed Open Session at 9:04 a.m. and directly proceeded into Executive Session.

**V. CLOSED SESSION: To consult and seek advice from attorney pursuant to Section 551.071 of the Texas Government Code.**

2. Seek legal advice regarding list of and status of pending civil matters placed with outside counsel Flowers Davis.

Commissioners Court recessed Executive Session at 9:16 a.m. and directly proceeded into Open Session.

**VI. OPEN SESSION**

3. Civil: Flowers Davis

Commissioners Court took no action on agenda item number three to discuss, consider and take any necessary action regarding any pending civil matters placed with outside counsel Flowers Davis.

4. Northeast Texas Public Health District Board

Commissioners Court received the June 25, 2009 agenda for the Northeast Texas Public Health District Board Meeting. Copies attached. No action.

5. Transportation Improvement Program 2008-2011

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 1 Jeff Warr to approve letter to the Metropolitan Planning Organization regarding the Transportation Improvement Program 2008-2011 plan. Letter attached.

*Passed 5-0; Abstain: (None); Absent: (None).*

6. Donation: Texas Parks & Wildlife Game Warden

Commissioners Court discussed proposed donations from the Texas Parks and Wildlife Game Warden to Smith County Constable Precinct # 2 consisting of:

- a. 1983 17' Monark Boat, Hull #MAK40078U0385
- b. 2003 175 HP Mercury Motor, Serial #OT775635
- c. 1985 Sportsman Trailer, VIN #26F1K06929

No action.

7. Smith County Sheriff Department: Seized Vehicle

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by Commissioner – Precinct 3 Terry Phillips to approve adding seized vehicle to the County's Insurance Policy for the Smith County Sheriff Department:

- a. 2006 Honda Accord 4-door, VIN#JHMCM56706C005871

Copy of vehicle addition/deletion form attached.

*Passed 5-0; Abstain: (None); Absent: (None).*

8. FY09 Projects

Commissioners Court received the FY09 projects update. FY09 Facility Projects Update report attached. No action.

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9. Contract: Inmate Medical Services

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 3 Terry Phillips to place Inmate Medical Services for Smith County Facilities out for bid.

*Passed 5-0; Abstain: (None); Absent: (None).*

10. Fuel Expenses: Constable Precinct # 3

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 2 William McGinnis to approve budget transfer from contingency fund for \$3,200.00 to fund fuel expenses for Constable Precinct # 3.

Budget transfer attached.

*Passed 5-0; Abstain: (None); Absent: (None).*

11. Resubdivision Plat: TCMC Precinct # 3

Motion made by Commissioner – Precinct 3 Terry Phillips and seconded by Judge Joel Baker to authorize the County Judge to sign resubdivision plat for TCMC addition lot 1, Precinct # 3. Copies attached.

*Passed 5-0; Abstain: (None); Absent: (None).*

12. Pipe and/or Utility Line Installation

Commissioners Court received pipe and/or utility line installation requests (notice only):

- a. County Road 32 Sand Flat Water Supply to install 2” casing for 1” water line Precinct # 3.
- b. County Road 313 East Sand Flat Water Supply to install 40’ of 10” casing for 6” water line Precinct # 3. Copies attached.

These lines will be constructed as directed by the Road Administrator in accordance with Smith County specifications.

13. Report: Road & Bridge Department

Commissioners Court received the status report from the Road and Bridge Department. No action.

14. Report: Smith County Jail Inmate Status and Related Information  
(Chief Bobby Garmon)

\$1,596,640.00 spent this fiscal year housing inmates in other counties.  
864 Total Population, 703 Male, 161 Female  
691 in Smith County Jail and 173 transferred to other counties.  
37 Federal Prisoners, 14 scheduled to TDC, 34 paper ready.  
33 parole violations and 52 parole violations with new charges.  
69 total child support cases, 30 non-payment of child support and  
39 child support with new charges.  
Average stay for child support: 78 days.  
No openings for jailer position  
Copy of Jail Population Summary attached. No action.

15. Payment of Accounts

Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by  
Commissioner – Precinct 3 Terry Phillips to approve and/or ratify payment of  
accounts, bills, payroll, transfer of funds and health claims. Copies attached.  
*Passed 5-0; Abstain: (None); Absent: (None).*

16. Standard Letter of Agreements

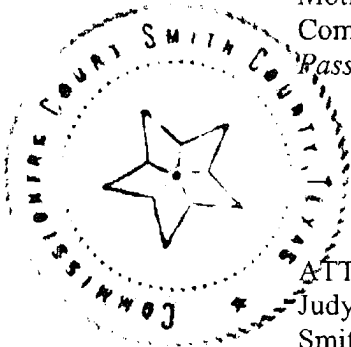
Motion made by Commissioner – Precinct 4 JoAnn Hampton and seconded by  
Commissioner – Precinct 2 William McGinnis to approve ratification of standard  
letter of agreements for disposal of dredged materials. Copies attached.  
*Passed 5-0; Abstain: (None); Absent: (None).*

**VII. PUBLIC COMMENT**

No public comment at this time.

**VIII. ADJOURNMENT**

Motion made by Commissioner – Precinct 1 Jeff Warr and seconded by  
Commissioner – Precinct 3 Terry Phillips that Commissioners Court adjourn.  
*Passed 5-0; Abstain: (None); Absent: (None).*



Approved:   
Chairman Commissioners Court

ATTESTED:  
Judy Carnes, County Clerk  
Smith County Texas

By:   
Deana Millex, Deputy