

01-10
COMMISSIONERS COURT MINUTES
January 5, 2010

On Tuesday, January 5, 2010 the Honorable Commissioners Court of Smith County, Texas, met for a special and addendum meeting in the Smith County 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	Absent

II. INVOCATION

Charley Miller led the invocation.

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

IV. OPEN SESSION

1. Presentation of Employee Recognition/Longevity Certificates/Service Pins

Presentation to: J.B. Smith, 25 years of service, Smith County Sheriff
Dana L. Pugh, 10 years of service, Tax Assessor Office
Gary Barber, 5 years of service, Smith County Tax Assessor
Peggy Jones, 10 years of service, Elections Department
Karen Nelson, 5 years of service, Elections Administrator
Donald Ray Jones, 20 years of service, Road & Bridge
Department
Virgil Wilson, 10 years of service, Road & Bridge Department
Certificates attached.

2. Projects Update

Commissioners Court received projects update.

3. Online Auction Update

Commissioners Court received online auction update. Update attached.

4. Vehicle Transfer: Sheriff's Department to Constable # 3

Motion made by Commissioner – Precinct 2 William McGinnis and seconded by Commissioner – Precinct 3 Terry Phillips to approve vehicle transfer request (VIN #371313) from Sheriff's Department to Constable Precinct # 3 office. Copies attached.

Passed 4-0; Abstain: (None); Absent: Commissioner JoAnn Hampton.

5. Application of Pavement Markings, RB-09-10

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 2 William McGinnis to approve authorizing Purchasing Director to advertise and request sealed bids for Application of Pavement Markings, RB-09-10. Copies attached.

Passed 4-0; Abstain: (None); Absent: Commissioner JoAnn Hampton.

6. CodeRED Services Agreement Addendum

Motion made by Commissioner – Precinct 1 Jeff Warr and seconded by Judge Joel Baker to approve the CodeRED Services Agreement Addendum for 1 year between Smith County and Emergency Communications Network, Inc., which will provide emergency notification capability via electronic options to Smith County residents. Agreement and copies attached.

Passed 4-0; Abstain: (None); Absent: Commissioner JoAnn Hampton.

7. Resolution: New Initiative for Excellence for Smith County

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 2 William McGinnis to approve a resolution declaring a new initiative for excellence for Smith County. Resolution attached.

Passed 4-0; Abstain: (None); Absent: Commissioner JoAnn Hampton.

8. Resolutions: Smith County Community Partners

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 3 Terry Phillips to adopt resolutions honoring Smith County Community Partners. Resolutions attached.

Passed 4-0; Abstain: (None); Absent: Commissioner JoAnn Hampton.

9. Delinquent Tax Collections Report

Commissioners Court received into Commissioners Court minutes the delinquent tax collections report for Smith County from Mr. Jim Lambeth. Copies attached. No action.

10. 9-1-1 Communications District Fiscal Year 2009-2010 Operating Budget

Commissioners Court received into Commissioners Court minutes the finalized Smith County 9-1-1 Communications District Fiscal Year 2009-2010 Operating Budget. Budget attached. No action.

11. Standard Letter of Agreements: Dredged Materials

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 2 William McGinnis to approve ratification of standard letter of agreements for disposal of dredged materials. Agreements attached.

Passed 4-0; Abstain: (None); Absent: Commissioner JoAnn Hampton.

12. Replat: Stallion Lake Ranch, Phase 1, Lots 22 and 23, Precinct # 4

Motion made by Commissioner – Precinct 3 Terry Phillips and seconded by Commissioner – Precinct 2 William McGinnis to authorize County Judge to sign replat of lots 22 and 23 of Stallion Lake Ranch, Phase 1, Precinct # 4.

Copies attached.

Passed 4-0; Abstain: (None); Absent: Commissioner JoAnn Hampton.

13. Pipe and/or Utility Line Installation

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

- a. County Road 134 CenterPoint Energy to install 5' of 1" plastic pipe for gas line. Precinct # 1
 - b. County Road 424 Carroll Water Supply Corporation to install 60' of road bore for water supply. Precinct # 3
 - c. County Road 442 Carroll Water Supply Corporation to install 6,000' of new pipe for water supply. Precinct # 3
 - d. County Road 446 Carroll Water Supply Corporation to install 70' road crossing for water supply. Precinct # 3
 - e. County Road 420 Carroll Water Supply Corporation to install 5,600' pipe line for water supply. Precinct # 4
 - f. County Road 440 Carroll Water Supply Corporation to install 70' road crossing for water supply. Precinct # 4
 - g. County Road 4135 Carroll Water Supply Corporation to install 3,000' of new pipe for water supply. Precinct # 4
- Copies attached. No action.

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

14. Payments of Accounts

Motion made by Commissioner – Precinct 3 Terry Phillips and seconded by Commissioner – Precinct 1 Jeff Warr to approve and/or ratify payment of accounts, bills, payroll, transfer of funds, and health claims. Copies attached. *Passed 4-0; Abstain: (None); Absent: Commissioner JoAnn Hampton.*

15. Report: Road and Bridge Department

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

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

\$756,800.00 spent this fiscal year housing inmates in other Counties.
846 Total Population, 691 Male, 155 Female
670 in Smith County Jail and 176 transferred to other counties.
15 Federal Prisoners, 8 scheduled to TDC, 55 paper ready.
33 Parole violations and 54 Parole violations with new charges.
77 Total child support cases, 30 non-payment of child support and
47 non-payment of child support with new charges.
Average stay for non-payment of child support: 96 days.
4 open jailer positions.
Copy of Smith County Jail Population Summary attached. No action.

V. PUBLIC COMMENT

No public comment at this time.

Commissioners Court recessed Open Session at 10:24 a.m. and directly proceeded into Closed Session.

VI. CLOSED SESSION: To consult, receive, and seek advice from attorneys pursuant to Sections 551.071 and 551.074 of the Texas Government Code to discuss personnel matters.

17. Discuss and consider specific personnel matters related to the use of sick pool time pursuant to Texas Local Government Code § 150.071, et. sec. and the Smith County Employee Handbook, and in compliance with the Health Information Portability and Accountability Act (HIPPA).

Commissioners Court recessed Closed Session at 10:41 a.m. and directly proceeded into Open Session.

VII. OPEN SESSION

18. Sick Pool Time

Commissioners Court took no action on agenda item number 18 to discuss, consider, and take any necessary action regarding use of sick pool time for specific employees pursuant to Texas Local Government Code § 150.071, et. sec. and the Smith County Accountability Act (HIPPA).

VIII. ADDENDUM TO NOTICE OF MEETING

1. FY10 Capital Projects Schedule

Motion made by Commissioner – Precinct 1 Jeff Warr and seconded by Commissioner – Precinct 2 William McGinnis to approve the FY10 capital projects schedule. Schedule attached.

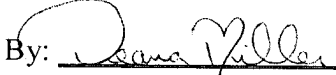
Passed 4-0; Abstain: (None); Absent: Commissioner JoAnn Hampton.

IX. ADJOURNMENT

Motion made by Commissioner – Precinct 3 Terry Phillips and seconded by Commissioner – Precinct 2 William McGinnis that Commissioners Court adjourn. *Passed 4-0; Abstain: (None); Absent: Commissioner JoAnn Hampton.*

Approved: 
Chairman Commissioners Court

ATTESTED:
Judy Carnes, County Clerk
Smith County Texas

By: 
Deana Miller, Deputy

