

39-10
COMMISSIONERS COURT MINUTES
July 20, 2010

On Tuesday, July 20, 2010 the Honorable Commissioners Court of Smith County, Texas, met for a special 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	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

V. PUBLIC HEARING – 9:30 a.m.

1. Road Name Change: County Road 21 to Sunshine Church Road

Commissioners Court received public input regarding proposed name change on behalf of residents of Redbird Road (also known as County Road 21) to change road name to Sunshine Church Road. Public input by James Ford.
Public participation form attached.

VI. OPEN SESSION

2. Road Name Change: County Road 21 to Sunshine Church Road

Motion made by Commissioner – Precinct 3 Terry Phillips and seconded by Commissioner – Precinct 4 JoAnn Hampton to approve the road name change to Sunshine Church Road with Sunshine Church paying all associated costs for the change. Copies attached.

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

5. Report: Performance Measurement, Road and Bridge Department

Commissioners Court received performance measurement/Road and Bridge report. Report attached.

4. Smith County Tax Abatement Agreements

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 2 William McGinnis to approve the recommendations as presented by Tom Mullins and as explained in the packet. Copies attached.

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

9. FY 2011-2012 State Case Registry & Cooperative Agreement

Motion made by Commissioner – Precinct 1 Jeff Warr and seconded by Commissioner – Precinct 3 Terry Phillips to approve the FY 2011-2012 State Case Registry and Cooperative Agreement between the Office of the Attorney General of the State of Texas and Smith County, Texas. Copies attached.

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

3. Presentation: Employee Recognition/Longevity Certificates/Service Pins

Presentation to: Linda R. Rhymes, District Clerk Office, 5 years of service
Kelli White, Smith County Treasurer, 10 years of service
Certificates attached.

Commissioners Court recessed Open Session at 10:33 a.m. and went into Closed Session at 10:40 a.m.

VII. CLOSED SESSION

18. Indigent Health Insurance Claims

Discuss and consider specific matters related to the payment of indigent health insurance claims pursuant to Texas Government Code § 551.071 and in compliance with the Health Information Portability and Accountability Act (HIPPA).

Commissioners Court recessed Closed Session at 10:50 a.m. and went directly into Open Session.

VIII. OPEN SESSION

19. Indigent Health Insurance Claims: Health Information Portability and Accountability Act (HIPPA)

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 4 JoAnn Hampton to deny the claims as presented due to non-compliance with County guidelines regarding payment of indigent health insurance claims.
Passed 5-0; Abstain: (None); Absent: (None).

6. Facilities Projects Update

Commissioners Court received facilities projects update. Facility projects update attached.

7. Contract: AVS Food Services

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 1 Jeff Warr to approve contract modification with AVS Food Service.
Amendment contract attached.
Passed 5-0; Abstain: (None); Absent: (None).

8. Interpreter Services

Commissioners Court went to agenda item 8 to discuss and consider interpreter services for Smith County. No action. Survey attached.

10. Commissioners Court Minutes June 2010

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 3 Terry Phillips to accept the Commissioners Court minutes for June 2010.
Copies attached.
Passed 5-0; Abstain: (None); Absent: (None).

11. Commissioners Court Recordings June 2010

Commissioners Court received the Commissioners Court recordings for June 2010.

12. Pipe and/or Utility Line Installation

Commissioners Court received pipe and/or utility line installation requests:

- a. County Road 2124 Cherokee County Electric Cooperative Association to install road bore for electric service. Precinct # 2
- b. County Road 463 JDR Contracting to install road bore for water service. Precinct # 3
Copies attached.

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

13. Agreement: County Road 4188 Terwisha Contractors, Inc.

Motion made by Judge Joel Baker and seconded by Commissioner – Precinct 3 Terry Phillips to approve indemnification agreement related to utility line installation request for project at County Road 4188, Terwisha Contractors, Inc. for approximately 60' line for aerobic system, Precinct # 3 and authorize Doug Nicholson to sign the agreement. Indemnification agreement attached.

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

14. Payments of Accounts

Motion made by Commissioner – Precinct 4 JoAnn Hampton 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 5-0; Abstain: (None); Absent: (None).

15. Report: Road and Bridge Department

Commissioners Court received status report from the Road and Bridge Department.

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

\$2,022,000.00 spent this fiscal year housing inmates in other Counties

917 Total Population, 745 Male, 172 Female

713 in Smith County Jail and 204 transferred to other Counties.

12 Federal Prisoners, 46 scheduled to TDC, 45 paper ready.

30 Parole violations and 53 Parole violations with new charges.

94 Total child support cases, 50 non-payment of child support and

44 non-payment of child support with new charges.

Average stay for non-payment of child support: 83 days.

2 open jailer positions

Copy of Smith County Jail Population Summary attached. No action.

17. Smith County Jail Overcrowding Facility Additions/Improvements

Commissioners Court went to agenda item 17 to discuss and consider solutions to jail overcrowding, including facility additions/improvements. No action.

IX. PUBLIC COMMENT

Derrell Cooper spoke regarding the Justice System. Public participation form attached.

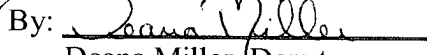
X. ADJOURNMENT

Motion made by Commissioner – Precinct 3 Terry Phillips and seconded by Commissioner – Precinct 1 Jeff Warr 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 Miller, Deputy

