

1/12/2010

- 9:32:29 AM Start Recording
- 9:32:31 AM **Call to Order:** Present: Judge Joel Baker, presiding, Commissioner Jeff Warr, Commissioner William McGinnis, Commissioner Terry Phillips, Commissioner JoAnn Hampton, Auditor Ann Wilson, Civil Assistant District Attorney Stan Springerely, Assistant District Attorney Jessica Sangsvang, HR Director Leonardo Brown, Purchasing Director Kelli Davis, Road Administrator Doug Nicholson and Chief Bobby Garmon.
- 9:32:31 AM **Invocation:** Commissioner JoAnn Hampton
- 9:33:16 AM **Pledge of Allegiance:**
- 9:33:30 AM **Pledge to the Texas Flag:**
- 9:33:46 AM **Agenda Item # 1:** Receive projects update, take any action necessary. Kelli Davis/Heath Aggen
No action.
- 9:37:19 AM **Agenda Item # 2:** Discuss, consider, and approve contract with East Texas Medical Center for Offsite Inmate Medical Services for Smith County.
JH JW 2nd motion carried
- 9:38:29 AM **Kelli Davis:** Spoke in regards to the Purchasing Association Convention to be held in Tyler.
- 9:39:25 AM **Agenda Item # 3:** Discuss, consider, and approve any necessary action pertaining to proposed purchase of vehicle using drug forfeiture funds by Constable Precinct # 5, including but not limited to the following:
a. Adding the purchased vehicle to the County's insurance, maintenance, and approval for fuel usage out of general funds; and
b. Authorizing Purchasing Agent to recognize a law-enforcement vehicle color exception to the "standardization" policy.
No action.
- 9:41:24 AM **Agenda Item # 4:** Discuss, consider, and take any necessary action to approve request of the Tax Assessor Collector to collect a fee equal to one-half of the state fee for each alcohol permit and license issued for premises located within the County as authorized under the Texas Alcoholic Beverage Code. Gary Barber
Judge Baker WM 2nd motion carried
Motion: To approve collection by the Tax Assessor Collector of the County's portion of these both licenses and permits authorized by the Texas Alcoholic Beverage Code, including but not limited to Sections 11.38 and 61.36 of the code. This motion includes both original applications and any renewals.
- 9:50:55 AM **Agenda Item # 5:** Discuss, consider, and approve authorizing Purchasing Director to advertise and request sealed bids for Galvanized Steel Culverts for Smith County, Bid RB-10-10, and take any necessary additional action relevant to procurement of galvanized pipe under current contract.
Judge Baker JH 2nd motion carried
- 9:52:03 AM **Agenda Item # 6:** Discuss, consider, and take any necessary action to ratify a resolution declaring January 8, 2010 "Fill The Banks Day" in Smith County.
Judge Baker TP 2nd motion carried
- 9:52:55 AM **Agenda Item # 7:** Discuss, consider, and approve resolution for submission of the 2010 Juvenile Justice Alternative Education Program Behavior Interventionist/Truancy Abatement Grant 17905-06.
No action.

9:53:24 AM **Agenda Item # 6:** Discuss, consider, and take any necessary action to ratify a resolution declaring January 8, 2010 "Fill The Banks Day" in Smith County.
No action.

9:53:32 AM **Agenda Item # 7:** Discuss, consider and approve resolution for submission of the 2010 Juvenile Justice Alternative Education Program Behavior Interventionist/Truancy Abatement Grant 17905-06.
Judge Baker WM 2nd motion carried

9:54:00 AM **Agenda Item # 8:** Accept Commissioners Court minutes for November 2009.
TP JW 2nd motion carried

9:54:13 AM **Agenda Item # 9:** Receive recordings of the Commissioners Court meetings for November 2009.
No action.

9:54:21 AM **Agenda Item # 10:** Accept Auditor/Treasurer financial report for December 2009.
Judge Baker JH 2nd motion carried

9:56:07 AM **Agenda Item # 11:** Order approving ratification of standard letter of agreements for disposal of dredged materials.
JH WM 2nd motion carried

9:56:19 AM **Agenda Item # 12:** Consider authorizing County Judge to sign Replat of Lots 34 and 35 of Stallion Lake Ranch, Phase 1, Precinct # 4.
JH TP 2nd motion carried

9:56:48 AM **Agenda Item # 13:** Consider authorizing County Judge to sign Resubdivision Plat of Lots 503, 504, 505 and 506 Hide-A-Way Bay Unit 3, Precinct # 1.
JW JH 2nd motion carried

9:57:17 AM **Agenda Item # 14:** Approve and/or ratify payment of accounts, bills, payroll, transfer of funds, and health claims.
JH WM 2nd motion carried

9:57:31 AM **Agenda Item # 15:** Report on Smith County Jail Inmate Status and related information. Chief Bobby Garmon

9:58:38 AM **Closed Session:** See File 02-10 01-12-2010 Executive Session To consult, receive, and seek advice from attorney pursuant to Sections 551.071, 551.072 and 551.074 of the Texas Government Code to discuss personnel matters.
Agenda Item # 19 Receive consultation and seek legal advice regarding pending civil cases placed with outside counsel, Flowers and Davis, PLLC.
Agenda Item # 16 Receive consultation and seek legal advice regarding available options addressing road/property claim involving right-of-way interest along Old State Highway 31.
Agenda Item # 17 Receive briefing, consultation, and seek legal advice regarding fuel procurement options, including but not limited to potential contract procedures for joint purchasing.
Agenda Item # 20 Receive briefing, consultation, and seek legal advice regarding available options on insurance claim for damages to Justice of the Peace # 4 Building.
Agenda Item # 18 Discuss and consider specific personnel matters related to the payment of insurance claims pursuant to Texas Local Government Code section 150.071 et. sec. and the Smith County Employee Handbook, and in compliance with the Health Information Portability and Accountability Act (HIPPA).

9:58:57 AM Stop Recording

10:41:11 AM Start Recording

10:41:13 AM **Open Session:**

- 10:41:20 AM **Agenda Item # 21:** If necessary, discuss, consider, and take all necessary action regarding available options pertaining to resolution of road/property claim involving right-of-way interest along Old State Highway 31.
No action.
- 10:41:34 AM **Agenda Item # 22:** Discuss, consider, and take any action relevant to fuel procurement options, including but not limited to potential contract procedures for joint purchasing.
Judge Baker JH 2nd motion carried
Motion: Authorize joint purchasing with the City of Tyler for fuel procurement.
- 10:42:00 AM **Agenda Item # 23:** Discuss, consider, and take any necessary action regarding payment of insurance claims pursuant to Texas Local Government Code Section 150.071, et. sec. and the Smith County Employee Handbook, and in compliance with the Health Information Portability and Accountability Act (HIPPA).
JH WM 2nd motion carried
- 10:42:37 AM **Agenda Item # 24:** Only if necessary, discuss, consider, and take any necessary action regarding pending civil cases placed with outside counsel, Flowers and Davis, PLLC.
No action.
- 10:42:48 AM **Agenda Item # 25:** Only if necessary, consider and take any action relevant to available options on insurance claim for damages to Justice of the Peace # 4 Building.
Judge Baker JH 2nd motion carried
Motion: Subpoena Mr. Daniel Merritt, the claims adjuster to appear before Commissioners Court on January 26, 2010 at 10:00 a.m. unless we are able to resolve the settlement of this claim prior to the 26th.
- 10:43:45 AM **Public Comment:** No public comment at this time.
- 10:43:52 AM **Adjourn:** TP JH 2nd motion carried
- 10:44:06 AM Stop Recording