

10/5/2009

- 9:02:20 AM Start Recording
- 9:02:21 AM **Call to Order:** Present: Judge Joel Baker, presiding, Commissioner Jeff Warr, Commissioner William McGinnis, Commissioner Terry Phillips, Auditor Ann Wilson, Civil Assistant District Attorney Stan Springerley, Assistant District Attorney Jessica Krizek, HR Director Leonardo Brown, Purchasing Director Kelli Davis, Road Administrator Doug Nicholson and Captain Deal Folmar.
Note: Commissioner JoAnn Hampton Absent
- 9:02:22 AM **Invocation:** Charley Miller
- 9:03:09 AM **Pledge of Allegiance:**
- 9:03:21 AM **Pledge to the Texas Flag:**
- 9:03:36 AM **Agenda Item # 1:** Presentation of Employee Recognition/Longevity Certificates/Service Pins.
Jaye Lynn Collins, 5 years Personnel Department.
- 9:05:01 AM **Agenda Item # 2:** Discuss, consider and approve any and all action necessary for the provision of Worker's Compensation Insurance for Smith County.
Judge Baker WM 2nd motion carried
Motion: We continue our worker's compensation insurance with Texas Association of Counties for FY 2010.
- 9:08:32 AM **Agenda Item # 7:** Consider and approve the interlocal agreement between Smith County and Lindale Independent School District for the November 3, 2009 Lindale ISD Bond Election. Karen Chaney
Judge Baker JW 2nd motion carried
Motion: With the change on page 6 from 2008 to 2009 on the agreement.
- 9:09:28 AM **Agenda Item # 8:** Approve design of T-Shirts that display the official Smith County Logo in pink for Breast Cancer Awareness Month, and take any necessary action to approve selling T-Shirts and donating the pass through proceeds to the Susan G. Komen Cancer Foundation.
Judge Baker TP 2nd motion carried
Motion: We approve the design of the T-Shirts and approve that procedure for selling the T-Shirts and donating the pass through proceeds to the Susan G. Komen Cancer Foundation.
- 9:11:21 AM **Agenda Item # 9:** Discuss, consider and take any necessary steps to approve the Non-Disclosure Agreement from McLane Advanced Technologies, LLC, for work associated with the Comprehensive Integrated Justice Information Management System (CIJIMS) county software project to manage collection and maintenance of civil and criminal information in Smith County.
Judge Baker JW 2nd motion carried
- 9:13:21 AM **Agenda Item # 10:** Consider and approve the polling location change for the November 3, 2009 Amendment and City of Tyler election for Precinct 55 from Colonial Hills Baptist Church to the Ornelas Activity Center. Karen Chaney
Judge Baker TP 2nd motion carried
- 9:15:51 AM **Agenda Item # 11:** Discuss, consider and take any action necessary to approve resolution designating October 11, 2009, as Spring Creek Missionary Baptist Church Day in Smith County.
Judge Baker WM 2nd motion carried

- 9:16:09 AM **Agenda Item # 12:** Approve and/or ratify payment of accounts, bills, payroll, transfer of funds and health claims.
a. Discuss and approve various department budget transfers for FY2009. Autopsies \$8,000.00
WM Judge Baker 2nd motion carried
- 9:16:47 AM **Agenda Item # 13:** Receive into Commissioners Court minutes the Andrews Center Board of Trustee meeting minutes for July 28 and August 25, 2009.
No action.
- 9:17:00 AM **Agenda Item # 14:** Receive into Commissioners Court minutes the September 24, 2009 agenda for the Northeast Texas Public Health District Board meeting.
No action.
- 9:17:11 AM **Agenda Item # 15:** Report on Smith County Jail Inmate Status and related Information. Captain Deal Folmar
No action.
- 9:19:33 AM **Judge Joel Baker:**
- 9:19:48 AM **Closed Session:** See File 82-091 10-05-2009 Executive Session To consult and seek advice from attorney pursuant to Section 551.071 of the Texas Government Code.
Agenda Item # 16
Receive briefing, consultation and seek legal advice regarding civil cases placed with outside counsel Flowers and Davis, PLLC.
Agenda Item # 17
Seek legal advice regarding proposed small claim civil settlement related to William M. Smith, Jr. v. State of Texas, Cause No. 12-07-00214-CR, in the 12th Court of Appeals.
- 9:20:04 AM Stop Recording
- 9:40:07 AM Start Recording
- 9:40:09 AM **Open Session:**
- 9:40:10 AM **Judge Joel Baker:** Public Hearing - 9:30 a.m.
- 9:40:17 AM **Agenda Item # 3:** Receive public input regarding proposed amendments to the Smith County Automotive Wrecking and Salvage Yards, Recycling Businesses and Junkyards Regulations, including regulation of visual aesthetic standards for Recycling Businesses pursuant to the Texas Local Government Code, Section 234.002.
- 9:41:47 AM **Agenda Item # 5:** Discuss proposed amendments to the Smith County Automotive Wrecking and Salvage Yards, Recycling Businesses and Junkyards Regulations, including regulation of visual aesthetic standards for Recycling Businesses pursuant to the Texas Local Government Code, Section 234.002; take any necessary action.
Judge Baker TP 2nd motion carried
Motion: To accept amendments.
- 9:42:12 AM **Judge Joel Baker:** Public Hearing - 9:30 a.m.
- 9:42:33 AM **Agenda Item # 4:** Receive Public input regarding approval of No Parking signs on Smith County Road 260 Pursuant to Texas Transportation Code Section 251.152. Commissioner William McGinnis
- 9:49:09 AM **Agenda Item # 6:** Consider and approve placement of No Parking signs on County Road 260.
WM Judge Baker 2nd motion carried
Motion: Approve the placement of no parking signs on County Road 260 to read no parking within 10 feet of pavement either on the same sign or separate sign on the same post for public safety reasons.
- 9:49:49 AM **Open Session:**

- 9:49:51 AM **Agenda Item # 18:** Discuss, consider and take any necessary action regarding Ken W. Good v. Smith County Judge Joel P. Baker and Commissioner Precinct No. 1, JoAnn Fleming; Cause No. 08-2718-A in the 7th Judicial District Court.
Judge Baker TP 2nd motion carried
Motion: That we seek to recover the attorney's fees and cost in this case of over \$100,000.00 and that we instruct our attorney to fully brief that issue to the court and provide all the necessary information to recoup those costs on behalf of Smith County citizens.
- 9:54:20 AM **Agenda Item # 19:** Discuss, consider and take any necessary action regarding small claim civil settlement in William M. Smith, Jr. v. State of Texas, Cause No. 12-07-00214-CR, in the 12th Court of Appeals.
Judge Baker TP 2nd motion carried
Motion: We authorize a settlement to William M. Smith, Jr of \$500.00 to be paid out of legal defense fund for that action.
Amend the motion to \$552.85.
- 9:55:42 AM **Public Comment:** No public comment at this time.
- 9:56:07 AM **Adjourn:** Judge Baker WM 2nd motion carried
- 9:56:14 AM Stop Recording