

COMMISSIONER'S COURT

REGULAR SESSION

August 22, 2011

Attachments

The Hunt County Commissioners Court met this day at 10:00 a.m. with Commissioners Kenneth Thornton, Jay Atkins, Larry Middlebrooks, and Jim Latham present. Judge John Horn was presiding. Jimmy Hamilton-County Auditor and Jennifer Lindenzweig-County Clerk were present. Invocation was given by Commissioner Middlebrooks.

12,071 On the motion by Atkins, second by Thornton, the Court approved the minutes as written from Commissioners' Court August 8, 2011 Regular Session.

CITIZENS TO BE HEARD

___ Mark Hemberger addressed the Court regarding the Court Appointed Attorney Fees. I have a spread sheet here. The average yearly income for most the attorneys here is in the 50s of thousands of dollars. But there is one firm that as a matter of fact really the fees amounted to over 800 thousand over budget. One firm that took up half of that is Renshaw Davis and Ferguson. They brought in nearly 400 thousand dollars for that year. Where everybody else except for just a very few were fairly nominal. What is so special about one or two firms that they can charge that much when everybody else is scratching for the crumbs. Then we have a newly elected District Judge, who did not even want an increase in his budget, but he got it anyway and people are raising cane about him using that to give his employees a raise. I figure he's trying to do the right thing. And what he does with it should be his business, just as District Judge Beacom business to use his raise for whatever he wants, but it seems like that somebody's being forced fed a budget that he doesn't want and that's not fair. I also have one other thing, how come you don't have any control over the court appointed attorneys fees but you have control over the budgets of the District Judge. Those are the questions that I have.

Attorney Bob Scott responds to the court appointed attorney fees, court appointed lawyers are appointed by the Judges in each court room, their fees are approved by the judges, the commissioners court has budgetary authority to set the budget each year but they have no control over who gets appointed to what cases or what is approved.

OLD BUSINESS:

A. ACTION ITEMS – Discuss and possibly take action on the following:

1. Granting permission to cross a county drainage easement to install the irrigation for an OSFF system at 8855 CR 2584 in Precinct 2 – Kevin Stanley, Mesa Custom Homes, Inc.

12,072 On the motion by Atkins, second by Thornton, the Court granted permission with the stipulations of a 3 inch steel sleeve, going 5 ft out either side and also use a bag of marking chalk.

NEW BUSINESS:

A. Consent Calendar-All items listed are considered to be routine by the Commissioner's Court and will be enacted by one motion.

12,073 On the motion by Atkins, second by Thornton, the Court approved all items on the Consent Calendar as follows:

1. The approval of the FY 2011 Chapter 59 Forfeiture Audit Reporting Form for Constable Jones, Precinct 1 – Constable Terry Jones, Precinct

See attachment.

2. The approval of the FY 2011 Chapter 59 Forfeiture Audit Reporting Form for Constable Layton, Precinct 4 – Constable Kent Layton, Precinct 4

See attachment.

3. The approval of the Official Bond for Reserve Constable Clinton Frank Praslicka, Precinct 4 – Constable Kent Layton, Precinct 4

See attachment

4. The renewal of the Interlocal Agreement by and between the North Central Texas Council of Governments and Hunt County for E9-1-1 Services – Judge John L. Horn

See attachment.

5. The addition of seized and awarded 16 ft. trailer (S/N removed) to the Commissioner, Precinct 2 inventory - Commissioner Jay Atkins, Precinct 2
6. The addition of seized and awarded 16 ft. trailer (S/N removed) to the Commissioner, Precinct 2 inventory - Commissioner Jay Atkins, Precinct 2
7. The addition of seized and awarded 16 ft U-Haul trailer (S/N removed) to the Commissioner, Precinct 3 inventory – Commissioner Larry Middlebrooks, Precinct 3
8. The addition of seized and awarded 16 ft Dove Tail Car Hauler trailer (S/N removed) to the Commissioner, Precinct 4 inventory – Commissioner Jim Latham, Precinct 4
9. The renewal of the SAVNS Maintenance Grant Contract by and between Hunt County and the Office of the Attorney General for State Fiscal Year 2012 in the amount of \$18,283.00 – Judge John L. Horn

See attachment.

10. The renewal of the Service Agreement by and between Hunt County and Appriss for automated victim notification services for FY 2012 in the amount of \$18,283.00 – Judge John L. Horn

See attachment.

11. The addition of seized and awarded 7 X 15 flatbed trailer (VIN removed) to the Sheriff's Office inventory – Sheriff Randy Meeks/Captain Lana Adams
12. The transfer of one 7 X 12 flatbed trailer (VIN removed) from the inventory of the Sheriff's Office to the inventory of Precinct 3 to be used for official business – Sheriff Randy Meeks/Captain Lana Adams
13. The addition of seized and awarded 4 X 6 flatbed trailer (VIN removed) to the Sheriff's Office inventory – Sheriff Randy Meeks/Captain Lana Adams
14. The addition of seized and awarded 14 ft enclosed trailer (VIN removed) to the Sheriff's Office inventory – Sheriff Randy Meeks/Captain Lana Adams
15. The allocation of \$10,000 of awarded seizure funds in holding status to the "Investigative Support" line-item of the Crime Control Budget to be used to support covert operations – Sheriff Randy Meeks/Captain Lana Adams
16. The allocation of \$10,000 of awarded seizure funds in holding status to the "Operating Supplies" line-item of the Crime Control Budget to be used to

support administrative functions (i.e. phone service, firing range insurance) – Sheriff Randy Meeks/Captain Lana Adams

17. The allocation \$6,000 of awarded seizure funds in holding status to the “K9 Services” line-item of the Crime Control Budget to be used to support the part-time employment of Deputy Phil Prather and narcotics K9 Bo – Sheriff Randy Meeks/Captain Lana Adams
18. The renewal of the Annual Generator Maintenance Contract for Hunt County for the period of August 1, 2011 thru July 31, 2012 with Diversified Power Systems, Inc. at no increase in cost – Carl Nicholl, Purchasing Agent

See attachment.

Addendum:

Consent Agenda:

1. The approval/renewal of the Hunt County Investment Policy-Delores Shelton, Treasurer.

____ Addendum item was removed, to be placed on Old Business to reflect proper verbiage of Monthly Report.

B. Action Items:

____ Presentation by Judge Bench, County Court at Law #1, to address what, if any, authority the Commissioner’s Court has over Court Appointed Attorney Fess. The answer essentially is none. That is what the law says, if an invoice is presented to a Judge for court appointed attorneys and we sign off on it, you guys have to pay it.

No action needed.

12,074 One the motion by Atkins, second by Thornton, the Court approved renaming a section of Private Road 2410 to W Private Road 2410 due to the road being washed out and divided. Address range 2490 thru 2699 on W Private Road 2410 off of County Road 2412 and address range 2700 thru 3115 on Private Road 2410 also off of County Road 2412.

12,075 On the motion of Middlebrooks, second by Atkins, the Court approved the Order and Notice of Special Election for the Constitutional Amendment Election to be held on November 8, 2011 this Order and Notice. *See attachment.*

12,076 On the motion of Middlebrooks, second by Atkins, the Court denied the validity of the local option liquor petition for the city limits of Lone Oak, Texas due to lack of participation. 39 names are required on the petition, there were only 31.

12,077 On the motion by Atkins, second by Thornton, the Court denied the validity of the local option liquor petition for Justice of the Peace, Precinct 4 territory due to lack of participation. 1615 names are required on the petition, there were only 1535.

12,078 On the motion by Thornton, second by Atkins, the Court accepted the validity of the local option liquor petition for the city limits of Wolfe City, Texas the petition as presented by the Elections Administrator.

12,079 On the motion by Latham, second by Middlebrooks, the Court approved the Order and Notice for a Special Local Option Liquor Election to be held on November 8, 2011 applicable to only the city limits of Wolfe City, Texas for the following proposition:

“The legal sale of all alcoholic beverages for off-premise consumption only”. *See attachment.*

12,080 On the motion by Thornton, second by Middlebrooks, the Court approved an expanded Memorandum of Agreement by and between the Hunt County Sheriff’s Office and the Texas Department of Public Safety for Additional software grant funds with the condition that meetings be had with Commissioner Middlebrooks, the Sheriff’s Office, NetData and Southern Software to discuss possible charges not covered by the grant. *See attachment.*

_____ The funds held in the Friends of the Sheriff Account. No action necessary – Sheriff

Randy Meeks. Strike from Agenda per Sheriff Meeks

12,081 On the motion by Atkins, second by Thornton, the Court approved the acceptance of high bids received for resale properties as follows:

<u>Acct#</u>	<u>Purchaser</u>	<u>Min. Requested</u>	<u>High Bid</u>
35105	Jay Peterson	\$5000.00	\$5000.00
Property Address: CR 4700, Commerce, Texas 75428			
35154	Jay Peterson	\$5000.00	\$5000.00
Property Address: Hwy 11 (Fairlie), Commerce, Texas 75428			
41327	Perry E. Salsibury	\$6693.00	\$6693.00
Property Address: FM 36, Quinlan, Texas 75474			
120921	Perry E. Salsibury	\$891.00	\$891.00
Property Address: Next to 2814 Morse Street, Greenville, Texas 75401			

12,082 On the motion by Atkins, second by Middlebrooks, the Court approved the submission of a written request to the Texas Comptroller of Public Accounts for unclaimed capital by the Hunt County Judge on behalf of the Commissioners' Court in accordance with Section 74.602 of the Texas Property Code and Section 381.004 of the Local Government Code.

12,083 On the motion by Atkins, second by Latham, the Court approved accounts payable.

12,084 On the motion by Middlebrooks, second by Latham, the Court approved line item transfers.

PAYROLL & PERSONNEL:

<u>JAIL</u>	Transfer Grace Lilly, Detention Officer, from Sheriff Office to Jail Medical at \$25,941.24. Effective 8-9-2011.
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<u>JUVENILE</u>	Add Justin Lucas, Supervision Officer, at \$24,516.00. Effective 8-22-2011.
<u>SHERIFF</u>	Remove David Arndt, Patrol Deputy, due to resignation. Effective 8-12-2011.
<u>TREASURER</u>	<p>Raise Lynnell (Nell) Wesch, Admin. Asst. from \$26,410.00 to \$27,160.00. Effective 8-22-2011.</p> <p>Raise Talana Storrs, Payroll Clerk, from \$24,200.00 to \$24,950.00. Effective 8-22-2011.</p> <p>Change Cindy Hames, Payroll Admin., from Part Time to Full Time at \$33,400.00. Effective 8-22-2011.</p>

12,085 On the motion by Atkins, second by Middlebrooks, the Court approved payroll and personnel changes.

EXECUTIVE SESSION:

1. As permitted by Texas Government Code Section 551.071 (2) Consultation with County Civil Attorney on any regular session agenda item requiring confidential, attorney/client advice necessitated by the deliberation or discussion of said items (as needed) – Daniel Ray, County Civil Attorney
2. As permitted by Texas Government Code Section 551.071, Consults with Attorney Concerning Pending or Contemplative Litigation, regarding the Hunt County Criminal Justice Center – Daniel Ray, County Civil Attorney
3. As permitted by Texas Government Code Section 551.071, Consults with Attorney Concerning Pending or Contemplative Litigation, regarding the Hunt County Precinct 2 Barn Facility – Daniel Ray, County Civil Attorney
4. As permitted by Texas Government Code Section 551.071, Consults with Attorney Concerning Pending or Contemplative Litigation, for possible settlement pertaining to TCEQ Docket No. 2011-0319-MSW-E; Enforcement Case No. 41224 – Daniel Ray, County Civil Attorney

5. As permitted by Texas Government Code Section 551.072, Real Property, regarding the Hunt County Criminal Justice Center – Daniel Ray, County Civil Attorney
6. As permitted by Texas Government Code Section 551.072, Real Property, regarding the Hunt County Precinct 2 Barn Facility – Daniel Ray, County Civil Attorney

_____ There was no Executive Session called.

12,086 On the motion by Atkins, second by Thornton, the Court Adjourned at 11:32 a.m.

Minutes approved this _____ day of _____, 2011.

Hunt County Judge

Attest:

Hunt County Clerk