

Taylor County Commissioners' Court

July 2, 2013

The Commissioners' Court of Taylor County met in Regular Session on July 2, 2013, with the following members present:

1. Judge Downing A. Bolls Jr., County Judge
2. Randy Williams, Commissioner, Precinct 1
3. Kyle Kendrick, Commissioner, Precinct 2
4. Chuck Statler, Commissioner, Precinct 4

When the following motions were heard:

1. Judge Bolls convened the Court in open session at 10:00 a.m.

2. Paul Matta, Chaplain/Bereavement Coordinator with Kinder Hearts Homecare Services gave the invocation and led the Court in *God Bless America*. Commissioner Williams led the Court in the Pledge of Allegiance.

3. Commissioner Statler made a motion to approve the minutes of the meeting held on June 18, 2013 and to adopt the agenda for the meeting of July 2, 2013 as printed and posted. The motion was seconded by Commissioner Williams and carried unanimously.

4. Judge Bolls presented 2012 Distinguished Service Award to the Taylor County Historical Commission. Representing the Commission was its president Ms. Anita Lane. Judge Bolls thanked the Commission for their dedication to preserving and recording the history of Taylor County. This is the second year in a row that the Commission has earned this top award from the State of Texas. [Exhibit]

5. Commissioner Kendrick made a motion to approve budget transfer for Precinct 2 as recommended by the Auditor. The motion was seconded by Commissioner Williams and carried unanimously. [Exhibit]

6. Commissioner Kendrick made a motion to approve bills from the following funds and to order them paid according to minutes of the accounts. The motion was seconded by Commissioner Statler and carried unanimously. [Exhibit]

1. General Fund
2. County Clerk's Microfilm
3. VIT Escrow Interest
4. D. A. Special

5. Juvenile Education Services
6. Local TYC
7. Jail Commissary
8. Sheriff Forfeiture
9. Road and Bridge
10. Capital Construction
11. Self-Insurance
12. Employee Benefit
13. Payroll Clearing
14. Unclaimed Property

7. Larry G. Bevill, County Clerk requested the Court clarify the Resolution designating the location for Trustee Sales. Because the Southeast Entrance is no longer an entrance, Bevill requested the Resolution be changed to reflect the Southeast Foyer as opposed to the Southeast Entrance. Commissioner Statler made a motion to approve the Resolution designating the Southeast Foyer as the location for Trustee Sales. The motion was seconded by Commissioner Kendrick and carried unanimously. [Exhibit]

8. Judge Bolls presented an MOU between Taylor County and the Supreme Court of Texas for Support of Continuity of Court Operations in the event of an emergency. The document will facilitate the continued operation of courts in the 7th Administrative District in the event of a disaster. Judge Bolls made a motion to approve the renewal of the MOU between Taylor County and the Supreme Court of Texas for Support of Continuity of Court Operations in the Event of an Emergency. The motion was seconded by Commissioner Williams and carried unanimously. [Exhibit]

9. Sheriff Bishop reported to the Court that it had been several years since an adjustment was made to the rate Taylor County charges other governments and agencies to house inmates at the Taylor County Jail. He noted in several circumstances the amount paid is actually less than the actual cost of \$38.00 per day to house an inmate. The Court agreed with Sheriff Bishop that the rate charged should not be less than Taylor County's actual cost. Sheriff Bishop recommended that a rate of \$38.50 be charged to the City of Abilene and other governments effective October 1, 2013. He noted that the US Marshall's office would soon join the US Border Patrol in paying \$41.20. He stated that the County could not change the rate paid by the defense department to hold Dyess AFB prisoners. He further recommended that the cities of Merkel and Tye be allowed to continue housing inmates without charge, he reasoned that most of their arrests were warrants from the Justices of the Peace. Commissioner Williams made a motion to approve the proposed increase in daily rate as recommended by the Sheriff for housing inmates in the Taylor County Jail. The motion was seconded by Commissioner Kendrick and carried unanimously. Traci Graham, Administrative Assistant to the Court stated that she would see that updated MOU's be mailed to the appropriate governments. [Exhibit]

10. Richard Greenawalt, County Purchasing Agent presented specifications and advertising for I.T.B. 2013-106 Rock Road Materials for approval. The current contract will end on August 27, 2013. The bid specs include three one year renewals as well as an escalation clause. The award will be on the unit by unit basis and could go to more than one vendor. Commissioner Kendrick made a motion to approve specifications and advertising for I.T.B. 2013-106 Rock Road Materials. The motion was seconded by Commissioner Williams and carried unanimously. [Exhibit]

11. Richard Greenawalt, County Purchasing Agent presented specifications and advertising for I.T.B. 2013-107 Asphalt Road Materials for approval. The current contract will end on September 5, 2013. The bid specs include two one year renewals as well as an escalation clause. The award will be on the unit by unit basis and could go to more than one vendor. Commissioner Statler made a motion to approve specifications and advertising for I.T.B. 2013-107 Asphalt Road Materials. The motion was seconded by Commissioner Kendrick and carried unanimously. [Exhibit]

12. Richard Greenawalt, County Purchasing Agent reported to the Court that he had contracted with real property professional Harold Elledge and ultimately made an offer on the building and land at 600 Pecan Street. After consideration and negotiation, Judge Bolts signed a contract to purchase the 13,440 sq. ft. warehouse and office building for \$365,000.00. The facility would be used to store Taylor County office's paper records. Commissioner Williams noted that the amount of paper records stored in various county buildings had grown to adversely affect the structural soundness of the buildings. He recommended that the Court develop a strategic plan to reduce the paper records being held by County offices. Commissioner Statler made a motion to approve the use of capital contingency funds for the purchase of the property at 600 Pecan Street. The motion was seconded by Commissioner Williams and carried unanimously. [No Exhibit Provided]

13. The Court welcomed Sheriff Bishop for a discussion on the legal use of fireworks in Taylor County. Sheriff Bishop noted that the unincorporated area of Taylor County consist of two types of property; publically owned and privately owned. The Commissioners' Court Order currently in effect prohibits the firing of fireworks on public property so private property remains as the only location where fireworks could be legally used. Sheriff Bishop stated that individuals must have the property owner's permission to use private property. Setting fireworks in illegal areas carries various misdemeanor offenses depending on the circumstances. Judge Bolts stated that if the fireworks started a fire that damaged property, the person who fired the fireworks would be legally liable for the damages. Sheriff Bishop stated that in addition to civil penalties from damages caused by fireworks and individual circumstances could possibly be upgraded to a felony offense.

- 14. Kelly Stephens, County Director of Human Resources and Risk Manager requested the Court extend the contract with the Tommy Morris Agency as insurance broker for Taylor County. She reported that she works with them to negotiate with the Texas Association of Counties to keep health insurance rates as low as possible and assists the County in avoiding the costly fees, mandates and penalties of Obamacare. She requested that the contract be funded at the same fee of \$35,000.00. Commissioner Kendrick made a motion to renew the agreement with the Tommy Morris Agency as Taylor County's insurance broker of record in accordance with Local Government Code 262.036. The motion was seconded by Commissioner Williams and carried unanimously. [Exhibit]

- 15. Nancy Johnson with the Tommy Morris Agency presented an update on the condition of the County's health insurance plan as well as various aspects of the Patient Protection and Affordable Care Act (PPACA). Claims averaged \$605.93 which was a 6% increase as was forecast by Blue Cross and Blue Shield. No claims exceeded the stop loss amount. 43.2% of employees/claimants received less than \$200.00 in services, while 35.4% of claimants exceeded \$50,001.00. 99.8% of all claims were made in network.

She reported that the County's plan was not exempt from all aspects of the PPACA. In fact, for calculating Obamacare's penalties, increased fees and taxes, the County's plan is labeled as a "large employer". The County would not come under the jurisdiction of PPACA until the coming years, however, she forecast that TAC would soon start bundling costs in existing coverage plans to prepare. The Court thanked Ms. Johnson for the report and the entire agency for their work during the past year.

- 16. Commissioner Williams made a motion to adjourn. The motion was seconded by Commissioner Kendrick and carried unanimously. The meeting was adjourned at 11:07 a.m.

The foregoing Minutes have been examined, read and approved this 16 day of July, 2013.

Larry A. Beall
 County Clerk, Taylor County, Texas

Tommy A. Beall
 County Judge, Taylor County, Texas

