

MEETING OF JANUARY 17, 2017

On this the 17 day of January, 2017, at 9:02 o'clock a.m., the Court met in Special Session; present and presiding were County Judge Scott M. Felton, Commissioners Kelly Snell and Ben Perry and the Clerk thereof being in attendance, the following proceedings were had and done to-wit:

NOTICE OF MEETING OF THE MCLENNAN COUNTY COMMISSIONERS COURT

NOTICE IS HEREBY GIVEN that, in accordance with the Government Code, Chapter 551, (known as the Open Meetings Act), as amended, a special meeting of Commissioners' Court, the governing body of McLennan County, will be held on **Tuesday, the 17th day of January, 2017 at 9:00 a.m.** in the Commissioners' Courtroom, 1st Floor, West Wing, McLennan County Courthouse, 501 Washington, City of Waco, Texas, at which time, the subjects below will be considered and potentially acted upon. In addition, notice is hereby given that this January 17, 2017 meeting may be recessed and reconvened on **Wednesday, the 18th day of January, 2017 at 1:30 p.m. at the same location**, to complete discussion and action on the agenda items set forth below unless the meeting on January 17, 2017 is adjourned by decision of the Commissioners Court.

AGENDA

- A. Proof of Posting of Notice**
- B. Moment of Silence / Invocation and Pledge**
- C. Public Comments**
- D. Proclamations / Resolutions:**
- E. Consent Agenda:**
 - 1. Approval of Minutes of Prior Meeting(s); Recording into the Court Minutes of Previously Approved Documents; Recordation of Items Not Requiring Court Action**
 - a. Recording of Texas Historical Commission Historic Buildings and Structures Permit # 881, McLennan County Courthouse, ADA Compliance Issues, McLennan County, Texas
 - b. Recording of Change Order No. 005 regarding the Mazanec Construction Co., Inc. Standard Form of Agreement for ADA Renovations / Improvements for JP Offices
 - c. Recording of Amendment # 1 to the Jail Diversion Services Agreement: Heart of Texas Region Mental Health Mental Retardation Center (re: Pre-Trial Diversion Program)
 - 2. Financial Obligations of McLennan County:**
 - a. Authorization for County Treasurer to Pay County Checks / Wire / Electronic Transfers Issued Since the Last Authorization
 - 3. Human Resources / Salary Matters (Payroll Status Forms or Changes):**
 - a. County Engineer: Discussion and/or Action regarding Replacement of County Engineer including, but not limited to, Replacement Process; Review/Action on Resumes/Applications; Interim Replacement and related authorizations as necessary
 - b. County Court @ Law No. 1: Discussion and/or Action on Appointment of Judge including, but not limited to, Appointment Process, Review/Action on Resumes/Applications, Acceptance of Bond/Oath Documents, related authorizations as necessary
 - c. Constable, Precinct 1
 - d. Constable, Precinct 3
 - 4. Authorization / Ratification of RFP's, RFQ's, and Bids Advertisements; Publications; Public / Legal Notices**
 - a. Authorization of Publication for Bid 17-004 Crushed Limestone Flexbase Loaded in McLennan County Trucks and/or Trailers or Delivered
 - 5. Travel and Education Requests:**
 - a. County Sheriff
 - 6. Recording of Educational Certificates; Recording of Department Head Affidavits; Recording of Departmental Reports; Acceptance or Approval of Official Bonds, Conflict Statements, or Other Such Items Required to be Submitted to the Court by Public Officials:**
 - 7. Burn Ban Approval, Extension, or Termination**
 - a. Authorization regarding Renewal of Red Flag Warning Burn Ban Order
 - 8. Authorization of Tax Resale Deeds:**
 - a. MCAD # 480118000074007: Lot 12, Block 6, J.F. Davis Tract, City of Waco, McLennan County, Texas
 - b. MCAD #'s 48037200009904 & 480372000010001: Lots A7, B7 & 8, Block 120, Scott Subdivision, City of Waco, McLennan County, Texas
 - c. MCAD # 480063000177006: Lot 8, Block 15, M.F. Bureson Addition, City of Waco, McLennan County, Texas
 - d. MCAD # 480182000031004: Lot 3, Block 15, Fitzhugh-Damron Subdivision, City of Waco, McLennan County, Texas

- e. MCAD # 480066000006005: Lot 6, Block A, Byrum Addition, City of Waco, McLennan County, Texas
- f. MCAD # 480086000171000: Lots A12 & B13, Block 21, D.T. Chamberlain & Taylor Addition, City of Waco, McLennan County, Texas
- g. MCAD # 480372000048006: Lot B11, Block 122, Scott Subdivision, J.M. Stephens Survey, City of Waco, McLennan County, Texas
- h. MCAD # 480191000065000: Lot 3, Block 20, Garland Addition, City of Waco, McLennan County, Texas
- i. MCAD # 480426000005001: Lot 5, Block A, Waco Company Subdivision, City of Waco, McLennan County, Texas
- j. MCAD # 480426000003009: Lot 3, Block A, Waco Company Subdivision, City of Waco, McLennan County, Texas
- k. MCAD # 480038000031008: Lot 3, Block 3, Belmont Addition, City of Waco, McLennan County, Texas
- l. MCAD # 480038000032004: Lot 4, Block 3, Belmont Addition, City of Waco, McLennan County, Texas
- m. MCAD # 480038000033000: Lot 5, Block 3, Belmont Addition, City of Waco, McLennan County, Texas
- n. MCAD # 480038000034007: Lot 6, Block 3, Belmont Addition, City of Waco, McLennan County, Texas
- o. MCAD # 480078020421001: Lot 8, Block 29, Carver Park Addition, City of Waco, McLennan County, Texas
- p. MCAD # 480225000166009: Lot 13, Block 13, Higginson Addition, City of Waco, McLennan County, Texas
- q. MCAD # 480346000044001: Lots C12 & C13, Block 9, Renick Addition, City of Waco, McLennan County, Texas
- r. MCAD # 480420000067001: Lot 4, Block 6, Turner, Clinton & Turner Addition, City of Waco, McLennan County, Texas

9. McLennan County Subdivision Regulations:

- a. Approval of Final Plat of "Four Corners Estates, Lots 14-15, Block 3" to McLennan County, Precinct 3

F. Budget, Budget Amendments/Transfers/Changes, Additional Revenue Certifications, Expenditure Requests:

1. Regarding the FY 17 Budget:

- a. Debt Service Payments / Capital Outlay
- b. HOT Fairgrounds
- c. Tax Office (West Substation)
- d. Pretrial Services
- e. Justice of the Peace, Precinct 3 (Fund 140)
- f. District Attorney
- g. 2016 Certificates of Obligation / Permanent Improvement Fund (Fund 416)
- h. Authorization of Structural Engineering Services Invoice: Winton Engineering, Inc. (re: A/C Unit Relocation - November Services)
- i. Authorization of Professional Services Invoices: The Wallace Group (November Services):
 - 1) Regarding the McLennan County Facility Roofing Surveys
 - 2) Regarding Courthouse Annex Building Roof Repair
- j. Authorization of Claim Deductible Invoices: Texas Association of Counties:
 - 1) Regarding Invoice # NRDD-0002223-LE
 - 2) Regarding Invoice # NRDD-0002221-LE
 - 3) Regarding Invoice # NRDD-0002222-LE
- k. Community Supervision and Corrections Department: Recording of FY 2017 Budget Amendments

G. Bids, RFP's, RFQ's, Quotations for Goods and Services:

- 1. Discussion and/or Authorization regarding Bid for Lightweight Aggregate
- 2. Recommendation regarding Bid 17-001 Silo Hill Low-Water Crossing Replacement

H. Contracts, Interlocal Agreements, and Memorandums of Understanding; Purchase, Lease, or Acquisition of Goods, Equipment or Services, including any Financing Thereof:

- 1. Authorization of License and Service Agreement: Lanaces, Incorporated (re: Office-Logic)

2. Authorization of Agreement: Moody Housing Authority (re: Waiver of PILOT)
 3. Authorization of Drop and Hook Agreement: Liberty Texas Tire Recycling, LLC (re: Tire Disposal)
 4. Authorization of Compromise and Settlement Agreement: Rick Hines and Hines Development, Ltd. (re: Hills of Childress Creek Subdivision)
 5. Authorization of Construction / Repair Agreement: Beck-Reit Construction, Inc. (re: Blue Bluff Road Bridge)
 6. Authorization of Maintenance Agreement: CTWP (re: Justice of the Peace, Precinct 3 Copier)
 7. Regarding the Industrial Business Grant Agreement with Coca-Cola Company: Authorization of Grant Payment (re: 2016 Property Taxes)
- I. Capital Improvement, Repair, Maintenance Projects and Construction Projects:**
- J. Real Estate, Right of Way, and Easements:**
1. Discussion and Action on Resolution and Order Providing for the Acquisition of Land Necessary for the Speegleville Road Project
 2. Discussion and Action on Resolution and Order Providing for the Acquisition of Land Necessary for the Surrey Ridge Road Project
- K. Grants / Grant Proposals:**
- L. Department/Office-Specific Requests, Presentations or Items for Discussion and Possible Action (To the Extent Not Addressed Above):**
1. Heart O'Texas Fair / Extraco Events Center: Authorization of Exhaust Fan Repair
 2. Human Resources: Authorization to Proceed with Employee Training
- M. Additional Items (If Any) for Discussion and Potential Action:**
1. Discussion and/or Action Concerning Vehicle Financing for Constable, Precinct 1
 2. Waco-McLennan County Public Health District: Authorization of October, November, December 2016 Billing / Reports (re: the On-Site Sewage Facility (O.S.S.F.) Program)
 3. Greater Waco Chamber of Commerce: Monthly Economic Development Report, November & December 2016
 4. Approval of Concurrence for Request to Create an Emergency Action Plan for the Tehuacana Creek WS SCS Site 19 Dam (TX01083)
 5. Authorization of Certificate of Approval of Financing relative to Carter BloodCare Solely for the Requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended
 6. Discussion and Approval of a Resolution Authorizing the Planning, Acquisition, Establishment, Development, Renovation and Construction of a Multipurpose Arena and Adjacent Support Facilities as a Venue Project in Accordance with Chapter 334, Texas Local Government Code, and Designating the Methods of Financing for the Project Subject to Voter Approval at an Election called for Such Purpose
- N. Americans with Disabilities Compliance Project:**
1. Authorization of Professional Services Invoice: The Wallace Group (re: ADA Study/Reports for December)
- O. Work Session Items (unless otherwise identified above, no action will be taken, but these matters will be discussed):**
1. **Discussion regarding Criminal Justice Issues:** Updates on the Electronic Monitoring Program / Coordinating the McLennan County Criminal Justice System / Criminal Justice Process / Veterans & Mental Health Courts / Courthouse Security / Public Nuisance Reporting & Enforcement Process, related matters
 2. **Discussion regarding Capital Expenditures:** including Time Schedule for Capital Outlay / Recommendations from the Finance Committee on the Spending Policy / Equipment Financing, related matters
 3. **Discussion regarding County Property:** including Space Availability & Utilization of County Buildings/Law Library, Utilization Planning, Consultant, Joint Facilities Master Plan or Study; Tradinghouse Lake/Park; ADA Capital Improvements; Surrey Ridge Road, Speegleville Road, and/or Chapel Road; Themis Statue; Lincoln City Road Flooding; Roofing Projects for Various County Buildings; County Off-System Bridge Repair/Maintenance, related matters
 4. **Discussion regarding Texas Department of Transportation:** including Rural/Public Transportation, related matters
 5. **Discussion regarding McLennan County Employee Policy Guide**
 6. **Discussion regarding Record Retention**
 7. **Discussion regarding Consolidation of Justice of the Peace Vital Statistics Duties**
 8. **Discussion regarding Presentation and/or Explanation of Surface Water Rights Issues with TCEQ**

9. Discussion regarding the Public Power Pool

P. Executive/Closed Session

1. Section 551.071 of the Government Code (V.C.T.A.): An executive/closed session will be held so that the Commissioners Court can seek and receive legal advice from its attorneys regarding pending or threatened litigation, settlement offers, claims, or other matters for which the attorneys' duties to their client under the Texas State Bar Disciplinary Rules of Professional Conduct Conflicts with the Open Meetings Act (Ch.551, Gov. Code) if necessary for a subject contained on this agenda, including updates on pending Texas Association of Counties Risk Pool-covered litigation against the County:
2. Section 551.072 of the Government Code (V.C.T.A.): Regarding Real Property, including, but not limited to: (1) Right-Of-Way Acquisitions re: Expansion / Repair Project/s; and/or (2) Real Estate Purchase / Sale / Transfer / Trade / Offers to Purchase, Acquisition / Value / Donations of Real Property / Leases relative to Real Property, including, but not limited to, Potential Properties for Use by County / Public Facilities & Valuation of Current Property for Trade or Sale:
3. Section 551.074 of the Government Code (V.C.T.A.): Regarding Personnel Matters including but not limited to: HR Director; Personnel Review / Evaluation of Commissioners Court Appointed Department Heads; Interviews of and Deliberations regarding Applicants for County Engineer/County Court @ Law No. 1 Vacancy; Personnel Matters Identified in any Open Session Item if Necessary, and related matters :
4. Section 551.076 of the Government Code (V.C.T.A.): Deliberations regarding Security Devices or Security Audits:
5. Section 551.087 of the Government Code (V.C.T.A.): Regarding Economic Development Negotiations including, but not limited to (1) Discussion of Commercial / Financial Information Received from a Business Prospect/s; (2) Pending Negotiations / Potential Prospects and Projects; and/or (3) Discussion re: Offers of Financial or Other Incentives to Business Prospect/s:

Q. Adjourn

Signed this the 12th day of January, 2017

Scott M. Felton
 SCOTT M. FELTON, County Judge

STATE OF TEXAS *
COUNTY OF McLENNAN *

I, J.A. "ANDY" HARWELL, County Clerk, and the Ex-Officio Clerk to the Commissioners Court, hereby certify that the above and foregoing is a true and correct copy of a NOTICE OF MEETING posted by me at the Courthouse door in Waco, McLennan County, Texas, where notices are customarily posted this 12th day of January, 2017.

Witness my hand and seal of office at Waco, McLennan County, Texas the 12th day of January, 2017 at 12:55 o'clock p.m.

(SEAL) J. A. "ANDY" HARWELL, County Clerk
McLennan County, Texas

BY: *Marybeth Gowan* (Deputy)

Notice: Persons with disabilities in need of auxiliary aide or services may contact the County Judge's Office, (254) 757-5049, prior to the meeting date

FILED: JAN 17 2017

J.A. "ANDY" HARWELL, County Clerk
McLennan County, Texas
By: Marybeth Gowan (Deputy)


NOTICE OF MEETING OF THE MCLENNAN COUNTY COMMISSIONERS COURT

NOTICE IS HEREBY GIVEN in accordance with the Government Code, Chapter 551, (known as the Open Meetings Act), as amended, that a special meeting of Commissioners' Court, the governing body of McLennan County, will be held on **Tuesday, the 17th day of January, 2017 at 9:00 o'clock a.m.** in the Commissioners Courtroom, First Floor, West Wing, of the McLennan County Courthouse in the City of Waco, Texas, at which time **the following SUPPLEMENT to the AGENDA** previously posted on January 12, 2017 **will be considered:**

SUPPLEMENTAL AGENDA

- A. Proof of posting of notice** in accordance with the provisions of Chapter 551.041, Government Code, as amended, known as the Open Meetings Act.
- B. Authorization / Ratification of RFP's, RFQ's, and Bids Advertisements; Publications; Public / Legal Notices:**
 - 1. Authorization of Publication for Bid 17-005 Corrugated Steel Culverts and Bid 17-006 Asphalt Emulsions
- C. Department/Office-Specific Requests, Presentations or Items for Discussion and Possible Action:**
 - 1. Information Technology: Discussion and/or Action regarding Justice of the Peace, Precinct 3 Phone System
- D. Budget, Budget Amendments/Transfers/Changes, Additional Revenue Certifications, Expenditure Requests:**
 - 1. Regarding the FY 17 Budget:
 - a. Capital Outlay

Signed this the 13th day of January, 2017


SCOTT M. FELTON, COUNTY JUDGE

THE STATE OF TEXAS *
COUNTY OF MCLENNAN *

I, J. A. "ANDY" HARWELL, County Clerk, and the Ex-Officio Clerk to the Commissioners Court, hereby certify that the above and foregoing is a true and correct copy of a **SUPPLEMENTAL NOTICE OF MEETING** posted by me at the Courthouse door in Waco, McLennan County, Texas, where notices are customarily posted, on this the 13th day of January, 2017 at 3:15 o'clock p.m.

Witness my hand and seal of office at Waco, McLennan County, Texas, on this the 13th day of January, 2017.

(SEAL) J. A. "ANDY" HARWELL, County Clerk
McLennan County, Texas

BY:  (Deputy)

NOTICE: Persons with disabilities who plan to attend the meeting and who may need auxiliary aids or services are requested to contact the Office of the County Judge at (254) 757-5049 prior to the meeting date.

FILED: JAN 17 2017

J.A. "ANDY" HARWELL, County Clerk
McLennan County, Texas
By Myralee Gowen