



97 NOV 19 AM 9 38

[Handwritten notes]

**NOTICE OF MEETING OF THE
COMMISSIONERS COURT OF POLK COUNTY, TEXAS # 115**

Notice is hereby given that a Regular meeting of the above named Commissioners' Court will be held on Tuesday, November 25, 1997 at 10 00 am in the County Courthouse, Livingston, Texas, at which time the following subjects will be discussed, to wit

SEE ATTACHED AGENDA

Dated Wednesday, November 19, 1997

Commissioners' Court of Polk County, Texas

By *John P. Thompson*
John P. Thompson, County Judge

I, the undersigned County Clerk, do hereby certify that the above Notice of Meeting of Polk County Commissioners Court, is a true and correct copy of said Notice, and that I posted a true and correct copy of said notice in the County Courthouse of Polk County, Texas, at a place readily accessible to the general public at all times on Wednesday, November 19, 1997, and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting

Notice filed, Wednesday, November 19, 1997

Barbara Middleton, County Clerk

By *Barbara Middleton*



COMMISSIONERS COURT AGENDA

for: TUESDAY - NOVEMBER 25, 1997 - 10:00 AM

CALL TO ORDER

- 1 WELCOME - Public Comments
- 2 INFORMATIONAL REPORTS
- 3 CONSIDER APPROVAL OF MINUTES for meeting of, November 12 (Public Hearing) and November 12 (Regular), 1997

OLD BUSINESS

- 4 CORRECT MINUTES OF AUGUST 11 (item #6) AND AUGUST 25 (item #6), 1997

NEW BUSINESS

- 5 CONSIDER APPROVAL OF RESOLUTION ENDORSING AND SUPPORTING FAIR HOUSING, as a part of TDHCA Grant requirements)
- 6 CONSIDER WASTE MANAGEMENT REQUEST TO ADVERTISE FOR BIDS FOR THE PURCHASE OF TRACTOR & TRAILER
- 7 CONSIDER WASTE MANAGEMENT REQUEST TO USE BUDGETED CONTINGENCY FUNDS TO PURCHASE FOUR (4) ROLL-OFF CONTAINERS TOTALING \$10,450
- 8 CONSIDER APPROVAL OF AGREEMENT BETWEEN POLK COUNTY AND LIVINGSTON TELEPHONE COMPANY FOR "DARK FIBER" SERVICES
- 9 CONSIDER REQUESTS TO ABANDON CERTAIN PORTIONS OF COUNTY ROAD, Pct #1 - a portion of Sand Dollar Ln in Forester's Retreat, Sec 3 and, Pct #2 - a 177ft portion of Beamon Dr in Wiggins Village #2 (said portions of road ending in and/or adjoining property owned by persons making such requests)

CONSENT AGENDA ITEMS

- 10 CONSIDER APPROVAL AND PAYMENT OF BILLS (by Schedule)
- 11 CONSIDER APPROVAL OF PERSONNEL ACTION FORMS

ADJOURN

Next regularly scheduled meeting - Tuesday, December 9, 1997, 10 00 a m



97 NOV 21 AM 9 13

ADDENDUM TO

Barbara Middleton

NOTICE OF MEETING # 115

BARBARA MIDDLETON
CLERK COMMISSIONERS COURT OF POLK COUNTY, TEXAS

THE FOLLOWING WILL SERVE TO AMEND THE AGENDA OF THE COMMISSIONERS COURT MEETING SCHEDULED FOR TUESDAY, NOVEMBER 25, 1997 AT 10 00 A M

ADD.

- 12 APPROVE ISSUANCE OF TIME WARRANTS FOR PRECINCT 4 PURCHASE OF MACK TRUCK & TRAILER, TOTALING \$86,502.52 TO BE PAID OVER A PERIOD OF FIVE (5) YEARS
- 13 CONSIDER APPROVAL OF AGREEMENT FOR ROAD TEMPORARY MAINTENANCE SERVICES BETWEEN POLK COUNTY, TEXAS DEPARTMENT OF TRANSPORTATION AND HUBCO (CONTRACTOR FOR TxDOT), PERTAINING TO FM3459 IMPROVEMENTS
- 14 CONSIDER APPROVAL OF MAINTENANCE AGREEMENT WITH NET DATA, FOR "BOOK-IN" PORTION OF LAW ENFORCEMENT SOFTWARE
- 15 CONSIDER APPROVAL OF BUDGET AMENDMENT #98-02

Posted on Friday, November 21, 1997

Commissioners' Court of Polk County, Texas

By

John P. Thompson
John P. Thompson, County Judge

I, the undersigned County Clerk, do hereby certify that the above Notice of Meeting of Polk County Commissioners Court, is a true and correct copy of said Notice, and that I posted a true and correct copy of said notice in the County Courthouse of Polk County, Texas, at a place readily accessible to the general public at all times on Friday, November 21, 1997 and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting

Dated Friday, November 21, 1997

Barbara Middleton, County Clerk

By

Barbara Middleton
Deputy Clerk

VOL

43 PAGE **1300**

STATE OF TEXAS }

DATE NOVEMBER 25, 1997

COUNTY OF POLK }

REGULAR CALLED MEETING
JAMES J "Buddy" PURVIS - ABSENT**"CORRECTED MINUTES"**

BE IT REMEMBERED ON THIS THE 25th DAY OF NOVEMBER 1997
THE HONORABLE COMMISSIONERS COURT MET IN "REGULAR" CALLED MEETING
WITH THE FOLLOWING OFFICERS AND MEMBERS PRESENT, TO WIT

JOHN P THOMPSON COUNTY JUDGE PRESIDING B E "SLIM" SPEIGHTS
COMMISSIONER PCT#1, BOBBY SMITH COMMISSIONER PCT#2 R R "DICK" HUBERT,
COMMISSIONER PCT#4, BARBARA MIDDLETON COUNTY CLERK & KAREN REMMERT,
COUNTY AUDITOR, WHEN & WAS AMONG OTHER PROCEEDINGS HAD, CONSIDERED AND
PASSED

- 1 MEETING WAS CALLED TO ORDER BY JUDGE JOHN P THOMPSON AT 10 00 A M
PUBLIC COMMENTS
NELL MAYO, OF BIG THICKET LAKE ESTATES ASKED JUDGE THOMPSON, FOR
ANY INFORMATION HE MIGHT HAVE ON THE PENDING RIGHT OF WAY & BRIDGE
TO BE BUILT ACROSS THE CREEK, COMING OUT OF BIG THICKET SUBDIVISION
- 2 INFORMATIONAL REPORTS
 - a COMMISSIONER SMITH WISHED EVERYONE IN COURTROOM, A VERY HAPPY
THANKSGIVINGS HOLIDAY, WHICH WILL BE THURSDAY, NOV 27th & FRIDAY
NOV 28th
 - b JAMES RICHARDSON WASTE MANAGEMENT REPORTED ON CLEAN UP AT
SOME OF THE COLLECTION STATIONS DOING SOME LANDSCAPING AT 190WEST
SITE
 - c BID SMITH, TAX ASSESSOR COLLECTOR REPORTED THAT 1997 TAX STATEMENTS
HAVE BEEN MAILED OUT THE INQUIRY TO VARIOUS CITIES & SCHOOL DISTRICTS
REGARDING THE TAX FORECLOSURE PROPERTIES OFFERED HAS BEEN ANSWERED
BY MOST OF THE ENTITIES SCHOOL DISTRICTS WERE MOSTLY NEGATIVE ABOUT
THE ISSUE BUT (2) CITIES DID RESPOND FAVORABLE SAYING IT WOULD BE OKAY
FOR COMMISSIONERS COURT TO APPROVE THE SALE OF TAX FORECLOSURES
 - d COMMISSIONER SPEIGHTS, REPORTED THAT HE STARTED ERECTING NEW ROAD
SIGNS LAST FRIDAY & BY MONDAY THE NEW SIGNS HAVE BEEN RUN OVER OR
KNOCKED DOWN BY VANDALS HE IS ENCOURAGING CITIZENS TO GET A LICENSE
NUMBER AND REPORT TO THE SHERIFF'S OFFICE, WHEN THEY SEE SOMEONE
DAMAGING THE ROAD SIGNS
 - e COMMISSIONER SMITH, COMMENTED THAT (4) WHEEL DRIVE VEHICLES HAVE
BEEN MAKING RUTS AND DAMAGING THE RIGHT OF WAY & DITCHES DURING THE
WET & RAINY WEATHER
- 3 MOTIONED BY BOBBY SMITH, SECONDED BY B E "Slim" SPEIGHTS, APPROVAL
OF MINUTES FOR MEETINGS OF NOVEMBER 12(Public Hearing) & NOVEMBER 12th
(Regular) 1997
ALL VOTING YES

- 4 MOTIONED BY BOBBY SMITH, SECONDED BY B E "Slim" SPEIGHTS APPROVE
"CORRECTIONS" TO MINUTES OF AUGUST 11th (Item #6) and AUGUST 25th (Item #6)
1997
ALL VOTING YES (SEE ATTACHED)
- 5 MOTIONED BY R R "Dick" HUBERT, SECONDED BY BOBBY SMITH, APPROVAL OF
RESOLUTION ENDORSING AND SUPPORTING FAIR HOUSING, (AS A PART OF TDHCA
GRANT REQUIREMENTS)
ALL VOTING YES (SEE ATTACHED)
- 6 MOTIONED BY BOBBY SMITH, SECONDED BY B E "Slim" SPEIGHTS, TO APPROVE
REQUEST OF WASTE MANAGEMENT TO ADVERTISE FOR BIDS FOR THE PURCHASE
OF TRACTOR & HYDRO SEEDER MACHINE
ALL VOTING YES
- 7 MOTIONED BY BOBBY SMITH, SECONDED BY R R "Dick" HUBERT, APPROVAL
OF WASTE MANAGEMENT REQUEST, TO USE BUDGETED CONTINGENCY FUNDS
TO PURCHASE FOUR (4) ROLL OFF CONTAINER, two (40ft) & two (30 ft), totaling \$10,450 00
ALL VOTING YES
- 8 MOTIONED BY BOBBY SMITH SECONDED BY R R "Dick" HUBERT, APPROVAL OF
AGREEMENT BETWEEN POLK COUNTY AND LIVINGSTON TELEPHONE COMPANY
FOR "DARK FIBER" SERVICES
ALL VOTING YES (SEE ATTACHED)
- 9 **PRECINCT #1**
MOTIONED BY B E "Slim" SPEIGHTS, SECONDED BY BOBBY SMITH, TO APPROVE
REQUEST TO ABANDON CERTAIN PORTIONS OF COUNTY ROAD, "A PORTION OF
SAND DOLLAR LANE, IN FORESTERS RETREAT, SEC 3, (60' width x 244 10' length)
ALL VOTING YES
- PRECINCT #2**
MOTIONED BY BOBBY SMITH, SECONDED BY R R "Dick" HUBERT, TO "TABLE "
ACTION ON ITEM #9, (177 ft PORTION OF BEAMON DR IN WIGGINS VILLAGE #2)
(Said portions of road ending in and/or adjoining property owned by persons making such requests)
ALL VOTING YES

- 10 MOTIONED BY BOBBY SMITH, SECONDED BY R R "Dick" HUBERT, APPROVAL AND PAYMENT OF BILLS (by schedule)
ALL VOTING YES

DATE	AMOUNT	CHECK NUMBERS
11-12-97	00	001 162 & 162
11-12-97	46 816 81	258-274 143-145 1037-1042 & 15
11 14-97	149,804 04	127909 - 127914
11-17-97	00	147
11-17-97	7,077 75	146 - 148
11-18-97	389 25	1043
11-19-97	220 951 53	127915 - 128145
11-20-97	36,187 37	128146 - 128165
11-20-97	17,588 31	128166 - 128312
11-24 97	6,283 51	128313 - 128321
11-24-97	341 71	128322 - 128324
11 25-97	4 919 60	128325 - 128327

- 11 (SEE LAST ITEM ON AGENDA)

- 12 MOTIONED R R "Dick" HUBERT, SECONDED BY B E "Slim" SPEIGHTS, TO APPROVE ISSUANCE OF TIME WARRANTS FOR PCT #4, PURCHASE OF MACK TRUCK & PUP TRAILER FROM PERFORMANCE TRUCKS OF CLEVELAND, TOTALING \$ 86, 502 52, TO BE PAID OVER A PERIOD OF FIVE (5) YEARS
ALL VOTING YES

- 13 MOTIONED BY BOBBY SMITH, SECONDED BY R R "Dick" HUBERT, TO DELETE ITEM #13, "CONSIDER APPROVAL OF AGREEMENT FOR ROAD TEMPORARY MAINTENANCE SERVICES BETWEEN POLK COUNTY, TEXAS & TEXAS DEPT OF TRANSPORTATION AND HUBCO (CONTRACTOR FOR TxDOT) PERTAINING TO FM 3459 IMPROVEMENTS "
ALL VOTING YES

- 14 MOTIONED BY BOBBY SMITH, SECONDED BY R R "Dick" HUBERT, TO APPROVE MAINTENANCE AGREEMENT WITH NET DATA, FOR "BOOK-IN" PORTION OF LAW ENFORCEMENT SOFTWARE, IN THE AMOUNT OF \$1,500 00/year
ALL VOTING YES (SEE ATTACHED)

- 15 MOTIONED BY BOBBY SMITH, SECONDED BY R R "Dick" HUBERT, APPROVAL OF BUDGET AMENDMENT # 98-02, AS SUBMITTED BY COUNTY AUDITOR, KAREN REMMERT
ALL VOTING YES (SEE ATTACHED)
- 11 MOTIONED BY BOBBY SMITH, SECONDED BY B E "Slim" SPEIGHTS, TO APPROVE PERSONNEL ACTION FORMS, INCLUDING ACTIONS RELATED TO AGING BUDGET AMENDMENTS
APPROVED
- 16 MOTIONED BY R R "Dick" HUBERT, SECONDED BY B E "Slim" SPEIGHTS TO ADJOURN COURT THIS 25th DAY OF NOVEMBER 1997 AT 10 37 AM
ALL VOTING YES


JOHN P THOMPSON, COUNTY JUDGE

ATTEST


BARBARA MIDDLETON, COUNTY CLERK

Item #3

VOL 43 PAGE 1305

STATE OF TEXAS }

DATE AUGUST 25, 1997

COUNTY OF POLK }

REGULAR CALLED MEETING
ALL PRESENT

"CORRECTED MINUTES" **

BE IT REMEMBERED ON THIS THE 25th DAY OF AUGUST, 1997 THE HONORABLE COMMISSIONERS COURT MET IN REGULAR CALLED MEETING WITH THE FOLLOWING OFFICERS AND MEMBERS PRESENT TO WIT JOHN P THOMPSON COUNTY JUDGE, PRESIDING B E SLIM SPEIGHTS COMMISSIONER PCT#1, BOBBY SMITH, COMMISSIONER PCT#2 JAMES J "BUDDY" PURVIS PCT #3 R R "DICK" HUBERT COMMISSIONER PCT#4, BARBARA MIDDLETON COUNTY CLERK & KAREN REMMERT, COUNTY AUDITOR, WHEN & WERE AMONG OTHER PROCEEDINGS HAD, CONSIDERED AND PASSED

- 1 MEETING WAS CALLED TO ORDER BY JUDGE JOHN P THOMPSON AT 10 00 AM
PUBLIC COMMENTS
 - a SHEP GREEN OF BIG THICKET LAKE ESTATES SUBDIVISION ASKED COMMISSIONER S WHICH KIND OF DRIVEWAY CULVERTS WERE NEEDED FOR COUNTY SPECIFICATIONS? BOTH, GALVANIZED, METAL & FIBERGLASS IS APPROPRIATE ON ALL COUNTY ROADS
- 2 INFORMATIONAL REPORTS
 - a COMMISSIONER SMITH REPORTED ON THE GO TEXAN BAR-B QUE COOK-OFF HELD IN ONALASKA THIS PAST WEEK-END THEY HAD (17) TEAMS PARTICIPATING
 - b DANNY GARCIA WITH TEXAS ASSOCIATION OF COUNTIES PRESENTED POLK CO WITH A SAFETY AWARD 3rd CONSECUTIVE YEAR OUT OF 254 COUNTIES (STATEWIDE) POLK COUNTY IS IN THE TOP 10% THE SAFETY COMMITTEE FOR POLK COUNTY IS COMMISSIONER SMITH, COMMISSIONER SPEIGHTS, JOHN McDOWELL BILLY RAY NELSON, & JAMES RICHARDSON
 - c JUDGE THOMPSON REPORTED ON TEAM CITY AWARD, FOR POLK COUNTY, GIVEN IN RECOGNITION OF SUPPORT OF RECRUITING NEW BUSINESSES TO THE COUNTY
- 3 MOTIONED BY BOBBY SMITH, SECONDED BY JAMES J "Buddy" PURVIS TO APPROVE MINUTES FOR MEETING OF AUGUST 11th (REGULAR) & AUGUST 15th (SPECIAL), 1997 ALL VOTING YES
- 4 MOTIONED BY BOBBY SMITH, SECONDED BY JAMES J "Buddy" PURVIS TO APPROVE AGREEMENT WITH "TOTAL", FOR MAINTENANCE & TESTING OF FIRE ALARM SYSTEM AT THE JAIL FACILITY ALL VOTING YES (COPY ATTACHED)

- 5 (a) CHERYL TAMEZ, COUNTY TREASURER, READ A STATEMENT, INFORMING THE COURT, SHE PLANS ON RESIGNING HER POSITION, EFFECTIVE OCTOBER 1, 1997 (SEE ATTACHED LETTER OF RESIGNATION)
- (b) MOTIONED BY R R "Dick" HUBERT, SECONDED BY BOBBY SMITH, TO ACCEPT THE RESIGNATION OF CHERYL TAMEZ, EFFECTIVE 9/30/97 AND RECOMMEND THE APPOINTMENT OF NOLA RENEAU, (CHIEF DEPUTY OF TREASURER'S OFFICE) TO FILL THE UNEXPIRED TERM OF COUNTY TREASURER, EFFECTIVE OCT 1, 1997 THROUGH DECEMBER 31 1998
ALL VOTING YES
- ** 6 MOTIONED BY R R "Dick" HUBERT, SECONDED BY B E "Slim" SPEIGHTS TO APPROVE TO ISSUE THREE (3) YEAR TIME WARRANT FOR THE PURCHASE OF PCT #2 & #4, TRACTOR/BOOM MOWER, \$ 46 983 00 (Issuance to be made Oct 1, 1997/ or thereafter Pending availability of equipment)
ALL VOTING YES
- 7 MOTIONED BY BOBBY SMITH, SECONDED BY JAMES J "Buddy" PURVIS TO APPROVE RENEWAL OF DEPUTY REIMBURSEMENT AGREEMENT BETWEEN POLK COUNTY & BURKE CENTER (MHMR)
ALL VOTING YES
- 8 MOTIONED BY R R "Dick" HUBERT, SECONDED BY JAMES J "Buddy" PURVIS TO APPROVE AMENDMENT TO PRIOR PERMANENT ROAD FUND EXPENDITURE REQUEST MADE BY PRECINCT #2
ALL VOTING YES (SEE ATTACHED)
- 9 BID #97 16 "AMENDMENT TO BUDGET (FY97)
MOTIONED BY BOBBY SMITH, SECONDED BY JAMES J "Buddy" PURVIS, TO APPROVE BUDGET AMENDMENT #97-16, AS REQUESTED BY COUNTY AUDITOR, KAREN REMMERT
ALL VOTING YES (SEE ATTACHED)
- 10 MOTIONED BY BOBBY SMITH, SECONDED BY R R "Dick" HUBERT, TO APPROVE INTERLOCAL AGREEMENTS FOR COUNTY ROAD REPAIRS, WITHIN INCORPORATED CITIES
ALL VOTING YES (SEE ATTACHED)
- 11 MOTIONED BY BOBBY SMITH, SECONDED BY JAMES J "Buddy" PURVIS TO APPROVE (FETN) Fire & Emergency Television Network CONTRACT (Effective 9/1/97 through 9/30/98) AS REQUESTED BY EMERGENCY MANAGEMENT DEPARTMENT
ALL VOTING YES (SEE ATTACHED)
- 12 MOTIONED BY JAMES J "Buddy" PURVIS SECONDED BY R R "Dick" HUBERT TO "DELETE" Item #12 Consider Approval of Resolution to General Services Commission, requesting Participation in State Airfare Contract (for Law Enforcement purposes) PER REQUEST OF SHERIFF
ALL VOTING YES

- 13 MOTIONED BY BOBBY SMITH SECONDED BY R R "Dick" HUBERT, APPROVAL OF REIMBURSEMENT AGREEMENT BETWEEN POLK COUNTY & TEXAS EASTERN TRANSMISSION CORPORATION FOR CASING INSTALLATION ASSOCIATED WITH EXTENSION OF FM 3459 (PRECINCT #2)
ALL VOTING YES (SEE ATTACHED)
- 14 MOTIONED BY JAMES J "Buddy" PURVIS SECONDED BY B E "Slim" SPEIGHTS APPROVAL TO PAY BILLS (By Schedule) PLUS ADDENDUM S
ALL VOTING YES (SEE ATTACHED)

DATE	AMOUNT	CHECK NUMBERS
8-11-97	23 875 44	125662 125680
8-13-97	10,103 30	125681 - 125726
8-19-97	51 252 10	125727 - 125729
8 19-97	48 984 46	127730
8-19-97	101,745 00	125731
8-20-97	272 160 70	125732 - 125972
8 22-97	50,037 76	VOIDED CHECKS 125727 125907 125874 125848 125811 125767 AND 125749
8 25-97	44,502 77	TO APPEAR ON FUTURE SCHEDULE

- 15 MOTIONED BY JAMES J "Buddy" PURVIS, SECONDED BY B E "Slim" SPEIGHTS TO APPROVE PERSONNEL ACTION FORMS AMENDING ITEM#6 TO (Dismissed)
ALL VOTING YES (SEE ATTACHED)
- 16 JUDGE THOMPSON & COMMISSIONERS DISCUSSED NEW ROAD SIGN MAKING PROCEDURES, ie size abbreviations, & etc
ALL COURT AGREED TO HAVE THE NEW ROAD SIGNS MADE ON GREEN SIGNS WITH WHITE REFLECTIVE LETTER, AND PRINTED (AS STATED) EXACTLY AS THEY ARE SPELLED IN THE KEY MAP, OR 911-EMERGENCY MAP
ALL IN AGREEMENT
- 17 MOTIONED BY R R "Dick" HUBERT, SECONDED BY B E "Slim" SPEIGHTS TO ADJOURN COURT THIS 25th DAY OF AUGUST, 1997 AT 11 00 AM
ALL VOTING YES


JOHN P THOMPSON, COUNTY JUDGE

ATTEST

BARBARA MIDDLETON, COUNTY CLERK

VOL

43 PAGE 1308

Item #5

RESOLUTION _____
A RESOLUTION ENDORSING AND SUPPORTING THE PRINCIPLE
OF FAIR AND OPEN HOUSING AS SET FORTH IN TITLE VIII OF
THE CIVIL RIGHTS ACT OF 1968

WHEREAS, adequate housing is a necessary ingredient to the maintenance of the standard of living in this country, and

WHEREAS, it is important that every human being have access to adequate housing of his choice and economic means, and

WHEREAS, it is beneficial to the social and economic welfare of the entire country that every person have access to adequate housing, and

WHEREAS, the law of the land is that no citizen can be denied access to housing of his choice because of race, color, religion, or national origin, now therefore,

BE IT RESOLVED BY THE COUNTY COMMISSIONERS COURT OF THE COUNTY OF POLK, TEXAS

SECTION 1 That this County Commissioners Court endorses and supports the principle of fair and open housing, as set forth in Title VIII of the Civil Rights Act of 1968, and the right of every person to have access to adequate housing of his own choice without regard to race, color, religion, or national origin, and

SECTION 2 That this County Commissioners Court encourages all citizens to respect and support the law of the land in regard to the right of every person to have access to adequate housing of his own choice, and

SECTION 3 That this County Commissioners Court encourages all citizens to undertake voluntary actions to foster racial harmony, including individual and group decisions to promote fair and open housing, and individual commitment to avoid discrimination in all sale, all rental of property, and

SECTION 4 That this County Commissioners Court will encourage local newspapers and owners of housing to comply with HUD Advertising Guidelines, and

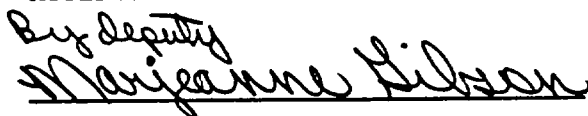
SECTION 5 That this County Commissioners Court will maintain cooperation with fair housing groups, human relations bodies and other social, civil and religious groups interested in facilitating open communities

PASSED AND APPROVED THIS 25th DAY OF November, 1997.


JOHN P. THOMPSON, COUNTY JUDGE



ATTEST:

By Deputy


Item #8

LIVINGSTON TELEPHONE CO SERVICE AGREEMENT

COPY

This Agreement is made as of November 25, 1997, by and between Polk County, Texas (hereinafter referred to as "Customer") and Livingston Telephone Company (hereinafter referred to as the "Company", as follows

Whereas, Customer wishes to obtain "Dark Fiber" services from the company as specified in this Agreement, and

Whereas, the Company wishes to provide "Dark Fiber" services to the customer upon the terms and conditions set forth in this Agreement, and

Now, therefore, in consideration of the premises, and of the mutual promises and covenants herein set forth, the parties agree as follows

1 Undertaking of the Company - The Company will provide and maintain to Customer within Company Service territory, Dark Fiber services (two (2) strands) as hereafter agreed to by Company and Customer

2 Undertaking of the Customer - The Customer will pay for Dark Fiber services, as provided herein, at the rates set forth in this agreement. The Customer will provide and maintain all electronics and provide protection to the Companies Fiber Optic Cable in a reasonable manner

3 Terms - The terms and conditions of this Agreement will be effective from the date of installation and will continue, month-to-month, for 36 months. If this agreement is not renewed the service can continue on a month to month basis until terminated by either party upon thirty (30) days written notice to the other party.

4 Billing and Rates - The Company will bill the Customer monthly for this Dark Fiber service, and the rates listed below does not include any cost of special testing etc. This service is delivered to one point per location, any point beyond this location is at the Customers additional expense and is not part of this agreement

Two (2) Fibers installed in a "Star" through four (4) locations Cost \$450 00 per Month

5 PUC Jurisdiction - It is expressly acknowledged that if the PUC asserts lawful jurisdiction over this Agreement at any time during the Term of this Agreement then this Agreement is subject to the approval of the PUC. Any tariffs regarding this service

which may be subsequently required and approved by the PUC shall supersede this Agreement

If the PUC approves tariffed rates which are different than those listed in #5 preceding, the Customer will be notified of such change and will be allowed to disconnect this service and install the different tariffed service

6 Disclaimer of Warranties, Limitation of Liability and Exclusive Remedy The Company makes no warranty or representation whatsoever, express or implied, in respect of Dark Fiber service, facilities or features, either as to fitness, design, or manufacture

In the event of any claim by the Customer for damages associated with the installation, maintenance, repair or restoration of Dark Fiber, the liability of the company shall in no event exceed the proportionate charges for the period of days and the portion of such service, facility or feature as were unavailable or inoperative. The Company shall in no event be liable for special, incidental or consequential damages

Customer shall make the Company whole and hold Company harmless with regard to any and all charges, fees, costs, and expenses which Company may incur or be called upon to pay due to any use or misuse of the service provided pursuant hereto

However, the failure of the system to conform with industry standards shall permit the County to terminate this agreement upon thirty (30) days written notice

7 Force Majeure - No party will be in default of a provision of this Agreement for delays in performance resulting from strikes, riots, lockouts, acts of God or civil or military authority, fire, flood, tornadoes, epidemics or other disasters, or events or acts beyond the reasonable control and without negligence of the party

8 Non-Disclosure - Customer recognizes that the terms of the Agreement and the nature of this service described in and provided under this Agreement, are confidential and proprietary to the Company and its affiliates. Customer will maintain the confidentiality of the Agreement and will not disclose any information regarding these items, including the existence or terms of the Agreement, to any person or entity other than those employees of the Customer with a need to know, and as required by the Open Records Act

In Witness Whereof, the Customer and the Company have caused this Agreement to be duly executed in their respective names, effective as of the date first-above written

Company

Livingston Telephone

By _____

Title _____

Customer

By *John P. Thompson*

Title County Judge

SELOLO PAGE 1

DATE 11/12/97		ADJUSTING JOURNAL ENTRIES		SELOLO PAGE 1	
ACCOUNT #	ACCOUNT NAME	DEBIT	CREDIT	VENDOR	REF# PERIOD DESCRIPTION
98 092-699-489	SCHOOL PA MENTS A	11 905 47	11 905 47		0JE1457 01 RECORD CK#162
98 092-101-000	CASH IN BANK				0JE1457 01 RECORD CK#162
98 092-699-489	SCHOOL PARTNERS A	1 320 62	1 320 62		0JE1458 01 RECORD CK#163
98 092-101-000	CASH IN BANK				0JE1458 01 RECORD CK#163
98 084-489-590	CONSTRUCTION E PEN	2 790 00	2 790 00		0JE1459 01 RECORD CK#001
98 084-101-000	CASH IN BANK-70315				0JE1459 01 RECORD CK#001
*** TOTALS		16 016 09	16 016 09		

Adjusting Journal Entries

*11/12/97
G. P. O'Connell*

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
012 ELECTED OFFICIALS FEE ACCOUNTS	32 972 29
028 FOLK COUNTY HISTORICAL COMM	8 020 02
085 ON-SITE SEWER FACILITIES715641	5 824 50
TOTAL OF ALL FUNDS	46 816 81

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT

DATE 11-12-97 APPROVED BY

Karen Bennett
County Auditor
Robert H. O'Connell

FY98

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	83 972 05
015 ROAD & BRIDGE ADM	26 135 24
028 POLK COUNTY HISTORICAL COMM	253 11
032 ENVIRONMENTAL SERVICES	8 355 39
051 ASING DEPT	5 712 19
101 ADULT SUPERVISION	15 190 42
104 OTP - CSR	686 74
108 CSP - SURVEILLANCE	1 490 49
109 SPECIALIZED CASELOAD CCP	818 63
184 JUVENILE PROBATION	2 115 28
185 CCAP - JUVENILE PROBATION	5 074 50
TOTAL OF ALL FUNDS	149 804 04

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT

DATE 11-14-97 APPROVED BY *Karen Sommer*
Debbie Dutton
John O'Brien

VOL

SEL-010 PAGE 1

TIME

09 11 AUD
09 11 AUD

ADJUSTING JOURNAL ENTRIES

DEBIT	CREDIT	VENUE	REF#	PERIOD	DESCRIPTION
145 00			0JE1478	01	VOID CK#147 JP#3 ACCT
	145 00		0JE1478	01	VOID CK#147 JP#3 ACCT
145 00					*** TOTALS

DATE 11/17/97

ACCOUNT # ACCOUNT NAME

98 012-101-300 CASH IN BANK - JP
98 012-207-300 DUE TO JP #3

*** TOTALS

John S. O'Neil

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
012 ELECTED OFFICIALS FEE ACCOUNTS	7 077 75
TOTAL OF ALL FUNDS	7 077 75

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT

DATE 11-17-97 APPROVED BY *Laura Depina*
Supervisor
John A. Chisler

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
012 ELECTED OFFICIALS FEE ACCOUNTS	389 25
TOTAL OF ALL FUNDS	389 25

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT

DATE 11-18-97

APPROVED BY

Allen Rosecrant
County Auditor
Robert O'Brien

COPY

89 FY

SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	95 774 93
015	ROAD & BRIDGE ADM	69 747 83
032	ENVIRONMENTAL SERVICES	27 222 01
049	DISTRICT ATTY HOT CHECK FUND	124 95
051	AGING DEPT	9 800 64
061	DEBT SERVICE FUND	10 868 91
070	ENV SERVICE - 94 CO 155-JE	5 022 50
071	1991 TAX REV/ENV SER CO ISSUE	860 25
090	DRUG FORFEITURE FUND	1 459 54
093	CO CLERK RECORDS NIGHT FUND	69 97
TOTAL OF ALL FUNDS		220 951 53

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT

DATE 11-19-91

APPROVED BY

[Signature]
[Signature]
[Signature]

EX 97

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	24 990 37
015 ROAD & BRIDGE ADM	500 00
073 1994 C/O JAIL-BLOG RENDY ISSUE	10 137 00
093 CO CLERK RECORDS MGMT FUND	560 00
TOTAL OF ALL FUNDS	36 187 37

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT

DATE 11-20-97

APPROVED BY

Kevin Bennett

Kevin Bennett
County Auditor
Bozeman, Montana

FX 98

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	16 137 92
015 ROAD & BRIDGE ADH	331 25
032 ENVIRONMENTAL SERVICES	124 46
051 ASINE DEPT	479 08
088 JUDICIARY FUND	515 60
TOTAL OF ALL FUNDS	17 588 31

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT

DATE 11-20-97 APPROVED BY *John Bennett*
Robert A. Hamilton
John A. Hamilton

ADDITIONAL

COPY

Fy98

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	6 283 51
TOTAL OF ALL FUNDS	6 283 51

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT

DATE 11-24-97 APPROVED BY James Bennett
County Auditor
John A. O'Connell

ADDITIONAL

ADDITIONAL

FY 97

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	331 77
088 JUDICIARY FUND	10 00
TOTAL OF ALL FUNDS	341 77

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT

DATE 11-24-99 APPROVED BY [Signature]
[Signature]
[Signature]

4-1-98

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	1 019 00
015 ROAD & BRIDGE ADM	3 900 50
TOTAL OF ALL FUNDS	4 919 50

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT

DATE 11-25-97 APPROVED BY *James Bennett*
Quincy Supton
Robert A. Clark, Jr.

ADDITIONAL

COPY

Maintenance Agreement

This Agreement is made and entered into on this the 25th day of October, 1997 by and between The Northeast Texas Data Corporation, hereinafter referred to as "Seller", with its principle place of business in Sulphur Springs Texas, and Polk County, hereinafter referred to as "Buyer", with its principal place of business in Livingston, Texas

Seller agrees to furnish to Buyer the services set out below on the terms and conditions of this agreement.

- 1 This agreement shall be in effect from October 1, 1997 through September 30, 1998 and applies to the following application software Buyer has purchased from Seller

Book-In programs only of the Law Enforcement System

- 2 During the term of this contract Seller agrees
 - a) To correct any errors found in the software systems
 - b) To make all changes in the aforesaid software system necessitated by changes in the law enacted during the term of this agreement.
 - c) To provide to the Buyer all enhancements made to this software systems by Seller for distribution to all clients of Seller
 - d) To provide Buyer 1-800 telephone support to assist in the productive use of the software systems
- 3 In consideration of the above mentioned services Buyer will pay to Seller the sum of \$1,500 by October 31, 1997 Such fee shall be paid in cash to Seller at Sulphur Springs, Hopkins County, Texas
- 4 Buyer, recognizing that other services may be needed from Seller, agrees to pay standard hourly billing rates and expenses in return for other services rendered.

THE NORTHEAST TEXAS DATA CORPORATION

by _____
David Graves, President

POLK COUNTY
by *[Signature]*
County Judge

Item #15

POLK COUNTY - BUDGET AMENDMENT
REQUEST #98-02
REQUESTED 11/25/97
REQUESTED BY Karen Remmert, County Auditor

	Increase	Decrease	Comments
051-645-108	10 989.20		Per Lezli Myers, Director of Aging
051-645-201	840 67		Per Lezli Myers, Director of Aging
051-645-204	382 45		Per Lezli Myers, Director of Aging
051-645-206	287 33		Per Lezli Myers, Director of Aging
051-271-000		12,449 65	Per Lezli Myers, Director of Aging
010-695-395	47,829 16		Monies received from Panola Pipeline Insurance claim

60,328 81 12,449 65 Difference \$47,879 16 from insurance claim

Date Approved:
Approved BY:

11/25/97
John P. Remmert

*Approved on 11/25/97
Approved BY: [Signature]*

POLK COUNTY - BUDGET AMENDMENT
REQUEST #98-03
REQUESTED 12/18/97
REQUESTED BY Karen Remmert, County Auditor

	INCREASE	DECREASE	Comments
015-621-339	18 079 19		Reimbursements received for materials and culverts
015-622 338	21,217 36		Reimbursements received for materials and culverts
015-622 338	235 38		Reimbursements received for materials and culverts
015-624-339	1 902.18		Reimbursements received for materials and culverts
010-408-420	526 00		Insurance reimb from weather damage to courthouse telephones
010-660-464	240.85		Insurance reimb from Titan Indemnity for accident - Ins reimb should be booked into revenue line # 010 342 600
010-497-480	8 00	8 00	Bond for Chief Deputy to County Treasurer
010-497 572			Bond for Chief Deputy to County Treasurer
010-580-337	7 189 00	7 189 00	As requested per Sheriff Nelson New Line item
010-695-395			As approved and requested per John McDowell
010-554-572	789 00	789 00	As requested per John McDowell
010-695-395			As requested per John McDowell
	50 166 86	7 966 00	Difference \$42 200 86 consists of 41 434 11 Road&Bridge reimbursement, and 766 85 reimb from insurance claims

Date Approved: 12/23/97
 Approved By: *John J. Remmert*

*Approved & filed 2-23-97
 12 P*

DATE: NOVEMBER 13 1997 THROUGH NOVEMBER 25, 1997 (Revised, per cc)

EMPLOYEE NAME	DEPT	JOB CLASSIFICATION	TYPE OF EMPLOYEE	SALARY	ACTION
(1) JOANN BLANKENSHIP	AGING LIVINGSTON	#1265 COOK	REGULAR PART TIME	UNCLASSIFIED \$6.62	RECLASSIFY TO 1268 10(1) \$7.66 EFFECTIVE 11/21/97
(2) JANICE TULLOS	AGING CORRIGAN	#1265 COOK	LABOR POOL	UNCLASSIFIED \$6.46	RE-HIRE EFFECTIVE 11/07/97
(3) ALISON TAYLOR	SHERIFF DEPARTMENT	#1043 TELECOMMUNICATION OPER.	REGULAR PART TIME	11(1) \$7.95	RESIGNED EFFECTIVE 11/05/97
(4) ANITA MCGOWAN	EMERGENCY MANAGEMENT	#902 OFFICE MANAGER	REGULAR FULL TIME	14(1) \$19,151.42	NEW-HIRE EFFECTIVE 11-24-97
(5) GREGORY BOGANY	JAIL	#1055 CORRECTIONS OFFICER	REGULAR FULL TIME	12(1) \$17,359.48	RESIGNED EFFECTIVE 11-14-97
(6) DAWN HIGGINBOTHAM	JAIL	#1055 CORRECTIONS OFFICER	REGULAR FULL TIME	12(1) \$17,359.48	RESIGNED EFFECTIVE 11-14-97
(7) THOMAS HUCKABAY	SHERIFF DEPARTMENT	#1043 TELECOMMUNICATION OPER.	REGULAR PART TIME	11(1) \$7.95	NEW-HIRE EFFECTIVE 11-24-97
(8) WALLACE MELTON	WASTE MANAGEMENT	#904 COLLECTION STATION ATTEN	REGULAR PART TIME	UNCLASSIFIED \$3.15	DISMISSAL EFFECTIVE 11/19/97
(9) CHARLOTTE COPPOCK	PERSONNEL	#102 SECRETARY	REGULAR PART TIME	9(1) \$7.19	ADDING RECORD FOR SECRETARY FOR REGULAR PT EFFECTIVE 11-19-97
(10) CALVIN WEBB	WASTE MANAGEMENT	#905 TRUCK DRIVER	LABOR POOL	12(1) \$8.35	RECLASSIFY TO #904 STATION COLLECTION ATTEND \$8.15 HOUR EFFECTIVE 11/21/97
(11) Janice TULLOS	AGING		LABOR POOL		Reclass per Budget and to Reg PT @ 0.662/HR
(12) Janice WRIGHT	AGING		"	6.46/HR	"
(13)			"	"	"
(14)					
(15)					
(16)					
(17)					
(18)					

ADDITIONAL
ADDITIONAL