



97 DEC 17 AM 9 53

*Bar Middleton*  
COUNTY CLERK

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

#123

Notice is hereby given that a Regular meeting of the above named Commissioners' Court will be held on Tuesday, December 23, 1997 at 10 00 a m in the County Courthouse, Livingston, Texas, at which time the following subjects will be discussed, to wit

**SEE ATTACHED AGENDA**

Dated Wednesday, December 17, 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, December 17, 1997, and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting

Notice filed, Wednesday, December 17, 1997

Barbara Middleton, County Clerk

By

*Barbara Middleton*



POLK COUNTY, TEXAS

# COMMISSIONERS COURT AGENDA

for: TUESDAY - DECEMBER 23, 1997 - 10:00 A.M.

## CALL TO ORDER

- 1 WELCOME - Public Comments
- 2 INFORMATIONAL REPORTS
- 3 CONSIDER APPROVAL OF MINUTES for meeting of, December 9, 1997

## NEW BUSINESS

- 4 CONSIDER APPROVAL TO ISSUE A 5YR TIME WARRANT TO PERFORMANCE TRUCK IN THE AMOUNT OF ~~\$74,722.29~~ <sup>\$74,788.52</sup> - FOR PRECINT 1 PURCHASE OF TRUCK/TRAILER (Pct 1 paying ~~\$15,592.87~~ <sup>\$15,526.39</sup> balance from trade-in revenue of \$30,000, totaling ~~\$90,314.96~~ <sup>\$90,314.96</sup> payment to Performance Truck and transferring ~~\$14,497.33~~ <sup>\$14,473.61</sup> to Debt Service for pre-payment of existing time warrant balance on used truck)   
OK!
- 5 CONSIDER ANY/ALL NECESSARY ACTION PERTAINING TO BID #97-25 "Purchase of 4WD Tractor, Waste Management"
- 6 CONSIDER ANY/ALL NECESSARY ACTION PERTAINING TO BID #97-26 "Purchase of Trailer Mounted Hydro-Seeder, Waste Management"
- 7 CONSIDER APPROVAL TO ADVERTISE FOR BIDS FOR THE PURCHASE OF ONE (1) USED LANDFILL COMPACTOR, WASTE MANAGEMENT
- 8 CONSIDER WASTE MANAGEMENT REQUEST FOR APPROVAL TO USE CONTIGENCY FUNDS FOR PURCHASE OF COMPUTER SOFTWARE
- 9 CONSIDER APPROVAL TO ADVERTISE FOR BIDS FOR THE SALE OF 1981 MACK TRUCK W/ DUMP BED, PCT 4
- 10 CONSIDER APPROVAL OF BUDGET AMENDMENTS #97-20(FY1997) AND 98-03(Current Fiscal Year)
- 11 CONSIDER APPROVAL TO RENEW AGREEMENT WITH CONSORTIUM FOR DRUG & ALCOHOL TESTING FOR HEALTH & SAFETY PROGRAM AND TxDOT REQUIREMENTS

- 12 CONSIDER APPROVAL OF VENDOR AGREEMENT, ASSURANCE & CERTIFICATION STATEMENT BETWEEN DETCOG- AREA AGENCY ON AGING AND POLK COUNTY AGING SERVICES
- 13 SET COUNTY HOLIDAY SCHEDULE FOR CALENDAR YEAR 1998
- 14 RATIFY INTO COURT MINUTES THE ORDERS OF DISTRICTS JUDGES PERTAINING TO THE APPOINTMENTS, COMPENATIONS AND BUDGET OF THE COUNTY AUDITOR, AUDITOR'S ASSISTANT, DISTRICT COURT REPORTERS AND DISTRICT COURT BAILIFFS
- 15 CONSIDER APPROVAL OF AGREEMENT WITH TEXAS DEPARTMENT OF HEALTH PERTAINING TO REGISTRAR DUTIES OF THE COUNTY CLERK

CONSENT AGENDA ITEMS

- 16 CONSIDER APPROVAL AND PAYMENT OF BILLS (by Schedule)
- 17 CONSIDER APPROVAL OF PERSONNEL ACTION FORMS

ADJOURN

Next regularly scheduled meeting - January 13, 1998, 10 00 a m

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FILED AND RECORDED  
OFFICIAL PUBLIC RECORD  
POLK COUNTY



97 DEC 19 AM 9 48

*Barbara Middleton*  
BARBARA MIDDLETON  
CLERK

**ADDENDUM TO  
NOTICE OF MEETING # 123**

**COMMISSIONERS COURT OF POLK COUNTY, TEXAS**

THE FOLLOWING WILL SERVE TO AMEND THE AGENDA OF THE COMMISSIONERS COURT MEETING SCHEDULED FOR DECEMBER 23, 1997 AT 10 00 A M

**ADD.**

- 18 Consider approval of exemption from bidding requirements for Precinct 3 purchase of Trackloader from Texas Department of Transportation surplus property and the issuance of a time warrant for said purchase in the amount of \$16,000 for a payment period of two (2) years

Posted on Friday, December 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 Friday, December 19, 1997 and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting

Dated Friday, December 19, 1997

Barbara Middleton, County Clerk

By *Norcia Cleft* Deputy

STATE OF TEXAS }

DATE DECEMBER 23 1997

COUNTY OF POLK }

REGULAR CALLED MEETING  
ALL PRESENT

BE IT REMEMBERED ON THIS THE 23rd DAY OF DECEMBER, 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 COMMISSIONER 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  
BILL HARDY COMMENTED IT WAS A PLEASURE WORKING WITH ALL OF THE  
COURT FOR ALL OF 1997 & EVERYONE OF YOU ARE DOING A GREAT JOB
- 2 INFORMATIONAL REPORTS
  - A JUDGE THOMPSON ON BEHALF OF COMMISSIONERS COURT, WISHED EVERYONE  
A MERRY CHRISTMAS !!!!!
  - B JUDGE THOMPSON WILL BE AT BIG THICKET LAKE ESTATES POA ON JAN 6 1998  
AT 6 00 PM TO VISIT WITH ENGINEERS AND INTERESTED RESIDENTS THAT ARE  
WORKING ON A RIGHT OF WAY PLAN TO BUILD A BRIDGE FOR BIG THICKET  
SUBDIVISION
  - C SANTA CLAUS VISITED COMMISSIONERS COURT aka/ JOHN McDOWELL  
EMERGENCY MANAGEMENT DEPARTMENT
  - D COUNTY CLERK-BARBARA MIDDLETON, ATTENDED THE STATE BUREAU OF  
VITAL STATISTICS SEMINAR, ON DEC 7 8, & 9th IN AUSTIN
  - E JUDGE THOMPSON DECLARED (POLK COUNTY) A STATE OF EMERGENCY,  
DECEMBER 21, 1997 AND CONTINUING FOR ONE WEEK, AS COMMISSIONER SMITH  
PRECINCT #2 WAS CALLED ON TO HELP RESIDENTS GET TO THEIR HOMES FROM  
FLOOD WATERS, DUE TO HEAVY RAINS
- 3 MOTIONED BY BOBBY SMITH SECONDED BY JAMES J "Buddy" PURVIS, APPROVAL OF  
MINUTES FOR MEETING OF DECEMBER 9, 1997  
ALL VOTING YES
- 4 MOTIONED BY R R "Dick" HUBERT, SECONDED BY B E "Slim" SPEIGHTS, APPROVAL  
TO ISSUE A (5) YEAR TIME WARRANT TO PERFORMANCE TRUCK, IN THE AMOUNT  
OF \$ 74,788 57 - FOR PRECINCT #1, PURCHASE OF TRUCK/TRAILER, (PCT 1 paying  
\$15,526 39 balance from trade-in revenue of \$30,000 00, Totaling \$90 314 96 payment to  
Performance Trucks and transferring \$ 14,473 61 to Debt Service for pre-payment of existing time  
warrant balance on used truck )  
ALL VOTING YES

- 5 **BID #97-25**  
MOTIONED BY JAMES J "Buddy" PURVIS, SECONDED BY B E "Slim" SPEIGHTS  
APPROVAL TO AWARD BID TO PETERS FORD TRACTOR, IN THE AMOUNT OF  
\$ 22,889 00 PURCHASE OF 4WD TRACTOR FOR WASTE MANAGEMENT, AS  
RECOMMENDED BY JAMES RICHARDSON  
ALL VOTING YES
- 6 **BID #97-26**  
MOTIONED BY BOBBY SMITH, SECONDED BY R R "Dick" HUBERT, APPROVAL TO  
AWARD BID TO FINISH LINE SUPPLY INC, IN THE AMOUNT OF \$ 24,495 00, FOR  
PURCHASE OF TRAILER MOUNTED HYDRO-SEEDER FOR WASTE MANAGEMENT,  
AS RECOMMENDED BY JAMES RICHARDSON  
ALL VOTING YES
- 7 MOTIONED BY JAMES J "Buddy" PURVIS, SECONDED BY BOBBY SMITH, APPROVAL  
TO ADVERTISE FOR BIDS FOR THE PURCHASE OF ONE (1) USED LANDFILL  
COMPACTOR WASTE MANAGEMENT, AS RECOMMENDED BY JAMES RICHARDSON  
ALL VOTING YES
- 8 MOTIONED BY BOBBY SMITH, SECONDED BY R R "Dick" HUBERT, APPROVAL TO  
USE CONTINGENCY FUNDS \$ 7 000 00, FOR PURCHASE OF COMPUTER SOFTWARE,  
AS REQUESTED BY JAMES RICHARDSON, WASTE MANAGEMENT  
ALL VOTING YES
- 9 MOTIONED BY R R "Dick" HUBERT, SECONDED BY BOBBY SMITH, APPROVAL TO  
ADVERTISE FOR BIDS FOR THE SALE OF 1981 MACK TRUCK W/DUMP BED PCT #4  
ALL VOTING YES
- 10 MOTIONED BY BOBBY SMITH SECONDED BY JAMES J "Buddy" PURVIS TO APPROVE  
BUDGET AMENDMENTS #97-20 (FY1997) AND BUDGET AMENDMENTS #98-03  
(FY1998), AND AMEND TO "DELETE - ITEM FOR SHERIFFS DEPT VEHICLES REPAIR  
(INSURANCE REIMBURSEMENT) "  
ALL VOTING YES (SEE ATTACHED)
- 11 MOTIONED BY BOBBY SMITH SECONDED BY JAMES J "Buddy" PURVIS, APPROVAL  
TO RENEW AGREEMENT WITH CONSORTIUM FOR DRUG & ALCOHOL TESTING FOR  
HEALTH & SAFETY PROGRAM AND TxDOT REQUIREMENTS  
ALL VOTING YES (SEE ATTACHED)
- 12 MOTIONED BY JAMES J "Buddy" PURVIS, SECONDED BY BOBBY SMITH, APPROVAL OF  
VENDOR AGREEMENT, ASSURANCE & CERTIFICATION STATEMENT BETWEEN  
DETCOG-AREA ON AGING AND POLK COUNTY AGING SERVICES  
ALL VOTING YES (SEE ATTACHED)
- 13 MOTIONED BY BOBBY SMITH SECONDED BY JAMES J "Buddy" PURVIS, TO SET THE  
COUNTY HOLIDAY SCHEDULE FOR CALENDER YEAR OF 1998  
ALL VOTING YES (SEE ATTACHED)

- 14 MOTIONED BY R R "Dick" HUBERT, SECONDED BY B E "Slim" SPEIGHTS TO **"DELETE"**  
ITEM #14 "RATIFY INTO COURT MINUTES THE ORDERS OF DISTRICT JUDGES  
PERTAINING TO THE APPOINTMENTS COMPENSATIONS AND BUDGET OF THE  
COUNTY AUDITOR AUDITORS ASSISTANT, DISTRICT COURT REPORTERS, AND  
DISTRICT COURT BAILIFFS "  
ALL VOTING YES
- 15 MOTIONED BY R R "Dick" HUBERT SECONDED JAMES J "Buddy" PURVIS APPROVAL  
THE AGREEMENT WITH TEXAS DEPARTMENT OF HEALTH PERTAINING TO THE  
REGISTRAR DUTIES FOR THE COUNTY CLERK  
ALL VOTING YES (SEE ATTACHED)
- 16 MOTIONED BY JAMES J "Buddy" PURVIS, SECONDED BY B E "Slim" SPEIGHTS  
APPROVAL AND PAYMENT OF BILLS BY SCHEDULE, (BY SCHEDULE)  
ALL VOTING YES (SEE ATTACHED)

DATE	AMOUNT	CHECK NUMBERS
12-05 97	-250 00	127506 voided check
12-10-97	-428 11	128386 & 127004 voided checks
12-10 97	8 882 02	280 152 & 152
12-10 97	33,828 22	128548 - 128680
12 11-97	-184 72	128036 voided check
12-15-97	150 587 35	128681 - 128688
12-17-97	342,444 52	128689 - 128872
12-18-97	13 744 98	128873 - 128887
12-19-97	45 807 74	128888
12-22-97	2 606 62	128889 - 128896

- 17 MOTIONED BY JAMES J "Buddy" PURVIS, SECONDED BY B E "Slim" SPEIGHTS  
APPROVAL OF PERSONNEL ACTION FORMS  
ALL VOTING YES (SEE ATTACHED)
- 18 MOTIONED BY JAMES J "Buddy" PURVIS, SECONDED BY R R "Dick" HUBERT,  
APPROVAL OF EXEMPTION FROM BIDDING REQUIREMENTS FOR  
PRECINCT#3 PURCHASE OF GRADEALL FROM TEXAS DEPARTMENT OF  
TRANSPORTATION SURPLUS PROPERTY AND THE ISSUANCE OF A TIME WARRANT  
\$ 16,000 00 FOR A PAYMENT PERIOD OF (2) YEARS  
ALL VOTING YES

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19 MOTIONED BY R R "Dick" HUBERT, SECONDED BY B E "Slim" SPEIGHTS TO  
ADJOURN COURT THIS 23rd DAY OF DECEMBER, 1997, AT 10 35 AM  
ALL VOTING YES



JOHN P THOMPSON, COUNTY JUDGE

ATTEST



BARBARA MIDDLETON, COUNTY CLERK



STATE OF TEXAS }

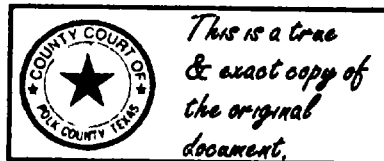
DATE DECEMBER 23, 1997

COUNTY OF POLK }

REGULAR CALLED MEETING  
BARBARA MIDDLETON-ABSENT

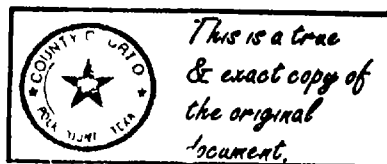
BE IT REMEMBERED ON THIS THE 9th DAY OF DECEMBER 1997  
THE HONORABLE COMMISSIONERS COURT MET IN "REGULAR" CALLED MEETING  
WITH THE FOLLOWING OFFICERS AND MEMBERS PRESENT TO WIT  
JOHN P THOMPSON COUNTY JUDGE PRESIDING B E SLIM" SPEIGHTS  
COMMISSIONER PCT#1 BOBBY SMITH COMMISSIONER PCT#2 JAMES J "BUDDY"  
PURVIS COMMISSIONER PCT#3 R R DICK" HUBERT COMMISSIONER PCT#4  
CAROL BIGLER, CHIEF DEPUTY COUNTY CLERK & KAREN REMMERT COUNTY  
AUDITOR WHEN & WERE AMONG OTHER PROCEEDINGS HAD, CONSIDERED AND  
PASSED

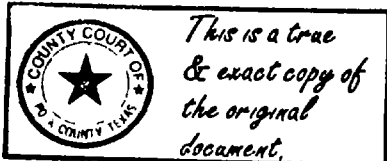
- 1 MEETING WAS CALLED TO ORDER BY JUDGE JOHN P THOMPSON AT 10 00 AM  
PUBLIC COMMENTS
  - A SYLVIA BIVINS COUNTY EXTENSION AGENT GAVE COMMENTS REGARDING  
THE ANNUAL 4-H AWARDS BANQUET A SUMMARY OF THE MEETING WAS GIVEN  
TO ALL PERSONS OF THE COMMISSIONERS COURT THE NEW OFFICERS FOR THE  
1998 EXECUTIVE BOARD ARE LINDA JONES CHAIRMAN HARLAN CAMP - VICE  
CHAIRMAN MARY JANE PRICE - SECRETARY SYLVIA RECOGNIZED LAST  
YEAR S OUTSTANDING COMMITTEE MEMBER ELGIN DAVIS THIS YEAR S  
OUTSTANDING RECIPIENT WAS PEGGY PARKER SYLVIA SAID THAT SHE  
APPRECIATES HER JOB IN THE COUNTY AND THANKED ALL THE COMMISS-  
IONERS FOR THEIR CONTINUED SUPPORT
- 2 INFORMATIONAL REPORTS
  - A COMMISSIONER HUBERT ANNOUNCED THAT BOBBY SMITH WAS ELECTED "VICE  
PRESIDENT OF THE TEXAS ASSOCIATION OF COUNTIES" BOARD FOR 1998  
JUDGE THOMPSON COMMENTED THAT MANY ELECTED OFFICIALS ARE  
INVOLVED IN THEIR VARIOUS STATE ORGANIZATIONS AND IT IS IMPORTANT  
THAT THEY ARE INVOLVED IN THE PLANNING OF RULES AND REGULATIONS  
THAT IS CARRIED ON DOWN TO THE COUNTY LEVEL
  - B JUDGE THOMPSON SAID THE MANY COMMENTS HAVE BEEN MADE TO HIM  
REGARDING THE FACT THAT THERE ARE NO LIGHTS ON THE COURTHOUSE  
FOR CHRISTMAS THEY DO HAVE PLANS NEXT YEAR FOR AN EXTENSIVE  
LIGHTING PROJECT THE COUNTY HAS CONTRACTED THROUGH TxDOT TO  
RENOVATE THE OUTSIDE OF THE COURTHOUSE AND THIS WORK WILL BEGIN  
IN ABOUT (3) WEEKS AND THIS YEAR THEY DID NOT WANT TO INTERFERE  
WITH THAT PROJECT DAWN BRIGANCE & FAMILY DONATED A NATIVITY SCENE  
THAT THEY CONSTRUCTED AT HOME FOR THE COURTHOUSE LAWN
  - C JUDGE THOMPSON COMMENTED ON THE FLAGS AT THE COURTHOUSE NEEDING  
REPLACING AND THANKS TO THE V F W FOR MAINTAINING FLAGS THE V F W  
HAS BEEN CONTACTED AND THEY WILL BE REPLACED SOON



98-1082-843

- 3 MOTIONED BY BOBBY SMITH, SECONDED BY JAMES J "Buddy" PURVIS, TO APPROVE MINUTES FOR MEETINGS OF NOVEMBER 12, 1997, (AS CORRECTED, TO REFLECT, ITEM #7, PERFORMANCE TRUCKS OF CLEVELAND), AND NOVEMBER 25, 1997  
ALL VOTING YES
- 4 MOTIONED BY BOBBY SMITH, SECONDED BY JAMES J "Buddy" PURVIS APPROVE REQUEST TO ABANDON A PORTION (177 ft) OF BEAMON DRIVE, IN WIGGINS VILLAGE #2, IN PCT #2  
ALL VOTING YES (SEE ATTACHED - PLAT)
- 5 BID # 97-24  
A MOTIONED BY B E "Slim" SPEIGHTS, SECONDED BY R R "Dick" HUBERT, TO ACCEPT THE BID FROM PERFORMANCE TRUCKS OF CLEVELAND FOR 1998 MACK TRUCK \$ 70 427 96 AND PUP TRAILER FOR \$ 19,887 00  
B SALE OF USED DUMP TRUCK PCT #1, FOR \$ 30,000 00  
ALL VOTING YES
- 6 MOTIONED BY BOBBY SMITH SECONDED BY R R "Dick" HUBERT TO APPROVE TO ADVERTISE FOR BIDS FOR PRECINCT #2 PURCHASE OF PUP TRAILER  
ALL VOTING YES
- 7 MOTIONED BY BOBBY SMITH SECONDED BY B E "Slim" SPEIGHTS TO APPROVE ACCEPTANCE OF ROADS IN PCT #2 FOR COUNTY MAINTENANCE AS FOLLOWS  
5 Mile of West Blue XX and 4 Mile of East Blue XX  
ALL VOTING YES (SEE ATTACHED)
- 8 MOTIONED BY BOBBY SMITH, SECONDED BY R R "Dick" HUBERT, TO ACCEPT OFFERS TO PURCHASE TAX FORECLOSURE PROPERTIES, PCT #3, LOTS 35 & 36, OAK RIDGE SUBDIVISION CAUSE #90-082  
ALL VOTING YES
- 9 MOTIONED BY BOBBY SMITH SECONDED BY R R "Dick" HUBERT, TO APPROVE REQUEST BY THE CITY OF LIVINGSTON, TO WAIVE DELINQUENT TAXES PENALTY & INTEREST ON CERTAIN TAX FORECLOSURE PROPERTY, AND TO DEED PROPERTY TO CITY FOR THE PURPOSE OF PARK DEVELOPMENT  
ALL VOTING YES (SEE ATTACHED)
- 10 MOTIONED BY BOBBY SMITH SECONDED BY JAMES J "Buddy" PURVIS TO APPROVE WASTE MANAGEMENT REQUEST FOR CONTRACTING OF MAINTENANCE AGREEMENTS FOR CATERPILLAR EQUIPMENT  
ALL VOTING YES (SEE ATTACHED)





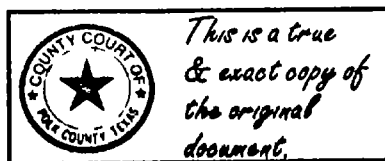
- 11 MOTIONED BY BOBBY SMITH SECONDED BY B E "Slim" SPEIGHTS TO APPROVE PAYMENT OF BILLS BY SCHEDULE  
ALL VOTING YES (SEE ATTACHED)

DATE	AMOUNT	CHECK NUMBERS
11-21 97	22 185 89	275-279 149 151 1044 1046
11-21 97	- 2 507 65	127833 127636 & 127522
11-21 97	162 792 68	128328 - 128337
12-02-97	124 540 65	128338 128348
12-03 97	88 277 35	128349 - 128400
12 08 97	2,633 59	128529 - 128542
12-09-97	10 825 00	128543 - 128547
12-04-97	114 353 79	128401 - 128528

- 12 MOTIONED BY BOBBY SMITH, SECONDED BY B E "Slim" SPEIGHTS, TO APPROVE PERSONNEL ACTION FORMS  
ALL VOTING YES (SEE ATTACHED)
- 13 MOTIONED BY BOBBY SMITH SECONDED BY JAMES J "Buddy" PURVIS APPROVAL TO ADVERTISE FOR THE PURCHASE OF SHERIFF S DEPT PATROL VEHICLES (TO BE FUNDED BY SALE AND/OR TRADE IN OF USED VEHICLES, & THE ISSUANCE OF TIME WARRANTS FOR ANY REMAINING BALANCE )  
ALL VOTING YES
- 14 MOTIONED BY R R "Dick" HUBERT, SECONDED BY B E "Slim" SPEIGHTS TO ADJOURN COURT THIS 9th DAY OF DECEMBER 1997 AT 10 30 AM  
ALL VOTING YES

s/s John P Thompson  
JOHN P THOMPSON, COUNTY JUDGE

ATTEST  
  
\_\_\_\_\_  
CAROL BIGLER  
CHIEF DEPUTY, COUNTY CLERK



CERTIFIED COPY CERTIFICATE  
STATE OF TEXAS  
COUNTY OF POLK

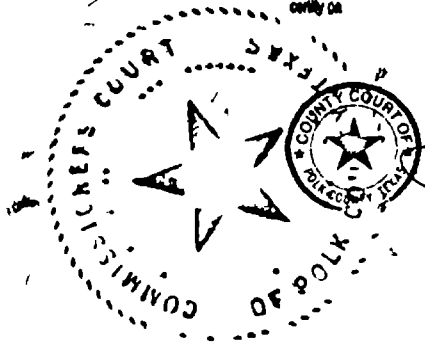
The foregoing is a true, and correct photographic copy of the original record now  
in my lawful custody and possession as the same is recorded in the Official Public  
Records in my office and having Identification Number as stamped hereon, I hereby  
certify on

COMMISSIONER  
COURT

JAN 13 1998

BARBARA MIDDLETON  
COUNTY CLERK  
POLK COUNTY TEXAS

*Barbara Middleton*



WALTER M RUSSELL  
P O Box 507  
Livingston, TX 77351  
(409) 327-8762

October 17 1997

County Judge John P Thompson  
Commissioner Court  
Polk County Court House  
Livingston, TX 77351

RE Petition of Partial County Road Abandonment  
Wiggins Village #2, Section 1  
Beamon Drive - 177 feet, west end

Honorable Judge Thompson

I am petitioning the Court of Polk County, Texas to abandon 177 feet of dead end road at the west end of Beamon Drive in Wiggins Village #2, Section 1 in Polk County, Texas. This section of Beamon Drive is unused and grown over with tall trees and dense undergrowth.

I own the properties adjacent north (lots 1 thru 4) and adjacent south (lots 36 thru 44) of Beamon Drive. The property adjacent west of the dead end of Beamon Drive has clear and currently used access via FM 2457. Therefore, the abandonment of the requested portion of Beamon Drive would not impede access to any properties, nor would any current easements for utilities be affected.

If this petition should be granted, I would propose to purchase the abandoned portion of property from Polk County, Texas for the amount of \$500.00, along with payment of appropriate taxes.

Please refer to the attached plat, which has been marked for your reference, and a current photograph of the property in question.

I petition this Court to give due deliberation.

Thank you,

  
Walter M. Russell

Encs

RECEIVED  
OCT 20 1997  
POLK CO.  
JUDGE

OCT-17, 1997

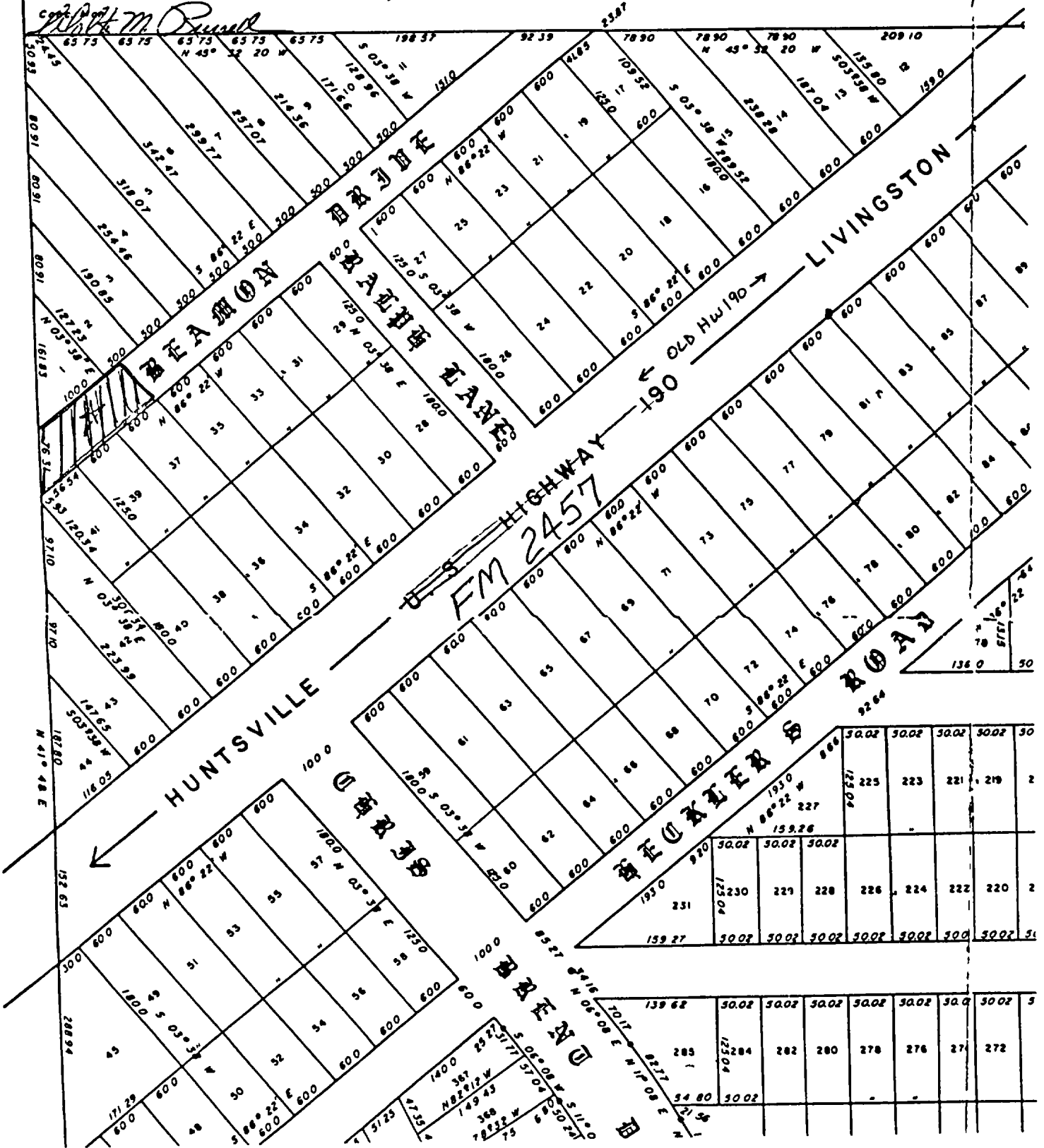
CLARKE ESTATES

YELLOW = CURRENT RUSSELL PROPERTY

SECTION ONE



RED STRIPE = ABANDONMENT REQUEST



WE GARY LEE ROBINSON and wife , DELLA MARIE ROBINSON would like to petition the Land Commissioner s Court to declare the portion of 'Sand Dollar Lane' that deadends into property owned by Mr Cook and is bordered by property owned by Gary and Della Robinson as abandoned property This property is located in Forrester's Retreat section 3 We, Gary and Della Robinson would like to purchase said property

With the signitures of property owners in Forrester's Retreat section 3, we do hereby submit this petition

*Gary Lee Robinson* 967-3666  
GARY LEE ROBINSON

RT 8 Box 299  
Livingston, Tx 77351

*Della Marie Robinson*  
DELLA MARIE ROBINSON

LANDOWNER

ADDRESS

*William C. Cady Jr*

*Rt 8 Box 299E Livingston, TX*

*Patricia H. Cady*

*Rt 8 Box 299E Livingston, TX*

967-4433 →

*A. J. Holland*  
*B. J. Fairchild*

*Rt 8 Box 299E Livingston, TX*

*William R. McKee*

*Box 223F 1/11*

*Arion W. Badgett*

*Rt 8 Box 293K 77351*

*W. A. Cook*

*Rt 8 Box 280 77357*

*Rt 8 Box 366 11:11*

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A RESORT RETREAT CONTAINING 373 TRACTS LOCATED IN THE A VESCA SURVEY ABSTRACT 78 AND BEING 162 089 ACRES A PART OF THE 267.57 ACRES DESCRIBED AS PAR. CEL ONE IN THE DEED RECORDED IN VOL 250 PG 216

ACKNOWLEDGEMENT  
CLARK G THOMPSON TRUSTEE

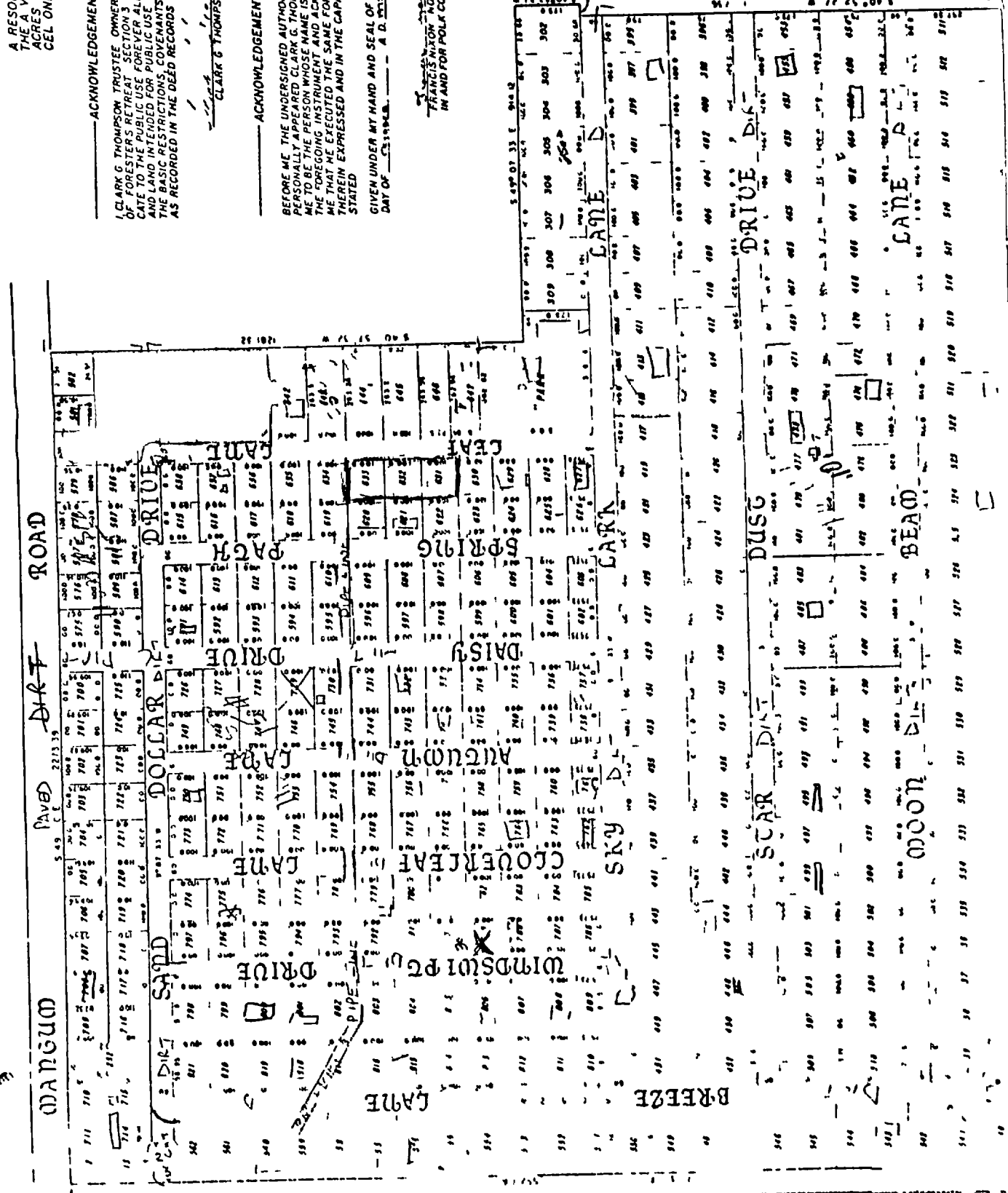
ACKNOWLEDGEMENT  
BEFORE ME THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED CLARK G THOMPSON KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED  
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS DAY OF 1972

ACKNOWLEDGEMENT  
BEFORE ME THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED CLARK G THOMPSON KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED  
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS DAY OF 1972

SWORN AND SUBSCRIBED TO BY  
FRANCIS NIXON NOTARY PUBLIC  
IN AND FOR POLK COUNTY TEXAS



CERTIFICATE OF COURT  
APPROVED BY THE COMMISSIONERS COURT OF THE COUNTY OF POLK TEXAS  
COUNTY JUDGE  
COMMISSIONER  
COMMISSIONER





STATE OF TEXAS }  
COUNTY OF POLK }

I, BARBARA MIDDLETON, hereby certify that this instrument was FILED in the  
file number and date and at the time stated hereon by me and  
was duly RECORDED in the Official Public Records in volume and page of the  
named RECORDS of Polk County, Texas as stated hereon by me on

JAN 13 1998



*Barbara Middleton*  
COUNTY CLERK  
POLK COUNTY TEXAS

FILED AND RECORDED  
OFFICIAL PUBLIC RECORD  
POLK COUNTY TEXAS

98 JAN 13 AM 11 08

*Barbara Middleton*  
BARBARA MIDDLETON  
COUNTY CLERK POLK CO

1A

RT TO BHAI

**POLK COUNTY - BUDGET AMENDMENT**  
**REQUEST #97-20 for FISCAL Year 1997**  
**REQUESTED 12/23/97**  
**REQUESTED BY Karen Remmert, County Auditor**

	<u>INCREASE</u>	<u>DECREASE</u>	<u>COMMENTS</u>
010-409-312	264 17		To cover expenditures for remaining fiscal year 1997
010-409-405	310 00		To cover expenditures for remaining fiscal year 1997
010-409-420	2,461.20		To cover expenditures for remaining fiscal year 1997
010-409-311		681 12	Move monies to cover expenditures for remaining fiscal year 1997
010-409-331		24.25	Move monies to cover expenditures for remaining fiscal year 1997
010-409-423		277 55	Move monies to cover expenditures for remaining fiscal year 1997
010-409-440	789 86		To cover expenditures for remaining fiscal year 1997
010-409-441		299 76	Move monies to cover expenditures for remaining fiscal year 1997
010-409-442		1 062 01	Move monies to cover expenditures for remaining fiscal year 1997
010-409-482		532 00	Move monies to cover expenditures for remaining fiscal year 1997
010-409-490		948 54	Move monies to cover expenditures for remaining fiscal year 1997
010-426-110	332 90		To cover expenditures for remaining fiscal year 1997
010-271-000		332 90	Move monies to cover expenditures for remaining fiscal year 1997
010-435-405	2,710 00		To cover expenditures for remaining fiscal year 1997
010-435-426		225 30	Move monies to cover expenditures for remaining fiscal year 1997
010-271-000		2,484 70	Move monies to cover expenditures for remaining fiscal year 1997
010-511-300	47 00		To cover expenditures for remaining fiscal year 1997
010-511-423	30.55		To cover expenditures for remaining fiscal year 1997
010-511-450		77 55	Move monies to cover expenditures for remaining fiscal year 1997
010-560-392	25 42		To cover expenditures for remaining fiscal year 1997
010-560-393		25 42	Move monies to cover expenditures for remaining fiscal year 1997
010-630-406	25 857 02		To cover expenditures for remaining fiscal year 1997
010-630-411	889 39		To cover expenditures for remaining fiscal year 1997
010-271-000		26 746 41	Move monies to cover expenditures for remaining fiscal year 1997
010-691-405	472.00		To cover expenditures for remaining fiscal year 1997
010-691-481		472.00	Move monies to cover expenditures for remaining fiscal year 1997

*Approved & with Budget  
 Copy filed 12/23/97  
 B. Remmert*

010-69-321	Bldg & Sewage Expenditures	17 00		To cover expenditures for remaining fiscal year 1997
010-695-394	Safety/Training Supplies	57 00	74 00	To cover expenditures for remaining fiscal year 1997
010-695-423	Satellite Service			Move monies to cover expenditures for remaining fiscal year 1997
015-621-456	Road&Bridge,Pct#1 - Parts & Repair	409 34	409 34	To cover expenditures for remaining fiscal year 1997
010-621-423	Mobile Phone/Pagers			Move monies to cover expenditures for remaining fiscal year 1997
015-623 330	Road&Bridge,Pct#3 - Fuel/Oil	400 00		To cover expenditures for remaining fiscal year 1997
015-623 337	Material/Supplies	59 44		To cover expenditures for remaining fiscal year 1997
015-623-420	Telephone	80 91		To cover expenditures for remaining fiscal year 1997
015-623-440	Electricity	301 14		To cover expenditures for remaining fiscal year 1997
015-623-456	Parts & Repair	5,343 63		To cover expenditures for remaining fiscal year 1997
015-623 100	Budget Carryover		6 185 12	Move monies to cover expenditures for remaining fiscal year 1997
015-624-334	Road&Bridge,Pct#4 - Tires/Tubes	97 00		To cover expenditures for remaining fiscal year 1997
015-624-456	Parts & Repair	828.26		To cover expenditures for remaining fiscal year 1997
015-624-573	Capital Outlays		925 26	Move monies to cover expenditures for remaining fiscal year 1997
032 595-377	Landfill Material/Supplies	375 91		To cover expenditures for remaining fiscal year 1997
032 595-420	Telephone	17 51		To cover expenditures for remaining fiscal year 1997
032 595-427	Mobile Phone/Pagers	18 95		To cover expenditures for remaining fiscal year 1997
032 595 571	Machinery & Equipment		412 37	Move monies to cover expenditures for remaining fiscal year 1997
032 700-970	Transfer to Post Closure	500 000 00		Transfer to Post Closure Long Term Debt Account Group
051-645-333	Aging Raw Food	23 81		To cover expenditures for remaining fiscal year 1997
051-645-423	Mobile Phone/Pagers	1 26		To cover expenditures for remaining fiscal year 1997
051-645-440	Electricity	557 11		To cover expenditures for remaining fiscal year 1997
051-645-463	Storage/Equipment Lease	276 00		To cover expenditures for remaining fiscal year 1997
051-645-342	Dining Room Supplies		838 18	Move monies to cover expenditures for remaining fiscal year 1997
		543 053 78	43 053 78	Difference \$500 000 was transfer for Waste Management for post-closure debt

Date Approved 12/23/97

Approved by: 

POLK COUNTY - BUDGET AMENDMENT

REQUEST #88-03

REQUESTED 12/18/97

REQUESTED BY Karen Remmert, County Auditor

	INCREASE	DECREASE	COMMENTS
015-821-339	18 079 19		Reimbursements received for materials and culverts
015-822-339	21,217 36		Reimbursements received for materials and culverts
015-822-338	235 36		Reimbursements received for materials and culverts
015-824-339	1 902.18		Reimbursements received for materials and culverts
010-400-420	528 00		Insurance reimb from weather damage to courthouse telephones
040-560-464	<del>240.85</del>		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
010-500-337	7 169 00	7 169 00	As requested per Sheriff Nelson - New Line Item
010-605-395			As approved and requested per John McDowell
010-554-572	789 00	789 00	As requested per John McDowell
010-605-395			As requested per John McDowell
	60 166 96	7 966 00	Difference \$42,200 96 consists of 41 434 11 Road&Bridge reimbursement, and 766 65 reimb from insurance claims

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

*Approved & filed 2-23-97  
 12-23-97  
 J. H. Remmert*

VOL

**43** PAGE **1386**

**DOT  
DRUG & ALCOHOL TESTING  
CONSORTIUM AGREEMENT**

THIS AGREEMENT is made between Compliance Consortium Corporation a Texas Corporation. (Consortium) with its principal offices located at 910 South Highway Boulevard Belton, Texas 76513 and Polk County (Member) located at Polk County Courthouse Livingston, Texas 77351

**Section 1  
Scope of Relationship**

**1.1 Member**

The member will provide to the consortium information required to comply with DOT regulations 49CFR, Part 382 as follows

- A. Data on existing and new regulated employees in a timely manner
  - 1 Social Security Number
  - 2 Full name
  - 3 Home address
  - 4 Home telephone number
  - 5 Date of employment
  - 6 Primary Job Position
- B The member will make available any regulated employee covered under this agreement, for the purpose of conducting pre-employment, unannounced random, post- accident, reasonable suspicion, return to duty and/or follow-up alcohol and/or drug screening without reasonable delay
- C The member shall provide sufficient notice to the consortium for scheduling of any required alcohol and/or drug screening
- D In the event a regulated employee's activity triggers the requirement of an alcohol and/or drug test, the member must notify the consortium immediately
- E The member grants the consortium the authority to act as the member's agent to gather confidential employee test information

**1.2 Consortium**

The consortium shall provide to the member the following services based on the DOT regulations as follows

- A. All testing cost associated with random alcohol and drug testing
- B Certification training in reasonable suspicion for existing supervisors.
- C Assistance in developing an alcohol and drug testing policy, if requested.
- D Provide all regulated employee with an alcohol and drug testing information handbook
- E Set-up employee testing files
- F Administration of employee compliance records

- G Provide secured employee record retention.
- H Positive test results documentation.
- I Confidential notification of positive test results.
- J Computer generated random test selections
- K Random selection and record retention
- L Set-up local collection test site
- M DOT 5 panel SAMSHA drug test
- N Quarterly statistical program reports to employer
- O Annual statistical reporting to employer and federal agencies.
- P Blind specimen maintenance
- Q Additional referral services available
  - 1 Services of a Substance Abuse Professional (SAP)
  - 2 Employee Assistance Program (EAP)
  - 3 Rehabilitation and counseling

**Section 2**  
**Scope of Fees and Terms**

**2.1 Fees**

A	Rate per employee per year (includes all random testing)	\$ 37.20
	Total per year (40 employees * 37.20)	
	50% random Drug & 25% random alcohol	\$1,488.00
B	Scheduled Tests other than random testing	
	1 Urine Drug Screen	\$ 57 00
	2 Alcohol Breath Test	\$ 20 00
C	Unscheduled tests test fee under scheduled test plus	\$75.00 per call out

**2.2 Payment Terms**

Invoicing will be generated on a monthly basis and will be due in full 30 days after receipt of invoice

This agreement shall remained in effect for a period of 12 months following the date of execution The agreement shall automatically renew at the end of its term unless revised or terminated by either party in writing 30 days prior to the end of the term date

Polk County

*[Handwritten Signature]*  
 \_\_\_\_\_  
 Signature Title

12/23/97  
 \_\_\_\_\_  
 Date

Compliance Consortium Corporation

\_\_\_\_\_  
 Gary L. Baurd, President

\_\_\_\_\_  
 Date



Item.  
12

Deep East Texas Council of Governments  
Area Agency on Aging  
Vendor Agreement  
Attachment 1

I FUNDING OBLIGATION

The VENDOR acknowledges that the COUNCIL's obligation hereunder for payment, in consideration of full and satisfactory performance of activities described in this agreement, is limited to monies received from the Administration on Aging, and that unless and until adequate funds have been received from said entities, the COUNCIL shall not have, under terms of this agreement, any obligations to the VENDOR.

The VENDOR understands that it must have sufficient financial solvency to sustain said agreement performance until adequate funds are received by the COUNCIL to reimburse said VENDOR

The COUNCIL shall not be liable to the VENDOR for costs incurred or performance rendered unless such costs and performances are strictly in accordance with the terms of this agreement, including but not limited to, terms governing the VENDOR promised performance and unit rates specified

The COUNCIL shall not be liable to the VENDOR for any expenditures which are not allowable costs as defined in the rules and regulations, Federal Register Vol 55 #63 and Code of Federal Regulations Title 45, Part 74, as of October 1, 1990, or which expenditures have not been made in accordance with the fiscal guidelines and requirements outlined by the Texas Department on Aging

The COUNCIL shall not be liable to the VENDOR for expenditures made in violation of regulations promulgated under the Older Americans Act of 1965, as amended, or in violation of any other regulations promulgated pursuant to the act or any of its amendments

The COUNCIL agrees to make payment to the VENDOR in the amounts and upon the terms, provisions and budgets as set forth in Direct Service Agreement, and the VENDOR agrees to accept such payments as full compensation for services performed hereunder Invoices received by the 5<sup>th</sup> working day will be paid net 30 days

## II ACCESSIBILITY OF RECORDS

The **VENDOR** shall give **COUNCIL**, TdoA, the Comptroller General of the United States, and the State of Texas, through any authorized representatives, the access to and right to examine all records, books, papers, contracts, or other documents related to this agreement. Such right of access shall continue as long as such records, or any of them, are in existence. **VENDOR** shall include the substance of this provision in all subcontracts.

## III PAYMENT SUSPENSION AND VENDOR TERMINATION

In the event monitoring/evaluation activities by the **COUNCIL** or its **VENDOR** agents, disclose serious deficiencies in the operation of agreement, the **COUNCIL** may elect to suspend or terminate this agreement upon fifteen (15) days written notice from the **COUNCIL** to the **VENDOR**. The **VENDOR**, upon notification of such suspension or termination, shall have the right to appeal such suspension or termination following procedures outlined in 40 TAC 254 17, as applicable. This agreement may be terminated upon the occurrence of any of the following events:

- a Discontinuance of funding to the **COUNCIL** from the Texas Department on Aging, or
- b Failure of the **VENDOR** to comply with any or all of the terms and conditions of this agreement and any attachments thereto, or
- c Mutual agreement between the **COUNCIL** and the **VENDOR**, or
- d Discovered or disclosed deficiencies in the operation of the **VENDOR** supported under the provisions of this agreement.

In the event of termination, final billings for units of services delivered pursuant to the agreement will be submitted to the **COUNCIL** within fifteen (15) calendar days from termination by the **VENDOR** but it is understood that no units delivered after the termination date will be reimbursed.

If this agreement is terminated as provided above, the COUNCIL may require the VENDOR to transfer title and deliver to the COUNCIL or to another authorized VENDOR any property acquired by Federal funds or assigned to the VENDOR by the COUNCIL for the purposes of this VENDOR.

IV TARGETING

CONTRACTOR shall assure, in accordance with the Older Americans Act of 1965, as amended, Section 306(a)(5)(B), that preference in the delivery of services is given to

- (1) older individuals in rural areas,
- (2) older individuals with greatest economic need (with particular attention to low-income minority individuals),
- (3) older individuals who have greatest social need (with particular attention to low-income minority individuals),
- (4) older individuals with severe disabilities,
- (5) older individuals with limited English-speaking ability, and,
- (6) older individuals with Alzheimer's Disease or related disorder with neurological and organic brain dysfunction and the caretakers of such individuals

\_\_\_\_\_  
Walter G Diggles, Executive Director  
Deep East Texas Council of Governments

\_\_\_\_\_  
Date



\_\_\_\_\_  
Authorized Signature  
Board Chairman  
Polk County Department on Aging

\_\_\_\_\_  
12/23/97  
Date

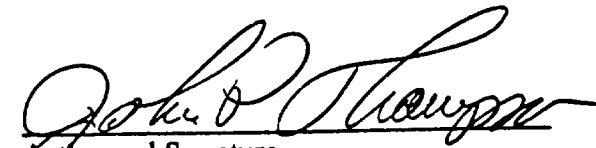
\_\_\_\_\_  
Authorized Signature  
Executive Director  
Polk County Department on Aging

\_\_\_\_\_  
Date

AMERICANS WITH DISABILITIES ACT  
ASSURANCE STATEMENT

The Polk County Department on Aging does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities. The Polk County Department on Aging will not enter into a contract with any entity which does not comply with the Americans With Disabilities Act

I certify that compliance with the Americans With Disabilities Act of 1990, as amended, will be accomplished and that evidence of such compliance will be available to the Deep East Texas Area Agency on Aging staff or representative during scheduled monitoring visits

  
Authorized Signature  
Board Chairman

\_\_\_\_\_  
Authorized Signature  
Executive Director

12/23/97  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
AAA Authorized Signature


Deep East Texas Council of Governments  
Approval by Area Agency

\_\_\_\_\_  
Date

## Certification Regarding Program Contributions

In accordance with TAC 270 1(j) regarding contributions, (copy is attached) Polk County Department on Aging certifies it will comply with the rule and report all program contributions to the Deep East Texas Area Agency on Aging on a monthly basis utilizing the monthly meal and program income report form (copy is attached)

Polk County Department on Aging acknowledges that said program contributions will purchase services for participants that have been approved by the Area Agency on Aging, thus increasing service levels

  
\_\_\_\_\_  
Authorized Signature  
Board Chairman

12/23/97  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Signature  
Executive Director

\_\_\_\_\_  
Date

(j) Contributions

(1) The contractor shall ensure that written procedures for contributions for the cost of providing services are established for use by each service provider. These procedures shall

(A) provide all eligible clients or their family or advocate with the opportunity to voluntarily contribute all or part of the cost of the service, regardless of the method of service procurement,

(B) protect the privacy of such contribution,

(C) safeguard and account for all contributions,

(D) require that all client contributions must be used to support or expand services provided under an approved area plan, in accordance with applicable federal fiscal and program regulations, and

(E) allow subcontractors to establish suggested contribution schedules which considers the income ranges of the client population and the service provider's other resources

(2) These procedures shall not

(A) require a contribution as a condition for receiving services, or

(B) establish income as a means test when establishing suggested contribution schedules

ITEM  
#13.



POLK COUNTY, TEXAS

**1998 - HOLIDAY SCHEDULE - 1998**

County business offices will be closed in observance of ,

*(New Year's Day [approved in 1997 Schedule] Thursday, January 1, 1998)*

Martin Luther King Day ..... .. Monday, January 19, 1998

President's Day . . . . . Monday, February 16, 1998

Good Friday ... .. Friday, April 10, 1998

Memorial Day .. . . . Monday, May 25, 1998

Independence Day . ... .. Friday, July 3, 1998

Labor Day . . . . . Monday, September 7, 1998

Columbus Day .. . . . Monday, October 12, 1998

Veterans Day . . . . . Wednesday, November 11, 1998

Thanksgiving .. . . . Thursday, November 26, 1998

Friday, November 27, 1998

Christmas .. . . . Thursday, December 24, 1998

Friday, December 25, 1998

New Year's . . . . . Friday, January 1, 1999

(Approved by the Polk County Commissioners Court on December 23, 1997)

**COPY**

December 23, 1997

To Judge John P Thompson  
Commissioner's Court

From Barbara Middleton  
County Clerk

Re Texas Department of Health  
Bureau of Vital Statistics  
Austin, Texas

Attached Contact with State Vital Statistics

I need approval thru commissioner's court to proceed with the Registrar Duties for Polk County, beginning January 1, 1998  
The contract approval with signatures will be sent from Austin, just as soon as the originals are signed by Richard Bays

My office assuming the Registrar Duties & contracting with the State Bureau of Vital records, will enable us to search & prepare Births/Death certificates from all over the State of Texas I have purchased the necessary Computer Terminal, and other equipment for this to be put into practice I'm sure this will be an added benefit to help us serve the citizens of Polk County now & in the future

Thank You  
Sincerely,







**COPY**  
**Barbara Middleton**  
**COUNTY CLERK, POLK COUNTY**

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P O DRAWER 2119

LIVINGSTON, TEXAS 77351

(409) 327-6884 or (409) 327-6885

December 2, 1997

**COPY**

Texas Department of Health  
Bureau of Vital Statistics  
Attn Barbara Mullings  
1100 W 49th Street  
Austin, Texas 78711-2040

**RE State Contract - BVS Remote Certification**

Dear Barbara,

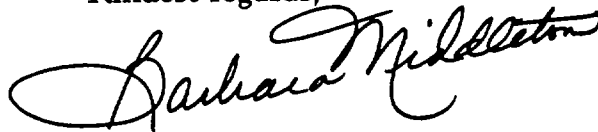
As per our telephone conversation of last week, we are ready to proceed with the contract for BVS Remote Certification for Polk County. I have contacted each Justice of the Peace in Polk County & have received their written authorization to assume the Registrars' duties of each office as of December 31, 1997 at 12 00 A M (midnight)

I plan on beginning the new year, January 1, 1998 as the sole Registrar of Polk County. I will be collecting the prior Birth & Death records of each office to maintain an inventory control for all of Polk County records.

Enclosed are the original signed statements of each Justice of the Peace, which you require for the Registrars' duties. I will be in Austin on December 7th, 8th, & 9th, for the Vital Statistics yearly Seminar. I would like to be able to present this at my December 9th or 23rd, Commissioner's Court meeting for approval.

Please contact me if you need any additional information I will be anxiously awaiting your reply

Kindest regards,

A handwritten signature in cursive script that reads "Barbara Middleton".

Barbara Middleton  
Polk County Clerk

Enclosures (5)

CC Judge John P Thompson  
Commissioners Court

c \contract wpd

To Texas Dept Of Health  
Bureau of Vital Statistics  
1100 West 49th Street  
Austin, Tx 78756

I, Mary Placker, Justice of the Peace, Pct #1, do hereby relinquish my duties as state registrar to the Polk County Clerk, Barbara Middleton, as of December 31, 1997. My previous records and forms will be given over to the county clerk, to maintain with all other records.



(seal)

*Mary Placker*  
Mary Placker  
Justice of the Peace, Pct #1  
Polk County, Texas

To Texas Dept Of Health  
Bureau of Vital Statistics  
1100 West 49th Street  
Austin, Tx 78756

I, David Johnson, Justice of the Peace, Pct #2, do hereby relinquish my duties as state registrar to the Polk County Clerk, Barbara Middleton, as of December 31, 1997. My previous records and forms will be given over to the county clerk, to maintain with all other records.



---

David Johnson  
Justice of the Peace, Pct #2  
Polk County, Texas

(seal)



To Texas Dept Of Health  
Bureau of Vital Statistics  
1100 West 49th Street  
Austin, Tx 78756

I, Harvey Stamper, Justice of the Peace, Pct #3, do hereby  
relinquish my duties as state registrar to the Polk County Clerk, Barbara  
Middleton, as of December 31, 1997 My previous records and forms will  
be given over to the county clerk, to maintain with all other records

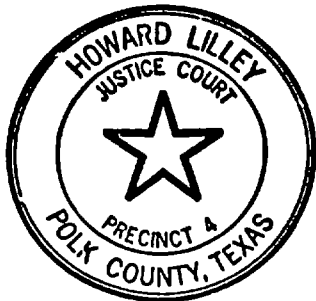


Harvey Stamper  
Harvey Stamper  
Justice of the Peace, Pct #3  
Polk County, Texas

To Texas Dept Of Health  
Bureau of Vital Statistics  
1100 West 49th Street  
Austin, Tx 78756

I, Howard Lilley, Justice of the Peace, Pct #4, do hereby  
relinquish my duties as state registrar to the Polk County Clerk, Barbara  
Middleton, as of December 31, 1997. My previous records and forms will  
be given over to the county clerk, to maintain with all other records

(seal)



Howard Lilley  
Howard Lilley  
Justice of the Peace, Pct #4  
Polk County, Texas

COPY

STATE OF TEXAS

COUNTY OF TRAVIS

TDH DOCUMENT NUMBER

501501501D\* OEI-01

This CONTRACT and AGREEMENT by and between the Texas Department of Health, Bureau of Vital Statistics, hereinafter referred to as PERFORMING AGENCY, and acting through its Chief, Bureau of Financial Services, and the Vital Statistics Program

Polk County

hereinafter referred to as RECEIVING AGENCY, is as follows

#### I. SCOPE OF WORK.

PERFORMING AGENCY agrees to provide on line computer services in support of RECEIVING AGENCY from 7 00 a m to 6 00 p m Monday thru Friday, except holidays. In the event of an emergency or computer application error, Performing Agency may temporarily suspend services without advance notice.

RECEIVING AGENCY will search PERFORMING AGENCY data bases, locate data, and issue Certifications of Vital Records to authorized individuals requesting such data. The certifications will be in a format formally approved by PERFORMING AGENCY. No limit will be established on the number of searches per month not resulting in issuance of a certification, provided the number is reasonable.

RECEIVING AGENCY will acquire the necessary data processing equipment, communications, hardware or software, and purchase "bank note" paper, as specified by the PERFORMING AGENCY. PERFORMING AGENCY will assist in connection of the equipment, furnish software program and provide technical assistance, if necessary.

RECEIVING AGENCY acknowledges that records may not be located in the searching process instituted by RECEIVING AGENCY or records which are located may have errors due to

- A) normal key-entry errors in spellings,
- B) accidental failure on the part of the PERFORMING AGENCY to update a file for an amendment or paternity determination, and
- C) the event year does not exist on the system.

RECEIVING AGENCY will notify PERFORMING AGENCY in writing, at least monthly of errors or suspected errors that exist on the data base information.

RECEIVING AGENCY is to maintain an inventory control and account for each document produced on "bank note" paper, including voided documents.

RECEIVING AGENCY is responsible for maintaining a system of vital record keeping that is in accordance with Chapters 191 through 195 of the Health and Safety Code and the regulations adopted thereunder.

#### LEGAL AUTHORITY TO CONTRACT

Chapter 12 of the Health and Safety Code

#### II. TERM

The term of this contract will begin upon its execution by both parties and will continue in force and effect until either party gives sixty (60) days written notice of termination to the other party.

### III. COMPENSATION

RECEIVING AGENCY agrees to reimburse PERFORMING AGENCY \$1 83 (One Dollar and 83/100) for each Certification of Vital Record printed as a result of searches of the database

A monthly itemized billing showing the number of transactions by date will be submitted to RECEIVING AGENCY by PERFORMING AGENCY and payment will be made no later than thirty (30) days following the billing date. Payment will be considered made on the date postmarked.

### IV. CONFIDENTIALITY

RECEIVING AGENCY will maintain sufficient safeguards to prevent release or disclosure of any information obtained hereunder to anyone other than RECEIVING AGENCY employee(s) or those who have an official need for the information and are authorized to receive such records. RECEIVING AGENCY further agrees records obtained and issued, as specified under this contract, will be used for purposes as herein set out and the use of these records or data for other purposes must be agreed to in writing by both parties.

### V. SECURITY

Receiving Agency agrees to implement all reasonable and necessary procedures to ensure that only authorized users will have access and will notify TDH immediately should it detect a security violation by one of its employees or any other person.

### VI. TERMINATION

This contract may be terminated either by mutual agreement of the parties or by either party upon the giving of sixty (60) days written notice to the other party. RECEIVING AGENCY agrees to pay PERFORMING AGENCY for all services completed prior to the effective date of such termination. Performing Agency may immediately suspend this agreement upon reasonable suspicion that terms of this agreement have been violated by the Receiving Agency or one of its employees. If, after investigation it is concluded that a violation of this agreement has occurred, Performing Agency may terminate this agreement without further notice.

### VII. APPLICABLE LAWS AND STANDARDS

RECEIVING AGENCY further certifies by execution of this contract that it is not ineligible for participation in federal or state assistance programs under Executive Order 12549, Debarment and Suspension. RECEIVING AGENCY specifically asserts that it does not owe a single substantial debt or a number of outstanding debts to a federal or state agency. A false statement regarding RECEIVING AGENCY'S status will be treated as a material breach of this contract and may be grounds for termination at the option of PERFORMING AGENCY.

### VIII. SEVERABILITY

If any provision of this contract will be construed to be illegal or invalid, this will not affect the legality or validity of any of the other provisions hereof. The illegal or invalid provision will be deemed stricken and deleted herefrom to the same extent and effect as if never incorporated herein, but all other provisions will continue.

### IX. FUNDING

This contract is contingent upon the availability of funding. RECEIVING AGENCY will have no right of action against the State of Texas or the PERFORMING AGENCY in the event that PERFORMING AGENCY is unable to fulfill its obligations under this contract as a result of the suspension, termination, withdrawal, or failure of funding to PERFORMING AGENCY or lack of sufficient funding of PERFORMING AGENCY for any Attachment(s) to this contract. If funds become unavailable, provisions of the Termination Article will apply.



X. HOLD HARMLESS

Except to the extent that Chapter 104 of the Texas Civil Practice and Remedies Code is applicable to this contract, RECEIVING AGENCY agrees to hold PERFORMING AGENCY and/or federal government harmless and to indemnify them from and against any and all claims, demands, and causes of action of every kind and character which may be asserted by any third party occurring in any way incident to, arising out of, or in connection with the performance of services by RECEIVING AGENCY under this contract to the extent allowed by law, excluding, however, occurrences arising under subparagraph IB of this contract.

EXECUTED IN DUPLICATE ORIGINALS ON THE DATES INDICATED

RECEIVING AGENCY

PERFORMING AGENCY

Barbara Middleton

TEXAS DEPARTMENT OF HEALTH

(Name)  
By Barbara Middleton  
(Name) Barbara Middleton

By Hope Jenevigne for  
Linda Farrow, Chief  
Bureau of Financial Services

(Title) County Clerk, Polk County

Date February 19, 1998

Date 2/13/97

Recommended by

Barbara Middleton  
(Name and Title)  
Barbara Middleton

VID #: 35015015015000

APPROVED AS TO FORM

APPROVED AS TO FORM.

By John P. Thompson  
(Name and Title)  
John P. Thompson  
Polk County Judge

By APPROVED FORMAT  
Office of General Counsel

(approved by Commissioners Court  
on December 23, 1997)

TDH Document No.: 501501501D\* OEI-01

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STATE OF TEXAS  
COUNTY OF POLK

PROOF

*Proof Only*

I hereby certify that a true and correct copy of this record is recorded in this Office  
or has been prepared by the Texas Department of Health, Bureau  
of Vital Statistics, and is now in their custody.

*Barbara M. Hester*  
BARBARA M. HESTER, COUNTY CLERK  
POLK COUNTY, TEXAS

CERTIFIED COPY OF VITAL RECORDS  
DATE ISSUED \_\_\_\_\_

By \_\_\_\_\_ Deputy

This record is not valid unless prepared in accordance with the provisions of the Texas Vital Statistics Act, Chapter 81, Texas Health Code, and the Texas Vital Statistics Regulations.

VOL 43 PAGE 1408

STATE OF TEXAS  
COUNTY OF POLK  
CERT. NO.

NAME \_\_\_\_\_ SEX \_\_\_\_\_

DATE OF BIRTH \_\_\_\_\_ PLACE OF BIRTH \_\_\_\_\_

P-NAME \_\_\_\_\_ M-NAME \_\_\_\_\_

DATE FILED \_\_\_\_\_ DATE ISSUED \_\_\_\_\_

*[Signature]*

CLERK OF COUNTY CLERK  
COUNTY OF POLK  
LIVINGSTON, TEXAS

TO REMOVE CARD—CAREFULLY SEPARATE FORM.  
DO NOT LAMINATE CARD

IMPORTANT DOCUMENT  
This Certification of Birth Card is valuable. Protect it.

OFFICE OF THE COUNTY CLERK  
POLK COUNTY  
P.O. DRAWER 2119  
LIVINGSTON, TEXAS 77361

PROOF

CHECK # 127506

BANK ACCT MAIN  
 \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* \$250 00  
 \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\*  
 12/05/97  
 \*\*\*\*\*250 00

RICHARDSON/ JAMES

CHECK # 127506

032-595-427 ENVIRONMENTAL SERVICES HOUSTO 250 00  
 \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\*  
 \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\*

*John! Ok up*

CHECK # 128386

BANK ACCT MAIN 12/10/97 3387 31  
\*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\*  
\*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\*

POLK COUNTY FRESH WASTER DISTRICT #2

PO BOX 333  
GNALASKA TX 77360

CHECK # 128386

010-227-000 GENERAL FUND STANDS 387 31  
\*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\*  
\*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\*

*John L. Oke*

CHECK # 127004

BANK ACCT MAIN  
 \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\*  
 \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\*  
 12/10/97 \$40 80  
 \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\*  
 \*\*\*\*\*40 80

TEXAS PARKS & WILDLIFE

CHECK # 127004

088-207-850 JUDICIARY FUND  
 24935 40 80  
 \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\*  
 \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\*

*Gen'l. Ok pr*

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
012 ELECTED OFFICIALS FEE ACCOUNTS	8 540 00
028 POLK COUNTY HISTORICAL COMM	322 02
TOTAL OF ALL FUNDS	8 862 02

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

DATE 12/19/87 APPROVED BY James L. Bennett

County Auditor

Gov't. Ok 1/27/88



7-1-08

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	29 835 00
015 ROAD & BRIDGE ADH	1 378 47
027 SECURITY FUND	60 00
032 ENVIRONMENTAL SERVICES	879 24
049 DISTRICT ATTY HOT CHECK FUND	14 95
051 AGING DEPT	1 314 88
088 JUDICIARY FUND	345 68
TOTAL OF ALL FUNDS	33 828 22

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

DATE 12-12-97 APPROVED BY Spencer Bennett

County Auditor

James H. O'Connell

CHECK # 128036

BANK ACCT MAIN 12/11/97 \$184 72  
\*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\*  
\*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\*  
\*\*\*\*\*184 72

LIVINGSTON SECURITY SYSTEMS  
701 W CHURCH STE #A  
LIVINGSTON TX 77351

CHECK # 128036

010-221-860 GENERAL FUND 10/20/ 184 72  
\*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\*  
\*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\* VOID \*\*\*

*John A. King*

FY98

SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	84 800 38
015	ROAD & BRIDGE ADM	26 275 48
028	POLK COUNTY HISTORICAL COMM	253 11
032	ENVIRONMENTAL SERVICES	8 490 14
051	AGING DEPT	5 310 66
101	ADULT SUPERVISION	15 198 93
104	DTP - CSR	626 72
108	CCP - SURVEILLANCE	1 490 49
109	SPECIALIZED CASELOAD CCP	818 63
184	JUVENILE PROBATION	2 115 28
185	CCAP - JUVENILE PROBATION	5 207 53
TOTAL OF ALL FUNDS		150 587 35

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

DATE

12-15-97

APPROVED BY

*Karen S. Bennett*  
*Cynthia S. ...*  
*County Clerk*

FY 98

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	155 137 59
015 ROAD & BRIDGE ADM	27 078 69
027 SECURITY FUND	132 00
032 ENVIRONMENTAL SERVICES	25 055 99
040 LAW LIBRARY FUND	798 05
049 DISTRICT ATTY HOT CHECK FUND	150 72
051 AGING DEPT	12 906 18
061 DEBT SERVICE FUND	107 415 37
070 ENV SERVICE - 94 CO ISSUE	5 887 50
071 1991 TAX REV/ENV SER CO ISSUE	6 154 60
093 CO CLERK RECORDS MGMT FUND	62 85
094 COUNTY RECORDS MGMT FUND	1 664 98
TOTAL OF ALL FUNDS	342 444 52

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

DATE 12-17-97

APPROVED BY *Laura S. Bennett*  
*County Auditor*  
*Gene's Office*

Fy 97

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	12 747 04
015 ROAD & BRIDGE ADM	547 56
032 ENVIRONMENTAL SERVICES	55 25
040 LAW LIBRARY FUND	61 50
051 AGING DEPT	333 63
TOTAL OF ALL FUNDS	13 748 98

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

DATE 12-18-97 APPROVED BY Karen Rappoport  
County Auditor

John C. Orr  
County Auditor

ADDITIONAL

FY 98

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	28 212 69
015 ROAD & BRIDGE ADM	11 399 54
032 ENVIRONMENTAL SERVICES	1 447 40
051 AGING DEPT	4 748 11
TOTAL OF ALL FUNDS	45 807 74

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

DATE 12-19-97 APPROVED BY Karen Segrest  
County Auditor  
Don't O'Connell

ADDITIONAL

ADDITIONAL

FY 98

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	2 086 62
015 ROAD & BRIDGE ADM	520 00
TOTAL OF ALL FUNDS	2 606 62

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

DATE 12-22-97

APPROVED BY [Signature]

[Signature]  
[Signature]  
[Signature]

DATE. DECEMBER 10 - DECEMBER 23, 1997

NO	EMPLOYEE NAME	DEPT	JOB CLASSIFICATION	EMPLOYEE TYPE	SALARY GROUP	ACTION TAKEN
(1)	ANGELIA COX	SHERIFF DEPT	#1043 TELECOMMUNICATIONS OPER	REGULAR FULL TIME	11/1 \$16530 70	RESIGNATION EFFECTIVE 12-08-97
(2)	ANGELIA THOMPSON	SHERIFF DEPT	#1043 TELECOMMUNICATIONS OPER	REGULAR PART TIME	11/1 \$7 95	SEPARATION 12 10-97
(3)	MELINDA BLOODWORTH	SHERIFFS DEPT	#1043 TELECOMMUNICATIONS OPER	REGULAR PART TIME	11/1 \$7 95	SEPARATION EFFECTIVE 12/10/97
(4)	KATHRYN MARTIN	COUNTY CLERK	#105 DEPUTY CLERK	REGULAR FULL TIME	10/1 \$15724 33	MERIT INCREASE TO 102 EFFECTIVE 12/24/97
(5)	ANNA QUINONES	COUNTY CLERK	#105 DEPUTY CLERK	REGULAR FULL TIME	10/2 \$16127 51	TRANSFER TO EMERGENCY MANAGEMENT 14/4, #902 OFFICE MGR EFFECTIVE 12/22/97
(6)	CLYDE BRIDGE	WASTE MANAGEMENT	#904 COLLECTION STATION ATTENDANT	REGULAR PART TIME	UNCLASS \$ 5 15	DISMISSAL EFFECTIVE 12/15/97
(7)	DIANNE BASS	TREASURES	# 6 3 CHIEF DEPUTY CLERK	REGULAR FULL TIME	15/7 \$23317 70	MERIT INCREASE TO 158 EFFECTIVE 12/24/97
(8)	ANT'A MCGOWN	EMERGENCY MANAGEMENT	#902 OFFICE MANAGER	REGULAR FULL TIME	14/1 \$19151 00	DISMISSAL EFFECTIVE 12/12/97
(9)	ANGELIA COX	SHERIFF DEPT	#1043 TELECOMMUNICATIONS OPER	REGULAR FULL TIME	11/1 \$16530 70	RECLASSIFICATION TO FULL TIME EFFECTIVE 12/24/97
(10)	DEBRA HICKS	SHERIFFS DEPT	#1043 TELECOMMUNICATION OPER	REGULAR PART TIME	11/1 \$7 95	RECLASSIFICATION TO FULL TIME EFFECTIVE 12/24/97
(11)	BARBARA WATTS	J P PCT 3	#106 COURT CLERK	REGULAR FULL-TIME	11/4 \$17,785 06	MEDICAL LEAVE EFFECTIVE 11/10/97, EXPECTED RETURN ON 3/4/98
(12)	WILLIAM WHITE	WASTE MGT	#904 COLL STATION ATTEND	REGULAR PART-TIME	UNCLASS \$ 5 15	EMERGENCY HIRE PENDING OUTCOME OF PHYSICAL
(13)						
(14)						
(15)						
(16)						
(17)						
(18)						

*Delete*

ADDITIONAL  
ADDITIONAL