FILED AND RECORDED OFFICIAL PUBLIC RECORPOLY COUNTY



VOL 44 PAGE 283

98 APR -8 AH 9 50

BARBADA HIDDLETON NOTICE OF MEETING OF THE COUNTY CLERK POLY CO

COMMISSIONERS COURT OF POLK COUNTY, TEXAS #36

Notice is hereby given that a Regular meeting of the above named Commissioners' Court will be held on Tuesday, April 14, 1998 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, April 8, 1998

Commissioners' Court of Polk County, Texas

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, April 8, 1998, and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting

Notice filed, Wednesday, April 8, 1998

Barbara Middleton, County Clerk



COMMISSIONERS COURT AGENDA

for: TUESDAY - APRIL 14, 1998 - 10:00 A.M.

CALL TO ORDER

- 1 WELCOME Public Comments
- 2 INFORMATIONAL REPORTS
- 3 CONSIDER APPROVAL OF MINUTES for meeting of, March 24, 1998

NEW BUSINESS

- 4 CONSIDER ANY/ALL NECESSARY ACTION PERTAINING TO BID #98-04 "Auction Services"
- 5 CONSIDER ANY/ALL NECESSARY ACTION PERTAINING TO BID #98-05
 "Purchase of Wheel Loader, Pct 1", INCLUDING AWARD OF BID AND ISSUANCE
 OF TIME WARRANT FOR PURCHASE BALANCE, AS ADVERTISED
- 6 CONSIDER PCT 1 REQUEST FOR APPROVAL TO ISSUE TIME WARRANT FOR PURCHASE OF TXDOT SURPLUS TRAILER, IN THE AMOUNT OF \$6,000 00 AT A MAXIMUM INTEREST RATE OF 5 9%, WITH A MAXIMUM MATURITY OF TWO (2) YEARS
- 7 CONSIDER REQUEST OF WASTE MANAGEMENT ADMINISTRATOR TO INITIATE A TIRE DISPOSAL FEE, (\$2 00/TIRE)
- 8 CONSIDER REQUEST OF WASTE MANAGEMENT ADMINISTRATOR FOR IMPLEMENTATION OF A FEE PENALTY FOR PAST DUE ACCOUNTS
- 9 CONSIDER DESIGNATION OF ELECTED OFFICIALS TO SERVE AS DETCOG BOARD MEMBERS FOR 1998/99 TERM
- 10 CONSIDER APPROVAL OF BUDGET AMENDMENT #98-07
- 11 CONSIDER APPROVAL OF OFFERS TO PURCHASE TAX FORECLOSURE PROPERTIES, (Pct 1) Lot 312, Shelter Cove #4
- 12 CONSIDER RENEWAL OF MEMORIAL MEDICAL CENTER LEASE OF OFFICE SPACE AND EQUIPMENT LOCATED IN M G REILY HUMANITARIAN BUILDING IN CORRIGAN, TX

CONSENT AGENDA ITEMS

- 13 CONSIDER APPROVAL AND PAYMENT OF BILLS (by Schedule)
- 14 CONSIDER APPROVAL OF PERSONNEL ACTION FORMS
- 15 CONSIDER APPROVAL OF PCT 2 PERMANENT ROAD EXPENDITURES, 5mi Old Highway 356 (Est \$8,976 00)

SCH 10 16

-CONSIDER APPROVAL OF BUDGET AMENDMENT #98-07, AS REQUESTED BY COUNTY AUDITOR. χ . Let

EXECUTIVE SESSION

(Meeting will close to public)

As authorized by the Texas Open Meetings Act. as amended. Government Code. Chapter 551. Subchapter D. Section 551.072.

Deliberations regarding real property

(Meeting will re-open to public)

17 CONSIDER ANY/ALL NECESSARY ACTION PERTAINING TO MINERAL LEASES ON POLK COUNTY SCHOOL LANDS IN THROCKMORTON, BAYLOR & SAN JACINTO COUNTIES

ADJOURN

Next regularly scheduled meeting - April 28, 1998, 10 00 a m

YUL 44 PAGE 286

FILED AND RECORDED DEFICIAL PUBLIC RECORD POLK COUNTY

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Barbare Willeton

NOTICE OF MEETING #36

BARBARA MIDDLETON

COMMISSIONERS COURT OF POLK COUNTY, TEXAS

THE FOLLOWING WILL SERVE TO AMEND THE AGENDA OF THE COMMISSIONERS COURT MEETING SCHEDULED FOR APRIL 14, 1998, AT 10 00 A M

DELETE.

16 (Duplicate of item #10), CONSIDER APPROVAL OF BUDGET AMENDMENT #98-07, AS REQUESTED BY COUNTY AUDITOR.

ADD,

- 18. CONSIDER PCT 3 REQUEST FOR APPROVAL TO ISSUE TIME WARRANTS FOR EMERGENCY BRIDGE REPLACEMENTS IN THE AMOUNT OF \$29,383.35 AT A MAXIMUM INTEREST RATE OF 5 9%, WITH A MAXIMUM MATURITY OF THREE YEARS.
- 19 CONSIDER APPROVAL OF PCT 4 PERMANENT ROAD EXPENDITUES, 1 0 mi. on Tom Cummings Road (Est. \$29,304 00)

Posted on April 9, 1998

Commissioners' Court of Polk County, Texas

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 April 9, 1998, and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting

Dated April 9, 1998

Barbara Middleton, County Clerk

By Buffer

STATE OF TEXAS }

COUNTY OF POLK }

DATE APRIL 14, 1998

REGULAR CALLED MEETING KAREN REMMERT - ABSENT

VOL

BE IT REMEMBERED ON THIS THE 14th DAY OF APRIL, 1998
THE HONORABLE COMMISSIONERS COURT MET IN "REGULAR" CALLED MEETING
WITH THE FOLLOWING OFFICERS AND MEMBERS PRESENT, TO WIT
JOHN P THOMPSON COUNTY JUDGE PRESIDING
BE "SLIM" SPEIGHTS COUNTY COMMISSIONER PCT#1 BOBBY SMITH COUNTY
COMMISSIONER PCT#2 JAMES J "BUDDY" PURVIS COUNTY COMMISSIONER
PCT#3 R R "DICK HUBERT, COUNTY COMMISSIONER PCT#4 BARBARA
MIDDLETON COUNTY CLERK & SHIRLEEN COWAN ASSISTANT COUNTY
AUDITOR THE FOLLOWING AGENDA ITEMS ORDERS AND DECREES WERE
DULY HAD CONSIDERED & PASSED

1 WELCOME AND CALLED TO ORDER BY JUDGE JOHN P THOMPSON AT 10 00 AM PUBLIC COMMENTS
NONE

2 INFORMATIONAL REPORTS

- A COMMISSIONER SMITH INVITED EVERYONE TO THE (ANNUAL) ONALASKA BAR B QUE AND AUCTION ON APRIL 25th 1998 11 00 AM UNTIL 3 00 PM THEY WILL START SELLING BAR-B-QUE BY THE POUND ON WEDNESDAY APRIL 22 1998

 COMMISSIONER SMITH BETTY RUNDELL AND JOHN McDOWELL JUST RETURNED FROM A SEMINAR IN DALLAS GIVEN BY TEXAS ASSOCIATION OF COUNTIES AND POLK COUNTY RECEIVED ANOTHER SAFETY AWARD
- B JAMES RICHARDSON WASTE MANAGEMENT DEPT REPORTED THE LANDFILL WAS INSPECTED RECENTLY AND ALL WAS IN GOOD ORDER
- C COUNTY CLERK BARBARA MIDDLETON JUST RETURNED FROM COLLEGE STATION ATTENDING A CONTINUING EDUCATION SEMINAR GIVEN BY THE V G YOUNG INSTITUTE TEXAS A & M UNIVERSITY SHE ALSO REMINDED EVERYONE TODAY IS GENERAL PRIMARY RUN-OFF ELECTION DAY 4/14/98 POLLS ARE OPEN FROM 7 00 AM TO 7 00 PM
- 3 MOTIONED BY BOBBY SMITH, SECONDED BY R R "Dick" HUBERT, APPROVAL OF MINUTES FOR MEETING OF MARCH 24, 1998 ALL VOTING YES

JUDGE THOMPSON EXCUSED COMMISSIONER HUBERT FROM THE COURTROOM FOR THE FOLLOWING AGENDA ITEM, HAVING FILED THE APPROPRIATE AFFIDAVIT STATING SUBSTANTIAL INTEREST

4 BID #98-04

MOTIONED BY BOBBY SMITH, SECONDED BY B E "Slim" SPEIGHTS, TO AWARD "AUCTION SERVICES" TO HUBERT AUCTION COMPANY, FOR (3) YEAR PERIOD OF TIME, (THE ONLY BID RECEIVED), FOR THE ANNUAL COUNTY SURPLUS AUCTION TO BE HELD IN MAY, 1998 ALL VOTING YES (SEE ATTACHED)

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COMMISSIONER HUBERT RETURNED TO THE COURTROOM FOR THE REMAINDER OF TODAY'S COURT AGENDA.

- 5 BID #98-05
 - MOTIONED BY B E "Slim" SPEIGHTS, SECONDED BY BOBBY SMITH, TO AWARD PURCHASE OF WHEEL LOADER FOR PCT#1, TO MUSTANG TRACTOR, FOR AMOUNT OF \$84 970 00 WITH A TRADE-IN(DOWN PAYMENT OF \$15,000 00), LEAVING A BALANCE OF \$69,970 00 PLUS A SERVICE AGREEMENT FOR \$4600 00 APPROVAL TO GIVE NOTICE TO ISSUE TIME WARRANT FOR (5) YEARS, ON THE NEXT COURT AGENDA, APRIL 28, 1998
 ALL VOTING YES (SEE ATTACHED)
- 6 MOTIONED BY B E "Slim" SPEIGHTS, SECONDED BY BOBBY SMITH, APPROVE REQUEST OF PCT #1, ISSUE TIME WARRANT FOR PURCHASE OF TXDOT SURPLUS TRAILER, IN THE AMOUNT OF \$6000 00 AT A MAXIMUM INTEREST RATE OF 5 9%, WITH A MAXIMUM MATURITY OF TWO (2) YEARS ALL VOTING YES
- 7 MOTIONED BY R R "Dick" HUBERT, SECONDED BY BOBBY SMITH, APPROVE REQUEST OF WASTE MANAGEMENT ADMINISTRATOR TO INITIATE A TIRE DISPOSAL FEE \$2 00 PER TIRE ALL VOTING YES
- 8 MOTIONED BY BOBBY SMITH, SECONDED BY B E "Slim" SPEIGHTS TO TABLE #8, "CONSIDER REQUEST OF WASTE MANAGEMENT ADMINISTRATOR FOR IMPLEMENTATION OF A FEE PENALTY FOR PAST DUE ACCOUNTS", UNTIL NEXT COURT AGENDA ALL VOTING YES
- 9 MOTIONED BY R R "Dick" HUBERT, SECONDED BY B E "Slim" SPEIGHTS TO DESIGNATE APPOINTMENTS OF BOBBY SMITH & JUDGE JOHN P THOMPSON, AS ELECTED OFFICIALS TO SERVE AS DETCOG BOARD MEMBERS FOR 1998/99 TERM ALL VOTING YES
- 10 MOTIONED BY BOBBY SMITH, SECONDED BY R R "Dick" HUBERT, APPROVAL OF (REVISED)BUDGET AMENDMENT #98-07, AS REQUESTED BY COUNTY AUDITOR ALL VOTING YES (SEE ATTACHED)
- 11 MOTIONED BY B E "Slum" SPEIGHTS, SECONDED BY R R "Dick" HUBERT, TO ACCEPT OFFER TO PURCHASE TAX FORECLOSURE PROPERTIES, PCT #1, SHELTER COVE SEC#4, LOT 312
 ALL VOTING YES
- 12 MOTIONED BY JAMES J "Buddy" PURVIS, SECONDED BY BOBBY SMITH, APPROVE RENEWAL OF MEMORIAL MEDICAL CENTER LEASE OF OFFICE SPACE AND EQUIPMENT LOCATED IN M G REILY HUMANITARIAN BUILDING, IN CORRIGAN TEXAS FOR A PERIOD OF (48 MONTHS) FOUR YEARS ALL VOTING YES

13 MOTIONED BY BOBBY SMITH, SECONDED BY B E "Slim" SPEIGHTS, APPROVAL TO PAY BILLS (BY SCHEDULE), PLUS ADDENDUMS ALL VOTING YES (SEE ATTACHED)

	(OLL ATTACHED)					
DATE	AMOUNT	CHECK NUMBERS				
3-23-98	3 000 00	130683				
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- 14 MOTIONED BY R R "Dick" HUBERT, SECONDED BY BOBBY SMITH, APPROVAL OF PERSONNEL ACTION FORMS
 ALL VOTING YES (SEE ATTACHED)
- 15 MOTIONED BY BOBBY SMITH, SECONDED BY B E "Slim" SPEIGHTS, APPROVAL OF PCT #2, PERMANENT ROAD EXPENDITURES, 05 mile OLD HIGHWAY 356, ESTIMATED \$8,976 00 ALL VOTING YES
- 16 DELETE SEE AGENDA
- 18 MOTIONED BY JAMES J "Buddy" PURVIS, SECONDED BY BOBBY SMITH, APPROVAL TO ISSUE TIME WARRANTS FOR EMERGENCY BRIDGE REPLACEMENT IN THE AMOUNT OF \$29,383.35, AT A MAXIMUM INTEREST RATE OF 5 9%, WITH A MAXIMUM MATURITY OF (3) THREE YEARS, AS REQUESTED BY COMMISSIONER PURVIS
 ALL VOTING YES

19 MOTIONED BY R R "Dick" HUBERT, SECONDED BY B E "Slim" SPEIGHTS, APPROVAL OF PCT #4 PERMANENT ROAD EXPENDITURES, 1 0 MILE ON TOM CUMMINGS ROAD, ESTIMATED \$29,304 00 ALL VOTING YES

RECESS REGULAR COURT AT 10.33 AM

EXECUTIVE SESSION AT 10:39 AM

As authorized by the Texas Open meetings Act, as amended, Government Code, chapter 551, subchapter D Section 551 072

* Deliberations regarding real property.

CLOSED EXECUTIVE SESSION AT 11 19 AM

RECONVENED INTO REGULAR SESSION AT 11 19 AM

- 17 "CONSIDER ANY/ALL NECESSARY ACTION PERTAINING TO MINERAL LEASES ON POLK COUNTY SCHOOL LANDS IN THROCKMORTON, BAYLOR & SAN JACINTO COUNTIES"
 - A MOTIONED BY BOBBY SMITH SECONDED BY R R "Dick" HUBERT TO AUTHORIZE THE FIRM OF TAYLOR & NORWOOD, LIBERTY TEXAS, TO ADMINISTER THE BID PROCESS PERTAINING TO MINERAL LEASES ON POLK COUNTY SCHOOL LANDS IN THROCKMORTON & BAYLOR COUNTIES ALL VOTING YES
 - B MOTIONED BY R R "Dick" HUBERT, SECONDED BY BOBBY SMITH, TO AUTHORIZE THE FIRM OF TAYLOR & NORWOOD, LIBERTY TEXAS, TO ADMINISTER THE BID PROCESS PERTAINING TO MINERAL LEASES ON POLK COUNTY SCHOOL LANDS IN SAN JACINTO COUNTY ALL VOTING YES
- 20 MOTIONED BY R R "Dick" HUBERT, SECONDED BY B E "Slim" SPEIGHTS TO ADJOURN COURT THIS 14th DAY OF APRIL, 1998, AT-11 24 AM ALL VOTING YES

JOHN P THOMPSON, COUNTY JUDGE

ATTEST

BARBARA MIDDLETON, COUNTY CLERK

C \WP51\COMMCRT8\APR14 WPD

STATE OF TEXAS COUNTY OF POLK

I, R.R. "Dick" Hubert , as a member of the Polk County Commissioners Court, make this affidavit and hereby on oath state the following,

I have a substantial interest in a business entity or real property that may receive a special economic effect that is distinguishable from the effect on the public by a vote or decision of the Polk County Commissioners Court as those terms are defined in Chapter 171 of the Local Government Code The business entity or real property is

DICK HUBERT AUCTION SERVICES, 1521 S. WASHINGTON, LIVINGSTON, TX 77351
[name and address of business and/or description of property]

["I"] or name of relative and relationship

(have/has) a substantial interest in this business entity or real property for the following reasons
(circle all which are applicable)

the interest is ownership of 10% or more of the voting stock or shares of the business entity.

R.R. "DICK" HUBERT

(2) the interest is 10% or \$5,000 or more of the fair market value of the business entity,

(3) funds received from the business entity exceed 10% of _____ (my/his/her) income for the previous year,

real property is involved and _____ (i/he/she) (have/has) an equitable or legal ownership with a fair market value of at least \$2,500

Upon the filing of this affidavit with the Clerk of the Polk County Commissioners Court, I affirm that I shall abstain from any discussion, vote, or decision involving this business entity or real property and from any further participation in this matter whatsoever

Signed this <u>14TH</u> day of <u>APRIL</u>, 19 <u>98</u>

R. P. Land Hule Signature of Public Official

COMMISSIONER, PRECINCT #4

Title



JAN SHANDLEY
NOTARY PUBLIC
STATE OF TEXAS
My Commission Expires 9-3-2000

Notary Public in and for the State of Texas
My Commission expires



Deep East Texas Council of Governments and Economic Development District 274 East Lamar Street Jasper, Texas 75951 409/384-5704 FAX 409/384-5390 TDD 409/384-5975

WALTER G DIGGLES

Executive Director

March 16, 1998

Honorable John P Thompson Polk County Judge Polk County Courthouse Livingston, Texas 77351

Dear Judge Thompson

The Deep East Texas Council of Governments begins a new Board membership on July 1, 1998 We need your cooperation in selecting an elected official from Polk County to serve on the Board of Directors. Article VII, paragraph 1 of the Bylaws states Representatives from member counties will be selected by the county commissioners court of each respective county County membership is determined as follows:

Population	Number of Members
0 - 24,999	1
25,000 - 49,999	2
50,000 - 74,999	3
75,000 - 99,999	4

Please list below the official you have duly appointed and return this information to DETCOG in the enclosed envelope as soon as possible Polk County's current members are Bobby Smith and yourself. The appointments from Polk County for 1998-1999 are

Name

Elected Position

Preferred Mailing Address

1 John P. Thompson, County Judge, Polk County Courthouse, Livingston, Tx 77351

2. Bobby Smith, Commissioner, P.O. Box 1388, Onalaska, TX 77360

Sincerely yours,

Walter G Diggles,

Executive Director

Certification

LJohn P. Thompson of Polk County, do hereby certify that the above listed appointments were made by the Commissioners Court and has been recorded in our minutes.

Date: 4/14/98

Signature

Serving Angelina, Houston, Jasper, Nacogdoches, Newton Polk, Sabirie Sarving County Strate, Shelby, Trinity, Tyler counties **Equal Opportunity Employer**



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BOUNTY JUDGE

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FUND DESCRIPTION

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SOUNTY JUDGE

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COUNTY JUDGE JOHN THOMPSON COUNTY AUDITOR

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JOHN THOMPSON COUNTY AUDITOR

SCHEDULE OF BILLS BY FUND

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COUNTY JUDGE

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KAREN REHHERT
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JOHN THOMPSON
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COUNT AUDITOR KAREN BE MERT

THE PRECEDING L ST OF BILLS PAYABLE WAS PEVIEWED AND APPROVED FOR PAYMENT

COUNTY JUDGE

JOHN THOMPSON

DATE

MARCH 25 1998 THROUGH APRIL 07, 1998