

FILED AND RECORDED
OFFICIAL PUBLIC RECORD
POLK COUNTY, TEXAS



VOL. 44 PAGE 711

98 AUG -5 AM 9 54

Barbara Middleton

BARBARA MIDDLETON
CLERK

COMMISSIONERS COURT OF POLK COUNTY, TEXAS

90

NOTICE OF MEETING OF THE

7
Notice is hereby given that a Regular meeting of the above named Commissioners' Court will be held on Tuesday, August 11, 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 August 5, 1998

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 August 5, 1998, and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting

Notice filed, August 5, 1998

Barbara Middleton, County Clerk

By *Ronie Clift*



COMMISSIONERS COURT AGENDA

for: TUESDAY - AUGUST 11, 1998 - 10:00 A.M.

CALL TO ORDER

- 1 WELCOME - Public Comments
- 2 INFORMATIONAL REPORTS
- 3 CONSIDER APPROVAL OF MINUTES for meeting of, July 28, 1998

OLD BUSINESS

- 4 CONSIDER ACCEPTANCE OF OFFERS TO PURCHASE COUNTY TAX FORECLOSURE PROPERTIES, (Pct 3) Lot 33, Block 2, Rayburn Hills #1

NEW BUSINESS

- 5 CONSIDER ANY/ALL NECESSARY ACTION PERTAINING TO BID #98-09 "SALE OF PCT 2 SURPLUS EQUIPMENT"
- 6 CONSIDER ANY/ALL NECESSARY ACTION PERTAINING TO OIL & GAS BIDS ON POLK COUNTY SCHOOL LAND
- 7 CONSIDER APPROVAL TO ADVERTISE FOR BIDS FOR THE SALE OF MISTROT BUILDING
- 8 CONSIDER NOMINATIONS FOR DETCOG REGIONAL AGING ADVISORY COUNCIL REPRESENTATIVE AND ALTERNATE
- 9 CONSIDER APPROVAL OF RESOLUTION COMMENDING THE REPRESENTATION WHICH ACHIEVED THE RECENT TOBACCO LITIGATION SETTLEMENT FOR THE STATE OF TEXAS AND ITS POLITICAL SUBDIVISIONS
- 10 CONSIDER APPROVAL OF OFFERS TO PURCHASE TAX FORECLOSURE PROPERTIES, (Pct 1) Lot 105 Section 2 Foresters Retreat, Cause #93-063
- 11 CONSIDER APPROVAL OF AGREEMENT FOR MEMORIAL MEDICAL CENTER LIVINGSTON LEASE OF STORAGE SPACE IN COUNTY BUILDING

CONSENT AGENDA ITEMS

- 12 CONSIDER APPROVAL OF FY98 BUDGET AMENDMENTS (#98-114)
- 13 CONSIDER APPROVAL AND PAYMENT OF BILLS (by Schedule)
- 14 CONSIDER APPROVAL OF PERSONNEL ACTION FORMS

ADJOURN

Next regularly scheduled meeting - August 25, 1998, 10 00 a m



98 AUG -7 PM 3 52

ADDENDUM TO
NOTICE OF MEETING # 90

Barbara Middleton
COMMISSIONERS COURT OF POLK COUNTY, TEXAS

THE FOLLOWING WILL SERVE TO AMEND THE AGENDA OF THE COMMISSIONERS COURT MEETING SCHEDULED FOR AUGUST 11, 1998 AT 10 00 A.M

ADD.

- 15 Consider Resolution Setting Just Compensation and Offer to Purchase Property - BTLE Road/Bridge Project, TCDP No 703150
- 16 Consider Authorization to Advertise for Bids for Roadway & Bridge Construction, TCDP Project No 703150, pending completion of Land Acquisition
- 17 Consider approval to issue time warrants for Pct 4 purchase of equipment (authorized under Bid#98-07), not to exceed \$87,563 00, maximum maturity of five (5) years, and interest rate not to exceed 5 8%
- 18 Consider re-scheduling the Commissioners Court meeting of September 23, 1998 to the preceeding Friday, September 18, 1998 (due to conflict with Annual County Judges & Commissioners Education Conference)
- 19 Consider approval to issue time warrants for Pct 2 emergency equipment repairs (authorized June 23, 1998), not to exceed \$25,000 00, maximum maturity of three (3) years, and interest rate not to exceed 5 8%
- 20 Review the August 7, 1998 lifting of County wide Burn Ban and take any/all necessary action based upon current conditions

Posted on August 7, 1998

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 at the door of the County Courthouse of Polk County, Texas, at a place readily accessible to the general public at all times on August 7, 1998 and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting

Barbara Middleton, County Clerk

By *Barbara Middleton*

STATE OF TEXAS }

DATE AUGUST 11, 1998

COUNTY OF POLK }

REGULAR CALLED MEETING
ALL PRESENT

BE IT REMEMBERED ON THIS THE 11th DAY OF AUGUST, 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
B E "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 & BILL LAW - COUNTY AUDITOR, THE FOLLOWING AGENDA
ITEMS, ORDERS, AND DECREES WERE DULY HAD, CONSIDERED, & PASSED

- 1 WELCOME & CALLED TO ORDER BY JUDGE JOHN P THOMPSON AT 10 00 AM
REV KENNETH DARDEN DELIVERED THE OPENING PRAYER

PUBLIC COMMENTS

- A ELOISE BORIE REPUBLICAN PARTY REPRESENTATIVE, INVITED PUBLIC
TO FISH FRY ON AUG 12th, AT THE HIGH SCHOOL WITH INVITED GUEST
RICK PERRY TICKETS WERE OFFERED TO ANYONE WISHING TO ATTEND
B BOBBY ARMENTROUT, REPRESENTING THE POLK COUNTY 4-H PROGRAM,
REPORTED & DISPLAYED THE 1998 SWEEPSTAKES TROPHY (AWARDED)
FOR LEADERSHIP IN EAST TEXAS DISTRICT V, DIVISION II, AND POLK CO
PLACED FIRST OUT OF A FIELD OF 30 OTHER COUNTIES
C JOE ROEDER OF INDIAN SPRINGS ASKED HOW THE 911 PROJECT WAS
PROGRESSING COMMISSIONER HUBERT COMPLIMENTED HIM ON BEING
VERY HELPFUL IN COMMUNITY AFFAIRS FOR ALL OF PRECINCT #4 AREA

2 INFORMATIONAL REPORTS

- A JUDGE THOMPSON INTRODUCED AND WELCOMED BILL LAW, POLK COUNTY'S
NEW AUDITOR THAT WAS SWORN IN ON AUGUST 10 1998
B JUDGE THOMPSON INFORMED THE COURT THAT CENSUS 2000, WILL BE
FAST APPROACHING IN THE NEXT YEAR ½, AND ENCOURAGED EVERY ONE
FILL OUT A NEW CENSUS FORM SO THE COUNTY WILL HAVE A RECORD OF
POPULATION GROWTH FOR THE PAST 10 YEARS
C JUDGE THOMPSON REPORTED THAT SOFTBALL CHAMPIONS, LIVINGSTON
DIXIE BELLES WON STATE TOURNAMENT & THE WORLD SERIES IN DENISON
COMMISSIONERS COURT WILL ISSUE A "RESOLUTION" RECOGNIZING THE
TEAM AT A CELEBRATION AS SOON AS ITS ANNOUNCED
D BOBBY SMITH COMMISSIONER PCT #2 INVITED EVERYONE TO THE POLK
COUNTY AREA GO-TEXAN COMMITTEE, 6th ANNUAL BAR-B-QUE COOK-OFF
ON AUGUST 21st & 22nd, AT PLACATION STATION IN ONALASKA

(1)

INFORMATIONAL REPORTS .

- E JOHN McDOWELL EMERGENCY MANAGEMENT REPORTED ON THE LIFTING OF THE BURN BAN ON AUGUST 7, 1997 HE ALSO INFORMED THE COURT THAT TEXAS FOREST AND AREA FIRE DEPARTMENTS HAVE RECOMMENDED THAT THE BAN BE REINSTATED SEE ITEM #20 ON TODAY'S AGENDA, FOR ACTION OF THIS ITEM.**
- 3 MOTIONED BY BOBBY SMITH SECONDED BY R R "Dick" HUBERT, APPROVAL OF MINUTES FOR MEETING OF July 28, 1998
ALL VOTING YES**
 - 4 MOTIONED BY JAMES J "Buddy" PURVIS, SECONDED BY BOBBY SMITH, TO ACCEPT OFFER TO PURCHASE COUNTY TAX FORECLOSURE PROPERTY, PRECINCT #3, RAYBURN HILLS SUBDIVISION, SEC #1, LOT 33, BLOCK 2
ALL VOTING YES**
 - 5 BID #98-09 - PRECINCT #2
MOTIONED BY BOBBY SMITH, SECONDED BY R R "Dick" HUBERT TO AWARD SALE OF SURPLUS EQUIPMENT TO, SOUTHWEST EQUIPMENT RENTALS OF HOUSTON, BEING PNEUMATIC ROLLER FOR \$ 1,535 00 AND DIXIE SURFACE EQUIPMENT SALES OF POLLACK LOUISIANA, BEING TRAILER FOR \$ 1,378 00
ALL VOTING YES**
 - 6 MOTIONED BY R R "Dick" HUBERT, SECONDED BY BOBBY SMITH, AWARD BID OF OIL & GAS LEASES OF POLK COUNTY SCHOOL LAND IN BAYLOR & THROCKMORTON COUNTIES TO SPENCE ENERGY & POLK COUNTY SCHOOL LANDS IN SAN JACINTO COUNTY TO ENRON OIL & GAS COMPANY
ALL VOTING YES**
 - 7 MOTIONED BY R R "Dick" HUBERT, SECONDED BY BOBBY SMITH APPROVAL TO ADVERTISE FOR THE SALE OF MISTROT BUILDING, ON BEHALF OF THE POLK COUNTY HISTORICAL COMMISSION
ALL VOTING YES**
 - 8 MOTIONED BY BOBBY SMITH, SECONDED BY R R "Dock" HUBERT, APPROVAL OF NOMINATIONS FOR DETCOG REGIONAL AGING ADVISORY COUNCIL REPRESENTATIVE AS ROBERT DOOLITTLE, AND ALTERNATE AS B E "Slim" SPEIGHTS
ALL VOTING YES**
 - 9 MOTIONED BY BOBBY SMITH, SECONDED BY B E "Slim" SPEIGHTS APPROVAL OF "RESOLUTION" COMMENDING THE REPRESENTATION WHICH ACHIEVED THE RECENT TOBACCO LITIGATION SETTLEMENT FOR THE STATE OF TEXAS AND ITS POLITICAL SUBDIVISIONS
ALL VOTING YES**
 - 10 MOTIONED BY B E "Slim" SPEIGHTS, SECONDED BY R R "Dick" HUBERT, APPROVAL TO ACCEPT OFFER TO PURCHASE TAX FORECLOSURE PROPERTY, IN CAUSE #93-063 PRECINCT #1, FORESTERS RETREAT, LOT 105, SECTION 2
ALL VOTING YES**

11 MOTIONED BY BOBBY SMITH, SECONDED BY B E "Slim" SPEIGHTS APPROVAL OF AGREEMENT FOR MEMORIAL MEDICAL CENTER LIVINGSTON LEASE OF STORAGE SPACE IN COUNTY BUILDING
ALL VOTING YES (SEE ATTACHED)

12 MOTIONED BY BOBBY SMITH SECONDED BY R R "Dick" HUBERT, APPROVAL OF BUDGET AMENDMENT #98-14
ALL VOTING YES (SEE ATTACHED)

13 MOTIONED BY BOBBY SMITH, SECONDED BY B E "Slim" SPEIGHTS APPROVAL AND PAYMENT OF BILLS (by schedule) PLUS (4) ADDENDUMS
ALL VOTING YES (SEE ATTACHED)

DATE	AMOUNT	CHECK NUMBERS
7-28-98	18 878 09	133673 - 133687
7-29-98	3,769 08	133688 - 133693
7-30-98	- 173 08	133671- VOIDED CHECK
7-30-98	177,908 96	133694 - 133700
7-31-98	- 70 00	132898 VOIDED CHECK
7-31-98	21 974 90	133701 - 133814
8-05-98	106 690 34	133815 - 133955
8-06-98	67,296 24	347 355 183 187 1077 1081 24
8-07-98	57 074 73	133967 - 134040
8-07-98	775,210 65	133956 - 133966
8-10-98	184,150 00	134041

14 MOTIONED BY BOBBY SMITH, SECONDED BY R R "Dick" HUBERT APPROVAL OF PERSONNEL ACTION FORMS, WITH THE DELETION OF ITEM #4
ALL VOTING YES (SEE ATTACHED)

15 MOTIONED BY B E "Slim" SPEIGHTS, SECONDED BY R R "Dick" HUBERT, APPROVAL OF "RESOLUTION" SETTING JUST COMPENSATION AND OFFER TO PURCHASE PROPERTY FOR BIG THICKET LAKE ESTATES ROAD/BRIDGE PROJECT, TCP NO 703150, AS DESCRIBED & RECOMMENDED BY RANDY BLANKS OF WAXMAN & ASSOCIATES
ALL VOTING YES (SEE ATTACHED)

16 MOTIONED BY B E "Slim" SPEIGHTS, SECONDED BY R R "Dick" HUBERT APPROVAL TO ADVERTISE FOR BIDS (For period of 30-days), FOR ROADWAY & BRIDGE CONSTRUCTION TCP PROJECT NO 703150, PENDING COMPLETION OF LAND ACQUISITION
ALL VOTING YES

- 17 BID #98-07 - PRECINCT #4
MOTIONED BY R R "Dick" HUBERT, SECONDED BY B E "Slim" SPEIGHTS APPROVAL TO ISSUE TIME WARRANT FOR PURCHASE OF EQUIPMENT (Authorized in court on 7/28/98) NOT TO EXCEED \$87,563 00, MAXIMUM MATURITY OF (5) FIVE YEARS, AND INTEREST RATE NOT TO EXCEED 5 8%
ALL VOTING YES (SEE ATTACHED)
- 18 MOTIONED BY BOBBY SMITH, SECONDED BY B E "Slim" SPEIGHTS APPROVAL TO RE-SCHEDULE COMMISSIONERS COURT MEETING OF SEPTEMBER 22, 1998 TO THE PRECEDING FRIDAY, SEPTEMBER 18, 1998 (Due to conflict with Annual County Judges & Commissioners Education Conference)
ALL VOTING YES
- 19 TIME WARRANT - PRECINCT #2
MOTIONED BY R R "Dick" HUBERT, SECONDED BY BOBBY SMITH APPROVAL TO ISSUE TIME WARRANT FOR PCT #2 EMERGENCY EQUIPMENT REPAIRS, (Authorized on 6/23/98), NOT TO EXCEED \$25,000 00, MAXIMUM MATURITY OF (3) THREE YEARS, AND INTEREST RATE NOT TO EXCEED 5 8%
ALL VOTING YES (SEE ATTACHED)
- 20 MOTIONED BY B E "Slim" SPEIGHTS, SECONDED BY BOBBY SMITH, APPROVAL TO REINSTATE THE COUNTY WIDE BURN BAN AS OF 5 00 PM FRIDAY, AUGUST 14th, 1998 AND AUTHORIZE JUDGE THOMPSON TO ACT UPON DISCONTINUING BAN ON BEHALF OF THE COURT, AS RECOMMENDED BY EMERGENCY MANAGEMENT DIRECTOR, JOHN McDOWELL
ALL VOTING YES
- 21 MOTIONED BY R R "Dick" HUBERT, SECONDED BY B E "Slim" SPEIGHTS TO ADJOURN COURT THIS 11th DAY OF AUGUST, 1998 AT 10 45 AM
ALL VOTING YES

John P. Thompson

 JOHN P THOMPSON, COUNTY JUDGE

ATTEST
Barbara Middleton

 BARBARA MIDDLETON, COUNTY CLERK

Item # 9



RESOLUTION

OF THE POLK COUNTY COMMISSIONERS COURT

Whereas, an historic agreement between the State of Texas and its political subdivisions, concerning the tobacco litigation, has been approved by the U S District Court, and

Whereas, this agreement will provide a \$2 25 billion fund for the benefit of Texas counties and hospital districts, and

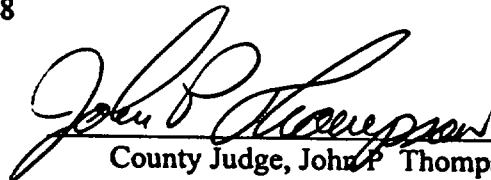
Whereas, this agreement will partially repay Texas counties and hospital districts for the tremendous financial burden placed upon local government in providing public health care for tobacco-related illness, and

Whereas, this agreement will provide a Permanent Health Care Account to benefit our taxpayers and citizens in the future, and

Whereas, this agreement was achieved through the cooperative efforts of all participants, now

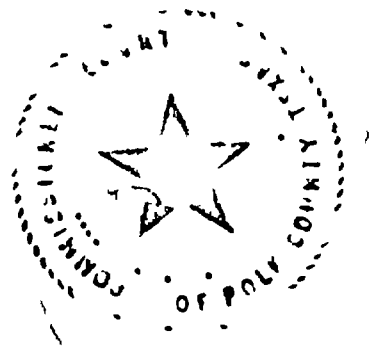
Therefore, be it resolved that the Commissioners Court of Polk County, Texas recognizes the excellent representation provided by the County Judges and Commissioners Association of Texas and the Texas Association of Counties in this effort, and further acknowledges the extraordinary public service rendered by Governor George Bush, Lt Governor Bob Bullock, Rep Robert Junell, Sen Bill Rathliff, Speaker Pete Laney and our other state leaders in this achievement.

Read and Adopted this 11th day of August, 1998


County Judge, John P. Thompson

Attest


County Clerk



Sheet # 11



LEASE AGREEMENT

COPY

THE STATE OF TEXAS *
COUNTY OF POLK * KNOW ALL MEN BY THESE PRESENTS

THIS AGREEMENT, made and entered into this 11th day of August, 1998 by and between the COUNTY OF POLK, STATE OF TEXAS, (hereinafter referred to as "Lessor"), and MEMORIAL MEDICAL CENTER LIVINGSTON, (hereinafter referred to as "Lessee")

WITNESSETH

That Lessor does, by these presents, lease and demise unto Lessee, the following property, lying and being situated in the City of Livingston, County of Polk, State of Texas, and being more particularly described as follows

Being approximately 1,800 square feet of storage space situated in the Southeast corner of the building located at 207 W Mill St , Livingston, Texas and leased by Polk County from Vivian P Jackson and occupied as the Polk County offices of Emergency Management and Maintenance,

for an initial term of two (2) years beginning on the 1st day of September, 1998 and ending on the 31st day of August, 2000, to be occupied for the purpose of storage, and said premises are to be used in no other manner and for no other purposes whatsoever, without prior written consent of the Lessor, for the following considerations and covenants Upon expiration of the initial term, Lessee shall have the option of renewing this agreement under the same terms and condition described herein for two (2) consecutive one (1) year terms beginning September 1st and ending August 31st, upon verbal notification to Lessor within thirty (30) days of the expiration of the term

1

Lessee shall pay Two Thousand Four Hundred and No/100 (\$2,400 00) Dollars per year to the County Treasurer of Polk County, Texas, in advance on the first day of each respective term year beginning September 1, 1998

2

Lessee agrees to accept possession of the demised premises in its present condition, and to maintain said premises throughout the term

3

Lessor shall not be liable to Lessee, or to any other person whatsoever, for any injury, loss or damage to any person or property in or upon said premises, and Lessee hereby covenants and agrees to assume all liability for or on account of any injury, loss or damage above described, and to save Lessor harmless therefrom

4

Lessor hereby covenants and agrees that Lessee shall and will, upon payment of all of the rents herein provided to be paid by Lessee, and upon fully observing and performing the covenants and agreements herein provided to be observed and performed by Lessee, quietly and peaceably possess and enjoy said above demised premises, unless said lease be sooner terminated, under and in accordance with any of the provisions herein elsewhere contained providing for such termination

5

Lessee shall, at its own expense, during the term of this lease, provide and maintain in force personal liability and property insurance with one or more responsible insurance companies duly authorized to transact business in the State of Texas, and Lessee shall furnish Lessor with a copy of such policy or certificate of insurance required by this section

6

No waiver by the parties hereto of any default or breach of any term, condition, or covenant of this lease shall be deemed to be a waiver of any other breach of the same or any other term, condition, or covenant contained herein

7

In the event Lessor or Lessee breach any of the terms of this agreement, whereby the party not in default employs attorneys to protect or enforce their rights hereunder and prevail, then the defaulting party agrees to pay to the other party reasonable attorney's fees so incurred by such other party

8

This lease shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns, where permitted by this agreement

9

This agreement shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Polk County, Texas

10

In case any one or more of the provisions contained in this agreement shall, for any reason, be held to be invalid, illegal, or unenforceable in any respect such invalidity, illegality, or unenforceability shall not effect any other provision thereof, and this agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein

11

This agreement constitutes the sole and only agreement of the parties hereto and superseded any prior understandings or written or oral agreements between the parties respecting the within subject matter

12

No amendment, modification, or alteration of the terms hereof shall be binding, unless the same be in writing, dated subsequent to the date hereof and duly executed by the parties hereto

13

Time is of the essence of this lease

EXECUTED this the 11th day of August, 1998

Lessor Polk County, Texas



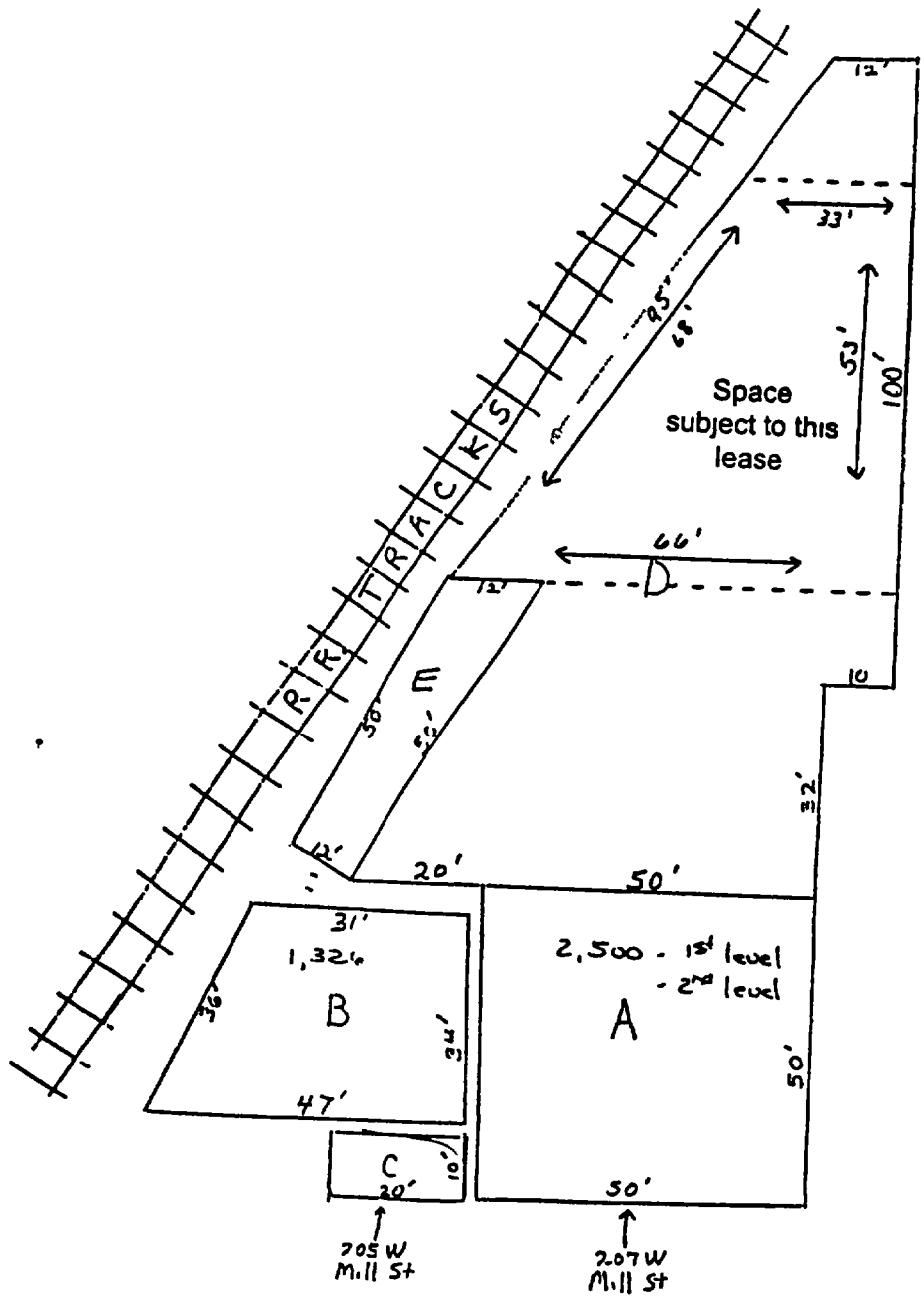
BY John P Thompson
County Judge
Commissioners Court
of Polk County, Texas

Lessee Memorial Medical Center Livingston

BY

Title

EXHIBIT "A"



WOLK COUNTY - BUDGET AMENDMENT
 REQUEST 98-14
 REQUESTED AUGUST 5, 1998
 REQUESTED BY SHIRLEEN COWEN, ASST AUDITOR

Item #12

	Increase	Decrease	Comments
010-450-430 511 Animal Shelter Project	4 500 00	4 500 00	per request Don Maxwell Maintenance Engineer
010-450-452 511 Supplies/Office Equipment			per request Don Maxwell Maintenance Engineer
010-503-427 Computer Expense/Supplies	1 000 00	1 000 00	per request Steve Huihnen Data Processing
010-503-352 Travel Training			per request Steve Huihnen Data Processing
010-510-330 Fuel Oil furnished Transportation		2 000 00	per request Jan Shandley County Judge's Office
010-510-332 Supplies/Repairs - Custodial	2 000 00		per request Jan Shandley County Judge's Office
010 510 452 Supplies/Repairs - Office Eqpt		\$ 3,000 00	per request Elgin Davis Maintenance Custodial
010-510 332 Supplies/Repairs - Custodial	3 000 00		per request Elgin Davis Maintenance Custodial
040-665-234 Demonstration-Supplies		\$ 270-00	per Sylvia Brivins Extension DELETE
040-665-236 GEA-FAM-Consumer-Travel-Funds	270-00		per Sylvia Brivins Extension
015-621-105 Salaries	3 500 00	\$ 3 500 00	per Commissioner Slim Speights R&B Pct 1
015-621-108 Salaries/Part Time	671 12		per Commissioner Slim Speights, R&B Pct 1
015-369 100 Culverts/Materials Reimbursement	671 12		Reimbursement from Shelter Cove Property Assoc
015-621-338 Culverts	615 36		per Commissioner Slim Speights, R&B Pct 1
015-369-100 Culverts/Materials Reimbursement	615 36		Reimbursement from Indian Hills #2
015-621-339 Construction & Materials	172 42		per Commissioner Slim Speights R&B Pct 1
015-369-100 Culverts/Materials Reimbursement	172 42		Reimbursement from Owen Doyle
015-621-338 Culverts			per Commissioner Slim Speights, R&B Pct 1
015-369-200 Culverts/Materials Reimbursement	1 020 00		Reimbursement from Elbow Bend Kaint Venture
015-622-339 Construction & Materials	1,020 00		per Commissioner Bobby Smith
015-369-200 Culverts/Materials Reimbursement	710 97		Reimbursement from Forest Hills POA
015-622-339 Construction & Materials	710 97		per Commissioner Bobby Smith
015-623-338 Construction & Materials		4,500 00	per Commissioner Buddy Purvis
015-623-338 Culverts		1,500 00	per Commissioner Buddy Purvis
015-623-354 Tires & Tubes	700 00		per Commissioner Buddy Purvis
015-623-330 Fuel & Oil	600 00		per Commissioner Buddy Purvis
015-623-573 Capital Outlays	4,500 00		per Commissioner Buddy Purvis
015-624-100 Pct 4 Budget Carryover		3,900 00	per Commissioner Dick Hubert
015-624-330 Fuel & oil	2,225 00		per Commissioner Dick Hubert
015-624-354 Tires & Tubes	1,200 00		per Commissioner Dick Hubert

015-624-420	Telephone	275 00		per Commissioner Dick Hubert
015-624-442	Water	200 00		per Commissioner Dick Hubert
051-645-350	Maintenance Bldg		1 275 00	per Lezli Myers - Aging Director
051-645-312	Office Supplies	100 00		per Lezli Myers - Aging Director
051-645-332	Custodial/Cleaning Supplies	300 00		per Lezli Myers - Aging Director
051-645-351	Equipment Maintenance/Repairs	300 00		per Lezli Myers - Aging Director
051-645-443	Garbage/Sewer	575 00		per Lezli Myers - Aging Director
061-207-000	Fund Balance		9 681 99	per Judge Thompson - County Judge
061-850-512	Interest-1986 C/O Jail Issue		30 550 00	per Judge Thompson - County Judge
061-851-516	Interest-1990 C/O Prison Issue		54,250 00	per Judge Thompson - County Judge
061-852-595	Interest-1991 C/O Solid Waste		47 375 00	per Judge Thompson - County Judge
061-861-516	Interest-1989 Series T/Warrant		1 200 90	per Judge Thompson - County Judge
061-810-512	1988 C/O Jail Issue			per Judge Thompson - County Judge
061-811-516	1990 C/O Prison Issue	18 545 45		per Judge Thompson - County Judge
061-812-595	1991 C/O Solid Waste Issue	35 931 82		per Judge Thompson - County Judge
061-324-516	1989 Series Time Warrant	34,772.73		per Judge Thompson - County Judge
061-855-580	Interest-1998 Perm Improv Refunding	3 158 09		per Judge Thompson - County Judge
061-860-510	Interest-1988 Series T/Warrant	49 023 33		per Judge Thompson - County Judge
061-890-690	Bond Fees	628 47		per Judge Thompson - County Judge
		1 000 00		

168 502 89

175 282 63

Difference due to increased/reimbursed revenue & expenditures

Date Approved, Approved By

8-11-98
 Filed for record.
 S. Middleton
 County Clerk

002

POLK CO AUDITOR

0409 327 6898

08/11/98 08 18

SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	452.63
013	ROAD & BRIDGE ADM	9 716.11
032	ENVIRONMENTAL SERVICES	300.00
090	DRUG FORFEITURE FUND	8 209.35
TOTAL OF ALL FUNDS		18 878.09

THE PRECEDING LIST OF BILLS PA ABLE WAS REVIEWED AND APPROVED FOR PAYMENT

JOHN THOMPSON
COUNTY JUDGE

John W. Thompson

John W. Thompson
County Judge

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	3 769 08
TOTAL OF ALL FUNDS	3 769 08

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

Walter Carter

Jeff Smith

John W. Thompson

JOHN THOMPSON
COUNTY JUDGE

CHECK # 133671

BANK ACCT MAIN 07/30/1998 \$173 08
*** VOID *** VOID *** VOID *** VOID *** VOID *** VOID ***
*** VOID *** VOID *** VOID *** VOID *** VOID *** VOID ***

*****173 08

SHEFFIELD/HELEN E

CHECK # 133671

010-202-100 GENERAL FUND

072419 173 08

*** VOID *** VOID *** VOID *** VOID *** VOID *** VOID ***
*** VOID *** VOID *** VOID *** VOID *** VOID *** VOID ***



SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	72 672 42
015 ROAD & BRIDGE ADM	22 350 32
032 ENVIRONMENTAL SERVICES	4 420 16
048 DISTRICT ATTY SPECIAL FUND	119 00
101 ADULT SUPERVISION	11 622 51
106 CCP - SURVEILLANCE	863 20
109 SPECIALIZED CASELOAD CCP	557 70
184 JUVENILE PROBATION	1 331 41
185 CCAP - JUVENILE PROBATION	3 972 24
TOTAL OF ALL FUNDS	117 908 96

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

JOHN THOMPSON
COUNTY JUDGE

Shirley Carver

Scott Adkins

John P. Thompson

CHECK # 132898

BANK ACCT MAIN 07/31/1978 570 00
*** VOID *** VOID *** VOID *** VOID *** VOID *** VOID *** VOID ***
*** VOID *** VOID *** VOID *** VOID *** VOID *** VOID *** VOID ***

*****70 00

ANGELINA DIAGNOSTIC RADIOLOGY

P O BOX 1209
LUFKIN TX 75902

CHECK # 132898

010-228-403 GENERAL FUND VICTIM 70 00
*** VOID *** VOID *** VOID *** VOID *** VOID *** VOID *** VOID ***
*** VOID *** VOID *** VOID *** VOID *** VOID *** VOID *** VOID ***



SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	54 728 98
015	ROAD & BRIDGE ADM	18 152 02
032	ENVIRONMENTAL SERVICES	20 343 90
040	LAW LIBRARY FUND	322 25
049	DISTRICT ATTY HOT CHECK FUND	00
051	AGING DEPT	9 920 69
070	ENV SERVICE - 94 CO ISSUE	3 222 50
TOTAL OF ALL FUNDS		106 690 34

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

JOHN THOMPSON
COUNTY JUDGE

Shuler Coover
Asst Auditor
John P. Thompson

SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
012	ELECTED OFFIC ALS FEE ACCOUNTS	42 703 08
028	POLK COU JT HISTORICAL COM	1 473 18
085	ON-SITE SEWER FACILITIES-15641	23 120 00
TOTAL OF ALL FUNDS		67 296 24

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

JOHN THOMPSON
COUNTY JUDGE

Walter Lewis
Scott Mueller
John W. Thompson

SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	85 071 30
015	ROAD & BRIDGE ADM	28 117 50
027	SECURITY FUND	26 74
028	POLK COUNTY HISTORICAL COM	253 40
032	ENVIRONMENTAL SERVICES	7 967 09
048	DISTRICT ATTY SPECIAL FUND	380 43
051	AGING DEPT	5 869 42
061	DEBT SERVICE FUND	621 945 98
101	ADULT SUPERVISION	16 408 79
104	DTP - CSR	247 50
108	CCP - SURVEILLANCE	764 44
109	SPECIALIZED CASeload CCP	818 43
184	JUVENILE PROBATION	2 195 28
185	CCAP - JUVENILE PROBATION	5 133 53
TOTAL OF ALL FUNDS		775 210 65

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

JOHN THOMPSON
COUNTY JUDGE

Huber Cover
Scott Appleby
John W. Thompson

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
061 DEBT SERVICE FUND	184 150 00
TOTAL OF ALL FUNDS	184 150 00

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

JOHN THOMPSON
COUNTY JUDGE

Shirley Green
Asst. Auditor
John F. Thompson

DATE: JULY 29 1998 THROUGH AUGUST 11 1998

Ret

NO	EMPLOYEE NAME	DEPT	JOB CLASSIFICATION	TYPE OF EMPLOYEE	SALARY GROUP	ACTION
(1)	VIVA JOY	SHERIFF	#1043 TELECOMMUNICATION OPER.	REGULAR FULL TIME	11/1 \$16 530 7	DISMISSAL EFFECTIVE 07/24/98
(2)	CURLEY	SHERIFF	#1037 DEPUTY SHERIFF PATROL	REGULAR FULL TIME	16/3 \$22 197 73	RESIGNED 08/08/98
(3)	MEREDITH	SHERIFF	#1043 TELECOMMUNICATION OPER	REGULAR PART TIME	11(1) \$7 95	RECLASSIFY TO REG FT 11/1 \$16 530 70 EFFECTIVE 05/98
(4)	SLATER	WASTE	#802 OFFICE MANAGER	REGULAR FULL TIME	14/1 \$19 151 42	WENT INCREASE TO 14/2 \$19 621 81 EFFECTIVE 05/98
(5)	JEFF	WASTE	#912 LANDFILL SUPERVISOR	REGULAR FULL TIME	15/6 \$22 257 71	WENT INCREASE TO 15/7 \$23 317 70 EFFECTIVE 05/98
(6)	HUNTER	MANAGEMENT	HEAVY EQUIPMENT OPER.	REGULAR FULL TIME	14/1 \$19 151 42	NEW HIRE EFFECTIVE 08/06/98
(7)	KEVIN W	JAIL	#1053 CORRECTIONS/SHIFT SUPER.	REGULAR LABOR	15/2 \$20 607 38	TRANSFER TO #1037 DEPUTY SHERIFF PATROL 16/1 @ \$21 122 56 EFFECTIVE 05/98
(8)	ED	SHERIFF	#1049 SHERIFF	REGULAR POOL	UNCLASSIFIED \$5 25	RESIGNED EFFECTIVE 05/98
(9)	BARBI LYNN	SHERIFF	#1043 TELECOMMUNICATION OPER.	REGULAR PART TIME	11(1) \$7 95	NEW HIRE EFFECTIVE 07/09/98
(10)	STANLEY P	SHERIFF	#1035 DETECTIVE	REGULAR FULL TIME	18/3 \$24 504 86	RESIGNED EFFECTIVE 8-10-98
(11)	MELVIN	JAIL	#1055 CORRECTIONS OFFICER	REGULAR FULL TIME	12/1 \$17 359 48	PROMOTION TO #1035 CORRECTIONS OFF/SHIFT SUPER. 15/1 \$20114 59 EFFECTIVE 8-19-98
(12)	FROST	JAIL	#1055 CORRECTIONS OFFICER	REGULAR FULL TIME	12/1 \$17 359 48	PROMOTION TO #1035 CORRECTIONS OFF/SHIFT SUPER. 15/1 \$20114 59 EFFECTIVE 8-19-98
(13)						
(14)						
(15)						
(16)						
(17)						
(18)						
(19)						
(20)						

ADDITIONAL
ADDITIONAL
ADDITIONAL
ADDITIONAL

Item #15

RESOLUTION

ESTABLISHMENT OF JUST COMPENSATION AND OFFER TO PURCHASE

STATE OF TEXAS }
COUNTY OF POLK }

WHEREAS, the Commissioners Court of the County of Polk is the duly constituted governing body of the County of Polk Texas and

WHEREAS, said County is the Grantee of a Texas Community Development Block Grant. 703150 Road and Bridge Improvements - Big Thicket Lake Estates and

WHEREAS, an appraisal and review appraisal of Lots 31 and 32 Section II, Big Thicket Lake Estates Subdivision situated in the Joaquin Fernandez DeRu Mayor Survey has been made in order for the County to obtain the tract to construct road improvements in the Big Thicket Lake Estates

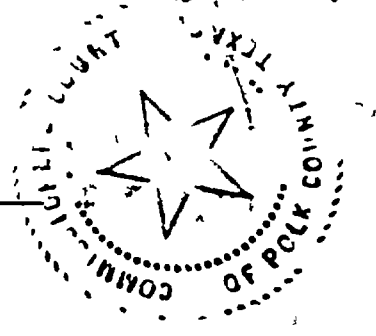
NOW, THEREFORE, BE IT RESOLVED that the Commissioners Court does formally establish just compensation of Eighteen Thousand and No/100 Dollars (\$18 000 00) based on the appraisal and review appraisal of Lots 31 and 32 Section II, Big Thicket Lake Estates Subdivision and does hereby offer to purchase the tract from Lucille Killen, Owner

PASSED AND APPROVED THIS 11th DAY OF August, 1998

John P. Thompson
John P. Thompson, County Judge

ATTEST

Barbara Middleton



RESIDENTIAL APPRAISAL REVIEW FORM

Lending Institution	TCOP 703150		
Lender's Address	AUSTIN, TX		
Name of Borrower	CLIENT COUNTY OF POLK		
Property Address	LOT 31 & 32, SECTION II, BIG THICKET LAKE ESTATES SUBDIVISION		
Loan Number			
Appraised Value	\$ 18,000.00		
Lender's Appraiser	JAMES A. BANKS	Date	MAY 8, 1998
Appraiser's Address	104 VALLEY DRIVE, LIVINGSTON, TEXAS 77351-4026	Phone	(409) 327-4990
Reviewer Appraiser	CLARK GIMPEL, I.F.A.S.	Phone	409 698-2363
Reviewer's Address	P.O. BOX 54 SAM RAYBURN, TEXAS 75951		

FORMAT AND PRESENTATION

LENDER SECTION			
1 Is the appraisal format in conformance with company appraisal requirements?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
2 Is the lender section of the report complete and accurate?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
NEIGHBORHOOD SECTION			
3 Does the neighborhood section provide the reviewer an adequate understanding with respect to locational factors growth rate and economic trends property values housing supply marketing time, land use price ranges convenience to employment and amenities adequacy of utilities and recreational facilities property compatibility appearance of properties detrimental conditions and marketability?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
4 Does the appraisal report enable the reviewer to spot healthy growth patterns or trends that may indicate a deteriorating neighborhood with limited market appeal?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
5 Are comments in the neighborhood section relevant and do they give insight into those conditions which positively or negatively affect the appraised properties value and marketability?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
6 Have all fair and poor ratings in the neighborhood section been explained?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
7 If marketing time is over six months has the appraiser commented on the reasons for slow market conditions in the subject area?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
8 If the market is slow has the appraiser indicated whether or not this has resulted in a decline in values?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
9 Is the neighborhood section of the report completed and accurate?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Reviewer's Comments			

SITE SECTION

10 Has the appraiser commented on unfavorable site factors?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>	13 Does the appraiser indicate the subject's zoning and whether or not the subject conforms with present zoning requirements?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
11 Does the appraiser indicate whether or not the subject property meets all the criteria for a desirable lot in the area?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>	14 Has the appraiser accurately indicated the dimensions and size of the subject lot?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
12 Has the appraiser addressed and commented on problems relating to poor drainage flood conditions adverse easements encroachments or other detrimental factors?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>	15 Does the appraisal report reveal whether or not site improvements and services to the site are adequate and acceptable in the market place?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Reviewer's Comments	SITE SIZE WAS ESTIMATED FROM SURVEY PLAT MAP IN THE APPRAISAL & THE CALCULATIONS APPEAR TO BE CORRECT			16 Is the site section of the appraisal report complete and accurate?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>

IMPROVEMENTS SECTION

17 If the subject property is a condominium are the project improvements and project rating sections complete and accurate?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>	25 If there is evidence of dampness termites or settlement, did the appraiser comment on these factors?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
18 Did the appraiser comment on physical and functional inadequacies and indicate whether or not repairs and modernization are needed?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>	26 Has the appraiser provided the reviewer with a clear and accurate understanding of the physical and functioning attributes of the subject property?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
19 Has the appraiser explained fair or poor improvement ratings?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>	27 Is the property rating section accurate as well as consistent with other data in the report?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
20 Does the appraiser indicate whether or not factors receiving poor or fair ratings adversely affect the property's marketability?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>	28 Has the appraiser presented information on construction features in a manner that gives an accurate and adequate view of the subject property?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
21 Have factors relating to age condition, quality or construction, finish and equipment, as well as size and utility been properly handled?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>	29 Has information relating to the improvement been well handled?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
22 Has the appraiser given serious attention to structural problems? Did the appraiser comment on unusual layouts peculiar floor plans inadequate equipment and amenities?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>	30 In the reviewer's opinion is the descriptive section of the appraisal report (page one) acceptable?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
24 Has the appraiser indicated whether or not factors relating to unusual layouts peculiar floor plans and inadequate equipment and amenities limit the value and market appeal of the subject?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>	31 Has the appraiser required all needed repairs?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Reviewer's Comments				32 Is the improvement section of the report complete and accurate?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

COST SECTION

33 Are the appraiser's measurements for gross living area correct?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>	37 Is the estimate of land value appropriate?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
34 Has the appraiser commented on functional and economic obsolescence?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>	38 Are the appraiser's mathematical calculations accurate?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
35 In estimating reproduction costs has the appraiser used cost figures that are appropriate for the local market?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>	39 Is the budget analysis section accurate and complete (if condo)?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
36 Do figures for physical, functional and economic depreciation appear reasonable in light of the subject's age condition, state of modernization, size utility and location?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>	40 Is the cost section complete and accurate?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Reviewer's Comments	THE COST APPROACH TO VALUE WAS NOT USED IN SUBJECT APPRAISAL. ONLY THE MARKET (SALES COMPARISON) APPROACH TO VALUE WAS USED IN THIS REPORT						

MARKET ANALYSIS SECTION							
	YES	NO	N/A		YES	NO	N/A
41 Has the appraiser selected his/her comparables from the subject neighborhood? If not, has the appraiser explained why comparables were selected from a different neighborhood?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	56 Does the appraiser's final value conclusion relate to the adjusted comparables and/or listings?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
43 In your opinion are the comparables really similar with respect to location, site, design and style, quality and amenities as well as size and utility? If no Comp # needs to be replaced	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	57 Has the appraiser selected good market data and handled it well?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
44 Are all of the comparables recent sales of similar properties from the subject neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	58 Has the appraiser commented on the subject's marketability?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
45 If the comparables are over three months old, has the appraiser explained why he/she failed to use recent sales?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	59 Does the appraiser's marketability information appear to be accurate?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
46 Are room counts and square foot areas of the subject and comparables similar?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	60 Has the appraiser avoided the appearance of backing into any or all of the approaches to value?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
47 Do the sale prices of the comparables correlate and indicate comparability?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	61 Is there clarity with respect to the appraiser's reasoning?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
48 Do the prices per square foot of the comparables correlate and indicate comparability?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	62 Can you read the appraisal report, step by step and arrive at the same conclusion of value as the appraiser?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
49 Has the appraiser bracketed his or her sales data (before making adjustments)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	63 Does the appraiser appear to be an individual offering an independent and impartial third-party opinion of value rather than an advocate?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
50 Do time adjustments, for date of sale appear reasonable in light of market trends and current market conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	64 Are all the required photographs attached and do they adequately show the subject and surrounding properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
51 Has the appraiser avoided numerous adjustments?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	65 Is other needed illustrative material attached and properly completed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
52 Has the appraiser adjusted all comparables and/or listings in a reasonable and consistent manner?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	66 If the appraiser is using computer generated data, are the facts and comments in the report accurate and applicable to the subject and comparable properties?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
53 Are total gross adjustments exceeding 25% of the comparables and/or listings sale prices and individual line adjustments exceeding 10% of the comparable's sale price adequately explained and justified?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	67 Does it appear that the appraiser has clearly thought through this process rather than using a computer as a substitute?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4 Are the appraiser's mathematical calculations accurate? Is there a convincing value range with respect to the three adjusted comparables -- in brief are the adjusted value conclusions reasonably similar?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	68 Has the appraiser identified which comparable(s) are the most relevant?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	69 Is the market analysis section complete and accurate?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reviewer's Comments #44 COMPARABLE 3 IS NOT A CLOSED SALE COMPARABLE 4 SOLD 5-26-95 TYPICALLY SALES WITHIN 12 MONTHS OF SUBJECT APPRAISAL ARE REQUIRED/USED HOWEVER USE OF PROPERTY OFFERED FOR SALE & DATED SALES ARE TYPICAL WHEN SALES WITHIN 12 MONTHS ARE NOT AVAILABLE #51, 52 & 53 EXPLANATION OF ALL ADJUSTMENTS IS NEEDED

INCOME APPROACH SECTION							
	YES	NO	N/A		YES	NO	N/A
70 Has the income approach been completed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	72 Is supporting data valid and correctly analyzed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
71 Has supporting data been submitted?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>				

Reviewer's Comments N/A

RECONCILIATION SECTION							
	YES	NO	N/A		YES	NO	N/A
73 In your opinion has the appraiser proven his/her case?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	76 Is it clear which approach to value was given the most weight in the final estimate of value?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
74 Do you concur with the value conclusion of the appraiser based upon data contained within the report?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	77 Is the final estimate of value weighted by the most appropriate approach to value?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
75 Are the appraiser's comments and final reconciliation of value adequate and does the appraisal give insight into the value and marketability of the subject property?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	78 Is the appraiser's value conclusion reasonable?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				79 Has the appraiser signed the report and typed his or her name under the signature?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				80 Is there a phone number on the report and/or cover letter which would enable the reviewer to contact the appraiser and clarify a questionable appraisal report?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reviewer's Comments #73 & #74 A BRIEF EXPLANATION SHOWING HOW THE (+) ADJUSTMENTS WERE ESTIMATED, OBTAINED, SALES EXTRACTED OR DERIVED IS NEEDED FOR THE REVIEW APPRAISER TO UNDERSTAND THE ADJUSTMENTS & FINAL INDICATED VALUE OF SUBJECT

REVIEWER'S SUMMARY	
Appraisal report was	<input checked="" type="checkbox"/> Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor
Recommendation	<input type="checkbox"/> Accept as is <input type="checkbox"/> Accept when revised -- See Items # <input checked="" type="checkbox"/> Other
Comments	ADJUSTMENTS MADE FOR LOCATION, YEAR, CONDITION, ROOM COUNT, GROSS LIVING AREA, STORAGE BUILDING, CARPORT & SITE ARE NOT SUPPORTED/EXPLAINED AN ADDENDUM TO SUBJECT REPORT IS NEEDED SHOWING REASONING, SALES EXTRACTION, SOURCE, ETC OF THESE ADJUSTMENTS.

Field Review was made YES NO

Sales Price \$ _____ Appraiser's Value \$ 18,000.00 Reviewer's Recommendation \$ _____

Reviewer's Signature CLARA GIMPEL, I.E.A.S. Title _____ Date of Review AUGUST 1, 1998

Reviewer's Signature _____ Title _____ Date of Review _____

See Attached

File No. 194-98

I certify that, to the best of my knowledge and belief

- the facts and data reported by the review appraiser and used in the review process are true and correct
- the analyses, opinions, and conclusions in this review report are limited only by the assumptions and limiting conditions stated in this review report, and are my personal, unbiased professional analyses, opinion and conclusions
- I have no (or the specified) present or prospective interest in the property that is the subject of this report and I have no (or the specified) personal interest or bias with respect to the parties involved
- my compensation is not contingent on an action or event resulting from the analyses, opinions, or conclusions in, or the use of, this review report
- my analyses, opinions, and conclusions were developed and this review report was prepared in conformity with the Uniform Standards of Professional Appraisal Practice
- I did not personally inspect the subject property of the report under review
- no one provided significant professional assistance to the person signing this review report (If there are exemptions, the name of each individual providing significant professional assistance must be stated)

Comment Departure from binding requirements (a) through (e) above are not permitted

VOL 44 PAGE 743
File No.

CLARK GIMPEL, IFAS, CEI
STATE CERTIFIED GENERAL APPRAISER NO. TX-1326989-G
TEXAS REAL ESTATE BROKER LICENSE NO 0099348

A NATIVE OF ORANGE COUNTY TEXAS ATTENDED LOCAL SCHOOLS IN ORANGE AND GRADUATED FROM SAM HOUSTON STATE UNIVERSITY HUNTSVILLE, TEXAS WITH A BACHELOR OF BUSINESS ADMINISTRATION DEGREE

ACTIVELY ENGAGED IN APPRAISAL, SALES AND DEVELOPMENT OF REAL ESTATE FOR 38 YEARS ONE OFFICE LOCATED ON HIGHWAY 96 TEN MILES NORTH OF JASPER TEXAS AND A SECOND OFFICE IN BEAUMONT LOCATED AT 9055 BROWN, BEAUMONT TEXAS 77707

HAS SERVED AS VICE PRESIDENT PRESIDENT AND DIRECTOR OF THE ORANGE COUNTY BOARD OF REALTORS AND AS A MEMBER OF THE TEXAS REALTOR COMMITTEE PAST CHAIRMAN ORANGE COUNTY VETERANS LAND BOARD AND HAS REVIEWED OVER 200 RURAL ACREAGE PURCHASES THROUGH THE TEXAS VETERANS LAND BOARD THROUGHOUT EAST TEXAS SERVED AS A CONDEMNATION COMMISSIONER AND AS A PLANNING AND ZONING COMMISSIONER FOR THE CITY OF ORANGE TEXAS

HAS SUCCESSFULLY COMPLETED 311 HOURS IN COURSES APPROVED BY THE TEXAS APPRAISER LICENSING & CERTIFICATION BOARD 180 HOURS IS REQUIRED AS OF 1/1/99 TO BECOME A CERTIFIED GENERAL APPRAISER WHICH IS THE TOP APPRAISER LICENSING/CERTIFICATION IN TEXAS

HE IS A CERTIFIED INSTRUCTOR BY THE TEXAS DEPARTMENT OF EDUCATION AND HAS CONDUCTED COURSED IN REAL ESTATE AND REAL ESTATE APPRAISING FOR ANGELINA COLLEGE SINCE 1976 HE ALSO CONDUCTED REAL ESTATE COURSES FOR PANOLA COLLEGE IN 1980 HE IS ALSO APPROVED BY THE TEXAS REAL ESTATE COMMISSION TO TEACH MANDATORY CONTINUING EDUCATION COURSES FOR BROKERS AND SALESMEN AT ANGELINA COLLEGE AND IS CURRENTLY DOING SO

HE SERVED UNDER CONTRACT WITH THE FEDERAL GOVERNMENT FROM JUNE 1965 TO AUGUST 1972 AS FEDERAL HOUSING ADMINISTRATION AREA BROKER FOR ORANGE AND JASPER COUNTIES MAJOR DUTIES AND RESPONSIBILITIES UNDER THIS CONTRACT WERE APPRAISING AND ESTABLISHING SALES PRICES OF THE PROPERTIES UNDER HIS MANAGEMENT THE NUMBER OF THESE PROPERTIES UNDER THIS CONTRACT TOTALED AS MANY AS 140 AT A TIME OTHER RESPONSIBILITIES INCLUDED MANAGING MAINTENANCE LEASES RENTALS SALES AND ESTIMATING AND SOLICITING BIDS FOR REPAIR OF THESE RESIDENTIAL PROPERTIES HE ALSO SERVED UNDER CONTRACT WITH THE U.S. DEPARTMENT OF AGRICULTURE FARMERS HOME ADMINISTRATION FROM 1989 THROUGH 1994 AS CONTRACT APPRAISER IN THE COUNTIES LISTED BELOW

HE HAS PERFORMED APPRAISAL SERVICES IN THE FOLLOWING COUNTIES JEFFERSON ORANGE HARDIN JASPER TYLER NEWTON LIBERTY CHAMBERS, GALVESTON ANGELINA NACOGDOCHES TRINITY POLK, SAN JACINTO SHELBY SABINE SAN AUGUSTINE VAN ZANDT RAINS KAUFMAN HENDERSON, FREESTONE ANDERSON SMITH CHEROKEE, RUSK PANOLA, GREGG FORT BEND MONTGOMERY HARRIS ROBERTSON LEON BRAZOS GRIMES MADISON WALKER HOUSTON BRAZORIA, AUSTIN COLORADO WALLER RED RIVER DELTA, UPSHUR WOOD CAMP CASS HARRISON MARION TITUS, FRANKLIN MORRIS BOWIE LAMAR HOPKINS HUNT COLLIN FANNIN GRAYSON COOKE JACK, WISE MONTAQUE AND DENTON

HE HAS MADE APPRAISALS FOR ATTORNEYS, ACCOUNTANTS FEDERAL DEPOSIT INSURANCE CORPORATION C.P.A.S. INTERNAL REVENUE SERVICES, FEDERAL HOUSING ADMINISTRATION FARMERS HOME ADMINISTRATION, FEDERAL HOUSING AUTHORITY COUNTIES OF JASPER, NEWTON, ORANGE, POLK AND TRINITY CITIES OF BROWDELL, CORRIGAN, JASPER, NORMANGEE, SILSBEE, SOUR LAKE, TIMPSON, TRINITY WOODVILLE & NEDERLAND SEE REPRESENTATIVE CLIENT LIST ATTACHED

HE IS APPROVED TO DO APPRAISAL WORK FOR THE FEDERAL DEPOSIT INSURANCE CORPORATION (F.D.I.C.) THE RESOLUTION TRUST CORPORATION (R.T.C.) AND THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (H.U.D.), FEDERAL HOUSING ADMINISTRATION (F.H.A.)

HE HAS MADE A TOTAL OF APPROXIMATELY 10 000 APPRAISALS BOTH URBAN SUBURBAN & RURAL, IN SIXTY-FIVE (65) SURROUNDING COUNTIES IN 38 YEARS HE HAS BEEN A LICENSED TEXAS REAL ESTATE BROKER AND CERTIFIED APPRAISER

HE IS A MEMBER OF THE NATIONAL ASSOCIATION OF INDEPENDENT FEE APPRAISERS AND THE APPRAISAL FOUNDATION. HE IS A STATE CERTIFIED GENERAL REAL ESTATE APPRAISER BY THE TEXAS APPRAISER LICENSING AND CERTIFICATION BOARD HE HAS BEEN A LICENSED TEXAS REAL ESTATE BROKER SINCE 1980. HE IS A CERTIFIED ENVIRONMENTAL INSPECTOR (CEI) THROUGH THE ENVIRONMENTAL ASSESSMENT ASSOCIATION, ALEXANDRIA, MINNESOTA.

7/98



TEXAS APPRAISER LICENSING AND CERTIFICATION BOARD

BE IT KNOWN THAT

DUNCAN CLARK GIMPEL JR

HAVING PROVIDED SATISFACTORY EVIDENCE OF THE QUALIFICATIONS REQUIRED BY THE TEXAS APPRAISER LICENSING AND CERTIFICATION ACT ARTICLE 6573a 2 VERNON S TEXAS CIVIL STATUTES IS AUTHORIZED TO USE THE TITLE STATE CERTIFIED

GENERAL REAL ESTATE APPRAISER

Number TX-1326989-G

Date of Issue March 25, 1998

Date of Expiration April 30 2000

In Witness Whereof

[Signature]
Benjamin E. Barnett Chair

[Signature]
Renil C. Liner Commissioner



Benjamin E. Barnett Chair
Leonel Garza Jr
Robert A. Serle Jr

Debra S. Runyan Vice-Chair
David Glouer
James M. Synatzske

Jacqueline G. Humphrey Secretary
Eduardo A. Lopez
Angie V. White

Item #20

VOL 44 PAGE 745



LIFTING OF COUNTY-WIDE BURN BAN

Whereas, Polk County has received sufficient rainfall to safely lift the mandatory burn ban Commissioners Court is asking all citizens to keep in mind that weather conditions can change rapidly and that the decision to lift the burn ban will be reviewed during the regularly scheduled Commissioners Court meeting on Tuesday, August 11, 1998

BE IT THEREFORE PROCLAIMED that I, John P Thompson, County Judge of Polk County, do hereby lift the mandatory burn ban until further notice, and that the cooperation of all Polk County residents is important to the safety of lives and property and is greatly appreciated

IN WITNESS HEREOF, I affix my signature the 7th day of August, 1998

John P. Thompson
John P Thompson, Polk County Judge



ATTEST

Barbara Middleton
Barbara Middleton, County Clerk

August 7, 1998
Date

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS
POLK COUNTY TEXAS

98 AUG -7 PH 3 43

Barbara Middleton
BARBARA MIDDLETON
COUNTY CLERK POLK CO



FOR POLK COUNTY, TEXAS

August 12, 1998



John P. Thompson, County Judge

**PROHIBITION OF OUTDOOR BURNING
EMERGENCY ORDER # 98-02**

WHEREAS, in accordance with provisions of the Texas Disaster Act of 1975, a state of disaster has been declared based on the imminent threat of disaster from wildfire, and
WHEREAS, declaration of such disaster authorized the imposition of controls on activities which tend to increase the likelihood of such fires,
BE IT THEREFORE ORDERED that the following emergency regulations are hereby established for all unincorporated areas of Polk County, Texas for the duration of the above mentioned declaration

(1) Actions Prohibited

A person violates this order if he/she burns any combustible material outside of an enclosure, which serves to contain all flames and/or sparks, or orders such burning by others

(2) Enforcement

(a) Upon notification of suspected outdoor burning, the fire department assigned to the location of the fire shall respond to the scene and take immediate measures to contain and/or extinguish the fire

(b) As soon as possible, a duly commissioned peace officer shall be sent to the scene to investigate the nature of the fire

(c) If in the opinion of the officer at the scene and/or the Fire Chief, the goal of the order can be attained by informing the responsible party about the prohibitions established by this order, the officer may, at his/her discretion, notify the party about the provisions of this order and request compliance with it. In such instances, an entry of this notification shall be made into the dispatcher's log containing the time, date, and place of the warning, and the name of the person receiving the warning

(3) At the discretion of a peace officer and/or Fire Chief, second or flagrant violations of this order may be prosecuted in accordance with the statutes and procedures governing misdemeanors.

BE IT ALSO ORDERED that this order may be enforced by any duly commissioned peace officer and that the venue for prosecution of this order will be the County Court-at-Law, Livingston, Texas



**DECLARATION OF DISASTER
THREAT OF WILDFIRES**

WHEREAS, Polk County has not had rainfall for an extended period, and
WHEREAS, weather forecasters offer little promise of a change in the hot, dry conditions in the near future, and
WHEREAS, these hot, dry conditions pose the threat of large, dangerous and fast-moving wildfires, and
WHEREAS such fires have the potential of endangering lives and damaging property on a large scale, and
WHEREAS, the Texas Disaster Act of 1975 authorizes declaration of a state of disaster "if the threat of disaster is imminent", and
WHEREAS, the magnitude of the potential damage and the rapidity at which such a fire could escalate to major proportions constitute an imminent threat of disaster, and
WHEREAS, declaration of such disaster authorizes the imposition of controls on activities which tend to increase the likelihood of fires, and
WHEREAS, such controls, once implemented, have the potential of protecting lives and property by mitigating the threat of dangerous fires,

BE IT THEREFORE PROCLAIMED that I, John P. Thompson, County Judge of Polk County, do hereby declare a state of disaster based on the threat of large wildfires in Polk County, Texas, and

BE IT ALSO PROCLAIMED that this state of disaster will continue until rescinded in accordance with the above statute and order, but in no instance will this declaration continue for more than seven days without authorization by the Polk County Commissioners Court,

BE IT ALSO PROCLAIMED this state of disaster is being declared solely for the purpose of implementing controls aimed at mitigating the hazard posed by wildfires during the current hot, dry weather

BE IT ALSO ORDERED THAT the purpose of this order is the mitigation of the hazard posed by wildfires by curtailing the practice of outdoor burning which purpose is to be taken into account in any enforcement action based upon this order

IN WITNESS WHEREOF, I affix my signature this the 12th day of August, 1998


John P. Thompson, Polk County Judge

Filed in the Office of the Polk County Clerk


Barbara Middleton, County Clerk

August 14, 1998
Date

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS
POLK COUNTY, TEXAS

98 AUG 14 PM 2 29


BARBARA MIDDLETON
COUNTY CLERK POLK CO

