

VOL 45 PAGE

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98 DEC 30 AM 9 51

Barbara Midleton

NOTICE OF MEETING OF THE

COMMISSIONERS COURT OF POLK COUNTY, TEXAS

142

Notice is hereby given that a Special meeting of the above named Commissioners' Court will be held on Tuesday, January 5, 1999 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 30, 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, December 30, 1998, and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting

Notice filed, Wednesday, December 30, 1998

Barbara Middleton, County Clerk

By MOSIO



COMMISSIONERS COURT AGENDA

for. TUESDAY - JANUARY 5 , 1999 - 10 00 A M

CALL TO ORDER

- 1 WELCOME Public Comments
- 2 INFORMATIONAL REPORTS
- 3 CONSIDER APPROVAL OF MINUTES for meeting of, December 22, 1998

NEW BUSINESS

- 4 CONSIDER ANY/ALL NECESSARY ACTION PERTAINING TO CONSTRUCTION OF COURTHOUSE GAZEBO
- 5 CONSIDER APPROVAL OF 911-RURAL ADDRESSING ROAD NAME CHANGES
- 6 CONSIDER OFFERS TO PURCHASE COUNTY TAX FORECLOSURE PROPERTIES, (Pct 2) Lot 723, Blocks 7, 8 & 9, Sportsman's Retreat #2
- 7 CONSIDER APPROVAL OF INTERLOCAL AGREEMENT WITH THE CITY OF LIVINGSTON FOR PUBLIC WORKS PURPOSES
- 8 APPOINT MEMBERS OF (Elected Officials) SALARY GRIEVANCE COMMITTEE
- 9 CONSIDER APPROVAL OF BONDS FOR ELECTED OFFICIALS BEGINNING NEW TERM OF OFFICE EFFECTIVE JANUARY 1, 1999
- 10 CONSIDER APPROVAL TO ADVERTISE FOR, A) THE PURCHASE OF ONE NEW 14YD DUMP TRUCK and B) THE SALE/TRADE OF ONE USED DUMP TRUCK (Road & Bridge, Pct 2)
- 11 CONSIDER CANCELLATION OF COMMISSIONERS COURT MEETING REGULARLY SCHEDULED FOR JANUARY 12 1999

CONSENT AGENDA ITEMS

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

<u>ADJOURN</u>

Next regularly scheduled meeting - January 26, 1999, 10 00 a m

STATE OF TEXAS }

DATE JANUARY 5, 1999

COUNTY OF POLK }

"SPECIAL" CALLED MEETING
Commissioner Purvis Absent

"SPECIAL" COMMISSIONERS COURT

BE IT REMEMBERED ON THIS THE <u>5th</u> DAY OF **JANUARY**, 1999 THE HONORABLE COMMISSIONERS COURT MET IN "SPECIAL" 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, 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 A M

Opening prayer was delivered by Rev Holt Tuck of Winnie Street Baptist Church

PUBLIC COMMENTS NONE

2 INFORMATIONAL REPORTS

- A MARION "BID" SMITH TAX COLLECTOR THANKED COMMISSIONER HUBERT PCT#4, FOR REPAIRS TO THE PARKING LOT OF THE TAX OFFICE RECENTLY
- B COMMISSIONER SMITH & EMERGENCY MANAGEMENT PERSONNEL WILL BE ATTENDING A MEETING IN LIBERTY TODAY TO SPEAK TO MEMBERS OF F E M A ABOUT FUNDING FOR POLK COUNTY RESIDENTS THAT INCURRED DAMAGES DURING THE NOVEMBER FLOODING EXPERIENCED IN OUR COUNTY
- C JUDGE THOMPSON REPORTED ON THE BTLE PROJECT, THE BIDDER THAT WAS AWARDED THE CUTTING OF TIMBER FROM THE RIGHT OF WAY FOR THE BRIDGE CONSTRUCTION, HAS WITHDRAWN HIS BID AND THE COURT WILL RE ADVERTISE FOR THE CUTTING & SALE OF TIMBER

- 3 MOTIONED BY BOBBY SMITH, SECONDED BY R R "Dick" HUBERT, APPROVAL OF MINUTES FOR MEETING OF DECEMBER 22, 1998 ALL VOTING YES
- 4 MOTIONED BY R R "Dick" HUBERT, SECONDED BY BOBBY SMITH, APPROVAL TO PROCEED WITH ALL ACTION PERTAINING TO CONSTRUCTION OF COURTHOUSE GAZEBO THE COMMITTEE WAS REPRESENTED IN COURT BY ALVIN HOLLEY ALL VOTING YES
- 5 MOTIONED BY BOBBY SMITH, SECONDED BY B E "Slim" SPEIGHTS, TO APPROVE NAME CHANGES WITH EXCEPTIONS AS NOTED, OF 911-RURAL ADDRESSING ROAD NAME CHANGES ALL VOTING YES (SEE ATTACHED)
- 6 MOTIONED BY BOBBY SMITH, SECONDED BY B E "Slim" SPEIGHTS, APPROVE OFFER TO PURCHASE COUNTY TAX FORECLOSURE PROPERTIES, PCT#2, Lot 723, Blocks 7,8, &9, of Sportsman Retreat #2 ALL VOTING YES
- 7 MOTIONED BY BOBBY SMITH, SECONDED BY B E "Slim" SPEIGHTS, APPROVAL OF INTERLOCAL AGREEMENT WITH THE CITY OF LIVINGSTON FOR PUBLIC WORKS PURPOSES ALL VOTING YES (SEE ATTACHED)
- 8 MOTIONED BY B E "Slim" SPEIGHTS, SECONDED BY R R "Dick" HUBERT, APPROVAL TO APPOINT MEMBERS OF SALARY GRIEVANCE COMMITTEE, IN ADDITION TO ALL ELECTED OFFICIALS,
 - 1 SONNY JOHNSON
 - 2 CHARLES KOVAR
 - **3 WILLIAM TOWNLEY**
 - 4 BETTY FORTUNE ALTERNATE ALL VOTING YES

- 9 MOTIONED BY R R "Dick" HUBERT, SECONDED BY B E "Slim" SPEIGHTS FOR APPROVAL OF BONDS FOR ELECTED OFFICIALS. BEGINNING NEW TERM OF OFFICE EFFECTIVE JANUARY 1, 1999 JOHN'S HOLLEMAN DISTRICT ATTORNEY STEPHEN PHILLIPS JUDGE COUNTY COURT AT LAW JOHN? THOMPSON COUNTY JUDGE BOBBY SMITH COUNTY COMMISSIONER PCT#2 R R Dick HUBERT COUNTY COMMISSIONER PCT#4 NEI I LOWE DISTRICT CLERK BARBARA MIDDLFTON COUNTY CLERK NOLA RENEAU COUNTY TREASURER DIANE BASS CHIEF DEPUTY, TREASURER DARRILL I ONGINO JUSTICE OF THE PEACE PCT#1 DAVID JOHNSON JUSTICE OF THE PLACE PCT#2 KINNETH PARRISH JUSTIC EOF THE PLACE PCT#3 HOWARD I II I FY JUSTICE OF THE PEACE PCT#4 ALL VOTING YES
- 10 MOTIONED BY R R "Dick" HUBERT, SECONDED BY B E "Slim" SPEIGHTS APPROVAL TO ADVERTISE FOR ROAD & BRIDGE PCT #2,
 A THE PURCHASE OF ONE NEW 14 yd DUMP TRUCK, AND
 B THE SALE or TRADE OF ONE USED DUMP TRUCK
 ALL VOTING YES
- 11 MOTIONED BY BOBBY SMITH, SECONDED BY B E "Slim" SPEIGHTS TO APPROVE CANCELLATION OF COMMISSIONERS COURT MEETING REGULARLY SCHEDULED FOR JANUARY 12, 1999 ALL VOTING YES
- 12 MOTIONED BY BOBBY SMITH, SECONDED BY B E "Slim" SPEIGHTS APPROVAL OF BUDGET AMENDMENTS #98 24 & #99 07, WITH DELETION OF ITEM PERTAINING TO PCT#4 SALARIES ALL VOTING YES (SEE ATTACHED)

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

| DATE | AMOUNT | CHECK NUMBERS |
|----------|------------|----------------------|
| 12 22 98 | 168,057 38 | 137265 137272 |
| 12 22 98 | 53,669 05 | Electronic Transfer |
| 12 23-98 | 11,145 00 | (FY98) 137273 137276 |
| 12 23-98 | 625 00 | 137277 |
| 12 30 98 | 147,713 95 | 137278 - 137285 |

| DATE | AMOUNT | CHECK NUMBERS |
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| 12 30 98 | 94,132 40 | 137286 137312 |
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- 14 MOTIONED BY BOBBY SMITH, SECONDED BY B E "Slim" SPEIGHTS APPROVAL OF PERSONNEL ACTION FORMS, (REVISED) ALL VOTING YES (SEE ATTACHED)
- 15 MOTIONED BY R R "Dick" HUBERT, SECONDED BY B E "Slim" SPEIGHTS, APPROVAL TO ADJOURN COURT THIS 5th DAY OF JANUARY 1999, AT 10 25 A M ALL VOTING YES

JOHN P THOMPSON, COUNTY JUDGE

ATTEST

BARBARA MIDDLETON, COUNTY CLERK

602 East Church Street P.O. Box 1257 Livingston TX 77351

かなりる

(409) 327 4381 Fax (409) 327 8102

November 25, 1998

County Clerk Barbara Middleton Polk County Courthouse Livingston, TX 77351

Dear Mrs Middleton

We are pleased to advise you that Memorial Medical Center Livingston has been accredited with commendation by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO) Commendation is the highest level of accreditation awarded by the Joint Commission

Accreditation with Commendation is achieved by only 20% of the 5,100 hospitals surveyed by the JCAHO Memorial Medical Center Livingston, including the rural clinics in Livingston and Onalaska, received a grade of 96 out of a possible 100 after an intensive review of 500 national quality standards JCAHO is the nation's oldest and largest accrediting body

We are extremely pleased to have achieved this designation, the second in the system since 1997 when Memorial Health System of East Texas, Lufkin received commendation with a score of 98 out of a possible 100

Everyone associated with MEMORIAL is charged with going the extra mile on a day-today basis to provide the best possible healthcare to our patients. This second JCAHO accreditation for a system hospital shows the effort being made on behalf of the patients in Deep East Texas who seek services at our facility

Sincerely

Jay Dickson,

Administrator/CEO

VOL

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INTERLOCAL AGREEMENT BETWEEN POLK COUNTY, TEXAS AND CITY OF LIVINGSTON, TEXAS

THE STATE OF TEXAS #

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF POLK

THIS AGREEMENT is entered into by and between the COUNTY OF POLK, STATE OF TEXAS, hereinafter referred to as "County", acting by and through its duly elected Commissioners' Court, and the CITY OF LIVINGSTON, TEXAS, a City located within Polk County, Texas, hereinafter referred to as "City", acting by and through its duly elected Mayor and City Council, under the terms, authority, and provisions of Secs 791 001, et seq, Gov. Code of the St. of Tex.

WHEREAS, it has been found and determined by the

WHEREAS, it has been found and determined by the Commissioners' Court of Polk County, Texas, and by the City Council of the City of Livingston, Texas, that it is advantageous to each named governmental entities that services be exchanged between the County and the City with regard to the governmental functions hereinafter described, and that the exchange of such services will result in increased efficiency and economy to the citizens of each

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such governmental entity with regard to the described governmental functions, and

WHEREAS, it is agreed by the governing bodies of the County and the City that the consideration in support of this agreement is the exchange of services as herein contemplated

NOW, THEREFORE, in consideration of the covenants and undertakings hereinafter described, it is agreed

- This agreement shall continue on a year to year basis and may be amended in writing, subject to prior agreement of both parties, and may be terminated by either party on thirty [30] days' written notice
- The authority of each political subdivision to perform a service under this agreement includes the authority to apply the rules, regulations, and ordinances of the political subdivision providing the service or services contemplated by this agreement
- 3 The County agrees to provide personnel and equipment at its own expense to assist in the construction, improvement, maintenance, and/or repair of certain

streets, parks, and/or public facilities located within the corporate limits of the City of Livingston

- Periodically, during the term of this agreement, the County and City shall agree to the location and type of assistance to be provided pursuant to this agreement, and it is expressly understood between the parties that the County shall have no obligation to provide any service or work until personnel and equipment are available to provide agreed services or work
- It is understood that in providing any such services, all employees of the County shall remain County employees of Polk County and shall not be considered agents, employees or borrowed servants of the City
- For and in consideration of the above agreement by the County, the City agrees to provide all materials, and shall be responsible for all engineering, surveying, and supervision of the construction of the services or work contemplated by this agreement City also agrees to provide all warning and safety signs and other

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- safety protection as required when the County is performing such work
- It is understood that each party will waive all claims for compensation for any loss, damage, personal injury, or death occurring as a consequence of the performance of this agreement
- The provisions of this agreement shall be cumulative of all provisions of the statutes of the State of Texas, and all provisions of the Charter and Ordinances of the City, and does not waive, modify or affect to any extent whatsoever the availability of the defense of governmental immunity to tort liability available to each of them under the laws of the State of Texas, and insofar as City is concerned, the Charter of the City of Livingston
- In connection with the subject matter of this agreement, the governmental units furnishing services shall have exclusive policy-making authority pertinent to the services furnished, that is, the City shall

have no control over the County personnel or operation of equipment

COUNTY OF POLK

BY: JOHN P THOMPSON, County Judge

ATTEST:

BARBARA MIDDLETON, County Clerk

CITY OF LIVINGSTON

BY: BEN R. OGLETREE, UR., Mayor

The foregoing agreement was approved by the City Council of the City of Livingston at its duly announced public meeting held on the 15th day of Nevember, 1998

ATTEST

MARILYN SUTTON, City Secretary

ADDENDUM TO INTERLOCAL AGREEMENT BETWEEN POLK COUNTY, TEXAS AND CITY OF LIVINGSTON, TEXAS

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF POLK

WHEREAS, on or about the 15th day of November, 1998, an agreement was entered into by and between the COUNTY OF POLK, STATE OF TEXAS, hereinafter referred to as "County", acting by and through its duly elected Commissioners' Court, and the CITY OF LIVINGSTON, TEXAS, a City located within Polk County, Texas, hereinafter referred to as "City", acting by and through its duly elected Mayor and City Council, and

WHEREAS, the parties desire to supplement said agreement, and it is agreed by the governing bodies of the County and the City that the consideration in support of this addendum is the exchange of services as herein contemplated

NOW, THEREFORE, in consideration of the covenants and undertakings hereinafter described, it is agreed

The County agrees to permit and inspect all on-site septic facilities within the City, including, but not limited to, soil evaluations, and evaluating septic systems

- The City agrees to comply with all present or future laws pertaining to the inspection and approval of onsite septic facilities within the State of Texas, including minimum state standards
- The County shall enforce reasonable rules and regulations in the conduct of its business, provided that such regulations, including rights and charges, shall be subject to the approval of the City, as provided by the laws of the State of Texas
- The City agrees to notify the County of the installation of on-site septic systems, and of all on-site septic systems which need inspecting
- The County will charge the sum of One Hundred Sixty and No/100 [\$160 00] Dollars for each permit issued for septic systems within the City, and shall be solely responsible for collecting such charges from the customers. The fee herein provided is subject to change, but will be the same amount that the County charges for outside the City limits
- Both parties to this addendum clearly understand and agree that it is the intent of all parties for the onsite septic facilities of the City to operate fully

and completely in compliance with all federal, state, and local laws and regulations concerning waste disposal, and both parties will use their best efforts to ensure continued compliance with all laws and regulations

BY JOHN P THOMPSON, County Judge

The foregoing agreement was approved by the Commissioners'

Court of Polk County at its duly announced public meeting held on

the the day of wovember, 1998

ATTEST:

Mulau Wuldleton

BARBARA MIDDLETON, County Clerk

BY: BEN R OGLETREE, OR , Mayor

The foregoing agreement was approved by the City Council of the City of Livingston at its duly announced public meeting held on the 15th day of November, 1998

ATTEST:

MARILYN SUTTON, City Secretary

| POLK COUNTY By: Bit Law County Auditor | ditor | | Budge | Budget Renson #38-24 | | | January 5 1998 |
|--|---|-----------------------|----------|------------------------------------|----------------|-------------------------|---|
| Fund Account | Description | Increase | Decrease | Comments | Onginal Budget | Amended Budget | Net Change |
| 010-320-150 | Sale of Assets G/F Accounts Receivable | 00 000 9 00 000 9- | | Record Sale of hydraulic Lift | | -6 603 00 102 885 94 | -6 603 00 -6 603 00 02 885 94 102 885 94 |
| 015-271-000 | Fund Balance R.O W Pct 2 | 2 636 46 | 2 636 46 | 2 636 46 Purchase of ROW for bndge | | 24 636 46 | 24 636 46 24 636 46 |

Total

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Approved By HAC

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BUDGET REVISION

POLK COUNTY

By: Ball Law County Auditor

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Salaries Salaries Salaries Salaries Salaries Salaries Reŭirement

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-1-045-00 Reclassify funds from Part-time to Fulltume per Pct 4 Comm Hubert

010-342-600 010-560-450

Insurance Claims
Ins Reimb Auto Repair

Fund Account

Description

Increase

Decrease

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Record receipt of Insurance proceeds

January 5 1999

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|------------------------|---------------|----------------|--------|---|--------------------|---|--------------------|------------------------------|------------------------|--------|-----------------------|---|-----------|------------------------|---------------------------------|-----------------------|------------------|------------------|
| COUNTY JUDGE YOUNT, CA | HOSEMONI NEOF | COUNTY AUDITOR | MHC M | S REVIEWED AND APPROVED FOR PAYENT | 158 057 39 | 5 | 7 475 B9 | | 1 348 22 | 472 62 | 16 952 61 | 5 - W - W - W - W - W - W - W - W - W - | 84 961 11 | | 241 380 | 097 | 29 169 E6 | D158URSEHENTS |

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TOTAL OF ALL FUNDS

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COUNTY AUDITOR

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JOHN THOMPSON

COUNTY JUDGE

| D 6 | D . F | THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYABLE | TOTAL OF ALL FUNDS | 185 CCAP - JUVENILE PROBATION | JUVENILE PROBATION | SPECI | ှ ရှိ | | | EHVIPONMENTAL SERVICES | | 027 SECURITY FUND | 015 ROAD & BPIDGE ADM | 010 GENEPAL FUND | FUND DESCRIPTION | |
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COUNTY AUDITOR JOHN THOMPSON

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FUND DESCRIPTION

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COUNTY JUDGE JOHN THOMPSON COUNTY AUDITOR

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| | | | | | | | | | | ρ ς, ζ | Judicial | MANAGEMENT | WASTE | DEPARTMENT | 1-> ptr 4 | * BOOK A TANDOR | (Sel. 17 | POATS POETS | ጀ | MANAGEMENT | WASIE | MANAGE MENT | WASTE | DEPT |
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