



99 FEB -3 AM 9 25

*Barbara Middleton*

BARBARA MIDDLETON  
COUNTY CLERK

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

# 10

Notice is hereby given that a Regular meeting of the above named Commissioners' Court will be held on Tuesday, February 9, 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, February 3, 1999

Commissioners' Court of Polk County, Texas

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

I, the undersigned County Clerk, do hereby certify that the above Notice of Meeting of Polk County Commissioners Court, is a true and correct copy of said Notice, and that I posted a true and correct copy of said notice in the County Courthouse of Polk County, Texas, at a place readily accessible to the general public at all times on Wednesday, February 3, 1999, and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting

Notice filed, Wednesday, February 3, 1999

Barbara Middleton, County Clerk

By *Barbara Middleton*

**COMMISSIONERS COURT  
AGENDA**

for TUESDAY - FEBRUARY 9, 1999 - 10 00 A M

**CALL TO ORDER**

- 1 WELCOME - Public Comments
- 2 INFORMATIONAL REPORTS
- 3 CONSIDER APPROVAL OF MINUTES for meeting of January 26 1999

**NEW BUSINESS**

- 4 RECEIVE ANNUAL REPORT FROM POLK COUNTY HISTORICAL COMMITTEE AND CONSIDER APPROVAL OF COMMITTEE MEMBER APPOINTMENTS
- 5 CONSIDER APPROVAL OF RESOLUTION FOR STATUTORY AMENDMENT TO ALLOW POLK COUNTY COURT AT LAW CONCURRENT JURISDICTION WITH DISTRICT COURTS OF POLK COUNTY IN FELONY CASES
- 6 CONSIDER APPROVAL OF OFFERS TO PURCHASE TAX FORECLOSURE PROPERTIES (Pct 4) Lots 152 154 & 156 Indian Spring Lake Estates #12
- 7 CONSIDER REQUEST OF COUNTY TREASURER TO AUTHORIZE COUNTY PAYROLL DEDUCTION FOR TEXAS TOMORROW FUND (pre payment of College Tuitions)
- 8 CONSIDER REQUEST FROM WASTE MANAGEMENT TO AUTHORIZE APPLICATION TO DETCOG FOR SOLID WASTE IMPLEMENTATION GRANT FUNDING
- 9 CONSIDER AUTHORIZATION FOR WASTE MANAGEMENT CONTINGENCY FUND EXPENSE OF \$16 566 54 FOR EQUIPMENT REPAIR (through FY99 Budget Amendment to operating line item)
- 10 CONSIDER APPROVAL OF AGREEMENT WITH TEXAS DEPARTMENT OF PUBLIC SAFETY FOR OMNI BASED FAILURE TO APPEAR PROGRAM
- 11 CONSIDER APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH OFFICE OF THE ATTORNEY GENERAL REGARDING ASSISTANCE IN PROSECUTION OF CRIMINAL CASES IN POLK COUNTY

**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

**ADJOURN**

Next regularly scheduled meeting - February 19 1999 10 00 a m

STATE OF TEXAS }  
COUNTY OF POLK }

DATE FEBRUARY 9, 1999  
"REGULAR" CALLED MEETING  
Judge John P Thompson Absent

**REGULAR  
"COMMISSIONERS COURT"**

BE IT REMEMBERED ON THIS THE 9th DAY OF FEBRUARY, 1999  
THE HONORABLE COMMISSIONERS COURT MET IN "REGULAR"  
CALLED MEETING WITH THE FOLLOWING OFFICERS AND MEMBERS  
PRESENT, TO WIT

JAMES J "Buddy" PURVIS, COMMISSIONER PCT #3, 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 JAMES J "Buddy" PURVIS, PCT #3  
AT 10 00 A M  
Opening prayer was delivered by Rev John Bernardini of Goodrich  
United Pentecostal Church

**PUBLIC COMMENTS      None**

**2 INFORMATIONAL REPORTS**

A Judge Stephen Phillips County Court at Law, spoke to the commissioners  
about maintenance of records for the Law Library He said his office has  
always maintained the Law Books that were updated every year Now he  
is proposing that the Library be converted to computers He said it not only  
saves space but it will be more economical He will keep the court updated  
on progress

- 3 MOTIONED BY BOBBY SMITH, SECONDED BY B E "Slim" SPEIGHTS  
APPROVAL OF MINUTES FOR MEETING OF JANUARY 26, 1999  
ALL VOTING YES

- 4 MOTIONED BY BOBBY SMITH, SECONDED BY R R "Dick" HUBERT  
RECEIVE ANNUAL REPORT FROM POLK COUNTY HISTORICAL  
COMMISSION AND APPROVAL OF COMMITTEE MEMBER  
APPOINTMENTS FOR 1999-2000 TERM  
ALL VOTING YES                      (SEE ATTACHED)

- 5 MOTIONED BY BOBBY SMITH, SECONDED BY B E "Shm" SPEIGHTS TO APPROVE RESOLUTION FOR LEGISLATIVE AMENDMENT TO EXPAND POLK COUNTY COURT AT LAW JURISDICTION TO INCLUDE ALL NON CAPITAL FELONY MATTERS  
ALL VOTING YES (SEE ATTACHED)
- 6 MOTIONED BY R R "Dick" HUBERT, SECONDED BY B E "Shm" SPEIGHTS TO " DELETE ITEM #6 " FROM AGENDA, DUE TO WITHDRAWAL OF OFFER TO PURCHASE TAX FORECLOSURE PROPERTIES IN PCT #4  
Lots 152, 154 & 156, Indian Springs Lake Est Sec#12  
ALL VOTING YES
- 7 MOTIONED BY R R "Dick" HUBERT, SECONDED BY B E "Shm" SPEIGHTS APPROVE REQUEST OF COUNTY TREASURER TO AUTHORIZE COUNTY PAYROLL DEDUCTION FOR TEXAS TOMORROW FUND  
(PRE PAYMENT OF COLLEGE TUITION)  
ALL VOTING YES
- 9 MOTIONED BY BOBBY SMITH, SECONDED BY R R "Dick" HUBERT, APPROVE AUTHORIZATION FOR WASTE MANAGEMENT CONTINGENCY FUND EXPENSE OF \$16,566 54 FOR EQUIPMENT REPAIR (THROUGH FY99 BUDGET AMENDMENT TO OPERATING LINE ITEM)  
ALL VOTING YLS
- 8 MOTIONED BY R R "Dick" HUBERT, SECONDED BY B E "Shm" SPEIGHTS APPROVE REQUEST FOR WASTE MANAGEMENT TO AUTHORIZE APPLICATION TO DETCOG FOR SOLID WASTE IMPLEMENTATION GRANT FUNDING FOR THE PURCHASE OF LANDFILL SCALES  
ALL VOTING YES
- 10 MOTIONED BY BOBBY SMITH, SECONDED BY B E "Shm" SPEIGHTS APPROVE INTERLOCAL COOPERATION CONTRACT WITH TEXAS DEPARTMENT OF PUBLIC SAFETY TO IMPLEMENT THE PROVISIONS OF V C S art 6687 d, Denial of renewal of License for FAILURE TO APPEAR ("FTA PROGRAM ")  
ALL VOTING YES (SEE ATTACHED)
- 11 MOTIONED BY BOBBY SMITH, SECONDED BY B E "Shm" SPEIGHTS APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH OFFICE OF THE ATTORNEY GENERAL REGARDING ASSISTANCE IN PROSECUTION OF CRIMINAL CASES IN POLK COUNTY  
ALL VOTING YES (SEE ATTACHED)
- 12 MOTIONED BY BOBBY SMITH, SECONDED BY R R "Dick" HUBERT APPROVAL OF BUDGET AMENDMENT #99-09  
ALL VOTING YES (SEE ATTACHED)

- 13 MOTIONED BY BOBBY SMITH, SECONDED BY R R "Dick" HUBERT  
 APPROVAL TO PAY BILLS (BY SCHEDULE) PLUS ADDENDUMS  
 ALL VOTING YES (SEE ATTACHED)

DATE	AMOUNT	CHECK NUMBER
1 26 99	44,960 88	Electronic Transfer
1 26 99	36,001 75	137924 138118
1 26 99	1,000 00	138119
1 26 99	500 00	138120
1 27 99	1,000 00	138119 Voided Check
1 27 99	10,242 96	138121 138125
1 28 99	455,112 34	138126 138136
1 28 99	800 00	138137
1 29 99	40,588 05	14 416 430 1102 1105 211 215 121
2 03 99	235,136 45	138138 138144
2 04 99	146,433 86	138145 138292
2 09 99	3,444 50	Addendum (to appear on future schedule)

- 14 MOTIONED BY R R "Dick" HUBERT, SECONDED BY B E "Slim" SPEIGHTS  
 APPROVAL OF PERSONNEL ACTION FORMS, with additions  
 ALL VOTING YES (SEE ATTACHED)

- 15 MOTIONED BY R R "Dick" HUBERT, SECONDED BY B E "Slim" SPEIGHTS  
 APPROVAL TO ADJOURN COURT THIS 9th DAY OF FEBRUARY, 1999  
 ALL VOTING YES

COMMISSIONER JAMES J "Buddy" PURVIS  
 (Acting as Judge, Pro Tem)

ATTEST

  
 BARBARA MIDDLETON, COUNTY CLERK

C \WP51 \COMMCRT9 \FEB09 WPD

VOL 45 PAGE 74



TEXAS  
HISTORICAL  
COMMISSION

VOL 45 PAGE 75  
George W. Bush • Governor  
John L. Nau III • Chairman  
Curtis Tunn II • Executive Director  
The State Agency for Historic Preservation

COUNTY HISTORICAL COMMISSION  
End of Year Report  
1998

This form will assist you in reporting your county historical commission activities to the county commissioners court and will be utilized in preparing our reports to the state historical commission and the state legislature. If you have not already submitted a report to our office, please complete this form and return by February 12, 1999. Thank you.

Harbryne D. Clamow Name of CHC Chair  
Polk County

- How many members currently serve on the Commission? 12
- How many meetings did the Commission hold this year? 11 (eleven)  
In which communities were the meetings held? Luningston
- How many volunteer hours did the Commission members work this year? 1248  
(please give your best estimate as we use this figure in our reports to the legislature and cannot include you in the report if you simply write, "many hours")
- Does the Commission sponsor or work with young people in the county? Yes  
If yes, please describe or list such activities: Children are given tours of the museum monthly and in October during Fallfest Festival they are given special tours. Children are encouraged to visit the museum. Museum curators speak at schools functions often.
- Does the chair or a designated representative serve on the Tourism Committee of the local Chamber(s) of Commerce? No
- What, if any, steps has the Commission taken toward computerization? (e.g., do you have a computer, access to the Internet, a home page, e-mail? Have you computerized the list of historic resources in your county? etc.) Please provide details (along with your e-mail and home page addresses, if applicable)  
Our museum is on the GEN-WEB. As of this date we do not have a computer at the museum.

7 Does the county provide funds in its budget for your Commission?  Yes  No  
If yes how much was your allocation in fiscal year 1998? # 23,795.83  
Does the county provide office space for your Commission?  Yes  No  
If the county provides other operating help, please list \_\_\_\_\_

8 Does the Commission have other sources of funding? Yes  
If yes, please briefly describe sources and amounts of such income  
The Murphy Trust and Webster Trust. We also  
sell history books and we have a museum gift shop  
We, also, receive donations

- 9 Please check all that apply to your commission
- participated in Distinguished Service Award activities in 1998
  - 1 or more members attended the annual historic preservation conference in El Paso
  - Medallion group subscriber
  - member Preservation Texas
  - member Texas Historical Foundation
  - member, Texas Oral History Association
  - member, National Trust for Historic Preservation
  - member, American Association for State and Local History
  - Certified Local Government

10 Please check all areas of work in which your commission worked actively to promote historic preservation in the county

- Historical marker(s)
- Historic cemeteries
- History museum(s)
- National Register designation
- Oral history
- Archives
- Served as advisor to commissioners court on matters related to history and preservation
- Survey of architectural resources
- Protection of archeological resources
- Texas Archeological Stewardship Network
- Newsletter production
- Local newspaper column
- Local history publication
- Main Street Program
- Heritage tourism
- Historic building rehabilitation
- Historical observances (check all that apply)
  - County/City Birthdays
  - National Preservation Week
  - Texas Archeological Awareness Month
  - Women's History Month
  - Black History Month
  - Other \_\_\_\_\_



Please provide a brief narrative description of the county historical commission's successes over the past year as well as its not-so-successful activities (i.e., which of your goals for the year were met and which were not met?)

*We had a very good year in 1998. The museum became well known with many visitors (of all ages) and we, also, had several special functions there. Clubs and organizations held meetings there including the American Association of University Women, Pilot Club, and the Retired Teachers Organization. In January the museum observed Black History Month with a display of African masks and a Black reception was held. In February the C.C. was remembered with a display of items in the rotating room. In Sept. school days was the theme in the rotating room. Many guests came in May. In June bridal gowns were featured and a display of antique toys in November and antique dolls in December. The Commission members were honored at the Heritage Society Luncheon in May. We succeeded in getting people to the*

How can the Texas Historical Commission be of greater assistance to you in carrying <sup>the museum's</sup> our goal of <sub>'98</sub> out your local preservation activities?

*We are looking forward to meeting Dan Utley this year and we would like for him to speak at one of our meetings.*

*I applied for a Preservation Grant for our Courthouse Annex restoration but was turned down. Should I reapply I would like your assistance and consideration this year.*

Name of person completing this report Harbison D. Cloman  
Address 616 W. Calhoun, Livingston, Texas 77351

Daytime Phone 409-327-3026

If the Texas Historical Commission staff can provide you with any additional information or assistance, please let us know (telephone 512/463-5853, e-mail [egina\\_reyes@thc.state.tx.us](mailto:egina_reyes@thc.state.tx.us)) Thank you

Please return by February 12, 1999, to

History Programs Division  
Texas Historical Commission  
P O Box 12276  
Austin, Texas 78711  
OR  
FAX 512/475-4872

Appointments to the Polk County Historical Commission for the 1999 2000 Term

CHAIR Harley D. Clamon  
Address 616 W. Calhoun  
City Livingston Zip 77351  
Daytime Phone 409-327-3026  
Fax Number \_\_\_\_\_  
e mail harleyne@livingston.net

Member R. D. Sanders (V-Chairman)  
Address Rt. 3, Box 1225  
City Livingston Zip 77351  
Phone 409-563-4202

Member Harold Barfield (Rec. Sec)  
Address 625 W. Calhoun  
City Livingston Zip 77351  
Phone 409-327-2265

Member Wanda Balingier (Inv. Sec)  
Address 213 W. Abbey  
City Livingston Zip 77351  
Phone 409-327-3376

Member Ray Clamon  
Address Rt. 6, 1385 Beechwood Rd.  
City Livingston Zip 77351  
Phone 409-327-7892

Member James Bergman  
Address 709 N. Tyler  
City Livingston Zip 77351  
Phone 409-327-4220 (HOME)  
327-1713 (Cellular)

Member Lester Moore  
Address 310 First Street  
City Livingston Zip 77351  
Phone 409-327-4935

Member Carolyn Nixon  
Address 2301 Goreak  
City Livingston Zip 77351  
Phone 409-327-8642

Member Ruth Peebles  
Address Rt. 9, Box 79 A  
City Livingston Zip 77351  
Phone 409 327-5531

Member Cameron Pritchard  
Address 801 W. Nabbeth  
City Livingston Zip 77351  
Phone 409-327-2695

(Continued next page)

Please return to History Programs Division  
Texas Historical Commission  
P O Box 12276  
Austin TX 78711 2276  
512/463 5853  
egina.reyes@thc.state.tx.us

County Judge Presiding Officer  
Commissioners Court

Or FAX 512/475-4872

Date \_\_\_\_\_

NOTE Attach additional pages if needed

(over)

Ruth Ann Winters  
608 West North  
Livingston 77351  
409-327-4425

Mary Sack  
910 W. Jones  
Livingston 77351  
409-327-4272

VOL 45 PAGE 80



**RESOLUTION  
OF THE POLK COUNTY COMMISSIONERS COURT**

Supporting Legislation Amending the Jurisdiction of the County Court in Polk County

- Whereas, The Legislature has created a statutory County Court at Law in Polk County having partial concurrent jurisdiction with Polk County District Courts, and
- Whereas, The Judges of the County Court, the County Court at Law and the District Courts sitting in Polk County concur that the jurisdiction of the County Court at Law should be expanded, and
- Whereas, The efficient administration of justice would be served by extending non-capital felony jurisdiction to the County Court at Law

Now, Therefore, be it Resolved that the Commissioners Court of Polk County, Texas hereby requests the Legislature of the State of Texas, meeting in its' 76th session in Austin, Texas, to amend the jurisdiction of the County Court at Law of Polk County, Texas to include all non-capital felony matters

Resolved and adopted on this, the 9th day of February, 1999

(absent)

**John P Thompson  
County Judge, Polk County, Texas**

*B E "Slim" Speights*  
**B E "Slim" Speights  
Commissioner, Precinct 1**

*James J "Buddy" Purvis*  
**James J "Buddy" Purvis  
Commissioner, Precinct 3**

*Bobby Smith*  
**Bobby Smith  
Commissioner, Precinct 2**

*R.R. "Dick" Hubert*  
**R.R. "Dick" Hubert  
Commissioner, Precinct 4**

Attest,

*Barbara Middleton*  
**Barbara Middleton, County Clerk**





"Department" or "TDPS" means the Texas Department of Public Safety

"Failure to Appear Program" or "FTA Program" refers to the implementation efforts of all parties including those system components provided by the TDPS, the local political subdivisions and the Vendor including the FTA System

"Failure to Appear System" or "FTA System" refers to the goods and services sought to be acquired by the TDPS, including all hardware, software, consulting services, telephone support services, and related support services supplied by the Vendor

"FTA Software" refers to computer software developed or maintained now or in the future by the Vendor to support the FTA System

"Originating court" refers to the court in which a traffic law complaint has been filed for which a person has failed to appear and which has filed an appropriate report with the TDPS

"State" refers to the State of Texas

"Local political subdivision" refers to a city or county of the State of Texas

Unless otherwise defined, terms used herein shall have the meaning assigned by V.C.S. art. 6687d or other relevant statute. Terms not defined in this contract or by relevant statute shall be given their ordinary meanings.

#### IV Governing Law

This Contract is subject to the laws and the jurisdiction of the State of Texas and the United States and shall be construed and interpreted accordingly. This Contract is entered into pursuant to Government Code Chapter 791. This Contract is entered into specifically to implement V.C.S. art. 6687d. The TDPS is authorized to contract with a private vendor pursuant to V.C.S. art. 6687d §5.

#### V Venue

In any suit arising from this contract or to enforce the terms of this contract, the parties agree that venue shall lie in Travis County, Texas.



## VI Application and Scope of Contract

This contract applies to each denial of license renewal for failure to appear reported to the TDPS or the Vendor by the local political subdivision under authority of V.C.S. art. 6687d. FTA reports may be submitted based on citations issued for traffic law violations on or after the date of execution of this contract but in no event based on a traffic citation issued before September 1, 1995.

## VII Warning on Citation

A peace officer who is authorized to issue citations in the local political subdivision shall issue a written warning to each person to whom the officer issues a citation for a traffic law violation in the jurisdiction of the local political subdivision. This warning shall be in addition to any other warnings required by law. The warning must state in substance that if the person fails to appear in court as provided by law for the prosecution of the offense, the person may be denied renewal of the person's driver's license. The written warning may be on the citation or on a separate instrument. Once the person cited has signed a citation which constitutes a promise to appear, the person is bound thereafter to appear and respond to the traffic citation.

## VIII FTA Report

If the person fails to appear without good cause, the local political subdivision must provide a report to the TDPS containing the following information: the jurisdiction in which offense occurred, the political subdivision submitting the report, the name, date of birth, and the Texas driver license number of the person alleged to have committed the traffic law violation, the date of violation, a brief description of traffic law violation, a statement that the person promised to appear and failed to appear as promised, the date the person failed to appear, and any other information required by the TDPS. There is no requirement that a criminal warrant be issued in response to the person's failure to appear. The local political subdivision must make reasonable efforts to ensure that each FTA report is accurate, complete, and non-duplicative.

## IX Clearance Report

The originating court which files the FTA report with the TDPS has a continuing obligation to review the report and to promptly file appropriate additional information or reports with the TDPS. Whenever a clearance report is required to be filed with the TDPS, the court shall promptly file such report with the TDPS. The clearance report shall identify the person, state whether a fee was required or not required, advise the TDPS to lift the denial of renewal, and state the grounds for the action. All clearance reports must be filed with the TDPS within twenty-four (24) hours of the time and date that the originating court receives appropriate payment or other information that satisfies the citizen's obligation to appear in the originating court.

If the person establishes good cause for failing to appear then the court shall not require the person to pay the \$30 00 fee under this contract. The originating court shall promptly file a clearance report advising the TDPS to lift the denial of renewal and the grounds for this action.

If the person is acquitted of the underlying traffic offense for which the original FTA report was filed then the court shall not require the person to pay the \$30 00 fee under this contract. The originating court shall promptly file a clearance report advising the TDPS that the cause for the denial of renewal no longer exists and the grounds for such action.

Except as otherwise required by law or provided herein the local political subdivision shall require the person to pay an administrative fee of \$30 00 for each violation for which the person failed to appear in addition to any other fees required by law. The local political subdivision must promptly file a clearance report with the TDPS upon payment of a \$30 00 fee as provided by statute and one of the following conditions:

- (1) the entry of a judgment against the person
- (2) the perfection of an appeal of the case for which the warrant of arrest was issued
- (3) the posting of bond or the giving of other security to reinstate the charges for which the warrant was issued or
- (4) the payment of fines owed on an outstanding court order to pay a fine

#### X Compliance With Law

The local political subdivision understands and agrees that it will comply with all local, state, and federal laws in the performance of this Contract including administrative rules adopted by the TDPS.

#### XI Accounting Procedures

The local political subdivision understands and agrees to keep proper account of funds collected under this Contract. An officer collecting fees due under this article shall keep separate records of the funds collected under this article and shall deposit the funds in the appropriate municipal treasury. The custodian of the municipal treasury may deposit fees collected under this article in an interest bearing account and retain for the local political subdivision the interest earned thereon. The custodian shall keep accurate and complete records of funds received and disbursed pursuant to this contract. All reports shall be in a form approved by the comptroller. The custodian of a municipal treasury shall remit \$20 00 of each fee collected under this article to the comptroller on or before the last day of the month following the close of each calendar quarter and retain \$10 00 of each fee collected under this article to the credit of the general revenue of the municipal treasury.

## VII Payments to Vendor

The TDPS has contracted with Omni Base Services Inc ("Vendor") a corporation organized and incorporated under the laws of the State of Texas with its principal place of business in Houston Texas to assist with implementation of the FTA Program Correspondence to the Vendor may be addressed as follows

Joy Wenker FTA Coordinator  
Omni Base Services Inc  
6101 W Courtyard Drive Bldg 3 Suite 210  
Austin Texas 78730  
Phone 512/346-6511 ext 100 Fax 512/346 9312

The local political subdivision must pay the Vendor a fee of \$6 00 per offense per person for each offense which has been reported by the local political subdivision to the Vendor and for which offense the local political subdivision has subsequently collected fees and court costs from the person

In the event that the court finds that good cause existed for the person's having failed to appear as promised then no payment will be made to the Vendor or required of the local political subdivision

In the event that the person is acquitted of the charge for which the FTA report was issued then no payment will be made to the Vendor or required of the local political subdivision

In the event that court costs and fees are not received by the local political subdivision e g if the person serves jail time in lieu of payment of costs or fees or if the person dies then no payment will be made to the Vendor or required of the local political subdivision Provided that if the person pays court costs and fees but does not pay a fine assessed by the court then payment to the Vendor is required

The parties agree that upon collection of fees from the person payment shall be made by the local political subdivision to the Vendor on the last day of the month following the close of the calendar quarter in which the payment was received by the local political subdivision

If the person makes partial payment of court costs and fees assessed by the court, then the local political subdivision will make partial payment to the Vendor in an amount equal to the percentage of court costs and fees paid by the person If the person thereafter makes additional payment toward court costs and fees then the local political subdivision shall pay the Vendor accordingly

**XIII Litigation**

In the event that the local political subdivision is aware of litigation which is filed and in which this contract or V C S art 6687d is subject to constitutional statutory or common-law challenge or struck down by judicial decision the Local political subdivision shall immediately notify TDPS

**XIV Contract Modification**

No change or waiver of any provision of this Contract shall be valid unless made in writing and executed in the same manner as this Contract Any amendments modifications or supplements to this Contract which have been agreed to by the parties shall be reduced to writing The parties agree that no oral statement of any person whatsoever shall be taken to modify or otherwise affect the written terms of this Contract

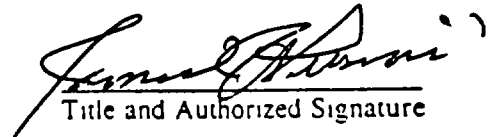
**XV Effective Date of Contract**

This Contract shall be in effect from and after the day of its execution It is the intent of the parties that this Contract shall automatically be renewed on a yearly basis except that in the event that either party shall notify the other thirty (30) days prior to the date of expiration that it intends not to renew the Contract All pending denials in effect or commenced prior to the termination of the Contract shall not be affected by the termination or the notification of intended termination

Made and entered into on this the 9th day of February 1999

TEXAS DEPARTMENT OF PUBLIC SAFETY

\_\_\_\_\_  
Tom Haas  
Chief of Fiscal Affairs  
Texas Department of Public Safety

  
\_\_\_\_\_  
Title and Authorized Signature  
**Polk County Commissioner**  
**(acting as Judge, ProTem)**

Approved as to Form

\_\_\_\_\_  
Legal Services  
Texas Department of Public Safety

Interlocal Cooperation Contract Addendum

STATE OF TEXAS           §  
                                  §  
COUNTY OF   POLK     §

This addendum to the Interlocal Cooperation Contract ( Contract' ) made and entered into between the Texas Department of Public Safety ( TDPS ) and the County of Polk ( the ~~City~~ a political subdivision of the State of Texas is intended to modify Article IX (Clearance Report)

All clearance reports must be filed with the TDPS within one (1) business day of the time and date that the originating court receives the appropriate payment or other information that satisfies the citizen's obligation to appear in the originating court

Acknowledged and approved this the   9th   day of   February   199  9  

TEXAS DEPARTMENT OF PUBLIC SAFETY

~~City~~ OF   Polk    
County

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

Tom Haas  
Chief of Fiscal Affairs  
Texas Department of Public Safety



Authorized Signature & Title  
**Polk County Commissioner**  
**(Acting as Judge, ProTem)**

~~City~~ of   Polk    
County

Approved as to Form

\_\_\_\_\_  
Legal Services  
Texas Department of Public Safety

VOL 45 PAGE 90

## MEMORANDUM OF UNDERSTANDING

This writing is a memorandum of understanding between Polk County and the Office of the Attorney General, Prosecutor Assistance Division regarding prosecution of criminal cases in Polk County

## I TERMS OF THE AGREEMENT

A The Office of the Attorney General has provided and will continue to provide legal and investigative services to Polk County, in an effort to assist in the enforcement of the criminal laws of this state

B Due to the costs of assistance and the limited resources available to the Office of the Attorney General, the parties agree that Polk County should contribute the amount of \$1922 54 to the Office of the Attorney General, Prosecutor Assistance Division pursuant to Section 402 005 of the Government Code The sum contributed shall be considered a grant, the purpose of which is to continue the work of prosecution assistance by the Office of the Attorney General

## II USE OF CONTRIBUTED FUNDS

Unless otherwise specified the decision to spend contributed funds shall be at the sole discretion of the Office of the Attorney General The parties agree that such funds may be used as the cash match required by any other grants obtained by the Office of the Attorney General

EXECUTED this the 9<sup>th</sup> day of February, 1998?



Grantor Agency

James J "Buddy" Purvis  
Commissioner, Pct 3  
Polk County, Texas  
(acting as Judge ProTem

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Office of the Attorney General  
Prosecutor Assistance Division

POLK COUNTY  
By Bill Law County Auditor

BUDGET REVISION  
#99-09

February 9 1999

Fund Account	Description	Increase	Decrease	Comments	Original Budget	Amended Budget	Net Change
010-401-352	Contingencies		360.00	Purchase of Military Services credit by Kenneth Parish through TDCRS	50,000.00	52,580.00	2,580.00
010-456-203	Retirement	360.00			2,932.33	3,292.33	360.00
010-403-572	Office Equipment		100.00	To cover mobile phone expense	2,500.00	2,400.00	100.00
010-403-423	Mobile Phone/Pagers	100.00			0.00	100.00	100.00
010-435-400	Attorney Fees		2,800.00	To cover cost of expert witness IM & exp	150,000.00	147,200.00	2,800.00
010-435-404	Expert Witness Fees	2,800.00			0.00	2,800.00	2,800.00
010-630-406	IHC Admin Reimbursement		100.00	To cover cost of seminars and travel for IHC Coordinator	35,000.00	7,747.99	27,252.01
010-630-427	Travel/Training	100.00			0.00	450.00	450.00
010-695-395	Hazardous Material Expenditure		200.00	per Emergency Mgt Coordinator	0.00	2,002.31	2,002.31
010-695-572	Officer Furnishings/Equipment	200.00			4,000.00	4,200.00	200.00
015-625-101	Tobacco Settlement		131,436.00	per Comm Speights Pct 1	131,436.00	0.00	131,436.00
015-621-339	Contr & Material	131,436.00			91,047.13	222,483.13	131,436.00
015-625-104	Tobacco Settlement		75,957.51	Reallocate per Comm Hubert Pct 4	136,566.00	60,608.49	75,957.51
015-624-105	Salaries	842.85			203,122.14	203,964.99	842.85
015-624-201	Social Security	64.48			18,337.17	18,401.65	64.48
015-624-203	Retirement	50.57			12,696.90	12,747.47	50.57
015-624-204	Workers Comp	20.00			11,505.08	11,525.08	20.00
015-624-206	Unemployment Insurance	5.48			1,450.19	1,455.67	5.48
015-624-573	Capital Outlay	5,000.00		To purchase Pct 2 Gradall			
061-829-409	Debt Service T/W PC-RB4-1997 1	69,202.02		Early Payoff			
061-869-409	T/W PC-RB4-1997 1 interest	772.11					
032-595-489	Contingencies		17,000.00	Unanticipated repair of bulldozer	50,000.00	33,000.00	17,000.00
032-595-456	Parts/Repairs	17,000.00			50,000.00	67,000.00	17,000.00
051-645-350	Main/Blkg		350.00	per Livingston aging Coordinator	2,500.00	1,550.00	-950.00
051-645-427	Travel/Seminar	350.00			400.00	1,150.00	750.00
Totals		228,303.51	228,303.51				

Approved By *James Starnes*  
Date 2/9/1999

FILED FOR RECORDS  
day of Feb 19 99  
at 11:00 o'clock AM '99  
BARBARA MIDDLETON  
County Clerk Polk County Texas  
By *Barbara Middleton*





SCHEDULE OF BILLS PAID

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	0 385 75
011 HOTEL OCCUPANCY TAX FUND	55 60
015 ROAD & BRIDGE ADM	573 22
032 ENVIRONMENTAL SERVICES	253 67
051 AGING DEPT	273 41
061 DEBT SERVICE FUND	8 944 00
088 JUDICIARY FUND	15 512 80
TOTAL OF ALL FUNDS	36 001 75

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

W H LAW

COUNTY AUDITOR

JOHN THOMPSON

COUNTY JUDGE



SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	1,000.00 ✓
TOTAL OF ALL FUNDS	1,000.00

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

U H LAW

*W. H. Law*

COUNTY AUDITOR

JOHN THOMPSON

*John H. Thompson*

COUNTY JUDGE

SCHEDULE OF BILLS - FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	500 00
TOTAL OF ALL FUNDS	500 00

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

*W H Law*

W H LAW

COUNTY AUDITOR

*John Thompson*

JOHN THOMPSON

COUNTY JUDGE

CHECK # 138119

BANK ACCT MAIN  
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 \*\*\*\*\* 000 00

KING/ CHARLES

120 COLITA STREET  
 LIVINGSTON TX 77351

CHECK # 138119

REFUND 1 000 00 ✓

010-203-000 GENERAL FUND

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SCHEDULE OF BILLS - FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	4 600 00
015 ROAD & BRIDGE ADM	5 842 96
TOTAL OF ALL FUNDS	10 242 96

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

*M. H. Law*

U H LAW

COUNTY AUDITOR

JOHN THOMPSON

COUNTY JUDGE

*John H. Thompson*

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	35 37 65
015 ROAD & BRIDGE ACH	22 412 59
027 SECURITY FUND	548 76
028 POLK COUNTY HISTORICAL COMM	64 08
032 ENVIRONMENTAL SERVICES	6 880 62
048 DISTRICT ATTY SPECIAL FUND	117 36
051 AGING DEPT	1 353 47
061 DEBT SERVICE FUND	314 187 50
101 ADULT SUPERVISION	13 877 06
108 CCP - SURVEILLANCE	1 783 10
199 SPECIALIZED CASELOAD CCP	611 64
184 JUVENILE PROBATION	1 683 53
185 CCAP - JUVENILE PROBATION	3 928 98
TOTAL OF ALL FUNDS	455 112 34

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

V H LAW

COUNTY AUDITOR

JOHN THOMPSON

COUNTY JUDGE

*M. Law*

*John H. Thompson*

SCHEDULE OF BILLS E F L C

FUND DESCRIPTION	DISBURSEMENTS
015 ROAD & BRIDGE ADM	800 00
TOTAL OF ALL FUNDS	800 00

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

*W. H. Law*

W H LAW

COUNTY AUDITOR

JOHN THOMPSON

COUNTY JUDGE

*John H. Thompson*

SCHEDULE OF BILLS PAID

FUND	DESCR PTION	DISBURSED DATE
012	ELECTED OFFICIALS FEE ACCOUNTS	11 57 91
323	PULK COUNTY HIGH SCHOOL	2 11
094	BIG TRICKEY BRIDGE PROJECT	4 500 00
091	PERMANENT SCHOOL FUND	31 82
TOTAL OF ALL FUNDS		47 558 05

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

*M. H. Lau*

M H LAU

COUNTY AUDITOR

JOHN THOMPSON

COUNTY JUDGE

*John P. Thompson*



SCHEDULE OF DISBURSEMENTS

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	13 065 45
032 ENVIRONMENTAL SERVICES	4 500 00
061 DEBT SERVICE FUND	215 570 00
TOTAL OF ALL FUNDS	233 136 45

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

V H LAW

COUNTY AUDITOR

JOHN THOMPSON

COUNTY JUDGE

*[Signature]*  
*[Signature]*  
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SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	48 749 43
015 ROAD & BRIDGE ADM	81 439 15
032 ENVIRONMENTAL SERVICES	4 133 35
040 LAW LIBRARY FUND	2 873 49
049 DISTRICT ATTY HOT CHECK FUND	56 97
051 AGING DEPT	8 451 27
094 COUNTY RECORDS MGMT FUND	510 00
TOTAL OF ALL FUNDS	146 433 86

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

V H LAW

COUNTY AUDITOR

JOHN THOMPSON

COUNTY JUDGE

*W.H. Law*

*John D. Thompson*

## Addendum Schedule for Court dated 2-9-99

Molly Locke	\$ 463 10	Aging & Social Services
C Lamar Meek, MD	\$2,783 11	District Court
Kathy Crawford	\$ 93 29	Indigent Care
Polk County Hist.	\$ 105 00	General Fund
<hr/>		
TOTAL	\$3,444.50	

DATE JANUARY 27 1999 THROUGH FEBRUARY 08 1999

NO	EMPLOYEE NAME	DEPT	JOB CLASSIFICATION	TYPE OF EMPLOYEE	SALARY GROUP	ACTION
(1)	ALEC	RUB	#108	REGULAR	1410	MERIT INCREASE TO 1411 \$25,117.48 EFFECTIVE 02/03/99
(2)	LYNDON	PCT #4	HEAVY EQUIPMENT OPERATOR	FULL TIME	\$24,497.58	
	CYNTHIA	SHERIFF	#102	LABOR	94(1)	LABOR POOL FOR JAIL ALSO SAME SALARY EFFECTIVE 01/27/99
	CARDWELL		SECRETARY	POOL	\$7.37	
(3)	CLARENCE	RUB	#110	REGULAR	105	MERIT INCREASE TO 1006 \$ 27,048.06 EFFECTIVE 02/03/99
	OVERSTREET	PCT #4	FOREMAN II	FULL TIME	\$26,380.25	
(4)	JEFFREY	SHERIFF	#1037	REGULAR	1401	NEW-HIRE
	SPENCER		DEPUTY SHERIFF PATROL	FULL TIME	\$21,650.63	EFFECTIVE 02/03/99
(5)	WILLIAM	ROAD & BRIDGE	#109	REGULAR	134	RECLASSIFY TO #108 HEAVY EQUIPMENT OPER. 142 \$20,112.35 EFFECTIVE 02/03/99
	GLASS	PCT #1	LIGHT EQUIPMENT OPERATOR	FULL TIME	\$20,112.35	
(6)	ANN	AGING	#1265	REGULAR	UNCLASSIFIED	RESIGNED
	ROWE	LIVINGSTON	COOK	PART TIME	\$8.79	EFFECTIVE 02/01/99
(7)	CONNIE	SHERIFF	#1043	LABOR	114(1)	RESIGNED
	FLOWERS		TELECOMMUNICATION OPER	POOL	\$8.15	02/02/99
(8)	SANDRA	SHERIFF	#1043	LABOR	114(1)	RESIGNED
	PIERCE		TELECOMMUNICATION OPER	POOL	\$8.15	02/02/99
(9)	SARAH	AGING	#1265	REGULAR	UNCLASSIFIED	NEW-HIRE
	ISTRE	LIVINGSTON	COOK	PART TIME	\$8.62	EFFECTIVE 02/17/99
(10)	EVA	DISTRICT	#105	REGULAR	101	NEW-HIRE
	TAYLOR	CLERK	DEPUTY CLERK	FULL TIME	\$18,117.43	EFFECTIVE 02/17/99
(11)	ARLENE	WASTE	#902	REGULAR	141	MERIT INCREASE 142 \$20,112.35 EFFECTIVE 02/17/99
	FOSTER	MANAGEMENT	OFFICE MANAGER	FULL TIME	\$19,630.21	
(12)						
(13)						
(14)						
(15)						
(16)						
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