

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS
POLK COUNTY



VOL 45 PAGE 105

99 FEB 16 AM 9 43

Barbara Middleton

BARBARA MIDDLETON
COUNTY CLERK POLK COUNTY

**NOTICE OF MEETING OF THE
COMMISSIONERS COURT OF POLK COUNTY, TEXAS # 15**

Notice is hereby given that a Regular meeting of the above named Commissioners' Court will be held on Friday, February 19, 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 Tuesday, February 16, 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 at the door of the County Courthouse of Polk County, Texas, at a place readily accessible to the general public at all times on Tuesday, February 16, 1999, and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting

Notice filed, Tuesday, February 16, 1999

Barbara Middleton, County Clerk

By *Barbara Middleton*



COMMISSIONERS COURT AGENDA

for: FRIDAY - FEBRUARY 19, 1999 - 10 00 A M

CALL TO ORDER

- 1 WELCOME - Public Comments
- 2 INFORMATIONAL REPORTS
 - A Report on Workers Compensation and Vehicle Insurance (from Representative of Texas Association of Counties as carrier)
- 3 CONSIDER APPROVAL OF MINUTES for meeting of, February 9 1999

FILED AND RECORDED
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 99 FEB 16 AM 9 43
Barbara M. Dole
 BARBARA M DOLE
 COUNTY CLERK

NEW BUSINESS

- 4 CONSIDER ANY/ALL NECESSARY ACTION PERTAINING TO BID #99 07 Sale of Surplus Scrap Metal Pct 1"
- 5 CONSIDER APPROVAL TO RENEW AGREEMENT FOR LANDFILL SERVICES TO SAN JACINTO COUNTY
- 6 CONSIDER ACCEPTANCE OF CERTAIN ROADS IN SHELTER COVE (PCT 1) FOR COUNTY MAINTENANCE
- 7 CONSIDER APPROVAL OF RESOLUTION SUPPORTING SAM HOUSTON REGIONAL LIBRARY RENOVATIONS
- 8 CONSIDER APPROVAL OF RESOLUTION SUPPORTING TEXAS TRANSPORTATION FUNDING COALITION EFFORT TO INCREASE STATE APPROPRIATIONS FOR ROAD AND BRIDGE MAINTENANCE AND EXPANSION
- 9 CONSIDER APPROVAL OF RESOLUTION FOR PARTICIPATION IN CONSTRUCTION OF FRONTAGE ROADS US59 BYPASS

CONSENT AGENDA ITEMS

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

RECESS (BREAK)

RECONVENE FOR SOLID WASTE WORKSHOP

ADJOURN Next regularly scheduled meeting - March 9, 1999, 10 00 a m

STATE OF TEXAS)

DATE FEBRUARY 19, 1999

COUNTY OF POLK)

"REGULAR" CALLED MEETING
ALL PRESENT

"COMMISSIONERS COURT"

BE IT REMEMBERED ON THIS THE 19th DAY February, 1999
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 A M
Rev Don Dye of Christ Community Church delivered the opening prayer

PUBLIC COMMENTS

James Stanley of Shelter Cove thanked Commissioner Speights and his crew
for repairs to roads in the subdivision recently

- 2 **INFORMATIONAL REPORTS**

- A JUDGE THOMPSON REMINDED EVERYONE ABOUT THE COUNTY
BLOOD DRIVE TODAY, IN PARKING LOT FROM 9 00 AM to 4 30 PM
- B JOHN McDOWELL - EMERGENCY MANAGEMENT REPORTED F E M A.
IS HERE TO VALIDATE LIST OF ROAD & BRIDGE DEPARTMENTS
WITH LOCAL FLOODING LOSSES RECENTLY THANKED EACH ONE
FOR THEIR HELP IN COMPILING THE INFORMATION
- C COMMISSIONER SMITH THANKED COUNTY JUDGE & HIS OFFICE
STAFF WITH HELP HE RECEIVED GETTING THE WELLS LANDING
BRIDGE REPLACED AFTER FLOODING
HE ALSO REPORTED ON HOUSTON LIVESTOCK SHOW & RODEO
"GO TEXAN PROGRAM" THAT HE IS INVOLVED WITH TO HELP GET
SCHOLARSHIPS AWARDED TO LOCAL STUDENTS FROM POLK CO
HE CONGRATULATED MRS DONNA McENTIRE FOR WINNING
FIRST PLACE AWARD IN THE "QUILT SHOW" CONTEST
HE REMINDED EVERYONE THAT MARCH 5, 1999 IS POLK COUNTY
NIGHT, WITH TICKETS STILL AVAILABLE

D TIPTON SCRUGGS, SAFETY SPECIALIST WITH TEXAS ASSOC OF COUNTIES, PRESENTED A REPORT ON WORKERS COMPENSATION AND VEHICLE INSURANCE BASED ON THE COUNTY'S GOOD LOSS RECORD POLK COUNTY WILL BE REWARDED WITH A REDUCTION IN PREMIUM, FROM \$143,000 00 TO \$66,000 00

- 3 MOTIONED BY BOBBY SMITH, SECONDED BY B E "Slim" SPEIGHTS APPROVAL OF MINUTES FOR MEETING OF FEBRUARY 9, 1999 ALL VOTING YES
- 4 **BID #99-07 (No bids received) for "Sale of surplus scrap metal, Pct#1"** MOTIONED BY BOBBY SMITH, SECONDED BY B E "Slim" SPEIGHTS GIVING AUTHORIZATION TO COMMISSIONER PCT #1, TO DISPOSE OF THE SURPLUS SCRAP METAL IN THE BEST INTEREST OF THE COUNTY ALL VOTING YES
- 5 MOTIONED BY BOBBY SMITH, SECONDED BY R R "Dick" HUBERT, APPROVAL TO RENEW "AGREEMENT WITH SAN JACINTO COUNTY TO PROVIDE LANDFILL SERVICES " ALL VOTING YES (SEE ATTACHED)
- 6 MOTIONED BY R R "Dick" HUBERT, SECONDED BY BOBBY SMITH TO ACCEPT CERTAIN ROAD IN SHELTER COVE (PRECINCT #1) FOR COUNTY MAINTENANCE, 2 mi E SHERWOOD DRIVE, 2 mi W SHERWOOD DRIVE, & 2 mi NOTTINGHAM DRIVE, HAVING BELN BROUGHT UP TO COUNTY SPECIFICATIONS ALL VOTING YES (SEE ATTACHED MAP)
- 7 MOTIONED BY R R "Dick" HUBERT, SECONDED BY B E "Slim" SPEIGHTS APPROVE "RESOLUTION" SUPPORTING SAM HOUSTON REGIONAL LIBRARY RENOVATIONS, LIBERTY TEXAS ALL VOTING YES (SEE ATTACHED)
- 8 MOTIONED BY JAMES J "Buddy" PURVIS, SECONDED BY B E "Slim" SPEIGHTS, APPROVE "RESOLUTION" SUPPORTING INCREASE IN STATE APPROPRIATIONS FOR ROAD & BRIDGE MAINTENANCE AND EXPANSION ALL VOTING YES (SEE ATTACHED)
- 9 MOTIONED BY BOBBY SMITH, SECONDED BY B E "Slim" SPEIGHTS APPROVE "RESOLUTION" OF PARTICIPATION IN CONSTRUCTION OF FRONTAGE ROADS, ON HIGHWAY US 59 BYPASS ALL VOTING YES (SEE ATTACHED)

10 MOTIONED BY BOBBY SMITH, SECONDED BY JAMES J "Buddy" PURVIS
 APPROVAL OF BUDGET AMENDMENT #99-10, AS SUBMITTED BY
 BILL LAW, COUNTY AUDITOR
 ALL VOTING YES (SEE ATTACHED)

11 MOTIONED BY BOBBY SMITH, SECONDED BY R R "Dick" HUBERT
 APPROVAL AND PAYMENT OF BILLS (by schedule) PLUS ADDENDUMS
 ALL VOTING YES (SEE ATTACHED)

DATE	AMOUNT	CHECK NUMBERS
2-04-99	165,762 87	138293 - 138299
2-04-99	53,792 74	Electronic Transfer
2-05-99	28,016 05	138300 - 138437
2-08-99	- 37 91	133665 Voided Check
2-08-99	- 137 00	137636 Voided Check
2-08-99	- 1 17	137806 Voided Check
2-08-99	105 00	431
2-10-99	81,328 54	138438 - 138516
2-12-99	3,444 50	138517 - 138520
2-12-99	66,428 00	138521
2-12-99	360 00	138522
2-17-99	- 216,570 00	138135 Voided Check
2-18-99	53,952 70	Electronic Transfer
2-18-99	165,798 20	138523 - 138529
2-18-99	233,773 59	138530 - 138725
2-19-99	3,887 02	138726
2-19-99	6,500 00	138727
2-19-99	- 5,453 16	138708 Voided Check
2-19-99	38,052 00	Addendum To appear on future schedule

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12 MOTIONED BY JAMES J "Buddy" PURVIS, SECONDED BY R R "Dick" HUBERT, APPROVAL OF PERSONNEL ACTION FORMS (REVISED)
ALL VOTING YES (SEE ATTACHED)

RECESS REGULAR COURT @ 10 35 A.M. (BREAK)

RECONVENED FOR SOLID WASTE WORKSHOP @ 10.52 A.M.

13 MOTIONED BY R R "Dick" HUBERT, SECONDED BY B E "Slim" SPEIGHTS
TO ADJOURN COURT THIS 19th DAY OF FEBRUARY 1999 @ 12 15 P.M.

JOHN P THOMPSON, COUNTY JUDGE

ATTEST



BARBARA MIDDLETON, COUNTY CLERK

C \WP51\COMMCRT9\FEB19 WPD

AN INTERLOCAL GOVERNMENTAL CONTRACT

Between

SAN JACINTO COUNTY, TEXAS

COPY

And

THE POLK COUNTY WASTE MANAGEMENT CENTER

For Landfill Services

WHEREAS the Polk County Waste Management Center of Polk County, Texas owns and operates a Type I Sanitary Landfill, located 3.5 miles west of Leggett, Texas, under the Texas Natural Resource Commission Permit #1384, issued January 12, 1983, and

WHEREAS it is the stated desire of Polk County to provide these facilities, services, especially to other governmental entities through the provisions of the Interlocal Governmental Act, then .

THEREFORE let it be known that SAN JACINTO COUNTY, TEXAS represented by the County Judge and Commissioner's Court, herein referred to as "CUSTOMER", desires to enter into an agreement with POLK COUNTY, herein referred to as "COUNTY", for landfill services and capacity under the following terms and conditions.

SECTION 1 BASIC CONTRACTUAL AGREEMENT

BEGINNING on or before February 1, 1999, and continuing for a period of 36 months from this date, CUSTOMER agrees to purchase from COUNTY, under a "put or pay" clause, no less than 17,500 cubic yard of solid waste disposal capacity per year

SECTION 2 STIPULATION OF RATES

BASED on the stated volume, and term of contract identified in SECTION 1 above, the CUSTOMER is eligible for a volume discount rate of \$5.75 per cubic yard, inclusive of current applicable State Fees, and subject to the following provisions:

- A. CUSTOMER agrees, under the terms of a "put or pay" clause, that for the duration of this agreement, an accounting will be produced by the COUNTY, on an annual basis, documenting the total amount of waste received from CUSTOMER and disposed of at the POLK COUNTY WASTE MANAGEMENT CENTER by the COUNTY. If the CUSTOMER has delivered a sufficient volume of waste to satisfy

the provisions of SECTION 1 of this agreement, all provisions of this agreement will apply as stated. However, if the CUSTOMER has failed to produce the volume of waste as stipulated by the terms of this agreement, CUSTOMER will pay COUNTY a sum at the end of the annual accounting period to satisfy the "put or pay" contract condition, stated herein.

- B. COUNTY makes this offer to CUSTOMER based on the current ratio of compacted waste to loose waste, i.e., CUSTOMER estimates that 75% of their total waste stream is comprised of compacted waste with the remaining 25% of their total waste stream being comprised of loose waste. CUSTOMER further agrees to pay a surcharge of \$ 25 per cubic yard for all compacted waste over the anticipated 75% compacted level, with such surcharge to be calculated on an annual basis.
- C. CUSTOMER and COUNTY agree that the stated rate identified in Section 2 is inclusive of any and all State Fees applicable to the disposal of solid waste as of the date of this contract. CUSTOMER and COUNTY agree and understand that should any State Fees be increased or any other governmental fees become applicable to the disposal/ processing/ and or treatment of solid waste subject to this agreement, subsequent to the effective date of this contract, those fees will be passed through to the CUSTOMER as applicable.
- D. CUSTOMER agrees that the rates stipulated in this SECTION are applicable only to waste processed at the CUSTOMER'S solid waste collection station's and will not apply should the CUSTOMER process its waste through a transfer station.
- E. CUSTOMER agrees and understand that the COUNTY may, based on its cost of operations, increase the stated volume discount rate once within any 12 month period. Both Parties of this agreement further agree should the rate applicable to the CUSTOMER be increased more than 12.5% (twelve and one half per cent) in calendar year 1999, or more than 10.5% (ten and one half per cent) in calendar year 2000, or more than 8.5% (eight and one half per cent) in calendar year 2001, CUSTOMER has the right to cancel this contract by providing written notice to the COUNTY within 30 days of said rate adjustment.

SECTION 3 TERMS OF PAYMENT

CUSTOMER understands and agrees that the COUNTY shall bill the CUSTOMER for landfill services/capacity by the 5th of each month following the prior month's services, and payment is expected by the end of that same month. Payment not received on or before the last day of the billing month will be subject to a 1.5% (one and one half per cent) late payment penalty to be assessed and payable on the subsequent month's statement. The CUSTOMER further understands and

agrees that such late payment penalty shall be compounded each month thereafter for up to 90 days, and if full payment is not received at the end of the 90 days, Customer shall be subject to the default provisions of the contract

COUNTY will notify CUSTOMER with each monthly statement, the total amount of waste processed for the current annual period, applicable to any "put or pay" provisions of this contract

SECTION 4 LANDFILL FACILITY ACCESS AND SERVICE AVAILABILITY

COUNTY agrees to make the landfill facility and services available to the CUSTOMER five days a week, Monday through Friday, for a minimum of eight consecutive working hours with the exception of the following official holidays January 1, New Years Day, a date in November appropriate for Thanksgiving Day, and December 25, Christmas Day

COUNTY will agree to open the landfill on days other than regular operating days in cases of emergency and when special conditions/ circumstances dictate the opening, and on request of the CUSTOMER A rate of \$500 00 per day, plus regular contract fees will be required by the COUNTY for these exceptions.

SECTION 5 ACCEPTANCE OF WASTE FOR DISPOSAL AT LANDFILL SITE

COUNTY agrees to receive the CUSTOMER'S vehicles and assist in discharging the waste onto the working face of the disposal area, without undue delay, and to insure a speedy turn around for the vehicle making the delivery

CUSTOMER understands and agrees to fully comply with all rules, regulations, and laws governing solid waste, as imposed on said entities and their facilities by the State of Texas, the Federal Government or any other Special Jurisdiction that may have authority over the control and management of solid waste as authorized by law

Any waste declared "unauthorized", by State or Federal laws, and not appropriate for disposal in a Type I Landfill, shall not be delivered to the County by CUSTOMER for processing or disposal.

CUSTOMER understands that Subtitle D of the Resources Conservation and Reclamation Act of 1976, requires COUNTY to conduct random waste screenings.

CUSTOMER agrees that in the event that unacceptable waste is discovered in the CUSTOMER'S load at the time of discharge, the CUSTOMER'S official representative will be notified immediately, and the CUSTOMER shall be responsible for the removal of said unauthorized waste to an appropriate facility. However, the CUSTOMER may at the CUSTOMER'S option request the COUNTY remove said unauthorized waste to an appropriate facility, with all costs associated with said removal/ processing and disposal of said unauthorized waste to be executed at the complete and total expense of the CUSTOMER.

SECTION 6 TERMINATION OF CONTRACTUAL AGREEMENT

CUSTOMER fully understands that the rates quoted in this contract exist for the mutual benefit of both parties, and that if the CUSTOMER chooses to terminate, default, or cancel this contract prior to the full term of this contract, except for SECTION 3 (E) , as agreed herein , the CUSTOMER must reimburse the COUNTY for all waste delivered from the conception of this agreement, at the full gate rate price, plus all applicable State Fees. Such termination, default, or cancellation of this contract by the CUSTOMER shall cause the volume long term rate offered to the CUSTOMER by the COUNTY to be rescinded, and full rates to be calculated from the beginning date of this contract Customer agrees to pay the applicable and full gate rate, including appropriate State Fees for all previous waste delivered by CUSTOMER and disposed of by the COUNTY

SECTION 7 RENEWAL/NONRENEWAL OF CONTRACTUAL AGREEMENT

Both Parties agree that 90 days prior to the appropriate expiration date of this contract, either party may notify the other party of its intent not to renew this contract However by mutual agreement between both Parties this contract may be extended beyond the dates specified herein, provided both Parties enter into good faith negotiations for their mutual benefits.

SECTION 8 CONTRACT ASSIGNABILITY

It is expressly understood by the CUSTOMER that this contract shall not be assignable or transferable to another party, without the full knowledge of, and prior approval of the COUNTY

SECTION 9 RESOLUTION OF DISPUTES

Both Parties agree that this agreement exists for the mutual benefit of both Parties, and as such a bond of trust exists between both Parties to extent said mutual benefit exists between both Parties In the event of any misunderstanding, disagreement or dispute between the CUSTOMER and the COUNTY, both Parties agree to enter into discussions to resolve said misunderstandings, disagreements or disputes. COUNTY and CUSTOMER agree to consider any and all just requests of the other Party, and when possible, agree to seek solutions of mutual benefit without the incurring of any undue or extraordinary expenses by either Party

SECTION 10 CONTRACTUAL CONFLICTS

If any section or part of this contract is found to be in conflict with any other part or section, or declared invalid, illegal, or unenforceable, for any reason, that section shall be subject to renegotiating and shall not disqualify or negate any other sections or provisions of this contractual agreement

SECTION 11 CONTRACT PERFORMABILITY

The obligations and undertakings of each of the parties to this agreement shall be performable in Polk County, Texas.

Agreed to and accepted this 8th day of February, 1999

FOR SAN JACINTO COUNTY (CUSTOMERS)

FOR POLK COUNTY (COUNTY)

Joe Adams
Hon Joe Adams
County Judge

John P. Thompson
Hon John P Thompson
County Judge

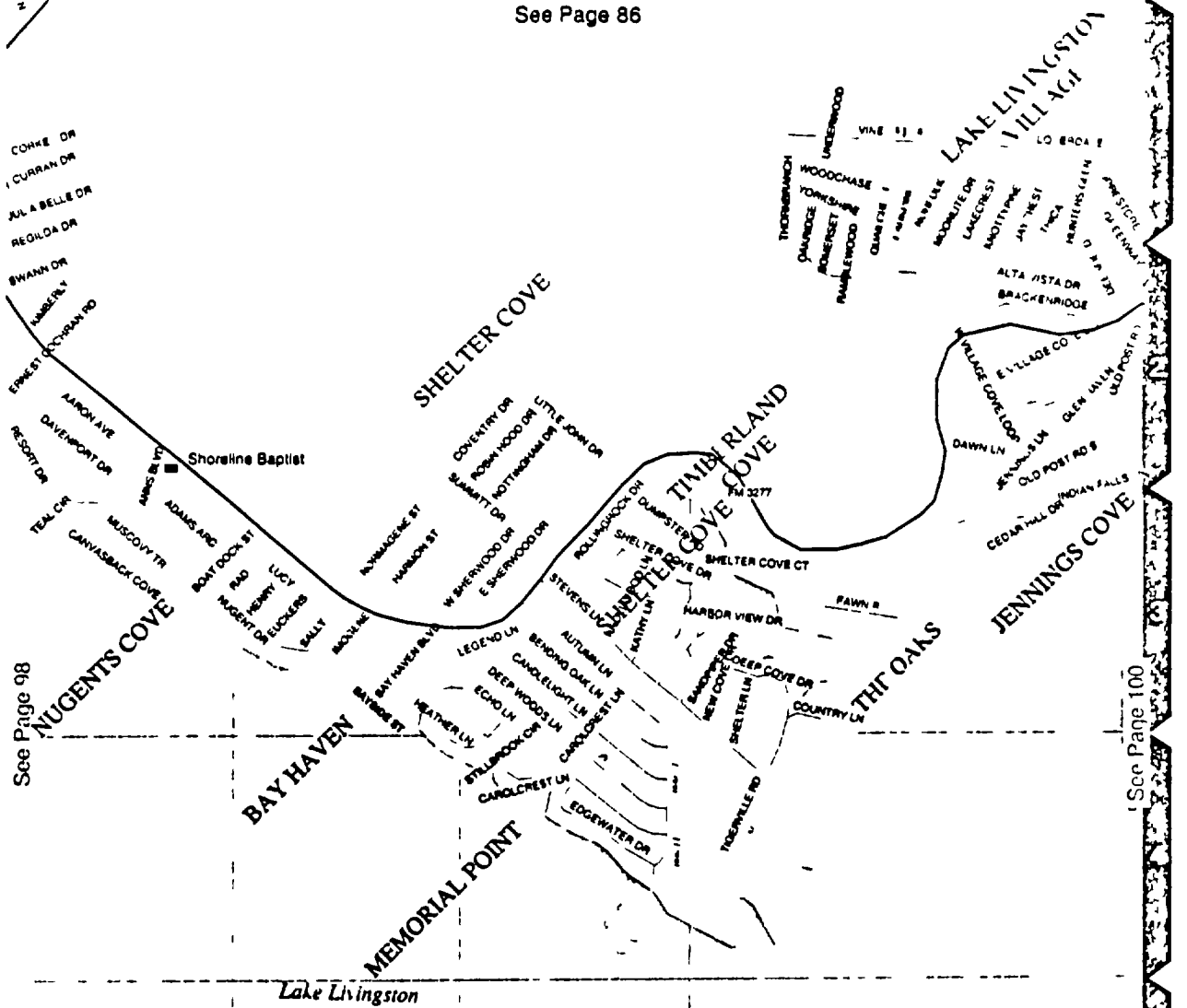
Attest

Attest

Charlene Vann
County Clerk
San Jacinto County

Barbara Middleton by G. G. G. G.
County Clerk
Polk County

See Page 86



CC Agenda for February 19, 1999

Accept for County Maintenance.

- E Sherwood Dr (2 mi)
- W Sherwood Dr (2 mi)
- Nottingham Dr (2 mi)

End of Map

Copyright 1998
Design/Graphics



Resolution

WHEREAS, the Sam Houston Regional Library and Research Center is a division of the Texas State Library and Archives Commission serving Southeast Texas since 1977, and

WHEREAS, POLK COUNTY is one of the 10 counties for which the Sam Houston Center provides custody for the records and archives of individuals, businesses, organizations and local governments, and,

WHEREAS, the Center annually serves over 16,000 citizens and receives over 250 donations of historical documents, and its holdings include special collections of Governor Price Daniel and General Sam Houston in addition to many county records of Polk County, and

WHEREAS, as there has been no renovation to the Center since its opening and the building and service areas are in dire need of maintenance and repairs, and

WHEREAS, the Legislature has been requested to consider appropriations for the next biennium to protect these state owned facilities from further deterioration and to prevent more costly future expenditures if the work is further delayed,

NOW, THEREFORE THE COMMISSIONERS COURT OF POLK COUNTY, DO HEREBY RESOLVE THAT THE STATE OF TEXAS THROUGH ITS LEGISLATIVE APPROPRIATIONS DO AUTHORIZE AND APPROPRIATE FUNDS FOR THE ACCESS, REPAIRS AND RENOVATIONS OF THE SAM HOUSTON REGIONAL LIBRARY AND RESEARCH CENTER AS REQUESTED BY THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION

INTRODUCED, READ AND UNANIMOUSLY PASSED BY THE AFFIRMATIVE VOTE OF THE POLK COUNTY COMMISSIONERS COURT ON THIS 19th DAY OF FEBRUARY 1999

John P. Thompson
County Judge

John P. Thompson

B. E. "Slim" Speights
Commissioner Precinct 1
B E "Slim" Speights

James J. Purvis
Commissioner Precinct 3
James J "Buddy" Purvis

Bobby Smith
Commissioner Precinct 2
Bobby Smith

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

ATTEST *Barbara Middleton*, County Clerk
by C. Bigler

RESOLUTION URGING THE TEXAS
LEGISLATURE TO INCREASE APPROPRIATIONS
FOR ROAD AND BRIDGE MAINTENANCE AND EXPANSION

WHEREAS, road and bridge maintenance and expansion is a core function of government, and

WHEREAS, mobility is fundamental to Texas economic vitality and quality of life, and

WHEREAS, maintaining mobility requires a continuing investment of state resources to maintain and expand the surface transportation infrastructure to meet identified needs, and

WHEREAS, current level appropriations to the Texas Department of Transportation (TxDOT) are adequate to address only one-third of the identified Texas transportation needs, and

WHEREAS, Texas should increase its annual investment in surface transportation infrastructure to a level that will enable TxDOT to address at least one-half of the state's identified transportation needs, and


WHEREAS, increased appropriations to TxDOT are necessary to continue state-funded road and bridge maintenance and construction programs and simultaneously leverage the maximum amount of federal funding for which Texas is eligible from the Transportation Equity Act for the 21st Century

NOW, THEREFORE BE IT RESOLVED by the Polk County Commissioners Court

Section 1 That the 76th Texas Legislature be and hereby is urged to increase annual appropriations to TxDOT by (a) funding the Department of Public Safety from a source other than State Highway Fund 006 so that Fund 006 resources will be available to maintain and expand road and bridge infrastructure and (b) moving the point of accountability for state motor fuel taxes from the distributor to the terminal rack

Section 2 That a copy of this resolution be transmitted to the offices of the Governor, Lieutenant Governor, Speaker of the House of Representatives, the Chairman of the Texas Transportation Commission, and the chairs of the following legislative committees Senate Committee on Finance, Senate Committee on State Affairs, House Committee on Appropriations, House Committee on Transportation, House Committee on Ways and Means, and House Select Committee on Revenue and Public Education Funding

Passed this 19th day of February, 1999


Signature

John P Thompson, County Judge

ATTEST


Signature

Barbara Middleton, County Clerk

RESOLUTION

RESOLUTION APPROVING PARTICIPATION BY POLK COUNTY IN CONSTRUCTION OF FRONTAGE ROADS, U S HIGHWAY 59 BYPASS, LIVINGSTON, TEXAS, AUTHORIZING FUNDING OF SAID PROJECT, AND DESIGNATING AUTHORITY TO ACT THEREIN

WHEREAS on August 22 1997 the County of Polk participating with the City of Livingston Texas the Livingston Independent School District and Memorial Health System of East Texas submitted a petition and letter of intent (Letter of Intent) to the Texas Department of Transportation for assistance in completion of the US 59 bypass within the corporate limits of Livingston with the construction of frontage roads a turn around and signage on the north end of the US 59 relief route from the intersection of US 59 North and US 59 Business (Loop 90) to US 190 a distance of 1.790 miles (the Project) said petition and letter of intent attached hereto and made a part hereof for all purposes as if recited fully herein and

WHEREAS in said petition and letter of intent the County of Polk agreed to provide a proportional share of cash funds totaling \$100 000 00 toward total monetary participation of \$400 000 00 for completion of the Project and designated the City of Livingston as lead organization to act on behalf of the County of Polk regarding participation in the Project and

WHEREAS the State of Texas acting through the Texas Department of Transportation has presented the City of Livingston with an Advance Funding Agreement for Standard Highway Improvement Projects (On-System) (Advance Funding Agreement) pursuant to Chapter 201 and Section 221.001 et seq of the Transportation Code of the State of Texas and additional applicable authority related to construction of the Project copies of which proposed Advance Funding Agreement and forwarding correspondence are attached hereto and made a part hereof for all purposes as if recited fully herein now therefore be it

RESOLVED that the County of Polk approves participation in the Project as outlined in said Letter of Intent and Advance Funding Agreement agrees to fund \$100 000 00 toward the total monetary participation required for completion of the Project designates the County Judge to act on behalf of the County of Polk in all matters related thereto without further approval of the Commissioners' Court of Polk County designates the City of Livingston as lead organization with authority to bind the County of Polk to the terms of the Advance Funding Agreement and agrees to deposit with the City of Livingston such sums as are required by the Advance Funding Agreement at such times as deposit is requested by the City of Livingston, Texas

ADOPTED this 19th day of February, 1999

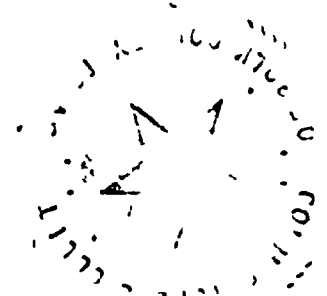
John P. Thompson
JOHN P. THOMPSON County Judge

R. E. Allen
COMMISSIONER, Precinct One

W. M. [Signature]
COMMISSIONER, Precinct Two

[Signature]
COMMISSIONER, Precinct Three

R. B. "Dick" [Signature]
COMMISSIONER, Precinct Four



ATTEST

Barbara Middleton
COUNTY CLERK, POLK COUNTY TEXAS

POLK COUNTY
By Bill Law County Auditor

BUDGET REVISION
#99-10

February 19 1999

Fund Account	Description	Increase	Decrease	Comments	Original Budget	Amended Budget	Net Change
010-342-600	Insurance Claims	-998.00		Insurance Reimbursement	0.00	18,101.02	18,101.02
010-560-450	Ins. Reimbursement-Auto Repairs	998.00			0.00	6,391.02	6,391.02
010-630-408	IHC Administrativ Reimbursement		4,500.00	To purchase IHC computer software	35,000.00	3,247.99	-31,752.01
010-630-352	Computer/Supplies Expense	4,500.00			0.00	4,500.00	4,500.00
015-621-108	Salaries Part time	1,000.00		To cover unexpected expenses due to illness	4,255.80	5,255.80	1,000.00
015-621-339	Construction & Materials		1,000.00		91,047.13	243,697.10	152,649.97
015-369-300	Culvert/Material Reimbursement	242.00		Culvert reimbursement	0.00	-805.00	-805.00
015-623-338	Culverts	242.00			5,363.00	5,968.00	605.00
015-625-102	Tobacco Settlement Funds		6,500.00	Topurchase 89 Ford 6yd Dump from TxDOT	121,392.00	52,882.00	-68,510.00
015-622-573	Capital Outlay	6,500.00			0.00	243,210.00	243,210.00
Totals		12,000.00	12,000.00				

FILED FOR RECORDS
This 19th day of Feb 19 99
at 1:00 o'clock
BARBARA MIDDLETON
County Clerk Polk County, Iowa
By *Barbara Middleton*

Approved By *John P. Thompson*
Date 2/19/99

SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	94 824 35
015	ROAD & BRIDGE ADH	28 824 22
027	SECURITY FUND	1 063 38
028	POLK COUNTY HISTORICAL COMM	241 66
032	ENVIRONMENTAL SERVICES	8 555 51
048	DISTRICT ATTY SPECIAL FUND	380 43
051	AGING DEPT	5 781 81
101	ADULT SUPERVISION	16 151 18
104	OTP - CSR	1 173 41
108	CCP - SURVEILLANCE	1 348 79
109	SPECIALIZED CASELOAD CCP	909 25
184	JUVENILE PROBATION	2 474 17
185	CCAP - JUVENILE PROBATION	4 920 51
TOTAL OF ALL FUNDS		165 762 87

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

V H Lav

V H LAV

COUNTY AUDITOR

JOHN THOMPSON

COUNTY JUDGE

John H. Thompson

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	24 702 79
015 ROAD & BRIDGE ADM	1 016 49
032 ENVIRONMENTAL SERVICES	456 54
034 FEMA DISASTER FUNDS	171 37
049 DISTRICT ATTY HOT CHECK FUND	92 86
051 AGING DEPT	1 253 83
088 JUDICIARY FUND	107 00
093 CO CLERK RECORDS MGMT FUND	14 95
TOTAL OF ALL FUNDS	28 016 05

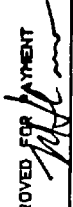
THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT

V H LAU

COUNTY AUDITOR

JOHN THOMPSON

COUNTY JUDGE



CHECK # 133665

2 L K ACCT MAIN 02/08/1999 \$37 91
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*****37 91

137M ANNUAL CO TAX ASSESS/COLLECTOR SEM
C/C HAND SER COORDINATOR
DEALER H-1 AGGIELAND STATION
COLLEGE STATION TX 77844-1232

CHECK # 133665

010-560-423 GENERAL FUND INVEST 37 91 ✓
*** VOID *** VC D *** VOID *** VOID *** VOID *** VOID *** VO D *** VO D ***
*** VOID *** C/D *** VOID *** VOID *** VO D *** VO D *** VO D *** VO D ***

John P. Thompson

CHECK # 137636

BANK ACCT "A" N
 *** VOID *** C D *** VOID *** 02 09 1999 *** VOID *** \$ 37 00
 *** VOID *** V3 D *** VOID *** VOID *** VOID *** V3 D *** V3 D ***

*****137 00

JONES R MALCOLM

CHECK # 137636

040-340-400	LAW LIBRARY FUND	LAWL	10 00
027 340 400	SECURITY FUND	SFEE	5 00
094 340 400	COUNTY RECORDS MGMT FUN	PER F	5 00
088 207 225	JUDICIARY FUND	P L JF	5 00
010 342 950	GENERAL FUND	HELS	40 00
010 340 400	GENERAL FUND	PECC	35 00
010 340 000	GENERAL FUND	CO E	3 00
010 340 100	GENERAL FUND	P JCG	9 00
010 340 220	GENERAL FUND	SHER	25 00

John R. Thompson

CHECK # 137806

BANK ACCT MAIN 02/08 1999 51 17
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*****1 17

NETTLES GARAGE
204 MORRISON DR
LIVINGSTON TX 77351

CHECK # 137806

010-560-427 GENERAL FUND LOUISI 1 17
*** VOID *** VOID *** VOID *** VOID *** VOID *** VOID *** VOID ***
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John P. Thompson

SCHEDULE OF BILLS

FUND DESCRIPTION

DISBURSEMENTS

028 POLK COUNTY HISTORICAL COM

105 00

TOTAL OF ALL FUNDS

105 00

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

U H LAV

U H Lav

COUNTY AUDITOR

JOHN THOMPSON

COUNTY JUDGE

John H. Thompson

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	9 346 85
015 ROAD & BRIDGE ADM	578 95
032 ENVIRONMENTAL SERVICES	221 67
051 AGING DEPT	590 35
061 DEBT SERVICE FUND	70 233 22
088 JUDICIARY FUND	337 50
TOTAL OF ALL FUNDS	81 328 54

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

V H LAW

[Signature]

COUNTY AUDITOR

JOHN THOMPSON

COUNTY JUDGE

[Signature]

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	3 105 45
051 AGING DEPT	339 05
TOTAL OF ALL FUNDS	3 444 50

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

V H LAV

V H Lav

COUNTY AUDITOR

JOHN THOMPSON

COUNTY JUDGE

John Thompson

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
015 ROAD & BRIDGE ADM	66 428 00
TOTAL OF ALL FUNDS	66 428 00

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

V H LAW

[Signature]

COUNTY AUDITOR

JOHN THOMPSON

COUNTY JUDGE

[Signature]

DATE OF 2/12/69

VENDOR AS
TEXAS (

FUND DESCRIPTION
010 GENERAL FUND

TOTAL OF ALL FUNDS

DISBURSEMENTS

360 00

360 00

SCHEDULE OF BILLS BY FUND

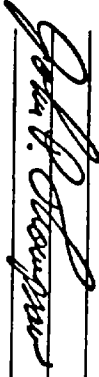
THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT

M. H. LAW

COUNTY AUDITOR

JOHN THOMPSON

COUNTY JUDGE



CHECK # 138135

BANK ACCT MAIN 02/17/1999 \$216 570 00
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***216 570 00

THE BANK OF NEW YORK
TOWERHARC PLAZA 3RD FLOOR
10161 CENTURION PKWY
JACKSONVILLE FL 32256

CHECK # 138135

061-811-516 DEBT SERVICE FUND INTERE 14 675 00
061 812 595 DEBT SERVICE FUND INTERE 29 875 00
061 855 580 DEBT SERVICE FUND PRINCI 130 000 00
061 815 580 DEBT SERVICE FUND INTERE 42 020 00
*** VOID *** VOID *** VOID *** VOID *** VOID *** VOID *** VOID ***
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SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	95 676 74
015 ROAD & BRIDGE ADM	29 285 74
027 SECURITY FUND	732 32
028 POLK COUNTY HISTORICAL COM	241 66
032 ENVIRONMENTAL SERVICES	8 589 30
048 DISTRICT ATTY SPECIAL FUND	380 63
051 AGING DEPT	4 989 72
101 ADULT SUPERVISION	16 910 67
104 DTP - CSR	314 01
108 CCP - SURVEILLANCE	1 348 79
109 SPECIALIZED CASELOAD CCP	909 25
184 JUVENILE PROBATION	2 485 99
185 CCAP - JUVENILE PROBATION	4 933 38
TOTAL OF ALL FUNDS	165 798 20

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

V H LAW

COUNTY AUDITOR

JOHN THOMPSON

COUNTY JUDGE

[Signature]

SCHEDULE OF BILLS PAYABLE

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	150 035 07
015	ROAD & BRIDGE ACH	37 408 22
032	ENVIRONMENTAL SERVICES	21 774 49
049	DISTRICT ATT'Y MOT CHECK FUND	729 17
051	AGING DEPT	14 487 63
061	DEBT SERVICE FUND	6 568 35
090	DRUG FORFEITURE FUND	220 00
093	CO CLERK RECORDS NIGHT FUND	2 250 16
TOTAL OF ALL FUNDS		233 773 49

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

U H LAU

COUNTY AUDITOR

JOHN THOMPSON

COUNTY JUDGE

[Signature]

 COUNTY AUDITOR

[Signature]

 COUNTY JUDGE

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	3 887 02
TOTAL OF ALL FUNDS	3 887 02

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 P. Thompson

SCHEDULE OF BILLS B. P. C.

FUND DESCRIPTION	DISBURSEMENTS
015 ROAD & BRIDGE ADM	6 500 00
TOTAL OF ALL FUNDS	6 500 00

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

V. H. LAW

W. P. Law

COUNTY AUDITOR

JOHN THOMPSON

COUNTY JUDGE

John P. Thompson

CHECK # 138708

BANK ACCT MAIN 02/19/1999 \$5 453 16
*** VOID *** VOID *** VOID *** VOID *** VOID *** VOID *** VOID ***
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***** 453 16

TITAN INC
P O BOX 65100
SAN ANTONIO TX 78265

CHECK # 138708

010-560-480 GENERAL FUND 016158 2 724 02
010 560 480 GENERAL FUND 015995 2 729 14

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Addendum Schedule of Bills for Court Dated 2/19/99

Chambliss Bridge Co , Inc	\$18,720 00	R & B 2
Administrative SVCS of Texas	\$4,500 00	Indigent Care
Government Records Services	\$10,249 00	Records Management
Government Records Services	\$4,583 00	District Clerk
<hr/>		
TOTAL	\$38,052 00	

John P. Thompson
2/19/99

DATE FEBRUARY 10 1999 THROUGH FEBRUARY 23 1999

NO	EMPLOYEE NAME	DEPT	JOB CLASSIFICATION	TYPE OF EMPLOYEE	SALARY GROUP	ACTION
(1)	PAMELA MITTAG	DISTRICT CLERK	#107 BOOKKEEPER	REGULAR FULL TIME	1/1 \$16,943.97	MERIT INCREASE TO 112 \$17,357.24 EFFECTIVE 02/17/99
(2)	PHILIP A HOYT	WASTE MANAGEMENT	#904 COLLECTION STATION ATTEN	LABOR POOL	UNCLASSIFIED \$5.15	NEW-HIRE EFFECTIVE 02/17/99
(3)	JOHN G HAYNES	WASTE MANAGEMENT	#904 COLLECTION STATION ATTEN	LABOR POOL	UNCLASSIFIED \$5.28	RESIGNED EFFECTIVE 02/10/99
(4)	JEFFERY HUNTER	WASTE MANAGEMENT	#912 LANDFILL SUPERVISOR	REGULAR FULL TIME	157 \$23,317.70	MERIT INCREASE TO 159 \$25,117.48 EFFECTIVE 2/17/99
(5)	PATRICIA HERNANDEZ	AGING CORRIGAN	#1265 COOK	LABOR POOL	UNCLASSIFIED \$6.46	NEW HIRE EFFECTIVE 02/22/99
(6)						
(7)						
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ADDITION

VOL

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