

POLK COUNTY COMMISSIONERS COURT

November 12, 2002 10:00 A.M.

Polk County Courthouse, 3rd floor

Livingston, Texas

2002-114

NOTICE

is hereby given that a regular meeting of the Polk County Commissioners Court will be held on the date stated above, at which time the following subjects will be discussed;

Agenda topics

- CALL TO ORDER.
- PUBLIC COMMENTS.
- INFORMATIONAL REPORTS.
- APPROVAL OF MINUTES OF THE MEETING OF October 22, 2002 (Regular).
- CORRECT MINUTES OF SEPTEMBER 24, 2002 ITEM #12 TO DELETE REFERENCE TO ISSUANCE OF A MODIFIED ORDER
- CORRECT MINUTES OF OCTOBER 8, 2002 REGULAR SESSION DELETING SCHEDULE OF BILLS DATED 09/28/02 IN THE AMOUNT OF \$(52.00) VOIDED CHECKS (DUPLICATE).
- CONSIDER ANY/ALL NECESSARY ACTION REGARDING RE-BID #2002-11.05 THROUGH 14.04, "OTHER ROAD MATERIALS.
- CONSIDER APPROVAL OF RESERVE DEPUTY CONSTABLE PCT. #1 BOND (RENEWAL) FOR DOUGLAS MARTIN.
- CONSIDER RE-SCHEDULING OF THE NOVEMBER 26, 2002 COMMISSIONERS COURT REGULAR SESSION.
- CONSIDER ANY/ALL NECESSARY ACTION PERTAINING TO BID #2003-01 "PRECINCT #2 PURCHASE OF NEW 14-YARD DUMP TRUCK, WITH SALE OR TRADE-IN OF USED 1985 FORD 9000.
- CONSIDER ISSUANCE OF TIME WARRANT FOR PCT. #I PURCHASE OF A DUMP TRUCK IN AN AMOUNT OF \$11,000.00 AT AN INTEREST RATE OF 4.5% FOR A PERIOD NOT TO EXCEED THREE (3) YEARS.
- CONSIDER ISSUANCE OF TIME WARRANT FOR PCT. #I PURCHASE OF TWO USED TRUCKS IN A COMBINED AMOUNT OF \$15,929.12 AT AN INTEREST RATE OF 4.5% FOR A PERIOD NOT TO EXCEED THREE (3) YEARS.
- CONSIDER APPROVAL OF UPDATE TO POLK COUNTY MASTER STREET ADDRESS GUIDE (MSAG). 13.
- CONSIDER APPROVAL OF VENDOR AGREEMENT FOR FY03 BETWEEN DEEP EAST TEXAS COUNCIL OF GOVERNMENTS AND POLK COUNTY AGING SERVICES.
- CONSIDER APPROVAL OF GRANT APPLICATION TO RURAL VOLUNTEER FIRE DEPARTMENT ASSISTANCE 15. PROGRAM FOR THE PURCHASE OF ONE BRUSH TRUCK FOR EACH COUNTY VFD, INCLUDING COUNTY COMMITMENT OF 10% MATCH ESTIMATED AT \$59,400.00 OVER TERM OF PROGRAM.
- CONSIDER RENEWAL OF CONTRACT FOR LEASED OFFICE SPACE BETWEEN POLK COUNTY AND MOLLY 16.
- CONSIDER RENEWAL OF CONTRACT FOR INMATE MEDICAL SERVICES. 17.
- CONSIDER APPROVAL OF OFFERS TO PURCHASE TAX FORECLOSURE PROPERTIES: (PCT. #1) OAK TERRACE #11, LOTS 17 & 18; MEMORIAL POINT, LOT 7, BLOCK 1. 18.
- 19. CONSIDER APPROVAL OF BUDGET REVISIONS.
- 20. CONSIDER APPROVAL OF BUDGET AMENDMENTS, AS FOLLOWS:
- 21. CONSIDER APPROVAL OF SCHEDULE OF BILLS.
- 22. CONSIDER APPROVAL OF PERSONNEL ACTION FORMS.

<u>ADJOURN</u>

Posted: Nov. 8, 2002

By: John P. Thompson, County Judge

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m I, the undersigned County Clerk, do hereby certify that the above Notice of Meeting of the Polk County Commissioners Court is a transfer copy of said Notice and that I posted a true and correct copy of said Notice in the Polk County Courthouse at Eplace read accessible to the general public at all times on Wednesday, November 6, 2002 and that said Notice remained so posted continuously for least 72 hours preceding the scheduled time of said Meeting.

BARBARA MIDDLETON, COUNTY CLERK

Deputy

Nov. 12, 2002



November 12, 2002 10:00 a.m.

COMMISSIONERS COURT

of Polk County, Texas County Courthouse, 3rd floor

Livingston, Texas

ADDENDUM to Posting # 2002-114

The following will serve to amend the Agenda of the Commissioners Court Meeting scheduled for November 12, 2002 at 10:00 A.M.

AMEND TO READ;



- CONSIDER APPROVAL OF BUDGET AMENDMENTS, AS FOLLOWS; 20.
 - Record General Fund Revenue from sale of surplus generator in the amount of \$525.00.
 - Record General Fund Revenue from insurance claim and related repair expense for Environmental Enforcement vehicle in the amount of \$1,459.05.
 - Record transfer General Fund Revenue of transfer from Drug Forfeiture Fund and related District Attorney expense for grant match in the amount of \$3,399.84.

AMEND TO ADD;

- 23. CONSIDER APPROVAL OF RESOLUTIONS, AS REVISED, FOR PRECINCT #3 OFF SYSTEM BRIDGE PROGRAM, 0911-04-921 AND 0911-04-922.
- RECEIVE AND ACCEPT OFFICIAL BOND FOR MARION A. (BID) SMITH, TAX 24. ASSESSOR/COLLECTOR, POLK COUNTY.
- CANVASS THE RESULTS OF THE NOVEMBER 5, 2002, GENERAL ELECTION. 25.

Commissioners Court of Polk County, Texas

Dated: Friday, November 8, 2002.

John P. Thompson, County Judge

I, the undersigned County Clerk, do hereby certify that the above Addendum to the Notice of Meeting of the Polk County Commissioners Court is a true and correct copy of said Addendum and that I posted a true and correct copy of said Addendum at the door of the Polk County Courthouse at a place readily accessible to the general public at all times on Friday, November 8, 2002 and that said Addendum remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

STATE OF TEXAS }

COUNTY OF POLK }

DATE: NOVEMBER 12, 2002 REGULAR "MEETING" Commissioner Smith - Absent

"COMMISSIONERS COURT" POSTING # 2002 - 114

BE IT REMEMBERED ON THIS THE <u>12th</u> DAY OF <u>NOVEMBER</u>, 2002 THE HONORABLE COMMISSIONERS COURT MET IN "REGULAR" CALLED MEETING WITH THE FOLLOWING OFFICERS AND MEMBERS PRESENT, TO WIT:

JUDGE JOHN P. THOMPSON, COUNTY JUDGE, PRESIDING: BOB WILLIS - COMMISSIONER PCT#1, 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 MADE, CONSIDERED & PASSED.

- 1. WELCOME & CALLED TO ORDER BY JUDGE JOHN P. THOMPSON AT 10:00 A.M. REV. DUANE TINER OF CHRIST COMMUNITY CHURCH INDIAN HILLS GAVE THE OPENING PRAYER.
- 2. PUBLIC COMMENTS:
 - A. IRA GERSTENSLAGER GAVE COMMENTS ABOUT HIS NEIGHBORS AND WISHED EVERYONE A GOOD DAY.
 - B. LISA (???) OF FORESTERS RETREAT SUBDIVISION REPORTED HAVING WATER DRAINAGE INTO HER YARD DURING THE RECENT RAINS. SHE ALSO SHOWED PICTURES OF THE WATER AND REQUESTED HELP IN TAKING CARE OF THE PROBLEM FROM PRECINCT #1 COMMISSIONER WILLIS.
- 3. INFORMATIONAL REPORTS:
 - A. COMMISSIONER WILLIS REQUESTED A REPORT FROM THE AUDITOR ON FY2002 ENDING BUDGET & A BEGINNING FY2003 REPORT FOR PCT#1.
 - B. DARLA RHODES-AGING DIRECTOR, THEY WILL BE GIVING FLU SHOTS TOMORROW (November 13th) AT THE SENIOR CITIZEN CENTER.
 - C. COMMISSIONER PURVIS SAID THEY WILL BE MAKING OLD FASHIONED SYRUP AT THE STRYKER TEXAS MILL THIS WEEK-END.
- 4. MOTIONED BY R.R. "Dick" HUBERT, SECONDED BY BOB WILLIS, APPROVAL OF MINUTES FOR OCTOBER 22, 2002 (REGULAR) MEETING. ALL VOTING YES.
- 5. MOTIONED BY BOB WILLIS, SECONDED BY JAMES J. "Buddy" PURVIS, TO CORRECT MINUTES OF SEPTEMBER 24, 2002 ITEM #12 TO DELETE REFERENCE TO ISSUANCE OF A MODIFIED ORDER. ALL VOTING YES.
- 6. MOTIONED BY JAMES J. "Buddy" PURVIS, SECONDED BY BOB WILLIS, TO CORRECT MINUTES OF OCTOBER 8, 2002 REGULAR SESSION- DELETING SCHEDULE OF BILLS, DATED 9/28/2002, IN THE AMOUNT OF (-\$52.00) VOIDED CHECKS (DUPLICATED).
 ALL VOTING YES.

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7. FY 2003-RE-BID OF OTHER BASE MATERIALS FOR ROAD & BRIDGE DEPARTMENTS - #2002-11.05 THROUGH #2002-14.05:

PRECINCT #1 - BID #2002 -11.05:

MOTIONED BY BOB WILLIS, SECONDED BY R.R. "Dick" HUBERT, TO AWARD "OTHER BASE MATERIALS" TO:

HOOT'S LOADER SERVICE.....CALICHE & BIG ROCK

BUCK'S UNLIMITED INC.....GRAVEL, SAND, & FILL DIRT

EAST TEXAS ASPHALT CO.....OIL STABILIZED BASE & CONCRETE ROCK ALL VOTING YES.

PRECINCT #2: BID #2002 - 12.05:

"TABLED" UNTIL COMMISSIONER SMITH RETURNS TO COURT.

PRECINCT#3 - BID #2002 -13.05:

MOTIONED BY JAMES J. "Buddy" PURVIS, SECONDED BY R.R. "Dick" HUBERT, TO AWARD "OTHER BASE MATERIALS" TO: HOOT'S LOADER SERVICE......CALICHE & BIG ROCK BUCK'S UNLIMITED INC.....GRAVEL, SAND, & FILL DIRT EAST TEXAS ASPHALT CO.....OIL STABILIZED BASE & CONCRETE ROCK

PRECINCT #4 - BID #2002 - 14.05:

ALL VOTING YES.

MOTIONED BY R.R. "Dick" HUBERT, SECONDED BY BOB WILLIS, TO AWARD "OTHER BASE MATERIALS" TO:

HOOT'S LOADER SERVICE.....CALICHE & BIG ROCK BUCK'S UNLIMITED INC.....GRAVEL, SAND BASE, & FILL DIRT EAST TEXAS ASPHALT CO.....OIL STABILIZED BASE & CONCRETE ROCK

ALL VOTING YES.

8. MOTIONED BY BOB WILLIS, SECONDED BY JAMES J. "Buddy" PURVIS, TO APPROVE BOND RENEWAL FOR DOUGLAS MARTIN, JR. RESERVE DEPUTY CONSTABLE, PRECINCT #1. ALL VOTING YES.

- 9. MOTIONED BY JAMES J. "Buddy" PURVIS, SECONDED BY R.R. "Dick" HUBERT, TO RESCHEDULE NOVEMBER 26, 2002 COMMISSIONERS COURT REGULAR SESSION TO NOVEMBER 25, 2002 AT 10:00 A.M. ALL VOTING YES.
- 10. MOTIONED BY R.R. "Dick" HUBERT, SECONDED BY BOB WILLIS, TO "TABLE" ANY ACTION ON PRECINCT#2 - BID #2003-01. ALL VOTING YES.
- 11. MOTIONED BY BOB WILLIS, SECONDED BY R.R "Dick" HUBERT, TO APPROVE ISSUANCE OF TIME WARRANT FOR PCT#1 PURCHASE OF A DUMP TRUCK IN AN AMOUNT OF \$11,000.00 AT AN INTEREST RATE OF 4.5%, FOR A PERIOD NOT TO EXCEED (3) YEARS. ALL VOTING YES.

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- 12. MOTIONED BY BOB WILLIS, SECONDED BY R.R "Dick" HUBERT, APPROVAL TO ISSUE TIME WARRANT FOR PRECINCT#1 PURCHASE OF TWO USED TRUCKS IN A COMBINED AMOUNT OF \$ 15,929.12, AT AN INTEREST RATE OF 4.5% FOR A PERIOD NOT TO EXCEED (3) YEARS. ALL VOTING YES.
- 13. MOTIONED BY JAMES J. "Buddy" PURVIS, SECONDED BY BOB WILLIS, TO APPROVE UPDATE TO POLK COUNTY MASTER STREET GUIDE (MSAG). ALL VOTING YES. (SEE ATTACHED)
- 14. MOTIONED BY BOB WILLIS, SECONDED BY R.R. "Dick" HUBERT, TO APPROVE OF VENDOR AGREEMENT FY2003 BETWEEN DEEP EAST TEXAS COUNCIL OF GOVERNMENTS AND POLK COUNTY AGING SERVICES.

 ALL VOTING YES. (SEE ATTACHED)
- 15. MOTIONED BY R.R. "Dick" HUBERT, SECONDED BOB WILLIS, APPROVAL OF GRANT APPLICATION TO RURAL VOLUNTEER FIRE DEPARTMENT ASSISTANCE PROGRAM (HB 2604) FOR THE PURCHASE OF ONE BRUSH TRUCK FOR EACH COUNTY VFD, INCLUDING COUNTY COMMITMENT OF 10% MATCH ESTIMATED AT \$59,400.00 OVER TERM OF PROGRAM. ALL VOTING YES.
- 16. MOTIONED BY BOB WILLIS, SECONDED BY JAMES J. "Buddy" PURVIS, TO TABLE "ITEM 16 CONSIDER RENEWAL OF CONTRACT FOR LEASED OFFICE SPACE BETWEEN POLK COUNTY & MOLLY LOCKE." ALL VOTING YES.
- 17. MOTIONED BY BOB WILLIS, SECONDED BY JAMES J. "Buddy" PURVIS, TO APPROVE RENEWAL OF CONTRACT FOR INMATE MEDICAL SERVICES, DR. LUNA & DR. AMBEAUX.
 ALL VOTING YES. (SEE ATTACHED)
- 18. MOTIONED BY BOB WILLIS, SECONDED BY R.R. "Dick" HUBERT, TO ACCEPT OFFERS TO PURCHASE TAX FORECLOSURE PROPERTIES: PRECINCT #1 LOTS 17 & 18, IN OAK TERRACE SEC #11, AND LOT 7, BLOCK 1, OF MEMORIAL POINT. ALL VOTING YES.
- 19. MOTIONED BY BOB WILLIS, SECONDED BY JAMES J. "Buddy" PURVIS, TO APPROVE BUDGET REVISION #2003-02 (a).
 ALL VOTING YES. (SEE ATTACHED)
- 20. MOTIONED BY JAMES J. "Buddy" PURVIS, SECONDED BY BOB WILLIS, TO APPROVE BUDGET AMENDMENTS #2002-27 & #2003-02.
 ALL VOTING YES. (SEE ATTACHED)
- 21. MOTIONED BY R.R. "Dick" HUBERT, SECONDED BY BOB WILLIS, APPROVAL & PAYMENT OF BILLS BY SCHEDULE, PLUS ADDENDUMS.
 ALL VOTING YES. (SEE ATTACHED)

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DATE	AMOUNT	CHECK #	COMMENTS
10/22/02	30.95	767	Historical Comm.
10/22/02	528.00	173816 - 173867	Juror Fees
10/22/02	1,380.00	173868 – 174006	Petit, Grand, Commiss Juror
10/22/02	1,110.00	174007 – 174076	
10/22/02	25,234.75	174077 – 174096	Petit, Grand, Commiss Juror
10/22/02	278,377.74	174097 – 174106	Trans Serv 06-08/02, POLTX, ETC.
10/22/02	-100.00	167455	Insurance, Towers, Emerg. Mgt., Etc.
10/23/02	-225.00	167607	Voided check
10/23/02	-55.00	······································	Voided check
10/23/02		167715	Voided check
	-138.75	167931	Voided check
10/23/02	-86.25	168878	Voided check
10/23/02	2.19	768	Statement 9/30/02
10/24/02	70,801.38	174107 – 174126	RB2, RB4, QTR END, ETC.
10/24/02	65,484.42	ACH #290	FICA/WH PPE
10/24/02	205,831.77	ACH #291	Net Salaries
10/24/02	21,366.34	1004 – 1006	LEGAL NOTICE & DRAW DOWN
10/24/02	693.00	1007	TCDP #721649
10/25/02	204.00	525	10/21-10/25/02
10/28/02	523.37	174127 – 174129	Mobile Phones, electricity, etc.
10/28/02	7,213.93	174130 - 174155	Postage, electricity, etc.
10/28/02	6,309.00	413	Operating 10/21-10/25/02
10/28/02	265.02	769 – 772	Historical comm., contract labor, etc.
10/31/02	400,000.00	ACH #292	TEXPOOL
10/31/02	63,648.81	ACH #293	Comptroller, Qtr. End. 09/30/02
10/31/02	- 4,136.00	414	Operating 10/28-10/31/02
10/31/02	113.86	773	Operating 6032 2020 0096 7951
10/31/02	104,568.75	174156 – 174159	Time Warrant, Insurance, Retirement,
11/01/02	120.00	174160 – 174175	Jury Fees
11/01/02	119.00	526	Operating 10/28-10/31/02
11/01/02	1,482.00	174176 – 174266	Petit, Grand, Commiss Juror

DATE	AMOUNT	CHECK #	COMMENTS
11/04/02	-11,000.00	173650	Voided check
11/05/02	145,290.48	174267 – 174452	Banc One leasing, Attorney Fees, Etc.
11/06/02	19,295.67	174453 – 174455	Contract services, subsidy, etc.
11/06/02	37,238.07	174456 – 174491	Utilities, Phones, office supplies, etc.
11/06/02	42,801.47	174492 – 174540	Fire departments, autopsies, etc.
11/07/02	11,795.12	174541 – 174559	ADDITIONAL
11/07/02	65,363.31	ACH # 294	ADDITIONAL
11/07/02	205,827.60	ACH #295	ADDITIONAL
11/12/02	3,885.32	ADDENDUM	Addendum - FY2002
11/12/02	73,254.64	ADDENDUM	Addendum- FY2003
TOTAL	1,852,690.96		

- 22. MOTIONED BY BOB WILLIS, SECONDED BY R.R. "Dick" HUBERT, TO APPROVE PERSONNEL ACTION FORMS.

 ALL VOTING YES. (SEE ATTACHED)
- 23. MOTIONED BY JAMES J. "Buddy" PURVIS, SECONDED BY BOB WILLIS, TO APPROVE "RESOLUTIONS" AS REVISED, FOR PRECINCT #3 OFF SYSTEM BRIDGE PROGRAM, 0911-04-921 AND 0911-04-922.

 ALL VOTING YES. (SEE ATTACHED)
- 24. MOTIONED BY JAMES J. "Buddy" PURVIS, SECONDED BY BOB WILLIS, TO RECEIVE AND ACCEPT OFFICIAL BOND FOR MARION A. "BID" SMITH TAX ASSESSOR COLLECTOR, POLK COUNTY.
 ALL VOTING YES.
- 25. MOTIONED BY BOB WILLIS, SECONDED BY JAMES J. "Buddy" PURVIS, TO APPROVE CANVASS OF NOVEMBER 5, 2002 GENERAL ELECTION, AS PRESENTED BY COUNTY CLERK BARBARA MIDDLETON.
 ALL VOTING YES. (SEE ATTACHED)
- 26. MOTIONED BY R.R. "Dick" HUBERT, SECONDED BY BOB WILLIS, TO ADJOURN COURT THIS 12th DAY OF NOVEMBER 2002 AT 10:24 A.M. ALL VOTING YES.

JOHN P. THOMPSON, COUNTY JUDGE

ATTEST:

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BARBARA MIDDLETON, COUNTY CLERK C:\barbaram\COMM. COURT\COMMCRT.2002\NOV12.wpd

POLK COUNTY COMMISSIONERS COURT MSAG CHANGES 11/5/2002

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PCT	PCT CTY ROAD LOW	MOT	HIGH	MILEAGE	MILEAGE COMMENTS
-	NON	100	123	0.0222	1 NO 100 123 0.0222 ADDED NEW STRE
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STREET	PCT	CTY ROAD LOW	MO7	HIGH	MILEAGE	MILEAGE COMMENTS
ENTRANCE DR	1	9	1 60	123	0.0222	ADDED NEW STREET
I MABERGER LN	-	2	5	139	0.0382	CHANGED FROM REED
BEAVER BAY LN	-	YES	5	193	0.0926	CHANGED FROM HAVE
MC BRIDE DR	~	YES	\$	417	0.3172	CHANGED FROM JOSHI
ROWELANE	m	2	100	202	0.103	ADDED NEW STREET
BAILEY LN	n	2	9	217	0.2894	ADDED NEW STREET
DONNAS TRL	m	2	5	131	0.0309	ADDED NEW STREET
RANDYS	. ෆ	8	100	281	0.1811	ADDED NEW STREET
FRENCHY LN	n	2	5	287	0.1866	ADDED NEW STREET
MIKERD	4	Ş	5	1329	1.2282	CHANGED FROM PAT &
ROCKING G FARMS RD	4	Q.	100	213	0.1131	CHANGED FROM BETT

Approved by Commissioners Court November 12, 2002

PAGE 02/02

POLK CO EMERG MGMT

327-6898

10/58/5005 53:38

VOL.

POLK COUNTY COMMISSIONERS COURT MSAG CHANGES 11/5/2002

PLEASE ADD THE FOLLOWING STREETS TO 11/12/2002 COURT DATE:

Tangto	100	2400 740	100		1047 1194	
אותבבו	<u>.</u>	CIT_ROAD LOW	LCX C	ב	MILEAGE	MILEAGE COMMENIS
OLD HIGHWAY 35 N	3	YES	13964	14833	0.8695	0.8695 CHANGED FROM ST HIGHWAY LOOP 177
BEACON LANE	-	2	100	203	0.103	ADDED NEW STREET

Approved by Commissioners Court November 12, 2002

. 10/10 39∀d

POLK CO EMERG MGMT

327-6890

10/31/5005 53:01

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(*14)

FAX COVER SHEET

Bob Willis
Polk County PCT 1
P.O. Box 740
Tyler Street
Goodrich, Texas 77335

(936) 365-2222 Office (936) 365-4237 Fax

(936) 365-4237 Fax	
Email pct1@livingston.net	
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Approved by Commissioners Court	
November 12, 2002	•

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Effective Dates: October 1, 2002 - September 30, 2003

COPY

Vendor Number: Service Area:

POLK - 01 Polk County

VENDOR AGREEMENT

BETWEEN

DEEP EAST TEXAS COUNCIL OF GOVERNMENTS AREA AGENCY ON AGING

AND

POLK COUNTY AGING SERVICES

TO PROMOTE QUALITY OF LIFE FOR OLDER PERSONS IN DEEP EAST TEXAS

POLK COUNTY AGING SERVICES

| County Judge | 10/01/2002

AREA AGENCY ON AGING OF DEEP EAST TEXAS

Walter G. Diggles, Executive Director

YOL.

MEMORANDUM OF AGREEMENT

INTRODUCTION

The Deep East Texas Council of Governments (DETCOG) was designated in 1974 as the Area Agency on Aging for Angelina, Houston, Jasper, Nacogdoches, Newton, Polk, Sabine, San Augustine, San Jacinto, Shelby, Trinity and Tyler counties. Within its structure, the Area Agency on Aging of Deep East Texas (AAA/DET) is a single identifiable unit that serves as a focal point for the planning, coordination and system development of aging services.

The Health and Human Services Commission of the State of Texas provides for a statewide, locally-based system of information, access, assistance, advocacy and services.

The Area Agency on Aging of Deep East Texas is responsible under Title III of the Older Americans Act, for the development and implementation of a comprehensive and coordinated service system in order to:

- 1. secure and maintain independence and dignity in a home environment for older individuals capable of self care with appropriate supportive services;
- 2. remove individual and social barriers to economic and personal independence for older individuals; and
- 3. provide a continuum of care for the vulnerable elderly.

PURPOSE

The purposes of this Memorandum of Agreement between the AREA AGENCY ON AGING OF DEEP EAST TEXAS (hereinafter referred to as AAA/DET) and Polk County Aging Services (hereinafter referred to as "the VENDOR") are to identify areas of mutual interest, to define terms for mutual cooperation and coordination of health and human services and to pledge joint efforts to promote the mission of the Older Americans Act identified above.

The VENDOR shall become a partner in the AGING NETWORK OF DEEP EAST TEXAS and this agreement shall become an integral part of the AREA PLAN FOR AGING SERVICES IN DEEP EAST TEXAS.

GENERAL OPERATIONS

AAA/DET Will:

- 1. Prepare and submit the Area Plan for Aging Services for Deep East Texas
 - a. Identify needs
 - b. Prioritize services
 - c. Develop regional goals and objectives for:
 - Access and Assistance
 - Community-based services
 - In-home services
 - Institutional care-resident advocacy
- 2. Develop vendor agreements or contracts with service providers
- 3. Conduct public hearings on aging issues
- 4. Monitor delivery of services
- 5. Maintain documentation and file necessary reports to funding agencies

VENDOR Will:

- 1. Provide AAA with ADA Self Assessment or other confirmation of compliance with the Americans With Disabilities Act.
- 2. Provide AAA with confirmation of compliance with Health Inspection requirements. (for congregate and home delivered meal providers).
- 3. Provide AAA with confirmation of compliance with Texas Department of Health Food Service and Sanitation Course for All Restaurant Managers (for congregate and home delivered meal providers)
- 4. Provide AAA with confirmation of monthly nutrition education to congregate and home delivered meal participants.
- Provide AAA with confirmation of approved menus, developed by licensed dietitians, that comply with provisions in the Older Americans Act, Subpart 4, 339, relating to compliance with Dietary Guidelines and Recommended Dietary Allowances. (for congregate and home delivered meal providers)

- 6. Provide AAA with confirmation of comprehensive and liability insurance equal to or greater than that required by Texas Department of Transportation for public transportation, and other required documents as stated in Texas Administrative Code Rule 270.3(I) Transportation Standards. (transportation providers)
- 7. Designate a liaison to provide advice and assistance in the development of the Area Plan for Aging Services for Deep East Texas.
- 8. Provide meeting space for AAA public meetings, i.e., Educational Forums, Regional Council on Aging meetings, Silver-Haired Legislature Candidate Forums, Public Hearings, etc.
- 9. Provide notification to AAA of activities that affect older persons including public hearings, educational forums, coalitions and solicitations for bids.

48 PAGE 1392 YOL.

Effective Dates: October 1, 2002 - September 30, 2003

AN AGREEMENT BY AND BETWEEN

DEEP EAST TEXAS COUNCIL OF GOVERNMENTS AREA AGENCY ON AGING

LOCATION:

274 East Lamar, Jasper, Texas 75951

MAIL:

274 East Lamar, Jasper, Texas 75951

PHONE:

(409) 384-5704

FAX: E-MAIL:

(409) 384-6177

handerson@detcog.org

CONTACT:

Holly Anderson, Director, Area Agency on Aging

AND VENDOR

ENTITY:

Polk County Aging Services

LOCATION:

1812 W Houston Street, Livingston, TX 77351

MAIL:

P. O. Box 1192

PHONE:

936/327-6884

FAX:

936/327-6889

E-MAIL:

CONTACT:

Darla Rhodes

FOR THE PURCHASE OF

PRODUCT/SERVICE	UNIT	AREA	RATE
1. Congregate Meals	Meal	Polk Co.	\$5.67
2. Home Delivered Meals	Meal	Polk Co.	\$4.88

PURCHASE TERMS/POLICIES

Vendor: Polk County Aging Services

- 1. AAA/DET will ASSESS CLIENT NEED, DEVELOP PLAN OF CARE and AUTHORIZE PURCHASE of specified units of service.
- 2. Client will have opportunity to select provider from list of approved vendors.
- 3. AAA/DET will notify Vendor of SERVICE AUTHORIZATION including:
 - product or service description
 - client profile including ID number
 - service delivery period (start/end dates)
- 4. Vendor notification may occur by one or more of the following methods:
 - Telephone Contact
 - Faxed Work Order
 - E-Mail
- Vendor shall submit invoice and service documentation to the AAA/DET by the 8th
 day of the month for payment within 30 days (see Vendor Agreement Attachment 1,
 Funding Obligations)

Any <u>vendor invoices and service documentation</u> received after the 8th day of the month will be held until the processing date as set by the Texas Department on Aging.

The attached Texas Administrative Code, Rules and Standards for Services, become
part of this vendor agreement, and the Vendor agrees to provide services within these
required standards.

Effective Dates: October 1, 2002 - September 30, 2003

Deep East Texas Council of Governments
Area Agency on Aging
Vendor Agreement
Attachment 1

I. FUNDING OBLIGATION

The VENDOR acknowledges that the COUNCIL'S obligation hereunder for payment, in consideration of full and satisfactory performance of activities described in this agreement, is limited to monies received from the Administration on Aging; and that unless and until adequate funds have been received from said entities, the COUNCIL shall not have, under terms of this agreement, any obligations to the VENDOR...

The VENDOR understands that it must have sufficient financial solvency to sustain said agreement performance until adequate funds are received by the COUNCIL to reimburse said VENDOR.

The COUNCIL shall not be liable to the VENDOR for any expenditures which are not allowable costs as defined in the rules and regulations, Federal Register Vol. 55 #63, and Code of Federal Regulations Title 45, Part 74, as of October 1, 1990, or which expenditures have not been made in accordance with the fiscal guidelines and requirements outlined by the Texas Department on Aging.

The COUNCIL agrees to make payment to the VENDOR in the amounts and upon the terms, provisions and budgets as set forth in the Direct Service Agreement, and the VENDOR agrees to accept such payments as full compensation for services performed hereunder. Invoices received by the 8th day of the month will be paid net 30 days.

II. ACCESSIBILITY OF RECORDS

The VENDOR shall give COUNCIL, Texas Department on Aging, the Comptroller General of the United States, and the State of Texas, through any authorized representatives, the access to and right to examine all records, books, papers, contracts, or other documents related to this agreement. Such right of access shall continue as long as such records, or any of them, are in existence. VENDOR shall include the substance of this provision in all subcontracts.

III. PAYMENT SUSPENSION AND VENDOR TERMINATION

In the event monitoring, evaluation of activities or completion of client satisfaction surveys by the COUNCIL or its VENDOR agents, disclose serious deficiencies in the operation of agreement, the COUNCIL may elect to suspend or terminate this agreement upon fifteen (15) days written notice from the COUNCIL to the VENDOR. The VENDOR, upon notification of such suspension or termination, shall have the right to appeal such suspension or termination following procedures outlined in 40 TAC 254.17,

as applicable. This agreement may be terminated upon the occurrence of any of the following events:

- Discontinuance of funding to the COUNCIL from the Texas Department on Aging; or
- Failure of the VENDOR to comply with any or all of the terms and conditions of this agreement and any attachment thereto; or
- Mutual agreement between the COUNCIL and the VENDOR; or
- Discovered or disclosed deficiencies in the operation of the VENDOR supported under the provisions of this agreement.

In the event of termination, final billings for units of services delivered pursuant to the agreement will be submitted to the COUNCIL within fifteen (15) calendar days from the termination by the VENDOR. It is understood that no units delivered after the termination date will be reimbursed.

If this agreement is terminated as provided above, the COUNCIL may require the VENDOR to transfer title and deliver to the COUNCIL or to another authorized VENDOR any property acquired by Federal funds or assigned to the VENDOR by the COUNCIL for the purposes of this VENDOR.

IV. TARGETING

VENDOR shall assure, in accordance with the Older Americans Act of 1965, as amended, Section 306(a)(5)(B), that preference in the delivery of services is given to:

- Older individuals residing in rural areas;
- Older individuals with greatest economic need (with particular attention to low-income minority individuals and older individuals who reside in rural areas);
- Older individuals who have greatest social need (with particular attention to low-income minority individuals and older individuals who reside in rural areas);
- Older individuals with severe disabilities;
- Older individuals with limited English-speaking ability; and,
- Older individuals with Alzheimer's Disease or related disorder with neurological and organic brain dysfunction and the caretakers of such individuals.

	October 1, 2002
Walter G. Diggles, Executive Director	Date
John P. Thompson, Polk County Judge	October 1, 2002 Date

Effective Dates: October 1, 2002 - September 30, 2003

CERTIFICATION REGARDING PROGRAM CONTRIBUTIONS

In accordance with TAC 270.1(j) regarding contributions (see below), Polk County Aging Services certifies it will comply with the rule and report all program contributions to the Deep East Texas Area Agency on Aging on a monthly basis utilizing the monthly meal and program income report. (copy is attached and made part of this agreement)

Polk County Aging Services acknowledges that said program contributions will purchase services for participants eligible to receive services, thus increasing service levels.

Jøhn P. Thompson, Polk County Judge

October 1, 2002

Contributions:

The VENDOR shall ensure that written procedures for contributions for the cost of providing services are established for use by each service provided. These procedures shall:

- Provide all eligible clients or their family or advocate with the opportunity to voluntarily contribute all or part of the cost of the service, regardless of the method of service procurement;
- Protect the privacy of such contributions;
- Safeguard and account for all contributions;
- Require that all client contributions must be used to support or expand services provided under an approved area plan, in accordance with applicable federal fiscal and program regulations; and
- Allow the establishment of suggested contribution schedules which considers
 the income ranges of the client population and the service provider's other
 resources.

These procedures shall not:

- Require a contribution as a condition for receiving services; or
- Establish income as a means test when establishing suggested contribution schedules.

** REQUIRED SIGNATURE

AMERICANS WITH DISABILITIES ACT ASSURANCE STATEMENT

Polk County Aging Services does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities. Vendor will comply with the Americans With Disabilities Act.

I certify that compliance with the Americans With Disabilities Act of 1990, as amended, will be accomplished and that evidence of such compliance will be available to the Deep East Texas Area Agency on Aging staff or representative during scheduled monitoring visits.

Thompson, Polk County Judge

October 1, 2002

Date

Holly Anderson, Director

Approval by Area Agency on Aging Deep East Texas Council of Governments October 1, 2002

Date

** REQUIRED SIGNATURE

TEXAS ADMINISTRATIVE CODE SERVICE STANDARDS ASSURANCE STATEMENT

Polk County Aging Services will comply with all applicable service standards applicable for aging programs, as required by the Texas Administrative Code. These service standards for aging programs are attached and thereby made part of this agreement.

I certify that compliance with all applicable Texas Administrative Code for service standards for aging programs will be accomplished and that evidence of compliance will be available to the Deep East Texas Area Agency on Aging staff or representative upon request.

John F. Thompson, Polk County Judge

October 1, 2002

Date

Holly Anderson, Director Approval by Area Agency on Aging Deep East Texas Council of Governments October 1, 2002 Date

** REQUIRED SIGNATURE





Wednesday, November 13, 2002

Raymond J. Luna, M.D. 219 N. Eastwood Livingston, Texas 77351

Re: Medical Coverage For Jail Inmates

Dear Dr. Luna:

In a regular meeting held November 12, 2002, the Commissioners Court voted to renew the agreement for Inmate Medical Services provided for the Polk County Jail by you and Louis Ambeaux, P.A.

As per the terms of our previous agreement, the following is submitted:

- 1. The Physician Assistant (P.A.) will provide primary care to the jail inmates and be supervised by the Medical Doctor (M.D.) as required by the Texas Board of Medical Examiners, at the rate of \$2,700.00 per month.
- 2. The supervising physician will be available for back-up care when the PA. is not available.
- 3. P.A. or supervising physician will be available for telephone consultation at anytime.
- 4. P.A. or supervising physician will provide emergent evaluation and treatment to inmates for conditions not deemed to require hospital emergency room care between the hours of 8 am. and 5 p.m. Monday through Friday.
- 5. Laboratory and x-ray procedures will be available at physicians office during regular business hours.

POLK COUNTY COURTHOUSE

LIVINGSTON, TEXAS 77351

(936) 327-6813

Fax: (936) 327-6891

VOL. 48 PAGE 1400

Bill Law, County Auditor

Page 2 - Polk County

The terms of this renewal shall be effective October 1, 2002, for a period of one (1) year – with the option to review and extend contract at the end of the initial contract period.

Please indicate your acceptance of this renewal by signing this document in the space provided, retaining a copy for your records and returning the original document to this office in the preaddressed envelope provided.

Sincerely yours,		
	Raymond Luna, M.D.	
John P. Thompson, County Judge		
Polk County, Texas	Louis Ambeaux, PA.	
	Date:	
Cc: Wyatt Cooksey, Jail Administrator		

Priority Comments Comments Budget Change Amended Net Office Furnishings/Equipment 6065.00 Per Bill Law 0.00 6065.00 </th <th>1414 Julian</th> <th></th> <th>Budge \$20</th> <th>Budget Revision #2003-02a</th> <th></th> <th></th> <th>Nov. 12, 2002</th>	1414 Julian		Budge \$20	Budget Revision #2003-02a			Nov. 12, 2002
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SCHEDULE OF BILLS BY FUND

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COUNTY AUDITOR

JOHN P. THOMPSON COUNTY JUDGE

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SCHEDULE OF BILLS BY FUND

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COUNTY AUDITOR

JOHN P. THOMPSON

COUNTY JUDGE

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SCHEDULE OF BILLS BY FUND

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JOHN P. THOMPSON

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JOHN P. TRONDSON

COUNTY AUDITOR

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COUNTY AUDITOR U. H. LAW

JOHN P. THOMPSON

SCHEDULE OF BILLS BY FUND

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DISBURSEMENTS		7, 213. 93	3LE WAS REVIEWED AND APPROVED	W. H. LAW	COUNTY AUDITOR	JOHN P. THOMPSON	COUNTY JUDGE
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JOHN P. THORPSON

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JOHN P. THOMPSON COUNTY AUDITOR

COUNTY JUDGE

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JOHN P. THOMPSON COUNTY AUDITOR

COUNTY JUDGE

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DATE 10/31/2002 TO 10/31/2002

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JOHN P. THOMPSON COURTY JUDGE

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028 POLK COUNTY HISTORICAL COMM

TOTAL OF ALL PURDS

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

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JOHN P. THOMPSON COUNTY AUDITOR

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SCHEDULE OF BILLS BY FUND

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FUND DESCRIPTION	010 GENERAL FUND 015 ROAD & BRIDGE ADM 027 SECURITY 048 DISTRICT ATTY SPECIAL FUND 051 AGING 063 MUSEUM OPERATING FUND 101 ADULT SUPERVISION 108 CCP - SURVEILLANCE 109 SPECIALIZED CASELOAD 184 JUVENILE PROBATION 185 CCAP - JUVENILE PROBATION	TOTAL OF ALL FUNDS THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT. U. H. LAW COUNTY AUDITOR JOHN P. THOMPSON COUNTY JUDGE

SCHEDULE OF BILLS BY FUND

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JOHN P. THOMPSON

COUNTY JUDGE

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COUNTY AUDITOR

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COUNTY JUDGE

JOHN P. THOMPSON COUNTY AUDITOR

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JOHN P. THOMPSON

SCHEDULE OF BILLS BY FUND

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JOHN P. THOMPSON COUNTY JUDGE

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SCHEDULE	

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	34, 045, 42 1, 501, 09 85, 00 12, 95	124.10 12.95 37,238.07	PPROVED FOR PAYM	Collins
DISBURSEMENTS			THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT	COUNTY AUDITOR
MITON	GENERAL FUND ROAD & BRIDGE ADM SECURITY DISTRICT ATTY HOT CHECK FUND AGING	JUDICIARY FUND CO CLERK RECORDS HGHT FUND TOTAL OF ALL FUNDS	; LIST OF BILLS PAYAE	
FUND DESCRIPTION	010 GENERAL FLWD 015 ROAD & BRIDGA 027 SECURITY 049 DISTRICT ATT		THE PRECEDING	

FLAND GND
5 BY F
BILL
7
SCHEDU

FUND	FUND DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND ROAD & BRIDGE ADM	38, 891, 23 575, 23
000	LAW LIBRARY FUND DISTRICT ATTY HOT CHECK FUND AFINE DEST	716.25
M 60	CO CLERK RECORDS MGMT FUND	75.46 2,500.00
	TOTAL OF ALL FUNDS	42,801.47
뀵	THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMEN	REVIEWED AND APPROVED FOR PAYMEN

JOHN P. THOMPSON COUNTY AUDITOR V. H. LAV

2	-	ENT. Definition Glampan
DISBURSEMENTS	7,929.65 659.42 30.00 350.00 480.50 1,427.03 350.50 125.00	TOTAL OF ALL FUNDS THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT. W. H. LAW COUNTY AUDITOR JOHN P. THOMPSON COUNTY JUDGE
) DESCRIPTION	GENERAL FUND ROAD & BRIDGE ADM SECURITY DEBT SERVICE FUND JUDICIARY FUND ADULT SURERVISION CCP + SURVEILLANCE JUVENILE PROBATION CCAP - JUVENILE PROBATION	TOTAL OF ALL FUNDS PRECEDING LIST OF BILLS PAYABLE TO THE TOTAL TO THE TOTAL T
FUND	010 015 027 061 068 1001 108 188	포 -

SCHEDULE OF BILLS BY FUND

48 PAGE 1441 VOLLIOUV

58 65, 363, 31 CHK107 PAGE 13 ACH # 294 AHOUNT

TOTAL ALL ITEMS ACH CLAIMS LIST

TOTAL ITEMS URITTEN GRAND TOTAL AMOUNT

ITEM/REASON

JOHN P. THOMPSON

COUNTY JUDGE

ACCOUNT NAME

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT. COUNTY AUDITOR V. H. LAW

ACCOUNT *

VENDOR NAME

DATE 11/07/2002 TO 11/07/2002

48 PAGE 1442 YOU. CHK107 PAGE 13 12 205,827.60 DATE ACH # 295 AHOUNT

TOTAL ITEMS WRITTEN GRAND TOTAL AMOUNT

I TEM/REASON

TOTAL ALL ITEMS ACH CLAIMS LIST

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

JOHN P. THOMPSON COUNTY AUDITOR

ACCOUNT #

VENDOR NAME

UAIE 11/01/6006 10 11/01/6006

ACCOUNT NAME

Addendum Schedule of Bills for Court Dated 11/12/02 FY-02

Vendor	Amount	Explanation
GALLS, INC LABCORP OF AMERICA HOLDINGS PRIMECARE HEALTH SYSTEM RANDELL MEDICAL CLINIC THE HEART INSTITUTE	\$ 1,457.14 \$ 18.32 \$ 384.07 \$ 41.46 \$ 1,984.33	DPS INDIGENT CARE INDIGENT CARE INDIGENT CARE INDIGENT CARE
TOTAL	\$ 3,885.32	

John P. Storger

Addendum Schedule of Bills for Court Dated 11/12/02 FY-03

COPY

Vendor	Amount	Explanation
ADAMS/MARILYN S.	\$ 22.77	El EGTION
ARMOR RESEARCH CO	\$ 22.77 \$ 112.07	ELECTION
BROOKS, O.C.	\$ 975.00	R&B#2
CHANCE/ SARAH	\$ 69.35	MAINT ENG
CHERRY/ EULA MAE	\$ 11.04	ELECTION ELECTION
COWEN/ SHIRLEEN	\$ 106.26	AUDITOR
CSC CREDIT SERVICES	\$ 56.40	SOCIAL SERVICES
DATALINK	\$ 2,039.00	R&B#1
DOUBLE TREE	\$ 828.00	DA HOT CHECK
EAST TEXAS COPY SYSTEMS	\$ 4,026.00	R&B#1
ELECTION WORKERS	\$ 7,269.00	ELECTION
FARMER/ PAMELA	\$ 16.56	ELECTION
FAWBUSH BODY SHOP	\$ 2,412.18	DA
FLOOR CARE & INTERIOR	\$ 4,800.00	MAINT ENG
HUGHES PETROLEUM PRODUCTS INC	\$ 619.70	R&B#1
JOHNSON/ CURT	\$ 2,100.00	R&B#2
J.W. DOLLY CO	\$ 10,200.00	CC RAP FUND
JENKE/ RALPH DR. DDS	\$ 894.00	JAIL INMATE
LABCOP OF AMERICA HOLDINGS	\$ 69.81	INDIGENT CARE
LIVINGSTON EYE CENTER	\$ 130.00	JAIL INMATE
LIVINGSTON PHYSICAL THERAPY	\$ 25.09	INDIGENT CARE
LYONS/ BYRON	\$ 75.00	DA SPECIAL
LUNA, RAYMOND DR.	\$ 1,163.00	JAIL INMATE
MARTIN/ KATHRYN	\$ 43.82	ELECTION
MEDICAL RENTALS AND SALES	\$ 289.49	INDIGENT CARE
MEMORIAL MEDICAL CENTER OF LIVINGSTON	\$ 1,133.08	JAIL INMATE
MEMORIAL MEDICAL CENTER OF LIVINGSTON	\$ 857.59	INDIGENT CARE
MUSIC MOUNTIAN WATER CO	\$ 31.00	MAINT ENG
MUSIC MOUNTIAN WATER CO	\$ 20.00	JURY ROOM
MYERS/ ANTHONY R.	\$ 192.10	CONSTABLE #3
MYERS/ LESLI	\$ 50.37	SOCIAL SERVICÉS
PACE FUNERAL HOME	\$ 295.00	AUTOPSIES
PITNEY BOWES	\$ 158.60	TEMP FAC
POLK COUNTY PUBLISHING CO	\$ 689.15	PUBLICATIONS
POLK COUNTY TRACTOR	\$ 3.01	R&B#1
PUTT WATSON MOTOR CO., INC	\$ 18,3 92.81	FIRE MARSHALL GRANT
QUINONES/ ANNA M.	\$ 100.00	DA HOT CHECK
RANDALL MEDICAL CLINIC	\$ 1,157.85	INDIGENT CARE
ROLAND/ KENNETH DR, DDS	\$ 75.00	JAIL INMATE
SANDERS/ JOHN	\$ 746.84	SHERIFF DEPT
SELL/ GERALD	\$ 8,000.00	EXTENSION/TEMP FAC
SELL/ GERALD	\$ 1,650.00	MAINT ENG/DUNBAR GYM
TEXAS PUBLIC HEALTH ASSO	\$ 120.00	COUNTY CLERK
THE CUSTOM SHOP	\$.265.00	SHERIFF DEPT
THE TEXAS CENTER OF LEGAL ETHICS	\$ 90.00	DA HOT CHECK
THOMAS/ ROBERT	\$ 286.94	SHERIFF DEPT
WALKER/ SCHELANA	\$ 25.88	ELECTION

(Page 1)

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Addendum Schedule of Bills for Court Dated 11/12/02 FY-03

WILSON CULVERT, INC.

560.88

R&B#2

TOTAL

\$ 73,254.64

John P. Thompson

(Page 2)

YOL.

OCTOBER 23 THROUGH NOVEMBER 12, 2002

48 PAGE 1446

ADDITIONAL TRANSFER TO (#1037 - DEP.SHERIFF PATROL) (17/1) (\$24,788.44)

ADDITIONAL

EFFECTIVE 11,202002 ADDITIONAL ADDITIONAL RECLASSIFICATION TO (#103) (SECRETARY II) (1277) (\$22,488.16) TRANSFER TO (#106 COURT CLERK) (J.P # 4) (14/1) (\$21,383.81) RECLASSIFIED TO (#1035) (DETECTIVE) (2011) (\$28,758.58) EFFECTIVE TOTAGODO 11/6/02 **EFFECTIVE 11/06/2002** EFFECTIVE 11/20/2002 **EFFECTIVE 11/04/2002** EFFECTIVE 11/06/2002 EFFECTIVE 11/13/02 EFFECTIVE 11/13/2002 EFFECTIVE 11/11/02 RESIGNATION DISIMINSED ACTION TAKEN EMPLOYMENT STEP & WAGE \$22,466.16 \$20,353.23 \$28,758.58 \$24,798.44 \$9.79 HR. \$8.44 HR. \$6.59 HR () 10(1) 2 £ ğ ŝ 17 LABOR POOL FULL-TIME WBOR POOL LABOR POOL ABOR POOL FULL-TIME -900 HRS -900 HRS REGULAR REGULAR REGULAR FULL-TIME PUL-TIME -900 HRS. REGULAR DEPUTY SHERIFF PATROL CORRECTIONS OFFICER CORRECTION OFFICER DESCRIPTION OFFICE MANAGER SECRETARY SERGEANT #1036 \$1055 #1055 285 8 8 \$1265 #102 **8** ROAD & BRIDGE PRECINCT # 1 PERSONNEL DEPT SERVICES SHERIFF AGING SHERIFF SERVICES AGING ₹ ₹ EMPLOYEE NOPMA ALENE BOBBY GENE EDMONDS STEPHANE DOUCETT JASON L. **₹** McCOY ERIC W. JONES CYNTHIA PASKE SLADE FADDIS GOYNES **8** 8 ව € 9

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DATE:

RESOLUTION

#23

The State of Texas County of Polk

WHEREAS, the federal off-system bridge program is administered by the Texas Department of Transportation (the State) to replace or rehabilitate structurally deficient and functionally obsolete (collectively referred to as deficient) bridges located on public roads and streets off the designated state highway system; and

WHEREAS, <u>Polk County</u>, hereinafter referred to as the Local Government owns a bridge located at <u>Piney Creek</u>, on <u>CR 219</u>, National Bridge Inventory (NBI) Structure Number (<u>11-187-0-AA0219-003</u>), Local Designation, <u>9 Bridge Road</u>; and

WHEREAS, a project to remedy the bridge is included in the currently approved program of projects as authorized by Texas Transportation Commission Minute Order Number <u>108653</u> dated <u>9/2001</u>, Control-Section-Job (CSJ) Number <u>0911-04-921</u>

WHEREAS, the usual fund participation ratio for projects on such program is 80 percent federal, 10 percent state and 10 percent Local Government; and

WHEREAS, Texas Administrative Code, Title 43, Section 15.55(d)(43 TAC Section 15.55(d)) provides that under specified conditions the 10 percent Local Government match fund participation requirement may be waived with agreement by the Local Government to perform, or cause to be performed, an equivalent dollar amount of structural improvement work on other deficient bridges or deficient mainlane cross-drainage structures within its jurisdiction, such a project of structural improvement work being referred to as an "equivalent-match project"; and

WHEREAS, the estimated local match fund participation requirement on the approved federal off-system bridge project is \$11,760 (dollars), hereinafter referred to as the "participation-waived" project, such participation requirement the Local Government proposes be waived and in return perform or cause to be performed equivalent-match project structural improvement work.

VOL. 48 PAGE 1448

THEREFORE, BE IT RESOLVED that the Local Government perform or cause to be performed the following equivalent-match project(s) in return for waiver of the local match fund participation requirement on the approved federal off-system bridge program (participation-waived) project not yet awarded:

LOCATION (and NBI structure identification number, if applicable)

ON SCHOOL BUS ROUTE?

DESCRIPTION OF STRUCTURAL

ESTIMATED COST

IMPROVEMENT WORK

See Attachment A

BE IT FURTHER RESOLVED that in receiving this waiver the Local Government acknowledges its obligation to conform with all conditions of 43 TAC Section 15.55(d); such conditions that include but are not restricted to the following:

- 1. The Local Government must be currently in compliance with load posting and closure regulations as defined in National Bridge Inspection Standards under US Code of Federal Regulations, Title 23, Section 650.303.
- 2. The equivalent-match project work increases the load capacity of the existing bridge or other mainlane cross-drainage structure, or upgrades the structure to its original load capacity with a minimum upgrade to safely carry school bus loading if located on a school bus route.
- 3. In performing, or causing to be performed, the equivalent-match project(s), the Local Government assumes all responsibilities for engineering and construction, and complying with all applicable state and federal environmental regulations and permitting requirements for the structures being improved.
- 4. The work on the proposed equivalent-match project(s) has not begun and will not begin until the local match fund participation waiver approval process has been completed.
- 5. The Local Government will be allowed three years after the contract award of the participation-waived project to complete the structural improvement work on the equivalent-match project(s).
- 6. Should this waiver request be approved, an appropriate written agreement or amendment to a previously executed agreement will be executed between the State and Local Government.

Attachment A

LOCATION (and NBI structure identification number, if applicable)	ON SCHOOL BUS ROUTE?	DESCRIPTION OF STRUCTURAL IMPROVEMENT WORK	ESTIMATED COST
Wolf Hill & Nine Bridge Rd	l. Yes	replace 2 – 24" culverts	\$2,529.000
Nine Bridge Rd. to Cut-off to Wolf Hill	Yes	replace 1 – 18 x 30 culvert	\$1,650.00
Pine Creek Subdivision	Yes	replace 1 – 18 x 30 culvert	\$2,075.00
Jack Pate Rd.	Yes	replace 1 – 18 x 30 culvert	\$1,830.00
Barnum Loop	Yes	replace 2 – 15 x 24 culverts	\$2,249.00
Hickman Rd.	No	replace 1 - 18 x 30 culvert	\$1,650.00
TOTAL			\$11,983.00
Amount applied to job 0911- Amount applied to job 0911-			\$11,760.00 \$ 148.00

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RESOLUTION

The State of Texas County of Polk

WHEREAS, the federal off-system bridge program is administered by the Texas Department of Transportation (the State) to replace or rehabilitate structurally deficient and functionally obsolete (collectively referred to as deficient) bridges located on public roads and streets off the designated state highway system; and

WHEREAS, <u>Polk County</u>, hereinafter referred to as the Local Government owns a bridge located at <u>Piney Creek</u>, on <u>CR 219</u>, National Bridge Inventory (NBI) Structure Number (<u>11-187-0-AA0219-006</u>), Local Designation, <u>9 Bridge Road</u>; and

WHEREAS, a project to remedy the bridge is included in the currently approved program of projects as authorized by Texas Transportation Commission Minute Order Number 108653 dated 9/2001, Control-Section-Job (CSJ) Number 0911-04-922
WHEREAS, the usual fund participation ratio for projects on such program is 80 percent federal, 10 percent state and 10 percent Local Government; and

WHEREAS, Texas Administrative Code, Title 43, Section 15.55(d)(43 TAC Section 15.55(d)) provides that under specified conditions the 10 percent Local Government match fund participation requirement may be waived with agreement by the Local Government to perform, or cause to be performed, an equivalent dollar amount of structural improvement work on other deficient bridges or deficient mainlane cross-drainage structures within its jurisdiction, such a project of structural improvement work being referred to as an "equivalent-match project"; and

WHEREAS, the estimated local match fund participation requirement on the approved federal off-system bridge project is \$11,760 (dollars), hereinafter referred to as the "participation-waived" project, such participation requirement the Local Government proposes be waived and in return perform or cause to be performed equivalent-match project structural improvement work.

vol. 48 page 1451

THEREFORE, BE IT RESOLVED that the Local Government perform or cause to be performed the following equivalent-match project(s) in return for waiver of the local match fund participation requirement on the approved federal off-system bridge program (participation-waived) project not yet awarded:

LOCATION (and NBI structure identification number, if applicable)

ON SCHOOL BUS ROUTE?

DESCRIPTION OF STRUCTURAL

ESTIMATED COST

IMPROVEMENT WORK

See Attachment A

BE IT FURTHER RESOLVED that in receiving this waiver the Local Government acknowledges its obligation to conform with all conditions of 43 TAC Section 15.55(d); such conditions that include but are not restricted to the following:

- 1. The Local Government must be currently in compliance with load posting and closure regulations as defined in National Bridge Inspection Standards under US Code of Federal Regulations, Title 23, Section 650.303.
- 2. The equivalent-match project work increases the load capacity of the existing bridge or other mainlane cross-drainage structure, or upgrades the structure to its original load capacity with a minimum upgrade to safely carry school bus loading if located on a school bus route.
- 3. In performing, or causing to be performed, the equivalent-match project(s), the Local Government assumes all responsibilities for engineering and construction, and complying with all applicable state and federal environmental regulations and permitting requirements for the structures being improved.
- 4. The work on the proposed equivalent-match project(s) has not begun and will not begin until the local match fund participation waiver approval process has been completed.
- 5. The Local Government will be allowed three years after the contract award of the participation-waived project to complete the structural improvement work on the equivalent-match project(s).
- 6. Should this waiver request be approved, an appropriate written agreement or amendment to a previously executed agreement will be executed between the State and Local Government.

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Attachment A

LOCATION (and NBI structure identification number, if applicable)	ON SCHOOL BUS ROUTE?	DESCRIPTION OF STRUCTURAL IMPROVEMENT WORK	ESTIMATED COST
Johnson Rd.	No	replace 1 – 18 x 30 culvert	\$2,145.00
Carmona Rd. at entrance	Yes	replace 1 – 15 x 30 culvert	\$1,830.00
Bacon Rd.	No	replace 1 – 30 x 24 culvert replace 2 – 18 x 30 culverts	\$4,037.00
Sugar Hill – Sugar Rd.	No	replace 1 – 36 x 30 culvert	\$3,400.00
TOTAL			\$11,612.00
Plus Amount applied from 0911-04-921 Total for job 0911-04-922			\$ 148.00 \$11,760.00





48 PAGE 1453 VOL.



CANVASS OF GENERAL ELECTION

STATE OF TEXAS}

COUNTY OF POLK}

WE, THE UNDERSIGNED MEMBERS OF COMMISSIONERS COURT HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT RETURN OF THE GENERAL ELECTION HELD ON NOVEMBER 5,2002.

WITNESS OUR HANDS THIS 12th DAY of NOVEMBER, 2002. COUNTY JUDGE John P. Thompson COMMISSIONERS: PRECINCT #1 Robert C. "Bob" Willis PRECINCT #2

PRECINCT #3 ames

PRECINCT #4

ATTEST: Middleton Barbara Middleton, County Clerk 1 21:16:37 11/05/02 Summary Report.

	GENEROL EL	POLK COUN	TY, TEXA	5	
		ECTION	MOVEMB	ER 5,	2002
t	T (otal Number Voting recincts Reporting	11418	+2=5	
	•	errices heper still	20 01 20	100.065	
PRINT THIS SIDE	STRAIGHT PARTY				
₽	(Elect 1)	•			
Ė	REP-REPUBL			19. 16×	
Ż		ATIC PARTY		19.78%	
<u>~</u>	LIB-LIBERT GRN-GREEN I			.31%	
_		MK!1		. 6≭	
4		al Votes Cast	11418		•
	Num	ber Under Votes		60.67%	
	Numb	ber Over Votes	0	. 9%	
	UNITED STATES SEI	NATOR			
	(Elect 1)				
	REP-JOHN CO		5743	50. 29%	+ 2 = 5745
	DEM-RON KI	· 	5067	44.37%	
		LANIER JAMESON	187	1.63%	
	GRN-ROY H.	WILLIAMS	32	. 28%	
			4	. 3×	
## # 1		al Votes Cast	11418		
ند		per Under Votes		3. 37%	
PRINTED *1 U.S.A.		ber Over Votes		. 0%	
9		•			
\$		PRESENTATIVE, DIST. 2			
	(Elect 1)				2 - 4726
	REP-VAN BRO				a = 4725
	DEM-JIM TUR LIB-PETER I	~ ~	. 6038		
		DEMGN 		1.11×	
		al Votes Cast	11418	•	
2 - 1		ber Under Votes		4.64%	
	Nusi	ber Over Votes	0		
	GOVERNOR				
	(Elect 1)				
	REP-RICK PE	ERRY	6259	54.81% +	2 = 6361
	DEM-TONY SA	ANCHEZ	4684	41.82%	-
	LIB-JEFF D		197	1.72%	
	GRN-RAHUL I	MALAHAN	33	. 28%	
			20	.17≭	
. 4		al Votes Cast			
		er Under Votes	11418	1.97%	
		ber Over Votes		. 0%	

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LIEUTENANT GOVERNOR (Elect 1)		
REP-DAVID DEWHURST	***	املاء د ،
DEM-JOHN SHARP	2612	49.17x + 2 = 541 46.36x
LIB-MARK DAVID GESSNER		46.36% 1.49%
GRN-NATHALIE PARAVICINI	59	
********************	*******	
Total Votes Cast	11418	
Number Under Votes	279	2.44%
Number Over Votes	0	. 0%
ATTORNEY GENERAL		
(Elect 1)		
REP-GREG ABBOTT	6097	53. 39×
DEM-KIRK WATSON	4631	40.55×+2=4633
LIB-JON ROLAND	159	1.39%
GRN-DAVID KEITH COBB	70	.61%
T-L-1 H	• • • • • • • •	
Total Votes Cast	11418	
Number Under Votes Number Over Votes		4.03%
udanel DAEL A0162	0	. 0×
COMPTROLLER OF PUBLIC ACCOUNTS		
(Elect 1)		
REP-CAROLE KEETON RYLANDER	6972	61.06x+2=6974
DEM-MARTY AKINS	3787	33. 16×
LIB-BOWIE IBARRA		. 89%
GRN-RUBEN L. REYES	54	
Total Votes Cast	******	
Number Under Votes	11418	
Number Over Votes	493 Ø	
	•	. 0×
COMMISSIONER OF THE GENERAL LAND OFFICE (Elect 1)		
REP-JERRY PATTERSON	534A	46. 83×
DEM-DAVID BERNSEN	4896	42.87×+2 = 4898
LIB-BARBARA A. HERNANDEZ	319	2.79%
GRN-MICHAEL B. McINERNEY	71	
Total Votes Cast		
Number Under Votes	11418	
Number Over Votes	784	6.86%
William Ott. Votes	.	. 0×
COMMISSIONER OF AGRICULTURE (Elect 1)		
REP-SUSAN COMBS	6334	
DEM-TOM RAMSAY		55. 44% 36. 81%
LIB-VINCENT J. MAY	126	1.10x42= 128
GRN-JANE WOODWARD ELIOSEFF	87	.76%
	• • • • • • • • • • • • • • • • • • • •	1146
Total Votes Cast	11418	
Number Under Votes	671	5.87%
Number Over Votes	0	

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RAILROAD COMMISSIONER			
(Elect 1)			
REP-MICHAEL L. WILLIAMS	5503	49.07%	
DEM-SHERRY BOYLES		41.59x+2-479	5 1
LIB-NAZIRITE FLORES PEREZ		1.22%	- ,
GRN-CHARLES L. MAUCH	93		

Total Votes Cast	11418		
Number Under Votes	833	7.29%	
Number Over Votes	0	. 0%	
CHIEF JUSTICE, SUPREME COURT			
(Elect 1)			
REP-TOM PHILLIPS	5921	51.85x + 2 = 692	3
DEM-RICHARD G. BAKER		39.68%	_
LIB-EUGENE J. FLYNN		1.45%	

Total Votes Cast	11418		
Number Under Votes	808	7.00%	
Number Over Votes	8	. 0%	
THATTER SUBSECT OCUPY OF ALL A			
JUSTICE, SUPREME COURT, PLACE 1 (Elect 1)			
REP-MIKE SCHNEIDER	# 004	51.68x + 2 = 590	3
DEM-LINDA YANEZ			_
LIB-QUANAH PARKER		38.47% 1.96%	
		1. 70.	
Total Votes Cast	11418		
Number Under Votes		7.88%	
Number Over Votes		. 0%	
JUSTICE, SUPREME COURT, PLACE 2			
(Elect 1) REP-DALE WAINWRIGHT	2510	10 114	
DEM-JIM PARSONS	5642	49.41× 40.92× + 2 = 467	<
GRN-BRAD ROCKWELL			ر
GRIT-BRAD ROCKWELL		1.06≭	
Total Votes Cast	11418		
Number Under Votes		8.59×	
Number Over Votes			
	_	•	
JUSTICE, SUPREME CRT, PLACE 3, UNEX TERM	1		
(Elect 1)		49.33x +2= 563	55
REP-WALLACE B. JEFFERSON DEM-WILLIAM E. MOODY	5633	49.33% + 1 = 54	
		41.14%	
Total Votes Cast	11418		
Number Under Votes		9.52%	
Number Over Votes	1007		
	v	• •	
JUSTICE, SUPREME CRT, PLACE 4, UNEX TERM	4		
(Elect 1)			
REP-STEVEN WAYNE SMITH		50.00x 40.59x+2 = 463	7
DEM-MARGARET MIRABAL	4635	40.59x + 2	•
T-4-1 N-4 D-4			
Total Votes Cast	11418	Q 604	
Number Under Votes Number Over Votes	1074		
MUMBER UVER VOTES	0	. 0×	

JUDGE, CRT OF CRIMINAL APPEALS, PLACE 1		
(Elect 1)		
REP-TOM PRICE	5900	51.67×
DEM-JOHN W. BULL	4278	37.46*
LIB-STEPHAN KINSELLA	158	1.38×+2= 160
SRN-ROBERT C. (ROB) OWEN	109	

Total Votes Cast	11418	
Number Under Votes	973	8.52%
Number Over Votes	0	. 0×
JUDGE, CRT OF CRIMINAL APPEALS, PLACE 2		
(Elect 1)		
REP-PRUL WOMACK	5751	50.36x+2=5753
DEN-PAT MONTGOMERY	4627	
*************************	•••••	
Total Votes Cast	11418	
Number Under Votes	1040	9. 10×
Number Over Votes	0	. 0×
JUDGE, CRT OF CRIMINAL APPEALS, PLACE 3		
(Elect 1)		4133
REP-CATHY COCHRAN	6131	53.69×+2= 6133
DEM-J.R. MOLINA	4172	36. 53×
GRN-OLLIE RUTH JEFFERSON	114	. 99×

Total Votes Cast	11418	
Number Under Votes		8.76×
Number Over Votes	8	. 0×
•		
MEMBER, STATE BOARD OF EDUCATION, DIST 8		
(Elect 1)		
REP-LINDA BAUER	6870	59.89×+2=6841
*************************		23.0384 % 20.00
Total Votes Cast	11418	
Number Under Votes		40. 10%
Number Over Votes	43,3	. 0%
	•	. 0-
		•
STATE SENATOR, DISTRICT 3		
(Elect 1)		
REP-TODD STAPLES	7267	63.64x+2=7269
LIB-MICHAEL CARTER	1303	11.41%

Total Votes Cast	11418	
Number Under Vates	2848	24.94*
Number Over Votes	0	. 0%
,		
STATE SCHOOLSTATING SIGN		
STATE REPRESENTATIVE, DIST 18		
(Elect 1)		40.00
REP-EDDIE SHAUBERGER		40.83×
DEM-DAN ELLIS	6297	55. 14x+2 = 6299
7-4-1 Habas Cast		,
Total Votes Cast	11418	
Number Under Votes		
Munhou Duan Habaa		4.01%
Number Over Votes	458 0	

CHIEF JUSTICE, 9TH CRT OF APPEALS DI	ST	
(Elect 1)		
REP-STEVE MCKEITHEN	5473	47.93×
DEM-RONALD L. WALKER	4831	42.31 +2 = 4833
. Total Votes Cast	11418	
Number Under Votes		9, 75%
Number Over Votes	1114 0	04
Name: Over votes	· ·	. 0~
DISTRICT JUDGE, 258TH JUDICIAL DISTR	RICT	
(Elect 1)		_
DEM-ELIZABETH COKER	7607	66.68x+25 7609
		201041-
Total Votes Cast	11418	
Number Under Vates		33.37%
Number Over Votes		. 0%
Mumber Over votes	0	. 0>
CRIMINAL DISTRICT ATTORNEY		
(Elect 1)		
DEM-JOHN S. HOLLEMAN	7324	64.14x + 2 = 7306
*******************		O TI LID
Total Votes Cast	11418	
Number Under Votes		35. 85×
Number Over Votes		. 9%
NUMBER DVER VOTES	•	. 0.
COUNTY JUDGE		
(Elect 1)		
DEM-JOHN THOMPSON	7 372	64.56x r 2 = 7375
Total Votes Cast	11418	
Number Under Votes		35. 43%
Number Over Votes	0	
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	·	
JUDGE, COUNTY COURT AT LAW		
(Elect 1)		- 7308
DEM-STEPHEN PHILLIPS	7306	63.98x + 2 = 7308
Total Votes Cast	11418	
Number Under Votes	4112	36.01%
Number Over Votes	0	. 0%
DISTRICT CLERK		
(Elect 1)		7402
DEM-KATHY E. CLIFTUN	7400	64.88x ta = 7402
Total Votes Cast	11418	
Number Under Votes	4018	35 . 19 x
Number Over Votes	. 6	. 0%
COUNTY CLERK		
(Elect 1)		41.07% +2= 4,692
REP-CAROL BIGLER	4690	41.07%
DEM-BARBARA MIDDLETON	6189	54.20%
Total Votes Cast	11418	
Number Under Votes		4.72%
Number Over Votes	0	. 0%

•	•	COUNTY TREASURER (Elect 1)	YOL.	48 PAGE 1459
	ş	DEM-NOLA RENEAU	7149	62.61x +2 = 7151
•		Total Votes Cast	11410	
		Number Under Votes	11418 4269	27 20v
		Number Over Votes	7203	37.38×
			ŭ	. 64
		COUNTY COMMISSIONER, PRECINCT NO.2 (Elect 1) REP-ISOM YOUNG		
		DEM-BOBBY SMITH		38. 85%
		**************************************	1443	58. 04×
		Total Votes Cast	2400	
		Number Under Votes	2486	3 004
		Number Over Votes		3.09× .0×
		4		• 02
		COUNTY COMMISSIONER, PRECINCT NO. 4 (Elect 1)		
		REP-JERRY HICKMAN	855	33. 67×
"		DEM-CHARLES OVERSTREET	1636	64. 43×
1		***********************	•••••	
	: i	Total Votes Cast	2539	
•	•	Number Under Votes		1.89%
;		Number Over Votes	0	. 0×
i				
" :		JUSTICE OF THE PEACE, PRECINCT NO. 1		
·		(Elect 1)		
		REP-DARRELL LONGING	0007	67.73× +2= 2985
••		DEM-JUDY MCDOWELL	2983	67.73% 7 = -
: : : : : : : : : : : : : : : : : : : :		*******************	1141	25.90%
ů.		Total Votes Cast	4404	
		Number Under Votes		6.35×
1 4	ι	Number Over Votes	500	6.33% .0%
				. 0.
•		JUSTICE OF THE PEACE, PRECINCT NO.2 (Elect 1)	•	
		DEM-DAVID JOHNSON		
		DCU-DMAID JUMNOUN	1707	68.66%
		Total Votes Cast	0.00	
		Number Under Votes	2486	74 774
		Number Over Votes	.779	
***		Manager aver votes	0	. 0×
		JUSTICE OF THE PEACE, PRECINCT NO. 3		
		(Elect 1)		
		DEM-LARRY WHITWORTH	1572	79.03×
٠		74447 Habaa Mari		
		Total Votes Cast	1989	
		Number Under Votes		20.96%
		Number Over Vote's	0	. 0%
		JUSTICE OF THE PEACE, PRECINCT NO. 4		
		REP-STEVE MCENTYRE	1265	49, 82%
		DEM-MIKE TEMPLETON	1199	47.82%

		Total Votes Cast	2539	
•		Number Under Votes	75	2.95×
•		Number Over Votes	0	. 0%
				- -

AMENDMENT NO.1 (Elect 1) FOR AGAINST	5764 50.48x tマー らつし 1929 16.89x	04
Total Votes Cast Number Under Votes Number Over Votes	11418 3725 32.62¥ 0 0%	•
TOTAL BALLOTS CAST	11418 + 2	
TOTAL TYPE 1 BALLOTS	11418 //, 420	