



POLK COUNTY COMMISSIONERS COURT

**September 18, 2003
9:00 A.M.**

Polk County Courthouse, 3rd floor
Livingston, Texas

2003-080

COPY

NOTICE is hereby given that a Special 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

1. Canvass the September 13, 2003 Constitutional Amendments Election.
2. Consideration and action on an Order by the Commissioners Court of Polk County, Texas canvassing the returns and declaring the results of a Bond Election held September 13, 2003, and containing provisions necessary and incidental thereto.

ADJOURN

By: John P. Thompson, County Judge

Posted: September 12, 2003

I, the undersigned County Clerk, do hereby certify that the above Notice of Meeting of the Polk County Commissioners Court is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice in the Polk County Courthouse at a place readily accessible to the general public at all times on Friday, September 12, 2003 and that said Notice remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

BARBARA MIDDLETON, COUNTY CLERK

By:

BARBARA MIDDLETON
POLK COUNTY CLERK

FILED FOR RECORD
2003 SEP 12 PM 4:20

STATE OF TEXAS)

COUNTY OF POLK)

DATE: SEPTEMBER 18, 2003

SPECIAL SESSION

Commissioner Purvis-Absent

"COMMISSIONERS COURT"
POSTING # 2003 - 080

BE IT REMEMBERED ON THIS THE 18th DAY OF SEPTEMBER, 2003
THE HONORABLE COMMISSIONERS COURT MET IN "SPECIAL" CALLED
MEETING WITH THE FOLLOWING OFFICERS AND MEMBERS PRESENT,
TO WIT;

HONORABLE JUDGE JOHN P. THOMPSON, COUNTY JUDGE, PRESIDING:
BOB WILLIS-COMMISSIONER PCT#1, BOBBY SMITH-COUNTY COMMISSIONER
PCT #2, C.T. "Tommy" OVERSTREET - COUNTY COMMISSIONER PCT #4,
BARBARA MIDDLETON - COUNTY CLERK & B.L. DOCKENS - COUNTY AUDITOR,
THE FOLLOWING AGENDA ITEMS, ORDERS, AND DECREES WERE DULY
MADE, CONSIDERED & PASSED.

WELCOME & CALLED TO ORDER BY JUDGE JOHN P. THOMPSON AT 9:00 AM.

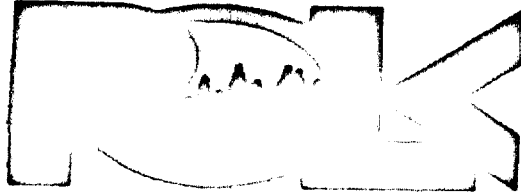
1. MOTIONED BY BOBBY SMITH, SECONDED BY BOB WILLIS, TO APPROVE THE
CANVASS & ORDER OF THE "CONSTITUTIONAL AMENDMENT ELECTION"
HELD ON SEPTEMBER 13, 2003.
ALL VOTING YES. (SEE ATTACHED)
2. MOTIONED BY BOBBY SMITH, SECONDED BY TOMMY OVERSTREET, TO
APPROVE AN "ORDER" BY COMMISSIONERS COURT OF POLK COUNTY
TEXAS, CANVASSING THE RETURNS AND DECLARING RESULTS OF A
BOND ELECTION HELD SEPTEMBER 13, 2003 AND CONTAINING
PROVISIONS NECESSARY AND INCIDENTAL THERETO.
ALL VOTING YES. (SEE ATTACHED)
3. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO
ADJOURN COURT THIS 18th DAY OF SEPTEMBER AT 9:05 A. M.
ALL VOTING YES.


JOHN P. THOMPSON, COUNTY JUDGE

ATTEST:


BARBARA MIDDLETON, COUNTY CLERK

Item #1



POLK COUNTY, TEXAS

"ORDER"

CANVASS OF SPECIAL CONSTITUTIONAL AMENDMENT ELECTION AND LOCAL BOND ELECTION

STATE OF TEXAS}
COUNTY OF POLK}

WE, THE UNDERSIGNED MEMBERS OF COMMISSIONERS COURT DO HEREBY CERTIFY THE ORDER CANVASSING THE RETURNS AND DECLARING THE RESULTS OF A SPECIAL CONSTITUTIONAL AMENDMENT ELECTION AND A LOCAL BOND ELECTION HELD ON SEPTEMBER 13, 2003, TO BE A TRUE AND CORRECT.

WITNESS OUR HANDS THIS 18th DAY of SEPTEMBER, 2003.

COUNTY JUDGE John P. Thompson

COMMISSIONERS: PRECINCT #1 Robert C. "Bob" Willis

PRECINCT #2 Bobby Smith

PRECINCT #3 ABSENT James J. "Buddy" Purvis

PRECINCT #4 C.T. "TOMMY" OVERSTREET



Barbara Middleton, County Clerk

AMENDMENT ELECTION SEPTEMBER 13, 2003																						
	BX	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	TOTAL
PROPOSITION #1																						
FOR	ev	11	10	33	88	104	176	70	13	18	88	5	1	5	17	22	176	43	16	268	238	1400
	ed	12	46	84	91	195	212	83	47	27	73	34	8	22	76	35	261	52	26	48	45	1477
	tl	23	56	117	179	299	388	153	60	45	161	39	9	27	93	57	437	95	42	316	281	2877
AGAINST	ev	10	8	23	44	42	64	35	9	8	52	5	0	2	12	14	94	13	13	60	34	542
	ed	32	19	60	46	75	91	27	34	24	55	23	8	28	44	31	80	24	16	25	21	763
	tl	42	27	83	90	117	155	62	43	32	107	28	8	30	56	45	174	37	29	85	55	1305
PROPOSITION #2																						
FOR	ev	8	12	20	76	73	140	59	12	17	85	7	1	4	15	15	129	39	14	173	161	1060
	ed	15	32	73	59	151	159	57	40	27	57	25	9	18	60	34	181	43	13	33	28	1114
	tl	23	44	93	135	224	299	116	52	44	142	32	10	22	75	49	310	82	27	206	189	2174
AGAINST	ev	12	6	30	55	67	97	42	11	9	50	4	0	4	14	22	135	16	12	108	71	765
	ed	31	32	65	67	111	138	48	40	23	68	29	7	31	58	34	147	33	23	34	31	1050
	tl	43	38	95	122	178	235	90	51	32	118	33	7	35	72	56	282	49	35	142	102	1815
PROPOSITION #3																						
FOR	ev	10	6	19	55	75	105	51	13	13	90	3	0	3	17	18	138	32	9	146	143	946
	ed	15	32	89	70	130	135	61	39	23	76	26	8	20	58	30	206	37	15	23	28	1121
	tl	25	38	108	125	205	240	112	52	36	166	29	8	23	75	48	344	69	24	169	171	2067
AGAINST	ev	10	12	36	78	69	134	53	10	13	52	7	1	6	13	20	133	23	17	167	130	984
	ed	28	35	58	56	138	161	49	43	28	51	28	8	30	59	39	140	42	24	49	34	1100
	tl	38	47	94	134	207	295	102	53	41	103	35	9	36	72	59	273	65	41	216	164	2084
PROPOSITION #4																						
FOR	ev	6	6	18	58	59	104	50	7	14	60	3	1	3	13	16	109	32	10	139	129	837
	ed	4	24	63	51	130	144	44	28	19	43	15	7	10	43	25	137	37	9	28	25	886
	tl	10	30	81	109	189	248	94	35	33	103	18	8	13	56	41	246	69	19	167	154	1723
AGAINST	ev	13	11	33	66	79	125	47	15	11	74	5	0	6	15	21	148	22	16	112	81	900
	ed	39	38	70	74	131	147	58	51	32	80	37	9	37	69	39	176	37	28	41	35	1228
	tl	52	49	103	140	210	272	105	66	43	154	42	9	43	84	60	324	59	44	153	116	2128
PROPOSITION #5																						
FOR	ev	12	12	38	87	106	183	65	16	15	106	7	1	5	24	22	193	40	15	374	335	1656
	ed	21	35	99	69	184	214	76	44	33	80	29	7	34	76	40	224	49	13	72	56	1455
	tl	33	47	137	156	290	397	141	60	48	186	36	8	39	100	62	417	89	28	446	391	3111
AGAINST	ev	10	5	18	51	43	64	36	8	9	38	2	0	4	6	16	77	14	13	4	4	422
	ed	23	33	48	67	85	90	35	41	15	44	24	9	17	40	27	120	30	25	4	12	789
	tl	33	38	66	118	128	154	71	49	24	82	26	9	21	46	43	197	44	38	8	16	1211
PROPOSITION #6																						
FOR	ev	8	9	25	79	97	156	60	11	15	83	5	0	6	14	15	153	40	14	255	212	1237
	ed	13	34	75	67	161	190	61	39	22	65	21	10	16	49	23	200	47	18	45	31	1187
	tl	21	43	100	146	258	346	121	50	37	128	26	10	22	63	38	353	87	32	300	243	2424
AGAINST	ev	12	8	25	49	44	80	36	13	11	70	4	1	1	13	20	108	16	14	58	43	626
	ed	28	30	60	61	105	104	44	37	27	57	31	6	29	57	39	128	30	20	28	29	950
	tl	40	38	85	110	149	184	80	50	38	127	35	7	30	70	59	236	46	34	86	72	1576
PROPOSITION #7																						
FOR	ev	16	7	40	102	122	186	73	16	20	88	6	1	6	20	26	184	43	21	284	237	1498
	ed	21	36	83	83	205	226	82	45	30	80	26	6	26	74	30	235	53	15	52	37	1445
	tl	37	43	123	185	327	412	155	61	50	168	32	7	32	94	56	419	96	36	336	274	2943
AGAINST	ev	5	8	15	32	24	58	29	8	5	54	5	0	3	9	11	87	13	8	42	41	457
	ed	22	26	61	51	59	77	27	35	21	44	27	10	20	42	41	114	24	20	21	21	763
	tl	27	34	76	83	83	135	56	43	26	98	32	10	23	51	52	201	37	28	63	62	1220

AMENDMENT ELECTION SEPTEMBER 13, 2003																						
	BX	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	TOTAL
PROPOSITION #8																						
FOR	ev	9	11	24	87	84	118	50	7	15	88	5	0	5	17	17	141	34	16	200	170	1098
	ed	15	23	68	71	128	158	60	33	24	51	23	4	17	48	25	206	32	12	41	24	1063
	tl	24	34	92	158	212	276	110	40	39	139	28	4	22	65	42	347	66	28	241	194	2161
AGAINST	ev	13	7	30	51	59	129	50	17	11	55	6	1	4	15	21	134	23	11	129	106	872
	ed	30	44	79	64	143	147	54	49	27	78	33	12	34	69	45	147	47	26	31	39	1198
	tl	43	51	109	115	202	276	104	66	38	133	39	13	38	84	66	281	70	37	160	145	2070
PROPOSITION #9																						
FOR	ev	7	3	14	49	64	99	46	7	10	42	4	0	4	11	9	72	17	8	114	110	690
	ed	5	19	36	40	102	104	41	21	17	56	22	4	14	33	12	131	26	9	30	15	737
	tl	12	22	50	89	166	203	87	28	27	98	26	4	18	44	21	203	43	17	144	125	1427
AGAINST	ev	13	15	36	75	75	134	52	15	15	88	5	1	2	16	25	179	37	19	135	86	1023
	ed	38	47	95	80	155	179	59	54	33	62	27	12	33	78	54	186	45	27	39	43	1346
	tl	51	62	131	155	230	313	111	69	48	150	32	13	35	94	79	365	82	46	174	129	2369
PROPOSITION #10																						
FOR	ev	20	15	47	119	139	226	91	21	25	132	9	1	9	25	30	237	53	21	343	307	1870
	ed	34	55	126	117	252	275	101	64	42	114	49	13	34	108	55	308	65	23	66	62	1963
	tl	54	70	173	236	391	501	192	85	67	246	58	14	43	133	85	545	118	44	409	369	3833
AGAINST	ev	2	3	9	9	21	14	3	1	14	1	0	1	5	9	34	3	8	6	5	167	
	ed	13	11	21	21	20	34	14	20	8	12	6	3	16	12	17	41	11	14	10	4	308
	tl	15	14	30	40	29	55	28	23	9	26	7	3	17	17	26	75	14	22	16	9	475
PROPOSITION #11																						
FOR	ev	12	10	25	75	69	139	62	12	17	76	3	1	6	17	20	139	34	12	186	159	1074
	ed	7	30	58	64	143	146	61	33	22	51	24	6	13	43	29	178	40	13	35	19	1015
	tl	19	40	83	139	212	285	123	45	39	127	27	7	19	60	49	317	74	25	221	178	2089
AGAINST	ev	9	8	29	59	61	101	42	11	9	67	5	0	3	13	19	129	23	16	125	99	828
	ed	36	35	81	63	124	149	50	51	28	70	30	10	36	71	40	157	38	23	35	42	1169
	tl	45	43	110	122	185	250	92	62	37	137	35	10	39	84	59	286	61	39	160	141	1997
PROPOSITION #12																						
FOR	ev	13	7	22	74	80	143	63	14	16	59	7	1	3	19	15	149	31	9	258	190	1173
	ed	15	26	78	66	142	112	67	32	18	43	28	5	14	56	29	182	25	9	40	42	1029
	tl	28	33	100	140	222	255	130	46	34	102	35	6	17	75	44	331	56	18	298	232	2202
AGAINST	ev	9	11	35	63	55	113	50	10	10	95	3	0	7	15	27	132	26	20	75	88	844
	ed	31	49	79	71	136	197	57	57	34	90	32	11	38	75	44	192	55	51	35	29	1363
	tl	40	60	114	134	191	310	107	67	44	185	35	11	45	90	71	324	81	71	110	117	2207
PROPOSITION #13																						
FOR	ev	16	12	41	100	134	217	77	19	22	122	8	1	8	25	31	228	53	23	304	265	1706
	ed	30	56	112	100	230	257	85	57	37	86	34	10	35	91	49	292	66	24	58	50	1759
	tl	46	68	153	200	364	474	162	76	59	208	42	11	43	116	80	520	119	47	362	315	3465
AGAINST	ev	4	6	15	41	16	30	24	5	4	22	2	0	2	6	9	50	4	6	29	27	302
	ed	15	11	34	38	36	61	27	26	14	40	15	6	16	29	22	65	17	17	11	12	512
	tl	19	17	49	79	52	91	51	31	18	62	17	6	18	35	31	115	21	23	40	39	814
PROPOSITION #14																						
FOR	ev	6	6	17	71	78	120	53	7	12	56	5	0	6	11	13	109	33	11	189	141	942
	ed	7	32	59	49	135	145	52	27	23	48	17	6	14	32	19	140	42	14	35	27	923
	tl	13	38	76	120	211	265	105	34	35	104	22	6	20	43	32	249	75	25	224	168	1865
AGAINST	ev	15	12	35	60	69	119	43	15	14	78	5	0	3	18	24	158	22	18	99	93	896
	ed	36	32	78	70	120	153	51	53	27	71	28	10	34	80	48	195	39	23	33	31	1212
	tl	51	44	113	130	189	272	94	68	41	147	33	10	37	98	72	351	61	41	132	124	2108

The Secretary of State of Texas
Geoffrey S. Connor
Canvass Report
2003 Constitutional Amendment Election
September 13, 2003

VOL. 49 PAGE 997

POLK

	Votes
Prop 1 Funding veterans' housing(M)	
IN FAVOR	<u>2877</u>
AGAINST	<u>1305</u>
Prop 2 Mineral interests property redemption(M)	
IN FAVOR	<u>2174</u>
AGAINST	<u>1815</u>
Prop 3 Exemption for religious groups(M)	
IN FAVOR	<u>2067</u>
AGAINST	<u>2084</u>
Prop 4 Districts can provide parks(M)	
IN FAVOR	<u>1723</u>
AGAINST	<u>2128</u>
Prop 5 Exemption for certain trailers(M)	
IN FAVOR	<u>3111</u>
AGAINST	<u>1211</u>
Prop 6 Permits reverse mortgaging(M)	
IN FAVOR	<u>2424</u>
AGAINST	<u>1576</u>
Prop 7 Allows six-person jury(M)	
IN FAVOR	<u>2943</u>
AGAINST	<u>1220</u>
Prop 8 Taking office without election(M)	
IN FAVOR	<u>2161</u>
AGAINST	<u>2070</u>
Prop 9 Permanent school fund(M)	
IN FAVOR	<u>1427</u>
AGAINST	<u>2369</u>
Prop 10 Volunteer fire departments(M)	
IN FAVOR	<u>3833</u>
AGAINST	<u>475</u>
Prop 11 Dispensing of Texas wine(M)	
IN FAVOR	<u>2089</u>
AGAINST	<u>1997</u>

POLK

Votes

Prop 12 Suits against doctors and providers(M)

IN FAVOR

2202

AGAINST

2207

Prop 13 Tax freeze on certain homes(M)

IN FAVOR

3465

AGAINST

814

Prop 14 Transportation agencies funding(M)

IN FAVOR

1865

AGAINST

2108

Prop 15 Retirement systems benefits(M)

IN FAVOR

2568

AGAINST

1423

Prop 16 Home equity loans and credits(M)

IN FAVOR

1999

AGAINST

1882

Prop 17 Tax freeze on homes of disabled(M)

IN FAVOR

3074

AGAINST

1110

Prop 18 Assuming office without election(M)

IN FAVOR

1925

AGAINST

2137

Prop 19 Eliminating rural fire districts(M)

IN FAVOR

1805

AGAINST

1989

Prop 20 Assisting defense-related communities(M)

IN FAVOR

11630

AGAINST

2354

Prop 21 Compensation for government service(M)

IN FAVOR

1424

AGAINST

2555

The Secretary of State of Texas
Geoffrey S. Connor
Canvass Report
2003 Constitutional Amendment Election
September 13, 2003

VOL. 49 PAGE 999

POLK

Votes

Prop 22 Elected official on military duty(M)

IN FAVOR

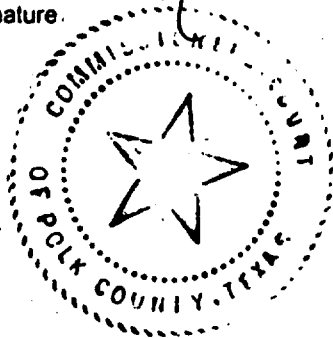
AGAINST

3030
1126

I, Barbara Middleton, POLK County Election Official do hereby certify the returns as shown on the official canvass statement are true and correct as certified by the POLK County Commissioners Court.

Barbara Middleton
Signature

9/18/03
Date



Please fax the canvass to 512-475-2811 to the attention of
Kim Thole and mail original to:
Secretary of State - Elections Division
P.O. Box 12060
Austin, TX 78711-2060

Item #2
REJECT

AN ORDER BY THE COMMISSIONERS COURT OF POLK COUNTY, TEXAS CANVASSING THE RETURNS AND DECLARING THE RESULTS OF A BOND ELECTION HELD SEPTEMBER 13, 2003, AND CONTAINING PROVISIONS NECESSARY AND INCIDENTAL THERETO

WHEREAS, at an election held on the 13th day of September 13, 2003 in Polk County, Texas, there was submitted the following proposition:

PROPOSITION

SHALL THE COMMISSIONERS COURT OF POLK COUNTY, TEXAS BE AUTHORIZED TO ISSUE THE BONDS OF SAID COUNTY IN THE AMOUNT NOT TO EXCEED \$12,000,000, BEARING INTEREST AT A RATE OR RATES NOT EXCEEDING THE MAXIMUM INTEREST RATE NOW OR HEREAFTER AUTHORIZED BY LAW, AS SHALL BE DETERMINED WITHIN THE DISCRETION OF THE COMMISSIONERS COURT AT THE TIME OF ISSUANCE, AND MATURING SERIALLY WITHIN ANY GIVEN NUMBER OF YEARS NOT TO EXCEED FIFTEEN (15) YEARS FROM THEIR DATE OR DATES, FOR THE PURPOSE OF PAYING FOR THE PURCHASE, CONSTRUCTION, RECONSTRUCTION, REMODELING, IMPROVEMENT AND EQUIPMENT OF ANY BUILDING OR BUILDINGS, OTHER THAN THE COURTHOUSE, FOR THE HOUSING OF COUNTY OR DISTRICT OFFICES, COUNTY OR DISTRICT COURTS, JUSTICE OF THE PEACE COURTS, COUNTY RECORDS OR EQUIPMENT, OR FOR THE CONDUCTING OF OTHER PUBLIC BUSINESS, INCLUDING THE PURCHASE AND IMPROVEMENT OF THE SITE OR SITES THEREFOR, PROVIDED THAT ANY SUCH BUILDING OR BUILDINGS SO ACQUIRED SHALL BE LOCATED IN THE COUNTY SEAT, AND PROVIDED THAT NO JUSTICE OF THE PEACE COURT SHALL BE HOUSED, OR CONDUCTED IN ANY SUCH BUILDING IF SAID BUILDING IS LOCATED OUTSIDE THE COURT'S PRECINCT, AND ANNUALLY TO LEVY AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY IN SAID COUNTY SUFFICIENT TO PAY THE INTEREST ON SAID BONDS AS IT ACCRUES AND TO CREATE AND PROVIDE A SINKING FUND FOR THE PAYMENT OF THE PRINCIPAL OF SAID BONDS AS IT MATURES?

WHEREAS, the votes cast at said election have been counted and recorded on the official election returns, and said returns have been certified and filed with this Commissioners Court of Polk County, Texas by the appropriate election officials; and

WHEREAS, said returns show that the Proposition received the following votes:

1605 YES 2610 NO

WHEREAS, the election was called and held in all respects under and in strict conformity with the Constitution and laws of the State of Texas and the United States of America;

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF POLK COUNTY, TEXAS THAT:

Section 1. The matters and facts recited in the preamble of this Order are found to be true and correct.

Section 2. The election held in the County on the 13th day of September, 2003, which is more fully described in the preamble of this Order, was called and notice given thereof in accordance with law; and the election was held in all respects in conformity with law; and the returns of the election have been made by the proper officials.

Section 3. Said election has resulted in the rejection of the Proposition submitted at said election;

Section 4. As a result of said election, and in conformity with law, this Commissioners Court is not authorized to issue general obligation bonds.

Section 5. The election officials conducting said election shall be paid as provided in the Texas Election Code.


Section 6. It is hereby found that the meeting at which this Order has been considered and adopted is open to the public as required by law, and that written notice of the time, place and subject matter of said meeting, and of the proposed adoption of this Order was given as required by Chapter 551, Texas Government Code.

[The remainder of this page intentionally left blank.]

PASSED AND APPROVED this the 18th day of September, 2003.


County Judge
Polk County, Texas

ATTEST:


County Clerk and Ex-Officio
Clerk of the Commissioners
Court of Polk County, Texas

[COMMISSIONERS COURT SEAL]



