



# POLK COUNTY COMMISSIONERS COURT

May 24, 2005

10:00 A.M.

**2005-053**

Polk County Courthouse, 3rd floor

Livingston, Texas

## 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

1. CALL TO ORDER.
  - Invocation
  - Pledges of Allegiance
2. PUBLIC COMMENTS.
3. INFORMATIONAL REPORTS.
  - Recognize Commissioners Court Scholarship Recipients.
4. CONSIDER APPROVAL OF MINUTES OF THE REGULAR MEETING OF MAY 10, 2005.
5. CONSIDER APPROVAL OF AMENDMENT TO INTERLOCAL AGREEMENT FOR SECURITY SERVICES AT LAKE LIVINGSTON DAM AND RESERVOIR BETWEEN POLK COUNTY AND TRINITY RIVER AUTHORITY OF TEXAS, ACKNOWLEDGING APPROVAL OF AGREEMENT BY SHERIFF KENNETH HAMMACK.
6. RECEIVE ANNUAL RACIAL PROFILING REPORT FROM CONSTABLES CHARLES CLACK, PRECINCT 1 AND BILL CUNNINGHAM, PRECINCT 2.
7. CONSIDER APPROVAL OF RESOLUTION AUTHORIZING PROGRAM AMENDMENT ON THE COUNTY'S TEXAS COMMUNITY DEVELOPMENT GRANT #724881 AND AUTHORIZING THE COUNTY JUDGE TO ACT AS THE COUNTY CHIEF EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT PROGRAM.
8. RESCIND PREVIOUS COURT ACTION TO ADVERTISE FOR BIDS FOR THE PURCHASE OF TWO (2) NEW DUMP TRUCKS, PCT. 3.
9. CONSIDER APPROVAL OF ROAD & BRIDGE, PRECINCT 3 LEASE PURCHASE AGREEMENT WITH FIRST CONTINENTAL LEASING OF TWO (2) NEW DUMP TRUCKS THROUGH LOCAL GOVERNMENT PURCHASING COOPERATIVE (EXEMPT FROM COMPETITIVE BIDDING REQUIREMENTS), WITH BUYBACK OPTION FROM VENDOR.
10. CONSIDER APPROVAL OF ROAD & BRIDGE, PRECINCT 3 PURCHASE OF TWO NEW MOTORGRADERS IN THE AMOUNT OF \$191,400.00 EACH - TOTALING \$382,800.00 THROUGH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE (EXEMPT FROM COMPETITIVE BIDDING REQUIREMENTS), WITH GUARANTEED BUYBACK FROM VENDOR; PAYMENT TO BE MADE FROM ROAD & BRIDGE FUND BALANCE AND SAID FUND BALANCE TO BE REIMBURSED AT FISCAL YEAR END THROUGH THE ISSUANCE OF LEGALLY AUTHORIZED DEBT.
11. CONSIDER APPROVAL OF ORDER DESIGNATING SURPLUS PROPERTY, ROAD & BRIDGE PRECINCT 3 AND APPROVAL TO ADVERTISE FOR BIDS FOR THE SALE OF SURPLUS PROPERTY; TWO (2) USED DUMP TRUCKS.
12. CONSIDER APPROVAL OF ADDITIONAL FUNDING FOR MOLD REMEDIATION AT POLK COUNTY LAW ENFORCEMENT CENTER, EXEMPTING PURCHASE OF MATERIALS FROM COMPETITIVE BIDDING REQUIREMENTS UNDER THE COUNTY PURCHASING ACT, SEC. 262.024(1), (2), (3).
13. CONSIDER APPROVAL TO ACCEPT EVERGREEN HARBOR (.0448 MI.) AND HILLTOP (.0415 MI.) IN PINE HARBOR ESTATES; AND MULBERRY (.1950 MI.) IN CREEKSIDE ESTATES AS COUNTY ROADS, PRECINCT 2.
14. CONSIDER APPROVAL OF UPDATED MASTER STREET ADDRESS GUIDE (MSAG).
15. CONSIDER DESIGNATION OF CITIZENS STATE BANK AS COUNTY SUB-DEPOSITORY.

16. RECEIVE COUNTY AUDITOR'S MONTHLY FINANCIAL REPORT.
17. CONSIDER APPROVAL OF REIMBURSEMENT RESOLUTION FOR CAPITAL PURCHASES, TO DATE.
18. CONSIDER APPROVAL OF BUDGET REVISIONS, AS PRESENTED BY THE COUNTY AUDITOR.
19. CONSIDER APPROVAL OF BUDGET AMENDMENTS, AS SUBMITTED AND REVIEWED BY COURT APPOINTED COMMITTEE.
20. CONSIDER APPROVAL OF SCHEDULE OF BILLS.
21. CONSIDER APPROVAL OF PERSONNEL ACTION FORMS.

**ADJOURN**

By: John P. Thompson, County Judge



**Posted: May 18, 2005**

I 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 Wednesday, May 18, 2005 and that said Notice remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

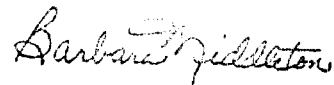
BARBARA MIDDLETON, COUNTY CLERK

BY:

Sarah Chavez (Deputy)

FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS  
POLK COUNTY, TEXAS

2005 MAY 18 AM 9:51



BARBARA MIDDLETON  
COUNTY CLERK, POLK CO.



May 24, 2005  
10:00 a.m.

# COMMISSIONERS COURT

of Polk County, Texas

County Courthouse, 3rd floor  
Livingston, Texas

## ADDENDUM to Posting # 2005-053

The following will serve to amend the Agenda of the Commissioners Court Meeting scheduled for May 24, 2005 at 10:00 A.M.

### AMEND TO ADD;

#### INFORMATIONAL REPORTS:

(B) Past President Bobby Smith to present County Judges & Commissioners Association of Texas Past President's Scholarship.

22. CONSIDER APPROVAL OF OFFERS TO PURCHASE TAX FORECLOSURE PROPERTIES:  
(PRECINCT 4) LOTS 9, 10, 11 & 12, BIG THICKET LAKE ESTS. #8, CAUSE #T02-033,  
ACCT. #B0600020100.
23. CONSIDER FOR ADOPTION THE ORDER APPROVING THE ISSUANCE OF BONDS  
BY THE LUFKIN HEALTH FACILITIES DEVELOPMENT CORPORATION TO  
FINANCE THE COST OF HEALTH FACILITIES TO BE LOCATED IN POLK COUNTY,  
TEXAS FOR MEMORIAL HEALTH SYSTEM OF EAST TEXAS AND POLK COUNTY  
HOSPITAL D/B/A MEMORIAL MEDICAL CENTER - LIVINGSTON, AND WITH  
RESPECT TO A PUBLIC HEARING.

Commissioners Court of Polk County, Texas

Dated: Friday, May 20, 2005

By: 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, May 20, 2005 and that said Addendum remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

BARBARA MIDDLETON, COUNTY CLERK

BY Schulana Walker, Deputy

FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS  
POLK COUNTY, TEXAS

2005 MAY 20 PH 3:55

BARBARA MIDDLETON  
COUNTY CLERK, POLK CO.



STATE OF TEXAS }  
COUNTY OF POLK }

DATE: MAY 24 , 2005  
"REGULAR" MEETING  
County Clerk - Absent

**COMMISSIONERS COURT  
AGENDA POSTING #2005-053**

BE IT REMEMBERED ON THIS THE 24th DAY OF MAY, 2005  
THE HONORABLE COMMISSIONERS COURT MET IN "REGULAR" 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 - COMMISSIONER PCT #2,  
JAMES J."Buddy" PURVIS - COMMISSIONER PCT #3, C. T. "TOMMY" OVERSTREET  
COMMISSIONER PCT #4, SARAH CHANCE, DEPUTY COUNTY CLERK &  
B.L. "BOB" DOCKENS - 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.  
INVOCATION BY KEVAN WOOD OF FIRST BAPTIST CHURCH.  
PLEDGES TO THE U.S. AND TEXAS FLAGS WERE LED BY JOE ROEDER.
2. PUBLIC COMMENTS:
  - A. JOE ROEDER CONGRATULATED COMMISSIONER BOBBY SMITH FOR RAISING  
OVER \$20,000.00 FOR POLK COUNTY YOUTH SCHOLARSHIPS.
3. INFORMATIONAL REPORTS:
  - A. JUDGE THOMPSON RECOGNIZED AND INTRODUCED THE STUDENTS FROM  
POLK COUNTY SCHOOL DISTRICTS THAT WILL RECEIVE \$500.00 SCHOLARSHIPS  
FROM THE DELINQUENT TAX ATTORNEY'S OF LINEBARGER, GOGGAN, BLAIR  
PENA & SAMPSON. FOUR STUDENTS HAD THEIR PICTURE TAKEN WITH THE  
COURT.  
STUDENTS SELECTED ARE AS FOLLOWS:  
LIVINGSTON I.S.D.....BRITTANY RANDOLPH  
BIG SANDY I.S.D.....JOSEPH SHOTWELL  
CORRIGAN/CAMDEN I.S.D.....CORRY JONES  
GOODRICH I.S.D.....CHAD COLLINS  
LEGGETT I.S.D.....JENNIFER HILPERT(unavailable for photo)
  - B. COMMISSIONER SMITH (PAST PRESIDENT) PRESENTED AN ADDITIONAL \$5,000.00  
SCHOLARSHIP TO CORRY DON JONES OF CORRIGAN/CAMDEN I.S.D. FROM THE  
COUNTY JUDGES & COMMISSIONERS ASSOCIATION OF TEXAS PAST PRESIDENT'S  
SCHOLARSHIP PROGRAM.
  - C. SHERIFF, KENNETH HAMMACK PRESENTED INFORMATION ON A NEW FINGERPRINT  
MACHINE NEEDED AT THE JAIL FOR BOOKING INMATES AND HAS APPLIED FOR  
GRANT FUNDS THROUGH THE CDBG PROGRAM. PURCHASE WILL BE MADE WITH  
THOSE FUNDS IF THE GRANT IS APPROVED.
4. MOTIONED BY JAMES J."Buddy" PURVIS, SECONDED BY BOBBY SMITH, TO APPROVE  
THE MINUTES FOR THE REGULAR MEETING ON MAY 10, 2005.  
ALL VOTING YES.

5. MOTIONED BY BOBBY SMITH, SECONDED BY TOMMY OVERSTREET, TO APPROVE AMENDMENT TO INTERLOCAL AGREEMENT FOR SECURITY SERVICES AT LAKE LIVINGSTON DAM & RESERVOIR BETWEEN POLK COUNTY AND TRINITY RIVER AUTHORITY OF TEXAS, ACKNOWLEDGING APPROVAL OF AGREEMENT BY SHERIFF KENNETH HAMMACK.  
ALL VOTING YES. (SEE ATTACHED)
6. MOTIONED BY BOBBY SMITH, SECONDED BY BOB WILLIS, TO RECEIVE THE ANNUAL RACIAL PROFILING REPORT FROM CONSTABLES CHARLIE CLACK, PCT #1 & BILL CUNNINGHAM, PCT #2.  
ALL VOTING YES. (SEE ATTACHED)
7. MOTIONED BY JAMES J. "Buddy" PURVIS, SECONDED BY BOBBY SMITH, TO APPROVE THE "RESOLUTION" AUTHORIZING PROGRAM AMENDMENT ON THE COUNTY'S TEXAS COMMUNITY DEVELOPMENT GRANT #724881 AND AUTHORIZING THE COUNTY JUDGE TO ACT AS THE COUNTY CHIEF EXECUTIVE OFFICER & AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT PROGRAM.  
ALL VOTING YES. (SEE ATTACHED)
8. MOTIONED BY JAMES J. "Buddy" PURVIS, SECONDED BY BOBBY SMITH, TO RESCIND PREVIOUS COURT ACTION TO ADVERTISE FOR BIDS FOR THE PURCHASE OF TWO(2) NEW DUMP TRUCK FOR PRECINCT #3.  
ALL VOTING YES.
9. MOTIONED BY JAMES J. "Buddy" PURVIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE ROAD & BRIDGE PRECINCT #3, LEASE PURCHASE AGREEMENT WITH FIRST CONTINENTAL LEASING OF TWO (2) NEW DUMP TRUCKS THROUGH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE (Exempt from competitive bidding requirements) WITH BUY BACK OPTION FROM VENDOR.  
ALL VOTING YES.
10. MOTIONED BY JAMES J. "Buddy" PURVIS, SECONDED BY BOB WILLIS, TO APPROVE ROAD & BRIDGE PRECINCT #3, PURCHASE OF TWO NEW MOTOR GRADERS IN THE AMOUNT OF \$191,400.00 each - TOTALING \$382,800.00 THROUGH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE (Exempt from competitive bidding requirements) WITH GUARANTEED BUYBACK OPTION FROM VENDOR; PAYMENT TO BE MADE FROM ROAD & BRIDGE FUND BALANCE AND SAID FUND BALANCE TO BE REIMBURSED AT FISCAL YEAR END THROUGH THE ISSUANCE OF LEGALLY AUTHORIZED DEBT.  
ALL VOTING YES.
11. MOTIONED BY JAMES J. "Buddy" PURVIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE THE "ORDER" DESIGNATING SURPLUS PROPERTY, ROAD & BRIDGE PRECINCT #3 AND APPROVAL TO ADVERTISE FOR BIDS FOR THE SALE OF SURPLUS PROPERTY; TWO (2) USED DUMP TRUCKS.  
ALL VOTING YES. (SEE ATTACHED)
12. MOTIONED BY BOBBY SMITH, SECONDED BY BOB WILLIS, TO APPROVE ADDITIONAL FUNDING FOR MOLD REMEDIATION AT THE POLK COUNTY LAW ENFORCEMENT CENTER, EXEMPTING PURCHASE OF MATERIALS FROM COMPETITIVE BIDDING REQUIREMENTS UNDER THE COUNTY PURCHASING ACT, SEC. 262.024 (1), (2), (3).  
ALL VOTING YES. (SEE ATTACHED)

13. MOTIONED BY BOBBY SMITH, SECONDED BY BOB WILLIS, APPROVAL TO ACCEPT EVERGREEN HARBOR (.0448 mi) and HILLTOP (.0415 mi) IN CREEKSIDE ESTATES and MULBERRY (.1950 mi) IN PINE HARBOR SUBDIVISION, AS COUNTY ROADS, PCT#2. ALL VOTING YES.
14. MOTIONED BY BOBBY SMITH, SECONDED BY JAMES J. "Buddy" PURVIS, TO APPROVE UPDATED MASTER STREET ADDRESS GUIDE (MSAG). ALL VOTING YES. (SEE ATTACHED)
15. MOTIONED BY JAMES J. "Buddy" PURVIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE THE DESIGNATION OF CITIZENS STATE BANK AS COUNTY SUB-DEPOSITORY. ALL VOTING YES.
16. MOTIONED BY BOBBY SMITH, SECONDED BY BOB WILLIS, TO RECEIVE COUNTY AUDITOR'S MONTHLY REPORT. ALL VOTING YES.
17. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE THE REIMBURSEMENT RESOLUTION FOR CAPITAL PURCHASES, TO DATE. ALL VOTING YES. (SEE ATTACHED)
18. MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, TO APPROVE THE BUDGET REVISIONS #2005-15, AS PRESENTED BY THE COUNTY AUDITOR. ALL VOTING YES. (SEE ATTACHED)
19. MOTIONED BY BOBBY SMITH, SECONDED BY BOB WILLIS, TO APPROVE THE BUDGET AMENDMENTS #2005-15(a), AS SUBMITTED AND REVIEW BY COURT APPOINTED COMMITTEE. ALL VOTING YES. (SEE ATTACHED)
20. MOTIONED BY BOBBY SMITH, SECONDED BY TOMMY OVERSTREET, APPROVAL AND PAYMENT OF BILLS BY SCHEDULE INCLUDING ADDENDUM. ALL VOTING YES. (SEE ATTACHED)

DATE	AMOUNT	CHECK NUMBERS
5/5/05	\$894.96	ACH 549
5/5/05	\$64,529.10	ACH 550
5/5/05	\$206,216.87	ACH 551
5/5/05	\$62.81	ACH 552
5/5/05	\$2,839.35	ACH 553
5/5/05	\$33,440.14	192821 - 192842
5/5/05	\$3,343.16	192843 - 192848
5/10/05	\$193.90	192849
5/10/05	\$2,608.90	192850 - 192863
5/12/05	\$9,422.62	192864 - 192885

DATE	AMOUNT	CHECK NUMBERS
5/17/05	\$137,404.83	192886 - 193046
5/17/05	\$11,988.24	193047 - 193067
5/24/05	\$59,265.80	Addendum (To appear on future schedule)
<b>TOTAL</b>	<b>\$532,210.68</b>	

21. MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, TO APPROVE THE PERSONNEL ACTION FORMS.  
ALL VOTING YES. (SEE ATTACHED)
  
22. MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, TO ACCEPT THE OFFER OF \$1000.00 FROM ANNE O'ROURKE GANN TO PURCHASE TAX FORECLOSURE PROPERTIES IN PRECINCT #4; LOTS 9,10,11, & 12, BIG THICKET LAKE ESTATES #8, CAUSE #T02-033, ACCT# B0600020100.  
ALL VOTING YES.
  
23. MOTIONED BY BOBBY SMITH, SECONDED BY TOMMY OVERSTREET, TO ADOPT THE "ORDER" APPROVING THE ISSUANCE OF BONDS BY THE LUFKIN HEALTH FACILITIES DEVELOPMENT CORPORATION TO FINANCE THE COST OF HEALTH FACILITIES TO BE LOCATED IN POLK COUNTY, TEXAS FOR MEMORIAL HEALTH SYSTEM OF EAST TEXAS AND POLK COUNTY HOSPITAL dba/ MEMORIAL MEDICAL CENTER -LIVINGSTON, AND WITH RESPECT TO A PUBLIC HEARING.  
ALL VOTING YES. (SEE ATTACHED)

**ADJOURN:**

MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOBBY SMITH, TO ADJOURN COURT THIS 24<sup>th</sup> DAY OF MAY, 2005 AT 10:32 AM.  
ALL VOTING YES.

  
 JOHN P. THOMPSON, COUNTY JUDGE

ATTEST:

  
 SARAH CHANCE, DEPUTY CLERK

TRANSCRIBED BY:  
 BARBARA MIDDLETON  
 COUNTY CLERK



**Commissioners Court Scholarship Recipients  
2005**

**Brittany Randolph - Livingston I.S.D.**

**Joseph Shotwell - Big Sandy I.S.D.**

**Corry Jones – Corrigan/Camden I.S.D.**

**Chad Collins – Goodrich I.S.D.**

**Jennifer Hilpert – Leggett I.S.D. - not here**




Item #5

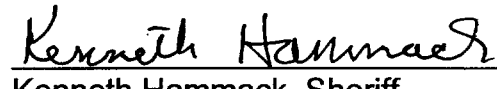
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TRINITY RIVER AUTHORITY OF TEXAS  
POLK COUNTY, TEXAS  
INTERLOCAL AGREEMENT

Addendum #1


Acknowledging approval of agreement by  
Sheriff Kenneth Hammack as of January 1, 2005.

  
John P. Thompson, County Judge  
Polk County, Texas

  
Kenneth Hammack, Sheriff  
Polk County, Texas

Attest:

Date: 5-24-05

  
Barbara Middleton, County Clerk *Sarah Chance*

Date: 5-24-2005





Item # 6

POLK COUNTY PCT. 1  
CONSTABLE DEPARTMENT  
MARCH 2005 RACIAL PROFILE

Summary

SEARCH CONDUCTED

Caucasian	#	Consents	P/C	Arrest
African	5	3	2	
Hispanic	6	4	2	
Asian	2	2		
N/A				
Other				

NO SEARCH

Caucasian	29
African	25
Hispanic	10
Asian	1
N/A	1
Other	3

POLK COUNTY PCT. 1  
 CONSTABLE DEPARTMENT  
 MONTHLY RACIAL PROFILE

January

SEARCH CONDUCTED

Caucasian	#	Consents	P/C	Arrest
African	1	1		
Hispanic	1	1		
Asian				
N/A				
Other				

		<u>TOTAL</u>
NO SEARCH		
Caucasian	12	13
African	7	8
Hispanic	3	4
Asian	1	
N/A		
Other	1	1

Month - February

POLK COUNTY PCT. 1  
CONSTABLE DEPARTMENT  
MONTHLY RACIAL PROFILE

SEARCH CONDUCTED

Caucasian	#	Consents	P/C	Arrest
African	2	1	1	
Hispanic	4	2	2	
Asian	1	1		
N/A				
Other				

NO SEARCH

- Caucasian - 16
- African - 15
- Hispanic - 4
- Asian - 0
- N/A - 1
- Other - 2

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POLK COUNTY PCT. 1  
CONSTABLE DEPARTMENT  
MONTHLY RACIAL PROFILE

*March*

SEARCH CONDUCTED

Caucasian	#	Consents	P/C	Arrest
	<i>2</i>	<i>1</i>	<i>1</i>	
African	<del>0</del> <i>1</i>	<i>1</i>		
Hispanic	<i>3</i>	<i>0</i>		
Asian				
N/A				
Other				

NO SEARCH

Caucasian - *1*

African - *3*

Hispanic - *3*

Asian

N/A

Other *2*

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Item #5

**Constable's Department  
Polk County**

**Precinct # 2  
P.O. Box 1887  
Onalaska, Texas 77360  
936-646-3691  
936-328-6842**

To: Polk County commissioners  
From: Constable William R. (Bill) Cunningham  
Date: 03-01-05  
Subject: Racial Profile directive.

Dear Commissioners,

This is the racial profiling directive required by the state of Texas for the year of 2004. The statistics on whites and Hispanics are grouped together as the Department of Public Safety is.

Respectfully,

**Bill Cunningham**

Bill Cunningham

Polk County, Constable Pct. 2

**Polk County Constable's Department**  
P.O.Box 1887 Onalaska, Texas 77360  
**ANNUAL RACIAL PROFILING STATISTICS**  
2004

TOTAL STOPS CONDUCTED:	179
WHITE:	
STOPS CONDUCTED:	162
SEARCHES CONDUCTED:	20
SEARCHES W/CONSENT:	20
NATIVE AMERICAN:	
STOPS CONDUCTED:	0
SEARCHES CONDUCTED:	0
SEARCHES W/CONSENT:	0
ASIAN:	
STOPS CONDUCTED:	2
SEARCHES CONDUCTED:	0
SEARCHES W/CONSENT:	0
BLACKS:	
STOPS CONDUCTED:	15
SEARCHES CONDUCTED:	6
SEARCHES W/CONSENT:	6

NO COMPLAINTS HAVE BEEN FILED WITH THE POLK COUNTY CONSTABLE'S DEPARTMENT  
IN  
REFERENCE TO RACIAL PROFILING 2004

ALL DEPUTIES AT THE POLK COUNTY CONSTABLE'S DEPARTMENT HAVE COMPLETED ALL  
STATE MANDATED TRAINING IN REFERENCE TO RACE SENSITIVITY.  
STATE MANDATED CLASSES CONSIST OF: RACIAL PROFILING AND CULTURAL  
DIVERSITY/RACIAL SENSITIVITY.

CONSTABLE WILLIAM R. (BILL) CUNNINGHAM

Item # 7



COPY

JOHN P. THOMPSON, COUNTY JUDGE  
101 W. Church - Polk County Courthouse  
Livingston, TX 77351

(936)327-6813 Fax: (936)327-6891

May 24, 2005

Steve Swango, Manager  
Service Implementation and Management  
OFFICE OF RURAL COMMUNITY AFFAIRS  
P.O. Box 12877  
Austin, Texas 78711

**RE: TCDP 724881  
PROGRAM AMENDMENT**

Dear Mr. Swango:

On behalf of the Moscow Water Supply Corporation and the County Commissioners Court; I am requesting a Program Amendment to the County's current TCDP Contract 724881. The County accepted the \$186,533.00 marginal funding award on June 22, 2004.

The County is requesting that some of the work at the oxidation ponds at the waste water treatment plant be reduced, that the sewer lift station be rehabilitated, sewer manhole be replaced and that the deteriorated water lines in the FM 62 and Sandy Lane area be replaced with new PVC water lines. The water lines was part of the original application. The number of persons benefitting from the proposed water improvements is 264 of which 189 (72%) are low to moderate income persons based on ORCA's approved door to door survey.

Bids have been received and a contract awarded for the rehabilitation of the sewer lift station. The County shall utilize a small purchase agreement for the Waste Water Treatment oxidation pond improvements.

The approval by ORCA for this Program Amendment will allow the Moscow Water Supply Corporation to address both the sewer and water problems that have been cited by TCEQ. If you should have any questions concerning this request please contact David J. Waxman or me.

Sincerely,

John P. Thompson,  
County Judge

attachments



**RESOLUTION**

**OF THE COUNTY COMMISSIONERS COURT OF THE COUNTY OF POLK, TEXAS, AUTHORIZING THE SUBMISSION OF A PROGRAM AMENDMENT ON THE COUNTY'S TEXAS COMMUNITY DEVELOPMENT GRANT 724881 AND AUTHORIZING THE COUNTY JUDGE TO ACT AS THE COUNTY'S CHIEF EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT PROGRAM.**

**WHEREAS, the was awarded a \$186,553.00 Texas Community Development Program Grant No. 724881 to make improvements to the Moscow Water Supply Corporation's existing Waste Water Treatment Plant, and**

**WHEREAS, this grant award was a marginal funded project for an application that was submitted that included both Waste Water Treatment Plant Improvements and Water distribution Improvements in the FM 62 area, and,**

**WHEREAS, bids were received and awarded for some of the needed sewer improvements, and**

**WHEREAS, Moscow Water Supply Corporation needs to address the deteriorated water lines in the FM 62 area, and**


**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSIONERS COURT OF THE COUNTY OF POLK, TEXAS:**

1. That a Program Amendment be submitted to the Office of Rural Community Affairs that request the addition of Water Facilities Activities to the County's current TCDP Contract No. 7724881.
2. That the Water Facilities Activities will consist of the purchase and installation of 3,000 linear feet of new PVC water lines and 30 water valves in the FM 62 / Shady Lane area and that The Sewer Improvements shall consist f 70,000 gallons of sludge removal from the oxidation ponds, replacement of an existing lift station and rehabilitation of an existing manhole.


**PROGRAM AMENDMENT RESOLUTION  
PAGE 2**

3. That the local match share will maintain a minimum of \$46,650.00 of local funds from Moscow Water Supply Corporation. of local funds from the City of China.
4. That the purposed Water Improvements will benefit the 264 persons of which 189 (72%) are low to moderate income persons and who were identified in the FY 2003-2004 TCDP Application and Door-to-Door Survey .
5. That the County Judge be authorized to submit the Program Amendment including the Revised Performance Statement and Program Budget and act in all matters on the TCDP Contract 724881.

**PASSED AND APPROVED THIS THE 24<sup>TH</sup> DAY OF MAY, 2004.** <sup>2005</sup> 

  
JOHN P. THOMPSON, COUNTY JUDGE  
COUNTY OF POLK, TEXAS

ATTEST:

  
BARBARA MIDDLETON,  
COUNTY CLERK *Sarah Chance*

**ATTACHMENT 7-A:  
TEXAS COMMUNITY DEVELOPMENT PROGRAM  
CONTRACT BUDGET MODIFICATION FORM**

MODIFICATION NO. 1

Contractor: COUNTY OF POLK

Contract No. 724881

Activity	Original Budget	Current Budget	Present (+/-) \$ Change	Revised Budget
Water Facilities	\$0.00	\$0.00	\$69,000.00	\$69,000.00
Sewer Facilities	\$163,053.00	\$163,053.00	(\$78,500.00)	\$84,553.00
Engineering	\$0.00	\$0.00	\$9,500.00	\$9,500.00
Administration	\$23,500.00	\$23,500.00	\$0.00	\$23,500.00
<b>Total</b>	<b>\$186,553.00</b>	<b>\$186,553.00</b>	<b>\$0.00</b>	<b>\$186,553.00</b>

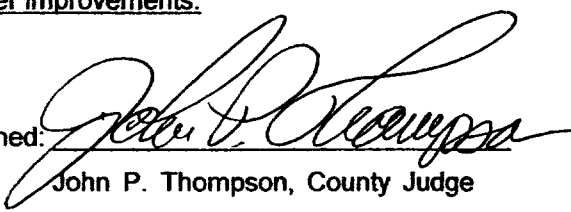
In accordance with Section 16(D) of all TCDP Contracts, the above mentioned Contractor Locality certifies that this request, as identified in the Budget (Exhibit B), meets all of the following conditions:

- The cumulative dollar amount of all non-amended transfers among direct budget categories is less than or equal to five percent (5%) of the total amount of the contract as specified in Section 4(C) of the contract.
- The transfer will not change the scope or objective of the project(s) funded through the TCDP contract.

The transfer of funds is needed for the following reasons:

**REASON:** Moscow Water Supply Corporation needed to address the deteriorated water lines on FM 62 and Sandy Lane which was in the original TCDP application. Moscow Water Supply Corporation is providing \$46,650.00 of local for \$24,203.00 towards engineering services and \$22,447.00 for sewer improvements.

Date: 5/24/05

Signed:   
John P. Thompson, County Judge





**REPORT ON REAL PROPERTY ACQUISITION ACTIVITIES**

*NOTE: This report is due prior to start of construction.  
Please attach Real Property Acquisition Checklist for each parcel acquired.*

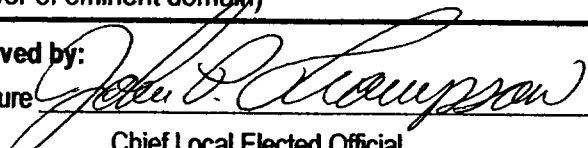
Name of TCDP Contractor: COUNTY OF POLK

Contract No. 724881

Describe Acquisition Activity: \_\_\_\_\_ (e.g. sewer line easements, water well site, street right-of-way, etc.....)  
**OR**

Check if No Acquisition Activity   x   (fill out bottom section of this page only, sign, and submit to TCDP)  
Utilizing existing Utility Easement ROW for new water lines.

Date of Final Acquisition Activity: May 24, 2005

METHODS OF ACQUISITION	NUMBER OF PARCELS	TOTAL DOLLAR AMOUNT PAID
<b>Involuntary --</b>	N/A	N/A
<p>Check One:</p> <p><input type="checkbox"/> Seller Accepted "Just Compensation" Amount</p> <p><input type="checkbox"/> Acquired by Negotiation</p> <p><input type="checkbox"/> Acquired by Condemnation</p>		
<b>Voluntary - (exempt from Uniform Act)</b>	N/A	N/A
<p>Check One:</p> <p><input type="checkbox"/> Acquired Voluntarily (grantee can exercise the power of eminent domain but agrees in writing not to do so and project is non site-specific)</p> <p><input type="checkbox"/> Acquired by Donation (seller waived right to just compensation)</p> <p><input type="checkbox"/> Acquired from Another Public Agency (grantee has no power of eminent domain)</p>		
<p><b>Prepared by:</b> Name <u>DAVID J. WAXMAN, INC.</u> Phone <u>(409) 384-3458</u> Title <u>Grant Consultant</u> Date <u>March 15, 2005</u></p>		<p><b>Approved by:</b> Signature  Chief Local Elected Official Title <u>County Jude</u> Date <u>May 24, 2005</u></p>



Item #11




**OF THE POLK COUNTY COMMISSIONERS COURT**  
Designating Surplus Property to be disposed through Competitive Bid.

**WHEREAS**, in a regular meeting of the Polk County Commissioners Court held May 24, 2005, the following items were determined to be Surplus property, as defined by Local Government Code, Chapter 263 Subchapter D, Section 263.152.

**PRECINCT 3:**           **TWO (2) USED DUMP TRUCKS;**  
1976 International F5070 S/N D3117GGB12268 Asset # 6522  
1987 GMC Brigadier S/N 1GDT9C4J6HV500164 Asset # 1353

**THEREFORE**, the aforementioned items are hereby designated as Surplus Property of the County and shall be disposed of by Competitive Bid.

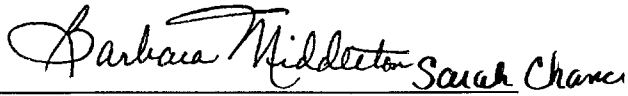
  
\_\_\_\_\_  
John P. Thompson, County Judge

CERTIFICATE OF THE COUNTY CLERK

The undersigned, being the County Clerk of Polk County, Texas, does hereby certify that this ORDER was duly adopted by the Commissioners Court for Polk County on May 24, 2005.

**IN WITNESS WHEREOF**, I have affixed my signature and the official seal of the Polk County Commissioners Court to this certification.



  
\_\_\_\_\_  
Barbara Middleton, County Clerk  
Polk County, Texas



*Item #12*

POLK COUNTY



COPY

**BYRON LYONS**  
Chief Deputy

**KENNETH HAMMACK, Sheriff**  
1733 N. Washington  
Livingston, Texas 77351  
(936) 327-6810

**ALENE EDMONDS**  
Adm. Assistant

### Unexpected Expenditures

Once the Abatement process had begun construction crews found where mold had gotten into the cabinets and carpet of several offices. The State observance Inspector ordered that the cabinets and carpet be packaged and thrown out with the other contaminated debris. You will be able to see on the provided pictures that the mold grew from the wall onto the cabinets and to the carpet. In those offices where the walls and cabinets were contaminated only, the carpet still had to be removed because it did not go all the way to the wall. This has placed us in an unexpected need, for more funds to finish the abatement and reconstruction project.

Carpet and Tile	\$21,900.00
Cabinets Materials	\$6,600.00
Painting	\$6,000.00
Petitions	\$1,050.00

Total needed for completion of project = 35,550.00

Kenneth Hammack, Sheriff  
Polk County

**VOL 51 PAGE 642**

*Floor Care & Interior*  
6738 U.S. Hwy 190 E.  
Livingston, TX 77351  
Ph: (936) 563-4954 Fax: (936) 563-5221

May 19, 2005

BID TO: Polk County Sheriff's Department  
RE: Bid on flooring

**CARPET:**

Philadelphia: Major Event

Color: 46320 Parenthood

AREAS: Captain's office, chief's office, interview,  
Records, C.I.D., and warrants

Size: need 12 x 93 = 1116 sq.ft.

Installation: Glued down

\*County to oversee removal and disposal of existing carpet.

Bid Amount:

\$1,700.00

**VCT:**

Tarkett: Expressions 1/8" tick, 12" x 12"

Color: 1312

AREAS: Narcotics, Sergeant's office, Lieutenant's  
office, Deputy's office, and video

Size: need 17 cartons = 766 sq.ft.

Installation: prep floor, sand and glue down tile

\*County to oversee removal and disposal of existing flooring and sealing and  
waxing floors.

Bid Amount:

\$1,300.00

**COVE BASE AND TRANSITION STRIPS:**

Roppe: Series 700 1/8" thick, 4" with toe

Color: P126

AREAS: All walls without ceramic tile on them

Size: need 8 cartons = 960 lin.ft.

Roppe: Matchmates #179 T-mold  
Color: P126

Bid Amount: \$1,000.00

**CERAMIC TILE:**

Earthstone: Ardesia Indiana 13" x 13"

Color: TD92 Earth

AREAS: Center of halls (on a diamond), Sheriff's office  
And bath, Ilene's office, foyer area

Size: need 104 cartons = 1862 sq.ft.

Installation: set, grout, and seal grout (weekend and night work)

\*County to oversee removal and disposal of existing flooring

Bid Amount: \$10,000.00

Earthstone: Ardesia Indian 13" x 13"

Color: TD90 Multicolor

AREAS: 3' up walls in hallway where carpet exists, 4  
(four) 2' stairs in hallway

Size: need 36 cartons = 645 sq.ft.

Installation: set, grout, and seal grout (weekend and night work)

\*County to oversee removal and disposal of existing flooring

Bid Amount: \$3,500.00

Master Tile: RAG RIV CAN 13" x 13"

Color: CAN

AREAS: accent on floor in halls newt to walls 6.5"

Size: need 22 cartons = 236 sq.ft.

Installation: set, grout, and seal grout (weekend and night work)

\*County to oversee removal and disposal of existing flooring

Bid Amount: \$1,000.00

**VOL 51 PAGE 644****GROUT:**

Mapei: MP Sanded

Color: Pewter

AREAS: everywhere there is ceramic tile

Size: need 25 bags

Installation: grout tile and seal

Bid Amount: \$400.00

**SHERIFF'S DEPARTMENT EMBLEM:**

Materials for approved emblem and labor to have  
a DFX drawing made and then water jetted into selected  
tiles furnished by Floor Care & Interior and then installed

Bid Amount: \$3,000.00

**TOTAL BID AMOUNT: \$21,900.00**



POLK COUNTY  
 COMMISSIONERS COURT  
 MSAG CHANGES  
 05/24/2005

Item #14

A REQUEST TO ADD NEW STREET TO THE MSAG.						
STREET	PCT	CTY ROAD	LOW	HIGH	MILEAGE	COMMENTS
MAGNOLIA BEND LN	2	NO	100	181	0.0806	ADD NEW STREET TO MSAG
PEDIGO RD	2	NO	100	1911	1.8100	ADD NEW STREET TO MSAG
A REQUEST TO ACCEPT THE FOLLOWING ROADS AS COUNTY ROADS.						
STREET	PCT	CTY ROAD	LOW	HIGH	MILEAGE	COMMENTS
EVERGREEN HARBOR	2	YES	100	145	0.0448	APPROVE AS A COUNTY ROAD (ALL)
HILLTOP	2	YES	100	141	0.0415	APPROVE AS A COUNTY ROAD (ALL)
MULBERRY	2	YES	100	295	0.1950	APPROVE AS A COUNTY ROAD (ALL)
A REQUEST TO CORRECT THE MSAG TO REFLECT AS COUNTY ROAD.						
STREET	PCT	CTY ROAD	LOW	HIGH	MILEAGE	COMMENTS
LAKEVIEW HBR	2	YES	100	765	0.6642	CORRECT MSAG TO READ COUNTY RD
BERTHA LP	4	YES	100	427	0.3258	CORRECT MSAG TO READ COUNTY RD
STARR SPRINGS DR	4	YES	100	367	0.2677	CORRECT MSAG TO READ COUNTY RD

Approved by Commissioners Court  
 May 24, 2005



Item #17



**RESOLUTION**

**RESOLUTION EXPRESSING INTENT TO REIMBURSE EXPENDITURES  
TO BE INCURRED BY POLK COUNTY, TEXAS**

**WHEREAS**, Polk County, Texas (the "Issuer") is a Texas County and a political subdivision of the State of Texas authorized to issue obligations to finance its activities pursuant to various Texas statutes, including anticipation notes pursuant to Chapter 1431, Texas Government Code, the interest on which is excludable from gross income for federal income tax purposes ("tax-exempt obligations") pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code");

**WHEREAS**, the Issuer will make, or has made not more than 60 days prior to the date hereof, payments with respect to the acquisition, construction, repair and equipping of the projects listed on Exhibit "A" attached hereto;

**WHEREAS**, the Issuer has concluded that it does not currently desire to issue tax-exempt obligations to finance the costs associated with the projects listed on Exhibit "A" attached hereto;

**WHEREAS**, the Issuer desires to reimburse itself for the costs associated with the projects listed on Exhibit "A" attached hereto from the proceeds of tax-exempt obligations to be issued subsequent to the date hereof; and,

**WHEREAS**, the Issuer reasonably expects to issue tax-exempt obligations to reimburse itself for the costs associated with the projects listed on Exhibit "A" attached hereto.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

**Section 1.** The Issuer reasonably expects to reimburse itself for all costs that have been or will be paid subsequent to the date that is 60 days prior to the date hereof and that are to be paid in connection with the acquisition, construction, repair and equipping of the projects listed on Exhibit "A" attached hereto from the proceeds of tax-exempt obligations to be issued subsequent to the date hereof.

**Section 2.** This resolution is also made to evidence the intent of the Issuer to make such reimbursements under Treas. Reg. § 1.150-2 and Section 1201.042, Texas Government Code.

**Section 3.** The Issuer reasonably expects that the maximum principal amount of tax-exempt obligations issued to reimburse the Issuer for the costs associated with the projects listed on Exhibit "A" attached hereto will not exceed \$194,171.22.

**ADOPTED** this 24<sup>th</sup> day of May, 2005, by the Polk County Commissioners Court.

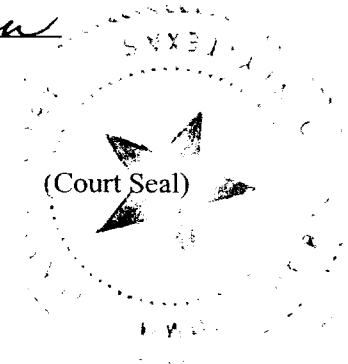
*John P. Thompson*

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

Attest;

*Barbara Middleton*

Barbara Middleton, County Clerk *Sarah Chance*



**EXHIBIT "A"**

**DESCRIPTION OF PROJECTS**

**(as of 05-24-05)**

**General Administration**

ARS (Abatement Remediation Specialists)	M.G. Reily Building	010-691-571	38,850.00
ARS (Abatement Remediation Specialists)	M.G. Reily Building	010-691-571	25,200.00
ARS (Abatement Remediation Specialists)	M.G. Reily Building	010-691-571	20,475.00
Eastex Tree Service (Pruning)	M.G. Reily Building	010-691-571	1,750.00
Brooks, O.C. (Roof Repair)	M.G. Reily Building	010-691-571	3,300.00
General Wire & Electric (Light fixtures)	M.G. Reily Building	010-691-571	1,358.30
Matt's H&H (Keys)	M.G. Reily Building	010-691-571	11.88
TLI Environmental Serv. (Asbestos Inspec.)	M.G. Reily Building	010-691-571	<u>9,002.00</u>
(all above approved 3-22-05)			

SUB-TOTAL - GENERAL FUND 99,947.18

**Road & Bridge**

Davis & Brown Construction (approved 2-22-05)	Pct. 1 Culvert - Inlet Dr.	015-621-575	23,354.00
Philpott Motors (approved 1-25-05)	Pct. 3 (2) F-350 Ford Trucks	015-623-571	54,896.00
Power Plan (approved 1-25-05 & 3-22-05)	Pct. 3 Dozer Repair(S/N77V4061)	015-623-456	15,638.69
Power Plan (approved 1-25-05 & 3-22-05)	Pct. 3 Dozer Repair(S/N77V2209)	015-623-456	<u>335.35</u>

SUB-TOTAL - ROAD & BRIDGE FUND 94,223.94

TOTAL \$194,171.22

**Total purchase to be in an amount not to exceed \$ 194,171.22 , consisting of \$99,947.18 from the General Fund and \$94,171.22 from the Road & Bridge Fund of Polk County, Texas.**

Item #18

COPY

Budget Revisions  
# 2005-15

REVISION  
~~PROVISION~~ CHANGES BY FUND

FUND DESCRIPTION	INCREASE/DECREASE
010 GENERAL FUND	.00
015 ROAD & BRIDGE ADM	.00
051 AGING	.00
093 CO CLERK RECORDS MGMT FUND	.00

THE PRECEDING LIST OF ~~REVISIONS~~ <sup>REVISIONS</sup> WAS REVIEWED AND APPROVED.

*B. L. Dockens*

B. L. DOCKENS

COUNTY AUDITOR

*John P. Thompson*

JOHN P. THOMPSON

COUNTY JUDGE

05/17/2005 10:53:01

REPORT OF GENERAL LEDGER AMENDMENTS

SEMIDR PAGE 1

ACCOUNT NUMBER	ACCOUNT NAME	DATE	AMDMT NUMBER	OLD BUDGET AMOUNT	AMENDED BUDGET AMOUNT	AMOUNT OF TRANSFER	DESCRIPTION	CYCLE
2005 010-342-600	INSURANCE CLAIMS	05/11/2005	2K5R15	2,468.25	2,580.92	112.67	RECORD CK TAC:SHERIFF WRECK K	
2005 010-342-695	REIMBURSE EMERG MG	05/11/2005	2K5R15	.00	473.62	473.62	RECORD STATE COMP. CK:REIMB K	
2005 010-342-695	REIMBURSE EMERG MG	05/11/2005	2K5R15	473.02	810.69	337.67	RECORD STATE COMP. CK:REIMB K	
	TOTAL AMENDMENTS		3	TOTAL CHANGES		923.96		
2005 010-426-400	ATTORNEY FEES - CO	05/11/2005	2K5R15	75,000.00	74,550.00	450.00	MOVE FUNDS TO PSYC. EVALUAT. S K	
2005 010-426-405	PSYCHOLOGICAL EVALU	05/11/2005	2K5R15	.00	450.00	450.00	MOVE FUNDS FROM ATTY FEES S K	
	EXPENSE SUMMARY - CO CT @ LAW		2	TOTAL CHANGES		.00		
2005 010-475-202	GROUP INSURANCE	05/12/2005	2K5R15	67,227.52	71,182.08	3,954.56	REVERSE REVISION 2K5R07 FOR K	
	EXPENSE SUMMARY - DIST ATTY		1	TOTAL CHANGES		3,954.56		
2005 010-512-202	GROUP INSURANCE	05/12/2005	2K5R15	152,250.56	148,296.00	3,954.56	REVERSE REVISION 2K5R07 FOR K	
	EXPENSE SUMMARY - JAIL		1	TOTAL CHANGES		3,954.56		
2005 010-560-202	GROUP INSURANCE	05/12/2005	2K5R15	261,000.96	257,046.40	3,954.56	REVERSE REVISION 2K5R07 FOR K	
2005 010-560-202	GROUP INSURANCE	05/12/2005	2K5R15	257,046.40	261,000.96	3,954.56	REVERSE REVISION 2K5R07 FOR K	
2005 010-560-450	REIMB INS VEHICLE	05/11/2005	2K5R15	2,468.25	2,580.92	1,112.67	RECORD CK TAC:SHERIFF WRECK K	
2005 010-560-450	REIMB INS VEHICLE	05/11/2005	2K5R15	2,580.92	2,580.92	5,161.84	CORRECT AMOUNT ON REVISION K	
	EXPENSE SUMMARY - SHERIFF DEPT		4	TOTAL CHANGES		112.67		
2005 010-695-427	TRAVEL/TRAINING	05/11/2005	2K5R15	4,000.00	4,473.02	473.02	RECORD STATE COMP. CK:REIMB K	
2005 010-695-427	TRAVEL/TRAINING	05/11/2005	2K5R15	4,473.02	4,830.69	357.67	RECORD STATE COMP. CK:REIMB K	
	EXPENSE SUMMARY - EMERG MGMT		2	TOTAL CHANGES		830.69		
2005 010-697-315	OFFICE SUPPLIES	05/11/2005	2K5R15	1,850.00	1,650.00	200.00	MOVE FUNDS TO EQUIP/PARTS/R K	
2005 010-697-456	EQUIPMENT/PARTS/RE	05/11/2005	2K5R15	2,025.00	2,225.00	200.00	MOVE FUNDS FROM OFC. SUPPLI K	
	EXPENSE SUMMARY-ENV ENFORCMT		2	TOTAL CHANGES		.00		
2005 015-364-300	SALE OF SURPLUS PC	05/13/2005	2K5R15	8,960.00	10,184.00	1,224.00	RECORD CK B.GRIMES;PURCHASE K	
	TOTAL AMENDMENTS		1	TOTAL CHANGES		1,224.00		
2005 015-622-100	PCT 2 BUDGET CARRY	05/11/2005	2K5R15	48,462.61	46,962.61	1,500.00	MOVE FUNDS TO TELEPHONE; B.S K	
2005 015-622-100	PCT 2 BUDGET CARRY	05/11/2005	2K5R15	46,962.61	41,962.61	5,000.00	MOVE FUNDS TO MATERIAL/SUPP K	
2005 015-622-337	MATERIAL/SUPPLIES	05/11/2005	2K5R15	14,161.33	19,161.33	5,000.00	MOVE FUNDS FROM CARRYOVER;B K	
2005 015-622-420	TELEPHONE	05/11/2005	2K5R15	2,000.00	3,500.00	1,500.00	MOVE FUNDS FROM CARRYOVER;B K	
	PRECINCT #2 - ROAD & BRIDGE		4	TOTAL CHANGES		.00		
2005 015-623-100	PCT 3 BUDGET CARRY	05/11/2005	2K5R15	1,375.96	421.69	954.27	MOVE FUNDS TO P/T SALARIES; K	
2005 015-623-100	PCT 3 BUDGET CARRY	05/13/2005	2K5R15	421.69	421.69	421.69	MOVE FUNDS TO EQUIP RENTAL; K	
2005 015-623-108	SALARIES - PART/TT	05/11/2005	2K5R15	5,337.45	6,291.72	954.27	MOVE FUNDS FROM CARRYOVER;B K	
2005 015-623-337	MATERIAL/SUPPLIES	05/13/2005	2K5R15	15,000.00	13,571.69	1,428.31	MOVE FUNDS TO EQUIP RENTAL; K	
2005 015-623-337	MATERIAL/SUPPLIES	05/16/2005	2K5R15	13,571.69	13,071.69	500.00	MOVE FUNDS TO TIRES/TUBES;B K	
2005 015-623-354	TIRES/TUBES	05/16/2005	2K5R15	10,000.00	10,500.00	500.00	MOVE FUNDS FROM MATERIALS/S K	
2005 015-623-456	PARTS & REPAIRS	05/13/2005	2K5R15	100,501.45	101,725.45	1,224.00	RECORD CK B.GRIMES;PURCHASE K	
2005 015-623-461	EQUIPMENT RENTAL	05/13/2005	2K5R15	.00	421.69	421.69	MOVE FUNDS FROM CARRYOVER;B K	
2005 015-623-461	EQUIPMENT RENTAL	05/13/2005	2K5R15	421.69	1,850.00	1,428.31	MOVE FUNDS FROM MATERIALS/S K	
	PRECINCT #3 EXPENSE SUMMARY		9	TOTAL CHANGES		1,224.00		
2005 051-645-108	SALARY - PARTTIME	05/11/2005	2K5R15	88,086.91	83,486.91	4,600.00	MOVE FUNDS TO RETIREMENT;M. K	
2005 051-645-203	RETIREMENT	05/11/2005	2K5R15	3,716.33	8,316.33	4,600.00	MOVE FUNDS FROM P/T SALARIE K	
2005 051-645-333	RAW FOOD	05/17/2005	2K5R15	60,875.00	60,275.00	600.00	MOVE FUNDS TO WATER EXPENSE K	
2005 051-645-442	WATER	05/17/2005	2K5R15	600.00	1,200.00	600.00	MOVE FUNDS FROM RAW FOODS;D K	
	EXPENSE SUMMARY - AGING DEPT		4	TOTAL CHANGES		.00		

05/17/2005 10:53:01

REPORT OF GENERAL LEDGER AMENDMENTS

RECORD PAGE 2

ACCOUNT NUMBER	ACCOUNT NAME	DATE	AMDMT NUMBER	OLD BUDGET AMOUNT	AMENDED BUDGET AMOUNT	AMOUNT OF CHANGE	DESCRIPTION	CLP
2005 093-403-410	RECORDS ARCHIVE FE	05/12/2005	2K5R15	40,000.00	38,443.44	1,556.56	MOVE FUNDS TO VITAL STATIST F	
2005 093-403-420	PRESERVATION-VITAL	05/12/2005	2K5R15	1,536.56	3,073.12	1,536.56	MOVE FUNDS FROM REFERED AR	
TOTAL AMENDMENTS				2	TOTAL CHANGES			

*Item #19*

05/24/2005 16:07:56

REPORT OF GENERAL LEDGER AMENDMENTS

GEL122 PAGE 1

ACCOUNT NUMBER	ACCOUNT NAME	DATE	AMOUNT NUMBER	OLD BUDGET AMOUNT	NEW BUDGET AMOUNT	AMOUNT OF CHANGE	DESCRIPTION	CLK
2005 010-342-555	REIMB.TY VINE PROJ	05/24/2005	2KSA15	.00	23,034.00	23,034.00	AMEND FOR REIMBURSEMENT CK K	K
	TOTAL AMENDMENTS			1	TOTAL CHANGES			
2005 010-691-573	CAPITAL OUTLAY-BRI	05/24/2005	2KSA15	90,025.00	2,500.00	87,525.00	AMEND TO MOVE BUDGET TO RES X	X
2005 010-691-573	CAPITAL OUTLAY-BRI	05/24/2005	2KSA15	2,500.00	.00	2,500.00	AMEND FOR EXPENSE TO COME O K	K
	EXPENSE SUMMARY - ALL OTHER			2	TOTAL CHANGES			
2005 015-621-575	CAPITAL OUTLAY-BRI	05/24/2005	2KSA15	.00	23,154.00	23,154.00	AMEND FOR BRIDGES PROJECTS T K	K
	PRECINCT #1 - EXPENSE SUMMARY			1	TOTAL CHANGES			
2005 015-623-575	CAPITAL OUTLAY-BRI	05/24/2005	2KSA15	.00	47,191.00	47,191.00	AMEND FOR BRIDGE PROJECTS T K	K
	PRECINCT #3 EXPENSE SUMMARY			1	TOTAL CHANGES			
2005 015-624-575	CAPITAL OUTLAY-BRI	05/24/2005	2KSA15	.00	16,990.00	16,990.00	AMEND FOR BRIDGE PROJECTS T X	X
	PRECINCT #4 EXPENSE SUMMARY			1	TOTAL CHANGES			
2005 093-403-420	PRESERVATION-VITAL	05/24/2005	2KSA15	3,073.17	1,536.56	1,536.56	REVERSS AMENDMENT 2KSA06;BU K	K
	EXPENSE SUMMARY			1	TOTAL CHANGES			
2005 098-340-450	RECORDS PRESERVATI	05/24/2005	2KSA15	.00	2,935.00	2,935.00	AMEND FOR FUNDS RECEIVED TO K	K
	FEEB REVENUE SUMMARY			1	TOTAL CHANGES			
2005 098-450-450	RECORDS PRESERVATI	05/24/2005	2KSA15	.00	2,935.00	2,935.00	AMEND FOR FUNDS RECEIVED TO K	K
	TOTAL AMENDMENTS			1	TOTAL CHANGES			

*Budget Amendments  
# 2005-15(A)*

*W. P. Thompson*




*ACH 5/9*

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
090 DRUG FORFEITURE FUND	894.96
TOTAL OF ALL FUNDS	----- 894.96

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

B. L. DOCKENS 

COUNTY AUDITOR

JOHN P. THOMPSON 

COUNTY JUDGE

SCHEDULE OF BILLS BY FUND

*ACT 550*

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	41,356.19
015 ROAD & BRIDGE ADM	9,942.98
027 SECURITY	359.03
049 DISTRICT ATTY HOT CHECK FUND	538.70
051 AGING	1,008.69
083 MUSEUM OPERATING FUND	82.13
101 ADULT SUPERVISION	7,938.57
185 CCAP - JUVENILE PROBATION	3,302.81
<b>TOTAL OF ALL FUNDS</b>	<b>64,529.10</b>

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

*B. L. Dockens*

B. L. DOCKENS

COUNTY AUDITOR

JOHN P. THOMPSON

*John P. Thompson*

COUNTY JUDGE

AC 11/551

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	130,286.45
015 ROAD & BRIDGE ADM	34,939.99
027 SECURITY	1,356.70
049 DISTRICT ATTY HOT CHECK FUND	1,481.73
051 AGING	4,153.14
083 MUSEUM OPERATING FUND	345.92
101 ADULT SUPERVISION	23,604.56
185 CCAP - JUVENILE PROBATION	10,048.38
TOTAL OF ALL FUNDS	206,216.87

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

B. L. DOCKENS  
 COUNTY AUDITOR

JOHN P. THOMPSON  
 COUNTY JUDGE

ACT 552

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	62.81
TOTAL OF ALL FUNDS	62.81

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

*B. L. Dockens*

B. L. DOCKENS

COUNTY AUDITOR

*John P. Thompson*

JOHN P. THOMPSON

COUNTY JUDGE

AC 17 5 53

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	2,242.74
015 ROAD & BRIDGE ADM	596.61
TOTAL OF ALL FUNDS	2,839.35

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

B. L. DOCKENS

COUNTY AUDITOR

JOHN P. THOMPSON

COUNTY JUDGE

SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	30,982.77
013	JP JUSTICE COURT TECHNOLOGY	59.95
015	ROAD & BRIDGE ADM	1,215.44
027	SECURITY	100.73
040	LAW LIBRARY FUND	54.16
051	AGING	1,013.59
093	CO CLERK RECORDS MGMT FUND	13.50
	<b>TOTAL OF ALL FUNDS</b>	<b>33,440.14</b>

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

B. L. DOCKENS



COUNTY AUDITOR

JOHN P. THOMPSON



COUNTY JUDGE

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	1,282.85
015	ROAD & BRIDGE ADM	270.00
027	SECURITY	30.00
101	ADULT SUPERVISION	1,148.17
185	CCAP - JUVENILE PROBATION	612.14
		-----
	TOTAL OF ALL FUNDS	3,343.16

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

B. L. DOCKENS



COUNTY AUDITOR

JOHN P. THOMPSON



COUNTY JUDGE

SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	156.25
015	ROAD & BRIDGE ADM	37.65
		-----
	TOTAL OF ALL FUNDS	193.90

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

B. L. DOCKENS



COUNTY AUDITOR

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JOHN P. THOMPSON



COUNTY JUDGE

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SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	2,608.90
	-----
TOTAL OF ALL FUNDS	2,608.90

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

B. L. DOCKENS



COUNTY AUDITOR

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JOHN P. THOMPSON



COUNTY JUDGE

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SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	8,786.86
015	ROAD & BRIDGE ADM	517.05
051	AGING	118.71
	TOTAL OF ALL FUNDS	9,422.62

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

B. L. DOCKENS



COUNTY AUDITOR

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JOHN P. THOMPSON



COUNTY JUDGE

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FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	58,313.71
011	HOTEL OCCUPANCY TAX FUND	1,000.00
013	JP JUSTICE COURT TECHNOLOGY	3,500.00
015	ROAD & BRIDGE ADM	66,319.10
017	LATERAL ROAD FUND	873.10
040	LAW LIBRARY FUND	153.00
049	DISTRICT ATTY HOT CHECK FUND	809.30
051	AGING	2,777.47
088	JUDICIARY FUND	360.40
090	DRUG FORFEITURE FUND	726.73
094	COUNTY RECORDS MGMT FUND	2,572.02
		-----
	TOTAL OF ALL FUNDS	137,404.83

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

B. L. DOCKENS



COUNTY AUDITOR

JOHN P. THOMPSON



COUNTY JUDGE

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	11,988.24
	-----
TOTAL OF ALL FUNDS	11,988.24

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

B. L. DOCKENS



COUNTY AUDITOR

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JOHN P. THOMPSON

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COUNTY JUDGE



ADDENDUM  
SCHEDULE OF BILLS FOR  
MAY 26, 2005

A.R.S.	FY2005	
BAKER , SHERRY CASSITY	\$ 46,947.00	GENERAL ADMINISTRATION M.G. RILEY
BAKER , SHERRY CASSITY	\$ 4,557.06	GENERAL ADMINISTRATION M.G. RILEY
BOBINGER, WANDA	\$ 575.00	GENERAL ADMINISTRATION
BROOKSHIRE BROS. PHARMACY	\$ 76.00	MUSEUM
PRODEFENSE POLICE EQUIPMENT	\$ 789.93	JAIL INMATE
SMITH, BOBBY	\$ 5,400.00	EMERG. MGMT.
WAL MART	\$ 258.05	R&B#2
	\$ 662.76	ALL DEPARTMENTS
TOTAL	<u>\$ 59,265.80</u>	

*Item # 21*

DATE: MAY 11 THROUGH MAY 24, 2005

**COPY**

NO.	EMPLOYEE	DEPT	JOB DESCRIPTION	TYPE OF EMPLOYMENT	GROUP STEP & WAGE	ACTION TAKEN
(1)	MARY JOHNSON <i>Lee</i>	JAIL	1055 - CORRECTIONS OFFICER	REGULAR FULL-TIME	1301 \$20,353.23	RESIGNATION EFFECTIVE 05/12/2005
(2)	ARTHUR BERNARD DIRDEN	JAIL	1055 - CORRECTIONS OFFICER	REGULAR FULL-TIME	1301 \$20,353.23	RESIGNATION EFFECTIVE 05/07/2005
(3)	MARLENA J. BULLOCK	JAIL	1055 - CORRECTIONS OFFICER	REGULAR FULL-TIME	1301 \$20,353.23	NEW HIRE EFFECTIVE 05/28/2005
(4)	RAYMON H. BROWN, JR.	JAIL	1055 - CORRECTIONS OFFICER	REGULAR FULL-TIME	1301 \$20,353.23	NEW HIRE EFFECTIVE 05/28/2005
(5)						<i>Additional</i>
(6)						"
(7)						
(8)						
(9)						
(10)						
(11)						
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COPY

Item #23

## CERTIFICATE FOR ORDER

THE STATE OF TEXAS    §  
                                   §  
 COUNTY OF POLK         §

We, the undersigned officers of the Commissioners Court of Polk County, Texas, hereby certify as follows:

1. The Commissioners Court of Polk County convened in regular meeting on the 24th day of May, 2005, at its regular meeting place in the County Courthouse in Livingston, Texas, and the roll was called of the duly constituted officers and members of the Court, to wit:

John P. Thompson	County Judge
Bob Willis	County Commissioner
Bobby Smith	County Commissioner
James J. Purvis	County Commissioner
Tommy Overstreet	County Commissioner

and all of these persons were present, except \_\_\_\_\_, thus constituting a quorum. Whereupon, among other business, the following was transacted at the meeting:

a written

ORDER APPROVING THE ISSUANCE OF BONDS BY THE LUFKIN HEALTH FACILITIES DEVELOPMENT CORPORATION TO FINANCE THE COST OF HEALTH FACILITIES TO BE LOCATED IN POLK COUNTY, TEXAS FOR MEMORIAL HEALTH SYSTEM OF EAST TEXAS AND MEMORIAL HOSPITAL OF POLK COUNTY D/B/A MEMORIAL MEDICAL CENTER – LIVINGSTON AND WITH RESPECT TO A PUBLIC HEARING

was duly introduced for the consideration of the Court and read in full. After due discussion, it was then duly moved and seconded that the Order be adopted; and, the motion carried by a unanimous vote.

2. That a true, full and correct copy of the Order adopted at the meeting described in Paragraph 1 above is attached to and follows this certificate; that the Order has been duly recorded in the Court's minutes of the meeting; that the persons named in Paragraph 1 above are the duly chosen, qualified and acting officers and members of the Court as indicated therein; that each of the officers and members of the Court was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the meeting, and that the Order would be introduced and considered for adoption at the meeting; that the meeting was open to the public as required by law; and that public notice of the hour, date, place and subject of the meeting was given as required by the Texas Open Meetings Act (Texas Government Code Annotated, Chapter 551) as amended.

SIGNED AND SEALED this 24th day of May, 2005.

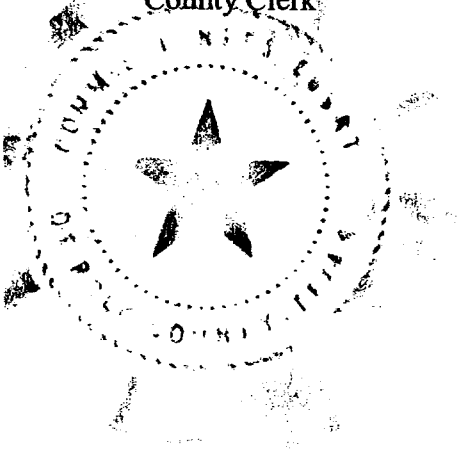
*Barbara Middleton*

Barbara Middleton  
County Clerk

*Sarah Chance*

*John P. Thompson*

John P. Thompson  
County Judge





**ORDER APPROVING THE ISSUANCE OF BONDS BY THE LUFKIN HEALTH FACILITIES DEVELOPMENT CORPORATION TO FINANCE THE COST OF HEALTH FACILITIES TO BE LOCATED IN POLK COUNTY, TEXAS FOR MEMORIAL HEALTH SYSTEM OF EAST TEXAS AND MEMORIAL HOSPITAL OF POLK COUNTY D/B/A MEMORIAL MEDICAL CENTER – LIVINGSTON AND WITH RESPECT TO A PUBLIC HEARING**

WHEREAS, Memorial Health System of East Texas (the “System”) proposes to acquire, construct and equip a six story medical tower adjacent to existing facilities at Memorial Hospital of Polk County d/b/a Memorial Medical Center – Livingston located in the City of Livingston, Polk County, Texas (the “Project”); and

WHEREAS, the Health Facilities Development Act, codified as Chapter 221, Texas Health and Safety Code, as amended (the “Act”), provides for the creation by sponsoring entities of health facilities development corporations with powers to provide, expand and improve health facilities; and

WHEREAS, the Act defines a “sponsoring entity” as any city, county, or hospital district in Texas; and

WHEREAS, the City of Lufkin, Texas, is a sponsoring entity pursuant to the Act and has established the Lufkin Health Facilities Development Corporation (the “Corporation”) pursuant to the Act; and

WHEREAS, the Corporation, at its May 17, 2005 meeting, adopted a resolution declaring its intention to issue its limited obligation revenue bonds (the “Bonds”), in an amount not to exceed \$40,000,000, to provide all or a portion of the amounts necessary to finance the Project, to redeem prior to stated maturity the Corporation’s Series 1995 Bonds, and to pay certain expenses incurred in connection with the issuance of the Bonds; and

WHEREAS, the System has informed the Corporation that the System desires that the Corporation issue the Bonds in an amount not to exceed \$40,000,000; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), requires that the Bonds be approved by the “applicable elected representative” (the “AER”) after a public hearing following reasonable public notice; and

WHEREAS, with respect to the Bonds issued by the Corporation affecting the Project, the Commissioners Court of Polk County, Texas (the “Commissioners Court”) is an AER; and

WHEREAS, notice of a public hearing with respect to the Bonds which was held on behalf of the Commissioners Court by the duly appointed Hearing Officer of the Corporation on May 17, 2005, was published not less than 14 days before such meeting time in a newspaper of general circulation available to residents within the boundaries of Polk County, Texas; and

WHEREAS, such Hearing Officer held such public hearing on the date and at the time and place set out in such public notice, and conducted such hearing in a manner that provided

reasonable opportunity for persons with differing views on the issuance of the Bonds to be heard; and

WHEREAS, the action of the Corporation with respect to the Project (including issuing the Bonds to finance the Project) will create no liability for Polk County, the Commissioners Court or its residents and is in the best interest of Polk County and its residents.

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

1. A public hearing with respect to the Bonds and the Project was held on May 17, 2005 by the Hearing Officer, and the minutes of such meeting are attached hereto as Exhibit A and are hereby approved; notice of such public hearing, a copy of which is attached to Exhibit A hereto and is hereby approved, was published not less than 14 days before this date in one or more newspapers of general circulation available to the residents within the boundaries of Polk County, Texas; such notice included the date, time and place of the public hearing, the location, general nature and the initial owner, operator or manager of the project in question and the maximum aggregate principal amount of the Bonds, and all comments from interested persons were taken at such public hearing.

2. For the sole purpose of satisfying the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended, and for no other purpose, the Bonds and the health facilities to be financed with the proceeds of the Bonds, all as described in the published notice of public hearing attached to **Exhibit A** hereto, are approved; provided, however, that this approval shall not be construed as (i) a representation or warranty by Polk County, Texas, the County Judge of Polk County, the State of Texas or any other agency, instrumentality or political subdivision of the State that the Bonds will be paid and that any obligations assumed by any of the parties or any instruments delivered in connection with the Bonds will, in effect, be performed; (ii) a pledge of faith and credit of or by the State of Texas or any agency, instrumentality or political subdivision of the State; or (iii) a representation or warranty concerning the validity of the corporate existence of the Lufkin Health Facilities Development Corporation or the validity of the Bonds.

3. This consent shall continue in force and effect from the date hereof.

PASSED AND APPROVED this 24th day of May, 2005.

Exhibit A to Polk County Order

NOTICE OF PUBLIC HEARING  
LUFKIN HEALTH FACILITIES DEVELOPMENT CORPORATION  
HEALTH SYSTEM REVENUE AND REFUNDING BONDS  
(MEMORIAL HEALTH SYSTEM OF EAST TEXAS)  
SERIES 2005

Pursuant to section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), NOTICE IS HEREBY GIVEN of a public hearing to be held by the Lufkin Health Facilities Development Corporation (the "Issuer"), on May 17, 2005 at 4:45 p.m. at the City of Lufkin City Council Chamber, City Hall, 300 E. Shepherd, Lufkin, Texas 75901, with respect to an issue of health system revenue bonds, described in the following paragraph. The aforesaid public hearing is a "combined hearing" within the meaning of Treasury Regulations, Section 5f.103 2(d)(2) and the location of said public hearing is within 100 miles of the seat of government of each participating governmental unit beyond whose geographic jurisdiction the hearing is conducted. The governmental units on whose behalf the hearing will be held are the City of Lufkin and the City of Livingston, Texas.

The Issuer proposes to issue its Health System Revenue and Refunding Bonds (Memorial Health System of East Texas) Series 2005 (the "Series 2005 Bonds") in the aggregate principal amount not to exceed \$40,000,000, the proceeds of which will be used to provide funds to (i) refund the Issuer's Health System Revenue and Refunding Bonds (Memorial Health System of East Texas) Series 1995; (ii) finance, including reimbursing Memorial Health System of East Texas (the "System") for, the acquisition, construction, renovation, remodeling and equipping of the health care facilities described in the following paragraph, (iii) fund a debt service reserve fund for the Bonds and (iv) pay costs of issuance of the Bonds.

A portion of the proceeds of the Bonds will be used for the purpose of financing the acquisition, construction, renovation, remodeling and equipping of additional facilities at Memorial Medical Center – Livingston, located at 1717 Highway 59 Bypass, Livingston, Texas 77351 (the "2005 Project"), including the payment of capitalized interest during construction and the reimbursement of certain expenditures incurred prior to the date of issuance of the Series 2005 Bonds. The 2005 Project will be initially owned, operated, and/or managed by Memorial Health System of East Texas.

The proceeds of the Series 1995 Bonds were used to provide funds to (i) prepay outstanding indebtedness (the "Refinancing"), (ii) finance the cost of the project financed with the proceeds of the Series 1995 Bonds (the "1995 Project"), as hereinafter discussed, (iii) fund a debt service reserve fund for the Series 1995 Bonds and (iv) pay costs of issuance of the Series 1995 Bonds. The Refinancing consists of the repayment of all outstanding bond issues of the System, consisting of \$15,300,000 in outstanding bonds of the Issuer's \$15,900,000 Hospital Variable Rate Demand Bonds, Series 1993 (Memorial Medical Center of East Texas) (the "Series 1993 Bonds"). The Series 1993 Bonds were used for the purpose of refinancing the Issuer's Hospital Revenue Bonds (Memorial Medical Center of East Texas Project) Series 1985

(the "Series 1985 Bonds"). The projects financed by the Series 1985 Bonds and refinanced by the Series 1993 Bonds are located on or adjoin the System's Lufkin, Texas campus at 1201 Frank Avenue, in the City of Lufkin, Texas, and included acquiring, constructing, renovating, remodeling and equipping certain health care facilities of the System. The 1995 Project consisted of approximately 98,000 square feet of new construction, including equipment, furnishings and fixtures and renovation to the existing structure at the System's Lufkin, Texas campus, located at 1201 Frank Avenue, Lufkin, Texas 75904.

All interested persons are invited to attend such public hearing and express their views with respect to the issuance of the Series 2005 Bonds and the 2005 Project. Questions or requests for additional information may be directed to Mr. Joe Freudenberger, Vice President and Chief Financial Officer, Memorial Health System of East Texas, 1201 Frank Avenue, Lufkin, Texas 75904 (telephone number: (936) 639-7615).

Persons who intend to appear at the hearing and express their views are invited to contact the above-named person either in writing or by telephone in advance of the hearing. Any interested persons unable to attend the hearing may submit their views in writing to the above-named person prior to the date scheduled for the hearing. The Issuer will reschedule the location and time of the hearing or schedule an additional hearing if requested to do so in written requests submitted to the above-named person prior to the aforementioned date of the hearing by a significant number of persons.

This notice is published and the above-described hearing is to be held in satisfaction of the requirements of section 147(f) of the Code regarding the public approval prerequisite to the exemption from federal income taxation of the interest on the Bonds.