



POLK COUNTY COMMISSIONERS COURT

December 11, 2007

10:00 A.M.

Polk County Courthouse, 3rd floor

Livingston, Texas

2007-149

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 HEARING, PURSUANT TO HB621 – “GOODS IN TRANSIT”**

RECEIVE PUBLIC COMMENT RELATING TO THE CONSIDERATION OF AN ORDER TO TAX TANGIBLE PERSONAL PROPERTY IN TRANSIT WHICH WOULD OTHERWISE BE EXEMPT PURSUANT TO TEXAS TAX CODE, SECTION 11.253.

OTHER PUBLIC COMMENTS.

This item is included on the Agenda to allow public comments on topics that may or may not appear on this agenda. In accordance with law, this Court cannot discuss, deliberate or take action on any item or topic not listed on this agenda. Public comments requesting or requiring action or deliberation may be scheduled on a future agenda. Each public comment will be limited to a maximum of five (5) minutes, unless a member of the Court requests additional time for the presenter. Any handout materials must be reproduced and furnished by the presenter.

3. **INFORMATIONAL REPORTS.**

This item is included on the Agenda to receive announcements from the Court members and/or other Elected Officials and Department Heads of Polk County.

4. **OLD BUSINESS**

- A. CONSIDER ANY/ALL NECESSARY ACTION ON BID #2008-3.01-3.06, “PRECINCT 3 ROAD MATERIALS”.
- B. CONSIDER PRECINCT 3 COMMISSIONER’S REQUEST FOR APPROVAL TO PURCHASE EQUIPMENT TOTALING \$783,506.00 WITH TRADE IN TOTALING (\$550,000.00) WITH DISCUSSION AND DETERMINATION OF METHOD OF PURCHASE, FINANCING AND REMAINING DEBT ATTRIBUTABLE TO EQUIPMENT OFFERED FOR TRADE IN.

NEW BUSINESS

5. **CONSENT AGENDA** (The items listed within the Consent Agenda are deemed to be of a routine nature and are not scheduled for individual consideration by the Commissioners Court. However, any member of the Court retains the option to remove any one or more items from the Consent Agenda and to have the item/s individually considered).

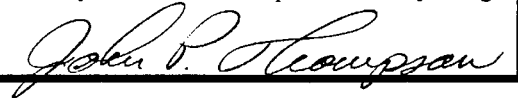
- A. APPROVE MINUTES OF PREVIOUS MEETING/S: November 27, 2007 (Regular Session) & November 30, 2007 (Special Session).
- B. CONSIDER APPROVAL OF BUDGET REVISIONS, AS PRESENTED BY THE COUNTY AUDITOR.
- C. CONSIDER APPROVAL OF BUDGET AMENDMENTS, AS SUBMITTED AND REVIEWED BY COURT APPOINTED COMMITTEE.
- D. CONSIDER APPROVAL OF SCHEDULE OF BILLS.

- E. CONSIDER APPROVAL OF PERSONNEL ACTION FORMS.
 - F. CONSIDER ACCEPTANCE OF DEDICATION OF WILLOWICK LN. AS A COUNTY ROAD, AS FILED ON PLAT OF FOREST HILLS SUBDIVISION PCT. 2 AND UPDATE MASTER STREET ADDRESS GUIDE ACCORDINGLY.
 - G. CONSIDER APPROVAL OF RENEWAL AGREEMENT WITH EAST TEXAS DSL FOR INTERNET SERVICES AT MAINTENANCE ENGINEERING DEPARTMENT IN LEGGETT.
 - H. CONSIDER OFFERS TO PURCHASE TAX FORECLOSURE PROPERTY; (PCT. 1) LOT 61, BLOCK 2, NUGENTS COVE #2, CAUSE NO. T01-059; (PCT. 2) LOTS 57 & 58, BLOCK 8, CEDAR POINT #1, CAUSE NO. T04-167.
6. CONSIDER APPROVAL OF UPDATE TO POLK COUNTY SUBDIVISION REGULATIONS.
 7. CONSIDER ORDER TO TAX TANGIBLE PERSONAL PROPERTY IN TRANSIT, WHICH WOULD OTHERWISE BE EXEMPT PURSUANT TO TEXAS TAX CODE, SECTION 11.253.
 8. CONSIDER RESCHEDULING OR CANCELLATION OF COMMISSIONERS COURT MEETING REGULARLY SCHEDULED FOR DECEMBER 25, 2007. (CHRISTMAS DAY).
 9. CONSIDER AMENDING COUNTY'S ON-SITE SEWAGE FACILITIES ORDER RELATING TO MAINTENANCE OF SYSTEMS.
 10. CONSIDER AMENDMENT TO POLK COUNTY TAX ABATEMENT GUIDELINES AND CRITERIA, TO CONCUR WITH CITY OF LIVINGSTON GUIDELINES AND CRITERIA FOR REINVESTMENT ZONE #3-MAIN STREET DISTRICT.
 11. CONSIDER RENEWAL OF WORKERS COMPENSATION COVERAGE THROUGH TEXAS ASSOCIATION OF COUNTIES RISK MANAGEMENT POOL.

ADJOURN

By: John P. Thompson, County Judge

Posted: Wednesday December 5, 2007



I 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 Wednesday, December 5, 2007 & that said Notice remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting. This notice has also been posted on the official website of Polk County, Texas (www.co.polk.tx.us).

BARBARA MIDDLETON, COUNTY CLERK

BY: Shelana Walker (Deputy)

FILED FOR RECORD

2007 DEC -5 A 9:51


BARBARA MIDDLETON
POLK COUNTY CLERK



December 11, 2007
Regular Session - 10:00 a.m.

COMMISSIONERS COURT
of Polk County, Texas
County Courthouse, 3rd floor
Livingston, Texas

ADDENDUM to Posting # 2007-149

Pursuant to Chapter 551 of the Texas Government Code, the following will serve to amend the Agenda of the Commissioners Court Regular Session scheduled for December 11, 2007 at 10:00 A.M.

AMEND TO ADD;

- 5. (Consent Agenda)**
- I. CONSIDER APPROVAL OF APPLICATION FOR EMERGENCY MANAGEMENT PERFORMANCE GRANT (MPG).
 - J. CONSIDER COUNTY CLERK'S REQUEST FOR JOINT ELECTION AGREEMENT WITH BIG SANDY I.S.D.

Commissioners Court of Polk County, Texas

Dated: Friday, December 7, 2007

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 during normal business hours on Friday, December 7, 2007 and that said Addendum remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting. This notice has also been posted on the official website of Polk County, Texas (www.co.polk.tx.us).

BARBARA MIDDLETON, COUNTY CLERK

BY Andrea Schmitt, Deputy

FILED FOR RECORD

2007 DEC -7 P 3:38

BARBARA MIDDLETON
POLK COUNTY CLERK

DATE: December 11, 2007

REGULAR MEETING

County Clerk-Absent

STATE OF TEXAS §

COUNTY OF POLK §

COMMISSIONERS COURT
AGENDA POSTING #2007 - 149

BE IT REMEMBERED ON THIS THE 11TH DAY OF DECEMBER, 2007
 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, RONNIE VINCENT - COMMISSIONER PCT #2,
 JAMES J. "Buddy" PURVIS - COMMISSIONER PCT #3, C.T. "TOMMY" OVERSTREET
 COMMISSIONER PCT #4, SCHELANA WALKER, CHIEF DEPUTY COUNTY CLERK AND RAY
 STELLY, 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 DON WILKIE, PASTOR ONALASKA FIRST BAPTIST CHURCH.
 - PLEDGES TO THE U.S. AND TEXAS FLAGS WERE LED BY JOE ROEDER.
2. PUBLIC HEARING, PURSUANT TO HB621 - "GOODS IN TRANSIT"
 - A. JIM ALLISON GAVE COMMENTS RELATING TO CONSIDERATION OF AN ORDER TO TAX TANGIBLE PERSONAL PROPERTY IN TRANSIT WHICH WOULD OTHERWISE BE EXEMPT PURSUANT TO TEXAS TAX CODE, SECTION 11.253.
 - B. LES LEBLANC OF SOUTHLAND PLANTATION QUESTIONED COURT ABOUT TAXING PEOPLES PERSONAL BANK ACCOUNTS.

PUBLIC HEARING CLOSED AT 10:12 A.M.

OTHER PUBLIC COMMENTS: NONE

3. INFORMATIONAL REPORTS:
 - A. COMMISSIONER OVERSTREET ADVISED THAT VOLUNTEER FIRE DEPARTMENTS CAN APPLY WITH THE TEXAS FORESTRY SERVICE TO RECEIVE EQUIPMENT AND GET REIMBURSED 100% ON TRAINING.
 - B. TAX ASSESSOR/COLLECTOR BID SMITH INFORMED COURT THAT ALL VOTER CARDS HAVE BEEN MAILED, THE COLOR OF THE CARD IS ORANGE AND TO CALL IF YOU DID NOT RECEIVE A CARD.
 - C. SHERIFF KENNETH HAMMACK PRESENTED THE SHERIFFS DEPT. NOVEMBER MONTHLY REPORT.
4. OLD BUSINESS
 - A. MOTIONED BY JAMES J. "BUDDY" PURVIS, SECONDED BY TOMMY OVERSTREET, TO AWARD BID #2008-3.01-3.06 (PRECINCT 3 ROAD MATERIALS) TO EAST TEXAS ASPHALT. ALL VOTING YES.
 - B. MOTIONED BY JAMES J. "BUDDY" PURVIS, SECONDED BY RONNIE VINCENT, TO DELETE ITEM B "CONSIDER PCT. 3 COMMISSIONER REQUEST FOR APPROVAL TO PURCHASE EQUIPMENT TOTALING \$783,506.00 WITH TRADE IN TOTALING (\$550,000.00) WITH DISCUSSION AND DETERMINATION OF METHOD OF PURCHASE, FINANCING AND REMAINING DEBT ATTRIBUTABLE TO EQUIPMENT OFFERED FOR TRADE IN." ALL VOTING YES.

NEW BUSINESS

5. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO DISCUSS ITEM #A INDIVIDUALLY AS REQUESTED BY BOB WILLIS AND APPROVE THE CONSENT AGENDA AS FOLLOWS:

- B. APPROVE BUDGET REVISIONS #2008-05, AS PRESENTED BY THE COUNTY AUDITOR. (SEE ATTACHED)
- C. APPROVE BUDGET AMENDMENTS #2008-05(a), AS SUBMITTED AND REVIEWED BY COURT APPOINTED COMMITTEE. (SEE ATTACHED)
- D. APPROVAL OF SCHEDULE OF BILLS INCLUDING ADDENDUM. (SEE ATTACHED)

DATE	AMOUNT	CHECK #
11/21/07	498,505.84	ACH 88
11/21/07	9,671.86	208343-208356
11/27/07	101,242.50	208357-208362
11/29/07	44,847.02	ACH 89
11/29/07	10,488.48	ACH 90
11/29/07	31,746.50	ACH 91
11/29/07	1,458,000.00	ACH 92
11/29/07	271,633.38	ACH 93
11/29/07	2,752.02	ACH 94
11/29/07	157,397.42	ACH 95
11/29/07	77,127.00	ACH 96
11/29/07	16,466.70	208363-208379
11/29/07	3,148.54	208380-208386
11/30/07	66,113.95	208387-208391
12/03/07	14,647.42	208392-208397
12/04/07	141,552.82	208399
12/04/07	10,460.34	208400-208406
12/04/07	142,885.27	208407
12/05/07	263,345.68	208408-208543
12/05/07	29,535.87	208544-208565
12/11/07	Addendum (to appear on future schedule)	\$9,304.08
TOTAL	3,351,568.61	

- E. APPROVE PERSONNEL ACTION FORMS. (SEE ATTACHED)
- F. ACCEPT DEDICATION OF WILLOWICK LN. AS A COUNTY ROAD, AS FILED ON PLAT OF FOREST HILLS SUBDIVISION PCT. 2 AND UPDATE MASTER STREET ADDRESS GUIDE ACCORDINGLY.
- G. APPROVE RENEWAL AGREEMENT WITH EAST TEXAS DSL FOR INTERNET SERVICES AT MAINTENANCE ENGINEERING DEPARTMENT IN LEGGETT. (SEE ATTACHED)
- H. ACCEPT OFFERS TO PURCHASE TAX FORECLOSURE PROPERTY: (PCT. 1) LOT 61, BLOCK 2, NUGENTS COVE #2, CAUSE NO. T01-059; (PCT. 2) LOTS 57 & 58, BLOCK 8, CEDAR POINT #1, CAUSE NO. T04-167.
- I. APPROVAL OF APPLICATION FOR EMERGENCY MANAGEMENT PERFORMANCE GRANT (MPG). (SEE ATTACHED)
- J. ACCEPT COUNTY CLERK'S REQUEST FOR JOINT ELECTION AGREEMENT WITH BIG SANDY I.S.D. (SEE ATTACHED)
- A. MOTIONED BY BOB WILLIS, SECONDED BY JAMES J. "BUDDY" PURVIS, TO CORRECT MINUTES OF PREVIOUS MEETINGS: NOVEMBER 27, 2007 (REGULAR SESSION) WITH CORRECTIONS TO ITEM 6 NOTING THAT JAMES J. "BUDDY" PURVIS SECONDED THE MOTION TO TABLE AND APPROVE THE MINUTES OF NOVEMBER 30, 2007 (SPECIAL SESSION).
ALL VOTING YES.

- 6. MOTIONED BY JAMES J. "BUDDY" PURVIS, SECONDED BY RONNIE VINCENT, APPROVAL OF UPDATE TO POLK COUNTY SUBDIVISION REGULATIONS, EFFECTIVE JANUARY 1, 2008.
ALL VOTING YES.
- 10. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO ACCEPT AMENDMENT TO POLK COUNTY TAX ABATEMENT GUIDELINES AND CRITERIA, TO CONCUR WITH CITY OF LIVINGSTON GUIDELINES AND CRITERIA FOR REINVESTMENT ZONE #3-MAIN STREET DISTRICT.
ALL VOTING YES. (SEE ATTACHED)
- 7. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, ORDER TO TAX TANGIBLE PERSONAL PROPERTY IN TRANSIT, WHICH WOULD OTHERWISE BE EXEMPT PURSUANT TO TEXAS TAX CODE, SECTION 11.253.
ALL VOTING YES. (SEE ATTACHED)
- 8. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO CANCEL COMMISSIONERS COURT MEETING REGULARLY SCHEDULED FOR DECEMBER 25, 2007 AND AUTHORIZE THE AUDITOR TO PAY BILLS.
ALL VOTING YES.
- 9. MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, TO PROCEED WITH RECOMMENDATION OF OSSF PERMIT/INSPECTOR TO SCHEDULE PUBLIC HEARING AND AMEND COUNTY'S ON-SITE SEWAGE FACILITIES ORDER.
ALL VOTING YES.
- 11. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, RENEWAL OF WORKERS COMPENSATION COVERAGE THROUGH TEXAS ASSOCIATION OF COUNTIES RISK MANAGEMENT POOL.
ALL VOTING YES.

REGULAR SESSION ADJOURNED 11:10 A.M.

EXECUTIVE SESSION: 11:15 A.M.

As authorized by Open Meetings Act, Government Code § 551.072
(Deliberations about real property)

EXECUTIVE SESSION ENDED: 11:43 A.M.

RECONVENED INTO REGULAR SESSION AT 11:43 A.M.

MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO ADJOURN COURT THIS 11TH DAY OF DECEMBER, 2007 AT 11:43 A.M.


JOHN P. THOMPSON, COUNTY JUDGE

ATTEST:



SCHELANA WALKER, CHIEF DEPUTY

Polk County Sheriff's Office November Totals 2007

Total Phone Calls Logged	47,564
Total Radio Calls Logged	20,972
Total Miles Patroled	72,417.50
Calls Dispatched to Field Deputies	1,247
Alarm Calls	51
Funeral Escorts	25
Number of Units Used on Funerals	62
Number of Hours Spent on Funerals	21.5
Total Offense Reports Filed	245
Total Mental Commitments	13
Total Sheriff's Office Sales	0
Total Traffic Warnings Served	66
Total Citations Issued	64
Total Bond Processed and/or Approved	162
Total Warrants Served	291
Total Mental Transports	11
Total Livestock Calls	51
Total Hours Spent on Mental Standby	67
Total Civil Papers Received	123
Total Civil Papers Served	100
Total Civil Papers Returned	25
Illegal Dumping	7
Juvenile Transports	5
Building Checks	705
Extra Patrols	993
Total Writs Served	3
Sex Offenders Registered	25

Sheriff's Monthly 911 Reports	3,299
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Sheriff's Monthly Jail Reports	
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Total Inmates Booked In County Jail	239
Inmates Released	244
Total Females Booked-In	73
Total Males Booked-In	166
Daily Inmate Average	96.22
Average Book-Ins Per Day	7.97
Total Food Cost	\$9, 114.83
Total Meals Served	\$8,659.80
Cost Per Meal	\$1.05
Total Inmates Transported to TDC	11
Total Inmates Transported to Boot Camp	0
Total Inmates Transported to State	7
Total Inmates Transported to SAPF	0
Transferred To Restitution Center	0
Total Paper Ready Prisoners	5
Total Inmates Days Housed Outside	692
Cost of Inmates Days Housed Outside	\$17,411.00

Sheriff's Office Warrants Officers Report

Misdemeanors Served	120
Misdemeanors Recalled	75
Felonies Served	92
Felonies Recalled	4
Letters Mailed	142
Letters Mailed on other Agencies	29

Revisions
AMENDMENT CHANGES BY FUND

FUND DESCRIPTION	INCREASE/DECREASE
010 GENERAL FUND	.00
015 ROAD & BRIDGE ADM	.00
051 AGING	.00

THE PRECEDING LIST OF AMENDMENTS WAS REVIEWED AND APPROVED.

RAY STELLY

Asst. COUNTY AUDITOR

JOHN P. THOMPSON

COUNTY JUDGE

Supervise Dale

John P. Thompson

#2008-05
CC 7

ACCOUNT NUMBER	ACCOUNT NAME	DATE	AMDMT NUMBER	OLD BUDGET AMOUNT	AMENDED BUDGET AMOUNT	AMOUNT OF CHANGE	DESCRIPTION	CLK
2008 010-401-352	CONTINGENCIES	12/05/2007	2K8R05	33,819.00	33,269.00	550.00	UNBUDGETED EXPENSE	SD
2008 010-401-487	SERVICE AWARDS	12/05/2007	2K8R05	2,000.00	2,550.00	550.00	UNBUDGETED EXP	SD
EXP. SUM. - COMM COURT				TOTAL AMENDMENTS	2	TOTAL CHANGES	.00	
2008 010-403-427	TRAVEL/TRAINING	12/05/2007	2K8R05	4,650.00	4,640.00	10.00	TO COVER OTHER EXP	SD
2008 010-403-481	DUES PAYABLE FOR C	12/05/2007	2K8R05	210.00	220.00	10.00	TO COVER OTHER EXP	SD
EXP. SUM. - COUNTY CLERK				TOTAL AMENDMENTS	2	TOTAL CHANGES	.00	
2008 015-624-490	MISCELLANEOUS	12/05/2007	2K8R05	70,814.66	25,564.66	45,250.00	TO COVER EXP	SD
2008 015-624-573	PCT4 CAPITAL OUTLA	12/05/2007	2K8R05	.00	45,250.00	45,250.00	TO COVER EXP	SD
PRECINCT #4 EXPENSE SUMMARY				TOTAL AMENDMENTS	2	TOTAL CHANGES	.00	
2008 051-645-440	ELECTRICITY	12/05/2007	2K8R05	600.00	993.00	393.00	TO REIMB AGING COMMITTEE	SD
2008 051-645-572	EQUIPMENT	12/05/2007	2K8R05	3,500.00	3,107.00	393.00	TO REIMB AGING COMMITTEE	SD
TOTAL AMENDMENTS				2	TOTAL CHANGES	.00		

AMENDMENT CHANGES BY FUND

FUND DESCRIPTION	INCREASE/DECREASE
010 GENERAL FUND	.00
015 ROAD & BRIDGE ADM	79,000.00-

#2008-05(A)

THE PRECEDING LIST OF AMENDMENTS WAS REVIEWED AND APPROVED.

RAY STELLY

COUNTY AUDITOR

JOHN P. THOMPSON

COUNTY JUDGE

Ray Stelly

John P. Thompson

12/12/2007 08:28:23

REPORT OF GENERAL LEDGER AMENDMENTS

CELL122 PAGE 1

ACCOUNT NUMBER	ACCOUNT NAME	DATE	AMOUNT NUMBER	OLD BUDGET AMOUNT	AMENDED BUDGET AMOUNT	AMOUNT OF CHANGE	DESCRIPTION	CLK
2008 010-342-600	INSURANCE CLAIMS	12/11/2007	2K8A05	10,214.15-	12,289.04-	2,074.89 ✓	INS REIMB 03 EXPEDITION	SD
2008 010-342-600	INSURANCE CLAIMS	12/11/2007	2K8A05	12,289.04-	13,414.58-	1,125.54 ✓	INS REIMB SUPPLEMENT 03 EXP	SD
2008 010-342-900	MISCELLANEOUS REVE	12/11/2007	2K8A05	25,500.00-	26,121.56-	621.56 ✓	OVERPAY TO CENTURY 2 PRINTI	SD
			TOTAL AMENDMENTS	3	TOTAL CHANGES	3,821.99-		
2008 010-499-315	OFFICE SUPPLIES	12/11/2007	2K8A05	6,475.00	7,096.56	621.56 ✓	OVERPAY TO CENTURY 2 PRINTI	SD
	EXP. SUM. -TAX ASSES/COLL		TOTAL AMENDMENTS	1	TOTAL CHANGES	621.56		
2008 010-560-450	REIMB INS VEHICLE	12/11/2007	2K8A05	6,397.87	8,472.76	2,074.89 ✓	INS REIMB 03 FORD EXPEDITIO	SD
2008 010-560-450	REIMB INS VEHICLE	12/11/2007	2K8A05	8,472.76	9,598.30	1,125.54 ✓	INS REIMB SUPPLEMENT TO 03	SD
	EXPENSE SUMMARY - SHERIFF DEPT		TOTAL AMENDMENTS	2	TOTAL CHANGES	3,200.43		
2008 015-342-600	R & B ADMIN INS RE	12/11/2007	2K8A05	.00	868.00-	868.00 ✓	INS REIMB WK CREW VAN WINDO	SD
			TOTAL AMENDMENTS	1	TOTAL CHANGES	868.00-		
2008 015-369-200	CULVERT/MATERIAL R	12/11/2007	2K8A05	13,686.90-	14,370.90-	684.00 ✓	R & B 2 CREEKSIDE PROP OWNE	SD
			TOTAL AMENDMENTS	1	TOTAL CHANGES	684.00-		
2008 015-370-410	TELEPHONE REIMBURS	12/11/2007	2K8A05	.00	43.28-	43.28 ✓	CELL PH REIMB	SD
			TOTAL AMENDMENTS	1	TOTAL CHANGES	43.28-		
2008 015-390-612	PCT #2 BUY BACK PR	12/11/2007	2K8A05	78,000.00-	157,000.00-	79,000.00 ✓	PCT 2 BUYBACK PROCEEDS	SD
2008 015-390-622	LOAN PROCEEDS	12/11/2007	2K8A05	.00	102,583.98-	102,583.98 ✓	PCT 2 LOAN PROCEEDS	SD
			TOTAL AMENDMENTS	2	TOTAL CHANGES	181,583.98-		
2008 015-610-456	PARTS/REPAIRS-INNA	12/11/2007	2K8A05	7,500.00	8,368.00	868.00 ✓	INS REIMB WK CREW VAN WINDO	SD
	ROAD & BRIDGE ADMIN-EXPENSES		TOTAL AMENDMENTS	1	TOTAL CHANGES	868.00		
2008 015-622-339	CONSTRUCTION CONTR	12/11/2007	2K8A05	362,803.41	363,487.41	684.00 ✓	R & B 2 CREEKSIDE PROP OWNE	SD
2008 015-622-573	CAPITAL OUTLAY FOR	12/11/2007	2K8A05	.00	102,583.98	102,583.98 ✓	PCT 2 LOAN PROCEEDS	SD
	PRECINCT #2 - ROAD & BRIDGE		TOTAL AMENDMENTS	2	TOTAL CHANGES	103,267.98		
2008 015-624-423	MOBIL PHONE/PAGERS	12/11/2007	2K8A05	2,000.00	2,043.28	43.28 ✓	CELL PH REIMB	SD
			TOTAL AMENDMENTS	1	TOTAL CHANGES	43.28		

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	498,505.84

TOTAL OF ALL FUNDS	498,505.84

Act 088

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

RAY STELLY

Ask

COUNTY AUDITOR

[Signature]

JOHN P. THOMPSON

COUNTY JUDGE

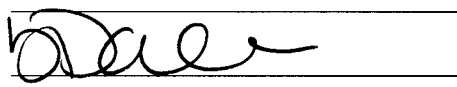

John P. Thompson

SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	6,982.39
013	JP JUSTICE COURT TECHNOLOGY	24.83
015	ROAD & BRIDGE ADM	782.15
051	AGING	1,882.49

	TOTAL OF ALL FUNDS	9,671.86

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

RAY STELLY
Asst. COUNTY AUDITOR 
JOHN P. THOMPSON
COUNTY JUDGE 

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	101,242.50

TOTAL OF ALL FUNDS	101,242.50

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

RAY STELLY
Assist COUNTY AUDITOR Margie K. Ainsworth
JOHN P. THOMPSON
COUNTY JUDGE John P. Thompson

SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	30,586.98
015	ROAD & BRIDGE ADM	6,656.06
027	SECURITY	215.46
051	AGING	591.60
101	ADULT SUPERVISION	4,648.38
185	CCAP - JUVENILE PROBATION	2,148.54
TOTAL OF ALL FUNDS		44,847.02

AC 11089

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

RAY STELLY

Asst COUNTY AUDITOR

Chargie N. Ciromak

JOHN P. THOMPSON

COUNTY JUDGE

John P. Thompson

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	7,153.46
015	ROAD & BRIDGE ADM	1,556.72
027	SECURITY	50.40
051	AGING	138.36
101	ADULT SUPERVISION	1,087.10
185	CCAP - JUVENILE PROBATION	502.44
TOTAL OF ALL FUNDS		10,488.48

ACH 090

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

RAY STELLY

Asst COUNTY AUDITOR

[Signature]

JOHN P. THOMPSON

COUNTY JUDGE

[Signature]

SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	22,429.54
015	ROAD & BRIDGE ADM	3,966.61
027	SECURITY	93.65
051	AGING	245.55
101	ADULT SUPERVISION	3,475.36
185	CCAP - JUVENILE PROBATION	1,535.79
TOTAL OF ALL FUNDS		31,746.50

Actual

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

RAY STELLY

Assist COUNTY AUDITOR

Chargé N. Aironak

JOHN P. THOMPSON

COUNTY JUDGE

John P. Thompson

SCHEDULE OF BILLS BY FUND

ACH 92

FUND	DESCRIPTION	DISBURSEMENTS
020	CONSTRUCTION FUND	1,458,000.00
	TOTAL OF ALL FUNDS	1,458,000.00

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

RAY STELLY
Assist COUNTY AUDITOR Charge N. Naimonak
 JOHN P. THOMPSON
 COUNTY JUDGE John P. Thompson

SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	183,663.94
015	ROAD & BRIDGE ADM	41,073.47
027	SECURITY	1,329.38
051	AGING	3,826.47
101	ADULT SUPERVISION	28,487.54
185	CCAP - JUVENILE PROBATION	13,252.58
TOTAL OF ALL FUNDS		271,633.38

Acct 093

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

RAY STELLY
Assist COUNTY AUDITOR *Chargie N. Kinnon*

JOHN P. THOMPSON
 COUNTY JUDGE *John P. Thompson*

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	2,652.03
015	ROAD & BRIDGE ADM	99.99
TOTAL OF ALL FUNDS		2,752.02

Accto 94

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

Assist RAY STELLY
 COUNTY AUDITOR *Carrie N. Cunniff*

JOHN P. THOMPSON
 COUNTY JUDGE *John P. Thompson*

SCHEDULE OF BILLS BY FUND

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FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	106,156.31
015	ROAD & BRIDGE ADM	23,838.49
027	SECURITY	763.68
051	AGING	2,124.06
101	ADULT SUPERVISION	16,970.09
185	CCAP - JUVENILE PROBATION	7,544.79
TOTAL OF ALL FUNDS		157,397.42

ACH 095

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

RAY STELLY
Assist COUNTY AUDITOR Orange N. Anomak

JOHN P. THOMPSON
COUNTY JUDGE John P. Thompson

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	77,127.00
	TOTAL OF ALL FUNDS	77,127.00

AC 1096

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

RAY STELLY
Assist COUNTY AUDITOR *Margie N. Amos*
JOHN P. THOMPSON
COUNTY JUDGE *John P. Thompson*

SCHEDULE OF BILLS BY FUND


VOL. 53 PAGE 2047

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	16,084.68
015	ROAD & BRIDGE ADM	355.02
027	SECURITY	27.00

	TOTAL OF ALL FUNDS	16,466.70

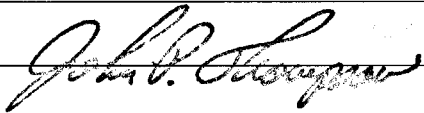
THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT.

RAY STELLY



COUNTY AUDITOR

JOHN P. THOMPSON



COUNTY JUDGE

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	1,944.61
015	ROAD & BRIDGE ADM	675.00
027	SECURITY	60.00
101	ADULT SUPERVISION	468.93
TOTAL OF ALL FUNDS		3,148.54

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

RAY STELLY
Assist COUNTY AUDITOR Chargie Naimont
JOHN P. THOMPSON
COUNTY JUDGE John P. Thompson

DATE 11/30/2007

CHECK REGISTER
V/P CHECKS

FROM: 208387
BANK ACCOUNT: ALL

TO: 208391

CHK100 PAGE 1

VOL. **53** PAGE **2049**

VENDOR NAME	ACCOUNT NUMBER	ACCOUNT NAME	ITEM/REASON	VOL. DATE	PO NO	AMOUNT	CHECK
BOUNDS AUTOPLEX	2008 051-645-573	CAPITAL OUTLAY	AGING	11/30/2007	41261	15,957.60	

						15,957.60	208387
FREEMAN, DANNY C.	2008 010-221-562	ANIMAL SHELTER SPECIAL	REIMBURSEMENT	11/30/2007		46.00	

						46.00	208388
GABRIEL JORDAN FORD	2008 010-511-573	CAPITAL OUTLAY PURCHASES	MAINT ENG	11/30/2007	41260	23,979.00	

						23,979.00	208389
HOUSTON POLICE DEPARTMENT	2008 010-204-000	MAIN-VOIDED CKS PAYABLE	HURRICANE RITA	11/30/2007		26,106.35	

						26,106.35	208390
TCLEOSE	2008 010-560-427	TRAVEL/TRAINING	SHERIFF	11/30/2007	280839	25.00	

						25.00	208391
						TOTAL CHECKS WRITTEN	66,113.95
						TOTAL VOID CHECKS	0.00

						TOTAL CHECK AMOUNT	66,113.95

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GENERAL FUND
V/P CHECKS

VENDOR NAME	ACCOUNT #	ACCOUNT NAME	ITEM/REASON	DATE	CHECK	AMOUNT
FREEMAN, DANNY C.	2008 010-221-562	ANIMAL SHELTER SPECIAL	REIMBURSEMENT	11/30/2007	208388	46.00
GABRIEL JORDAN FORD	2008 010-511-573	CAPITAL OUTLAY PURCHASES	MAINT ENG	11/30/2007	208389	23,979.00
HOUSTON POLICE DEPARTMENT	2008 010-204-000	MAIN-VOIDED CKS PAYABLE	HURRICANE RITA	11/30/2007	208390	26,106.35
TCLEOSE	2008 010-560-427	TRAVEL/TRAINING	SHERIFF	11/30/2007	208391	25.00

TOTAL CHECKS WRITTEN						50,156.35
TOTAL VOID CHECKS						0.00

TOTAL CHECK AMOUNT						50,156.35

AGING
V/P CHECKS

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VENDOR NAME	ACCOUNT #	ACCOUNT NAME	ITEM/REASON	DATE	CHECK	AMOUNT
BOUNDS AUTOPLEX	2008 051-645-573	CAPITAL OUTLAY	AGING	11/30/2007	208387	15,957.60

TOTAL CHECKS WRITTEN						15,957.60
TOTAL VOID CHECKS						0.00

TOTAL CHECK AMOUNT						15,957.60

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TOTAL ALL CHECKS
V/P CHECKS

VENDOR NAME	ACCOUNT #	ACCOUNT NAME	ITEM/REASON	DATE	CHECK	AMOUNT
-------------	-----------	--------------	-------------	------	-------	--------

TOTAL CHECKS WRITTEN	66,113.95
TOTAL CHECKS VOIDED	0.00
GRAND TOTAL AMOUNT	66,113.95

SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	14,431.42
051	AGING	216.00

	TOTAL OF ALL FUNDS	14,647.42

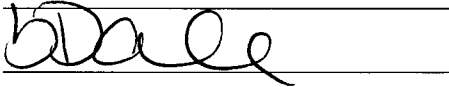
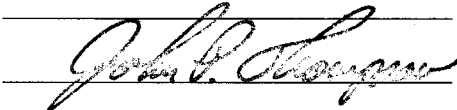
THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT.

RAY STELLY
COUNTY AUDITOR *Ray Stelly*

JOHN P. THOMPSON
COUNTY JUDGE *John P. Thompson*

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	109,918.75
015	ROAD & BRIDGE ADM	24,353.71
027	SECURITY	561.77
051	AGING	561.77
185	CCAP - JUVENILE PROBATION	6,156.82
TOTAL OF ALL FUNDS		141,552.82

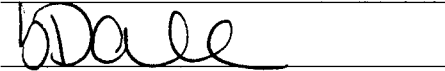
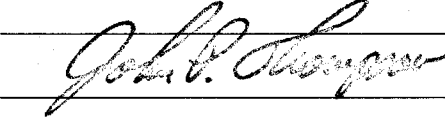
THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT.

RAY STELLY
 Assl. COUNTY AUDITOR 
 JOHN P. THOMPSON
 COUNTY JUDGE 

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	7,898.13
015	ROAD & BRIDGE ADM	1,731.16
027	SECURITY	17.66
051	AGING	53.14
185	CCAP - JUVENILE PROBATION	760.25

	TOTAL OF ALL FUNDS	10,460.34

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

RAY STELLY
ASSL. COUNTY AUDITOR 
JOHN P. THOMPSON
COUNTY JUDGE 

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	111,636.48
015	ROAD & BRIDGE ADM	23,966.71
027	SECURITY	561.91
051	AGING	561.91
185	CCAP - JUVENILE PROBATION	6,158.26
TOTAL OF ALL FUNDS		142,885.27


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

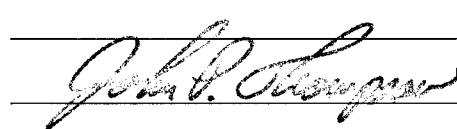
RAY STELLY _____
 Asst. COUNTY AUDITOR BDale
 JOHN P. THOMPSON _____
 COUNTY JUDGE John P. Thompson

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	143,799.84
015	ROAD & BRIDGE ADM	111,250.95
040	LAW LIBRARY FUND	697.16
051	AGING	7,021.63
056	SHERIFF-COMMISSARY FUNDS	407.20
088	JUDICIARY FUND	168.90

	TOTAL OF ALL FUNDS	263,345.68

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

Asst. RAY STELLY
COUNTY AUDITOR 

JOHN P. THOMPSON
COUNTY JUDGE 

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	29,535.87

	TOTAL OF ALL FUNDS	29,535.87

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

RAY STELLY
Assl. COUNTY AUDITOR *Stally*

JOHN P. THOMPSON
COUNTY JUDGE *John P. Thompson*

ADDENDUM
SCHEDULE OF BILLS FOR
December 11, 2007
FY 2008

COMPANY NAME	DESCRIPTION	DEPARTMENT	LINE ITEM	AMOUNT
CHUCK'S DIESEL SERVICE	REPAIR	R&B#2	015-622-456	\$ 1,154.75
CLEVELAND ASPHALT	ROAD REPAIR	R&B#2	015-622-339	\$ 4,748.80
EAST TEXAS ASPHALT	ROAD REPAIR	R&B#2	015-622-339	\$ 481.29
GREEN SEAL CORPORATION	ROAD REPAIR	R&B#2	015-622-339	\$ 638.28
HARDIN SIGN & SUPPLY CO	ROAD MATERIAL	R&B#2	015-622-339	\$ 690.50
INTERSTATE BILLING SERVICE	REPAIR	R&B#2	015-622-456	\$ 1,402.96
R.B.'S WATER DEPOT	SUPPLIES	R&B#2	015-622-337	\$ 187.50
TOTAL				\$ 9,304.08



~~5 (F)~~

November 28, 2007 - December 11, 2007

NO.	EMPLOYEE	DEPT	JOB DESCRIPTION	TYPE OF EMPLOYMENT	GROUP STEP & WAGE	ACTION TAKEN
(1)	AUDREY "KAY" BERRY	SHERIFF	1043 TELECOMMUNICATIONS OPERATOR	LABOR POOL (-900)	14/(01) \$11.32	SEPARATION EFFECTIVE 09/17/2007
(2)	BRANDON ROY VESTAL	JAIL	1055 CORRECTIONS OFFICER	REGULAR FULL-TIME	14/01 \$23,544.98	DISMISSAL EFFECTIVE 11/19/2007
(3)	JAMES EDWARD PEDEN	R&B PCT #1	109 LIGHT EQUIPMENT OPERATOR	REGULAR FULL-TIME	14/07 \$27,251.33	RECLASSIFICATION TO JOB #108 HEAVY EQUIPMENT OPERATOR, 16/05, \$28,601.04 EFFECTIVE 12/10/2007
(4)						
(5)						
(6)						
(7)						
(8)						
(9)						
(10)						
(11)						
(12)						
(13)						
(14)						
(15)						
(16)						
(17)						
(18)						
(19)						
(20)						
(21)						

#5(G)

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COPY

Thursday December 20, 2007

East Texas DSL

101 Industrial Blvd.

Lufkin, Texas 75904

ARTICLES OF ASSOCIATION: Form of general articles of association describing a agreement to engage in particular objective

ARTICLES OF ASSOCIATION

Agreement made on December 20, 2007 between East Texas DSL, of 101 Industrial Blvd., Lufkin, Angelina County, Texas, and Polk County, of Livingston, Texas.

The parties agree to be partners to provide internet service to the County Barn in Leggett, Texas. The parties agree that in doing this, said tower will be used temporarily to provide service to others in the community.

ARTICLE ONE.

DURATION

The partnership will commence on the execution of this agreement and continue for a period of one year. After said period, agreement may be continued pending approval for extended period.

ARTICLE TWO.

CONTRIBUTION

Each partner is contributing something to meet an objective. This objective is to provide high speed (DSL) internet service to the County Barn located on Hwy. 59 N. in Leggett, Texas. At the same time East Texas DSL will provide internet service to some in the community of Leggett, Texas.

ARTICLE THREE.

PARTNER RESPONSIBILITIES

East Texas DSL shall provide an internet connection at a speed of 512kbps down and 128kbps up for County Barn location at Hwy. 59 Leggett, Texas. This connection will be provided free of charge (no monthly reoccurring costs) and also with no installation costs. The cost of this Commercial high speed connection is \$99.00 per month. The cost for a commercial installation is \$149.00. East Texas will provide Polk County with copy of liability insurance as well.

VOL.

#5G

The County will allow the use of the 120' Rohn tower at the County Barn location in Leggett to provide service for the County barn and at the same time allow East Texas DSL to offer internet service off the tower to people in the Leggett community. East Texas DSL will mount a 2' parabolic antenna near the top of the tower. East Texas DSL will also mount 2 other sector antennas and wires that go up the tower to the antennas.

It is agreed that this agreement may be amended at any time or from time to time in the judgment of those involved, but such amendments shall be formal and written and signed by all of the parties involved.

The parties have executed this agreement at Livingston the day and year first above written.

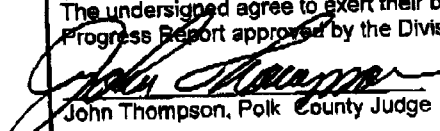
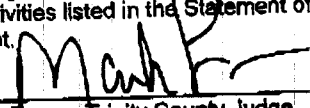
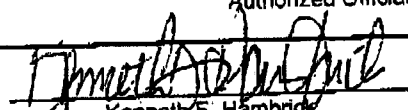
12/4/07 Joe Kelley East Texas DSL

12/11/07 [Signature], Polk County Judge
[Signatures]

Rev. 12/19/06

#5(I)

FISCAL YEAR 2008 EMERGENCY MANAGEMENT PERFORMANCE GRANT APPLICATION

1. APPLICANT NAME (Jurisdiction): Polk / Trinity County, Office of Emergency Management		3. DISASTER DISTRICT: SUB 2B	
2. COUNTY: POLK/TRINITY			
4. EMPG STATUS: <input checked="" type="checkbox"/> Current EMPG Program participant <input type="checkbox"/> New EMPG Program applicant			
5. PROGRAM PARTICIPANTS: (List all jurisdictions that are participants in your emergency management program. Identify any jurisdictions that have joined or withdrawn from your program in the last year.)			
a. County of Polk			
b. Cities of Comigan, Goodrich, Livingston, Onalaska and Seven Oaks			
c. County of Trinity			
d. Cities of Trinity and Groveton			
6. CHECKLIST OF APPLICATION ATTACHMENTS: (See the FY 2008 Local Emergency Management Program Guide for information on completing these forms.)			
<input checked="" type="checkbox"/> Designation of Grant Officials (DEM-17B)			
<input checked="" type="checkbox"/> Statement of Work & Cumulative Progress Report (DEM-17A). This form must be signed by the EMC.			
<input checked="" type="checkbox"/> Application for Federal Assistance (DEM-67). The Authorized Official must sign this form.			
<input checked="" type="checkbox"/> EMPG Staffing Pattern (DEM-66).			
<input checked="" type="checkbox"/> EMPG Staff Job Description (DEM-68). A current job description must be provided for each staff member listed in the FY 2008 EMPG Staffing Pattern (DEM-66).			
<input checked="" type="checkbox"/> FEMA Form 20-16, Summary Sheet for Assurances & Certifications must be signed by an Authorized Official. Attached			
<input type="checkbox"/> FEMA Form 20-16A, Assurances - Non-Construction Programs			
<input type="checkbox"/> FEMA Form 20-16C, Certifications Regarding Lobbying, Debarment, Suspension, & Other Responsibility Matters; and Drug-Free Workplace Requirements.			
<input type="checkbox"/> FEMA Form SF LLL, Disclosure of Lobbying Activities signed by the Authorized Official required only if the applicant performs lobbying to influence federal actions			
<input checked="" type="checkbox"/> Direct Deposit Authorization (form 74-146). The Grant Financial Officer must sign this form.			
<input checked="" type="checkbox"/> Travel Policy Certification (DEM-69). The Grant Financial Officer must sign this form.			
7. CERTIFICATION: This Application, together with the approved EMPG Statement of Work & Cumulative Progress Report (DEM-17A), constitutes the annual work plan for the emergency management program whose participants are listed above. The undersigned agree to exert their best efforts to accomplish all activities listed in the Statement of Work & Cumulative Progress Report approved by the Division of Emergency Management.			
 John Thompson, Polk County Judge		 Mark Evans, Trinity County Judge	
Date: 12/11/07		Date: 12-10-07	
Authorized Official (Signature)			
 Kenneth F. Hambrick Emergency Management Coordinator (Original Signature)		Date: 12-10-07	
GDEM USE ONLY			
8. APPROVAL: The attached Fiscal Year 2008 Statement of Work & Cumulative Progress Report is approved.			
<input type="checkbox"/> Chief		Date	
<input type="checkbox"/> State Coordinator of Preparedness and Operations			

DEM-17
11/07

Mail completed forms and application materials to:

EMPG Program Administrator
Preparedness Section
Governor's Division of Emergency Management
Texas Department of Public Safety
PO Box 4087
Austin, TX 78773-0223

FILE COPY

#5(3.)

COPY

THE STATE OF TEXAS §
COUNTY OF POLK COUNTY §

AGREEMENT TO CONDUCT JOINT ELECTIONS

WHEREAS, the BIG SANDY INDEPENDENT SCHOOL DISTRICT (hereinafter "District") and the County of Polk (hereinafter "County") are each political subdivisions of the State of Texas;

WHEREAS, Section 11.0581 of the Texas Education Code requires that an election for school board trustees must be held on either the election date for the members of the governing body of a municipality located in the school district or the general election date for state and county officers;

WHEREAS, elections held on the same date as provided by Texas Education Code Section 11.0581 shall be held as a joint election under chapter 271, Texas Election Code;

WHEREAS, Texas Election Code section 11.0581 authorizes a board of trustees of an independent school district that is changing its election date to comply with section 11.0581 to adjust the terms of office of its members to conform to the new election date;

WHEREAS, Texas Election Code section 271.002 authorizes the governing bodies of political subdivisions to enter into an agreement to hold joint elections in election precincts that can be served by common polling places;

WHEREAS, the District's Board of Trustees currently conducts its regular trustee elections on the May uniform election date but desires to move its election to the November uniform election date;

WHEREAS, the District is located within the boundaries of the County;

WHEREAS, the County currently conducts the regular elections for the members of the governing body of the County in the November uniform election date;

Upon receipt of an invoice from the County for other reasonable expenses associated with the facilities, such as electrical or water, and translation personnel, the District shall pay such reasonable amount of its invoice within thirty (30) days of receipt of such invoice.

V. Communications

Throughout the term of this Agreement, the participating entities will engage in ongoing communications concerning the conduct of the joint election, and, when necessary, shall meet with the designated representatives of each entity to discuss and resolve any problems which might arise regarding the joint election and to work out details of the joint election.

VI. Effective Date; Modification; Notices

This agreement takes effect upon the complete execution of this Agreement by both parties.

This agreement may not be amended, modified, or changed in any respect whatsoever, except by a further Agreement in writing duly executed by the parties. No official, representative, agent, or employee of either the County or the District has any authority to modify this Agreement except pursuant to such expressed authorization as may be granted by the governing body of the respective entities. Either party may propose necessary amendments or modifications to this Agreement in writing in order to conduct the joint election smoothly and efficiently, except that such proposal must be approved by the governing body of the both parties.

VII. Notice

Any notice to be given hereunder by any party to the other party shall be in writing and may be effected by personal delivery in writing or certified mail, return receipt requested, when mailed to the other party at the addresses listed:

To the County of Polk:

Honorable John Thompson, County Judge
101 W. Church St., Ste 300
Livingston, TX 77351

To the Big Sandy Independent School District
P. O. Box 188
Dallardsville, TX 77332

Either party may change the address for notice to it by giving notice of such change in accordance with the provisions of this section.

VIII. Termination

This agreement may be terminated by either party upon thirty (30) days written notice to the other party.

IX. Venue and Choice of Law

The entities agree that venue for any dispute arising under this Agreement will lie in the appropriate courts of Polk County, Texas. This agreement shall be governed by and construed in accordance with the laws of the State of Texas, and the United States of America.

X. Entire Agreement

This Agreement contains the entire agreement of the parties relating to the rights herein granted and the obligations herein assumed and supersedes all prior agreements, including prior election services contracts. Any prior agreements, promises, negotiations, or representations not expressly contained in this Agreement are of no force and effect. Any oral representations or modifications concerning this Agreement shall be of no force or effect, excepting a subsequent modification in writing as provided herein.

XI. Severability

If any provision of this Agreement is found to be invalid, illegal or unenforceable by a court of competent jurisdiction, such invalidity, illegality or unenforceability shall not affect the remaining provisions of this Agreement; and parties to this Agreement shall perform their obligations under this Agreement in accordance with the intent of the parties to this Agreement as expressed in the terms and provisions of this Agreement.

XII. Breach

In the event that either party breaches any of its obligations under this Agreement, the non-breaching party shall be entitled to pursue any and all rights and remedies allowed by law.

XIII. Payments from Current Revenues

Payments made by the parties in meeting their obligations

under this Agreement shall be made from current revenue funds available to the governing body of the respective party.

XIV. Counterparts

This Agreement may be executed in multiple counterparts, all of which shall be deemed originals and with the same effect as if all parties hereto had signed the same document. All of such counterparts shall be construed together and shall constitute one and the same Agreement.

IN TESTIMONY WHEREOF, the parties hereto have executed this Agreement on the 11th day of December, 2007.

BIG SANDY INDEPENDENT SCHOOL DISTRICT

By: _____
President, Board of Trustees

COUNTY OF POLK

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

By: Barbara Middleton
Barbara Middleton, County Clerk

10



OF THE POLK COUNTY COMMISSIONERS COURT
Approving Polk County's Tax Abatement Criteria & Guidelines

WHEREAS, The Polk County Commissioners Court met in a regularly called session on December 11, 2007 and where among other business found that the "Guidelines and Criteria for Granting Tax Abatement in Reinvestment Zones Created in the County of Polk, State of Texas," as amended April 25, 1994, have been reviewed; and

WHEREAS, This Court wishes to renew the Criteria and Guidelines for the purpose of making tax abatement incentives available within the County and to amend the existing Criteria and Guidelines, as follows;

To adopt a Policy of Guidelines and Criteria for Granting Tax Abatement within the Livingston Main Street District as set out by the City of Livingston Resolution No. 481 which is attached hereto and made a part of the "Guidelines and Criteria for Granting Tax Abatement in Reinvestment Zones Created in the County of Polk, State of Texas".

Now, Therefore, be it ordered by the Commissioners Court of Polk County, Texas, that the "Guidelines and Criteria for Granting Tax Abatement in Reinvestment Zones Created in the County of Polk, State of Texas," as amended April 25, 1994 and as amended hereto are hereby approved and renewed for a period of two years.


Ordered and adopted on this, the 11th day of December, 2007.


John P. Thompson, County Judge

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

(Seal)




Barbara Middleton, County Clerk
Polk County, Texas

RESOLUTION NO. 481**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIVINGSTON, TEXAS ADOPTING A POLICY OF GUIDELINES AND CRITERIA FOR GRANTING TAX ABATEMENT WITHIN THE LIVINGSTON MAIN STREET DISTRICT AND GOVERNING TAX ABATEMENT AGREEMENTS THEREFOR**

WHEREAS, the City Council of the City of Livingston, Texas desires to promote economic development within the City; and

WHEREAS, the City of Livingston must compete with other municipalities across the State of Texas and the United States currently offering tax inducements to attract new development; and

WHEREAS, the existence of certain economic development incentives in the form of tax abatement may encourage prospective businesses and companies to locate in Livingston, Texas, or may encourage existing businesses and companies to expand; and

WHEREAS, the creation and retention of job opportunities that bring new wealth to the community is of the highest civic priority; and

WHEREAS, tax abatement will encourage economic development and provide incentive for property owners within the Livingston Main Street District to preserve, restore or repair their property, and will provide incentive for new prospective businesses to locate within the Livingston Main Street District; and

WHEREAS, investment in the Livingston Main Street District and preservation or creation of jobs will benefit the community economy, provide needed opportunities and generate tax revenue to support local services; and

WHEREAS, the establishment of specific guidelines, criteria and procedures is necessary to ensure that tax abatement incentives within the Livingston Main Street District are given and administered effectively; and

WHEREAS, the adoption of guidelines and criteria is required by the Property Redevelopment and Tax Abatement Act, as amended, before an area may be established as a reinvestment zone within the meaning of the Act, for the purpose of granting tax abatement,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LIVINGSTON, TEXAS:

SECTION 1. That the City of Livingston hereby establishes and adopts certain guidelines and criteria, attached hereto and made a part hereof, governing the granting of tax abatement and tax abatement agreements within the Livingston Main Street District of the City of Livingston, and such guidelines and criteria shall expressly govern all subsequent tax abatement agreements within the Livingston Main Street District.

SECTION 2. That such guidelines and criteria shall be effective for two (2) years from the date of adoption, and may be amended or repealed within that two (2) year period only by vote of three-fourths (3/4) of the City Council.

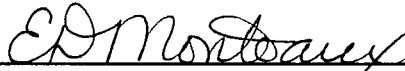
PASSED and APPROVED this 13th day of November, 2007.

SIGNED:



Ben R. Ogletree, Jr., MAYOR

ATTEST:



Ellie Monteaux, City Secretary

**GUIDELINES AND CRITERIA FOR GRANTING TAX ABATEMENT
IN THE
LIVINGSTON MAIN STREET DISTRICT
CITY OF LIVINGSTON, TEXAS**

Section 1: DEFINITIONS

- (a) "Abatement" means the full or partial exemption from ad valorem taxes of certain real property in the Livingston Main Street District for economic development purposes, including preservation and restoration incident thereto.
- (b) "Affected jurisdiction" means the City of Livingston and any taxing authority located in the City of Livingston, that levies ad valorem taxes upon and provides services to property located within the reinvestment zone proposed to be designated by the City of Livingston within the Livingston Main Street District.
- (c) "Agreement" means a contractual agreement between a property owner and the City of Livingston for the purposes of tax abatement.
- (d) "Base year value" means the value of eligible property assessed on January 1 preceding the execution of an agreement plus the agreed upon value of eligible property improvements made after January 1 but before the execution of the agreement.
- (e) "Construction" means improvements made to a building on eligible real property under the terms of a tax abatement agreement, including repair or renovation of the property, performed in accordance with building and construction codes of the City of Livingston, and in accordance with recommendations of the Livingston Main Street Advisory Board.
- (f) "Deferred maintenance" means improvements necessary for continued operation of a business which do not primarily benefit the property or contribute to the economic development of the City of Livingston.
- (f) "Historical building" means any building within the Livingston Main Street District that is 30 years old or older.
- (g) "Livingston Main Street District" means that area encompassing ten

blocks, being blocks 2, 3, 14, 15, 16, 17, 20, 21, 22 and 23 within the historical downtown area of the City of Livingston and bounded by Beatty Avenue, West Church Street, North Jackson Avenue, East Calhoun Street, North Tyler Avenue and East Abbey Street.

- (h) "Two Year Tax Abatement" means abatement beginning January 1 of the tax year next following completion of approved construction. Upon payment of taxes assessed on the base year value of the property, the following percentages of taxes attributable to increase in appraised value shall be entitled to abatement as a result of the approved construction:
 - (i) 1st Year: 100% abatement of any ad valorem tax then levied by the City of Livingston and attributable to increase in appraised value over the base year value;
 - (ii) 2nd Year: 50% abatement of any ad valorem tax the levied by the City of Livingston and attributable to increase in appraised value over the base year value; and
 - (iii) Each year thereafter: 0% abatement of taxes attributable to increase in appraised value over the base year value.

- (i) "Three Year Tax Abatement" means abatement beginning January 1 of the tax year next following completion of approved construction. Upon payment of taxes assessed on the base year value of the property, the following percentages of taxes attributable to increase in appraised value shall be entitled to abatement as a result of the approved construction:
 - (i) 1st Year: 100% abatement of any ad valorem tax then levied by the City of Livingston and attributable to increase in appraised value over the base year value;
 - (ii) 2nd Year: 66% abatement of any ad valorem tax then levied by the City of Livingston and attributable to increase in appraised value over the base year value;
 - (iii) 3rd Year: 33% abatement of any ad valorem tax then levied by the City of Livingston and attributable to increase in appraised value over the base year value; and

- (iv) Each year thereafter: 0% abatement of taxes attributable to increase in appraised value over the base year value.
- (j) "Five Year Tax Abatement" means abatement beginning January 1 of the tax year next following completion of approved construction. Upon payment of taxes assessed on the base year value of the property, the following percentages of taxes attributable to increase in appraised value shall be entitled to abatement as a result of the approved construction:
 - (i) 1st Year: 100% abatement of any ad valorem tax then levied by the City of Livingston and attributable to increase in appraised value over the base year value;
 - (ii) 2nd Year: 80% abatement of any ad valorem tax then levied by the City of Livingston and attributable to increase in appraised value over the base year value;
 - (iii) 3rd Year: 60% abatement of any ad valorem tax then levied by the City of Livingston and attributable to increase in appraised value over the base year value;
 - (iv) 4th Year: 40% abatement of any ad valorem tax then levied by the City of Livingston and attributable to increase in appraised value over the base year value;
 - (v) 5th Year: 20% abatement of any ad valorem tax then levied by the City of Livingston and attributable to increase in appraised value over the base year value; and
 - (vi) Each year thereafter: 0% abatement of taxes attributable to increase in appraised value over the base year value.
- (k) "Undocumented worker" means an individual who, at the time of employment, is not lawfully admitted for permanent residence to the United States or authorized under law to be employed in that manner in the United States.

Section 2: ELIGIBILITY FOR TAX ABATEMENT

- (a) Tax abatement shall be available as required by law for both new

facilities and structures and for expansion or modernization of existing facilities and structures, including renovation and repair of historical buildings within the Livingston Main Street District. Abatement may be granted only for the additional value of eligible improvements to real property made subsequent to and specified in an abatement agreement between the City of Livingston and the property owner, subject to such limitations as the City of Livingston may require. To receive tax abatement, the property owner must demonstrate that the planned improvement is expected to prevent loss of employment, retain or create employment on a full time permanent basis in the City of Livingston. Only construction for which a building permit, electrical permit, plumbing permit, or other project permit has been issued by the City of Livingston and which is undertaken in compliance with said permit will be eligible for abatement. The following minimum amounts in construction costs will qualify for abatement:

- (i) A minimum of \$25,000.00 must be invested in construction cost and creation or retention of a minimum of one job must be demonstrated to qualify for a two year tax abatement;
 - (ii) A minimum of \$50,000.00 must be invested in construction cost and creation or retention of a minimum of two jobs must be demonstrated to qualify for a three year tax abatement; and
 - (iii) A minimum of \$100,000.00 must be invested in construction cost and creation or retention of a minimum of three jobs must be demonstrated to qualify for a five year tax abatement.
- (b) The following types of property shall be fully taxable, and ineligible for abatement: land, inventories, supplies, tools, furnishings, and other forms of movable personal property; vehicles; vessels; aircraft; housing; deferred maintenance investments; property owned or used by the State of Texas or its political subdivisions or by any organization owned, operated or directed by a political subdivision of the State of Texas.
- (c) In compliance with Section 312.204(d) of the Texas Tax Code, property that is in a reinvestment zone and that is owned or leased by a person

- who is a member of the Livingston City Council or a member of a zoning or planning board or commission of the City of Livingston is excluded from property tax abatement.
- (d) Any tax abatement agreement shall be subject to the rights of holders of outstanding bonds of the City of Livingston.
 - (e) The decision whether to enter into any specific tax abatement agreement, or to transfer or assignment thereof, shall be discretionary with the City Council of the City of Livingston, upon such factors as may be determined relevant by the City Council, and the City Council may delegate to its employees the authority to determine whether or not the City Council should consider any particular application or request for tax abatement or subsequent transfer or assignment of any tax abatement granted.
 - (f) No person shall be considered to have any property, contract or other legal right to have the City Council consider or grant any specific application or request for tax abatement, or to have the City Council approve the transfer or assignment of a tax abatement granted, or in the modification or cancellation of any tax abatement granted.
 - (g) Abatement shall not be authorized if it is determined by the City Council, in its sole discretion, that there would be substantial adverse effect on the provision of government service, service capacity, bonds, tax revenue or tax base; the applicant has insufficient financial capacity; the planned or potential use of the property would constitute a hazard to public safety or public health; or the planned or potential construction or use of the property would violate any statute, ordinance or other governmental regulation.
 - (h) The City Council may cancel or modify any agreement for tax abatement, without recourse against the City of Livingston, its officers, employees or representatives, if the property owner fails to comply with the terms of the tax abatement agreement. For purposes of cancellation or modification, the agreement will be reviewed at the close of the first year of abatement, and at such other times as the City Council may, in its discretion, determine.
 - (i) Upon sale of property subject to a tax abatement agreement, abatement may be transferred and assigned to the new owner of the

property upon approval by the City Council by its resolution, subject to the financial capacity of the assignee and such other factors as may be determined relevant by the City Council, and provided that all conditions and obligations in the tax abatement agreement are guaranteed by execution of a new tax abatement agreement with the City of Livingston. No assignment or transfer shall be approved if a party to the existing agreement or the new owner is liable to the City of Livingston or any governmental entity with taxing jurisdiction over the property for outstanding taxes or other obligation.

Section 3: APPLICATION FOR TAX ABATEMENT

- (a) Any present or potential owner of taxable property in the Livingston Main Street District in the City of Livingston may request tax abatement by filing a written request by completed application form with the City of Livingston. The application shall be accompanied by:
- (i) a legal description and map depicting the property to be improved;
 - (ii) a general description of the proposed use and general nature of the improvements to be undertaken on the property and benefit to the eligible taxing jurisdictions and the property;
 - (iii) a description of methods to be used for prevention of loss of employment by retention or creation of full time, permanent employment which details the number of jobs available at time of application and the estimated numbers of jobs to be retained or created within the City of Livingston during the term of abatement;
 - (iv) a list of the kind, number and location of all proposed improvements on the property, together with detailed plans and documents describing the proposed construction in conformance with recommendation of the Livingston Main Street Advisory Board;
 - (v) a time schedule detailing the complete undertaking and completion of the proposed construction;
 - (vi) a statement of the value of the property, separately calculated

for real estate and personal property as assessed by the Central Appraisal District of Polk County for the tax year immediately preceding the date of application;

- (vii) in compliance with Section 2264.001, et seq of the Texas Government Code, as it may be amended, a statement certifying that the applicant's business, or a branch, division, or department of the business, does not and will not knowingly employ an undocumented worker, and that if, after receiving the benefit of any abatement of tax on the property, the business, or a branch, division, or department of the business, is convicted of a violation under 8 U.S.C. 1324a(f), the business shall repay the amount of the tax abatement received, with interest, at the rate provided by the terms of the tax abatement agreement entered into between applicant and the City of Livingston, not later than the 120th day after the date the City of Livingston notifies the business of the violation; and
 - (viii) such other information as may be required by the City of Livingston for evaluation of the financial capacity of the applicant or other factors related to the applicant, the property, or the proposed construction.
- (b) To the extent allowed by law, information provided by an applicant to the City of Livingston in connection with an application for tax abatement which describes specific processes or business activities to be conducted or equipment or other property to be located on the property for which tax abatement is sought shall be considered confidential if specifically requested by the applicant, and not subject to public disclosure until the tax abatement agreement is executed.
 - (c) The application may be accompanied by written request for variance from the provisions governing eligibility for tax abatement or the application for tax abatement. In no event, however, shall the total duration of abatement exceed five years. A written request for variance shall include a complete description of the circumstances explaining why the applicant should be granted a variance. Approval of a request for variance requires an affirmative vote of three-fourths (3/4) of the City Council.
 - (d) Upon receipt of a completed application, and no later than the seventh

day before the date on which the City of Livingston enters into an agreement for tax abatement, the City Manager of the City of Livingston shall notify the presiding officer of the governing body of each other taxing unit in which the property to be subject to the agreement is located a written notice that the City intends to enter into the agreement, and shall provide a copy of the proposed agreement with the notice. The notice required by this section shall be presumed to be delivered when placed in the mail postage paid and properly addressed to the appropriate presiding officer. A notice properly addressed and sent by certified mail for which a return receipt is received by the sender is considered to have been delivered to the addressee.

- (e) If required by law, or otherwise in the discretion of the City Council, before acting upon an application, the City Council may through public hearing afford the applicant, the designated representative of any affected taxing jurisdiction and any interested person the opportunity to show cause why abatement should or should not be granted. Notice of any such public hearing shall be published in the designated official newspaper of the City of Livingston and delivered in writing to the presiding officer of the governing body of each taxing unit that includes in its boundaries the property subject to the proposed tax abatement agreement and shall be made no later than the seventh day before the date of the hearing.

Section 4: AGREEMENT

- (a) After approval by affirmative vote of a majority of the members of the City Council of the City of Livingston at a regularly scheduled meeting, the City Council shall by its resolution approve execution of a tax abatement agreement, which agreement shall include:
- (i) the size of investment involved for the period of abatement, the estimated value to be abated and the base year value;
 - (ii) the percent of value to be abated each year as provided by these guidelines;
 - (iii) the commencement date and termination date of the abatement;

- (iv) the proposed use of the property; nature of construction, time schedule, map, property description and a list of the kind, number and location of all proposed improvements of the property as required by Application and as provided in these guidelines;
- (v) provision of access to and authorized inspection of the property by employees of the City of Livingston upon twenty-four (24) hours notice, to ensure that the improvements or repairs are made according to the specifications and conditions of the agreement and that there are no violations of the agreement during period of abatement;
- (vi) limitation on the uses of the property consistent with the general purpose of encouraging development or redevelopment of the Livingston Main Street District;
- (vii) each term agreed to by the owner of the property;
- (viii) contractual obligations in the event of default, violations of terms or conditions, delinquent taxes, recapture, administration and assignment as provided in these guidelines, including provision that the City Council of the City of Livingston may cancel or modify the agreement if the property owner fails to comply with the agreement;
- (ix) in compliance with Section 2264.001, et seq of the Texas Government Code, as it may be amended, if a business is operated on the property, a statement certifying that the business, or a branch, division, or department of the business, does not and will not knowingly employ an undocumented worker, and that if, after receiving the benefit of any abatement of tax on the property, the business, or a branch, division, or department of the business, is convicted of a violation under 8 U.S.C. 1324a(f), the business shall repay the amount of the tax abatement received, with interest, at the highest rate then allowed by law, not later than the 120th day after the date the City of Livingston notifies the business of the violation; and
- (x) requirement that the owner of the property certify annually to the governing body of each taxing unit that the owner is in

compliance with each applicable term of the agreement;

- (b) Exemption of taxable interests in each year covered by an agreement may be only to the extent the value for that year exceeds the value for the year in which the agreement is executed.
- (c) The agreement shall be executed within 60 days after the applicant has forwarded all necessary information and documentation to the City of Livingston.

Section 5: RECAPTURE

- (a) In the event that construction on the property is completed, but the improvements are subsequently demolished or destroyed for any reason excepting fire, explosion or other casualty or natural disaster for a period of one year during the abatement period, then the agreement shall terminate and so shall the abatement of the taxes for the calendar year during which the demolition or destruction occurred. The taxes otherwise abated for that calendar year shall be paid to the collecting entity within sixty days from the date of termination.
- (b) Should the City of Livingston determine that the owner is in default of the terms and conditions of the agreement, or has failed to make the improvements or repairs as provided by the agreement, the City of Livingston shall notify the owner in writing at the address stated in the agreement, and if such default is not cured within sixty (60) days from the date of such notice ("Cure Period"), then the agreement may be terminated.
- (c) In the event the owner (1) allows ad valorem taxes owed to any affected jurisdiction on the property to become delinquent and fails to timely or properly follow the legal procedures for their protest or contest, or (2) violates any of the terms and conditions of the abatement agreement and fails to cure during the Cure Period, the agreement may then be terminated and all taxes previously abated by virtue of the agreement will be recaptured and paid within sixty (60) days of the termination, or the City, at its option, may provide in the agreement that taxes for the year of default and subsequent years shall not be abated, but shall not recapture taxes for prior but previously abated years.

- (d) In compliance with Section 2264.101, et seq of the Texas Government Code, the City of Livingston may bring a civil action to recover any amounts owed to the City of Livingston under chapter 2264 of the Texas Government Code, including recovery of court costs and attorney's fees incurred in an action brought under Section 2264.101(a) of the Texas Government Code.

Section 6: ADMINISTRATION

- (a) The Chief Appraiser of the Polk County Central Appraisal District shall annually determine an assessment of the property comprising Reinvestment Zone 3 (Livingston Main Street), and shall deliver to the Comptroller of Public Accounts for the State of Texas a report describing the reinvestment zone, including its size, types of property located in it, its duration, and the guidelines and criteria for the reinvestment zone, a copy of each tax abatement agreement, and any other information required by the Comptroller to administer its accounts for the reinvestment zone.
- (b) Each year, any property owner receiving abatement shall furnish the appraiser with such information as may be necessary for the assessment and report.
- (c) Upon establishing the value of the property, the Chief Appraiser shall notify the affected jurisdictions levying taxes on the property of the amount of the assessment.

Section 7: SUNSET PROVISION

These Guidelines and Criteria are effective upon the date of their adoption and will remain in force for two years, at which time all reinvestment zones and tax abatement contracts created pursuant to its provisions will be reviewed by the City of Livingston to determine whether the goals have been achieved. Based upon that review, the Guidelines and Criteria will be modified, renewed or eliminated providing that such actions shall not affect existing agreements. Within two years from date of adoption, the guidelines and criteria may be amended or repealed only by a vote of three-fourths of the members of the City Council.



AN ORDER OF POLK COUNTY TO TAX TANGIBLE PERSONAL
 PROPERTY IN TRANSIT WHICH WOULD OTHERWISE BE EXEMPT
 PURSUANT TO TEXAS TAX CODE, SECTION 11.253

WHEREAS, the 80th Texas Legislature in Regular Session enacted House Bill 621, effective January 1, 2008, which added Tex. Tax Code § 11.253 to exempt from taxation certain tangible personal property held temporarily at a location in this state for assembling, storing, manufacturing, processing or fabricating purposes (goods-in-transit) which property has been subject to taxation in the past; and

WHEREAS, Tex. Tax Code § 11.253(j) as amended allows the governing body of a taxing unit, after conducting a public hearing, to provide for the continued taxation of such goods-in-transit; and

WHEREAS, the Commissioners Court of Polk County, having conducted a public hearing as required by Section 1-n(d), Article VIII, Texas Constitution, is of the opinion that it is in the best interests of the county to continue to tax such goods-in-transit.

NOW THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF POLK COUNTY THAT: All goods-in-transit, as defined Tex. Tax Code 11.253 shall remain subject to taxation by Polk County, Texas.

Dated this 11th day of December 2007.

John P. Thompson
 John P. Thompson
 Polk County Judge

Attest:
Brianne Middleton
 County Clerk

