

STATE OF TEXAS §

DATE: December 11, 2007

COUNTY OF POLK §

REGULAR MEETING

County Clerk-Absent

**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