

COUNTY OF POLK §

**COMMISSIONER'S COURT**  
**AGENDA POSTING #2008 - 016**

BE IT REMEMBERED ON THIS THE 12th DAY OF FEBRUARY, 2008  
THE HONORABLE COMMISSIONERS COURT MET IN "REGULAR" CALLED  
MEETING WITH THE FOLLOWING OFFICERS AND MEMBERS PRESENT, TO WIT;

HONORABLE JOHN P. THOMPSON, COUNTY JUDGE, PRESIDING.  
BOB WILLIS - COMMISSIONER PCT#1, RONNIE VINCENT - COMMISSIONER PCT #2,  
C.T. "TOMMY" OVERSTREET COMMISSIONER PCT #4, BARBARA MIDDLETON,  
COUNTY CLERK & 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 REV. HOWARD DANIEL JR. PASTOR OF CHESSWOOD BAPTIST CHURCH.
  - PLEDGES TO THE U.S. AND TEXAS FLAGS WERE LED BY (ret) COL. HOWARD DANIEL, JR.

2. **PUBLIC HEARING**

JUDGE THOMPSON OPENED THE PUBLIC HEARING AT **10:03 AM**, ON THE  
**CANCELLATION OF AGUILA VISTA SUBDIVISION**, IN **PRECINCT #2**, AND  
CONSIDERATION OF A RELATED "ORDER."

**PUBLIC COMMENTS & DISCUSSION - NONE**

JUDGE THOMPSON CLOSED THE PUBLIC HEARING.

**MOTION:**

MOTIONED BY RONNIE VINCENT, SECONDED BY BOB WILLIS, TO APPROVE  
THE "ORDER OF CANCELLATION OF AGUILA VISTA SUBDIVISION," LOCATED  
IN PRECINCT #2.

ALL VOTING YES. (SEE ATTACHED)

3. **RECEIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR 2007**

ROBERT BELT WITH SANDERSON, KNOX, & BELT, PRESENTED THE ANNUAL  
FINANCIAL REPORT FOR (2007) FISCAL YEAR AUDIT. HE THANKED THE COUNTY  
AUDITOR, RAY STELLY FOR A GREAT JOB WITH THE COUNTY'S FINANCIAL  
RECORDS WHICH MADE THE TASK MUCH EASIER THAN PREVIOUS YEARS.

**MOTION:**

MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT,  
APPROVAL TO RECEIVE THE ANNUAL AUDIT FY-2007 FROM SANDERSON,  
KNOX & BELT, L.L.C.

ALL VOTING YES.

18. LINDA PARKER, CEcD, FROM THE OFF ICE OF COMMISSIONER TODD STAPLES,  
TEXAS DEPARTMENT OF AGRICULTURE, GAVE A PRESENTATION REGARDING  
PARTICIPATION IN THE CERTIFIED RETIREMENT COMMUNITY PROGRAM.  
THE PROGRAM IS DESIGNED TO DRAW MORE ACTIVE RETIREE'S TO TEXAS  
FOR RURAL ECONOMIC DEVELOPMENT. THE GROUP IS LOOKING FOR A  
FIVE YEAR COMMITMENT FOR THE COUNTY TO BECOME A PART IN IT'S  
MARKETING EFFORTS.



**4. PUBLIC COMMENTS:**

- A. DEBBIE HARLOW ADDRESSED THE COURT ON BEHALF OF THE NEWLY FORMED POLK COUNTY SUBDIVISION DIRECTORS ASSOCIATION, A GROUP COMPRISED OF LEADERS FROM PROPERTY OWNERS ASSOCIATIONS IN POLK COUNTY. SHE EXPRESSED THE GROUP'S DEEP CONCERN ABOUT THE COUNTY'S PLAN TO TEAR DOWN THE CURRENT ANIMAL SHELTER AS PART OF THE NEW JAIL EXPANSION PROJECT.
- B. DENESE ANDERSON, BIG THICKET LAKE ESTATES SPOKE ABOUT THE FUNDING FOR ROAD IMPROVEMENTS IN THEIR SUBDIVISION.

**5. INFORMATIONAL REPORTS:**

- A. BYRON LYONS, CHIEF DEPUTY SHERIFF'S DEPARTMENT REPORTED ON THE JANUARY ACTIVITY REPORT FOR THE SHERIFF'S DEPT & JAIL.
- B. RAY STELLY, COUNTY AUDITOR THANKED ROBERT BELT FOR COMPLETING THE AUDIT FOR 2007 AND INFORMED THE COURT THAT HE WOULD POST THE COMPLETE REPORT ON THE COUNTY WEBSITE TODAY.
- C. JEANETTE MONTGOMERY, HUMAN RESOURCES DEPT. GAVE A REPORT THAT SIX JOB POSITIONS ARE CURRENTLY POSTED. SHE IS WORKING ON COMPLETING THE NEW PERSONNEL MANAGEMENT BOOK I, AND SHOULD BE AVAILABLE IN A MONTH. SHE SAID THE COMP TIME & OVERTIME HOURS, PREVIOUSLY REPORTED ARE DECREASING AT THIS TIME.
- D. BARBARA MIDDLETON, COUNTY CLERK REPORTED EARLY VOTING FOR THE REPUBLICAN & DEMOCRATIC PRIMARIES IS BEGINNING FEBRUARY 19th AND CONTINUES THROUGH FEBRUARY 29th. SHE HAS THE SCHEDULE ON TODAY'S COURT AGENDA FOR APPROVAL.
- E. NOLA RENEAU, TREASURER REPORTED THAT AN ABBREVIATED VERSION OF THE TREASURER'S REPORT WILL BE POSTED TODAY ON THE COUNTY WEBSITE.
- F. COMMISSIONER WILLIS WISHED A HAPPY 100th BIRTHDAY TO GOLDIE DUKE OF GOODRICH.

**6. CONSENT AGENDA:**

JUDGE THOMPSON NOTED THAT **ITEM D** (WILL INCLUDE AN ADDENDUM) **ITEM H** WILL NOT INCLUDE AN ORDER, AND TO **DELETE ITEM Q**. ALL OTHER ITEMS REMAIN THE SAME.

**MOTION:**

MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO APPROVE ALL **ITEMS A THROUGH R**, DELETING **ITEM Q**, OF THE CONSENT AGENDA.

ALL VOTING YES.

- A. APPROVE MINUTES OF PREVIOUS MEETINGS, JANUARY 8, 2008 (CORRECTED MINUTES) AND JANUARY 22, 2008 (REGULAR MEETING).
- B. APPROVE BUDGET REVISIONS #2008-08, AS PRESENTED BY THE COUNTY AUDITOR. (SEE ATTACHED)
- C. APPROVE BUDGET AMENDMENTS #2007-28(a) AND # 2008-08(a) AS SUBMITTED AND REVIEWED BY COURT APPOINTED COMMITTEE. (SEE ATTACHED)
- D. APPROVAL AND PAYMENT OF BILLS BY SCHEDULE, INCLUDING ADDENDUM. (SEE ATTACHED)

DATE	AMOUNT	CHECK #
1/16/08	825,000.00	ACH 134
1/18/08	432,670.00	ACH 135
1/18/08	2,620.07	209206 - 209219
1/22/08	7,036.20	209220 - 209232
1/22/08	98.98	209233 - 209234
1/22/08	600.00	209235 - 209240
1/23/08	76,614.00	ACH 136
1/23/08	150,000.00	ACH 137
1/24/08	2,859.50	ACH 138
1/24/08	44,061.48	ACH 139



1/24/08	10,304.78	ACH 140
1/24/08	30,378.57	ACH 141
1/24/08	260,501.96	ACH 142
1/24/08	3,070.48	ACH 143
1/24/08	3,313.95	209241 - 209246
1/25/08	350,000.00	ACH 144
1/25/08	4,758.69	ACH 145
1/25/08	9,542.59	209247 - 209269
1/25/08	9,303.65	209270 - 209275
1/25/08	150,696.77	209276
DATE	AMOUNT	CHECK #
1/28/08	117,700.50	ACH 146
1/28/08	259.10	209277
1/28/08	1,116.00	209278
1/30/08	605,000.00	ACH 147
1/30/08	152,228.80	ACH 148
1/30/08	19,720.20	209279
1/30/08	416,998.00	209280 - 209290
1/30/08	64,820.00	ACH 149
1/31/08	441.75	ACH 150
1/31/08	3,000,000.00	ACH 151 (TEXPOOL INVESTMENTS)
2/01/08	775,000.00	ACH 152
2/01/08	30,640.33	209291 - 209312
2/01/08	14,647.42	209313 - 209318
2/01/08	10,400.00	209319 - 209323
2/05/08	362,711.91	209324 - 209482
2/05/08	1,954.61	209483
02/12/08	(To appear on future schedule)	\$ 98,950.00
<b>TOTAL</b>	<b>\$ 7,947,140.29</b>	

E. APPROVAL OF PERSONNEL ACTION FORMS, REVISED LIST. (SEE ATTACHED)

F. APPROVAL TO ACCEPT OFFERS TO PURCHASE TAX FORECLOSURE PROPERTIES;

**PCT #1**

LOT 19, BLOCK 2, OF MEMORIAL POINT, CAUSE NO. T07-002;

LOT 13, BLOCK 1, SECTION 1, OF NUGENT'S COVE, CAUSE NO. T05-046;

LOTS 39 & 40, BLOCK 1, SECTION 2, OF NUGENT'S COVE, CAUSE NO. T05-060.

**PCT #2**

LOT 553, OF SPORTSMAN'S RETREAT #7, CAUSE NO. T00-107,.

**PCT #3**

TRACT 57, .250ACRES, IN D. WILLIAMS SURVEY, ABSTRACT 754, CAUSE NO. T06-344.

G. APPROVE RENEWAL, BY ADDENDUM, OF INTERLOCAL AGREEMENT WITH THE CITY OF LIVINGSTON FOR THE CITY'S USE OF CERTAIN ELECTION EQUIPMENT & SERVICES. (SEE ATTACHED)

H. APPROVAL OF EARLY VOTING SCHEDULE AND VOTING LOCATIONS FOR THE REPUBLICAN & DEMOCRATIC PRIMARY ELECTIONS. (SEE ATTACHED)

I. APPROVE INTERLOCAL AGREEMENT WITH LEGGETT I.S.D. FOR USE OF CERTAIN ELECTION EQUIPMENT & SERVICES. (SEE ATTACHED)

J. APPROVE OF INTERLOCAL AGREEMENT WITH THE CITY OF ONALASKA FOR USE OF CERTAIN ELECTION EQUIPMENT & SERVICES. (SEE ATTACHED)

K. RECEIVE AMENDED LETTER OF RESIGNATION FROM VETERANS SERVICE OFFICER, RALPH DUNN. (SEE ATTACHED)

L. APPROVE NON-FINANCIAL AGREEMENT RENEWING SERVICES WITH WORKFORCE SOLUTIONS DEEP EAST TEXAS.



M. APPROVE RESCINDING PREVIOUS COURT ACTION APPOINTING CONSTRUCTION MANAGER AT RISK FOR JAIL EXPANSION PROJECT.

N. APPROVE "ORDER" ESTABLISHING THE APPELLATE JUDICIAL SYSTEM FOR THE NINTH COURT OF APPEALS, SETTING RELATED (\$5.00) COURT FEE FOR COUNTY COURT, COUNTY COURT AT LAW, PROBATE COURTS, AND DISTRICT COURTS OF POLK COUNTY, ESTABLISHING THE APPELLATE JUDICIAL FUND FOR COLLECTION OF SAID FEES AND DIRECTING THE MONTHLY FORWARDING OF SAID FEES TO THE NINTH COURT OF APPEALS, PURSUANT TO S.B. 325 AMENDING GOVN'T CODE § 22.2101.

(SEE ATTACHED)

O. APPROVE SERVICE AGREEMENT WITH LIQUID ENVIRONMENTAL SOLUTIONS FOR MAINTENANCE OF GREASE TRAP LOCATED AT 602 E. CHURCH, LIVINGSTON.

(SEE ATTACHED)

P. RECEIVE COUNTY TREASURER'S REPORT FY 2008 - 1st QUARTER REPORT OF 2008, (OCT - DEC '07). (SEE ATTACHED)

Q. ~~DELETED.~~ (APPROVAL OF POLICY & PROCEDURE UPDATE)

R. RECEIVE POLK COUNTY HISTORICAL COMMISSION'S ANNUAL REPORT FOR 2007.

(SEE ATTACHED)

7. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO SELECT J.E. KINGHAM CONSTRUCTION CO. AS CONSTRUCTION MANAGER AT RISK FOR THE JUDICIAL CENTER PROJECT, TO INCLUDE AUTHORIZATION FOR JUDGE JOHN P. THOMPSON, TO NEGOTIATE AND EXECUTE CONTRACT TO BE AWARDED AT NEXT MEETING.

ALL VOTING YES.

(SEE ATTACHED)

8. **BID #2008-13**

MOTIONED BY RONNIE VINCENT, SECONDED BY BOB WILLIS, TO AWARD BID TO CLIFTON CHEVROLET OF CORRIGAN, TEXAS FOR THE PURCHASE OF ONE (1) NEW PICK-UP TRUCK, IN THE AMOUNT OF \$24,085.10, FOR PRECINCT #2. COMMISSIONER VINCENT TO PAY FOR THE TRUCK OUT OF ROAD & BRIDGE, PCT #2 OPERATING ACCOUNT.

ALL VOTING YES.

9. **BID #2008-14**

MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, TO AWARD BID TO CLIFTON CHEVROLET OF CORRIGAN, TEXAS FOR THE PURCHASE OF TWO (2) NEW PICK-UP TRUCKS, IN THE AMOUNT OF \$24,085.10 & \$26,178.50, FOR PRECINCT #4. COMMISSIONER OVERSTREET TO PAY FOR THE TRUCKS FROM ROAD & BRIDGE, PCT #4 OPERATING ACCOUNT.

ALL VOTING YES.

10. **BID #2008-15**

MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO AWARD BID TO JASPER FORD MERCURY OF JASPER, TEXAS, FOR THE PURCHASE OF ONE (1) NEW FORD F-550 TRUCK CHASSIS FOR HOLIDAY LAKE ESTATES VOLUNTEER FIRE DEPARTMENT, IN THE AMOUNT OF \$27,697.00, AS RECOMMENDED BY KENNETH HAMBRICK, EMERGENCY MANAGEMENT DEPT.

ALL VOTING YES.

11. **BID #2008-16**

MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO AWARD BID TO WESTEX WELDING CO. TO COMPLETE OPTIONS ON THE FLAT BED ASSEMBLY FOR THE TRUCK, AT A COST OF \$37,854.00 (PER SPECIFICATIONS). THE TEXAS FOREST SERVICE WILL REMBURSE THE FIRE DEPARTMENT \$54,000.00, WHEN THE BRUSH FIRE TRUCK IS COMPLETED. THE TRUCK FOR HOLIDAY LAKE ESTATES VOLUNTEER FIRE DEPARTMENT IS THE FINAL TRUCK OF (11) VFD's BRUSH TRUCKS PREVIOUSLY ORDERED.

ALL VOTING YES.



12. **BID #2008-17**

MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO REJECT ALL BIDS AND RE-ADVERTISE FOR THE PURCHASE OF ONE (1) USED 84 - VIBRATOR COMPACTOR ROLLER WITH SHELL KIT & PUSH BLADE, FOR PRECINCT #1.  
ALL VOTING YES.

13. **BID #2008-18**

MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO AWARD BID TO BOUNDS AUTOPLEX, OF LIVINGSTON TEXAS, FOR THE PURCHASE OF ONE (1) NEW DODGE CHARGER FOR THE DISTRICT ATTORNEY'S INVESTIGATOR, IN THE AMOUNT OF \$ 24,624.60, TO BE FUNDED BY GENERAL FUND BALANCE & INCLUDED ON A FUTURE REIMBURSEMENT RESOLUTION.  
ALL VOTING YES.

14. **COMMISSIONER OVERSTREET READ THE FOLLOWING STATEMENT, CONCERNING THE REQUEST TO RATIFY PREVIOUS COURT ACTION PERTAINING TO ROAD IMPROVEMENTS OF BIG THICKET LAKE ESTATES SUBDIVISION ROADS;**

**"FINDING THAT SUCH IMPROVEMENTS ARE NECESSARY FOR THE HEALTH, SAFETY, & WELFARE OF RESIDENTS OF THE COUNTY, WE PROPOSE IMPROVING THE FOLLOWING ROADS IN BIG THICKET LAKE ESTATES,"**

**LC HERSEHAP LANE  
ALMON WINFREY DRIVE  
BEAR TRACK TRAIL  
CHARLES KEYES LANE  
BIG FOOT WALLACE TRAIL  
STORY DRIVE  
LAMBRIGET LANE  
LEONNA LANE  
JOSEPHINE ROAD  
DEVEREAUX TRAIL  
LAKE ROAD  
TONDA TRAIL  
ROYCE LANE  
FORGIVNESS DRIVE  
GARRETT ROAD.**

**MOTION**

MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, APPROVAL TO RATIFY PREVIOUS ACTION RELATING TO COUNTY IMPROVEMENTS OF BIG THICKET LAKE ESTATES SUBDIVISION ROADS & ASSESSMENT OF COSTS, \$551,000.00, (\$180.00 PER LOT) BY ENTERING SUBJECT ROAD NAMES INTO THE RECORD.  
ALL VOTING YES.

15. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO APPROVE ASSIGNMENT OF PROFESSIONAL SERVICES BY, TERRRACON CONSULTANTS FOR GEOTECHNICAL & COOK LAND SURVEYING ENT. FOR SURVEYING THE JUDICIAL CENTER PROJECT AND AUTHORIZE COUNTY JUDGE JOHN THOMPSON TO EXECUTE STANDARD AIA AGREEMENT FOR SAID SERVICES, BASED ON THE RECOMMENDATION OF THE ARCHITECT.  
ALL VOTING YES. (SEE ATTACHED)

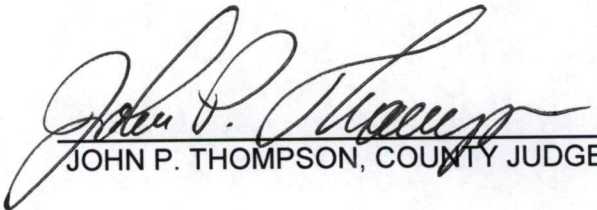


16. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO APPROVE BURKE CENTER "RESOLUTION" ENDORSING FUNDING REQUEST TO TEXAS DEPARTMENT OF STATE HEALTH SERVICES TO CREATE AN EMERGNECY PSYCHIATRIC SERVICE FOR THE DETCOG REGION AND PLEDGING PRO-RATA SHARE OF ANNUAL OPERATING FUNDS IN THE AMOUNT OF \$18,252.00 FROM POLK COUNTY.  
ALL VOTING YES. (SEE ATTACHED)

17. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE ACCEPTANCE OF DEDICATION OF ROAD & RIGHT-OF-WAY AS FILED WITH FINAL PLAT OF INDIAN HILLS #2 SUBDIVISION, RECEIVE COMMISSIONER'S STATEMENT OF MINIMUM ROAD STANDARD AND APPROVE RELATED ORDER ACCEPTING MOON MIST & GREENBRIAR DRIVE AS COUNTY ROADS, IN PRECINCT #1, UPDATING COUNTY MASTER STREET ADDRESS GUIDE (MSAG) ACCORDINGLY.  
ALL VOTING YES. (SEE ATTACHED)

**ADJOURN:**

MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO ADJOURN COURT THIS 12th DAY OF FEBRUARY, 2008 AT 10:49 A.M.  
ALL VOTING YES.

  
JOHN P. THOMPSON, COUNTY JUDGE

ATTEST  
  
BARBARA MIDDLETON, COUNTY CLERK

C:\Barbara M\COMMCRT.2007\FEB 12.2008.wpd