



POLK COUNTY COMMISSIONERS COURT

February 26, 2008

PolkCountyCourthouse, 3rd floor

10:00 A.M.

2008-020

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.**

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. **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: February 12, 2008 (Regular Meeting).
- B. CONSIDER APPROVAL OF SCHEDULE OF BILLS.
- C. CONSIDER APPROVAL OF PERSONNEL ACTION FORMS.
- D. CONSIDER RENEWAL OF LEASE AGREEMENT FOR SUPPLEMENTAL COUNTY PARKING AT SEARS PARKING LOT.
- E. CONSIDER APPROVAL OF ORDER AWARDING CONTRACT FOR CONSTRUCTION MANAGER AT RISK FOR THE JUDICIAL CENTER PROJECT TO J.E. KINGHAM CONSTRUCTION, AS SELECTED IN PREVIOUS COURT ACTION.
- F. CONSIDER APPROVAL OF \$10,482 PROJECT TOTAL FOR CONCRETE FOUNDATION AND RETAINING WALL RELATING TO INSTALLATION OF GENERATOR AT OFFICE ANNEX WITH PAYMENT FROM GENERAL FUND BALANCE TO BE REIMBURSED AT FISCAL YEAR END BY ISSUANCE OF LEGALLY AUTHORIZED DEBT (REIMBURSEMENT RESOLUTION).
- G. CONSIDER APPROVAL OF LISTING OF CAPITAL PURCHASES PREVIOUSLY APPROVED FOR PAYMENT FROM FUND BALANCE/S AND TO BE REIMBURSED BY THE FY2008 YEAR END ISSUANCE OF AUTHORIZED DEBT (REIMBURSEMENT RESOLUTION).
- H. CONSIDER OFFERS TO PURCHASE TAX FORECLOSED PROPERTIES;

(PCT. 1)

LOTS 14 & 15, BLOCK 24, HOLIDAY LAKE ESTATES 34, CAUSE NO. T01-041;

LOTS 598 & 607, FORESTER'S RETREAT #3, CAUSE NO. T04-129;

(PCT. 2)

LOT 106, CANYON PARK #1, CAUSE NO. T04-174;
 LOT 340, CANYON PARK #2, CAUSE NO. T04-176;
 LOT 16, BLOCK 19, IMPALA WOODS #2, CAUSE NO. 99-088;
 LOT 19, BLOCK 19, IMPALA WOODS #2, CAUSE NO. 99-086;
 LOT 14, BLOCK 44, CEDAR POINT #2, CAUSE NO. 99-100;

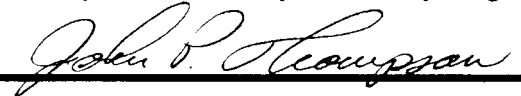
(PCT. 4)

LOT 235, CRYSTAL LAKES #1, CAUSE NO. T04-391;
 SUB LOT 48, SECTION 2, M.L. CHOATE SURVEY, ABSTRACT 15, (1608 N. HOUSTON), CAUSE NO. 94-173.

- I. RECEIVE COUNTY AUDITOR'S REPORT ON JAIL COMMISSARY AND INMATE TRUST FUND ACCOUNTS, PURSUANT TO L.G.C. §351.0415(d)
5. CONSIDER SELECTION AND CONTRACT NEGOTIATION FOR ARCHITECTURAL SERVICES RELATING TO JAIL EXPANSION PROJECT.
6. CONSIDER UTILIZATION OF ONE-STEP PROCESS FOR SELECTION OF CONSTRUCTION MANAGER AT RISK ON JAIL EXPANSION PROJECT AND APPROVE SOLICITATION OF REQUEST FOR PROPOSALS.
7. CONSIDER ANY NECESSARY ACTION RELATING TO EXPIRATION OF LETTER OF CREDIT FOR CONSTRUCTION OF ROADS IN SUNSET SHORES SUBDIVISION, PCT. 1.
8. DISCUSSION AND APPROVAL TO PROCEED WITH REMOVAL OF NON-PROJECT STRUCTURE LOCATED ON SITE OF NEW JUDICIAL CENTER.
9. CONSIDER APPROVAL OF ONALASKA SUB COURTHOUSE PHONE SYSTEM UPGRADE, TO INCLUDE METHOD OF FUNDING.
10. CONSIDER APPROVAL OF ARBITRAGE REBATE CALCULATION AGREEMENT, RELATING TO STATUTORY REQUIREMENTS FOR COUNTY BONDS.
11. CONSIDER ORDER ESTABLISHING FEE TO BE CHARGED FOR A COPY OF AN AUTOPSY REPORT, PURSUANT TO HEALTH & SAFETY CODE, §671.013(c).

ADJOURN

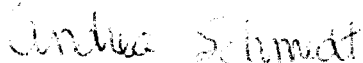
By: John P. Thompson, County Judge


Posted: Thursday, February 21, 2008

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 during normal business hours on Thursday, February 21, 2008 and 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:



(Deputy)

FILED FOR RECORD
 2008 FEB 21 PM 3:32


 POLK COUNTY CLERK



February 26, 2008
Regular Session - 10:00 a.m.

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

ADDENDUM to Posting # 2008-020

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 February 26, 2008 at 10:00 A.M.

AMEND TO ADD:

- 12. DISCUSSION AND POSSIBLE ACTION ON APPLICATION TO TEXAS DEPARTMENT OF AGRICULTURE DESIGNATING POLK COUNTY AS A CERTIFIED RETIREMENT COMMUNITY.**
- 13. DISCUSSION AND POSSIBLE ACTION ON REPAIR TO HILLBILLY HEAVEN ROAD AND DAM.**

Commissioners Court of Polk County, Texas
By: John P. Thompson, County Judge

Dated: Friday, February 22, 2008

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 in the Polk County Courthouse at a place readily accessible to the general public during normal business hours on Friday, February 22, 2008 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 Schmidt, Deputy

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2008 FEB 22 PM 3:47

POLK COUNTY CLERK

STATE OF TEXAS §

DATE: FEBRUARY 26, 2008

COUNTY OF POLK §

REGULAR MEETING

All members - Present

COMMISSIONERS COURT**AGENDA POSTING #2008 - 0020**

BE IT REMEMBERED ON THIS THE 26th DAY OF FEBRUARY, 2008
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, BARBARA MIDDLETON, 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 GIVEN BY FATHER CLIFTON LABBE OF ST. JOSEPH CATHOLIC CHURCH.
 - PLEDGES TO THE U.S. AND TEXAS FLAGS WERE LED BY ELDRIDGE STRIEDEL.
2. PUBLIC COMMENTS:
 - A. MARY COOK OF RESORT COUNTRY MADE COMMENTS ABOUT THE CONDITION OF MALLARD POINT ROAD. PRECINCT #1 ROAD CREW CAME OUT TO FIX THE ROAD. NOW SINCE THE HEAVY RAINS, THE ROAD NOW IS WORSE THAN BEFORE.
 - B. DONNA BROOKS OF WILD COUNTRY SUBDIVISION TOLD COMMISSIONERS ABOUT DAM ROAD (NOT BEING ABLE TO CROSS) WHICH IS CLOSED NOW FOR OVER A YEAR. HER FATHER (ELDERLY & DISABLED) LIVES ON THE OTHER SIDE OF THE DAM AND SHE HAS TO TRAVEL ALL THE WAY TO HWY.146 AND AROUND, JUST TO VISIT HIS HOUSE TO CARE FOR HIM. IT'S REALLY BAD WHEN IT'S AN EMERGENCY AND SHE CAN'T REACH HIM QUICKLY.
3. INFORMATIONAL REPORTS:
 - A. BARBARA MIDDLETON, COUNTY CLERK REMINDED EVERYONE THAT EARLY VOTING CONTINUES UNTIL FRIDAY, FEBRUARY 29th, AND PRIMARY ELECTION DAY IS NEXT TUESDAY, MARCH 4th, 2008.
 - B. BID SMITH, VOTER REGISTRAR REMINDED EVERYONE THAT IF YOU HAVE MOVED WITHIN THE COUNTY AND HAVEN'T CHANGED YOUR VOTER CERTIFICATE, YOU MUST RETURN TO YOUR OLD PRECINCT LOCATION TO VOTE ON ELECTION DAY. FOR ANY ADDITIONAL INFORMATION PLEASE CALL 327-6801.
4. **CONSENT AGENDA**
JUDGE THOMPSON NOTED THAT ITEM (E) WILL HAVE AN ADDENDUM.
MOTION:
MOTIONED BY RONNIE VINCENT, SECONDED BY BOB WILLIS, TO APPROVE THE CONSENT AGENDA ITEMS A THROUGH I, LISTED AS FOLLOWS;
ALL VOTING YES.
 - A. APPROVE MINUTES OF PREVIOUS MEETING, FEBRUARY 12, 2008 (Regular Meeting), WITH NOTED CORRECTIONS.

B. APPROVAL & PAYMENT OF SCHEDULE OF BILLS, INCLUDING ADDENDUM.
(SEE ATTACHED)

DATE	AMOUNT	CHECK #
2/06/08	1,200,000.00	ACH 153
2/07/08	2,859.50	ACH 154
2/07/08	44,783.80	ACH 155
2/07/08	10,473.70	ACH 156
2/07/08	32,338.98	ACH 157
2/07/08	263,334.11	ACH 158
2/07/08	3,070.48	ACH 159
2/07/08	50,000.00	ACH 160
2/07/08	75,136.01	ACH 161
2/07/08	3,303.64	209484 - 209489
2/08/08	10,000,000.00	ACH 162
2/08/08	1,055,000.00	ACH 163
2/08/08	18,132.10	209490 - 209513
2/08/08	1,000,000.00	ACH 164
2/12/08	200,000.00	ACH 165
2/12/08	1,219,309.38	ACH 166
2/13/08	98,850.00	209514
2/13/08	177,172.00	209515
2/13/08	22,135.43	209516 - 209518
2/13/08	460,649.38	ACH 167
2/14/08	880,000.00	ACH 168
2/15/08	9,657.58	209519 - 209549
2/20/08	282,393.26	209550 - 209657
02/22/08	Addendum (To appear on future schedule)	\$ 93,167.93
TOTAL	\$ 17,108,599.35	

- C. APPROVE PERSONNEL ACTION FORMS. (SEE ATTACHED)
- D. RENEWAL OF LEASE AGREEMENT FOR SUPPLEMENTAL COUNTY PARKING AT SEARS PARKING LOT.
- E. APPROVAL OF "ORDER" AWARDED CONTRACT FOR CONSTRUCTION MANAGER AT RISK FOR THE JUDICIAL CENTER PROJECT TO J.E. KINGHAM CONSTRUCTION, AS SELECTED IN PREVIOUS COURT ACTION. (SEE ATTACHED)
- F. APPROVAL OF \$10,482.00 PROJECT TOTAL FOR CONCRETE FOUNDATION AND RETAINING WALL RELATING TO INSTALLATION OF GENERATOR AT OFFICE ANNEX WITH PAYMENT FROM GENERAL FUND BALANCE TO BE REIMBURSED AT FISCAL YEAR END BY ISSUANCE OF LEGALLY AUTHORIZED DEBT (REIMBURSEMENT RESOLUTION).
- G. APPROVE OF LISTING OF CAPITAL PURCHASES PREVIOUSLY APPROVED FOR PAYMENT FROM FUND BALANCES AND TO BE REIMBURSED BY THE FY-2008 YEAR END ISSUANCE OF AUTHORIZED DEBT (REIMBURSEMENT RESOLUTION). (SEE ATTACHED)
- H. ACCEPT OFFERS TO PURCHASE TAX FORECLOSURE PROPERTIES;
- PCT #1**
LOTS 14 & 15, BLOCK 24, OF HOLIDAY LAKE ESTATES #34, CAUSE NO. T01-041;
LOTS 598 & 607, OF FORESTER'S RETREAT #3, CAUSE NO. T04-129;
- PCT #2**
LOT 106, OF CANYON PARK #1, CAUSE NO. T04-174;
LOT 340, OF CANYON PARK #2, CAUSE NO. T04-176;
LOT 16, BLOCK 19, OF IMPALA WOODS #2, CAUSE NO. 99-088;
LOT 19, BLOCK 19, OF IMPALA WOODS #2, CAUSE NO. 99-086;

LOT 14, BLOCK 44, OF CEDAR POINT #2, CAUSE NO. 99-100;

PCT #4

LOT 235, OF CRYSTAL LAKES #1, CAUSE NO. T04-391;

SUBLOT 48, SECTION 2, OF M.L. CHOATE SYRVEY, ABST 15,
(1608 N.HOUSTON) CAUSE NO. 94-173.

I. RECEIVE COUNTY AUDITOR'S REPORT ON JAIL COMMISSARY & INMATE TRUST
FUND ACCOUNTS, PURSUANT TO LGC. § 351.0415(d).

5. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO SELECT & CONTRACT WITH JOHNSON McKIBBEN FOR ARCHITECTURAL SERVICES RELATING TO THE JAIL EXPANSION PROJECT.
ALL VOTING YES.
6. MOTIONED BY RONNIE VINCENT, SECONDED BY TOMMY OVERSTREET, APPROVAL TO UTILIZE ONE-STEP PROCESS FOR SELECTION OF CONSTRUCTION MANAGER AT RISK ON JAIL EXPANSION PROJECT & APPROVE SOLICITATION OF REQUEST FOR PROPOSALS.
ALL VOTING YES.
7. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, APPROVAL TO EXTEND LETTER OF CREDIT FOR CONSTRUCTION OF ROADS IN SUNSET SHORES SUBDIVISION, IN PRECINCT #1.
ALL VOTING YES.
8. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, APPROVAL TO PROCEED WITH REMOVAL OF BUILDING (ON SOUTHEAST CORNER) OF BLOCK 17, OF NON-PROJECT STRUCTURE LOCATED ON SITE OF NEW JUDICIAL CENTER .
(Commissioner Overstreet & Commissioner Vincent agreed to take down the structure)
ALL VOTING YES.
9. MOTIONED BY RONNIE VINCENT, SECONDED BY BOB WILLIS, TO APPROVE TELEPHONE SYSTEM UPGRADE FOR THE ONALASKA SUBCOURTHOUSE, IN THE AMOUNT OF \$6,659.97, TO BE FUNDED BY GENERAL FUND BALANCE FY-2008, & TO BE PLACED ON A FUTURE REIMBURSEMENT RESOLUTION.
ALL VOTING YES.
10. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, APPROVAL OF ARBITRAGE REBATE CALCULATION AGREEMENT WITH MODIFICATION NOTED BY D.A. ASSISTANT MICHAEL MURPHY, FOR NOTIFICATION OF ANY SPECIAL SERVICES RELATING TO STATUTORY REQUIRMENTS FOR COUNTY BONDS.
ALL VOTING YES. (SEE ATTACHED)
11. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO DELETE **ITEM #11** "CONSIDER ORDER ESTABLISHING A FEE TO BE CHARGED FOR A COPY OF AN AUTOPSY REPORT, PURSUANT TO HEALTH & SAFETY CODE § 671.013 (c)".
ALL VOTING YES.
12. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO APPONT COMMISSIONER WILLIS & COMMISSIONER VINCENT AS COMMITTEE MEMBERS TO ASSIST KELLY RITCH & LINDA PARKER IN DEVELOPING INITIAL INFORMATION TO RETURN TO COURT WITH RECOMMENDATION ON SUBMITTING APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR POLK COUNTY'S DESIGNATION AS A CERTIFIED RETIREMENT COMMUNITY. THE APPLICATION FEE IS \$10,082.25 FOR A FIVE YEAR CERTIFICATION.
ALL VOTING YES.

13. MOTIONED BY BOB WILLIS, SECONDED BY JAMES J. "Buddy" PURVIS, AUTHORIZE COMMISSIONER WILLIS TO PROCEED WITH ENGINEERING RESEARCH & PLAN, GET DETAILS & COMPLETE COST ESTIMATES, FOR REPAIRING WILD COUNTRY LAKE ESTATES DAM ROAD UTILIZING PCT #1 OPERATING FUNDS & REPORT BACK TO THE COURT.

ALL VOTING YES.

DISCUSSION:

THE DAM ROAD HAS BEEN CLOSED OVER A YEAR, AND THE RESIDENTS DO NOT HAVE ACCESS TO REACH THE OTHER SIDE OF THE SUBDIVISION. IT WAS NOTED BY COMMISSIONER WILLIS THAT THE ROAD OVER THE DAM WAS ACCEPTED AS A COUNTY ROAD (LAST YEAR) AND WE HAVE THE OBLIGATION TO REPAIR IT SO THE WHOLE SUBDIVISION CAN HAVE EMERGENCY SERVICES.

DISTRICT ATTORNEY LEE HON GAVE LEGAL OPINION CONCERNING REPAIRING THE DAM ROAD.

ELIZABETH "LIZ" ELLIS, TREASURER OF WILD COUNTRY P.O.A. INFORMED THE COURT OF SPECIAL CIRCUMSTANCES RELATING TO WATER LINES AND TELEPHONE CABLE THAT IS ALSO UNDER THE DAM ROAD.


ADJOURN:

MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, TO ADJOURN COURT THIS 26th DAY OF FEBRUARY, 2008 AT 10:40 A.M.

ALL VOTING YES.


JOHN P. THOMPSON, COUNTY JUDGE

ATTEST:


BARBARA MIDDLETON, COUNTY CLERK

C:\Barbara M\COMMCRT.2007\FEB 26.2008.wpd

H.D.)

SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
015	ROAD & BRIDGE ADM	600,000.00
061	DEBT SERVICE FUND	600,000.00
TOTAL OF ALL FUNDS		1,200,000.00

ACCT 153

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

RAY STELLY

Asst

COUNTY AUDITOR

Chargie N. Ainsworth

JOHN P. THOMPSON

COUNTY JUDGE

John P. Thompson

FUND	DESCRIPTION	DISBURSEMENTS
101	ADULT SUPERVISION	2,080.37
185	CCAP - JUVENILE PROBATION	779.13
TOTAL OF ALL FUNDS		2,859.50

ACH 154

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

RAY STELLY
 COUNTY AUDITOR *Asst* Rargie Naimowitz
 JOHN P. THOMPSON
 COUNTY JUDGE John P. Thompson

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	29,365.80
015	ROAD & BRIDGE ADM	6,922.76
027	SECURITY	223.74
048	DISTRICT ATTY SPECIAL FUND	1,330.98
051	AGING	600.10
101	ADULT SUPERVISION	4,291.18
185	CCAP - JUVENILE PROBATION	2,049.24
TOTAL OF ALL FUNDS		44,783.80

ACH 155

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

Ass't
 RAY STELLY
 COUNTY AUDITOR Margie K. Amonatz
 JOHN P. THOMPSON
 COUNTY JUDGE John P. Thompson

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	6,867.84
015	ROAD & BRIDGE ADM	1,619.08
027	SECURITY	52.34
048	DISTRICT ATTY SPECIAL FUND	311.28
051	AGING	140.34
101	ADULT SUPERVISION	1,003.56
185	CCAP - JUVENILE PROBATION	479.26
TOTAL OF ALL FUNDS		10,473.70

ACH 156

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


RAY STELLY
 Asst. COUNTY AUDITOR Orange N. [Signature]
 JOHN P. THOMPSON
 COUNTY JUDGE John P. Thompson

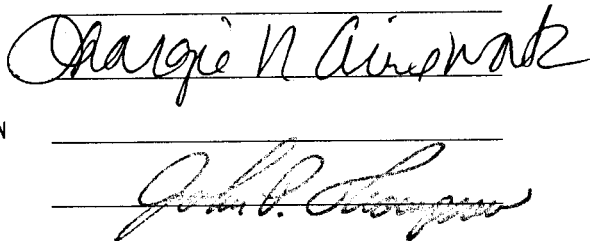
SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	21,571.54
015	ROAD & BRIDGE ADM	4,401.88
027	SECURITY	86.92
048	DISTRICT ATTY SPECIAL FUND	1,650.18
051	AGING	195.60
101	ADULT SUPERVISION	2,984.82
185	CCAP - JUVENILE PROBATION	1,448.04
TOTAL OF ALL FUNDS		32,338.98

ACIF 157

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

RAY STELLY
 COUNTY AUDITOR 

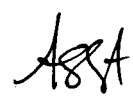
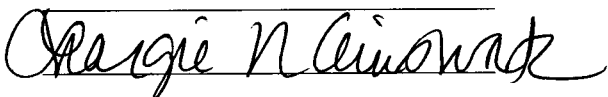
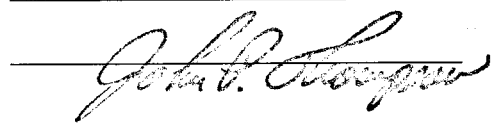
JOHN P. THOMPSON
 COUNTY JUDGE 

SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	173,171.85
015	ROAD & BRIDGE ADM	41,402.18
027	SECURITY	1,392.49
048	DISTRICT ATTY SPECIAL FUND	7,593.85
051	AGING	3,930.41
101	ADULT SUPERVISION	24,159.63
185	CCAP - JUVENILE PROBATION	11,683.70
TOTAL OF ALL FUNDS		263,334.11

ACH 15-8

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

 RAY STELLY
 COUNTY AUDITOR 
 JOHN P. THOMPSON _____
 COUNTY JUDGE 

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	2,652.03
015 ROAD & BRIDGE ADM	418.45

TOTAL OF ALL FUNDS	3,070.48

ACT 159

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

RAY STELLY

Ray Stelly

COUNTY AUDITOR

Margie N. Ciommo

JOHN P. THOMPSON

COUNTY JUDGE

John P. Thompson

FUND	DESCRIPTION	DISBURSEMENTS
020	CONSTRUCTION FUND	50,000.00
	TOTAL OF ALL FUNDS	50,000.00

AC 11/60

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

Asst RAY STELLY
COUNTY AUDITOR *Charles N. Cannon*
JOHN P. THOMPSON
COUNTY JUDGE *John P. Thompson*

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	75,136.01
TOTAL OF ALL FUNDS	75,136.01

ACH/61

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

RAY STELLY
Asset COUNTY AUDITOR *Charles W. Ainsworth*
 JOHN P. THOMPSON _____
 COUNTY JUDGE *John P. Thompson*

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	2,568.64
015	ROAD & BRIDGE ADM	675.00
027	SECURITY	60.00
TOTAL OF ALL FUNDS		3,303.64

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

Assist RAY STELLY
COUNTY AUDITOR *Margie N. Cindrick*
JOHN P. THOMPSON
COUNTY JUDGE *[Signature]*

SCHEDULE OF BILLS BY FUND

FUND DESCRIPTION	DISBURSEMENTS
019 JUDICIAL CENTER CONSTRUCTION F	10,000,000.00
TOTAL OF ALL FUNDS	10,000,000.00

AC11162

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

Asst. RAY STELLY
 COUNTY AUDITOR Marjorie N. Cinswante
 JOHN P. THOMPSON John P. Thompson
 COUNTY JUDGE

SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	500,000.00
015	ROAD & BRIDGE ADM	295,000.00
061	DEBT SERVICE FUND	260,000.00
TOTAL OF ALL FUNDS		1,055,000.00

ACH 163

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

RAY STELLY

Asst

COUNTY AUDITOR

Margie A. Anagnost

JOHN P. THOMPSON

COUNTY JUDGE

John P. Thompson

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	16,703.73
015 ROAD & BRIDGE ADM	959.88
027 SECURITY	147.13
040 LAW LIBRARY FUND	50.50
051 AGING	156.86
093 CO CLERK RECORDS MGMT FUND	114.00

TOTAL OF ALL FUNDS	18,132.10

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

RAY STELLY

Asst.

COUNTY AUDITOR

Chargie N. Cainsworth

JOHN P. THOMPSON

COUNTY JUDGE

John P. Thompson

VOL.

54 PAGE 386

SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
020	CONSTRUCTION FUND	1,000,000.00
TOTAL OF ALL FUNDS		1,000,000.00

ACT 164

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

Ass.

RAY STELLY

COUNTY AUDITOR

Chargie N. Ainsworth

JOHN P. THOMPSON

COUNTY JUDGE

John P. Thompson

SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	75,000.00
015	ROAD & BRIDGE ADM	125,000.00
TOTAL OF ALL FUNDS		200,000.00

ACH 165

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

RAY STELLY

Asst.

COUNTY AUDITOR

Margie N. Cainsworth

JOHN P. THOMPSON

COUNTY JUDGE

[Signature]

SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
061	DEBT SERVICE FUND	1,219,309.38
	TOTAL OF ALL FUNDS	1,219,309.38

Act 166

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

Asst.

RAY STELLY

COUNTY AUDITOR

Barbara Ainsworth

JOHN P. THOMPSON

COUNTY JUDGE

John P. Thompson

FUND DESCRIPTION	DISBURSEMENTS
010 GENERAL FUND	98,850.00
TOTAL OF ALL FUNDS	98,850.00

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

Assl
RAY STELLY
COUNTY AUDITOR *Margie N. Winston*
JOHN P. THOMPSON
COUNTY JUDGE *John P. Thompson*

FUND DESCRIPTION	DISBURSEMENTS
015 ROAD & BRIDGE ADM	177,172.00

TOTAL OF ALL FUNDS	177,172.00

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

Asst
 RAY STELLY
 COUNTY AUDITOR *Ray Stelly*
 JOHN P. THOMPSON _____
 COUNTY JUDGE *John P. Thompson*

FUND DESCRIPTION	DISBURSEMENTS
061 DEBT SERVICE FUND	22,135.43
TOTAL OF ALL FUNDS	22,135.43

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

Asst
RAY STELLY
COUNTY AUDITOR *Marie A. Cimomni*
JOHN P. THOMPSON
COUNTY JUDGE *John P. Thompson*

FUND	DESCRIPTION	DISBURSEMENTS
061	DEBT SERVICE FUND	460,649.38
TOTAL OF ALL FUNDS		460,649.38

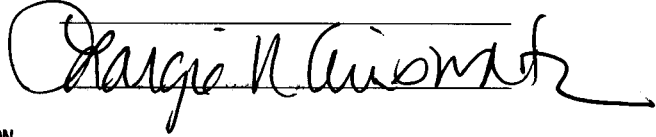
ACCT 167

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

Assl.

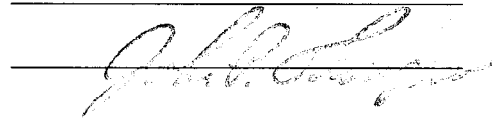
RAY STELLY

COUNTY AUDITOR



JOHN P. THOMPSON

COUNTY JUDGE



VOL.

ACH 168

SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	550,000.00
015	ROAD & BRIDGE ADM	200,000.00
017	LATERAL ROAD FUND	90,000.00
061	DEBT SERVICE FUND	40,000.00
TOTAL OF ALL FUNDS		880,000.00

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

Asst

RAY STELLY

COUNTY AUDITOR

[Signature]

JOHN P. THOMPSON

COUNTY JUDGE

[Signature]

SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	8,319.75
015	ROAD & BRIDGE ADM	1,333.53
051	AGING	4.30
TOTAL OF ALL FUNDS		9,657.58

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

Asst
RAY STELLY
COUNTY AUDITOR *Rargie N. Cunniff*
JOHN P. THOMPSON
COUNTY JUDGE *John P. Thompson*

SCHEDULE OF BILLS BY FUND

VOL. 54 PAGE 395

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	120,615.89
015	ROAD & BRIDGE ADM	157,327.45
040	LAW LIBRARY FUND	81.00
051	AGING	2,893.14
056	SHERIFF-COMMISSARY FUNDS	301.48
088	JUDICIARY FUND	109.30
090	DRUG FORFEITURE FUND	1,065.00
TOTAL OF ALL FUNDS		282,393.26

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

RAY STELLY

Asst.

COUNTY AUDITOR

Orange N. Ainsworth

JOHN P. THOMPSON

John P. Thompson

COUNTY JUDGE

VOL. 54 PAGE 396

ADDENDUM
 SCHEDULE OF BILLS FOR
 FEBRUARY 26, 2008
 FY 2008

COPY

COMPANY NAME	DESCRIPTION	DEPARTMENT	LINE ITEM	AMOUNT
ARMOR RESEARCH CO	FREIGHT ON SUPPLIES	R&B#2	015-622-337	\$ 57.59
CLARK, FRANKIE, MD	PERSONNEL PHYSICAL	PERSONNEL	010-696-405	\$ 150.00
DEEP EAST TEXAS C OF G	BUDGET GULF COAST STRATEGIC	GENERAL	010-691-470	\$ 11,460.69
EAST TEXAS COPY SYSTEM	COPIER MAINTENANCE	R&B#1	015-621-315	\$ 40.00
FISH & STILL EQUIP. CO., INC	TRACTOR	R&B#4	015-624-573	\$ 45,250.00
FOSTER, BRENT	REIMBURSEMENT	SHERIFF DEPT	010-560-330	\$ 63.00
INDIGENT HEALTH	MEDICAL EXPENSES	SOCIAL SERV.	010-645-404	\$ 6,632.05
JAIL MEDICAL	MEDICAL EXPENSES	JAIL	010-512-391	\$ 7,647.26
LANG DISTRIBRUTING CO	INDIGENT	SOC SERVICES	010-645-315	\$ 29.25
LEXIS-NEXIS	INDGENT	SOC SERVICES	010-645-315	\$ 30.75
POLK COUNTY CIVIGENICS	CONTRACT SERVICES	JAIL	010-512-440	\$ 15,264.00
POLK COUNTY ENTERPRISE	SUBSCRIPTION	PERSONNEL	010-696-315	\$ 20.00
POLK CO. SHERIFF DEPT	PURCHASE TOOLS SHERIFF SALE	R&B#4	015-624-337	\$ 50.00
POLK COUNTY TITLE, INC	LEGAL TITLE WORK	COMM COURT	010-401-488	\$ 2,539.00
PROBATION DEPARTMENT	TELEPHONE EXPENSE	PROBATION	010-465-480	\$ 325.14
RMS	ROCK	R&B#4	015-624-339	\$ 182.00
SNOWDEN DISTRICUTING CC	RENTAL DISH WAHER	JAIL	010-512-490	\$ 125.00
SOUTHEAST TEXAS FORENSIC	AUTOPSY	GENERAL	010-691-405	\$ 2,800.00
STAR GRAPHICS OFFSET INC	CONTRACT SERVICES	POSTAGE MACI	010-409-331	\$ 215.25
TEXAS DEPT OF STATE HEAL	CERTIFICATION	FIR MARSHALL	010-697-481	\$ 106.00
TEXAS STATE DIREC. PRESS	SUBSCRIPTION	COMM. COURT	010-401-352	\$ 180.95
TOTAL				<u>\$ 93,167.93</u>

4(D.)

February 13, 2008 - February 26, 2008

NO.	EMPLOYEE	DEPT	JOB DESCRIPTION	TYPE OF EMPLOYMENT	GROUP STEP & WAGE	ACTION TAKEN
(1)	MISTY ANN FOSTER	JAIL	1055 CORRECTIONS OFFICER	REGULAR FULL-TIME	1401 \$23,544.98	RESIGNATION EFFECTIVE 02/02/2008
(2)	TERESA L. WORLEY	COUNTY CLERK	105 DEPUTY CLERK	REGULAR FULL-TIME	1202 \$21,895.33	RESIGNATION EFFECTIVE 03/06/2008
(3)	MARVIN RAYLYNN OGLETREE	JAIL	1038 DEPUTY SHERIFF (TRANSPORT)	REGULAR FULL-TIME	2001 \$31,536.13	RESIGNATION EFFECTIVE 02/08/2008
(4)	DANA AUDETTE HARRIS	TAX ASSESSOR/ COLLECTOR	105 DEPUTY CLERK	REGULAR FULL-TIME	1201 \$21,381.15	DISMISSAL EFFECTIVE 02/11/2008
(5)	CRAIG N. TAYLOR	JAIL	1055 CORRECTIONS OFFICER	LABOR POOL (-900)	14(01) \$11,321.15	RECLASSIFICATION TO REG FULL-TIME, #1038, DEPUTY SHERIFF (TRANSPORT), 2001, \$31,536.13 EFFECTIVE 02/19/2008
(6)	ASHLEY VANCE YANCEY	DISTRICT CLERK	106 COURT CLERK	REGULAR FULL-TIME	1401 \$23,544.98	NEW HIRE EFFECTIVE 02/27/2008
(7)	MICHAEL D. CREW	MAINTENANCE/ CUSTODIAL	803 CUSTODIAL/MAINTENANCE WORKER	REGULAR FULL-TIME	0901 \$18,488.91	NEW HIRE EFFECTIVE 02/28/2008
(8)	TERESA F. PLACKER	COUNTY CLERK	105 DEPUTY CLERK	REGULAR FULL-TIME	1201 \$21,381.15	NEW HIRE EFFECTIVE 02/28/2008
(9)	KAREN LYNN NEEDHAM	TAX ASSESSOR/ COLLECTOR	105 DEPUTY CLERK	REGULAR FULL-TIME	1201 \$21,381.15	NEW HIRE EFFECTIVE 03/12/2008
(10)						
(11)						
(12)						
(13)						
(14)						
(15)						
(16)						
(17)						
(18)						
(19)						
(20)						
(21)						

STATE OF TEXAS

COUNTY OF POLK

**ORDER AWARDING CONTRACT FOR CONSTRUCTION MANAGER-AT-RISK**

WHEREAS, Polk County, Texas (the "County") needs to construct a Judicial Center to improve efficiency in its judicial system (the "Project"); and

WHEREAS, the County has selected an architect for the Project that the County determined to be the most highly qualified architect pursuant to the provisions of Section 2254.004 of the Texas Government Code; and

WHEREAS, the County has previously granted the exceptions in Section 262.024(a)(2) and Section 271.056(2), Texas Local Government Code, relating to safety of its residents; and

WHEREAS, the County has previously reviewed alternative construction methods permitted under Section 271.111 et seq. of the Texas Local Government Code and by prior action has determined that the Construction Manager-at-Risk method will provide the County with the best value for this Project; and

WHEREAS, the County has performed the selection process for a Construction Manager-at-Risk in accordance with the requirements of Section 271.118 of the Texas Local Government Code, and has determined the contractor that will provide the best value to the County for this Project;

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

Section 1. Findings. The declarations, determinations and findings declared, made and found in the preamble to this Order are hereby adopted, restated and made a part of the operative provisions hereof.

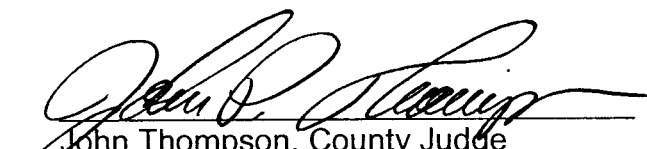
Section 2. Determination of Best Value. The Commissioners Court hereby finds that J.E. Kingham Construction is the contractor that will provide the County with the best value for this Project.

Section 3. Contract Terms. The Commissioners Court hereby finds that it is in the best interest of the County to enter into a contract with J.E. Kingham Construction ("Construction Manager") for preconstruction and construction services for the County's Project as set forth in the selection documents and proposal, with the Construction Manager's fee for preconstruction services being \$ -0- , the Construction Manager's fee for construction services being 5.0%, and the cost of general conditions for the Project being the amount determined by execution of Amendment No. 1 of the contract,

on the condition that the Construction Manager shall not perform construction services on the Project until and unless the Construction Manager's proposal for a Guaranteed Maximum Price for the Project has been approved by the Commissioners Court in a subsequent meeting.

Section 4. Authorization. The Commissioners Court hereby authorizes the County Judge, or his designee, to execute a contract with the Construction Manager for preconstruction and construction services for the Project on the terms set forth above, and on such other terms and conditions as the County Judge may deem necessary or advisable.

PASSED AND APPROVED this 26th day of February, 2008.

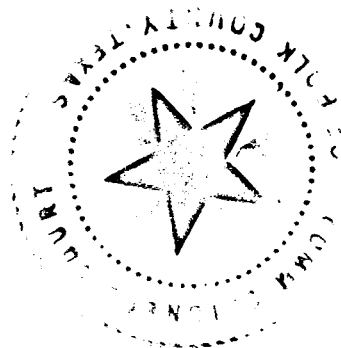

John Thompson, County Judge
Polk County, Texas

ATTEST:



County Clerk
Polk County, Texas

by: Schelana Walker



54 PAGE 400

REIMBURSEMENT RESOLUTION
CAPITAL OUTLAY PURCHASES
FEBRUARY 26, 2008
FY2008

COMPANY NAME	DESCRIPTION	DEPARTMENT	LINE ITEM	AMOUNT	COURT DATE
AFIX TECHNOLOGIES, INC	SOFTWARE	SHERIFF DEPT	010-503-573	\$ 16,500.00	10/9/2007
BROOKS, O.C.	ROOFING	MAINT ENG	010-511-574	\$ 19,500.00	10/23/2007
BROOKS, O. C.	ROOFING	MAINT ENG	010-511-574	\$ 3,950.00	10/23/2007
D P SOLUTIONS INC.	COMPUTERS	TAX OFFICE	010-510-573	\$ 2,337.00	10/9/2007
KLOTZ & ASSOCIATES INC	ENGINEERS	R&B#1	015-621-575	\$ 3,630.00	
KLOTZ & ASSOCIATES INC	ENGINEERS	R&B#3	015-623-575	\$ 2,266.00	
TELCOM SUPPLY INC	TELEPHONE	SHERIFF DEPT	010-560-573	\$ 3,914.99	11/23/2007
TEK-COM TECHNOLOGIES INC	HARDDRIVE	SHERIFF DEPT	010-503-573	\$ 583.00	10/9/2007
VERIZON WIRELESS	BROADBANDACCESS	SHERIFF DEPT	010-503-573	\$ 389.28	10/9/2007
VERIZON WIRELESS	BROADBANDACCESS	SHERIFF DEPT	010-503-573	\$ 389.28	10/9/2007
WIMBERLY & ASSOCIATES	OFFICE ANNEX	MAINT ENG	010-511-574	\$ 87,195.75	9/12/2006
TOTAL				<u>\$ 140,655.30</u>	

10

 **PINNACLE**
Arbitrage Compliance

Pinnacle Arbitrage Compliance LLC
5400 LBJ Freeway, Suite 1325
Dallas, Texas 75240

Main: (214) 580-1220

February 27, 2008

Mr. John P. Thompson
County Judge
Polk County
101 West Church Street, Suite 300
Livingston, Texas 77351

**Arbitrage Rebate Calculation Agreement
for
Polk County, Texas**

Dear Mr. Thompson:

This letter (the "Agreement"), sets forth the terms and conditions on which Pinnacle Arbitrage Compliance LLC ("we" or "Pinnacle") will perform the services outlined below (the "Services") to Polk County, Texas ("you" or "Client") as they relate to arbitrage rebate calculations for the various bond issues of the Client (the "Bonds").

Scope of Services

1. Pinnacle will prepare a computation to determine the arbitrage rebate amount (the "Rebate Amount") for the Bonds as described in §148(f)(2) of the Internal Revenue Code of 1986, as amended (the "Code") and Treasury Regulations Section 1.148 (the "Regulations"). The Rebate Amount is equal to the excess of the amount earned on the investment of all gross proceeds over the amount that would have been earned if such gross proceeds were invested at the bond yield.
2. Upon the completion of our work, we will provide a rebate report for the Bonds, which will contain a signed opinion and detailed supporting schedules indicating the Rebate Amount, computed in accordance with the Code and the Regulations. If a remittance is due to the United States Treasury, we will assist you in completing the Internal Revenue Service Form 8038-T and will provide you with filing instructions to make the payment.

Fees and Expenses

3. Our fees to compute the Rebate Amount for the Bonds will be a base fee of **\$1,400** per issue per bond year. An invoice will be issued at the time the completed report is sent to you and is payable upon receipt.
4. The structure and complexity of certain bond issues may require or benefit from additional services for which additional fees will be charged, generally at a rate of \$500 per additional service per Bond Year. Examples of these services include, but are not limited to, the following:

Additional Charges for Special Services Related to:	Fees Per Issue Per Bond Year (*)
Variable Rate Bond Issues	\$500
Inclusion of hedge bond transactions in bond yield calculation	\$1,000
Inclusion Debt Service Fund not meeting debt service fund exception	\$500 per fund
Allocations required for bond proceeds invested in a commingled fund	\$500 per fund
Transferred proceeds transactions due to refundings	\$500 per refunding
Yield Restriction Analysis and Yield Reduction Payment Computation	\$500
Application of the Universal Cap rules	\$500
Preparation of an IRS Refund Request	\$5,000
Penalty in Lieu of Rebate Calculations: Semiannual Fee	\$1,000
(*) A "Bond Year" represents a one-year period from the delivery date of the bonds and each subsequent anniversary date of the delivery of the bonds, or shorter period if selected by the Issuer.	

- 4a. Pinnacle shall obtain prior approval from the Client before initiating any of the additional services outlined above.

Term of the Agreement

5. This Agreement will apply for a five-year period ending commencing on the date this Agreement is executed, unless earlier terminated as set forth below. Both the Client and Pinnacle may cancel this Agreement with 30 days written notice with or without cause. The Client shall pay for work-in-progress, completed Services and expenses incurred by Pinnacle through the effective date of any termination.

No Coordination with Private Activity Regulations

6. The purpose of our engagement is to determine the Rebate Amount pursuant to §148(f)(2) of the Code. Sections 141-147 of the Code and the related Treasury Regulations set forth requirements with respect to the amount of bond proceeds that may be used for the benefit of a private person or entity. Treasury Regulations Section 1.141-6(a) requires that allocations of expenditures of bond proceeds for purposes of computing the Rebate Amount must be the same as the allocations of expenditures used to test the private use of projects financed with proceeds of the Bonds.

February 27, 2008

Page 3 of 4

Mr. John P. Thompson
Polk County, Texas

7. For purposes of calculating the Rebate Amount, our calculations assume that the allocation of the expenditures of Bond proceeds as provided to us are the same for both purposes of Sections 141-147 and Section 148 of the Code. The scope of this engagement does not include procedures to analyze the private use limitations associated with the Bonds.

Limitation of Liability

8. The total aggregate liability of Pinnacle under this Agreement shall be limited to any penalty and/or interest imposed on the Client by the United States Internal Revenue Service on any additional Rebate Amount which results from a proven error by Pinnacle in rendering the Services outlined in this Agreement. The Client, and not Pinnacle, shall be responsible for paying the correct Rebate Amount due.
9. Neither of us will, in any event, be liable to the other, for any reason, for any consequential, incidental, special, punitive or indirect damages, including loss of profits, revenue, data, use of money or business opportunities, regardless of whether notice has been given or there is an awareness that such damages have been or may be incurred.

Other Terms

10. The Client will timely notify Pinnacle of any refunding or defeasance transactions involving any bond subject to this Agreement. Such notification is critical as a refunding or defeasance transaction may accelerate the required calculation of the Rebate Amount. Failure to notify Pinnacle of refunding or defeasance transactions could cause a filing with the United States Treasury to be late, which could result in penalties and interest.
11. None of the work that we will perform under this engagement will constitute an attest engagement in accordance with generally accepted auditing standards. The advice and Services provided hereunder are solely for the calculation of the Rebate Amount, and are to be used for no other purpose. We assume no responsibility to keep you apprised of developments in the tax law relative to this engagement after it has been completed. We will not audit the information provided to us and will express no opinion as to the completeness, accuracy, or sufficiency of such information for purposes of calculating the Rebate Amount.
12. Pinnacle shall own all work papers prepared by it to document, in accordance with professional obligations, performance of the Services, and it may retain, in confidence, copies of reports and other documents prepared by it.

If the terms of this Agreement are satisfactory, please sign one copy of this Agreement acknowledging our agreement and return it to Pinnacle. We very much appreciate the opportunity to serve you. If you have any questions, please contact Mr. Terry Burke at (214) 580-1230.

Very truly yours,

Pinnacle Arbitrage Compliance LLC

Mr. John P. Thompson
Polk County, Texas

February 27, 2008
Page 4 of 4

Acknowledged:

Polk County, Texas

 02/27/08
Signature Date

John P. Thompson
Printed Name

County Judge
Title

#18

#18

Texas Department of Agriculture GO TEXAN Certified Retirement Community Program

Todd Staples, Commissioner

Why Market to Retirees?

- Texas is the 2nd most popular retirement state;
- Texas economy is reaping an additional \$751 million annually from older migrants;
- 22% of the Texas population will be retirement eligible by 2030;
- Senior household has the same economic benefit as adding 1.5 jobs in a community;
- Retirees are looking for smaller rural communities with access to urban services;
- Native Texans account for 1/5 of retirees returning to Texas;
- Retirees are moving to be closer to family or care providers;
- Spend average \$36,000 year and pay \$3000 in state & local taxes; and
- Dedicated income or "Mailbox Money" from Social Security, pensions, savings, etc.

Why Baby Boomer Retirees?

- 1 in 5 boomers will relocate upon retirement;
- Retiring younger starting at around age 55;
- Healthier, more affluent, more active;
- \$2.3 trillion in annual spending power held by highly educated retirees;
- Purchase new homes, pay taxes, create jobs for the community;
- Looking for amenities (shopping, restaurants, recreation), good health services, etc.;
- Looking for sunny climates, lower cost of living, and a better community lifestyle;
- Provide leadership in community service; and
- Create dependable full-time and part-time workforce.

Tourism Link to Retiree Recruitment

- Potential retirees visit different communities over 3 to 5 years, staying approximately 5 nights per visit;
- They visit first, then retire, then tell their friends and they visit and then retire there;
- People over age 50 account for 70% of tourism spending; and
- 13% of Texas and U.S. travelers are retirees.

Sources: U.S. Census Bureau; AgingTexasWell.org; Stateline.org; Dallasnews.com; Dr. Mark Fagan-JSU; Thomas, Warren + Associates; North Carolina Center for Creative Retirement; Ray Perryman



Certified Retirement Community Program - TDA's Role

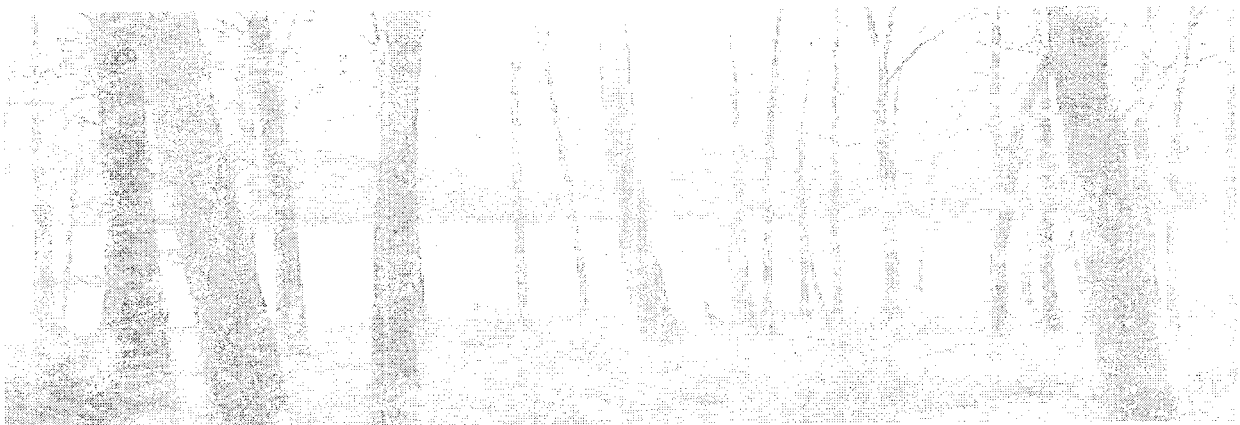
The Texas Certified Retirement Community Program is a new initiative from the Texas Department of Agriculture (TDA) to help Texas communities encourage retirees and potential retirees to make their homes in Texas communities that have met the criteria for certification by the department as a Texas Certified Retirement Community.

The Mission:

- Promote Texas as a retirement destination to retirees and potential retirees both in and outside Texas (According to the North Carolina Center for Creative Retirement, Texas is now the #2 most popular retirement destination).
- Encourage tourism to Texas as a desirable retirement location and for the visitation of those who have chosen to retire in this state;
- Establish a certification program that is user friendly and informative; and
- Maintain a certification program that is reliable and trusted.

The Tools:

- Create a Web site to market each certified retirement community;
- Direct inquiries to certified communities;
- Work with and support each certified retirement community to evaluate the qualities that make it a retirement destination; and
- Develop an event to showcase the benefits of retirement in Texas.



For more information contact:
Texas Department of Agriculture
Rural Economic Development Division
Texas Retirement Certification Program
1-877-428-7848 512-936-0273

www.tda.state.tx.us

TDA RED006R
08/07

Certified Retirement Community Program – Getting Certified

Who is Eligible?

Any community in Texas wanting to showcase itself as a retirement location and a tourism destination.

Benefits:

- Statewide marketing campaign to attract retirees and tourists;
- Positive economic and social impact to the community;
- No tax abatements or incentives required;
- Tools to assess community strengths/weaknesses for recruiting retirees;
- Economic benefit of adding 1.5 jobs per senior household; and
- Wealth of knowledge available for community service and employment.

How to Get Certified?

- Designate a board to serve as the community's official sponsor and resource team;
- Complete the application and satisfy the program requirements to become certified;
- Submit the application fee, as required by statute, with application;
- Maintain the program standards to retain certification; and
- Re-certify and pay application fee by the fifth anniversary date of initial certification.

Retiree Desirability Assessment:

- | | |
|--|--|
| • Community overview | • Personal safety |
| • Local housing availability | • Availability of assisted living health care services |
| • Employment opportunities | • Public transportation and major highways |
| • Availability of emergency medical services | • Leisure living |
| • Continuing education | • Performing arts |
| • Recreational areas and facilities | • Sports at all levels |
| • Festivals and events | • Marketing plan for the program |
| • Tax structure | • Long-term plan for assisting retirees |

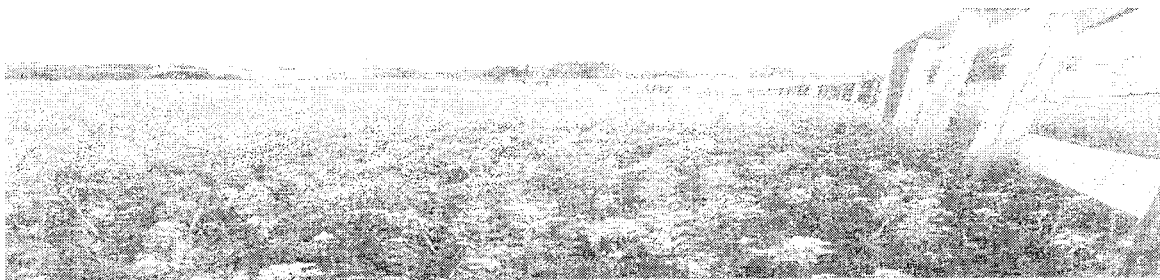


Photo Courtesy of Texas Forest Service – Ron Billings

For more information contact:
Texas Department of Agriculture
Rural Economic Development Division
Texas Retirement Certification Program
1-877-428-7848 512-936-0273

www.tda.state.tx.us

TDA RED006R
08/07

**INSTRUCTIONS FOR
GO TEXAN CERTIFIED RETIREMENT COMMUNITY PROGRAM APPLICATION
FORM RED-103**

SECTION A

1. CLIENT INFORMATION

- Enter the City or County name.
 - Check the box that identifies whether community is in a city or county.
 - Enter the Comptroller Taxpayer ID No.
-

SECTION B

1. CHIEF ELECTED OFFICIAL

- Check the box that identifies the title of the Chief Elected Official in the city or county.
- Enter the Chief Elected Official's full name, telephone and fax numbers, E-mail and Web Addresses.

2. MAILING ADDRESS

- Enter the full mailing address of the Chief Elected Official.
-

SECTION C

1. LOCAL CONTACT PERSON

Enter the suffix, full name, title, telephone and fax numbers, and E-mail address of the local contact person (Sponsor).

2. MAILING ADDRESS

Enter the full mailing address of the local contact person (Sponsor).

3. FACILITY ADDRESS – PHYSICAL ADDRESS OF CONTACT PERSON

Enter the full physical address – not a P.O. Box.

SECTION D

1. WEB SEARCH CRITERIA (THIS INFORMATION WILL NOT BE USED IN THE SCORING PROCESS)

Check the boxes that identify the facilities and services available to the retirement community. If the facility or service is not available, check the "None" box.

SECTION E**1. POPULATION INFORMATION**

Enter the exact population based on the latest Census.

SECTION F**1. PAYMENT**

Please use the following formula to calculate your payment for this program:

Payment = Exact population _____ x .25 cents or \$5,000.00 (whichever is the higher amount) =
\$ _____

- Check the box that identifies the method of payment.
 - Enter the amount of payment you are sending in with this application.
 - Mail the payment with the application to the TDA address indicated.
-

SECTION G**1. CHIEF ELECTED OFFICIAL SIGNATURE**

- Please read the entire statement.
 - Sign and date the form.
-

SECTION H**1. CHECKLIST FOR CERTIFIED RETIREMENT COMMUNITY PROGRAM APPLICATION**

Please use this checklist to ensure you are sending TDA all of the required information and documentation.