

**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" AWARDDING 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

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