

STATE OF TEXAS §

COUNTY OF POLK §

DATE: SEPTEMBER 23, 2008
REGULAR MEETING
ALL MEMBERS - PRESENT**COMMISSIONERS COURT**
AGENDA POSTING #2008 - 102

BE IT REMEMBERED ON THIS THE 23rd DAY OF SEPTEMBER, 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, JAMES J. "BUDDY" PURVIS, COMMISSIONER PCT #3, C.T. "TOMMY" OVER -
STREET, 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 JUDGE THOMPSON.
 - PLEDGES TO THE U.S. AND TEXAS FLAGS WERE LED BY JOE ROEDER.
2. PUBLIC COMMENTS:
 - A. JIM JOHNSON OF PRECINCT #1, WAS VERY UPSET WITH THE ENTERPRISE NEWSPAPER CONCERNING A HEADLINE AND STORY THAT WAS PRINTED IN LAST SUNDAY'S NEWSPAPER.
3. INFORMATIONAL REPORTS:
 - A. COUNTY CLERK BARBARA MIDDLETON REPORTED THAT HER OFFICE HAS RECEIVED THE BALLOTS FOR NOVEMBER 4th GENERAL ELECTION. ALL THE MILITARY BALLOTS HAVE BEEN MAILED AND THEY ARE RECEIVING ABOUT TWO HUNDRED APPLICATIONS FOR A BALLOT BY MAIL EACH DAY.
 - B. BID SMITH, TAX ASSESSOR/COLLECTOR/VOTER REGISTRAR REMINDED EVERYONE THAT THE DEADLINE TO APPLY OR CHANGE A VOTER REGISTRATION IS OCTOBER 6, 2008.
 - C. KENNETH HAMMACK, SHERIFF, GAVE HIS MONTHLY REPORT ON ACTIVITY AND CALLS AT THE SHERIFF'S OFFICE.
 - D. COMMISSIONER PURVIS GAVE COMMENTS REGARDING THE OTHER TWO COMMISSIONERS ON THE COURT.
 - E. JUDGE THOMPSON REPORTED ON THE DEBRIS REMOVAL EXPECTED IN THE NEXT TWO WEEKS. JAY BARBEE WILL BE RESPONSIBLE FOR NOTIFYING THE PUBLIC WHERE TO TAKE THEIR DEBRIS IF THEY WANT TO HAUL IT OFF THEMSELVES. THE OUTSIDE CONTRACTORS WILL MAKE ABOUT THREE ROUNDS OF ALL COUNTY ROADS FOR DEBRIS REMOVAL. F.E.M.A. WILL OPEN A DISASTER RECOVERY CENTER AT THE FORMER BANK OF LIVINGSTON BUILDING, ON 190 WEST NEXT TO WAL-MART, 9:00 AM TO 6:00 PM DAILY, FOR FILING CLAIMS. HE SAID WE ARE NOT UNDER A BURN BAN AT THE PRESENT TIME, IF PEOPLE WANT TO BURN THEIR DEBRIS.

4. OLD BUSINESS (TABLED FROM LAST AGENDA) NONE**CONSENT AGENDA**

5. JUDGE THOMPSON REQUESTED THAT ITEM (A) BE HELD UNTIL NEXT MEETING AND ITEM (E) APPROVAL PENDING REVIEW.

MOTION:

MOTIONED BY JAMES J. "BUDDY" PURVIS, SECONDED BY BOB WILLIS, TO APPROVE THE CONSENT AGENDA, ITEM B THROUGH J, LISTED AS FOLLOWS. ALL VOTING YES.

- A. TABLE APPROVAL OF SEPTEMBER 5, 2008 AND SEPTEMBER 9, 2008 MINUTES.
 B. APPROVE BUDGET REVISIONS #2008-21, AS PRESENTED BY THE COUNTY AUDITOR. (SEE ATTACHED)
 C. APPROVE BUDGET AMENDMENTS #2008-21(a), AS SUBMITTED AND REVIEWED BY COURT APPOINTED COMMITTEE. (SEE ATTACHED)
 D. APPROVAL & PAYMENT OF BILLS, BY SCHEDULE INCLUDING ADDENDUM. (SEE ATTACHED)

DATE	AMOUNT	CHECK #
9/04/08	\$ 3,063.15	ACH 313
9/04/08	44,026.18	ACH 314
9/04/08	10,296.56	ACH 315
9/04/08	30,243.21	ACH 316
9/04/08	261,627.25	ACH 317
9/04/08	3,054.23	ACH 318
9/04/08	2,526.19	2136113 - 213118
9/05/08	62,228.78	213119 - 213146
9/05/08	1,147.72	213147 - 213148
9/09/08	2,002.44	ACH 319
9/09/08	468.32	ACH 320
9/09/08	922.96	ACH 321
9/09/08	12,859.45	ACH 322
9/09/08	336.00	99856 - 99877
9/09/08	192.00	99878 - 9990
9/09/08	2,482.00	99910 - 100024
9/09/08	22,050.50	213149
9/09/08	4,587.43	13150 - 21356
9/11/08	5,430.09	213157 - 213170
9/17/08	33,130.84	213171
9/18/08	2,977.15	ACH 323
9/18/08	45,143.16	ACH 324
9/18/08	10,557.70	ACH 325
9/18/08	32,127.27	ACH 326
9/18/08	268,546.00	ACH 327
9/18/08	3,054.23	ACH 328
9/18/08	2,100,000.00	ACH 329
9/18/08	1,440,454.46	ACH 330
9/18/08	2,726.19	213172 - 213178
9/18/08	910.00	213179 & 213180
9/18/08	388,234.06	213181 - 213308
9/18/08	7,950.65	213309 - 213319
TOTAL	\$4,808,356.17	

E. APPROVAL OF PERSONNEL ACTION FORMS (REVISED LIST) PENDING REVIEW FOR BUDGET AND POLICY CONFORMITY. (SEE ATTACHED)

- F. APPROVE "RESOLUTION" EXPRESSING INTENT TO REIMBURSE FY2009 EXPENDITURES TO BE INCURRED BY POLK COUNTY, TEXAS. (SEE ATTACHED)
- G. APPROVE PERSONNEL MANAGEMENT SYSTEM UPDATE, REVISING SECTION 3.15 & SECTION 5.16. (SEE ATTACHED)
- H. APPROVE "RESOLUTION" RELATED TO APPLICATION FOR INDIGENT DEFENSE TASK FORCE FORMULA GRANT PROGRAM. (SEE ATTACHED)
- I. APPROVE "AMENDMENT NO. 1" TO OFFICE OF RURAL COMMUNITY AFFAIRS TxCDBG CONTRACT DRS060071 - "GENERATORS." (SEE ATTACHED)
- J. APPROVE "MEMORANDUM OF UNDERSTANDING" BETWEEN POLK COUNTY AND THE SUPREME COURT OF TEXAS FOR SUPPORT OF CONTINUITY OF COURT OPERATIONS IN THE EVENT OF AN EMERGENCY. (SEE ATTACHED)

6. BID #2008-22 - BRIDGES IN PRECINCT #3.
 THE COUNTY AUDITOR INDICATED THAT BIDS WERE NOT RECEIVED PER LEGAL NOTICE, DUE TO HURRICANE IKE. ALSO NOTED THAT ONE BIDDER-DAVIS & BROWN CONSTRUCTION- HAD ATTEMPTED DELIVERY OF A BID ON THE PUBLISHED DEADLINE DATE, BUT DID NOT SUBMIT IT WHEN INFORMED THAT BIDS WOULD NOT BE OPENED. DAVIS & BROWN, BEING PRESENT IN COURT, PRESENTED A COPY OF THE PROPOSED BID, STILL SEALED. JUDGE THOMPSON DEFERRED TO THE COUNTY AUDITOR AS TO THE VALIDITY OF THE BID. COMMISSIONER WILLIS REQUESTED THE AUDITOR OPEN THE BID - IF NO OTHER BIDS HAD BEEN PRESENTED. THE BID WAS OPENED AND READ BY THE COUNTY AUDITOR.

MOTIONED BY JAMES J. "BUDDY" PURVIS, SECONDED BY BOB WILLIS, TO AWARD BID TO DAVIS & BROWN CONSTRUCTION TO REPAIR BRIDGES IN PRECINCT #3, IN THE AMOUNT OF \$433,000.00.

VOTES RECORDED AS FOLLOWS:
 JUDGE THOMPSON.....NO
 COMMISSIONER WILLIS.....YES
 COMMISSIONER VINCENT.....NO
 COMMISSIONER PURVIS.....YES
 COMMISSIONER OVERSTREET.....NO
MOTION FAILED.

7. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO APPROVE "EMERGENCY EXTENSION" FOR ANY CONTRACTS EXPIRING DURING DISASTER DECLARATION, PER LIST.
 ALL VOTING YES. (SEE ATTACHED)

8. DELETED. (WAS ADDRESSED IN PUBLIC HEARING, PRECEDING)

9. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO ADOPT AN "ORDER" SETTING 2008 TAX RATE AT .6277 per \$100. VAULTATION, .3237 Maintenance & Operations
 .1499 Interest & Sinking (Debt Service)
.1541 Road & Bridge Departments

VOTES RECORDED AS FOLLOWS:
 JUDGE THOMPSON.....YES
 COMMISSIONER WILLIS.....NO
 COMMISSIONER VINCENT.....YES
 COMMISSIONER PURVIS.....NO
 COMMISSIONER OVERSTREET.....YES
MOTION CARRIED. (SEE ATTACHED)

10. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO APPROVE
DISASTER RECOVERY COMPENSATION FOR EMPLOYEE'S FROM 9/12/08
THROUGH 9/24/08, AS PER ATTACHED POLICY.
ALL VOTING YES. (SEE ATTACHED)

ADJOURN:
MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO
ADJOURN COURT THIS 23rd DAY OF SEPTEMBER, 2008 AT 10:32 A.M.
ALL VOTING YES.



JOHN P. THOMPSON, COUNTY JUDGE

ATTEST: 

BARBARA MIDDLETON, COUNTY CLERK

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