

**COMMISSIONERS COURT**  
**AGENDA POSTING #2008 - 137**

BE IT REMEMBERED ON THIS THE 9TH DAY OF DECEMBER, 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, SCHELANA WALKER, CHIEF DEPUTY AND  
RAY STELLY, COUNTY AUDITOR, THE FOLLOWING AGENDA ITEMS, ORDERS AND  
DECREES WERE DULY MADE, CONSIDERED & PASSED.

1. WELCOME & CALLED TO ORDER BY JUDGE THOMPSON AT 10:00 A.M.
  - INVOCATION GIVEN BY CHIEF DEPUTY BYRON LYONS.
  - PLEDGES LED BY JIM JOHNSON.
  
2. PUBLIC COMMENTS:
  - A. TERRI PURVIS, COMMISSIONER PURVIS' WIFE, GAVE COMMENTS ON THE HISTORY OF BUDDY PURVIS AS COMMISSIONER AND ADDED HOW PROUD SHE WAS OF HIM.
  - B. LOU LYLES, CHILD PROTECTIVE SERVICE, UPDATED COURT ON THE CHILD WELFARE BOARD AND INVITED EVERYONE TO CHRISTMAS PARTY ON THURSDAY.
  - C. LEON BAILEY THANKED COMMISSIONER PURVIS FOR HIS SERVICE TO THE COUNTY AND INFORMED COURT THE CHILD WELFARE BOARD CHRISTMAS PARTY WILL BE HELD THURSDAY, DECEMBER 11, 2008 AT FIRST UNITED METHODIST CHURCH.
  
3. INFORMATIONAL REPORTS:
  - A. MARK CURRIE, EXTENSION AGENT, INFORMED COURT OF EXTENSION SERVICE OUTREACH PROGRAMS THE OFFICE HAS BEEN FOCUSING ON.
  - B. CASSANDRA COLEMAN, EXTENSION OFFICE, REPORTED ON THREE PROGRAMS THAT THE FAMILY CONSUMER SCIENCE COMMITTEE HAS BEEN PRESENTING:
    1. DIABETIC PROGRAM
    2. NUTRITION PROGRAM FOR ALABAMA-COUSHATTA INDIAN RESERVATION. INDIAN RESERVATION RECEIVED \$4,000 GRANT FOR NUTRITION INFORMATION.
    3. MASTER OF MEMORY PROGRAM
  - C. CHAD ARBUCKLE, EXTENSION OFFICE, UPDATED COURT ON 4-H PROGRAM NOTING THAT THEY WILL BE ADDING A DEMONSTRATION AND PHOTOGRAPHY PROGRAM.
  - D. JUDGE THOMPSON READ THE RESOLUTION FOR CONSTABLE PCT. 4, MARVIN TAYLOR. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO APPROVE RESOLUTION FOR MARVIN TAYLOR, RETIRING DECEMBER 31, 2008.  
ALL VOTING YES. (SEE ATTACHED)  
MARVIN TAYLOR THANKED COURT, FAMILY AND FRIENDS FOR CONTINUED SUPPORT.
  - E. JUDGE THOMPSON READ THE RESOLUTION FOR COMMISSIONER PCT. 3, JAMES J. "BUDDY" PURVIS.  
MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE RESOLUTION FOR JAMES J. "BUDDY" PURVIS, RETIRING DECEMBER 31, 2008.  
ALL VOTING YES. (SEE ATTACHED)

COMMISSIONER PURVIS THANKED EVERYONE AND INTRODUCED HIS SON MILTON PURVIS AS THE NEXT COMMISSIONER FOR PCT. 3.

- F. BOB DROKE WITH TFR ENTERPRISES UPDATED COURT ON DEBRIS REMOVAL NOTING THAT THEY HAD PICKED UP APPROXIMATELY 240,000 CUBIC UNITS OF DEBRIS AND 4,700 HAZARDOUS TREES HAVE BEEN REMOVED. 75% OF THE SECOND PASS HAS BEEN COMPLETED AND THEY SHOULD FINISH THE SECOND PASS IN 10 DAYS AND THEN BEGIN THE FINAL PASS.

COMMISSIONER WILLIS INDICATED THAT THERE ARE ROADS IN PCT 1 THAT NEED TO BE CHECKED FOR DEBRIS.

JUDGE THOMPSON NOTED THAT JANUARY 5, 2009 IS THE LAST DAY TO PUT OUT DEBRIS FOR PICKUP.

- G. MARGIE AINSWORTH, ASSISTANT AUDITOR, INFORMED COURT OF THE PROJECT WORKSHEETS (PW'S) SUBMITTED TO F.E.M.A.

4. OLD BUSINESS

- A. MOTIONED BY RONNIE VINCENT, SECONDED BY BOB WILLIS, TO DELETE ITEM 4A "CONSIDER REQUEST TO REVISE COUNTY SUBDIVISION REGULATIONS BY SUPPLEMENTING WITH THE ADOPTION OF TEXAS WATER DEVELOPMENT BOARD MODEL RULES RELATING TO WATER/SEWER SERVICES." MATTER WILL BE PLACED ON A FUTURE AGENDA, AS NEEDED.

ALL VOTING YES.

- B. MOTIONED BY JAMES J. "BUDDY" PURVIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE COMMISSIONER PCT. 3 REQUEST TO PROVIDE OFFICE AND STORAGE SPACE LOCATED IN LEBLANC BUILDING TO CORRIGAN CHRISTIAN RESOURCE CENTER FOR FOOD DISTRIBUTION AND CORRIGAN CHRISTIAN RESOURCE CENTER TO PAY UTILITY BILLS.

ALL VOTING YES.

NEW BUSINESS

5. CONSENT AGENDA - COMMISSIONER OVERSTREET SAID HE WANTED TO ABSTAIN FROM VOTING ON ITEM D.

MOTIONED BY RONNIE VINCENT, SECONDED BY BOB WILLIS, TO APPROVE CONSENT AGENDA AS FOLLOWS:

- A. APPROVE MINUTES OF NOVEMBER 24, 2008 (SPECIAL SESSION) AND NOVEMBER 25, 2008 (REGULAR & SPECIAL SESSIONS).

- B. APPROVAL OF BUDGET REVISIONS #2009-04, AS PRESENTED BY THE COUNTY AUDITOR. (SEE ATTACHED)

- C. APPROVE SCHEDULE OF BILLS.

DATE	AMOUNT	CHECK #
11-20-08	82,305.40	ACH 389
11-20-08	1,036.33	214621-214623
11-20-08	145,782.36	214624
11-21-08	17,199.24	214625-214647
11-24-08	2,985.75	ACH 390
11-24-08	47,872.20	ACH 391
11-24-08	11,334.76	ACH 392
11-24-08	32,949.78	ACH 393
11-24-08	289,222.16	ACH 394
11-24-08	3,015.77	ACH 395
11-24-08	2,464.65	214648-214653
11-24-08	7,194.19	214654-214679
11-25-08	21,189.50	ACH 396
11-25-08	2,828.00	100327-100392
11-25-08	102.00	100393-100409
11-26-08	7,982.23	214680-214698
12-01-08	14,585.95	214699-214703
12-03-08	497,099.77	214704-214812
12-03-08	250.00	214813

12-09-08	Addendum (to appear on future schedule)	\$3,558.67
<b>TOTAL</b>	<b>1,187,400.02</b>	

- D. APPROVAL OF PERSONNEL ACTION FORMS.  
(WITH COMMISSIONER OVERSTREET ABSTAINING) (SEE ATTACHED)
- E. ORDER DECLARING SURPLUS PROPERTY, PCT. 4. (SEE ATTACHED)
- F. APPROVAL OF JUSTICE OF THE PEACE, PCT. 4 REQUEST FOR EXPENDITURE OF JUSTICE COURT TECHNOLOGY FUNDS FOR COMPUTER PURCHASE IN THE AMOUNT OF \$1,466.00 UTILIZING FY09 BUDGETED FUNDING AND A PORTION OF FUND BALANCE ATTRIBUTABLE TO JP4.
- G. APPROVE AMENDED ORDER DESIGNATING THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) AS THE BASIS FOR ALL INCIDENT MANAGEMENT IN POLK COUNTY, TEXAS. (SEE ATTACHED)
- H. APPROVAL OF OFFERS TO PURCHASE TAX FORECLOSURE PROPERTIES: (PCT.2) LOT 66, CANYON PARK #2, CAUSE NO. T07-011, ACCT. NO. CO400029000.
- I. RECEIVE COUNTY TREASURER'S FOURTH QUARTERLY REPORT (FY08) JULY-AUGUST-SEPTEMBER. (SEE ATTACHED)
- J. APPROVE RENEWAL OF AGREEMENT WITH EAST TEXAS DSL FOR INTERNET SERVICES FOR POLK COUNTY MAINTENANCE ENGINEERING FOR A ONE-YEAR TERM.
6. MOTIONED BY JAMES J. "BUDDY" PURVIS, SECONDED BY BOB WILLIS, TO ACCEPT BIDS AS IS REGARDING RE-BID #2008-22 "REPAIR/REPLACEMENT OF FOUR (4) COUNTY BRIDGES, PCT. 3", WITH REPAIRS TO BE DONE AS NEEDED.  
ALL VOTING YES.
7. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, APPROVAL OF PAYMENT FOR ANTENNA INSTALLATION FOR ROAD & BRIDGE RADIO SYSTEM WITH METHOD OF FUNDING TO BE QUARTERED PER PRECINCT.  
ALL VOTING YES.
- DISCUSSION OF ITEM 8.
8. MOTIONED BY RONNIE VINCENT, SECONDED BY TOMMY OVERSTREET, TO APPROVE REALLOCATION OF CERTAIN EQUIPMENT FORMERLY LEASED BY SANTEK FOR LANDFILL OPERATION TO ROAD & BRIDGE PCTS AS OUTLINED IN ORDER OF SURPLUS PROPERTY ADOPTED NOVEMBER 25, 2008 (ITEM 5.F), ADDING IF THE EQUIPMENT IS SOLD BEFORE THE END OF THE YEAR THE PROCEEDS (MINUS ANY REPAIRS) ARE APPLIED TO ALL FOUR ROAD & BRIDGE PRECINCTS AND IF SOLD BEFORE THE FISCAL YEAR END THE PROCEEDS GO INTO THE GENERAL FUND.  
ALL VOTING YES.
- JUDGE THOMPSON INFORMED COURT THAT THE COUNTY IS NOT ELIGIBLE FOR THE PROGRAM IN ITEM 9.
9. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO DELETE ITEM 9 "DISCUSSION AND ANY/ALL NECESSARY ACTION REGARDING THE FEMA DISASTER ASSISTANCE "DEBRIS REMOVAL FROM PRIVATE PROPERTY" PROGRAM."  
ALL VOTING YES.
10. MOTIONED BY JAMES J. "BUDDY" PURVIS, SECONDED BY BOB WILLIS, TO APPOINT RANDY BAKER TO SERVE AS PRESIDENT/CHAIR OF THE LOWER TRINITY GROUNDWATER CONSERVATION DISTRICT BOARD OF DIRECTORS FOR A 3 YEAR TERM.  
ALL VOTING YES.

11. MOTIONED BY JAMES J. "BUDDY" PURVIS, SECONDED BY BOB WILLIS, APPROVAL OF RESOLUTION SUPPORTING COUNTY JUDGES AND COMMISSIONERS ASSOCIATION OF TEXAS IN OPPOSING CHANGES PROPOSED BY TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) TO LANDFILL PERMITTING.  
ALL VOTING YES. (SEE ATTACHED)

SHERIFF KENNETH HAMMACK DISCUSSED THE 3 PROJECTS RELATING TO ITEM 12.

JUDGE THOMPSON SAID TO APPROVE THE FIRST TWO (2) PROJECTS AND WAIT UNTIL APPROVAL IS RECEIVED FROM DETCOG FOR GRANT FUNDING ON THE THIRD PROJECT.

MOTIONED BY TOMMY OVERSTREET TO APPROVE BIDS.

MARGIE AINSWORTH COMMENTED ON FEMA PAYING FOR HURRICANE IKE DAMAGED EQUIPMENT.

FEMA REPRESENTATIVE ADDED THAT FEMA WOULD REPLACE THE EQUIPMENT IF IT WAS IN USE DURING THE HURRICANE.

TOMMY OVERSTREET RESCINDED MOTION.

12. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO ACCEPT BIDS RELATING TO BID #2009-16 "IMPROVEMENT OF LAW ENFORCEMENT RADIO COMMUNICATIONS" FROM NALCOM IN THE AMOUNT OF \$33,907.03 (PHASE 1) AND \$22,664.00 (PHASE 2) AND TO FUND WORK THROUGH:

1. FEMA
2. GRANT
3. INSURANCE
4. COUNTY'S ISSUANCE OF DEBT (REIMBURSEMENT RESOLUTION)

ALL VOTING YES.

13. MOTIONED BY TOMMY OVERSTREET, SECONDED BY JAMES J. "BUDDY" PURVIS, APPROVAL OF AMENDMENT NO. 05-6 TO THE COMMUNITY SERVICES CONTRACT BETWEEN THE DEPARTMENT OF AGING AND DISABILITY SERVICES AND POLK COUNTY AGING SERVICES RELATED TO THE HOME DELIVERED MEALS PROGRAM.

ALL VOTING YES. (SEE ATTACHED)

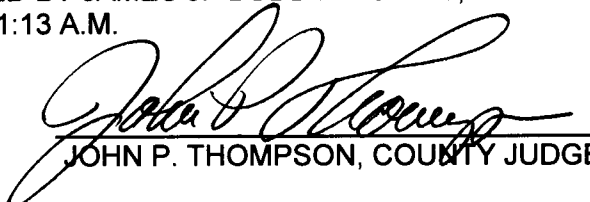
14. MOTIONED BY JAMES J. "BUDDY" PURVIS, SECONDED BY BOB WILLIS, TO RATIFY TCDP DISASTER RECOVERY PROJECT CONTRACT DRS060071 "GENERATORS" CHANGE ORDER NO. 2 (UNDER CONTRACTOR PACKAGE A & B), REGARDING A CHANGE IN A TRANSFER SWITCH FOR CORRIGAN.

ALL VOTING YES. (SEE ATTACHED)

ADJOURN:

MOTIONED BY TOMMY OVERSTREET, SECONDED BY JAMES J. "BUDDY" PURVIS, TO ADJOURN COURT THIS 9TH DAY OF DECEMBER 2008 AT 11:13 A.M.

ALL VOTING YES.

  
JOHN P. THOMPSON, COUNTY JUDGE

ATTEST:

  
SCHELANA WALKER, CHIEF DEPUTY

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