



**POLK COUNTY COMMISSIONERS COURT**  
**(Emergency Session)**

**March 2, 2009**

**2:00 p.m.**

**2009-022**

Polk County Courthouse, 3rd floor

Livingston, Texas

**NOTICE** is hereby given that an Emergency 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**

**CALL TO ORDER**

1. CONSIDER WHETHER CIRCUMSTANCES EXIST IN THE UNINCORPORATED AREAS OF THE COUNTY CREATING A PUBLIC SAFETY HAZARD THAT WOULD BE EXACERBATED BY OUTDOOR BURNING AND, IF SAID CIRCUMSTANCES ARE FOUND TO EXIST, CONSIDER ORDER PROHIBITING OUTDOOR BURNING, AS AUTHORIZED BY LOCAL GOVERNMENT CODE, SEC. 352.081.

**ADJOURN**

By: John P. Thompson, County Judge

**Posted: March 2, 2009**

I, the undersigned County Clerk, 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 at the door of the Polk County Courthouse at a place readily accessible to the general public at all times on March 2, 2009 and that said Notice remained so posted continuously for at least 2 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](http://www.co.polk.tx.us)).

BARBARA MIDDLETON, COUNTY CLERK

**FILED FOR RECORD**

2009 MAR -2 AM 10:31

By: Schelana Walker

COUNTY CLERK, POLK CO.

STATE OF TEXAS §

COUNTY OF POLK §

VOL. 55 PAGE 1117

DATE: MARCH 2, 2009

EMERGENCY MEETING

All Members - Present

**COMMISSIONERS COURT  
AGENDA POSTING #2009 - 022**

BE IT REMEMBERED ON THIS THE 2nd DAY OF MARCH, 2009  
THE HONORABLE COMMISSIONERS COURT MET IN AN "EMERGENCY"  
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, MILT PURVIS, COMMISSIONER PCT #3, C.T. "TOMMY" OVERSTREET,  
COMMISSIONER PCT #4, & BARBARA MIDDLETON, COUNTY CLERK, THE  
FOLLOWING AGENDA ITEMS, ORDERS AND DECREES WERE DULY MADE,  
CONSIDERED & PASSED.

MEETING WAS CALLED TO ORDER BY JUDGE THOMPSON AT 2:00 P.M.

"CONSIDER WHETHER CIRCUMSTANCES EXIST IN THE UNINCORPORATED  
AREAS OF THE COUNTY CREATING A PUBLIC SAFETY HAZARD  
THAT WOULD BE EXACERBATED BY OUTDOOR BURNING AND, IF SAID  
CIRCUMSTANCES ARE FOUND TO EXIST, CONSIDER "ORDER" PRO-  
HIBITING OUTDOOR BURNING, AS AUTHORIZED BY LOCAL GOVERN-  
MENT CODE § SEC. 352.081"

1. MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS,  
TO APPROVE "ORDER" CALLING FOR A BURN BAN AT 2:05 P.M.  
TODAY, IN POLK COUNTY FOR 90 DAYS, AS RECOMMENDED BY  
THE TEXAS FOREST SERVICE. THIS ITEM WILL BE PLACED ON  
FUTURE COURT AGENDAS TO CONSIDER WHETHER TO LEAVE  
BURN BAN ON OR TO TERMINATE.  
ALL VOTING YES. (SEE ATTACHED)

**ADJOURN**

MOTIONED BY BOB WILLIS, SECONDED BY MILT PURVIS, TO ADJOURN  
COURT THIS 2nd DAY OF MARCH, 2009 AT 2:10 P.M.  
ALL VOTING YES.

  
JOHN P. THOMPSON, COUNTY JUDGE

ATTEST   
BARBARA MIDDLETON, COUNTY CLERK

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STATE OF TEXAS §  
§  
COUNTY OF POLK §

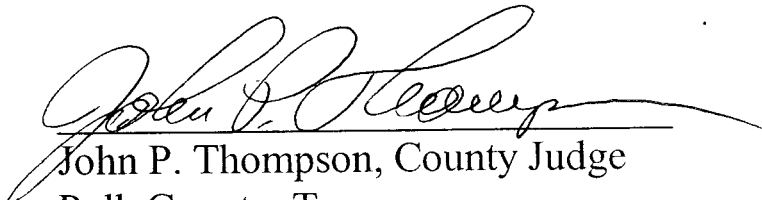
ORDER PROHIBITING OUTDOOR BURNING

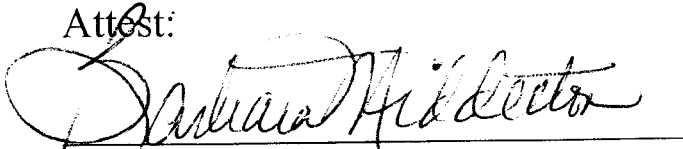
WHEREAS, the Commissioners Court finds that circumstances present in all or part of the unincorporated area of the county create a public safety hazard that would be exacerbated by outdoor burning;

IT IS HEREBY ORDERED by the Commissions Court of Polk County that all outdoor burning is prohibited in the unincorporated area of the county for 90 days from the date of adoption of this Order, unless the restrictions are terminated earlier based on a determination made by this Court. This Order is adopted pursuant to Local Government Code §352.081, and other applicable statutes. This Order does not prohibit outdoor burning activities related to public health and safety that are authorized by the Texas Commission on Environmental Quality for: (1) firefighter training; (2) public utility, natural gas pipeline or mining operations; (3) planting or harvesting of agricultural crops; or, (4) burns that are conducted by a prescribed burn manager certified under Section 153.048, Natural Resources Code, and meet the standards of Section 153.047, Natural Resources Code.

In accordance with Local Government Code § 352.081(h), a violation of this Order is a Class C misdemeanor, punishable by a fine not to exceed \$500.00.

ADOPTED this day of MARCH 2, 2009 by a vote of ayes and 0 nays.

  
John P. Thompson, County Judge  
Polk County, Texas

Attest:  
  
County Clerk

