

****AMENDED - MARCH 12, 2009**
COMMISSIONERS COURT
AGENDA POSTING #2008 - 114

BE IT REMEMBERED ON THIS THE 14th DAY OF OCTOBER, 2008
THE HONORABLE COMMISSIONERS COURT MET IN "REGULAR" CALLED
MEETING WITH THE FOLLOWING OFFICERS AND MEMBERS PRESENT, TO WIT;

HONORABLE, PRESIDING.

BOB WILLIS - COMMISSIONER PCT #1, RONNIE VINCENT - COMMISSIONER
PCT #2, C.T. "TOMMY" OVERSTREET, COMMISSIONER PCT #4, BARBARA
MIDDLETON, COUNTY CLERK & RAY STELLY, COUNTY AUDITOR, THE
FOLLOWING AGENDA ITEMS, ORDERS AND DECREES WERE DULY MADE,
CONSIDERED AND PASSED.

1. WELCOME AND CALL TO ORDER
 - INVOCATION WAS GIVEN BY ELDRIDGE STRIEDEL.
 - PLEDGES WERE LEAD BY JOE ROEDER.
2. PUBLIC COMMENTS:
 - A. JOE ROEDER OF PRECINCT#4, ASKED THE COURT FOR NEW PAINTING ON THE OUTSIDE THE COURTHOUSE AND ALONG THE CURBS FOR THE DISABLED PARKING SPACES.
3. INFORMATIONAL REPORTS:
 - A. STEPHANIE AND MARGIE OF THE AUDITOR'S OFFICE THANKED FOR DOING A GREAT JOB.
 - B. JUDGE THOMPSON ANNOUNCED THE APPOINTMENT OF REV. LARRY SHINE AS OUR NEW EMERGENCY MANAGEMENT COORDINATOR, AND TO RECEIVE & RECORD COUNTY JUDGE'S "ORDER" MAKING THE APPOINTMENT. (SEE ATTACHED)
 - C. COMMISSIONER WILLIS REPORTED HE IS GETTING MANY CALLS ABOUT MOSQUITO SPRAYING FOR OTHER PRECINCTS. HE SUGGESTED THEY CALL THEIR COMMISSIONER FOR THAT LOCATION, FOR THE FACT IS ALL COMMISSIONERS HAVE THE EQUIPMENT TO DO SO.
 - D. KENNETH HAMMACK, SHERIFF GAVE AN ACTIVITY REPORT FOR THE MONTH OF SEPTEMBER, 2008.
 - E. JEANETTE MONTGOMERY, HUMAN RESOURCES REPORTED THEY ARE STILL RECEIVING APPLICATIONS & HIRING MORE DEBRIS MONITORS NEEDED FOR THE HURRICANE IKE CLEAN-UP.
 - F. ZELL ROWLAND, REPRESENTATIVE OF CONTRACTING AGENCY GAVE A REPORT ON PICK-UP OF DEBRIS. HE SAID THEY ARE CERTAIN THEY WILL NEED AN ADDITIONAL SITE TO HAUL DEBRIS TO. THEY ARE FILLING THE FIRST THREE UP VERY FAST.

OLD BUSINESS

4. MOTIONED BY RONNIE VINCENT, SECONDED BY BOB WILLIS, APPROVAL OF MINUTES FOR MEETINGS ON SEPTEMBER 5th (Emergency), SEPTEMBER 9th (Special), SEPTEMBER 9th (Regular), and SEPTEMBER 19th (Emergency). ALL VOTING YES.

5. CONSENT AGENDA

JUDGE THOMPSON NOTED THAT FOR **ITEMS F & L**, BOTH COMMISSIONERS HAVE SUBMITTED THE REQUIRED ACCEPTANCE FORMS, **ITEM N**, THE ANNUAL FIRE DEPARTMENT AGREEMENT WILL REFLECT AN INCREASE OF 10% OVER THE PREVIOUS YEAR, CONSISTENT WITH THE INCREASE BUDGETED FOR ALL VFD's. **ITEM P**, TO STRIKE ORANGE COUNTY, OFF THE INTERLOCAL AGREEMENT WITH COUNTIES FOR RENEWING JAIL SERVICES FOR AT THE IAH SECURE ADULT DETENTION FACILITY, AND **DELETE ITEM (R)**.

MOTION

MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO ITEMS A THROUGH T, WITH EXCEPTIONS STATED ABOVE, OF TODAY'S CONSENT AGENDA, LISTED AS FOLLOWS;
ALL VOTING YES.

- A. APPROVE MINUTES OF PREVIOUS MEETINGS, September 23rd, 2008 (Special), September 23rd, 2008 (Regular), September 30th, 2008 (Special), and October 6th, 2008 (Special).
- B. APPROVAL OF BUDGET REVISIONS #2008-22, AS PRESENTED BY THE COUNTY AUDITOR. (SEE ATTACHED)
- C. APPROVAL OF BUDGET AMENDMENTS #2008-22(a), AS SUBMITTED AND REVIEWED BY COURT APPOINTED COMMITTEE. (SEE ATTACHED)
- D. APPROVAL & PAYMENT OF BILLS, BY SCHEDULES, INCLUDING AN ADDENDUM. (SEE ATTACHED)

DATE	AMOUNT	CHECK #
9/18/08	138.40	ACH 331 (FY2008)
9/19/08	32.38	ACH 332 (FY2008)
9/19/08	66.92	ACH 333 (FY2008)
9/19/08	885.75	ACH 334 (FY2008)
9/19/08	422,068.90	114, 115, 116 (FY2008)
9/19/08	5,046.24	213320 - 213331 (FY2008)
9/23/08	1,322,783.20	ACH 335 (FY2008)
9/26/08	28,210.77	21332 - 213360 (FY2008)
9/30/08	348,633.74	213361 - 213511 (FY2008)
9/30/08	28,753.66	ACH 336 (FY2008)
9/30/08	6,724.76	ACH 337 (FY2008)
9/30/08	20,441.37	ACH 338 (FY2008)
9/30/08	177,472.14	ACH 339 (FY2008)
9/30/08	69,020.22	ACH 340 (FY2008)
9/30/08	71,925.62	213512 - 213534 (FY2008)
9/30/08	7,764.69	213535 - 213547 (FY2008)
10/01/08	2,500,000.00	ACH 341 (FY2008)
10/01/08	38,574.00	117 (FY2008)
10/01/08	14,585.95	213548 - 3213552 (FY2008)
10/01/08	500.00	213553 (FY2008)
10/02/08	2,985.75	ACH 342 (FY2008)
10/02/08	50,930.80	ACH 343 (FY2008)
10/02/08	11,911.16	ACH 344 (FY2008)
10/02/08	38,212.51	ACH 345 (FY2008)
10/02/08	303,056.93	ACH 346 (FY2008)
10/02/08	9,747.59	213554 - 213558 (FY2008)
10/02/08	558.90	213559 (FY2008)
10/02/08	2,526.19	213560 - 213565 (FY2008)
10/02/08	3,054.23	ACH 347 (FY2008)
10/02/08	5,575.64	ACH 348 (FY2008)
10/02/08	160,025.11	ACH 349 (FY2008)
10/03/08	10,447.50	213566 - 213593 (FY2008)
10/03/08	11,336.85	213594 - 213597 (FY2009)
10/03/08	46,970.26	213598 & 213599 (FY2008)
10/07/08	1,405,276.40	ACH 350 (FY2009)

10/07/08	16,615.36	213600 (FY2009)
10/07/08	51,114.03	213601 - 213609 (FY2008)
10/07/08	59,734.91	213610 - 213663 (FY2008)
10/14/08	Addendum	\$ 43,060.00
		To appear on future schedule
TOTAL	\$ 7,253,708.83	

- E. APPROVAL OF PERSONNEL ACTION FORMS. (SEE ATTACHED)
 F. APPROVE "ORDER" OF ACCEPTANCE FOR PUBLIC MAINTENANCE OF CERTAIN ROADS SET ASIDE IN FINAL PLAT OF SOMERSET SUBDIVISION OF POLK COUNTY, TEXAS, PCT #4; SOMERHILL MANOR DR., SOMER KNOLL CT., SOMER GLEN CT. AND AMBER DAWN CT. (SEE ATTACHED)
 G. APPROVAL TO RATIFY TCDP DISASTER RECOVERY PROJECT CONTRACT DRS060071 "GENERATORS" CHANGE ORDER NO.1, CHANGING CERTAIN GENERATORS AND LOCATIONS FOR THE CITY OF LIVINGSTON. (SEE ATTACHED)
 H. APPROVAL OF ENGINEERING CONTRACT FOR FY2007-08 CDBG CONTRACT 728340, "SEWER PROJECT IN SHELTER COVE SUBDIVISION" AS RECOMMENDED BY GRANT ADMINISTRATOR. (SEE ATTACHED)
 I. RECEIVE COUNTY AUDITOR'S MONTHLY REPORT.
 J. ACCEPT OFFERS TO PURCHASE TAX FORECLOSED PROPERTIES;
PRECINCT #1, LOTS 101 - 103, OF NATASHA HEIGHT, CAUSE NO.T05-080;
PRECINCT #3, TRACT 6, 3.69 ACRES, IN HUNTER'S PARADISE 32, CAUSE NO. T07-005, LOTS 59 &60, IN DAMASCUS WOODS, CAUSE NO. T04-218, & LOT 331, IN REILY'S VILLAGE #1, CAUSE NO.T07-0954.
 K. APPROVAL TO ADVERTISE FOR BIDS FOR ONE PICKUP (PCT #1).
 L. APPROVE "ORDER" OF ACCEPTANCE FOR PUBLIC MAINTENANCE OF VALLEY VIEW DRIVE, PRECINCT #1, (SEE ATTACHED)
 M. APPROVAL OF UPDATE TO MASTER STREET ADDRESS GUIDE (MSAG). (SEE ATTACHED)
 N. APPROVE RENEWAL OF ANNUAL FIREFIGHTING AGREEMENT WITH THE CITY OF LIVINGSTON FOR FY2009. (SEE ATTACHED)
 O. APPROVE RENEWAL AGREEMENT WITH INTEGRATED DATA SERVICES FOR COUNTY CLERK'S IMAGING SOFTWARE MAINTENANCE FOR FY2009. (SEE ATTACHED)
 P. APPROVE INTERLOCAL AGREEMENT WITH FORT BEND COUNTY, RENEWING JAIL SERVICES AT THE IAH SECURE ADULT DETENTION FACILITY. (SEE ATTACHED)
 Q. APPROVE LETTER OF AGREEMENT WITH CONSTRUCTION CODE CONSULTANTS RENEWING SERVICES FOR THE PERFORMANCE OF LIFE SAFETY INSPECTIONS FOR ONE YEAR TERM, BEGINNING OCTOBER 1, 2008. (SEE ATTACHED)
 R. DELETED.
 S. APPROVAL OF RENEWAL LEASE AGREEMENT WITH MOLLY LOCKE FOR OFFICE SPACE LOCATED IN THE M.G. REILY HUMANITARIAN BUILDING , CORRIGAN. (SEE ATTACHED)
 T. APPROVE OF ACCESS AGREEMENT TO PERFORM SOIL BORING AT JAIL PROJECT SITE. (SEE ATTACHED)

6. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO SELECT COUNTY SICK LEAVE POOL COMMITTEE FOR FY2009 BY RANDOM DRAWING, ROAD & BRIDGE DEPT. PCT #1, BRENDA HAMBRICK, TAX OFFICE - BRANDI JOHNSON, COUNTY CLERK'S OFFICE- CAROL BAILEY, DISTRICT ATTORNEY OFFICE, MARK JONES, & COUNTY JAIL - JERRY STUBBS.
ALL VOTING YES.
10. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, APPROVAL TO PARTICIPATE IN "PILOT PROGRAM" OF F.E.M.A. EXPLAINED BY REPRESENTATIVE RICHARD GRIFFIN. THE COUNTY DEBRIS FROM HURRICANE IKE WILL BE MEASURED BY CUBIC YARD. & F.E.M.A. WILL PAY \$1.15 PER CUBIC YARD. IF THE COUNTY SELLS THE DEBRIS TO A CHIPPING COMPANY, FEMA WILL TAKE YOUR PROFIT OFF THE TOP OF WHAT FEMA WILL PAY FOR DEBRIS REMOVAL & CLEANUP.
ALL VOTING YES. (SEE ATTACHED)
11. MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, APPROVAL TO ADVERTISE FOR BIDS FOR SALE OF VEGETATIVE HURRICANE DEBRIS MATERIAL. ALL BIDDERS MUST PROVIDE A PERFORMANCE BOND OF 25% OF MILLION DOLLARS.
ALL VOTING YES.
7. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, APPROVAL OF "ORDER" ADOPTING REGULATIONS APPLICABLE TO COUNTY OWNED PARKS AND STRUCTURES.
ALL VOTING YES. (SEE ATTACHED)
3. INFORMATIONAL REPORTS:
 - G. JEAN HESTER WITH HESTERS & SANDERS ARCHITECTURE OF LUFKIN, REPORTED ON THE JUDICIAL CENTER PROJECT AND WILL BE MEETING NEXT WITH THE CITY OF LIVINGSTON CONCERNING THE ROAD EASEMENT ON MILL ST. & JACKSON ST. FOR PARKING ACCESS TO THE BUILDING.

RECESS AT 10:35 A.M. (BREAK)

EXECUTICE SESSION - 10:44 A.M.

- As authorized by the Texas Open Meetings Act, as amended;
Government Code § § 551.072; Deliberations about Real Property.

EXECUTIVE SESSION ENDED AT 11:04 A.M.

RECONVENE INTO OPEN SESSION AT 11:04 A.M.

8. NO ACTION NEEDED.
MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO DELETE ITEM #8 "CONSIDER ANY/ALL ACTION REGARDING ACQUISITION OF PROPERTY FOR JAIL EXPANSION PROJECT."
ALL VOTING YES.
9. JAY BURKS, MAINTANCE ENGINEER GAVE A PROJECT PROPOSAL TO PURCHASE A LARGE WAREHOUSE WITH ACREAGE ON ALLIE BEAN DRIVE, FOR MOVING THE MAINTENANCE SHOP FROM LEGGETT, PLUS OFFER MOST NEEDED CLIMATE CONTROL STORAGE, AND NEXT YEAR MOVE THE ANIMAL SHELTER AT BACK.
MOTION #1
MOTIONED BY BOB WILLIS , TO TABLE THIS ITEM FOR CONSIDERATION UNTIL HE HAS TIME TO STUDY THE PROPOSITION FURTHER.

JUDGE THOMPSON CALLED FOR A SECOND, ONCE. HE CALLED FOR A SECOND TWICE, CALLED FOR A SECOND THREE TIMES. MOTION DIED FOR LACK OF A SECOND.


**** MOTION#2 (AMENDED) MARCH 12, 2009**

MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, APPROVAL TO MOVE AHEAD ON THE PURCHASE OF PROPERTY ON ALLIE BEAN DRIVE FOR COUNTY MAINTENANCE FACILITY AND RECORDS STORAGE, TO ENTER INTO AN EARNEST MONEY CONTRACT WITH OWNERS, AND AUTORIZE JUDGE THOMPSON TO SIGN ALL DOCUMENTS, FINANCING THROUGH THE REIMBURSEMENT RESOLUTION, FY2009, TO INCLUDE ATTACHMENT REFERENCING APPROVED COSTS AS DISCUSSED BY COURT MEMBERS AS A PART OF THE VOTED MOTION. (SEE ATTACHED)

ALL VOTING YES.

ADJOURN

MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO ADJOURN COURT THIS 14th DAY OF OCTOBER, 2008 AT 11:22 A.M.
ALL VOTING YES.



JOHN P. THOMPSON, COUNTY JUDGE

ATTEST: 

BARBARA MIDDLETON, COUNTY CLERK

C:\Barbara M\COMMCRT.2008\OCT 14.2008.wpd
** Amended March 12, 2009 (Consent Agenda)



POLK COUNTY

LIVINGSTON, TEXAS

9468 US Hwy 59 North, PO Box 523 Leggett, TX. 77350

Jay Burks
Maintenance Engineer

936-327-6808
Fax 936-398-5154

October 6, 2008

Honorable John P. Thompson
Polk County Commissioners Court
101 Church, 3rd Floor
Livingston, TX. 77351

RE: Proposal to purchase 110 Allie Bean in Livingston.

Honorable Sirs,

On September 3, 2008 an estimate was received from J. E. Kingham Construction Co., to construct a new maintenance complex on land adjacent to the Polk County Law Enforcement Center. The amount of the estimate was \$960,225.00, which averaged to \$105.17 per sq-ft.

Since then an opportunity has risen to purchase a 15,000 square foot building with office and shop space and sufficient land for future growth. This building can be made to meet the needs of not only our department, but also other possible needs of the County as well, with minimal renovations.

The asking price on this building is \$285,000.00 plus closing cost to be paid by County. The renovations needed to accommodate our department prior to move in and other improvements that we would like to make in order ensure a more efficient and safe work place total approximately \$68,142.53, or \$4.54 per sq-ft.

The purchase of this building could also be adapted to accommodate 5,000 sq-ft of climate controlled storage at an additional expense to be determined by bid, but will save the county in excess of \$1,200.00 per month for storage and rent which is currently being paid by various departments and the general fund for outside storage and building rental. Also, at the current time, our department services 87 vehicles that travel an estimated 25 miles each approximately 8 times per year, this is an average of a

*attachment for 10-14-08 minutes as corrected 3-12-09

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October 10, 2008

200 mile decrease per vehicle that will not only save on fuel, but also on normal wear and tear of the vehicles.

It is our best estimate with current figures that all of the renovations and purchase price of the building will cost \$353,142.53 plus bid amounts, which is \$23.54 per sq-ft, saving the County \$607,032.47 or \$40.47 per sq-ft over new construction.

We are requesting that the amount submitted on the enclosed estimates be approved and funds allocated except for estimates in excess of \$25,000.00 which require bidding.

The following items we request go out on bid:

Perimeter privacy fencing and Storage Cages for climate control storage
3 hour fire rated wall and doors to separate storage from shop as required by Livingston City Fire Marshal.

Respectfully Submitted

Luther J Burks,
Maintenance Engineer

IMMEDIATE RENOVATION NEEDS

Immediate renovation needs are as follows and are supported with written estimates on the following pages:

- 230187* 1) Phone system to include 8 desk telephones, two office lines, one fax line and one data line. \$5,898.98
- 290188* 2) Installation of additional Bay doors and Skylights in shop area to improve access and lighting to the shop area. \$16,999.20
- 250189* 3) Fence to secure County Property on initial move in. \$12,366.07
- 290182* 4) Additional A/C for storage area ~~ORDERED 10-14-05~~ \$6,878.28
- 5) Rock in 90' x 140' area for equipment storage, rock and labor provided by Road & Bridge Pct 4. \$11,000.00
- 6) Additional funds for items such as security system for building, railings for upstairs maintenance storage area and other items that may come up during renovation process. \$15,000.00

TOTAL NEEDED ITEMS \$68,142.53