

STATE OF TEXAS §

DATE: APRIL 14, 2009

COUNTY OF POLK §

REGULAR MEETING  
ALL MEMBER - Present**COMMISSIONERS COURT**  
**AGENDA POSTING #2009 - 038**

BE IT REMEMBERED ON THIS THE 14th DAY OF APRIL, 2009  
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, MILTON PURVIS - COMMISSIONER PCT #3, C.T. "TOMMY" OVERSTREET-  
COMMISSIONER PCT #4, SCHELANA WALKER - COUNTY CLERK AND RAY STELLY -  
COUNTY AUDITOR. THE FOLLOWING AGENDA ITEMS, ORDERS AND DECREES  
WERE DULY MADE, CONSIDERED & PASSED.

1. CALLED TO ORDER BY JUDGE THOMPSON AT 10:00 A.M.
  - INVOCATION LED BY LARRY SHINE, EMERGENCY MANAGEMENT COORDINATOR.
  - PLEDGES OF ALLEGIANCE LED BY JIM JOHNSON.
2. PUBLIC COMMENTS:
  - A. KATHIE FREEMAN INVITED EVERYONE TO THE TEA PARTY APRIL 15, 2009 FROM 5:30 P.M. TO 7:00 P.M. SHE ADDED THERE WILL BE A PETITION TO SIGN AND CONGRESSMAN KEVIN BRADY WILL HAND DELIVER THE PETITION TO WASHINGTON D.C.
  - B. BARBARA WAGSTAFF EXPRESSED CONCERNS ABOUT THE GROUNDBREAKING FOR THE JUDICIAL CENTER AND JAIL AND ASKED WHEN THE GROUNDBREAKING WILL BE CONDUCTED FOR THE ANIMAL SHELTER.
  - C. DONALD MARTIN COMMENTED ON THE ROAD CONDITIONS BY THE DUMP ON HWY 146 AND ASKED THAT SOMEONE FIGURE OUT WHO IS RESPONSIBLE FOR THE ROADS IN THE AREA AND REPAIR THEM.
  - D. COMMISSIONER OVERSTREET STATED THE ROADS ARE IN HIS PRECINCT AND HE'S CONTACTED SANTEK AND THEY ARE RESPONSIBLE FOR REPAIRING THE ROADS SINCE THEIR TRUCKS HAVE CAUSED THE DAMAGE.
3. INFORMATION REPORTS:
  - A. JUDGE THOMPSON NOTED TODAY WAS SCHELANA WALKER'S FIRST OFFICIAL COMMISSIONERS COURT MEETING AS COUNTY CLERK, INFORMED COURT OF PASSING OF HAROLD BARRINGTON WHO WORKED FOR POLK CO. 44 YEARS, NOTED BUDGET PREPARATION HAS BEGUN AND EXPRESSED SYMPATHY TO J.R. JONES AND FAMILY.
  - B. RONNIE VINCENT INVITED EVERYONE TO THE 36TH ANNUAL FIREMAN BBQ IN ONALASKA BEGINNING APRIL 21ST THRU APRIL 25TH AND THE AUCTION WILL BE HELD ON SATURDAY, APRIL 25TH AT 12:00 P.M.
  - C. SHERIFF HAMMACK PRESENTED THE MARCH ACTIVITY REPORT FOR THE SHERIFF'S DEPARTMENT.
  - D. JEANETTE MONTGOMERY, HUMAN RESOURCE SUPERVISOR, STATED AT 12:00 P.M. APRIL 24, 2009, HEALTHY SNACKS WILL BE PROVIDED AT THE COURTHOUSE TO COUNTY EMPLOYEES FOR THE HEALTHY COUNTY PROGRAM AND EVERYONE CAN PARTICIPATE IN WALKING AROUND THE COURTHOUSE.

- E. JEAN HESTER, HESTER AND SANDERS ARCHITECTURE, PRESENTED THE FINAL SITE PLAN FOR JUDICIAL CENTER AND GAVE UPDATE TO COURT AS TO WHEN THE OTHER DOCUMENTS WILL BE PRESENTED AT FUTURE MEETINGS.

OLD BUSINESS

JAY BARBEE RECOMMENDED THAT THE COURT APPROVE THE END OF THE CONTRACT WITH TFR, ADDING THAT THE JOB IS COMPLETE.

4. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO APPROVE FINAL RELEASE OF CONTRACT WITH TFR FOR HURRICANE IKE DEBRIS REMOVAL. ALL VOTING YES.

NEW BUSINESS

JUDGE THOMPSON STATED THAT ITEM D INCLUDES AN ADDENDUM AND COMMISSIONER WILLIS ASKED THAT ITEM L BE DISCUSSED INDIVIDUALLY.

5. MOTIONED BY MILTON PURVIS, SECONDED BY BOB WILLIS, TO APPROVE CONSENT AGENDA AS FOLLOWS:  
ALL VOTING YES.
- A. APPROVE MARCH 24, 2009 MINUTES (REGULAR MEETING).  
B. APPROVE BUDGET REVISIONS #2009-12, AS PRESENTED BY THE COUNTY AUDITOR. (SEE ATTACHED)  
C. APPROVE BUDGET AMENDMENTS #2009-12(A), AS SUBMITTED AND REVIEWED BY COURT APPOINTED COMMITTEE. (SEE ATTACHED)  
D. APPROVAL OF SCHEDULE OF BILLS, INCLUDING ADDENDUM. (SEE ATTACHED)

DATE	AMOUNT	CHECK #
3-19-09	1,014.00	101309-101368 void 101364 & issue ACH
3-19-09	3,074.00	101369-101461 void 101457 & issue ACH
3-19-09	394.35	216606-216607
3-19-09	192.00	216608-216612
3-19-09	11,509.37	216613-216639
3-20-09	2,100.00	216640
3-24-09	2,939.42	ACH 492
3-24-09	45,605.82	ACH 493
3-24-09	10,665.92	ACH 494
3-24-09	25,644.11	ACH 495
3-24-09	275,244.08	ACH 496
3-24-09	3,018.07	ACH 497
3-24-09	733.02	216641
3-24-09	24,166.19	216642
3-24-09	2,250.26	216643-216648
3-24-09	0.00	216649-216703 void due to errors
3-27-09	26,170.37	216704-216718
4-1-09	125,459.33	ACH 498
4-1-09	16,085.95	216719-216723
4-1-09	146,711.98	216724
4-1-09	11,638.89	216725-216729
4-1-09	2,745.83	216730
4-2-09	2,939.42	ACH 499
4-2-09	44,877.26	ACH 500
4-2-09	10,495.52	ACH 501
4-2-09	24,970.67	ACH 502
4-2-09	270,824.10	ACH 503
4-2-09	3,018.07	ACH 504

DATE	AMOUNT	CHECK #
4-2-09	2,250.26	216731-216736
4-3-09	39,694.49	216737-216770
4-6-09	1,274,780.77	ACH 505
4-6-09	2,350.00	101462-101556 void 101552 & issue ACH
4-6-09	414.00	101557-101600 void 101596 & issue ACH
4-6-09	1,374.17	216771
4-8-09	1,176.00	ACH 506
4-8-09	12,800.00	120
4-8-09	30,847.76	216772-216791
4-8-09	877,384.19	216792-216966
ADDENDUM	TO APPEAR ON FUTURE AGENDA	282.71
<b>TOTAL</b>	<b>3,337,559.64</b>	

- E. APPROVE PERSONNEL ACTION FORMS. (SEE ATTACHED)
- F. CORRECT MINUTES OF MARCH 12, 2009, ITEM 8, RELATING TO VOTES RECORDED ON MOTION TO APPROVE REQUEST TO REVISE COUNTY SUBDIVISION REGULATIONS BY SUPPLEMENTING WITH THE ADOPTION OF TEXAS WATER DEVELOPMENT BOARD MODEL RULES RELATING TO WATER/SEWER SERVICES; NOTING VOTE RECORDED TO REFLECT MOTION BY COMMISSIONER VINCENT, SECONDED BY BOB WILLIS, VOTED YES BY JUDGE THOMPSON, COMMISSIONER VINCENT, COMMISSIONER WILLIS AND VOTED NO BY COMMISSIONER OVERSTREET AND COMMISSIONER PURVIS.
- G. CORRECT MINUTES OF FEBRUARY 10, 2009, ITEM 7, TO CORRECT (TYPOGRAPHICAL ERROR) AMOUNT APPROVED FOR PURCHASE OF SHERIFF'S DEPT. VEHICLES SHOULD BE \$270,226 RATHER THAN \$27,226.
- H. APPROVE RESOLUTION AFFIRMING SUPPORT OF AND PARTNERSHIP WITH THE 2010 CENSUS. (SEE ATTACHED)
- I. APPROVE BOND OF NEWLY APPOINTED COUNTY CLERK, SCHELANA WALKER.
- J. APPROVAL OF OFFERS TO PURCHASE TAX FORECLOSURE PROPERTIES: (PCT.1) LOT 163, SHELTER COVE 3, CAUSE #T01-012, TAX ACCT. NO. S1100025400.
- K. APPROVE ANNUAL ADOPTION OF COUNTY INVESTMENT POLICY. (SEE ATTACHED)
- L. DISCUSSED INDIVIDUALLY.
- M. ACCEPT CONSTABLE PCT. 4 REQUEST FOR APPOINTMENT OF (2) RESERVE DEPUTY CONSTABLES, MITCHELL NEWMAN AND ERIC KELLUM, EFFECTIVE APRIL 14, 2009, INCLUDING APPROVAL OF BOND.
- N. APPROVE UPDATE TO PERSONNEL MANAGEMENT SYSTEM. (SEE ATTACHED)
- O. APPROVAL TO ADVERTISE FOR REMOVAL OF TREES PRESENTING SAFETY HAZARD IN AREA SURROUNDING POLK COUNTY EMERGENCY OPERATIONS CENTER.
- P. APPROVAL TO ADVERTISE FOR BIDS FOR ROOF REPAIR & REPLACEMENT AT COUNTY BUILDINGS LOCATED ON THE DUNBAR COMPLEX HOUSING JUVENILE PROBATION AND COMMUNITY ACTION.

DISCUSSION OF ITEM L OF CONSENT AGENDA.

- L. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO ADVERTISE FOR BIDS FOR CRUSHED CONCRETE ROAD BASE FOR ALL PRECINCTS.  
ALL VOTING YES.
6. MOTIONED BY RONNIE VINCENT, SECONDED BY BOB WILLIS, AWARD BID #2009-20; "CLEARING OF COUNTY RIGHT-OF-WAY APPROXIMATELY 10 ACRES FROM FM356 TO FM3159 IN PRECINCT 2, POLK COUNTY" TO REYNOLDS CONSTRUCTION IN THE AMOUNT OF \$15,000 TO BE FUNDED FROM ROAD AND BRIDGE PCT. 2 BUDGET.  
ALL VOTING YES.

7. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, APPROVAL OF AGREEMENT TO CONTRIBUTE \$2,500.00 FUNDING FOR RIGHT-OF-WAY ACQUISITION FOR TXDOT HIGHWAY PROJECT LOCATED ON FM 1276 IN BIG SANDY AREA, TO BE FUNDED BY COMMISSIONERS COURT CONTINGENCY FUND.  
ALL VOTING YES. (SEE ATTACHED)
8. CONSIDER APPROVAL TO ADVERTISE FOR BIDS FOR PRE-POSITIONED CONTRACT FOR (FUTURE) DISASTER DEBRIS REMOVAL AND DISCUSS METHOD OF BIDDING. DISCUSSION ONLY NO ACTION TAKEN.

SHERIFF HAMMACK EXPLAINED #9 TO COURT.

9. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, APPROVE RESOLUTION IN SUPPORT OF SHERIFF'S DEPARTMENT COPS GRANT APPLICATION.  
ALL VOTING YES. (SEE ATTACHED)

JAY BURKS GAVE COURT DETAILS ON #10.

10. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO ADVERTISE FOR BIDS FOR THE RELOCATION AND IMPROVEMENT OF COUNTY FUEL SYSTEM FROM THE LAW ENFORCEMENT CENTER TO THE MAINTENANCE ENGINEERING BUILDING.  
ALL VOTING YES.
11. MOTIONED BY RONNIE VINCENT, SECONDED BY MILTON PURVIS, APPROVAL FOR USE OF COUNTY SUPPLIES (ICE AND SURPLUS WATER) FOR ORGANIZED ACTIVITIES PLANNED FOR "HEALTH COUNTY" PROGRAM.  
ALL VOTING YES.

DISCUSSION OF ITEMS 12 & 13.


12. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO SELECT WAXMAN & ASSOCIATES AS GRANT ADMINISTRATOR FOR ORCA-HURRICANE IKE RECOVERY PROJECT.  
ALL VOTING YES.
13. MOTIONED BY MILTON PURVIS, SECONDED BY RONNIE VINCENT, TO SELECT PAT OATES & GOODWIN LASSITER AS GRANT ENGINEER FOR ORCA-HURRICANE IKE RECOVERY PROJECT.  
ALL VOTING YES.
14. DISCUSS FINANCIAL OUTLOOK FOR FY2009-2010. DISCUSSION ONLY NO ACTION TAKEN.

ADJOURN:

MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO ADJOURN COURT THIS 14TH DAY OF APRIL, 2009 AT 11:05 A.M.

  
JOHN P. THOMPSON, COUNTY JUDGE

ATTEST:

  
SCHELANA WALKER, COUNTY CLERK

**\*\*AMENDED APRIL 14, 2009\*\***

**COMMISSIONERS COURT  
AGENDA POSTING #2009 - 012**

BE IT REMEMBERED ON THIS THE 10th DAY OF FEBRUARY, 2009  
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, 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 & PASSED.

1. WELCOME & CALLED TO ORDER BY JUDGE THOMPSON AT 10:00 A.M.
  - INVOCATION WAS GIVEN BY ELDRIDGE STRIEDEL.
  - PLEDGES WERE LED BY JOE ROEDER.
  
2. PUBLIC COMMENTS:  
BID SMITH, TAX ASSESSOR/COLLECTOR & VOTER REGISTRAR GAVE  
COMMENTS REGARDING THE COUNTY CLERK'S RETIREMENT ON ITEM  
#8. HE TOLD THE COURT THAT HE RECOMMENDS SCHELANA WALKER,  
CHIEF DEPUTY BE APPOINTED TO FILL THE COUNTY CLERK'S UNEXPIRED  
TERM OF OFFICE, THROUGH DECEMBER 31, 2010.
  
3. INFORMATIONAL REPORTS:
  - A. RAY STELLY, COUNTY AUDITOR CALLED ON HIS ASSISTANT AUDITOR,  
MARGIE AINSWORTH TO REPORT TO THE COURT CONCERNING  
HURRICANE IKE DEBRIS REMOVAL AND PROJECT WORKSHEETS  
SUBMITTED TO F.E.M.A. Ms. AINSWORTH REPORTED (106) WORK-  
SHEETS HAVE BEEN SUBMITTED TO F.E.M.A. AND THERE ARE ABOUT  
(20) ADDITIONAL ONES STILL A WORK IN PROGRESS.  
RANDALL BOSTRUM, FEMA REPRESENTATIVE, GAVE AN UPDATE TO  
THE COURT ON HOW MUCH HAS BEEN RECEIVED AND APPROVED BY  
F.E.M.A. TO DATE.  
HE GAVE MARGIE AINSWORTH HIGH PRAISE FOR HER PERFORMANCE  
ON THE PROJECT. HE SAID ALL THE PAPERWORK SUBMITTED TO FEMA  
HAS BEEN PERFECT. A TOTAL OF (66) PROJECT WORKSHEETS, IN THE  
AMOUNT OF \$ 5,480,000,000. HAVE BEEN APPROVED BY F.E.M.A. AND  
SENT TO THE STATE FOR PAYMENT.
  - B. JEANETTE MONTGOMERY, HUMAN RESOURCES, REPORTED THAT SHE  
AND COMMISSIONER VINCENT RECENTLY ATTENDED A TRAINING  
SEMINAR IN SAN ANTONIO GIVEN BY T.A.C. TO LEARN ABOUT A NEW  
PROGRAM TO HELP EMPLOYEE'S GET HEALTHY AND STAY WELL.  
SHE WILL BE COMING AROUND TO ALL OFFICES ABOUT HOW TO  
JOIN THE PROJECT AND HOW IT WILL BENEFIT ALL EMPLOYEE'S  
THROUGHOUT THE COUNTY.

C. SHERIFF HAMMACK REPORTED ON THE ACTIVITY FOR THE MONTH OF JANUARY, 2009 AT THE SHERIFF'S OFFICE & JAIL FACILITY.

**OLD BUSINESS**

4. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO **DELETE ITEM A** - "CONSIDER APPROVAL OF CONTRACT FOR LEASE OF TWO ADDITIONAL TOWERS FROM SAM HOUSTON ELECTRIC COOPERATIVE, INC. FOR SHERIFF'S DEPARTMENT RADIO COMMUNICATIONS. ALL VOTING YES.

5. **CONSENT AGENDA**

JUDGE THOMPSON PULLED ITEM G, TO BE HEARD SEPARATELY.

**MOTION**

MOTIONED BY RONNIE VINCENT, SECONDED BY TOMMY OVERSTREET, TO APPROVE CONSENT AGENDA **ITEMS A - K**, WITH THE EXCEPTION OF **G**. ALL VOTING YES.

- A. APPROVAL OF MINUTES FOR PREVIOUS MEETING, JANUARY 27, 2009 (REGULAR).  
 B. APPROVAL OF BUDGET REVISIONS #2009-08, AS PRESENTED BY COUNTY AUDITOR. (SEE ATTACHED)  
 C. APPROVAL & PAYMENT OF BILLS BY SCHEDULE, INCLUDING ADDENDUM. (SEE ATTACHED)

DATE	AMOUNT	CHECK #
1/21/09	640,000.00	ACH 443
1/22/09	5,243.16	ACH 444
1/22/09	2,939.42	ACH 445
1/22/09	47,561.42	ACH 446
1/22/09	11,123.32	ACH 447
1/22/09	33,086.32	ACH 448
1/22/09	282,838.50	ACH 449
1/22/09	2,858.84	ACH 450
1/22/09	2,264.65	215558 - 215562
1/22/09	1,565.00	215563
1/23/09	12,316.54	274 & 275
1/23/09	8,541.10	215564 - 215585
1/23/09	5,989.94	215586 - 215604
1/26/09	6,310.00	ACH 451
1/26/09	175.00	215605
1/27/09	122,459.55	ACH 452
1/27/09	200.00	104 - 107
1/27/09	37,800.00	126
1/27/09	12,052.66	215606 - 215610
1/27/09	147,685.39	215611
1/27/09	2,935.10	215612
1/28/09	1,000,000.00	ACH 453
1/28/09	1,805,000.00	ACH 454
1/28/09	150.00	215613
1/30/09	4,020,000.00	ACH 455
1/30/09	1,460,216.85	ACH 456
1/30/09	29,585.09	215614 - 215654
2/02/09	16,805.96	215655 - 215659
2/03/09	132,633.70	ACH 457
2/03/09	7,350.00	ACH 458
2/03/09	3,500.00	103
2/03/09	19,378.97	215660 - 215662
2/04/09	195,527.10	108 - 110

2/04/09	254,456.73	215663 - 215816
2/04/09	1,300.88	215817 - 215818
<b>TOTAL</b>	<b>\$ 10,331,128.19</b>	

- D. APPROVE OF PERSONNEL ACTION FORMS. (SEE ATTACHED)
- E. APPROVE OF INTERLOCAL AGREEMENT WITH THE CITY OF LIVINGSTON FOR USE OF COUNTY ELECTION EQUIPMENT AND SERVICES. (SEE ATTACHED)
- F. APPROVE OF INTERLOCAL AGREEMENT WITH THE CITY OF ONALASKA, FOR USE OF COUNTY ELECTION EQUIPMENT AND SERVICES. (SEE ATTACHED)
- H. RATIFY UNIFORM RENTAL SERVICE AGREEMENT WITH CINTAS RENEWING SERVICES FOR MAINTENANCE DEPARTMENT. (SEE ATTACHED)
- I. RECEIVE COUNTY TREASURER'S 1st QUARTER REPORT FOR FY2009, (OCT, NOV, DEC 2008). (SEE ATTACHED)
- J. APPROVE RENEWAL OF AGREEMENT FOR GRAVEL EXCAVATION ON POLK COUNTY SCHOOL LAND IN THROCKMORTON COUNTY (for use on roads located within or adjacent to school lands).
- K. APPROVE LISTING OF PREVIOUSLY AUTHORIZED CAPITAL PURCHASES TO BE INCLUDED ON REIMBURSEMENT RESOLUTION. (SEE ATTACHED)

**ITEM G:**

JUDGE THOMPSON ABSTAINED FROM ACTION ON THIS ITEM.

**COMMISSIONER WILLIS CALLED FOR A MOTION ON ITEM G.****MOTION**

MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO APPROVE RENEWAL OF COUNTY DEPOSITORY CONTRACTS FOR A PERIOD OF TWO YEARS, EFFECTIVE MAY 10, 2009, AS AUTHORIZED BY LOCAL GOVERNMENT CODE, SEC. 116.021 (a) (b) (c).

ALL VOITING YES.

6. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO MAKE THE FOLLOWING APPOINTMENTS TO THE COMPLETE COUNT COMMITTEE FOR THE CENSUS - 2010. EACH MEMBER OF COURT WILL APPOINT ONE PERSON. SELECTIONS MADE TODAY;
- BOB WILLIS .....KENNETH HAMBRICK,  
 RONNIE VINCENT..... JOHN COLE,  
 TOMMY OVERSTREET.....DEBBIE HARLOW,  
 MILTON PURVIS.....ABSENT,  
 JUDGE THOMPSON WILL APPOINT ONE PERSON AT A LATER DATE.  
 ALL VOTING YES.

**AMENDED APRIL 14, 2009**

7. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, APPROVE REDUCED AMOUNT TO BE INCLUDED ON REIMBURSEMENT RESOLUTION FOR PURCHASE OF SHERIFF'S DEPARTMENT VEHICLES FROM \$276,480.00 (previously approved) TO \$270,226.00 DUE TO RE-USE RATHER THAN REPLACEMENT OF CERTAIN RADAR EQUIPMENT.  
 ALL VOTING YES.
8. **COUNTY CLERK RETIREMENT**
- A. MOTIONED BY BOB WILLIS SECONDED BY RONNIE VINCENT, TO ACCEPT LETTER OF RESIGNATION / RETIREMENT OF COUNTY CLERK, BARBARA MIDDLETON, EFFECTIVE APRIL 1, 2009.  
 ALL VOTING YES. (SEE ATTACHED)

B. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO APPOINT SCHELANA WALKER TO FILL THE UN-EXPIRED TERM OF COUNTY CLERK, BEGINNING APRIL 1, 2009 THROUGH DECEMBER 31, 2010. ALL VOTING YES.

9. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO RAIFY SUBMISSION OF ECONOMIC DEVELOPMENT ADMINISTRATION GRANT FOR DEVELOPMENT OF A JOINT COLLEGE & CONFERENCE CENTER IN POLK COUNTY, AUTHORIZING JUDGE THOMPSON TO SIGN NECESSARY DOCUMENTS OF SAME. ALL VOTING YES.

10. MOTIONED BY RONNIE VINCENT, SECONDED BY BOB WILLIS, TO TABLE ITEM #10 "CONSIDER APPROVAL OF RESOLUTION REQUESTING EQUITABLE TREATMENT FOR EXISTING EAST TEXAS FOREST PRODUCT INDUSTRIES IN REGARD TO 2007 LEGISLATION PERTAINING TO STATE SUBSIDIES FOR CERTAIN BIO-MASS PRODUCERS (HB1090). ALL VOTING YES.

11. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO INSTITUTE A COUNTY WIDE BURN BAN EFFECTIVE IMMEDIATELY, BASED ON INFORMATION RECEIVED FROM THE TEXAS FOREST SERVICE. ALL VOTING YES. (SEE ATTACHED)

**ADJOURN**

MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO ADJOURN COURT THIS 10th DAY OF FEBRUARY, 2010 AT 10:47 A.M. ALL VOTING YES.

  
JOHN P. THOMPSON, COUNTY JUDGE

ATTEST:

  
BARBARA MIDDLETON, COUNTY CLERK

C:\Barbara M\COMMCRT.2009\FEB 10.2009.wpd



**\*\*AMENDED APRIL 14, 2009\*\***

**COMMISSIONERS COURT  
AGENDA POSTING #2009 - 025**

BE IT REMEMBERED ON THIS THE 12th DAY OF MARCH, 2009  
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, MILT PURVIS, COMMISSIONER PCT #3, 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 & PASSED.

1. WELCOME & CALLED TO ORDER BY JUDGE JOHN P. THOMPSON AT 10:00 AM.
  - INVOCATION WAS GIVEN BY REV. ROGER GRAGG, PASTOR OF FIRST CHURCH OF THE NAZERENE.
  - PLEDGES WERE LED BY JIM JOHNSON.

2. PUBLIC COMMENTS:  
JIM JOHNSON URGED THE COURT TO PASS AGENDA ITEM #8,  
ON TODAY'S AGENDA.

3. INFORMATIONAL REPORTS:
  - A. BARBARA MIDDLETON, COUNTY CLERK INVITED EVERYONE TO HER RETIREMENT RECEPTION ON MARCH 27, 2009, TIME 2:00 - 4:00 PM. FIRST FLOOR, JUDGE LONGINO'S COURTROOM.
  - B. COMMISSIONER VINCENT REPORTED FOR JEANETTE MONTGOMERY, WHO IS ABSENT TODAY, ENCOURAGED EVERYONE TO SIGN UP FOR WELLNESS PROGRAM, HEALTHY COUNTY, THROUGH TEXAS ASSOCIATION OF COUNTIES.
  - C. JAY BARBEE WILL DELIVER A COMPLETE "HURRICANE IKE" REPORT TO EACH COMMISSIONER WHEN COMPLETED.
  - D. RAY STELLY, COUNTY AUDITOR REPORTED THAT BELT, HARRIS & ASSOCIATES, LLP. OUR OUTSIDE AUDIT FIRM HAS COMPLETED THE AUDIT FOR 2008. UPDATE ON MARGIE AINSWORTH, FEMA GRANT FUNDS ARE AT \$4,172,462.31, TO BE COLECTED.

4. CONSENT AGENDA:

JUDGE THOMPSON GAVE COMMENTS ON TODAY'S CONSENT AGENDA.

MOTION  
MOTIONED BY RONNIE VINCENT, SECONDED BY MILT PURVIS, TO APPROVE CONSENT AGENDA, ITEMS A THOURGH P.  
ALL VOTING YES.

  - A. APPROVE MINUTES OF PREVIOUS MEETINGS, FEBRUARY 24, 2009 (REGULAR SESSION) AND MARCH 2, 2009 (EMERGENCY SESSION).
  - B. APPROVE BUDGET AMENDMENTS #2009-10, AS SUBMITTED AND RE-VIEWED BY COURT APPOINTED COMMITTEE. (SEE ATTACHED)

C. APPROVAL AND PAYMENT OF BILLS, BY SCHEDULE, INCLUDING ADDENDUM.  
(SEE ATTACHED)

DATE	AMOUNT	CHECK #
2/19/09	2,939.42	ACH 471
2/19/09	46,357.94	ACH 472
2/19/09	10,841.84	ACH 473
2/19/09	32,548.42	ACH 474
2/19/09	274,141.22	ACH 475
2/19/09	3,018.07	ACH 476
2/19/09	2,997.85	ACH 477
2/19/09	2,239.65	216071 - 216075
2/20/09	14,799.74	216076 - 216115
2/24/09	3,227.09	216116 - 216120
2/25/09	109,963.08	ACH 478
2/27/09	124,983.27	ACH 479
2/27/09	500.00	ACH 480
2/27/09	5,254.86	ACH 481
2/27/09	28,717.00	ACH 482
2/27/09	10,391.25	129 - 130
2/27/09	28,919.51	216121 - 215165
2/27/09	12.13	216166
2/27/09	2,228.86	216167
2/27/09	11,843.60	216168 - 216172
3/02/09	1,509,795.85	ACH 483
3/02/09	16,085.95	216173 - 216177
3/05/09	530.00	102
3/05/09	770.00	116 - 117
3/05/09	353,229.75	216178 - 216355
3/12/09	Addendum (To appear on future schedule)	\$ 8,801.77
TOTAL	\$ 2,596,336.17	

- D. APPROVAL OF PERSONNEL ACTION FORMS, REVISED LIST. (SEE ATTACHED)
- E. APPROVAL OF RENEWAL OF LEASE AGREEMENT FOR SUPPLEMENTAL COUNTY PARKING AT SEARS PARKING LOT.
- F. APPROVAL OF UPDATES TO PERSONNEL MANAGEMENT SYSTEM, (FMLA). (SEE ATTACHED)
- G. ACCEPT OFFERS TO PURCHASE TAX FORECLOSED PROPERTIES;  
PCT #1, Lot 20, Section 1, and Lot 121, Section 2, of CHEROKEE FOREST, Cause No. TO8-016;  
PCT #4, Lot 6, Block 12, of WILSON LAKE ESTATES, Cause No. T02-016.
- H. RATIFY ANNUAL MAINTENANCE AGREEMENT WITH Net Data FOR FY-2009. (SEE ATTACHED)
- I. AMEND MINUTES OF OCTOBER 14, 2008, ITEM 9, RELATING TO APPROVAL OF MAINTENANCE ENGINEERING FACILITY / ALLIE BEAN DRIVE PROPERTY, TO INCLUDE ATTACHMENT REFERENCING APPROVED COSTS - AS DISCUSSED BY COURT MEMBERS AS A PART OF THE VOTED MOTION. (SEE ATTACHED)
- J. APPROVE INTERLOCAL AGREEMENT WITH GOODRICH I.S.D. FOR USE OF COUNTY ELECTION EQUIPMENT AND SERVICES. (SEE ATTACHED)
- K. RECEIVE ANNUAL RACIAL PROFILE REPORT FROM POLK COUNTY SHERIFF'S DEPARTMENT. (SEE ATTACHED)
- L. APPROVAL OF REQUEST OF JUSTICE COURT TECHNOLOGY EXPENSE IN THE AMOUNT OF \$650.00 FOR CREATION AND PROGRAMMING OF J.P. #1 WEBSITE.
- M. APPROVAL TO ADVERTISE FOR BIDS FOR THE CLEARING OF COUNTY RIGHT OF WAY FROM FM 356 TO FM 3159, IN PCT #2.

- N. APPROVE RESOLUTION SUPPORTING EMERGENCY MANAGEMENT'S APPLICATION TO CRIMINAL JUSTICE DIVISION, OFFICE OF THE GOVERNOR, FOR DISASTER RELIEF GRANT. (SEE ATTACHED)
- O. APPROVAL OF AMENDMENT NO.2 TO TEXAS COMMUNITY DEVELOPMENT PROGRAM CONTRACT NO.DRS060071 "GENERATORS", REFECTING AN AMENDED BUDGET. (SEE ATTACHED)
- P. RATIFY EMERGENCY AGREEMENT WITH MEMORIAL MEDICAL CENTER-LIVINGSTON FOR SHELTER SERVICES OF MEDICAL SPECIAL NEEDS DISASTER VICTIMS AND FAMILIES DURING HURRICANES GUSTAVE & IKE. (SEE ATTACHED)
5. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, APPROVAL OF "ORDER" OF ACCEPTANCE OF DEDICATION OF ROAD AND RIGHT-OF-WAY FOR PUBLIC MAINTENANCE OF CERTAIN ROADS IN PRECINCT #4 IDENTIFIED WITHIN A DEDICATION OF PUBLIC INTEREST IN ROAD OR RIGHT-OF-WAY; MAGNOLIA BEND DR. & ASHTON BEND, AND ADDED TO MSAG LIST, FUTURE UPDATE.  
ALL VOTING YES. (SEE ATTACHED)
6. MOTIONED BY BOB WILLIS, SECONDED BY MILT PURVIS, APPROVAL TO EXTEND LETTER OF CREDIT FOR (6) MONTHS, UNTIL SEPTEMBER 21, 2009, RELATING TO CONSTRUCTION OF ROADS IN SUNSET SHORES SUBDIVISION, PCT #1.  
ALL VOTING YES.
7. MOTIONED BY RONNIE VINCENT, SECONDED BY BOB WILLIS, TO APPROVE PROPOSED INCREASES TO PERMIT FEE SCHEDULE FOR ON-SITE SEWAGE FACILITY (OSSF) INSTALLATION, INSPECTION, AND MODIFICATION OCCURING AFTER APRIL, 1, 2009, AS RECOMMENDED BY EMERGENCY MANAGEMENT / PERMIT INSPECTION, LISA ELLIS.  
ALL VOTING YES. (SEE ATTACHED)
8. MOVED TO END OF MEETING.
9. MOTIONED BY BOB WILLIS, SECONDED BY MILT PURVIS, APPROVAL TO CONTINUE WITH THE ADOPTED "ORDER" PROHIBITING OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF POLK COUNTY, AS REQUESTED BY THE TEXAS FOREST SERVICE, UNTIL DETERMINED THAT COUNTY HAS RECEIVED ADEQUATE RAINFALL.  
ALL VOTING YES.

**RECESS AT 10:21 A.M.**

**RECONVENE INTO OPEN SESSION AT 10:38 A.M.**

8. DISCUSSION ABOUT REVISING COUNTY SUBDIVISION REGULATIONS.  
SUE NORRIS - POLK CO.FRESH WATER DISTRICT #2  
J.R. JONES - POLK CO. FRESH WATER DISTRICT #2  
JOE REYNOLDS - (ATTY) FOR TEXAS WATER DEVELOPMENT BOARD  
JAMES FLORNOY - KLOTZ & ASSOCIATES - LUFKIN  
SHANNON GOINS - INSPECTOR FOR POLK CO. FRESH WATER DISTRICT #2  
JIMMY THOMPSON - ENGINEER / LUFKIN

MOTION

MOTIONED BY RONNIE VINCENT, SECONDED BY BOB WILLIS, TO APPROVE REQUEST TO REVISE COUNTY SUBDIVISION REGULATIONS BY SUPPLEMENTING WITH THE ADOPTION OF TEXAS WATER DEVELOPMENT BOARD MODEL RULES RELATING TO WATER / SEWER SERVICES, EFFECTIVE DATE OF MAY 1, 2009

VOTES RECORDED AS FOLLOWS:

JUDGE THOMPSON.....	YES
COMMISSIONER WILLIS.....	YES
COMMISSIONER VINCENT.....	YES
COMMISSIONER PURVIS.....	NO
COMMISSIONER OVERSTREET.....	NO

MOTIONED CARRIED.

ADJOURN:

MOTIONED BY TOMMY OIVERSTREET, SECONDED BY BOB WILLIS, TO ADJOURN COURT THIS 12th DAY of MARCH, 2009 AT 11:42 A.M. ALL VOTING YES.



\_\_\_\_\_  
JOHN P. THOMPSON, COUNTY JUDGE

ATTEST:



\_\_\_\_\_  
BARBARA MIDDLETON, COUNTY CLERK

C:\Barbara M\COMMCRT.2009\MAR 12.2009.wpd