

STATE OF TEXAS §
 COUNTY OF POLK §

DATE: JUNE 23, 2009
 REGULAR MEETING
 ALL MEMBER - Present

COMMISSIONERS COURT
AGENDA POSTING #2009 - 066

BE IT REMEMBERED ON THIS THE 23RD DAY OF JUNE, 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. WELCOMED AND CALLED TO ORDER AT 10:00 A.M. BY JUDGE THOMPSON.
 - INVOCATION LED BY ROGER GRAGG, PASTOR FOR FIRST CHURCH OF NAZARENE.
 - PLEDGE OF ALLEGIANCE TO U.S & TEXAS FLAGS LED BY JIM JOHNSON.
2. PUBLIC COMMENTS:
 - A. CLAY ELLIS, RESIDENT ON TOM CUMMINGS ROAD, EXPRESSED CONCERNS FOR AN INTERIM PROGRAM FOR ABANDONED ANIMALS UNTIL THE NEW ANIMAL SHELTER IS BUILT AND OPEN.
3. INFORMATIONAL REPORTS:
 - A. JEAN HESTER, PROJECT MANAGER FOR HESTER AND SANDERS ARCHITECTURE, UPDATED COURT ON JUDICIAL CENTER.
 - B. SHERIFF HAMMACK UPDATED THE COURT ON THE DIRT WORK FOR THE JAIL AND NOTED THAT THE PARKING AREA WILL BE LIMITED WHILE WORK IS IN PROGRESS.
4. OLD BUSINESS (TABLED FROM LAST AGENDA)
 DISCUSSION BY LARRY SHINE, EMERGENCY MANAGEMENT COORDINATOR.
 - A. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, APPROVAL OF AMENDED AGREEMENTS WITH VOLUNTEER FIRE DEPARTMENTS FOR FIRE FIGHTING SERVICES IN THE UN-INCORPORATED AREAS OF THE COUNTY.
 ALL VOTING YES. (SEE ATTACHED SAMPLE AGREEMENT)

NEW BUSINESS
CONSENT AGENDA

5. MOTIONED BY RONNIE VINCENT, SECONDED BY BOB WILLIS, TO APPROVE THE CONSENT AGENDA AS FOLLOWS:
 - A. APPROVE MINUTES OF JUNE 4, 2009 (SPECIAL SESSION) AND JUNE 9, 2009 (REGULAR SESSION).
 - B. APPROVAL OF BUDGET REVISIONS #2009-17, AS PRESENTED BY THE COUNTY AUDITOR. (SEE ATTACHED)

C. APPROVE SCHEDULE OF BILLS. (SEE ATTACHED)

DATE	AMOUNT	CHECK #
06/04/09	186,346.66	ACH 546
06/04/09	45,648.65	217876-217906
06/05/09	1,580,232.55	ACH 547
06/05/09	34,679.98	217907
06/08/09	300.00	217908
06/09/09	1,504,887.84	ACH 548
06/09/09	40,206.97	217909-217921
06/10/09	13,826.00	ACH 549
06/11/09	2,939.42	ACH 550
06/11/09	45,322.04	ACH 551
06/11/09	10,599.64	ACH 552
06/11/09	26,358.33	ACH 553
06/11/09	272,322.98	ACH 554
06/11/09	2,682.52	ACH 555
06/11/09	16,250.76	000104
06/11/09	351,816.70	000128-000136
06/11/09	2,260.84	217922-217927
06/11/09	10,779.92	217928-217951
06/15/09	1,462.00	102185-102262 (void ck# 102258 & send by ACH qtrly.)
06/16/09	26,920.70	ACH 556
06/16/09	33,326.00	217952
06/17/09	7,547.00	000137-000138
06/17/09	230,321.06	217953-218093
TOTAL	4,447,038.56	

D. APPROVAL OF PERSONNEL ACTION FORMS. (SEE ATTACHED)

E. APPROVE EASEMENT AGREEMENT WITH CITY OF LIVINGSTON RELATING TO POLK COUNTY JUDICIAL CENTER AND FINAL INVOICE FROM JEFF S. CHANCE FOR ATTORNEY FEES RELATED TO EASEMENT PREPARATION. (SEE ATTACHED)

F. APPROVAL OF JUSTICE OF THE PEACE, PCT. 1 REQUEST FOR EXPENDITURE OF JUSTICE COURT TECHNOLOGY FUNDS FOR ALL-IN-ONE SCANNER, PRINTER, COPY MACHINE PURCHASE IN THE AMOUNT OF \$55.00 PER MONTH WITH MAINTENANCE AT \$.0125 FOR EACH COPY UTILIZING FY09 BUDGETED FUNDING FOR COURTROOM ON FIRST FLOOR.

G. APPROVAL TO SUBMIT REQUEST TO STATE COMPTROLLER FOR UNCLAIMED RURAL ELECTRIC COOPERATIVE CAPITAL CREDITS.

6. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, APPROVAL OF COMMISSIONER PCT. 1 REQUEST TO INCREASE BUYBOARD PURCHASE AMOUNT NOT TO EXCEED \$125,000 FOR ONE FRONT END LOADER WITH TRADE-IN.
ALL VOTING YES.

LARRY SHINE & JAY BARBEE GAVE COMMENTS AND RECOMMENDED THAT ITEM 7 BE TABLED TO NEXT COURT MEETING.

7. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO TABLE "CONSIDER ANY/ALL NECESSARY ACTION REGARDING RFP #2009-25; A PRE-POSITIONED CONTRACT FOR (FUTURE) DISASTER DEBRIS REMOVAL IN POLK COUNTY, TEXAS".
ALL VOTING YES.

SHERIFF HAMMACK REQUESTED ITEM 8 BE TABLED TO ALLOW MORE TIME TO REVIEW PROPOSALS.

8. MOTIONED BY MILTON PURVIS, SECONDED BY BOB WILLIS, TO TABLE "CONSIDER ANY/ALL NECESSARY ACTION REGARDING RFP #2009-26; INMATE TELEPHONE SERVICE AT THE POLK COUNTY JAIL".
ALL VOTING YES.

DISCUSSION OF 3 RFP'S RECEIVED FOR ITEM 9. COMMISSIONER WILLIS ASKED THAT ITEM BE TABLED FOR FURTHER REVIEW.

9. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, TO TABLE "CONSIDER ANY/ALL NECESSARY ACTION REGARDING RFP #2009-27; REDISTRICTING SERVICES ASSOCIATED WITH THE 2010 CENSUS".
ALL VOTING YES.

JAY BARBEE RECOMMENDED ITEM 10 BID GO TO LOWEST BIDDER - CALDWELL COUNTRY.

10. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO AWARD BID #2009-28 TO CALDWELL COUNTRY FOR THE PURCHASE OF ONE (1) NEW PICKUP TRUCK - ENVIRONMENTAL ENFORCEMENT TO BE FUNDED BY DETCOG GRANT.
ALL VOTING YES.
11. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO RE-BID #2009-29 "THE PURCHASE AND INSTALLATION OF A 911 SYSTEM GENERATOR AT THE POLK COUNTY LAW ENFORCEMENT CENTER" (NO BIDS RECEIVED).
ALL VOTING YES.

JUDGE THOMPSON NOTED THAT \$102,200.11 WILL BE USED TO START THE ANIMAL SHELTER, REMOVE NALCOM EQUIPMENT AND DAVIS & BROWN-ROAD AND BRIDGE PCT 3 FROM REIMBURSEMENT RESOLUTION AND ADD PCT 1 FRONT END LOADER \$125,000.

12. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, APPROVAL OF LISTING OF PREVIOUSLY AUTHORIZED CAPITAL PURCHASES TO BE INCLUDED ON REIMBURSEMENT RESOLUTION; REVISED LISTING OF NOVEMBER 25, 2008 AND FINAL LISTING OF JUN 23, 2009 WITH ADDITIONS NOTED ABOVE.
ALL VOTING YES. (SEE ATTACHED)
13. MOTIONED BY RONNIE VINCENT, SECONDED BY MILTON PURVIS, ACCEPT JULY 1, 2009 CLOSING OF THE FY2009 REIMBURSEMENT RESOLUTION TO FINALIZE ALL EXPENDITURES TO BE INCLUDED FOR ISSUANCE OF AUTHORIZED DEBT IN 2009 TAX NOTES, INCLUDING THE DISTRIBUTION OF ADDITIONAL ROAD & BRIDGE FUNDING IN THE AMOUNT OF \$1,000,000 TO BE DISTRIBUTED BY PRECINCT PERCENTAGE FORMULA.
ALL VOTING YES.

DISCUSSION OF COUNTY HEALTH INSURANCE.

14. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, RENEWAL OF COUNTY EMPLOYEE HEALTH INSURANCE THROUGH INTERLOCAL AGREEMENT WITH TEXAS ASSOCIATION OF COUNTIES.
ALL VOTING YES.

15. MOTIONED BY RONNIE VINCENT, SECONDED BY BOB WILLIS, APPROVAL TO RELEASE LETTERS OF CREDIT #302 & #303 FOR THE SUBJECT PORTION OF CONSTRUCTION OF ROADS IN CEDAR POINT SECTION 6 IN ACCORDANCE WITH POLK COUNTY, TEXAS SUBDIVISION REGULATIONS, AS RECOMMENDED BY PCT. 2 COMMISSIONER.
ALL VOTING YES.

DISCUSSION BY LARRY SHINE REGARDING OUTDOOR BURNING.

16. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO APPROVE ORDER PROHIBITING OUTDOOR BURNING, AS AUTHORIZED BY LOCAL GOVERNMENT CODE, SEC. 352.081 IN THE UNINCORPORATED AREAS OF THE COUNTY.
ALL VOTING YES. (SEE ATTACHED)

EXECUTIVE SESSION BEGAN AT 10:39 A.M.

17. EXECUTIVE SESSION: AS AUTHORIZED UNDER THE OPEN MEETINGS ACT, TEXAS GOVERNMENT CODE ANN., SEC. 551.071 (CONSULTATION WITH ATTORNEY REGARDING POTENTIAL LITIGATION).

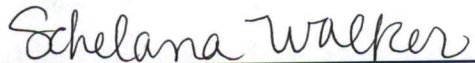
EXECUTIVE SESSION ENDED AT 10:47 A.M.

18. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO FILE WITH DISTRICT ATTORNEY, BREACH OF CONTRACT AGAINST EAST TEXAS ENGINEERS, INC. PENDING LOCATION OF CONTRACT FOR EVALUATION AND REPAIR OF HILLBILLY HEAVEN RD AT LAKE CONNIE JEAN DAM IN WILD COUNTRY SUBDIVISION, PCT 1.
ALL VOTING YES.

ADJOURN:
MOTIONED BY MILTON PURVIS, SECONDED BY RONNIE VINCENT, TO ADJOURN COURT THIS 23RD DAY OF JUNE 2009 AT 10:52 A.M.
ALL VOTING YES.


JOHN P. THOMPSON, COUNTY JUDGE

ATTEST:


SCHELANA WALKER, COUNTY CLERK