

STATE OF TEXAS §

DATE: AUGUST 11, 2009

COUNTY OF POLK §

REGULAR MEETING
BOB WILLIS- ABSENT

COMMISSIONERS COURT
AGENDA POSTING #2009 - 084

BE IT REMEMBERED ON THIS THE 11TH DAY OF **AUGUST, 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.
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 & CALLED TO ORDER AT 10:00 A.M. BY JUDGE THOMPSON.
 - INVOCATION LED BY PASTOR TIM THOMPSON OF LEGGETT BAPTIST CHURCH.
 - PLEDGE OF ALLEGIANCE TO U.S. & TEXAS FLAGS LED BY LARRY SHINE.

2. PUBLIC COMMENTS:
 - A. LOU LYLES & ANN ZEIGLER UPDATED COURT ON CHILD WELFARE BOARD NOTING THEY CURRENTLY HAVE 90 CHILDREN AND NEED BOARD MEMBERS. LOU LYLES WILL PROVIDE INFORMATION ON BOARD MEMBER APPOINTMENTS TO COMMISSIONERS AND ITEM WILL BE PLACE ON NEXT AGENDA TO APPOINT BOARD MEMBERS.

3. INFORMATIONAL REPORTS:
 - A. JEAN HESTER, HESTERS AND SANDERS ARCHITECTURE, PRESENTED STATUS UPDATE ON JUDICIAL CENTER.
 - B. JEANETTE MONTGOMERY, HUMAN RESOURCE SUPERVISOR, INFORMED THE COURT THAT TAC WILL BEGIN A 5 DAY CHALLENGE ON AUGUST 17TH FOR 5 WEEKS. ALL EMPLOYEES ARE ENCOURAGED TO PARTICIPATE.
 - C. SHERIFF HAMMACK PRESENTED JULY REPORT FOR DEPARTMENT.
 - D. LARRY SHINE, EMERGENCY MANAGEMENT COORDINATOR, GAVE AN UPDATE ON ORCA PROJECTS, TROPICAL DEPRESSION AND H1N1 FLU VACCINES.

NEW BUSINESSCONSENT AGENDA

JUDGE THOMPSON NOTED THAT ITEM G INCLUDES AN INCREASE OF \$4500.00.

5. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO APPROVE CONSENT AGENDA AS FOLLOWS:
 - A. APPROVE MINUTES OF JULY 28, 2009 (REGULAR SESSION) AND JULY 31, 2009 (EMERGENCY SESSION) MEETINGS.
 - B. APPROVAL OF BUDGET REVISIONS #2009-20, AS PRESENTED BY THE COUNTY AUDITOR. (SEE ATTACHED)
 - C. APPROVAL OF BUDGET AMENDMENTS #2009-20(A), AS SUBMITTED AND REVIEWED BY COURT APPOINTED COMMITTEE. (SEE ATTACHED)

D. APPROVAL OF SCHEDULE OF BILLS. (SEE ATTACHED)

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DATE	AMOUNT	CHECK #
07/22/09	1,400,000.00	ACH585
07/22/09	2,939.42	ACH586
07/22/09	45,669.68	ACH587
07/22/09	10,680.84	ACH588
07/22/09	26,274.75	ACH589
07/22/09	274,813.23	ACH590
07/22/09	2,951.23	ACH591
07/22/09	113,000.00	ACH592
07/22/09	19,040.00	000141-000142
07/22/09	2,260.84	218649-218654
07/24/09	180,746.51	ACH593
07/24/09	5,254.86	ACH594
07/24/09	26,479.65	218655-218691
07/24/09	24,511.98	218692
07/28/09	668.00	102468-102501
07/28/09	156,185.00	218693-218696
07/29/09	124,402.19	ACH595
07/29/09	133,195.20	218697
07/29/09	11,972.75	218698-218701
07/31/09	1,586,937.45	ACH596
07/31/09	5,936.78	218702-218714
08/03/09	16,085.95	218715-218719
08/03/09	3,000.00	218720
08/04/09	282,763.66	000143
08/04/09	5,879.07	218721-218728
08/04/09	310,191.42	218729-218844
TOTAL	4,771,840.46	

- E. APPROVE PERSONNEL ACTION FORMS. (SEE ATTACHED)
- F. APPROVAL OF AGREEMENT RENEWING GREASE TRAP COLLECTION AND DISPOSAL SERVICES AT POLK COUNTY JAIL. (SEE ATTACHED)
- G. ACCEPTANCE OF THE EMERGENCY MANAGEMENT PERFORMANCE GRANT 09-TX-EMPG-0441 FOR FY09. (SEE ATTACHED)
- H. APPROVAL OF ORDER DECLARING SURPLUS PROPERTY TO BE DISPOSED BY PUBLIC (ONLINE) AUCTION. (VEHICLE LOCATED AT MAINTENANCE ENGINEERING). (SEE ATTACHED)
- I. APPROVAL OF OFFERS TO PURCHASE TAX FORECLOSURE PROPERTIES: (PCT 2) LOT 66, WIGGINS VILLAGE #2, CAUSE NO. T08-048; (PCT 4) LOT 7, BLOCK 1, HOLLY HILL #1, CAUSE NO. T04-087; LOT 7, BLOCK 5, HOLLY HILL #2, CAUSE NO. 94-282; LOTS 40 & 41, BIG THICKET LAKE ESTATES #20, CAUSE NO. T08-197; LOTS 38 & 39, INDIAN SPRINGS LAKE ESTATES #7, CAUSE NO. T07-123.
- J. APPROVE RE-APPOINTMENT OF COLONEL HOWARD DANIEL TO BURKE CENTER BOARD OF TRUSTEES FOR TWO-YEAR TERM BEGINNING SEPTEMBER 1, 2009.
- K. APPROVAL OF PERSONNEL MANAGEMENT SYSTEM UPDATE TO REVISE RELEASE FORM USED FOR SUBSTANCE ABUSE POLICY AND CHEMICAL SCREENING.
- L. RATIFY THE RELEASE AND INDEMNITY FOR DRILLING AND BORING WORK ON COUNTY PROPERTY RELATED TO THE LAKE LIVINGSTON HYDROELECTRIC PROJECT LOCATED AT SOUTHLAND PARK. (SEE ATTACHED)

OLD BUSINESS:

4. MOTIONED BY MILTON PURVIS, SECONDED BY RONNIE VINCENT, TO DELETE "CONSIDER EMERGENCY MANAGEMENT REQUEST FOR APPROVAL OF PRE-POSITIONED AGREEMENT WITH HAZMAT REMEDIATION COMPANY TO ASSIST (AS NEEDED) IN COLLECTION AND DISPOSAL OF ANY HAZARDOUS WASTE THAT MAY BE REPORTED/IDENTIFIED WITHIN POLK COUNTY".
ALL VOTING YES.

6. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO APPROVE RESCHEDULING OF THE NEXT COMMISSIONERS COURT SESSION FROM TUESDAY, AUGUST 25, 2009 TO THURSDAY, AUGUST 27, 2009 DUE TO CONFLICT WITH TEXAS ASSOCIATION OF COUNTIES ANNUAL CONFERENCE.
ALL VOTING YES.

DISCUSSION BY JAY BURKS WHO RECOMMENDED REJECTING ALL BIDS AND RE-ADVERTISING WITH DEVELOPED SITE.

7. MOTIONED BY RONNIE VINCENT, SECONDED BY MILTON PURVIS, REJECT ALL BIDS (BID # 2009-30) AND READVERTISE FOR BIDS FOR CONSTRUCTION AND IMPROVEMENTS OF ANIMAL SHELTER FACILITY TO BE LOCATED ON COUNTY DEVELOPED SITE IN LEGGETT, TEXAS.
ALL VOTING YES.

RONNIE VINCENT STATED THERE WERE NO BIDS RECEIVED FOR THE STRAIGHT LIME. TWO BIDS RECEIVED FOR PORTLAND CEMENT WITH THE RECOMMENDATION OF SERVICE READY MIX CONCRETE FIRST AND TX INDUSTRIES INC SECOND. ONE BID RECEIVED FOR 75% CEMENT/25% LIME FROM TX INDUSTRIES INC AND ONE BID FOR 75% FLY ASH/25% LIME FROM FIRST MATERIALS & TECHNOLOGY.

8. MOTIONED BY RONNIE VINCENT, SECONDED BY MILTON PURVIS, TO AWARD BID #2009-31 FOR ALL FOUR PRECINCTS AS FOLLOWS:
PORTLAND CEMENT- FIRST TO SERVICE READY MIX CONCRETE AND SECOND TO TX INDUSTRIES INC
75% CEMENT/25% LIME- TO TX INDUSTRIES INC
75% FLY ASH/25% LIME- TO FIRST MATERIALS & TECHNOLOGY
ALL VOTING YES.

DISCUSSION BY RAY STELLY, AUDITOR, WHO RECOMMENDED COURT GO WITH GRS.

9. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO CONTRACT WITH ACTUARIAL FIRM GRS FOR CALCULATION OF OTHER POST EMPLOYEMENT BENEFITS (OPEB) IN COMPLIANCE WITH GASB45 RULE OF ACCOUNTING, TO INCLUDE COOPERATIVE SERVICE AGREEMENT WITH NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS.
ALL VOTING YES. (SEE ATTACHED)

10. MOTIONED BY RONNIE VINCENT, SECONDED BY MILTON PURVIS, TO TABLE "CONSIDER ACTION, IF NECESSARY, TO APPROVE CONSTRUCTION MANAGER AT RISK SITE WORK/BID PROCESS RELATING TO THE POLK COUNTY JUDICIAL CENTER".
ALL VOTING YES.

RECESS AT 10:43 A.M.

RECONVENE IN TO OPEN SESSION AT 10:50 A.M.

BUDGET WORKSHOP

DISCUSSION

- A. MOTIONED BY MILTON PURVIS, SECONDED BY RONNIE VINCENT TO RECEIVE TAX ASSESSOR/COLLECTOR'S EFFECTIVE TAX RATE CALCULATION OF \$.5842.
ALL VOTING YES. (SEE ATTACHED)

DISCUSSION OF PROPOSED SALARIES, ALLOWANCES AND EXPENSES.

- B. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO INCREASE LONGEVITY PAY (PER CURRENT POLICY OF \$60.00 PER YEAR INCREASE TO MAXIMUM OF \$1200.00) WITH NO INCREASE IN SALARIES AND PUBLISH THE PROPOSED SALARIES, EXPENSES AND ALLOWANCES FOR FY2010 IN NEWSPAPER.
ALL VOTING YES.

C. DISCUSS PROPOSED TAX RATE:

1. NOT APPLICABLE
2. MOTIONED BY RONNIE VINCENT, SECONDED BY TOMMY OVERSTREET, TO PLACE PROPOSAL TO ADOPT A TAX RATE OF \$.6277 ON AGENDA FOR 9/22/09 AT 10:00 A.M. WITH VOTES RECORDED AS FOLLOWS:

JUDGE THOMPSON	YES
COMMISSIONER WILLIS	ABSENT
COMMISSIONER VINCENT	YES
COMMISSIONER PURVIS	YES
COMMISSIONER OVERSTREET	YES

MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO SCHEDULE PUBLIC HEARINGS ON PROPOSED RATE FOR 8/27/09 - 9:30 A.M. AND 9/8/09 - 4:00 P.M. IN THE COMMISSIONERS COURTROOM - MAIN COURTHOUSE.
ALL VOTING YES.

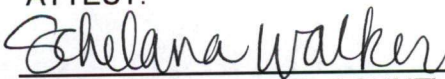
- D. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO SCHEDULE PUBLIC HEARING ON FY2010 BUDGET ON 9/22/09 - 9:30 A.M.
ALL VOTING YES.

ADJOURN:

MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO ADJOURN COURT THIS 11TH DAY OF AUGUST, 2009 AT 11:54 A.M.
ALL VOTING YES.


JOHN P. THOMPSON, COUNTY JUDGE

ATTEST:


SCHELANA WALKER, COUNTY CLERK