

STATE OF TEXAS §
 COUNTY OF POLK §

DATE: SEPTEMBER 8, 2009
 REGULAR MEETING
 ALL MEMBER - Present

**COMMISSIONERS COURT
 AGENDA POSTING #2009 - 100**

BE IT REMEMBERED ON THIS THE 8TH DAY OF SEPTEMBER, 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 REV. BLUEFORD WEIKEL, OF FIRST METHODIST CHURCH CORRIGAN AND BIBLE MEMORIAL OF MOSCOW.
 - PLEDGE OF ALLEGIANCE TO U.S. & TEXAS FLAGS LED BY JIM JOHNSON.
2. PUBLIC COMMENTS:
 - A. KYLE MENCE WITH 2010 CENSUS BUREAU GAVE AN UPDATE ON THE COMPLETE COUNT COMMITTEE AND REQUESTED REPLACEMENTS FOR THE MEMBERS THAT HAVE WITHDRAWN, ALONG WITH A SECONDARY APPOINTMENT FOR EACH MEMBER.
 - B. JOHN JOHNSTON WITH J.E. KINGHAM CONSTRUCTION UPDATED COURT ON JAIL EXPANSION AND JUDICIAL CENTER.
3. INFORMATIONAL REPORTS:
 - A. JUDGE THOMPSON NOTED JEAN HESTER IS ILL AND UNABLE TO PRESENT JUDICIAL CENTER UPDATE TODAY.
 - B. SHERIFF KENNETH HAMMACK GAVE MONTHLY REPORT AND UPDATED COURT ON THE JAIL EXPANSION.
 - C. COMMISSIONER TOMMY OVERSTREET STATED THE DIRT WORK ON THE ANIMAL SHELTER WILL POSSIBLY BEGIN NEXT WEEK.
4. OLD BUSINESS (TABLED FROM LAST AGENDA):
 - A. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO DELETE "CONSIDER ACTION IF NECESSARY TO APPROVE CONSTRUCTION MANAGER AT RISK SITE WORK/BID PROCESS RELATING TO THE POLK COUNTY JUDICIAL CENTER". ALL VOTING YES.

DISCUSSION OF ITEM B BY COMMISSIONER BOB WILLIS WHO RECOMMENDED NAMING THE EXTENSION OF FM 2665 TO FM2665 NORTH AND NAME THE 1,000 FT PORTION OF FM 2665 NO LONGER TO BE MAINTAINED BY THE STATE TO SAM PARKER ROAD. ALSO COMMISSIONER WILLIS STATED THAT THE SUBJECT PORTION OF W. FM 1988 HAD NO STRUCTURES AND THE R.O.W. IS OWNED BY THE STATE. COMMISSIONER WILLIS RECOMMENDS NO NAMING OF THE FEEDER.

- B. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, TO NAME THE EXTENSION OF FM 2665 TO FM 2665 NORTH AND NAME THE 1,000 FT PORTION OF FM 2665 NO LONGER MAINTAINED BY THE STATE TO SAM PARKER ROAD TO AVOID ANY UNNECESSARY 9-1-1 RURAL ADDRESSING CHANGES FOR EXISTING CUSTOMERS DUE TO TXDOT CONSTRUCTION.
ALL VOTING YES.
- C. MOTIONED BY RONNIE VINCENT, SECONDED BY MILTON PURVIS, TO APPOINT STEPHANIE HENDRIX, KAYLA PITTS, DAVID FRAZIER, ALTHEA ELLIOTT AND PATRICIA FRANKENS AS MEMBERS TO THE CHILD WELFARE BOARD.
ALL VOTING YES.

5. CONSENT AGENDA:

JUDGE THOMPSON EXPLAINED ITEM F, G, J & M.

MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO APPROVE THE CONSENT AGENDA AS FOLLOWS:

- A. APPROVE MINUTES OF AUGUST 27, 2009 MEETING (PUBLIC HEARING AND REGULAR SESSION).
- B. APPROVAL OF BUDGET REVISIONS #2009-22, AS PRESENTED BY THE COUNTY AUDITOR. (SEE ATTACHED)
- C. APPROVAL OF BUDGET AMENDMENTS #2009-22(a), AS SUBMITTED AND REVIEWED BY COURT APPOINTED COMMITTEE. (SEE ATTACHED)
- D. APPROVE SCHEDULE OF BILLS INCLUDING ADDENDUM. (SEE ATTACHED)

DATE	AMOUNT	CHECK #
08/21/09	124,662.15	ACH 611
08/21/09	11,346.08	219082-219103
08/21/09	149,178.48	219104
08/21/09	3,633.55	219105-219106
08/21/09	8,012.50	219107
08/27/09	124,190.62	219108-219139
08/31/09	5,254.86	ACH 612
08/31/09	1,500,000.00	ACH 613
08/31/09	2,463,364.71	ACH 614
09/01/09	16,085.95	219140-219144
09/02/09	2,939.42	ACH 615
09/02/09	47,219.08	ACH 616
09/02/09	11,043.20	ACH 617
09/02/09	28,805.27	ACH 618
09/02/09	284,387.67	ACH 619
09/02/09	2,927.74	ACH 620
09/02/09	5,900.00	000110
09/02/09	349,014.55	000146
09/02/09	104,215.00	000146
09/02/09	174,725.03	219145-219247
09/02/09	2,863.15	219248-219254
09/08/09	Addendum	\$11,376.23 (to appear on future schedule)
TOTAL	\$5,419,769.01	

- E. APPROVAL OF PERSONNEL ACTION FORMS. (SEE ATTACHED)
- F. APPROVAL OF ORDER SETTING ELECTED OFFICIALS SALARIES/EXPENSES/ALLOWANCES FOR FY2010. (SEE ATTACHED)
- G. RECEIVE CERTIFIED ORDERS OF DISTRICT JUDGES SETTING THE COMPENSATION AND ALLOWANCES OF; COURT REPORTERS AND BAILIFFS - 258TH & 411TH JUDICIAL DISTRICTS; COUNTY AUDITOR AND ASSISTANT AUDITORS FOR FY2010. (SEE ATTACHED)

- H. SET SHERIFF AND CONSTABLE FEES FOR 2010, WITH NO CHANGES NOTED (FROM 2009).
- I. APPROVAL OF AMENDMENT NO. 05-07 TO THE COMMUNITY SERVICES CONTRACT BETWEEN THE DEPARTMENT OF AGING AND DISABILITY SERVICES AND POLK COUNTY AGING SERVICES RELATED TO THE FY2010 BUDGET FOR HOME DELIVERED MEALS PROGRAM. (SEE ATTACHED)
- J. RENEWAL OF ANNUAL FIREFIGHTING AGREEMENT WITH CITY OF LIVINGSTON FOR FY2010. (SEE ATTACHED)
- K. APPROVAL OF ANNUAL RENEWAL LEASE AGREEMENT WITH MOLLY LOCKE FOR OFFICE SPACE LOCATED IN THE M.G. REILY HUMANITARIAN BUILDING, CORRIGAN. (SEE ATTACHED)
- L. APPROVAL OF RENEWAL AGREEMENT WITH INTEGRATED DATA SERVICES FOR COUNTY CLERK'S IMAGING SOFTWARE MAINTENANCE FOR FY2010. (SEE ATTACHED)
- M. APPROVAL OF LETTER OF AGREEMENT WITH CONSTRUCTION CODE CONSULTANTS RENEWING SERVICES FOR THE PERFORMANCE OF LIFE SAFETY CODE INSPECTIONS FOR ONE-YEAR TERM BEGINNING OCTOBER 1, 2009, TO INCLUDE STATE MANDATED FIRE SAFETY INSPECTIONS AT A RATE OF \$50/EACH. (SEE ATTACHED)
- N. APPROVAL OF AGREEMENTS WITH EAST TEXAS COPY SYSTEMS RENEWING ANNUAL MAINTENANCE SERVICES FOR CERTAIN COPIERS. (SEE ATTACHED)
- O. APPROVE RESOLUTION SUPPORTING AGING SERVICES APPLICATION FOR TEXAS DEPARTMENT OF AGRICULTURE'S HOME DELIVERED MEAL GRANT PROGRAM FOR FY2010. (SEE ATTACHED)

DISCUSSION BY LEE HURSTEAD.

- 9. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, APPROVAL OF PROCLAMATION IN SUPPORT OF RENAMING FM2610 TO LANCE CORPORAL RICHARD A ANDERSON MEMORIAL HIGHWAY.
ALL VOTING YES. (SEE ATTACHED)
- 6. MOTIONED BY RONNIE VINCENT, SECONDED BY BOB WILLIS, TO ACCEPT PRECINCT 2 COMMISSIONER'S REQUEST FOR APPROVAL OF AMENDED ORDERS OF ACCEPTANCE FOR PUBLIC MAINTENANCE OF THE FOLLOWING ROADS SET ASIDE IN THE FINAL PLAT OF CREEKSIDE SUBDIVISION OF POLK COUNTY, TEXAS; WILD PLUM AND PINE CONE, TO INCLUDE VARIANCE OF CREEKSIDE SUBDIVISION PROVIDING THE MATERIAL AND ROAD & BRIDGE PCT 2 PROVIDING THE EQUIPMENT AND LABOR.
ALL VOTING YES. (SEE ATTACHED)
- 7. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, TO ACCEPT PRECINCT 1 COMMISSIONER'S REQUEST FOR APPROVAL OF ORDERS OF ACCEPTANCE FOR PUBLIC MAINTENANCE OF THE FOLLOWING ROADS SET ASIDE IN THE FINAL PLAT OF LAKE LIVINGSTON ESTATES SUBDIVISION, SECTION 3 OF POLK COUNTY, TEXAS; PECAN LN, HICKORY LN, HOLIDAY LN AND LAKE VIEW LN.
ALL VOTING YES. (SEE ATTACHED)
- 8. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, TO TABLE "CONSIDER APPROVAL OF AMENDED ORDER OF ACCEPTANCE FOR PUBLIC MAINTENANCE OF THE FOLLOWING ROADS SET ASIDE IN THE FINAL PLAT OF COMMODORE CAPE SUBDIVISION OF POLK COUNTY, TEXAS - PCT.1; COMMODORE DR, APOLLO DR, BIRDSONG, WESTONS DR, WOODLAND DR, SHADOW LN, BRAME DR AND JILL LN, TO CLARIFY ROADS AND ROAD MILEAGE TO BE ACCEPTED AND TO INCLUDE SPECIFIED VARIANCES".
ALL VOTING YES.

DISCUSSION OF ITEM 10 BY JAY BURKS MAINTENANCE DEPT. WHO RECOMMENDED WIMBERLY CONSTRUCTION FOR PHASE 1 AND PHASE 2 TOTALING \$110,306.00. JAY NOTED THAT THE BID WOULD INCLUDE A ROOF ON THE PROJECT.

10. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO AWARD RE-BID #2009-30 TO WIMBERLY CONSTRUCTION IN THE AMOUNT OF \$110,306; FOR GRADUATED PHASES OF CONSTRUCTION AND IMPROVEMENTS OF ANIMAL SHELTER FACILITY TO BE LOCATED ON COUNTY DEVELOPED SITE IN LEGGETT, TEXAS; \$102,200.11 TO BE FUNDED WITH PROCEEDS FROM POLK COUNTY TAX NOTE, SERIES 2009 AND APPROXIMATELY \$8,000 TO BE PAID FROM THE COMMISSIONERS COURT CONTINGENCY FUND. ALL VOTING YES.

DISCUSSION OF ITEM 11.

11. MOTIONED BY MILTON PURVIS, SECONDED BY RONNIE VINCENT, TO ESTABLISH A LOCAL DATA ADVISORY BOARD ADDING HUMAN RESOURCE SUPERVISOR TO THE LIST, PURSUANT TO CHAPTER 60, CODE OF CRIMINAL PROCEDURE, ARTICLE 60.10(c) AND TO EXPAND THE SCOPE OF THE BOARDS WORK TO INCLUDE DEVELOPING RECOMMENDATIONS FOR THE IMPROVEMENT OF THE COUNTY'S DATA COLLECTION, USAGE AND SHARING. ALL VOTING YES. (SEE ATTACHED)

SHERIFF HAMMACK DISCUSSED ITEM 12.

12. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO DELETE "CONSIDER SHERIFF'S REQUEST FOR FY2010 FUNDING OF SOFTWARE ACQUISITION". ALL VOTING YES.

13. MOTIONED BY RONNIE VINCENT, SECONDED BY BOB WILLIS, TO APPROVE THE RE-APPOINTMENT OF JAY BARBEE AS COUNTY FIRE MARSHALL. ALL VOTING YES.

14. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, APPROVAL OF COUNTY CLERK'S REQUEST TO CONSOLIDATE VOTING PRECINCTS FOR THE NOVEMBER 2009 GENERAL ELECTION. ALL VOTING YES. (SEE ATTACHED)

DISCUSSION OF ITEM 15 BY DISTRICT CLERK, KATHY CLIFTON.

15. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO ADOPT A \$15 FAMILY PROTECTION FEE, PURSUANT TO GOVERNMENT CODE, SEC. 51.961 AS REQUESTED AND RECOMMENDED BY THE DISTRICT CLERK. ALL VOTING YES.

COMMISSIONER PURVIS ASKED QUESTIONS ABOUT AGENDA ITEM 10.

ADJOURN:

MOTIONED BY MILTON PURVIS, SECONDED BY RONNIE VINCENT, TO ADJOURN COURT THIS 8TH DAY OF SEPTEMBER 2009 AT 11:41 A.M. ALL VOTING YES.


JOHN P. THOMPSON, COUNTY JUDGE

ATTEST:

SCHELANA WALKER, COUNTY CLERK