

STATE OF TEXAS §  
COUNTY OF POLK §

DATE: OCTOBER 27, 2009  
REGULAR MEETING  
ALL MEMBERS - Present

**COMMISSIONERS COURT**  
**AGENDA POSTING #2009 - 128**

BE IT REMEMBERED ON THIS THE 27TH DAY OF OCTOBER, 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. WELCOME & CALLED TO ORDER BY JUDGE THOMPSON AT 10:00 A.M.
  - INVOCATION LED BY HOMER ANDERSON, PASTOR OF ONALASKA CHURCH OF CHRIST.
  - PLEDGE OF ALLEGIANCE TO US & TEXAS FLAGS LED BY JIM JOHNSON.
2. PUBLIC COMMENTS: NONE
3. INFORMATIONAL REPORTS:
  - A. JEANETTE MONTGOMERY INTRODUCED NEW HUMAN RESOURCE SUPERVISOR, ADRENA GILBERT.
  - B. JUDGE THOMPSON WELCOMED ADRENA GILBERT.
  - C. LARRY SHINE-EMERGENCY MANAGEMENT COORDINATOR, DISCUSSED SAFETY COMMITTEE TRAINING PROGRAM, TAC TRAINER/SIMULATOR FOR SHERIFF & R&B DEPTS., RAINFALL, LAKE LEVEL, H1N1 VACCINE, JOHNNIE JAGO RESIGNING FROM RED CROSS, TABLETOP DRILL WITH TRA ON NOV 10TH FOR CATASTROPHY TO DAM, LONG TERM RECOVERY COMMITTEE WORKING ON SEVERAL CHURCHES AND HOUSES THAT ARE STILL NEEDING REPAIRS BY CONTRACTORS FROM HURRICANE AND NO WORD ON TDRA PROJECTS, ALONG WITH SUBMITTAL OF EMERGENCY OPERATIONS PLAN & CITIES PARTICIPATION.
  - D. BID SMITH-TAX ASSESSOR/COLLECTOR, ADVISED COURT THAT TAX STATEMENTS WERE MAILED ON FRIDAY AND TAXES CAN BE PAID ONLINE ELECTRONICALLY.
  - E. JEAN HESTER-HESTERS AND SANDERS ARCHITECTURE, UPDATED COURT ON JUDICIAL CENTER NOTING THAT J.E. KINGHAM SHOULD COLLECT ALL BIDS IN DECEMBER AND PRESENT BIDS TO COURT ON JANUARY 12, 2010. SHE ALSO COMMENTED ON OCTOBER BEING BREAST CANCER AWARENESS MONTH.
  - F. COMMISSIONER WILLIS ASKED JEAN HESTER ABOUT THE COST BEING GREATER TO REPAIR THE OLD BUILDINGS (GREER AND FORD BUILDINGS) FOR THE JUDICIAL CENTER AND ASKED ABOUT THE ESTIMATED SAVINGS TO REBUILD IN THOSE TWO LOCATIONS RATHER THAN ENCOMPASS THE TWO OLD BUILDINGS.  
(NO ACTION TAKEN)
  - G. JAMES FLOURNOY - KLOTZ ENGINEERING, UPDATED COURT ON REPAIR TO BRIDGES IN PCT 3 AND PCT 4.

4. OLD BUSINESS:

- A. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, 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., BIRDSON, 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 AS STATED IN THE ORDER. ALL VOTING YES. (SEE ATTACHED)
- B. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO ACCEPT OFFERS TO PURCHASE TAX FORECLOSED PROPERTIES: (PCT 3) EAST 1/2 OF LOTS 4 & 5, BLOCK 1, WEST END ADDITION, CAUSE NO. T08-268; EAST 1/2 OF BLOCK 34, GREEN ADDITION, CAUSE NO. T08-055; WEST 1/2 OF BLOCK 34, GREEN ADDITION, CAUSE NO. T08-954. ALL VOTING YES.

5. CONSENT AGENDA:

JUDGE THOMPSON NOTED THAT ITEM B IS REVISIONS, ITEM C IS AMENDMENTS, ITEM H TAKES IT OFF OF REIMBURSEMENT RESOLUTION AND ITEM D HAS AN ADDENDUM. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO APPROVE THE CONSENT AGENDA AS FOLLOWS:

- A. APPROVE MINUTES OF PREVIOUS MEETINGS: OCTOBER 13, 2009 (REG. SESSION) AND OCTOBER 16, 2009 (SPECIAL SESSION).
- B. APPROVE BUDGET REVISIONS #2009-24, AS PRESENTED BY THE COUNTY AUDITOR. (SEE ATTACHED)
- C. APPROVE BUDGET AMENDMENTS #2009-26(a), AS SUBMITTED AND REVIEWED BY COURT APPOINTED COMMITTEE. (SEE ATTACHED)
- D. APPROVE SCHEDULE OF BILLS, INCLUDING ADDENDUM. (SEE ATTACHED)

DATE	AMOUNT	CHECK #
<b>FY 09</b>		
10/09/09	14,179.12	219976-219991
10/13/09	771.88	220004-220006
10/15/09	4,594.27	220044-220049
10/21/09	324,504.03	220052-220114
	344,049.30	Subtotal (FY09 Total)
<b>FY 10</b>		
10/08/09	1,383.57	219955
10/09/09	12,928.20	ACH649
10/09/09	10,717.19	000111
10/09/09	5,193.97	000150
10/09/09	98,011.55	000155
10/09/09	63,513.03	219956-219975
10/13/09	264.00	102654-102697
10/13/09	1,242.00	102698-102778
10/13/09	9,730.57	219992-220003
10/15/09	1,500,000.00	ACH650
10/15/09	1,000,000.00	ACH651
10/15/09	2,864.22	ACH652
10/15/09	45,294.84	ACH653
10/15/09	10,593.22	ACH654
10/15/09	26,424.31	ACH655
10/15/09	273,448.10	ACH656
10/15/09	2,893.27	ACH657
10/15/09	8,536.20	000151
10/15/09	50.00	000156
10/15/09	2,863.15	220007-220013

DATE	AMOUNT	CHECK #
10/15/09	33,653.52	220014-220043
10/16/09	1,224.00	102779-102884 (void ck #102840 sent by qtrly. ACH)
10/16/09	380.00	220050
10/20/09	50.00	000157
10/20/09	102.00	220051
10/21/09	280,843.97	220015-220218
10/21/09	3,081.99	220219-220225
	3,395,286.87	Subtotal (FY10 total)
10/27/09	Addendum (to appear on future schedule)	\$67,120.73
<b>TOTAL</b>	<b>3,739,336.17</b>	

- E. APPROVE PERSONNEL ACTION FORMS. (SEE ATTACHED)
- F. APPROVE REVISED PRELIMINARY PLAT OF TWIN CREEKS SUBDIVISION (PCT 2).
- G. ACCEPT OFFERS TO PURCHASE TAX FORECLOSED PROPERTIES: (PCT 1) LOT 29, MANGUM ESTATES #1, CAUSE NO. T08-156; LOT 286, PUTNAMS LANDING #1, CAUSE NO. T05-243; LOTS 468 & 469, GREEN ACRES CAUSE NO. T05-248 (PCT 3) LOTS 195, 197 & 199, REILY'S VILLAGE #2, CAUSE NO. 95-394 (PCT 4) LOTS 132 & 133, BIG THICKET LAKE ESTATES #20, CAUSE NO. T08-115.
- H. AMEND PREVIOUS COURT ACTION (OCTOBER 13, 2009 AGENDA ITEM #12) TO PROVIDE FOR PAYMENT OF (2) VFD PROPANE TANK PURCHASES FROM FY2010 CONTINGENCIES, RATHER THAN FY09 FUND BALANCE.
- I. APPROVE ANNUAL MAINTENANCE AGREEMENT WITH EAST TEXAS COPY SYSTEMS FOR COPIER LOCATED IN DPS OFFICE. (SEE ATTACHED)
- J. APPROVE, BY RESOLUTION, THE LICENSING AGREEMENT AND INTERAGENCY COOPERATION CONTRACT FOR POLK COUNTY EMERGENCY MANAGEMENT, ENVIRONMENTAL SERVICES AND SHERIFF DEPARTMENT USE OF POLK CENTRAL APPRAISAL DISTRICT PICTOMETRY IMAGERY. (SEE ATTACHED)

JUDGE THOMPSON READ RESOLUTION FOR JEANETTE MONTGOMERY.

- 6. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO APPROVE RESOLUTION RECOGNIZING THE SERVICE OF JEANETTE MONTGOMERY.  
ALL VOTING YES. (SEE ATTACHED)

DISCUSSION OF ITEM 7.

- 7. MOTIONED BY MILTON PURVIS, SECONDED BY BOB WILLIS, TO EXTEND LEASE AGREEMENT RENEWAL WITH DR. LEWIS AT CORRIGAN MEDICAL CLINIC FOR ONE YEAR AT THE PRESENT TERMS.  
ALL VOTING YES.

COMMISSIONER OVERSTREET REQUESTED THURSDAY, DECEMBER 23, 2010 BE ADDED TO THE 2010 HOLIDAY SCHEDULE.

- 8. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO APPROVE THE COUNTY HOLIDAY SCHEDULE FOR CALENDAR YEAR 2010 ADDING THURSDAY, DECEMBER 23, 2010.  
ALL VOTING YES. (SEE ATTACHED)

DISCUSSION OF ITEM 9.

- 9. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO APPOINT MATT PAGE AS POLK COUNTY REPRESENTATIVE TO THE LOWER TRINITY GROUNDWATER CONSERVATION DISTRICT BOARD OF DIRECTORS.  
ALL VOTING YES.

10. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO ACCEPT EMERGENCY MANAGEMENT REQUEST FOR APPROVAL OF AUTOMATIC EXTERNAL DEFIBRILLATOR (AED) PURCHASE FOR INSTALLATION IN COUNTY BUILDINGS, AS INCLUDED ON PROJECTED CAPITAL PURCHASE PLAN FOR FY2010 BUDGET, IN THE AMOUNT OF \$30,600 TO BE PAID FROM GENERAL FUND BALANCE AND INCLUDED ON REIMBURSEMENT RESOLUTION FOR YEAR-END ISSUANCE OF LEGALLY AUTHORIZED DEBT.  
ALL VOTING YES.

DISCUSSION OF ITEM 11.

11. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO APPROVE AMENDMENT TO FIRE PROTECTION CONTRACTS BETWEEN POLK COUNTY AND VOLUNTEER FIRE DEPARTMENTS, REQUIRING SEPARATE ACCOUNTING OF ANY FUNDS RECEIVED FROM OR THROUGH POLK COUNTY.  
ALL VOTING YES. (SEE ATTACHED)

JUDGE THOMPSON NOTED THAT ITEM 12 IS A 440 FT. COMMUNICATIONS TOWER NOT 430.  
DISCUSSION OF ITEM 12.

12. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE ACCEPTANCE OF DONATION FROM WIRELESS TECHNOLOGIES OF ONE (1) 440 FT. COMMUNICATIONS TOWER PENDING LEGAL REVIEW.  
ALL VOTING YES. (SEE ATTACHED)


DISCUSSION OF ITEM 13. COMMISSIONER WILLIS SUGGESTED APPROVING AGREEMENT FOR 3 MONTHS AND EXTEND AT THE END OF 3 MONTHS IF NEEDED.

13. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, APPROVAL OF INDEPENDENT CONTRACTOR AGREEMENT WITH JEANETTE MONTGOMERY FOR 3 MONTHS FOR EXTENDED TRAINING/CONSULTING RELATING TO HUMAN RESOURCE SUPERVISOR APPOINTMENT.  
ALL VOTING YES. (SEE ATTACHED)

14. MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, TO RESCIND PREVIOUS COURT ACTION TO INCLUDE \$11,795 ACS PAYMENT FOR ADDITIONAL COST OF DISTRICT CLERK IMAGING PROJECT ON 2010 REIMBURSEMENT RESOLUTION, PAYMENT HAVING BEEN MADE FROM FY09 FUNDS.  
ALL VOTING YES.

ADJOURN:  
MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO ADJOURN COURT THIS 27TH DAY OF OCTOBER, 2009 AT 10:52 A.M.  
ALL VOTING YES.

  
JOHN P. THOMPSON, COUNTY JUDGE

ATTEST:  
  
SCHELANA WALKER, COUNTY CLERK