

COMMISSIONERS COURT
AGENDA POSTING #2009 - 149

BE IT REMEMBERED ON THIS THE 8TH DAY OF DECEMBER, 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 & CALL TO ORDER AT 10:00 A.M. BY JUDGE THOMPSON.
 - INVOCATION LED BY LARRY SHINE.
 - PLEDGE OF ALLEGIANCE TO U.S. & TEXAS FLAG LED BY JIM JOHNSON.
2. PUBLIC COMMENTS:
 - A. NIKKI FOSTER - EXECUTIVE DIRECTOR, CHILDRENZ HAVEN, INFORMED COURT OF PRE-COOKED BRISKET SALE BENEFIT FOR CHILDRENZ HAVEN. PRE-ORDERS ACCEPTED THRU DEC. 11TH AND BRISKETS WILL BE READY DEC. 18TH. THE CHILD ADVOCACY CENTER HAS TO MATCH \$7,000 FOR GRANT BY DECEMBER 31, 2009.
3. INFORMATIONAL REPORTS:
 - A. CASSANDRA COLEMAN - AGRILIFE EXTENSION AGENT, UPDATED COURT ON WALK ACROSS TEXAS AND MASTER OF MEMORY (MOM) PROGRAM AND SHE WILL BE ACCEPTING POSITION IN SMITH COUNTY EXTENSION OFFICE EFFECTIVE JAN. 4, 2010.
 - B. CHAD ARBUCKLE - AGRILIFE EXTENSION AGENT, GAVE OUTCOME SUMMARY ON LAMB & GOAT CAMP, 4H AFTER SCHOOL PROGRAMS AND CLOVER KIDS.
 - C. MARK CURRIE - COUNTY EXTENSION AGENT, DISCUSSED 4TH YEAR BEEF/CATTLE MEETINGS AND MASTER NATURALIST PROGRAM.
 - D. RAY STELLY - AUDITOR, RECOGNIZED VERNON LOFTIN AND WISHED HIM A HAPPY 80TH BIRTHDAY.
 - E. SHERIFF KENNETH HAMMACK PRESENTED NOVEMBER REPORT FOR SHERIFF'S DEPT NOTING THE COST FOR OUTSIDE HOUSING WAS \$54,640 FOR THE REPORTING PERIOD AND ALSO DISCUSSED THE PRE-TRIAL RELEASE PROGRAM THRU PROBATION THAT HAS SAVED THE COUNTY \$27,000 IN HOUSING.
4. OLD BUSINESS:
 - A. MOTIONED BY MILTON PURVIS, SECONDED BY RONNIE VINCENT, TO APPROVE CASTING OF POLK COUNTY VOTING ENTITLEMENT FOR ELECTION OF BOARD OF DIRECTORS FOR POLK CENTRAL APPRAISAL DISTRICT.
ALL VOTING YES. (SEE ATTACHED)
 - B. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, TO TABLE "RECEIVE CLARIFICATION OF ANY VARIANCE REQUIRED PURSUANT TO ORDER SUBMITTED FOR ACCEPTANCE FOR PUBLIC MAINTENANCE OF CERTAIN ROADS IN COMMODORE CAPE SUBDIVISION LOCATED IN PRECINCT 1".
ALL VOTING YES.

NEW BUSINESS

5. CONSENT AGENDA: JUDGE THOMPSON NOTED 5H IS AN ADDENDUM. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO APPROVE CONSENT AGENDA AS FOLLOWS:
- A. APPROVE MINUTES OF PREVIOUS MEETING: NOVEMBER 24, 2009 (REGULAR SESSION).
- B. APPROVE BUDGET REVISIONS #2010-04, AS PRESENTED BY THE COUNTY AUDITOR. (SEE ATTACHED)
- C. APPROVE SCHEDULE OF BILLS, INCLUDING ADDENDUM. (SEE ATTACHED)

DATE	AMOUNT	CHECK #
11/18/09	17,921.20	000166
11/19/09	302,788.06	ACH167
11/20/09	1,500,000.00	ACH680
11/20/09	1,950.00	103054-103120
11/20/09	33,760.92	220706-220735
11/23/09	13,476.67	220736-220739
11/24/09	2,804.47	ACH681
11/24/09	44,232.56	ACH682
11/24/09	10,483.66	ACH683
11/24/09	25,732.26	ACH684
11/24/09	271,409.80	ACH685
11/24/09	3,033.11	ACH686
11/24/09	17,760.00	ACH687
11/24/09	191,388.80	220740-220741
11/24/09	2,628.15	220742-220747
11/25/09	113,742.60	000276-000282
11/25/09	13,498.89	220748-220759
11/25/09	31.78	220760-220761
11/30/09	123,978.82	ACH688
11/30/09	5,244.87	ACH689
11/30/09	1,500,000.00	ACH690
11/30/09	149,773.57	220762
12/01/09	16,585.95	220763-220767
12/02/09	415.00	220768
12/02/09	182,124.43	220769-220880
12/02/09	7,666.86	220881-220894
12/08/09	Addendum (to appear on future schedule)	\$576,069.44
TOTAL	4,552,432.43	

- D. APPROVE PERSONNEL ACTION FORMS. (SEE ATTACHED)
- E. RATIFY ASSIGNMENT AND ASSUMPTION AGREEMENT BETWEEN POLK COUNTY, PINNACLE ARBITRAGE COMPLIANCE LLC AND THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A. FOR THE PERFORMANCE OF REBATE CALCULATION AND RELATED SERVICES. (SEE ATTACHED)
- F. RENEW AGREEMENT WITH EAST TEXAS DSL FOR INTERNET SERVICE FOR POLK COUNTY MAINTENANCE ENGINEERING FOR A ONE-YEAR TERM. (SEE ATTACHED)
- G. APPROVE INTER-LOCAL AGREEMENT WITH TAC FOR RISK MANAGEMENT POOL.
- H. AUTHORIZE COUNTY JUDGE TO EXECUTE LETTER TO THE CITY OF LIVINGSTON AFFIRMING COUNTY'S RETENTION OF OWNERSHIP OF WATER LINE AND FIRE HYDRANTS LOCATED AT THE JAIL EXPANSION SITE.

6. HOLD TO END OF ITEM 7.

DISCUSSION OF AGENDA ITEM 7 BY NANCY SMITH OF TXDOT.

7. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO RECEIVE REPORT FROM TXDOT REGARDING COUNTY BRIDGES THAT ARE ELIGIBLE FOR THE OFF-SYSTEM BRIDGE REPLACEMENT PROGRAM.
ALL VOTING YES.

DISCUSSION WITH NANCY SMITH & JAMES WITH KLOTZ ENGINEERING.

6. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO TABLE "CONSIDER ANY/ALL NECESSARY ACTION PERTAINING TO BID # 2010-10".
ALL VOTING YES.

DISCUSSION OF ITEM 8 WITH MICHAEL MATTHEWS, ASSISTANT DISTRICT ATTORNEY.

8. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO PARTICIPATE IN HOMETOWN CHRISTMAS PARADE IN LIVINGSTON ON DECEMBER 12, 2009.
ALL VOTING YES.

DISCUSSION OF ITEM 9 WITH SHERIFF KENNETH HAMMACK.

9. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, APPROVAL OF SHERIFF'S DEPARTMENT REQUEST TO ADVERTISE FOR THE PURCHASE OF 9 VEHICLES UNDER THE FLEET REPLACEMENT PROGRAM AND TRADE-IN OF 9 VEHICLES.
ALL VOTING YES.

DISCUSSION OF ITEM 10 WITH JEREMY HARRELL - MAINTENANCE ENGINEERING DEPT.


10. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, APPROVAL OF CAPITAL EXPENDITURE FOR COMPLETION OF BUILDING STRUCTURE FOR ANIMAL SHELTER PROJECT LOCATED IN LEGGETT, IN THE AMOUNT OF \$17,360.13 TO BE PAID FROM GENERAL FUND BALANCE AND INCLUDED ON FY2010 REIMBURSEMENT RESOLUTION FOR YEAR END ISSUANCE OF LEGALLY AUTHORIZED DEBT.
ALL VOTING YES.

DISCUSSION OF ITEM 11 WITH HERB BRISTOW, LEGAL COUNSEL FOR IAH PUBLIC FACILITY CORPORATION.

11. MOTIONED BY RONNIE VINCENT, SECONDED BY TOMMY OVERSTREET, TO APPROVE A ONE (1) YEAR RENEWAL OPTION FOR AMENDED AND RESTATED FACILITY OPERATION AND MANAGEMENT SERVICES AGREEMENT BETWEEN POLK COUNTY, TEXAS AND COMMUNITY EDUCATION CENTERS, INC (FORMERLY CIVIGENICS-TEXAS, INC.) FOR THE OPERATION AND MANAGEMENT OF THE IAH DETENTION CENTER.
ALL VOTING YES. (SEE ATTACHED)
12. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, TO TABLE "CONSIDER APPROVAL OF PCT. 1 CAPITAL PURCHASE OF ONE (1) USED DUMP TRUCK IN THE AMOUNT NOT TO EXCEED \$50,000.00 TO BE PAID FROM ROAD & BRIDGE PCT. 1 FUND BALANCE AND INCLUDED ON FY2010 REIMBURSEMENT RESOLUTION FOR YEAR END ISSUANCE OF LEGALLY AUTHORIZED DEBT".
ALL VOTING YES.

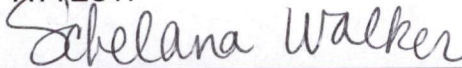
ADJOURN:

MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO ADJOURN COURT
THIS 8TH DAY OF DECEMBER, 2009 AT 11:13 A.M.
ALL VOTING YES.



JOHN P. THOMPSON, COUNTY JUDGE

ATTEST:



SCHELANA WALKER, COUNTY CLERK