

COMMISSIONERS COURT
AGENDA POSTING #2010 - 011

BE IT REMEMBERED ON THIS THE 9TH DAY OF FEBRUARY, 2010
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 & CALLED TO ORDER AT 10:00 A.M. BY JUDGE THOMPSON.
 - INVOCATION LED BY ELDRIDGE STRIEDEL.
 - PLEDGE OF ALLEGIANCE TO U.S. & TEXAS FLAGS LED BY JIM JOHNSON.
2. PUBLIC COMMENTS: NONE.
3. INFORMATIONAL REPORTS:
 - A. ADRENA GILBERT - HUMAN RESOURCE SUPERVISOR, INFORMED COURT OF HEALTHY COUNTY TRAINING PROGRAM STARTING NOW AND ENDING JUNE 6TH.
 - B. SCHELANA WALKER - COUNTY CLERK, REMINDED EVERYONE THAT EARLY VOTING FOR THE PRIMARIES WILL BEGIN TUESDAY, FEB. 16TH.
 - C. KENNETH HAMMACK - SHERIFF, PRESENTED MONTHLY REPORT FOR DEPARTMENT AND JAIL NOTING \$30,000 FOR OUTSIDE HOUSING OF INMATES AND NOTED THAT THE PRE-TRIAL DIVERSIONS HAVE BEEN A SUCCESS AND HAS HELPED LOWER COSTS.
 - D. JEAN HESTER - HESTER & SANDERS ARCHITECTURE, PROVIDED AN UPDATE ON THE JUDICIAL CENTER.
4. OLD BUSINESS (TABLED FROM LAST AGENDA)
 - A. 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.
 - B. MOTIONED BY RONNIE VINCENT, SECONDED BY BOB WILLIS, TO TABLE "CONSIDER MATTERS PERTAINING TO APPROVAL OF THE FINAL PLAT OF PELICAN POINT SUBDIVISION (A RE-PLATTING OF TREASURE POINT) LOCATED IN PRECINCT 2, POLK COUNTY, INCLUDING; A) GRANTING VARIANCE TO POLK COUNTY SUBDIVISION REGULATIONS SECTION 4.2 - 4.4 RELATING TO NOTIFICATION OF PROPERTY OWNERS, POSTING SIGNAGE AND PUBLIC HEARING BASED UPON THOSE PERSONS PROPOSING THE RE-SUBDIVISION BEING SOLE OWNERS OF PROPERTY WITHIN SAID SUBDIVISION, ROADS WITHIN SAID SUBDIVISION BEING PRIVATE ROADS, AND FINDING THE RE-SUBDIVISION EFFECT NO OTHER ESTABLISHED LEGAL RIGHTS; AND B) APPROVAL OF ORDER VACATING THE ORIGINAL PLAT OF TREASURE POINT AND APPROVING THE FINAL PLAT OF PELICAN POINT".
ALL VOTING YES.

5. CONSENT AGENDA

JUDGE THOMPSON NOTED THAT ITEM C HAS BEEN REVISED BY THE COUNTY AUDITOR AND DELETE ITEM F.

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

- A. APPROVE MINUTES OF PREVIOUS MEETING: JANUARY 12, 2010 (REGULAR SESSION).
- B. APPROVE BUDGET REVISIONS #2010-08, AS PRESENTED BY THE COUNTY AUDITOR. (SEE ATTACHED)
- C. APPROVE BUDGET AMENDMENTS #2010-08(a), AS REVISED BY THE COUNTY AUDITOR. (SEE ATTACHED)
- D. APPROVE SCHEDULE OF BILLS, INCLUDING ADDENDUM. (SEE ATTACHED)

DATE	AMOUNT	CHECK #
01/20/10	325,000.00	ACH732
01/20/10	1,517,220.00	ACH733
01/21/10	2,804.47	ACH734
01/21/10	45,155.18	ACH735
01/21/10	10,560.54	ACH736
01/21/10	27,902.42	ACH737
01/21/10	270,105.30	ACH738
01/21/10	3,461.55	ACH739
01/21/10	3,030.15	221596-221603
01/22/10	10,311.38	221604-221626
01/25/10	75.00	221627-221628
01/26/10	440,000.00	ACH740
01/26/10	136,406.73	ACH741
01/26/10	25,252.44	221629-221630
01/26/10	33,000.00	221631
01/27/10	136,043.49	ACH742
01/27/10	260,000.00	ACH743
01/27/10	1,605,000.00	ACH744
01/27/10	90.00	221632-221637
01/27/10	18,591.94	221638
01/27/10	13,388.27	221639-221642
01/29/10	315,000.00	ACH745
01/29/10	5,244.87	ACH746
01/29/10	1,623,202.80	ACH747
01/29/10	8,525.20	221643-221666
02/01/10	16,585.95	221667-221671
02/02/10	3,337.00	103326-103428 (void ck #103424 and send by ACH qtrly)
02/02/10	.30	221672
02/03/10	3,836.25	114
02/03/10	58,989.52	170
02/03/10	446,905.60	221673-221855
02/09/10	Addendum to appear on future schedule	\$638,303.61
TOTAL	7,365,026.35	

E. APPROVE PERSONNEL ACTION FORMS. (SEE ATTACHED)

F. DELETED

G. APPROVE REVISED CAPITAL LISTING DATED DECEMBER 22, 2009 TO REMOVE DUPLICATIONS OF PREVIOUSLY LISTED EXPENDITURES. (SEE ATTACHED)

H. APPROVE APPOINTMENT OF SHIRLEY CAIN AS PRESIDING JUDGE OF THE EARLY VOTING BALLOT BOARD AS REQUIRED BY TEXAS ELECTION CODE 87.002(b).

- I. RATIFY CONSTRUCTION CONTRACT CHANGE ORDER NO. 1 UNDER COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CONTRACT NO. 728340 "MEMORIAL POINT UTILITY DISTRICT SEWER IMPROVEMENTS", PROVIDING INCREASE IN CONTRACT TIME DUE TO WEATHER DELAYS, AS RECOMMENDED BY ENGINEER.
- J. APPROVE EMERGENCY MANAGEMENT APPLICATION TO CHANGE SERVICE CONTRACT WITH GMPCS (SATELLITE PHONE SERVICE PROVIDER) TO LOWER MONTHLY FEE.

DISCUSSION OF ITEM 6 BY SIDNEY MURPHY.

6. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO RECEIVE LETTER FROM EAST TEXAS ELECTRIC COOPERATIVE REQUESTING CONSIDERATION OF TAX ABATEMENT FOR LAKE LIVINGSTON HYDROELECTRIC PROJECT.
MILTON PURVIS - ABSTAIN.
7. MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, TO SCHEDULE PUBLIC HEARING FOR DESIGNATION OF REINVESTMENT ZONE RELATING TO THE EAST TEXAS ELECTRIC COOPERATIVE - LAKE LIVINGSTON HYDROELECTRIC PROJECT ON FEBRUARY 23, 2010 AT 9:30 A.M.
MILTON PURVIS - ABSTAIN.

DISCUSSION OF ITEM 8 BY JUDGE THOMPSON AND COMMISSIONER OVERSTREET.

8. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO ACCEPT REQUEST FROM TRINITY RIVER AUTHORITY OF TEXAS FOR A UTILITY EASEMENT CONSISTING OF 1.2 ACRES ON FM350 SOUTH AT THE SITE OF THE IAH SECURE ADULT DETENTION FACILITY FOR THE PURPOSE OF RECONSTRUCTION OF A TREATED WATER PIPELINE ALONG FM 350 SOUTH AND AUTHORIZE JOHN THOMPSON, AS COUNTY JUDGE, TO EXECUTE SAID EASEMENT AGREEMENT.
ALL VOTING YES.
9. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, RECEIVE AND APPROVE TOTAL AWARD AMOUNT OF \$332,527 FOR BID #2010-11 "PURCHASE OF LAW ENFORCEMENT VEHICLES", WITH ADDITION OF CONSTABLE PCT. 1 VEHICLE AND TRADE-INS AND AUTHORIZE PAYMENT FROM GENERAL FUND BALANCE TO BE INCLUDED ON REIMBURSEMENT RESOLUTION FOR YEAR END ISSUANCE OF LEGALLY AUTHORIZED DEBT.
ALL VOTING YES.

10. DISCUSSION OF ITEM 11 FIRST.

DISCUSSION OF ITEM 11 BY JAMES FLOURNOY OF KLOTZ & ASSOC.

11. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, APPROVAL OF RESOLUTION AND RELATED REQUEST FOR WAIVER FOR OFF-SYSTEM BRIDGE REPLACEMENT PROGRAM PROJECTS:
 - UNION SPRINGS AT BEAR CREEK; (CSJ 091104945; NBI 111870AA0247001), PCT 3
 - UPPER LEGGETT RD AT HICKMAN CREEK; (CSJ 091104945; NBI 111870AA0247001), PCT 3 (INCLUDING BOTH BRIDGES)
 - JACK STATION RD AT KENNEDY CREEK; (CSJ 091104908; NBI 111870AA0445001),
 - CR 251 (MIDWAY LOOP E) AT WOODS CREEK; (CSJ 091104928; NBI 111870AA0251001), PCT 4
 ALL VOTING YES. (SEE ATTACHED)

DISCUSSION OF ITEM 10.

10. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, APPROVAL TO ADVERTISE FOR REPAIR / REPLACEMENT OF BRIDGE #AA0348-001 ON DUFF ROAD AND BRIDGE ON CARRINGTON CEMETERY ROAD #159-001, UNDER THE COUNTY'S BRIDGE REPAIR / REPLACEMENT POLICY, TO BE PAID FROM PRECINCT OPERATING BUDGET AND/OR PRECINCT FUND BALANCE.
ALL VOTING YES.

DISCUSSION OF ITEM 12 BY JACK BEAM WITH GRS.

12. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO RECEIVE ACTUARIAL VALUATION REPORT FOR OTHER POST EMPLOYMENT BENEFITS (OPEB) OF POLK COUNTY.
ALL VOTING YES.

ADJOURN:

MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO ADJOURN COURT THIS 9TH DAY OF FEBRUARY, 2010 AT 10:56 A.M.
ALL VOTING YES.


JOHN P. THOMPSON, COUNTY JUDGE

ATTEST:


SCHELANA WALKER, COUNTY CLERK

*****CORRECTED AGENDA ITEM 8 ON MAY 25, 2010****

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JOHN P. THOMPSON, COUNTY JUDGE

ATTEST:


SCHELANA WALKER, COUNTY CLERK