

STATE OF TEXAS §

DATE: SEPTEMBER 14, 2010

COUNTY OF POLK §

REGULAR MEETING

ALL MEMBERS - Present

**COMMISSIONERS COURT
AGENDA POSTING #2010 - 128**

BE IT REMEMBERED ON THIS THE 14TH DAY OF SEPTEMBER, 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 RAY STELLY, COUNTY AUDITOR.
 - PLEDGE OF ALLEGIANCE TO U.S & TEXAS FLAGS LED BY JIM JOHNSON.
2. **PUBLIC COMMENTS:**
 - A. JIM JOHNSON INFORMED COURT OF CASA ANNUAL JUSTICE IS SERVED FISH FRY WILL BE HELD SEPTEMBER 23RD AT METHODIST CHURCH WITH DRIVE-THRU FROM 4-5:45 P.M. AND DINNER BEGINNING AT 6:00 P.M. TICKETS ARE \$8.
 - B. DANNY FREEMAN ASKED COURT TO CONSIDER ADOPTING ANIMAL CONTROL LAWS FOR PLATTED SUBDIVISIONS.
3. **INFORMATIONAL REPORTS:**
 - A. JOHN SANDERS PRESENTED SHERIFF DEPT & JAIL MONTHLY REPORT NOTING OUTSIDE HOUSING OF INMATES WAS \$2,208.00.

OLD BUSINESS (TABLED FROM LAST AGENDA)

4. A. HOLD TO END OF SESSION AFTER EXECUTIVE SESSION.

DISCUSSION OF ITEM B.

- B. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO DELETE "DISCUSSION AND DETERMINATION OF PROJECTS TO BE FUNDED BY HURRICANE IKE RECOVERY FUND ROUND II PHASE 1", NOTING THE COURT'S INTENT TO PASS ON APPLICATION AT THIS TIME BASED ON INFORMATION PROVIDED BY DAVID WAXMAN AND TO BRING THE MATTER BACK BEFORE THE COURT WHEN APPROPRIATE.
ALL VOTING YES.

5. **CONSENT AGENDA:** JUDGE THOMPSON NOTED AGENDA ITEM A INCLUDES MINUTES FROM PUBLIC HEARING, ITEM F INVOICE TO HESTER & HESTER AND KINGHAM CONSTRUCTION, ITEM G PAYMENT TO KINGHAM, ITEM L \$3,500 TO \$4,000, ITEM N NO INCREASE, ITEM Q \$50 TO \$65 FEE, ITEM R \$7,801 INCREASE AND ITEM W MOU'S ARE WITH SPCA, LUCY'S LEGACY SECOND CHANCE RANCH & RESCUE AND STANLEY CROWE (VANITY FAIR).
MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO APPROVE THE CONSENT AGENDA AS FOLLOWS:
 - A. APPROVE MINUTES OF PREVIOUS MEETINGS: AUGUST 10, 2010 REGULAR & SPECIAL SESSION.
 - B. APPROVE BUDGET REVISIONS #2010-22, AS PRESENTED BY THE COUNTY AUDITOR. (SEE ATTACHED)

C. APPROVE BUDGET AMENDMENTS #2010-22(a), AS SUBMITTED AND REVIEWED BY COURT APPOINTED COMMITTEE. (SEE ATTACHED)

D. APPROVE SCHEDULE OF BILLS. (SEE ATTACHED)

DATE	AMOUNT	CHECK #
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08/24/10	18,906.25	186
08/24/10	338,663.54	225078-225098
08/24/10	400.00	225099
08/26/10	500.00	ACH 885
08/26/10	1,000.00	14
08/26/10	7,534.89	225100-225118
08/27/10	136,702.21	ACH 886
08/27/10	10,000.00	225119
08/27/10	151,727.94	225120
08/27/10	13,257.33	225121-225124
08/30/10	5,296.29	ACH 887
09/01/10	17,035.95	225125-225130
09/01/10	5,000.00	225131
09/02/10	2,724.47	ACH 888
09/02/10	45,643.84	ACH 889
09/02/10	10,674.76	ACH 890
09/02/10	28,521.41	ACH 891
09/02/10	273,049.95	ACH 892
09/02/10	3,618.32	ACH 893
09/02/10	8,330.00	15-17
09/02/10	2,970.76	225132-225139
09/02/10	37,201.05	225140-225172
09/03/10	1,132.94	225173
09/03/10	375.00	225174
09/07/10	903.40	18
09/07/10	513,949.52	225175-225374
09/08/10	22,117.00	225375
TOTAL	2,033,638.00	

E. APPROVE PERSONNEL ACTION FORMS, AS REVISED. (SEE ATTACHED)

F. APPROVE INVOICE FROM HESTER + HESTER IN THE AMOUNT OF \$4,866.12 AND APPLICATION FOR PAYMENT TO J.E. KINGHAM CONSTRUCTION CO. IN THE AMOUNT OF \$586,015.62 FOR JUDICIAL CENTER PROJECT. (SEE ATTACHED)

G. APPROVE APPLICATION FOR PAYMENT TO J.E. KINGHAM CONSTRUCTION CO. IN THE AMOUNT OF \$1,009,743.46 FOR JAIL EXPANSION PROJECT. (SEE ATTACHED)

H. APPROVE OFFERS TO PURCHASE TAX FORECLOSURE PROPERTIES: (PCT 1) LOT 8, BLOCK 4, SHELTER COVE, CAUSE NO. T04-285; (PCT 2) TRACT 3A, COPPER COVE, CAUSE NO. 98-053.

I. APPROVE ORDER SETTING ELECTED OFFICIALS SALARIES, EXPENSES AND ALLOWANCES FOR FY2011. (SEE ATTACHED)

J. APPROVE THE SETTING OF 2011 SHERIFFS' AND CONSTABLES' FEES. (SEE ATTACHED)

- K. RECEIVE DISTRICT JUDGES' ORDERS SETTING FY2011 COMPENSATION FOR COUNTY AUDITOR'S OFFICE, DISTRICT COURT REPORTERS AND DISTRICT COURT BAILIFFS. (SEE ATTACHED)
- L. APPROVE REVISED CONTRACT WITH DR. RAYMOND LUNA AS PRIMARY CARE PROVIDER FOR COUNTY INDIGENT HEALTH CARE PROGRAM, INCREASING THE MONTHLY FEE FROM \$3,500 TO \$4,000. (SEE ATTACHED)
- M. APPROVE REQUEST FROM CONSTABLE CHARLES CLACK FOR APPOINTMENT OF JAMI JOHNS AS PRECINCT 1 RESERVE DEPUTY CONSTABLE AND APPROVE BOND FOR SAID APPOINTMENT.
- N. APPROVE RENEWAL OF ANNUAL FIREFIGHTING AGREEMENT WITH CITY OF LIVINGSTON FOR FY2011.
- O. APPROVE ANNUAL RENEWAL LEASE AGREEMENT WITH MOLLY LOCKE FOR OFFICE SPACE LOCATED IN THE M.G. REILY HUMANITARIAN BUILDING, CORRIGAN.
- P. APPROVE RENEWAL AGREEMENT WITH INTEGRATED DATA SERVICES FOR COUNTY CLERK'S IMAGING SOFTWARE MAINTENANCE FOR FY2011.
- Q. APPROVE LETTER OF AGREEMENT WITH CONSTRUCTION CODE CONSULTANTS RENEWING SERVICES FOR THE PERFORMANCE OF LIFE SAFETY INSPECTIONS FOR ONE-YEAR TERM BEGINNING OCTOBER 1, 2010. TO INCLUDE STATE MANDATED FIRE SAFETY INPSECTIONS AT A RATE OF \$65/EA. (SEE ATTACHED)
- R. APPROVE ANNUAL MAINTENANCE AGREEMENT WITH NET DATA FOR FY2011. (SEE ATTACHED)
- S. APPROVE MAINTENANCE AGREEMENT RENEWING SHERIFF'S DEPARTMENT MENTALIX/LIVE SCAN SERVICES FOR FY2011.
- T. APPROVE RENEWAL OF AGREEMENT WITH DR. RAY LUNA FOR JAIL INMATE MEDICAL SERVICES FORY YEAR 2011.
- U. APPROVE RENEWAL LEASE AGREEMENT TO PROVIDE OFFICE SPACE TO DEEP EAST TEXAS COUNCIL OF GOVERNMENTS "STAR" PROGRAM.
- V. APPROVE COOPERATIVE AGREEMENT WITH OFFICE OF ATTORNEY GENERAL FOR CHILD SUPPORT SERVICES (FY2011/12).
- W. APPROVE MEMORANDUM(S) OF UNDERSTANDING FOR LOCAL DISASTER PREPAREDNESS. (SEE ATTACHED)

DISCUSSION OF ITEM 6 BY JAY BURKS, MAINTENANCE DEPT.

- 6. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO ACCEPT DONATION OF (6) USED BUSES FROM BRAZOS TRANSIT DISTRICT.
ALL VOTING YES.

DISCUSSION OF ITEM 7.

- 7. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, TO TABLE "DISCUSSION AND ANY NECESSARY ACTION TO AMEND CURRENT POLICY REGARDING THE PERMITTING FOR COUNTY ROAD CROSSING BY UTILITIES & PIPELINES".
ALL VOTING YES.
- 8. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO ADOPT ORDER AUTHORIZING TEXAS COUNTY AND DISTRICT RETIREMENT SYSTEM PLAN PROVISIONS FOR 2011.
ALL VOTING YES. (SEE ATTACHED)

DISCUSSION OF ITEM 9 BY BOB WILLIS.

- 9. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, APPROVAL OF COMMISSIONER PCT. 1 REQUEST FOR AGREEMENT BETWEEN POLK COUNTY AND HOLIDAY LAKE ESTATES CIVIC CLUB FOR MANAGEMENT AND MAINTENANCE OF COUNTY-OWNED REAL PROPERTY; HOLIDAY LAKE ESTATES SECTION 3, BLOCK 18 LOTS 16, 17 AND 18.
ALL VOTING YES. (SEE ATTACHED)

- 10. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO AWARD BID #2010-15 "THE SALE OF SURPLUS PROPERTY, ROAD & BRIDGE PCT. 4" TO KENNETH SCOTT IN THE AMOUNT OF \$150.00 FOR THE 1997 GMC PICKUP AND \$1,000 FOR THE 2001 DODGE PICKUP.
ALL VOTING YES.

DISCUSSION OF ITEM 11 BY HUMAN RESOURCE SUPERVISOR, ADRENA GILBERT.

- 11. MOTIONED BY RONNIE VINCENT, SECONDED BY JUDGE THOMPSON, APPROVAL OF RECOMMENDED UPDATE/S TO PERSONNEL MANAGEMENT SYSTEM WITH VOTES RECORDED AS FOLLOWS:
 JUDGE THOMPSON.....YES
 COMMISSIONER WILLIS.....NO
 COMMISSIONER VINCENT.....YES
 COMMISSIONER PURVIS.....YES
 COMMISSIONER OVERSTREET...YES
 MOTION CARRIED. (SEE ATTACHED)

DISCUSSION OF ITEM 12.

- 12. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO SCHEDULE COUNTY SURPLUS PROPERTY ON-LINE AUCTION WITH RENE BATES AS SOON AS POSSIBLE.
ALL VOTING YES.

- 13. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO EXTEND AGREEMENT BETWEEN POLK COUNTY AND INFINITY NETWORKS FOR 1 YEAR PERIOD FOR INMATE TELEPHONE SERVICES AT THE IAH SECURE ADULT DETENTION FACILITY.
ALL VOTING YES.

DISCUSSION OF ITEM 14 BY TOMMY OVERSTREET.

- 14. MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, APPROVAL OF VARIANCE TO SUBDIVISION PLATTING REQUIREMENTS TO A SINGLE TRACT SALE OF A PORTION OF TRACT 212 OF SOUTHLAND PLANTATION SUBDIVISION LOCATED IN PCT. 4.
ALL VOTING YES.

JUDGE THOMPSON ANNOUNCED THAT THE 2ND PUBLIC HEARING ON THE PROPOSED 2010 TAX RATE WOULD BE HELD TODAY, SEPTEMBER 14, 2010 AT 4:00 P.M. IN THE COMMISSIONERS COURTROOM.

RECESSED REGULAR SESSION AT 10:40 A.M.

EXECUTIVE SESSION BEGAN AT 10:55 A.M.

EXECUTIVE SESSION: AS AUTHORIZED BY TEXAS GOVERNMENT CODE, SECTION 551.071-551.072; CONSULTATION WITH LEGAL COUNSEL REGARDING MINERAL LEASING OF POLK COUNTY SCHOOL LANDS IN THROCKMORTON AND BAYLOR COUNTIES.

EXECUTIVE SESSION ENDED AT 11:15 A.M.

RECONVENED REGULAR SESSION AT 11:15 A.M.


4.A. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO OFFER FOR MINERAL LEASE, 80 ACRE TRACT, ABSTRACT 239, OF POLK COUNTY SCHOOL LAND LOCATE IN THROCKMORTON/BAYLOR COUNTY, WITH MINIMUM OF \$250 & 1/4 ROYALTY AND 2 YEAR LEASE, AND ANY/ALL NECESSARY SPECIFICATIONS APPROPRIATE.
ALL VOTING YES.

MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO HIRE MALCOLM JONES AND JAY ARNOLD TO REPRESENT THE COUNTY IN HANDLING THE MINERAL LEASE OFFER AS DESCRIBED IN 4.A.
ALL VOTING YES.

ADJOURN:
MOTIONED BY MILTON PURVIS, SECONDED BY BOB WILLIS, TO ADJOURN COURT THIS 14TH DAY OF SEPTEMBER, 2010 AT 11:19 A.M.
ALL VOTING YES.



JOHN P. THOMPSON, COUNTY JUDGE

ATTEST:


SCHELANA WALKER, COUNTY CLERK

STATE OF TEXAS §

DATE: SEPTEMBER 14, 2010

COUNTY OF POLK §

REGULAR MEETING

ALL MEMBERS - Present

CORRECTED AGENDA ITEM 5.L. ON SEPTEMBER 28, 2010

COMMISSIONERS COURT

AGENDA POSTING #2010 - 128

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 COMMISSIONER OVERSTREET...YES
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ADJOURN:
MOTIONED BY MILTON PURVIS, SECONDED BY BOB WILLIS, TO ADJOURN COURT THIS 14TH DAY OF SEPTEMBER, 2010 AT 11:19 A.M.
ALL VOTING YES.



JOHN P. THOMPSON, COUNTY JUDGE

ATTEST:



SCHELANA WALKER, COUNTY CLERK