

STATE OF TEXAS §

COUNTY OF POLK§

DATE: MARCH 13, 2012

REGULAR MEETING

MILT PURVIS – ABSENT

RONNIE VINCENT - ABSENT

**COMMISSIONERS COURT
AGENDA POSTING #2012 - 036**

BE IT REMEMBERED ON THIS THE 13TH DAY OF MARCH, 2012, 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, 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 REV. KENNETH DARDEN OF MACEDONIA MISSIONARY BAPTIST CHURCH.
 - PLEDGE OF ALLEGIANCE TO U.S. & TEXAS FLAGS LED BY JIM JOHNSON.
2. PUBLIC COMMENTS: NONE.
3. INFORMATIONAL REPORTS:
 - A. BID SMITH, TAX ASSESSOR/COLLECTOR, ADVISED COURT THAT THE EMAIL CIRCULATING REGARDING VOTER REGISTRATION CARDS WAS FALSE AND VOTER CARDS SHOULD BE SENT TO THE PRINTER BY THE END OF THE WEEK OR NEXT WEEK.

NEW BUSINESS

4. CONSENT AGENDA: JUDGE THOMPSON NOTED AGENDA ITEM C INCLUDES AN ADDENDUM IN THE AMOUNT OF \$24,402.95 AND COMMISSIONER WILLIS ASKED THAT AGENDA ITEM H BE DISCUSSED INDIVIDUALLY. FOLLOWING COMMENTS REGARDING ITEM F, IT WAS ALSO DISCUSSED INDIVIDUALLY;
 - F. MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, TO REJECT OFFERS TO PURCHASE TAX FORECLOSED PROPERTIES: (PCT 2) LOT 1 THRU 10 AND 11 THRU 14, BLOCK 58, SECTION 5, CEDAR POINT, CAUSE NO. T01-144 AND TO TABLE THE REMAINDER OF THE TAX FORECLOSED PROPERTIES “(PCT 2) LOT 28, BLOCK 1, SECTION 1, IMPALA WOODS, CAUSE NO. T10-132; LOTS 6 & 7, SECTION 2, CREEKSIDE, CAUSE NO. T10-299; (PCT 3) LOTS 76 – 79, DAMASCUS WOODS, CAUSE NO. T04-255”. ALL VOTING YES.

MOTIONED BY COMMISSIONER WILLIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE THE CONSENT AGENDA AS FOLLOWS:(ALL VOTING YES)

- A. APPROVE MINUTES OF FEBRUARY 28, 2012 (REGULAR SESSION).
- B. APPROVE BUDGET REVISIONS #2012-09, AS PRESENTED BY THE COUNTY AUDITOR AND BUDGET AMENDMENTS #2012-09(A), AS SUBMITTED AND REVIEWED BY COURT APPOINTED COMMITTEE. (SEE ATTACHED)
- C. APPROVE SCHEDULE OF BILLS, INCLUDING ADDENDUM. (SEE ATTACHED)

DATE	AMOUNT	CHECK #
2/23/12	37,618.63	142 – 143
2/23/12	271.34	508 – 509
2/23/12	191,813.55	510 – 511
2/23/12	1,587.75	233871 – 233878
2/23/12	48,682.99	233879 – 233916
2/24/12	49.30	233917
2/27/12	103.70	1412 – 1413
2/28/12	23,216.13	233920 – 233930
2/28/12	16,109.38	233931 – 233934
2/28/12	176,591.30	233935
2/28/12	141,862.39	ACH 228
3/01/12	362,348.35	ACH 229 – 234
3/01/12	29,540.68	144 – 146
3/01/12	1,008.00	512
3/01/12	3,231.16	513
3/01/12	16,085.95	233936 – 233939
3/01/12	3,646.88	233940 – 233949
3/01/12	53,575.50	233962 – 233989
3/02/12	434.70	233990
3/06/12	112,700.86	233991 – 234074
3/06/12	886.18	7
2/01 – 29/12	-31,294.33	Voided Check Register Ck# 505, 108368, 108500, 233797, 233867, 233878, 233918, 233919, 15364
3/13/12	Addendum to appear on future schedule	\$24,402.95
TOTAL	\$1,190,070.39	

- D. APPROVE PERSONNEL ACTION FORMS. (SEE ATTACHED)
- E. APPROVE LISTING OF PREVIOUSLY AUTHORIZED CAPITAL PURCHASES TO BE INCLUDED ON REIMBURSEMENT RESOLUTION. (SEE ATTACHED)
- F. (SEE ABOVE MOTION).
- G. APPROVE ORDER DESIGNATING SURPLUS PROPERTY TO BE DISPOSED BY SALE IN PUBLIC (ON-LINE) AUCTION. (SEE ATTACHED)
- H. TO BE DISCUSSED INDIVIDUALLY.
- I. APPROVE INTERLOCAL AGREEMENT FOR PROVISION OF ELECTION SERVICES TO THE POLK COUNTY FRESH WATER SUPPLY DISTRICT NO. 2 FOR MAY 12, 2012 ELECTION.
- J. APPROVE REQUEST FROM DEPARTMENT OF PUBLIC SAFETY TO RETAIN OCCUPANCY OF COUNTY BUILDING LOCATED AT 1735 N. WASHINGTON, LIVINGSTON FOR LOCAL DPS USE.
- K. RATIFY ADJUSTMENT OF EMERGENCY MANAGEMENT PERFORMANCE GRANT FOR STATE MASS CARE COORDINATION, EXTENDING GRANT TERM TO END MARCH 31, 2012.
- L. APPROVE CHANGE ORDER #1 AS SUBMITTED FOR 2008 IKE DISASTER RECOVERY PACKAGE #2 "DRAINAGE IMPROVEMENTS".

DISCUSSION OF CONSENT AGENDA ITEM H BY COMMISSIONER WILLIS WHO STATED

COMMISSIONER PURVIS ASKED THAT THE ITEM BE TABLED AND ASKED THAT THE DISTRICT ATTORNEY REVIEW THE AGENDA ITEM TO DETERMINE IF THE FUNDS CAN BE USED AS REQUESTED.

- 4.H. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO TABLE "APPROVE JUSTICES OF THE PEACE (COLLECTIVE) REQUEST FOR EXPENDITURE OF JUSTICE COURT TECHNOLOGY FUNDS TO; 1) APPROVE A 3 YEAR CONTRACT WITH NETDATA FOR I-TICKET SERVICES AT \$7,500 PER YEAR, 2) FOR THE PURCHASE OF ELECTRONIC TICKET WRITERS FOR A TOTAL OF \$19,287.00 AND 3) PAYMENT OF \$1,800.00 PER YEAR FOR ANNUAL MAINTENANCE FEES AFTER THE FIRST YEAR, TO INCLUDE ANY NECESSARY BUDGET AMENDMENT FOR USE OF FUND BALANCE, AS NEEDED".
ALL VOTING YES.

DISCUSSION OF AGENDA ITEM 5 BY JIM ALLISON, GENERAL COUNSEL FOR THE COUNTY AND COMMISSIONERS ASSOCIATION OF TEXAS.

5. DISCUSSION ONLY OF THE DISPOSITION OF FUNDS PAID TO POLK COUNTY PURSUANT TO AN OIL AND GAS LEASE ON POLK COUNTY SCHOOL LAND. (NO ACTION TAKEN) I.S.D.'S ASKED TO RESPOND WITH THEIR PREFERENCE FOR DISPOSITIONS PRIOR TO NEXT MEETING.
6. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, APPROVAL TO FUND THE PURCHASE OF (14) SHERIFF'S DEPARTMENT AND (2) DISTRICT ATTORNEY VEHICLES TOTALING \$616,478 WITH A TRADE-IN ALLOWANCE OF \$42,625 FROM GENERAL FUND BALANCE IN THE AMOUNT OF \$573,853 AS DETERMINED IN AWARD OF BID 2012-12 ON FEBRUARY 28, 2012 AND TO INCLUDE SAID AMOUNT ON THE FY2012 REIMBURSEMENT RESOLUTION FOR THE YEAR END ISSUANCE OF LEGALLY AUTHORIZED DEBT.
ALL VOTING YES.

DISCUSSION OF AGENDA ITEM 7 BY COMMISSIONER OVERSTREET.

7. MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, APPROVAL OF ITEMS RELATED TO THE DISSOLUTION OF THE BIG THICKET LAKE ESTATES VOLUNTEER FIRE DEPARTMENT (BTLEVFD), TO INCLUDE THE TRANSFER OF ASSETS TO THE NORTH LIBERTY COUNTY VFD AND REALLOCATION OF THE BTLEVFD PORTION OF COUNTY FUNDING TO THE SOUTH POLK COUNTY VFD, PENDING THE DISTRICT ATTORNEY LEGAL REVIEW OF EQUIPMENT ALLOCATION.
ALL VOTING YES.

DISCUSSION OF AGENDA ITEM 8 BY COMMISSIONER OVERSTREET AND JIM ALLISON.

8. MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, APPROVAL OF AMENDED (COUNTY) ROAD USE AGREEMENT WITH TRANSCANADA KEYSTONE PIPELINE, LP INCLUDING WAIVER OF BOND REQUIREMENT AND REPLACING "SUPER HEAVY VEHICLES" WITH "VEHICLES EXCEEDING POSTED LIMITS" AND AUTHORIZE COUNTY JUDGE TO EXECUTE AGREEMENT PENDING APPROVAL OF FINAL FORM BY THE POLK COUNTY DISTRICT ATTORNEY'S OFFICE AND COMMISSIONERS OVERSTREET AND PURVIS.
ALL VOTING YES.

ADJOURN:
MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, TO ADJOURN COURT
THIS 13TH DAY OF MARCH, 2012 AT 11:11 A.M.
ALL VOTING YES.



JOHN P. THOMPSON, COUNTY JUDGE

ATTEST:


SCHELANA WALKER, COUNTY CLERK