

STATE OF TEXAS §

DATE: FEBRUARY 26, 2013

REGULAR MEETING

COUNTY OF POLK §

ALL MEMBERS - Present

COMMISSIONERS COURT

AGENDA POSTING #2013 - 027

BE IT REMEMBERED ON THIS THE 26TH DAY OF FEBRUARY, 2013, 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 GARRET LARSEN, EXEC DIR. CAMP CHO-YEH CAMP & CONFERENCE CENTER.
 - PLEDGE OF ALLEGIANCE TO U.S. & TX FLAGS LED BY EAGLE SCOUTS.
2. PUBLIC COMMENTS: NONE
3. INFORMATIONAL REPORTS:
 - A. JUDGE THOMPSON READ PROCLAMATIONS. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO ACCEPT PROCLAMATIONS RECOGNIZING EAGLE SCOUT TAYLOR JEFFERSON WAITS AND EAGLE SCOUT DARREN JACOB COX.
ALL VOTING YES.

- B. COUNTY AUDITOR RAY STELLY READ LETTER THAT WAS SENT TO DISTRICT JUDGES & COMMISSIONERS REGARDING THE OUTSIDE AUDITORS NEEDING DOCUMENTS FROM DISTRICT CLERK KATHY CLIFTON TO FINISH OUTSIDE AUDIT FOR 2012. RAY NOTED THAT IF THE DOCUMENTS WERE NOT RECEIVED IN 7 DAYS THE LAW FIRM WOULD ISSUE A QUALIFIED OPINION THAT COULD AFFECT THE INTEREST RATES FOR COUNTY BONDS & TAX NOTES.
- C. JUDGE THOMPSON ADVISED EVERYONE THAT LEGISLATURE IS IN SESSION AND MANY ELECTED OFFICIALS ALL ACROSS THE STATE AT TIMES ARE CALLED TO TESTIFY ON BILLS AND MONITOR LEGISLATIVE ACTIVITY FOR THE INTEREST OF COUNTIES.
- D. COMMISSIONER OVERSTREET STATED LAST WEEKEND OVER 400 STUDENTS AND INSTRUCTORS ATTENDED THE POLK COUNTY AREA FIRE SCHOOL.

NEW BUSINESS

- 4. CONSENT AGENDA: JUDGE THOMPSON NOTED AGENDA ITEM C INCLUDES AN ADDENDUM IN THE AMOUNT OF \$46,576.83. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO APPROVE THE CONSENT AGENDA AS FOLLOWS: (ALL VOTING YES)
 - A. APPROVE MINUTES OF FEBRUARY 12, 2013 (REGULAR SESSION).
 - B. APPROVE BUDGET AMENDMENTS #2014-08(A), AS PRESENTED BY THE COUNTY AUDITOR AND SUBMITTED AND REVIEWED BY COURT APPOINTED COMMITTEE. (SEE ATTACHED)
 - C. APPROVE SCHEDULE OF BILLS, INCLUDING ADDENDUM. (SEE ATTACHED)

DATE	AMOUNT	CHECK #
2/07/13	134,798.00	EFT 65
2/07/13	73.69	580 - 581
2/07/13	109,704.90	239473 - 239530
2/08/13	595.00	239533
2/08/13	4,646.12	239534
2/11/13	65,543.99	239585
2/13/13	1,079,334.65	EFT 66 - 67
2/13/13	84,302.19	239586 - 239666
2/13/13	1,687.03	239667 - 239668
2/14/13	367,224.51	ACH 418 - 423
2/14/13	885.58	582
2/14/13	3,207.18	239681 - 239687
2/15/13	6.00	111192

2/20/13	2,300.00	173
2/20/13	44,506.83	239688 – 239729
2/20/13	-566,728.74	Voided Check Register Ck# 564, 575-576, 118036, 110955, 111065, 238490-238493, 238600, 238610, 238767, 238797, 239042, 239199
2/26/13	Addendum to appear on future schedule	\$46,578.83
TOTAL	\$1,332,086.93	

- D. APPROVE PERSONNEL ACTION FORMS. (SEE ATTACHED)
- E. APPROVE LISTING OF PREVIOUSLY AUTHORIZED CAPITAL PURCHASES TO BE INCLUDED ON REIMBURSEMENT RESOLUTION. (SEE ATTACHED)
- F. APPROVE OFFERS TO PURCHASE TAX FORECLOSED PROPERTIES: (PCT 3) TRACT 40, G.P. DIKES SURVEY, CAUSE NO. T05-457.
- G. APPROVE INTER LOCAL AGREEMENTS BETWEEN POLK COUNTY AND THE CITIES OF LIVINGSTON AND ONALASKA (INDIVIDUALLY) FOR THE COUNTY'S PROVISION OF ELECTION EQUIPMENT AND SERVICES FOR THE MAY 11, 2013 CITY ELECTIONS.
- H. APPROVE REQUEST OF POLK COUNTY HISTORICAL COMMISSION FOR APPOINTMENT OF KELLY SHADIX TO FILL VACANT POSITION ON THE LOCAL BOARD.
- I. APPROVE PROCLAMATION DESIGNATING APRIL 2013 AS FAIR HOUSING MONTH IN POLK COUNTY TEXAS.
- J. APPROVE COUNTY AUDITOR'S REQUEST FOR CAPITAL PURCHASE OF (4) PRINTERS AND (1) TONER CARTRIDGE TOTALING \$1,588.24 AS ADOPTED IN THE CAPITAL PURCHASE PROJECTIONS OF THE FY2013 BUDGET TO BE PAID FROM GENERAL FUND BALANCE AND INCLUDED ON THE FY2013 REIMBURSEMENT RESOLUTION FOR YEAR-END ISSUANCE OF LEGALLY AUTHORIZED DEBT (TAX NOTES).
- K. APPROVE ORDER DECLARING SURPLUS PROPERTY. (SEE ATTACHED)
- L. APPROVE CERTIFICATE OF CONSTRUCTION COMPLETION FOR THE IKE DISASTER RECOVERY GRANT NO. 010146 – "STANDBY GENERATORS".
- M. APPROVE UPDATE TO PERSONNEL POLICY SECTION 5.05 REGARDING MERIT INCREASES, AS AUTHORIZED IN COURT ACTION TAKEN FEBRUARY 12, 2013.

DISCUSSION OF ITEM 5 BY SCHELANA WALKER COUNTY CLERK & LESLIE BURKS TAX ASSESSOR COLLECTOR.

5. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO RECEIVE REPORT OF CERTIFICATION FROM TAX-ASSESSOR COLLECTOR ON PETITION CALLING FOR A LOCAL OPTION LIQUOR ELECTION IN JUSTICE OF THE PEACE, PCT. 2 AND ORDER SAID ELECTION, PURSUANT TO THE REQUIREMENTS OF TITLE 17, CHAPTER 501, TEXAS ELECTION CODE.
ALL VOTING YES. (SEE ATTACHED)

DISCUSSION OF ITEM 6 BY JUDGE THOMPSON & COMMISSIONERS.

6. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO TABLE "CONSIDER REQUEST FROM POLK CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS FOR ANY WRITTEN OBJECTION AND/OR RECOMMENDATION REGARDING PCAD BOARD ACTION TO RESERVE REMAINING 2012 BUDGET FUNDS TOTALING \$265,000 FOR EXPANSION OF DISTRICT (OFFICE) BUILDING".
ALL VOTING YES.

7. MOTIONED BY MILTON PURVIS, SECONDED BY RONNIE VINCENT, APPROVAL OF RESOLUTION OPPOSING HB958 WHICH WOULD REDUCE TEXAS COUNTY & DISTRICT RETIREMENT SYSTEM (TCDRS) INTEREST CREDITING RATE FROM 7% TO 5% RESULTING IN A NEGATIVE IMPACT ON RETIREE BENEFITS.
ALL VOTING YES. (SEE ATTACHED)

DISCUSSION OF ITEM 8 BY JAY BURKS AND ADULT PROBATION DIRECTOR, TERESA MILNER.

8. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO APPROVE RELOCATION OF COMMUNITY SUPERVISION & CORRECTIONS DEPARTMENT (ADULT PROBATION) FROM THE COURTHOUSE TO THE DUNBAR COMPLEX, TO BE PARTIALLY FUNDED BY MAINTENANCE DEPARTMENT BUDGET IN THE AMOUNT OF \$19,362.90 AND REMAINDER TO BE ADDED INTO NEXT YEARS BUDGET (ADDITIONAL \$40,000 EST. FOR UTILITIES).
ALL VOTING YES.

DISCUSSION OF AGENDA ITEM 9 BY HUMAN RESOURCE SUPERVISOR ADRENA GILBERT & JUDGE THOMPSON.

9. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, APPROVAL (BY POLICY REVISION) FOR WAIVER OF EMPLOYEE HEALTH INSURANCE 90 DAY WAITING PERIOD FOR INDIVIDUALS RETURNING TO FULL-TIME EMPLOYMENT FOLLOWING A QUALIFIED BREAK IN SERVICE (90 DAYS) AS A RETIREE WITH RETIREE HEALTH INSURANCE BENEFIT. ALL VOTING YES.

DISCUSSION OF AGENDA ITEM 10 BY JUDGE THOMPSON, ADRENA GILBERT & DISTRICT ATTORNEY LEE HON.

10. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO LEAVE POLICY AS IS AND NOT ALLOW "EXTRA HOURS WORKED" BY EXEMPT EMPLOYEES TO BE COMPENSABLE.

RECORDED VOTES AS FOLLOWS:

JUDGE THOMPSON – YES

COMMISSIONER WILLIS – NO

COMMISSIONER VINCENT – YES

COMMISSIONER PURVIS – YES

COMMISSIONER OVERSTREET – YES

MOTION CARRIED.

PUBLIC MEMBERS WERE EXCUSED AT 11:00 A.M. AND THE COURT MOVED INTO EXECUTIVE SESSION AT 11:02 A.M., AS AUTHORIZED BY THE TEXAS OPEN MEETINGS ACT, AS AMENDED; PURSUANT TO GOVERNMENT CODE §§ 551.074, AUTHORIZING CERTAIN DELIBERATIONS ABOUT OFFICERS AND EMPLOYEES OF THE COUNTY.

EXECUTIVE SESSION ENDED AT 11:14 A.M.

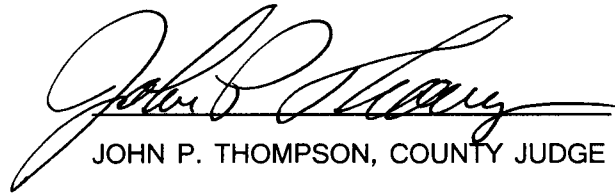
RECONVENED AT 11:14 A.M.

11. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO DELETE "CONSIDER APPOINTMENT OF COUNTY FIRE MARSHALL". ALL VOTING YES.

ADJOURN:

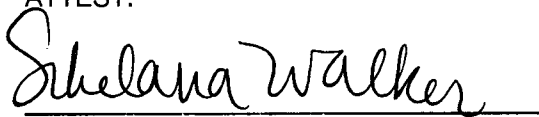
MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO ADJOURN COURT THIS
26TH DAY OF FEBRUARY, 2013 AT 11:15 A.M.

ALL VOTING YES.



JOHN P. THOMPSON, COUNTY JUDGE

ATTEST:



SHELANA WALKER, COUNTY CLERK