

STATE OF TEXAS §
COUNTY OF POLK §

DATE: MARCH 26, 2013
REGULAR MEETING
ALL PRESENT

**COMMISSIONERS COURT
AGENDA POSTING #2013 - 037**

BE IT REMEMBERED ON THIS THE 26TH DAY OF MARCH, 2013, THE HONORABLE COMMISSIONERS COURT MET IN "REGULAR" CALLED MEETING WITH THE FOLLOWING 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, LYNETTE ADAMS, DEPUTY FOR SCHELANA WALKER – COUNTY CLERK AND RAY STELLY – COUNTY AUDITOR. THE FOLLOWING AGENDA ITEMS, ORDER AND DECREES WERE DULY MADE, CONSIDERED & PASSED.

1. WELCOMED & CALLED TO ORDER AT 10:00 A.M. BY JUDGE THOMPSON.
 - INVOCATION LED BY BRO. ED JENNINGS – CHURCH ON THE LAKE.
 - PLEDGE OF ALLEGIANCE TO U.S. & TX FLAGS LED BY JIM JOHNSON.
2. PUBLIC COMMENTS: NONE
3. INFORMATIONAL REPORTS: NONE
4. CONSENT AGENDA: JUDGE THOMPSON ADVISED AGENDA ITEM C INCLUDES AN ADDENDUM IN THE AMOUNT OF \$40,204.64, AND A POSTED ADDENDUM TO ADD 4.N. AND 13. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE THE CONSENT AGENDA AS FOLLOWS: (ALL VOTING YES)
 - A. APPROVE MINUTES OF MARCH 12, 2013 (REGULAR MEETING).
 - B. APPROVE BUDGET REVISIONS #2013-10, AS PRESENTED BY THE COUNTY AUDITOR AND BUDGET AMENDMENTS #2013-10(A), AS SUBMITTED AND REVIEWED BY COURT APPOINTED COMMITTEE. (SEE ATTACHED)
 - C. APPROVE SCHEDULE OF BILLS, INCLUDING ADDENDUM. (SEE ATTACHED)

DATE	AMOUNT	CHECK #
03/06/13	675.00	ACH 433
03/08/13	934.46	584
03/08/13	50.00	1474
03/08/13	103,524.17	239973 – 240051
03/08/13	675.00	240052
03/08/13	4,825.46	240063 - 240074
03/12/13	657.74	24
03/12/13	1,000.00	240101

03/13/13	1,048,489.73	EFT 71
03/14/13	364,600.12	ACH 434 - 439
03/15/13	1,468,977.64	305 - 306
03/15/13	17.43	585
03/15/13	1,450.98	586
03/15/13	672,745.64	1033
03/15/13	50.00	1475
03/15/13	6,869.43	240102 - 240132
03/15/13	18,222.64	240133 - 240177
03/15/13	727.18	240178 - 240180
03/15/13	3,222.18	240193 - 240199
03/15/13	781.54	240200
03/26/13	112,334.84	240201 - 204255
03/26/13	Addendum to appear on future schedule	\$40,204.64
TOTAL	\$3,810,831.18	

- 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 RESOLUTION ADOPTING THE AMENDED FAIR HOUSING ACTIVITY STATEMENT – TEXAS (FHA) FORM/ACTION PLAN AS RECOMMENDED BY THE LOCAL FAIR HOUSING WORK GROUP. (SEE ATTACHED)
- G. APPROVE INTERLOCAL AGREEMENTS BETWEEN POLK COUNTY AND THE CITIES OF CORRIGAN AND GOODRICH AND GOODRICH INDEPENDENT SCHOOL DISTRICT (INDIVIDUALLY) FOR THE COUNTY’S PROVISION OF ELECTION EQUIPMENT AND SERVICES FOR THE MAY 11, 2013 ELECTIONS.
- H. APPROVE CHANGE ORDERS #1 THROUGH #4 AS SUBMITTED FOR THE 2008 IKE DISASTER RECOVERY “COLLEGE-COMMUNITY CENTER/SHELTER” PROJECT.
- I. APPROVE RENEWAL OPTION #2 OF LEASE AGREEMENT WITH TEXAS A&M UNIVERSITY SYSTEM FOR OFFICE SPACE LOCATED IN THE COUNTY OFFICE ANNEX FOR USE BY THE TEXAS FOREST SERVICE.
- J. APPROVE ORDER DESIGNATING SURPLUS PROPERTY AND DIRECTING DISPOSITION OF THE SAME. (SEE ATTACHED)
- K. APPROVE ROAD USE AGREEMENT BETWEEN POLK COUNTY (PRECINCT 1) AND ONEOK STERLING III PIPELINE L.L.C.
- L. APPROVE USE OF OFFICE SPACE LOCATED IN THE COURTHOUSE (FORMERLY USED AS DISTRICT JUDGE’S OFFICE) TO HOUSE THE POLK COUNTY INDUSTRIAL DEVELOPMENT CORPORATION OFFICE.
- M. APPROVE COUNTY CLERK’S REQUEST FOR RENEWAL OF MAINTENANCE AND SUPPORT SERVICES AGREEMENT BETWEEN POLK COUNTY AND ELECTION SYSTEMS & SOFTWARE, LLC.

N. APPROVE PRELIMINARY PLAT OF CRYSTAL POINT SUBDIVISION,
LOCATED IN PRECINCT 1 OF POLK COUNTY, TEXAS

REPORT OF AGENDA ITEM 5 BY ROBERT BELT OF BELT, HARRIS, PECHACEK,
LLLP. WITH A CLEAN UNQUALIFIED OPINION FOR POLK COUNTY.

5. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO
RECEIVE FISCAL YEAR 2012 AUDIT REPORT FROM BELT HARRIS
PECHACEK, LLLP.
ALL VOTING YES.

DISCUSSION OF AGENDA ITEM 6 BY NANCY SMITH, TXDOT LUFKIN
REGARDING BRIDGES AND INKIND WORK. RONNIE VINCENT WANTED TO
ADD HODGE BOTTOM ROAD BRIDGE.

6. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT,
TO APPROVE TXDOT LISTING OF BRIDGES INCLUDED ON TXDOT OFF-
SYSTEM BRIDGE REPLACEMENT PROGRAM, TO INCLUDE THE
APPROVAL OF RESOLUTIONS AND REQUESTS FOR WAIVER FOR FY15-17
PROJECTS AND TO ADD THE EXTRA BRIDGE (HODGE BOTTOM ROAD
BRIDGE).
ALL VOTING YES. (SEE ATTACHED)

DISCUSSION OF AGENDA ITEM 7 BY CHUCK ZIRBEL WITH J.E. KINGHAM
CONSTRUCTION COMPANY REGARDING GUARANTEED MAXIMUM PRICE AND
ALTERNATE PRICE. DISCUSSION BY JUDGE THOMPSON REGARDING
HISTORICAL COMMISSION GRANT.

7. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILT PURVIS TO
TABLE "DISCUSS STATUS OF THE TEXAS HISTORICAL COMMISSION
EMERGENCY GRANT PROJECT (COURTHOUSE ELEVATOR) AND
CONSIDER APPROVAL OF CONTRACT AND AMENDMENT #1 BETWEEN
OWNER AND CONSTRUCTION MANAGER SETTING GUARANTEED
MAXIMUM PRICE WITH DETERMINATION REGARDING METHOD OF
FUNDING BALANCE OF PROJECT COST NOT FUNDED BY GRANT" UNTIL
AFTER THE HISTORICAL COMMISSION'S MEETING IN AUSTIN.
ALL VOTING YES.

DISCUSSION OF AGENDA ITEM 8 BY GEORGE KILLINGER, VICE PRESIDENT,
CEC. DISCUSSIONS BETWEEN BOB WILLIS AND SHERIFF HAMMACK AND
HERB BRISTOW REGARDING MONIES TO BE RECEIVED. HERB HAS REVIEWED
AGREEMENT AND IT IS A STANDARD AGREEMENT.

8. MOTIONED BY MILTON PURVIS, SECONDED BY RONNIE VINCENT, TO
APPROVE INTERLOCAL AGREEMENT WITH MCLENNAN COUNTY FOR
THE HOUSING OF MCLENNAN COUNTY INMATES AT THE IAH FACILITY.
ALL VOTING YES.

DISCUSSION OF AGENDA ITEM 9 BY JAY BURKS AND JEREMY ZIMMERMAN, ARCHITECT. MR. ZIMMERMAN SAID THE BASE BID WAS \$550,000.00 AND THE ALTERNATE BID WHICH INCLUDES THE EXPANSION OF KENNELS WOULD BE AN ADDITIONAL \$170,000.00. THE TOTAL PRELIMINARY BID WOULD BE \$720,000.00. MILTON PURVIS COMMENTED AND WANTS A COPY OF THE BLUEPRINTS. TOMMY OVERSTREET COMMENTED ON THE MONEY ASPECT. RAY STELLY COMMENTED ON HOW THE COUNTY WOULD FUND THE PROJECT. JUDGE THOMPSON COMMENTED ON FEDERAL MONIES AND SEQUESTRATION EFFECTING COUNTY REVENUES, CAUSING CONCERN OVER ISSUING MORE DEBT. CARL FERRIN, PROJECT MANAGER FOR THE SPCA SHELTER, DISCUSSED THE MONIES ASPECT AND SAID MAYBE THE SPCA AND THE COUNTY COULD WORK TOGETHER TO AVOID DUPLICATING SERVICES.

9. MOTIONED BY MILTON PURVIS AND SECONDED BY TOMMY OVERSTREET, TO DELETE "APPROVAL TO ADVERTISE FOR BIDS TO COMPLETE ANIMAL SHELTER CONSTRUCTION".
ALL VOTING YES.

10. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO APPROVE ONALASKA I.S.D. AND CHESTER I.S.D. (RESOLUTION) REQUESTS FOR PERMANENT SCHOOL FUND DISTRIBUTION IN AMOUNTS EQUAL TO THE TOTAL CALCULATED BY THE AUDITOR FROM THE MINERAL LEASE BONUS.
ALL VOTING YES.

DISCUSSION OF AGENDA ITEM 11 BY VERNON WOOLEY, EASTEX TELEPHONE COOPERATIVE, REQUESTING LETTER URGING LEGISLATORS TO PRESERVE TEXAS UNIVERSAL SERVICE FUND SUPPORT FOR RURAL AREAS. DISCUSSION BY TOMMY OVERSTREET AND JUDGE THOMPSON.

11. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, APPROVING LETTER URGING LEGISLATORS TO PRESERVE TEXAS UNIVERSAL SERVICE FUND SUPPORT FOR RURAL TELEPHONE COOPERATIVES.
ALL VOTING YES.

DISCUSSION OF AGENDA ITEM 12. SHERIFF HAMMACK DOES NOT HAVE ITEMIZED LIST.

12. MOTIONED BY MILTON PURVIS, SECONDED BY BOB WILLIS TO TABLE "APPROVAL OF SHERIFF'S REQUEST TO DESIGNATE CERTAIN RADIOS, LIGHT BARS, SIREN BOXES AND OTHER MISCELLANEOUS ITEMS AS SURPLUS PROPERTY AND APPROVE ITEMIZED LISTINGS FOR DONATION TO SPECIFIC VOLUNTEER FIRE DEPARTMENTS REQUESTING SAID EQUIPMENT".
ALL VOTING YES.

DISCUSSION OF AGENDA ITEM 13 BY BOB WILLIS AND JUDGE THOMPSON TO CHANGE PERSONNEL POLICY REGARDING VACATION DAYS AND REQUESTED BY BOB WILLIS THAT IT BE CHANGED FROM 60 DAYS TO 180 DAYS.

13. MOTION BY BOB WILLIS, SECONDED BY MILTON PURVIS, TO REVISE PERSONNEL POLICY (SECTION 8.03) REGARDING ACCUMULATION OF VACATION LEAVE.

VOTES RECORDED AS FOLLOWS:

JUDGE THOMPSON – NO

BOB WILLIS – YES

RONNIE VINCENT – NO

MILTON PURVIS – YES

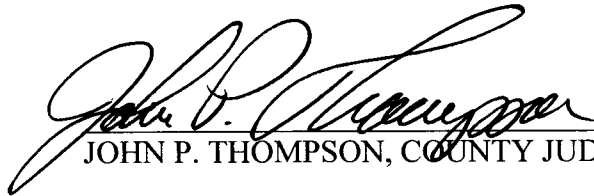
TOMMY OVERSTREET - NO

MOTION FAILED.

ADJOURN:

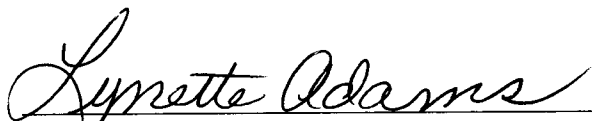
MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO ADJOURN COURT THIS 26TH DAY OF MARCH, 2013 AT 11:05 A.M.

ALL VOTING YES.



JOHN P. THOMPSON, COUNTY JUDGE

ATTEST:



LYNETTE ADAMS, DEPUTY FOR
SCHELANA WALKER, COUNTY CLERK