

STATE OF TEXAS §

DATE: MAY 28, 2013

REGULAR MEETING

COUNTY OF POLK §

ALL MEMBERS - Present

COMMISSIONERS COURT

AGENDA POSTING #2013 - 070

BE IT REMEMBERED ON THIS THE 28TH DAY OF MAY, 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 RAY STELLY, COUNTY AUDITOR.
- PLEDGE TO U.S. & TX FLAGS LED BY JIM JOHNSON.

2. PUBLIC COMMENTS: NONE.

3. INFORMATIONAL REPORTS:

A. RECOGNIZE RECIPIENTS OF THE BOBBY SMITH MEMORIAL SCHOLARSHIPS (SPONSORED BY LINEBARGER GOGGAN BLAIR & SAMPSON, LLP) AND THE LAW ENFORCEMENT SCHOLARSHIPS (SPONSORED BY COMMUNITY EDUCATION CENTERS). RECIPIENTS ARE AS FOLLOWS:

BOBBY SMITH MEMORIAL SCHOLARSHIP RECIPIENTS (\$1,000):

PAUL DUFF – BIG SANDY I.S.D.

KACIE DEWBERRY – CORRIGAN-CAMDEN I.S.D.

RAY FISHER – GOODRICH I.S.D.

ISAI HERNANDEZ – LEGGETT I.S.D.

MICHAEL FRERS – LIVINGSTON I.S.D.

KELLY ARNETT – ONALASKA I.S.D.

LAW ENFORCEMENT SCHOLARSHIP RECIPIENTS (\$2,500)

JASON ASHEN – BIG SANDY I.S.D.

VIVIANO VILLAFUERTE – CORRIGAN-CAMDEN I.S.D.

ZURI MACHUCA – GOODRICH I.S.D.

SHEA TOMLINSON – LIVINGSTON I.S.D.

NEW BUSINESS

4. CONSENT AGENDA: JUDGE THOMPSON NOTED AGENDA ITEM B INCLUDES ADDENDUMS IN THE AMOUNTS OF \$44,705.47 & \$7,500.00 AND ITEM C INCLUDES AN ADDENDUM IN THE AMOUNT OF \$43,705.32. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE THE CONSENT AGENDA AS FOLLOWS: (ALL VOTING YES)

A. APPROVE MINUTES OF MAY 14, 2013 (REGULAR SESSION) & MAY 20, 2013 (SPECIAL SESSION).

B. APPROVE BUDGET REVISIONS #2013-14 AND ADDENDUM, AS PRESENTED BY THE COUNTY AUDITOR AND BUDGET AMENDMENTS #2013-14(A), AS SUBMITTED AND REVIEWED BY COURT APPOINTED COMMITTEE.
(SEE ATTACHED)

C. APPROVE SCHEDULE OF BILLS, INCLUDING ADDENDUM. (SEE ATTACHED)

DATE	AMOUNT	CHECK #
5/13/13	384,909.57	ACH 463 – 468
5/13/13	3,842.13	241059 – 241065
5/17/13	477,518.21	104
5/17/13	1,371.18	176 – 177
5/17/13	179.09	592 – 593
5/17/13	1,462.75	594
5/17/13	116,386.30	1035
5/17/13	50.00	1480
5/17/13	50.00	1481
5/17/13	240.00	111847 – 111872
5/17/13	2,994.00	111873 – 111987
5/17/13	3,048.00	111988 – 112104
5/17/13	1,668.00	112105 – 112243
5/17/13	19,168.55	241242
5/17/13	141,355.15	241149 – 241226
5/28/13	7,205.81	178 – 180
5/28/13	57,836.29	241244 – 241295

5/28/13	Addendum to appear on future schedule	\$43,705.32
TOTAL	\$1,219,285.03	

- 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 50, J.W. SCATES SURVEY, ABSTRACT 69, CAUSE NO. T11-324; TRACT 330, 6.78 ACRES, J. DICKERSON SURVEY, ABSTRACT 211, CAUSE NO. T12-045.
- G. APPROVE EMERGENCY MANAGEMENT REQUEST FOR CAPITAL PURCHASE OF (1) PROJECTOR IN THE AMOUNT OF \$556.95 AND (1) PRINTER IN THE AMOUNT OF \$499.99, AS STATED IN THE CAPITAL PURCHASE PROJECTIONS FOR THE FY2013 BUDGET, TO BE PAID FROM GENERAL FUND BALANCE AND INCLUDED ON THE FY13 REIMBURSEMENT RESOLUTION FOR YEAR END ISSUANCE OF LEGALLY AUTHORIZED DEBT (TAX NOTES).
- H. APPROVE CHANGE ORDER #5 AS SUBMITTED FOR THE 2008 IKE DISASTER RECOVERY "COLLEGE-COMMUNITY CENTER/SHELTER" PROJECT.
- I. APPROVE JUSTICE OF THE PEACE, PCT. 2 REQUEST FOR EXPENDITURE OF JUSTICE COURT TECHNOLOGY FUNDS IN THE AMOUNT OF \$560.08 FOR THE PURCHASE OF INK CARTRIDGES, TO INCLUDE ANY NECESSARY BUDGET AMENDMENT FOR USE OF PROPORTIONATE SHARE OF FUND BALANCE, AS NEEDED.
- J. APPROVE PRECINCT 2 COMMISSIONER'S REQUEST FOR ORDER OF ACCEPTANCE FOR PUBLIC MAINTENANCE OF THE FOLLOWING ROADS SET ASIDE IN THE FINAL PLAT OF TWIN HARBORS SUBDIVISIONS OF POLK COUNTY, TEXAS: TWIN HARBORS DRIVE, WHISPERWOOD DRIVE, LAKEFRONT DRIVE AND CREEK DRIVE. (NO VARIANCE SPECIFIED). (SEE ATTACHED)
- K. APPROVE SHERIFF'S DEPARTMENT REQUEST FOR UPDATE OF PERSONNEL MANAGEMENT SYSTEM TO REVISE ESSENTIAL DUTIES OF 1056-WARRANT OFFICER AND ADD JOB DESCRIPTION 1049-WARRANT CLERK TO BE ASSIGNED.
- L. APPROVE LEASEHOLDER REQUEST TO ADD HARLEY PORTWOOD AS ADDITIONAL SURFACE LEASE HOLDER OF POLK COUNTY SCHOOL LAND CURRENTLY IN SURFACE LEASE TO DON BUCKALEW.

- M. APPROVE ORDER DESIGNATING SURPLUS PROPERTY. (SEE ATTACHED)
- N. APPROVE ROAD & BRIDGE, PCT. 4 AGREEMENT WITH CINTAS FOR UNIFORMS.

DISCUSSION OF AGENDA ITEM 5 BY COMMISSIONER WILLIS. COMMISSIONER WILLIS NOTED THAT SOUTHERN CONCRETE BOUGHT OUT COASTAL CRUSHED CONCRETE & WERE NOT ABLE TO HONOR THE BID AMOUNTS THAT COASTAL HAD BEEN PREVIOUSLY AWARDED.

- 5. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE CHANGE IN MATERIAL PRICING FOR PURCHASE OF ROAD & BRIDGE "OTHER BASE MATERIAL" (1 ½ X #4 CONCRETE ROCK) DUE TO THE ACQUISITION OF COMPANY RECEIVING THE AWARD OF BID #'S 2013.106 - 4.06.

ALL VOTING YES.

- 6. MOTIONED BY MILTON PURVIS, SECONDED BY RONNIE VINCENT, APPROVAL OF JUSTICE OF THE PEACE, PCT. 3 REQUEST FOR LEASE OF COMBINATION PRINTER/FAX/COPIER IN THE AMOUNT OF \$1,650/YEAR TO BE SHARED BY OFFICES OCCUPYING THE CORRIGAN SUB-COURTHOUSE WITHOUT INCREASING THE CURRENT BUDGETED EXPENSE IN THE GENERAL OPERATION LINE ITEM ACCOUNT FOR COPY MACHINES.

ALL VOTING YES.

- 7. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, APPROVAL OF CORRIGAN-CAMDEN I.S.D. (RESOLUTION) REQUEST FOR PERMANENT SCHOOL FUND DISTRIBUTION.

ALL VOTING YES. (SEE ATTACHED)

EXECUTIVE SESSION: CONSULTATION WITH ATTORNEY/S PURSUANT TO SECTION 551.071 OF THE GOVERNMENT CODE, REGARDING CONSULTATION WITH ATTORNEY TO SEEK ADVICE ON PENDING AND CONTEMPLATED LITIGATION, SETTLEMENTS, AND OTHER MATTERS, WHICH ARE CONFIDENTIAL UNDER THE DISCIPLINARY RULES OF THE STATE BAR, ON WHICH THE DUTY OF THE ATTORNEY OF THE COUNTY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT CLEARLY CONFLICTS WITH THE OPEN MEETINGS ACT.

CONVENED INTO EXECUTIVE SESSION AT 10:14 A.M.

EXECUTIVE SESSION ENDED AT 10:30 A.M. & RESUMED OPEN SESSION AT 10:30 A.M.

8. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, APPROVAL TO SETTLE PENDING EEOC CHARGE WITH SUBMITTAL OF CORRECTION OF ERROR FORM TO THE TEXAS COUNTY & DISTRICT RETIREMENT SYSTEM TO ALLOCATE ADDITIONAL SERVICE CREDIT TO CYNTHIA ROBINSON.

ALL VOTING YES.

ADJOURN:

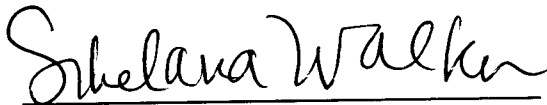
MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO ADJOURN COURT THIS 28TH DAY OF MAY 2013 AT 10:31 A.M.

ALL VOTING YES.



JOHN P. THOMPSON, COUNTY JUDGE

ATTEST:



SCHELANA WALKER, COUNTY CLERK