

STATE OF TEXAS §

DATE: AUGUST 13, 2013

COUNTY OF POLK §

REGULAR MEETING

ALL MEMBERS - Present

## COMMISSIONERS COURT

AGENDA POSTING #2013 - 099

BE IT REMEMBERED ON THIS THE 13<sup>TH</sup> DAY OF AUGUST, 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 REV. CURTIS HESTER OF FIRST COMMUNITY MISSIONARY BAPTIST CHURCH.
  - PLEDGE OF ALLEGIANCE TO U.S. & TX FLAGS LED BY JIM JOHNSON.
  
2. PUBLIC COMMENTS:
  - A. SHERMAN PAVEY EXPRESSED CONCERNS FOR MAINTENANCE OF ROADS IN INDIAN HILL #2 SUBDIVISION SPECIFICALLY NAMING OLD POST ROAD SOUTH & JENNINGS LANE AND ASKED THAT COMMISSIONER WILLIS MAINTAIN THE ROADS MORE OFTEN. MR. PAVEY NOTED THAT SOME WORK HAD BEEN DONE ON BOTH ROADS.
  
3. INFORMATIONAL REPORTS:
  - A. EMERGENCY MANAGEMENT COORDINATOR LARRY PITTS DISCUSSED POSSIBILITY OF BURN BAN NOTING SOME RAINFALL IS EXPECTED THURSDAY AND IF THE NEED ARISES TO ISSUE A BURN BAN THE RECOMMENDATION WILL BE MADE TO THE JUDGE'S OFFICE.

NEW BUSINESS

4. CONSENT AGENDA: JUDGE THOMPSON NOTED AGENDA ITEM C INCLUDES AN ADDENDUM IN THE AMOUNT OF \$48,061.11. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO APPROVE THE CONSENT AGENDA AS FOLLOWS: (ALL VOTING YES)

A. APPROVE MINUTES FOR JULY 23, 2013 (REGULAR SESSION).

B. APPROVE BUDGET REVISIONS #2013-18, AS PRESENTED BY THE COUNTY AUDITOR AND BUDGET AMENDMENTS #2013-18(A), AS SUBMITTED AND REVIEWED BY COURT APPOINTED COMMITTEE. (SEE ATTACHED)

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

DATE	AMOUNT	CHECK #
7/17/13	361,986.54	ACH 499 - 504
7/18/13	250.27	ACH 505 - 507
7/19/13	3,384.63	242203 - 242208
7/19/13	88,223.72	242209 - 242263
7/19/13	170.00	242264 - 242265
7/22/13	1,484,064.62	EFT 106
7/22/13	12,430.68	242303
7/23/13	3,936.93	ACH 508
7/23/13	6,207.19	242304
7/25/13	1,261,844.36	EFT 107
7/26/13	593,868.59	108
7/26/13	400.00	605
7/26/13	100.00	1493
7/26/13	27,687.80	242321 - 242366
7/29/13	26,988.67	242367
7/30/13	2,721.96	36
7/30/13	210,734.44	242368 - 242375
7/31/13	144,851.71	ACH 509
7/31/13	1,398.12	ACH 510
7/31/13	206.40	1036
7/31/13	41.40	1494
7/31/13	15,310.65	242378 - 242406
7/31/13	1,132.15	242407 - 242414
8/01/13	360,506.27	ACH 511 - 516

8/01/13	3,231.16	606
8/01/13	17,231.13	242415 – 242417
8/01/13	5,710.83	242424
8/02/13	3,384.63	242418 – 242423
8/13/13	8,910.00	186
8/13/13	287,168.05	242425 – 242508
8/13/13	Addendum to appear on future schedule	\$48,061.11
<b>TOTAL</b>	<b>\$4,934,082.90</b>	

- D. APPROVE PERSONNEL ACTION FORMS. (SEE ATTACHED)
- E. APPROVE OFFERS TO PURCHASE TAX FORECLOSED PROPERTIES: (PCT 2) LOT 93, SECTION 2, FOREST HILLS, CAUSE NO. T11-186; LOT 135, SECTION 1, CANYON PARK, CAUSE NO. T11-065.
- F. APPROVE FINAL LISTING FOR THE FY2013 REIMBURSEMENT RESOLUTION, AS APPROVED IN THE JULY 23, 2013 COMMISSIONERS COURT MEETING.  
(SEE ATTACHED)
- G. APPROVE RENEWAL OF ANNUAL FIREFIGHTING AGREEMENT WITH CITY OF LIVINGSTON.
- H. AUTHORIZE VETERANS SERVICE OFFICER TO ATTEND THE TEXAS VETERANS COMMISSION SEPTEMBER TRAINING CONFERENCE TO BE HELD IN DALLAS.
- I. APPROVE CONSULTING SERVICES AGREEMENT ONE-YEAR RENEWAL OPTION WITH BETTY M. RUSSO FOR MARKETING ADMINISTRATIVE SUPPORT RELATING TO THE COUNTY'S DESIGNATION AS A CERTIFIED RETIREMENT COMMUNITY.
- J. APPROVE RENEWAL OF AGREEMENT WITH DR. RAY LUNA FOR JAIL INMATE MEDICAL SERVICES FOR FY2014.
- K. APPROVE FUNDING AGREEMENTS FOR TXDOT OFF SYSTEMS BRIDGE REPLACEMENTS CSJ: 0911-04-056, 057, 058, 059, 060, 061, 062, 063 & 064.
- L. APPROVE NON-FINANCIAL COOPERATIVE AGREEMENT RENEWING SERVICES WITH WORKFORCE SOLUTIONS DEEP EAST TEXAS TO PROVIDE AGING SERVICES ASSISTANCE IN FOOD PREPARATION, HOUSEKEEPING AND DELIVERY.
- M. APPROVE TEXAS COUNTY & DISTRICT RETIREMENT SYSTEM PLAN PROVISIONS FOR 2014, AS PRESENTED BY TCDRS ACTUARIAL VALUATION. (SEE ATTACHED)
- N. APPROVE RENEWAL OF SECTION 125 PLAN, ADMINISTRATION AND SUPPLEMENTAL COVERAGES AND A RESOLUTION AUTHORIZING THE PLAN FOR FY2014.  
(SEE ATTACHED)
- O. APPROVE SANTEK'S REQUEST FOR RENEWAL OF INTERLOCAL AGREEMENT WITH SAN JACINTO COUNTY FOR LANDFILL SERVICES.

5. DISCUSSION ONLY OF MATTERS RELATING TO THE FUNCTION OF THE ENVIRONMENTAL ENFORCEMENT OFFICE IN THE ABSENCE OF A COUNTY FIRE MARSHAL. (NO ACTION TAKEN) NOTING THAT AN ITEM WILL BE PLACED ON THE NEXT AGENDA (8/27) TO CONSIDER AND TAKE ANY NECESSARY ACTION REGARDING THE POSITION OF COUNTY FIRE MARSHAL.

DISCUSSION OF AGENDA ITEM 6 BY JUDGE THOMPSON & SHERIFF HAMMACK.

6. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, APPROVAL OF INTERLOCAL AGREEMENT WITH BERNALILLO COUNTY, NEW MEXICO FOR THE HOUSING OF COUNTY INMATES AT THE IAH SECURE ADULT DETENTION FACILITY, SUBJECT TO REVIEW BY SHERIFF AND DIST. ATTY.

ALL VOTING YES.

7. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, APPROVAL OF BID 2013-11 PROJECT (BULKHEADING CONSTRUCTION AT THE PUBLIC BOAT RAMP) TO BE CONSIDERED A GENERAL FUND OBLIGATION WITH AMOUNT INCLUDED IN THE FY2013 REIMBURSEMENT RESOLUTION TO BE PAID FROM THE GENERAL FUND BALANCE (WITH ANY ADDITIONAL COSTS TO BE PAID FROM PRECINCT 2 OPERATING FUNDS) AND THAT THE DEBT OBLIGATION NOT BE CONSIDERED IN CALCULATION OF FUTURE ROAD & BRIDGE PCT. 2 BUDGETS.

ALL VOTING YES.

DISCUSSION OF AGENDA ITEM 8 BY JIM GILLEY (FINANCIAL ADVISOR) & TOM POLLAN (BOND COUNSEL). AUDITOR RAY STELLY MADE RECOMMENDATION TO PROCEED.

8. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, APPROVAL OF ORDER AUTHORIZING THE ISSUANCE OF APPROXIMATELY \$525,000 "POLK COUNTY, TEXAS TAX NOTES, SERIES 2013"; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX ON ALL TAXABLE PROPERTY WITHIN THE COUNTY TO PAY THE PRINCIPAL OF AND INTEREST ON SAID NOTES AND TO CREATE A SINKING FUND FOR THE REDEMPTION THEREOF AND THE ASSESSMENT AND COLLECTION OF SUCH TAXES; AUTHORIZING THE SALE THEREOF; ENACTING PROVISIONS INCIDENT AND RELATED TO THE ISSUANCE OF SAID NOTES.

ALL VOTING YES. (SEE ATTACHED)

RECESS AT 10:44 A.M.

BUDGET WORKSHOP BEGAN AT 11:05 A.M.

9. BUDGET WORKSHOP:

- A. REVIEW & DISCUSSION REGARDING DEVELOPMENT OF THE PROPOSED FY2014 BUDGET.

DISCUSSED ITEM C & DECIDED TO WAIT AND SEE IF J.P. 1 & 4 COULD COME ADDRESS COURT.

- D. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO RECEIVE EFFECTIVE TAX RATE CALCULATION OF \$0.5922 AND ROLLBACK TAX RATE CALCULATION OF \$0.6572 FROM TAX ASSESSOR-COLLECTOR AND ESTIMATED COLLECTION RATE OF 95%.

ALL VOTING YES.

- E. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO PROPOSE A 2013 TAX RATE OF \$0.6461 AND PLACE A PROPOSAL TO ADOPT SPECIFIED RATE ON THE AGENDA OF THE SEPTEMBER 10, 2013 MEETING AT 10:00 A.M. . (THIS IS REQUIRED TO BE A "RECORD VOTE", SO THE "AYES", "NO'S" AND ABSTENTIAS HAVE TO BE RECORDED IN THE MINUTES.)

ALL VOTING YES

- F. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO SCHEDULE PUBLIC HEARINGS ON PROPOSED TAX RATE FOR AUGUST 27, 2013 AT 9:30 A.M. AND SEPTEMBER 3, 2013 AT 4:00 P.M. IN THE COMMISSIONERS COURTROOM OF THE POLK COUNTY COURTHOUSE IN LIVINGSTON, TEXAS.

ALL VOTING YES.

- G. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, TO SCHEDULE A PUBLIC HEARING ON THE FY2014 BUDGET FOR SEPTEMBER 10, 2013 AT 9:30 A.M. IN THE COMMISSIONERS COURTROOM OF THE POLK COUNTY COURTHOUSE IN LIVINGSTON, TEXAS.

ALL VOTING YES.

- B. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO INCLUDE A 5% COST OF LIVING INCREASE FOR EMPLOYEES AND ELECTED OFFICIALS IN THE PROPOSED BUDGET FOR FY2014.

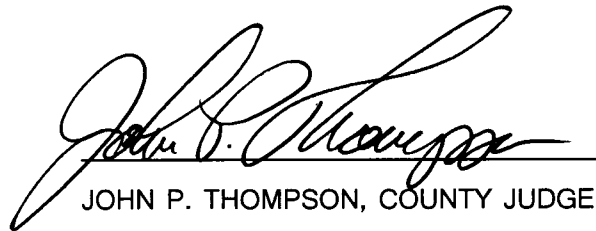
ALL VOTING YES.

C. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO DELETE "REVIEW JUSTICE COURT/CONSTABLE WARRANT PROGRAM". (TO BE RESCHEDULED FOR NEXT AGENDA WITH DISCUSSION AND RECOMMENDATIONS FROM JP'S)  
ALL VOTING YES.

ADJOURN:

MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO ADJOURN COURT THIS 13<sup>TH</sup> DAY OF AUGUST, 2013 AT 12:07 P.M.

ALL VOTING YES.

  
JOHN P. THOMPSON, COUNTY JUDGE

ATTEST:



SCHELANA WALKER, COUNTY CLERK