

STATE OF TEXAS §

COUNTY OF POLK §

DATE: SEPTEMBER 24, 2013

REGULAR MEETING

ALL MEMBERS - Present

**COMMISSIONERS COURT**  
**AGENDA POSTING #2013 - 120**

BE IT REMEMBERED ON THIS THE 24<sup>TH</sup> DAY OF SEPTEMBER, 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 JAY BURKS.
  - PLEDGE OF ALLEGIANCE TO U.S. & TX FLAGS LED BY JIM JOHNSON.
2. PUBLIC COMMENTS: NONE.
3. INFORMATIONAL REPORTS:
  - A. EMERGENCY MANAGEMENT COORDINATOR LARRY PITTS INTRODUCED CHRIS COLLIER & JONATHAN VANCE WITH SOUTHEAST TEXAS REGIONAL ADVISORY COUNCIL (SETRAC). THEY ARE INTERESTED IN OFFICE SPACE LOCATED IN THE COUNTY ANNEX BUILDING.
  - B. CHRIS COLLIER GAVE AN OVERVIEW OF EMERGENCY SERVICES THEY WILL PROVIDE NOTING THEY WILL ASSIST DURING DISASTERS, EMERGENCIES AND CASUALTY EVENTS THAT OCCUR IN THE 7 COUNTIES THAT ARE PART OF THE COUNCIL. JONATHAN VANCE IS THE EMERGENCY SERVICE COORDINATOR AND WILL BE WORKING IN THE LIVINGSTON OFFICE.
4. OLD BUSINESS (TABLED FROM LAST AGENDA)
  - A. MOTIONED BY MILTON PURVIS, SECONDED BY RONNIE VINCENT, APPROVAL OF COUNTY CLERK'S REQUEST FOR APPOINTMENT OF ELECTION JUDGES AND ALTERNATES.  
ALL VOTING YES. (SEE ATTACHED)
  - B. MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, TO APPROVE MINUTES OF AUGUST 27, 2013 (SPECIAL & REGULAR SESSIONS) AND SEPTEMBER 3, 2013 (SPECIAL SESSION).  
ALL VOTING YES.

**NEW BUSINESS**

SHEILA LEWIS, DISTRICT EXTENSION ADMINISTRATOR, INTRODUCED EMILY RICE AS TEXAS AGRILIFE EXTENSION FAMILY AND CONSUMER SCIENCE AGENT FOR POLK COUNTY PENDING COURT APPROVAL.

5. MOTIONED BY MILTON PURVIS, SECONDED BY RONNIE VINCENT, TO APPROVE APPOINTMENT OF EMILY RICE AS TEXAS AGRILIFE EXTENSION FAMILY AND CONSUMER SCIENCE AGENT FOR POLK COUNTY.  
ALL VOTING YES.

6. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, APPROVAL OF COUNTY CLERK AND DISTRICT CLERK FEES AUTHORIZED BY H.B. 1513 TO AMEND GOV'T CODE, SEC. 51.305(b), 51.317(b)(5), 101.0611(7-a) AND L.G.C. SEC. 118.011(b)(2), (f), EFFECTIVE JANUARY 1, 2014, INCREASING RECORDS ARCHIVE FEE FROM \$5 TO \$10.  
ALL VOTING YES.
7. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE RE-CONSIDERATION OF FY2014 BUDGET TO INCLUDE INCREASED DISTRICT CLERK AND COUNTY CLERK FEES AUTHORIZED BY HB1513, EFFECTIVE JANUARY 1, 2014 AND TO INCLUDE WARRANT SERVICE PROGRAM SUPPLEMENT FOR CONSTABLES PCT 2 & 3 IN THE AMOUNT OF \$10,000 EACH WITH ASSOCIATED BENEFITS, TOTALING \$24,373.46, AS APPROVED SEPTEMBER 10, 2013, UTILIZING GENERAL FUND BALANCE.  
ALL VOTING YES.
8. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, APPROVAL OF REVISED ORDER SETTING ELECTED OFFICIALS SALARIES, EXPENSES AND ALLOWANCES FOR FY2014 TO INCLUDE WARRANT SERVICE PROGRAM SUPPLEMENTS FOR CONSTABLES PCT 2 & 3.  
ALL VOTING YES. (SEE ATTACHED)

CONSENT AGENDA

9. JUDGE THOMPSON NOTED AGENDA ITEM C INCLUDES AN ADDENDUM IN THE AMOUNT OF \$136,292.52 AND ITEM D IS REVISED. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO APPROVE THE CONSENT AGENDA AS FOLLOWS: (ALL VOTING YES)
- A. APPROVE MINUTES OF SEPTEMBER 10, 2013 (SPECIAL & REGULAR SESSIONS).
- B. APPROVE BUDGET REVISIONS #2013-21, AS PRESENTED BY THE COUNTY AUDITOR AND BUDGET AMENDMENTS #2013-21(A), AS SUBMITTED AND REVIEWED BY COURT APPOINTED COMMITTEE. (SEE ATTACHED)
- C. APPROVE SCHEDULE OF BILLS, INCLUDING ADDENDUM. (SEE ATTACHED)

DATE	AMOUNT	CHECK #
9/06/13	831.13	40
9/06/13	635,548.46	109
9/06/13	9,377.98	618 – 620
9/06/13	100,530.28	243026 – 243075
9/09/13	900.00	243144
9/11/13	2,604.48	EFT 144
9/11/13	50.00	243145
9/12/13	362,716.90	ACH 534 – 539
9/13/13	318.25	ACH 540 – 543
9/13/13	483.00	621
9/13/13	41.07	622
9/13/13	100.00	1500 – 1501
9/13/13	34,980.72	243146 – 243201
9/13/13	3,384.63	243215 – 243220
9/13/13	270.07	243221
9/16/13	341.55	243224
9/24/13	337.85	190
9/24/13	43,634.50	243225 – 243272
9/18/13	-62,188.84	Voided Check Register Ck #95, 943, 112275, 112368, 112494, 112683, 112817, 241511, 241602, 241612, 241634, 241648, 241672, 241678, 241781, 241895, 241905, 242134, 242216, 242290, 242376, 242377, 242585, 242602, 242611, 242646, 242695, 242978, 243214, 243222, 243223, 16565, 16574, 16588, 16733

9/24/13	Addendum to appear on future schedule	\$136,292.52
<b>TOTAL</b>	<b>\$1,134,262.03</b>	

- D. APPROVE PERSONNEL ACTION FORMS, AS REVISED. (SEE ATTACHED)
- E. APPROVE OFFERS TO PURCHASE TAX FORECLOSED PROPERTIES: (PCT 1) RESERVE "C-5", SECTION 2, OAK TERRACE ESTATES, CAUSE NO. T11-059; TRACT 30B, .500 OF AN ACRE, T. BURRIS SURVEY, ABSTRACT 10, CAUSE NO. T11-546; (PCT 2) LOT 99, BLOCK 1, SECTION 3, TWIN HARBORS, CAUSE NO. T08-191; LOTS 18 & 19, ONALASKA EAST, CAUSE NO. T12-027; LOT 21, ONALASKA EAST, CAUSE NO. T12-028; RESERVE A, ONALASKA EAST, CAUSE NO. T12-511; (PCT 3) SOUTH ½ OF LOT 2, BLOCK 5, WEST END, CAUSE NO. T00-252.
- F. APPROVE RESOLUTION AUTHORIZING THE COUNTY JUDGE TO EXECUTE A LETTER OF WAIVER FOR PAYMENT IN LIEU OF TAXES (PILOT) TO THE HOUSING AUTHORITY OF THE CITY OF LIVINGSTON. (SEE ATTACHED)
- G. APPROVE REQUEST OF CRC COORDINATOR FOR REIMBURSEMENT OF TRAVEL EXPENSES TO ATTEND CERTIFIED RETIREMENT COMMUNITY WORKSHOP IN THE AMOUNT OF \$114.13.
- H. APPROVE CERTIFICATE OF SUBSTANTIAL COMPLETION FOR THE COLLEGE-COMMERCE CENTER/SHELTER PROJECT.
- I. RESCIND PREVIOUS ORDER SETTING POLK COUNTY JUROR REIMBURSEMENT FOR FY2014 AND APPROVE (REVISED) ORDER INCREASING REIMBURSEMENT FOR ATTENDANCE AFTER THE FIRST DAY OF SERVICE FROM \$34/DAY TO \$40/DAY PURSUANT TO THE SEPTEMBER 1, 2013 EXPIRATION OF SB1704. (SEE ATTACHED)
- J. APPROVE PRELIMINARY PLAT FOR PARK AT FOUR CORNERS, PHASE FOUR – A SUBDIVISION LOCATED IN PRECINCT 2, POLK COUNTY.
- K. APPROVE INTERLOCAL AGREEMENT WITH CITY OF HUNTSVILLE FOR LANDFILL SERVICES, PENDING LEGAL REVIEW.
- L. APPROVE ADDENDUM TO AGREEMENT FOR ARCHITECTURAL SERVICES RELATED TO THE COURTHOUSE EMERGENCY GRANT TO INCLUDE ADDITIONAL SCOPE OF WORK RELATED TO PREPARATION AND PRESENTATION AT THE TEXAS HISTORICAL COMMISSION QUARTERLY MEETING IN OCTOBER.
- M. APPROVE EMERGENCY MANAGEMENT COORDINATOR'S REQUEST FOR SOUTHEAST TEXAS REGIONAL ADVISORY COUNCIL (SETRAC) USE OF OFFICE SPACE LOCATED IN THE EMERGENCY MANAGEMENT DEPARTMENT – POLK COUNTY OFFICE ANNEX, FOR SERVICES TO POLK COUNTY, INCLUDING AID DURING EMERGENCIES, DISASTERS AND CASUALTY EVENTS AND AMEND ORDER AUTHORIZING AND ASSIGNING SPACE IN COUNTY OWNED BUILDINGS. (SEE ATTACHED)

DISCUSSION OF AGENDA ITEM 10.

- 10. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, TO RESCHEDULE THE REGULAR COMMISSIONER COURT SESSION FOR TUESDAY, OCTOBER 8, 2013 DUE TO CONFLICT WITH THE COUNTY JUDGES & COMMISSIONERS ANNUAL CONFERENCE TO FRIDAY, OCTOBER 11, 2013 AT 10:00 A.M.  
ALL VOTING YES.

JAY BURKS DISCUSSED AGENDA ITEM 11.

- 11. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO PLACE ORIGINAL GENERATORS REMOVED FROM IAH SECURE ADULT DETENTION FACILITY UPON INSTALLATION OF GENERATORS ACQUIRED UNDER DISASTER RECOVERY GRANT ON GOV DEALS ON-LINE AUCTION SETTING A MINIMUM RESERVE BID AS RECOMMENDED BY JAY BURKS.  
ALL VOTING YES.

12. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO NOMINATE TODD MILLER AND LESLIE JONES BURKS FOR POLK CENTRAL APPRAISAL DISTRICT BOARD MEMBERS.

ALL VOTING YES.

13. MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, TO SELECT BY RANDOM DRAWING THE FOLLOWING INDIVIDUALS FOR COUNTY SICK LEAVE POOL COMMITTEE:  
DEE ANN MARZEK (AGING) – ALL OTHER AREAS.

KHRISTIE NICHOLSON (COUNTY CLERK) – ALL OTHER AREAS.

PATRICK BATTISE (JAIL) – LAW ENFORCEMENT/JUDICIAL.

BILLY J. DUKE (SHERIFF DEPT) – LAW ENFORCEMENT/JUDICIAL.

VICTORIA R. GUAJARDO – ROAD & BRIDGE/MAINTENANCE & CUSTODIAL.

ALL VOTING YES.

LARRY PITTS DISCUSSED ITEM 14 RECOMMENDING COURT LIFT BURN BAN DUE TO RECENT RAINS AND EXPECTED RAIN FALL LATER IN THE WEEK.

14. MOTIONED BY MILTON PURVIS, SECONDED BY RONNIE VINCENT, TO RESCIND (BURN BAN) ORDER ADOPTED ON SEPTEMBER 10, 2013 PROHIBITING OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF THE COUNTY, EFFECTIVE IMMEDIATELY.

ALL VOTING YES.

15. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, TO AWARD ANNUAL BIDS AS FOLLOWS: (ALL VOTING YES)

2014-01.01 – CHIP & SEAL – CCC BLACKTOPPING & PINTO CONSTRUCTION

2014-01.02 – CRACKED FUEL – BRYAN & BRYAN & CLEVELAND ASPHALT

2014-01.03 – HOT/COLD MIX – EAST TX ASPHALT & CLEVELAND ASPHALT

2014-01.04 – LIMESTONE STABILIZATION – CCC & PINTO CONSTRUCTION

2014-01.05 – LIMESTONE BASE – CACTUS EXPRESS & EAST TX ASPHALT

2014-01.06 – OTHER BASE MATERIALS – D. WASHBURN, SOUTHERN CRUSHED & KEVIN LILLEY

2014-01.07 – BULK MATERIALS – NO BIDS

2014-01.08 – APPLICATION OF TYPE D HOT MIX ASPHALT CONCRETE – CCC BLACKTOPPING

2014-02.01 – CHIP & SEAL – CCC BLACKTOPPING & PINTO CONSTRUCTION

2014-02.02 – CRACKED FUEL – BRYAN & BRYAN & CLEVELAND ASPHALT

2014-02.03 – HOT/COLD MIX – EAST TX ASPHALT & CLEVELAND ASPHALT

2014-02.04 – LIMESTONE STABILIZATION – CCC & PINTO CONSTRUCTION

2014-02.05 – LIMESTONE BASE – CACTUS EXPRESS, EAST TX ASPHALT & KEVIN LILLEY

2014-02.06 – OTHER BASE MATERIALS – D. WASHBURN & SOUTHERN CRUSHED

2014-02.07 – BULK MATERIALS – TEXAS INDUSTRIES INC.

2014-02.08 – APPLICATION OF TYPE D HOT MIX ASPHALT CONCRETE – CCC BLACKTOPPING

2014-03.01 – CHIP & SEAL – CCC BLACKTOPPING & PINTO CONSTRUCTION

2014-03.02 – CRACKED FUEL – BRYAN & BRYAN & CLEVELAND ASPHALT

2014-03.03 – HOT/COLD MIX – EAST TX ASPHALT & CLEVELAND ASPHALT

2014-03.04 – LIMESTONE STABILIZATION – CCC & PINTO CONSTRUCTION

2014-03.05 – LIMESTONE BASE – CACTUS EXPRESS & EAST TX ASPHALT

2014-03.06 – OTHER BASE MATERIALS – D. WASHBURN, KEVIN LILLEY & SOUTHERN CRUSHED

2014-03.07 – BULK MATERIALS – NO BIDS

2014-03.08 – APPLICATION OF TYPE D HOT MIX ASPHALT CONCRETE – CCC BLACKTOPPING

2014-04.01 – CHIP & SEAL – CCC BLACKTOPPING & PINTO CONSTRUCTION  
2014-04.02 – CRACKED FUEL – BRYAN & BRYAN & CLEVELAND ASPHALT  
2014-04.03 – HOT/COLD MIX – EAST TX ASPHALT & CLEVELAND ASPHALT  
2014-04.04 – LIMESTONE STABILIZATION – CCC & PINTO CONSTRUCTION  
2014-04.05 – LIMESTONE BASE – CACTUS EXPRESS & EAST TX ASPHALT  
2014-04.06 – OTHER BASE MATERIALS – CACTUS, D. WASHBURN, KEVIN LILLEY,  
SOUTHERN CRUSHED  
2014-04.07 – BULK MATERIALS – NO BIDS  
2014-04.08 – APPLICATION OF TYPE D HOT MIX ASPHALT CONCRETE – CCC  
BLACKTOPPING & D. WASHBURN

2014-05 – MOTIONED BY MILTON PURVIS, SECONDED BY RONNIE VINCENT, TO AWARD BID  
TO EAST TEXAS ASPHALT FOR BULK PURCHASE OF LIMESTONE ROAD BASE.  
ALL VOTING YES.

2014-06 – MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO AWARD  
BID FOR TIRES & TUBES TO A TO Z TIRE, AMERICAN TIRE DIST, BEASLEY TIRE SERVICE &  
SOUTHERN TIRE MART.  
ALL VOTING YES.

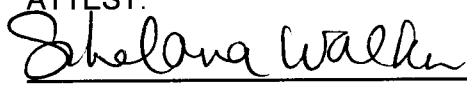
2014-07 – MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO AWARD  
BID FOR OIL, GREASE, GAS & DIESEL TO HUGHES PETROLEUM PRODUCTS, INC.  
ALL VOTING YES.

2014-08 – MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, TO AWARD BID  
FOR PEST CONTROL SERVICES TO BROKEN ARROW.  
ALL VOTING YES.

2014-09 – MOTIONED BY RONNIE VINCENT, SECONDED BY BOB WILLIS, TO AWARD BID  
FOR MOTOR GRADER BLADES TO MUSTANG CAT AND DOGGETT MACHINERY.  
ALL VOTING YES.

ADJOURN:  
MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO ADJOURN  
COURT THIS 24<sup>TH</sup> DAY OF SEPTEMBER, 2013 AT 10:32 A.M.  
ALL VOTING YES.

  
JOHN P. THOMPSON, COUNTY JUDGE

ATTEST:  
  
SCHELANA WALKER, COUNTY CLERK