

COMMISSIONERS COURT

AGENDA POSTING #2014 - 007

BE IT REMEMBERED ON THIS THE 14TH DAY OF JANUARY, 2014, THE HONORABLE COMMISSIONERS COURT MET IN "REGULAR" CALLED MEETING WITH THE FOLLOWING OFFICERS AND MEMBERS PRESENT, TO WIT;

HONORABLE JOHN 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 - CHIEF DEPUTY COUNTY CLERK AND MARGIE AINSWORTH - 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. JIM ALLISON SPOKE ABOUT TXDOT FUNDING REGARDING GRANT FOR REHABILITATION OF COUNTY ROADS FROM DAMAGE RESULTING FROM OIL AND GAS ACTIVITY AND OTHER HEAVY WEIGHT TRUCK/TRAFFIC. NOW RELATED AND INCLUDES ALL COUNTIES BASED ON WEIGHT LIMIT OF TRUCKS, THE APPLICATION FOR THIS GRANT IS DUE BY FEBRUARY 14. THE STATE WILL PAY 80% OF THE PROJECT AND THE COUNTY WILL BE RESPONSIBLE FOR 20%. FUNDS MUST BE DEDICATED TO THE IMPROVEMENT OF COUNTY ROADS AND CANNOT BE USED FOR OTHER PURPOSES.

- B. SHERIFF GAVE A REPORT AND TALKED ABOUT "ALERT" TRAINING LAST WEEK. 60 WENT THRU TRAINING AND IT WAS 2 FULL DAYS. HE THOUGHT IT WAS A VERY GOOD TRAINING.
- C. LEE HON GAVE AN INFORMATION REPORT REGARDING DISCOVERY. HE STATED SB 1611 WENT INTO EFFECT ON 1/1/14 AND WILL MAKE CHANGES TO THE DISCOVERY PROCESS. THIS STATE BILL MANDATES OPEN FILE DISCOVERY. VIDEO EVIDENCE COULD BE A PROBLEM. THE COUNTY SERVER IS NOT BIG ENOUGH TO UPLOAD VIDEO. JUDGE THOMPSON TALKED ABOUT PRO SE AND PRO SE DEFENDANTS STILL HAVE TO BE ABLE TO GET DISCOVERY.

NEW BUSINESS

4. CONSENT AGENDA: JUDGE THOMPSON NOTED CONSENT AGENDA ITEM C INCLUDES AN ADDENDUM IN THE AMOUNT OF \$34,356.81. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO APPROVE THE CONSENT AGENDA AS FOLLOWS: (ALL VOTING YES)
- A. APPROVE MINUTES OF PREVIOUS MEETING/S: DECEMBER 10, 2013 (REGULAR MEETING) AND JANUARY 2, 2014 (SPECIAL SESSION/PUBLIC HEARING)
- B. APPROVE BUDGET REVISIONS #2014-05, AS PRESENTED BY THE COUNTY AUDITOR AND BUDGET AMENDMENTS #2014-05(A), AS SUBMITTED AND REVIEWED BY COURT APPOINTED COMMITTEE. (SEE ATTACHED)
- C. APPROVE SCHEDULE OF BILLS, INCLUDING ADDENDUM. (SEE ATTACHED)

DATE	AMOUNT	CHECK NUMBER
12/05/13	385,005.39	Ach 583 - 588
12/05/13	888.19	48
12/05/13	57.18	244678
12/05/13	2,275.00	244691
12/05/13	17.87	244692
12/06/13	32.39	1516
12/06/13	79,344.07	244634 - 244677
12/06/13	3,009.63	244693 - 244697
12/06/13	5,875.00	244698
12/11/13	38,252.22	244729 - 244792
12/11/13	160.00	244793
12/12/13	114,666.60	Ach 589 - 592
12/13/13	124,891.60	328 - 334
12/13/13	1,749.32	640 - 642

12/13/13	27.99	1517
12/17/13	50.96	643
12/18/13	181.17	ACH 593 – 595
12/18/13	44,499.00	244843
12/18/13	250.00	244844
12/19/13	1,748.00	113580 – 113697
12/19/13	1,044.00	113698 – 113785
12/19/13	3,218.00	113786 – 113889
12/20/13	380,384.75	ACH 596 – 601
12/20/13	524.32	644
12/20/13	142,477.38	244805 – 244842
12/20/13	74,511.26	244845 – 244906
12/20/13	30,547.32	244935 – 244958
12/20/13	16,083.26	244959 – 244970
12/20/13	3,009.63	244971 – 244975
12/27/13	4,999.01	645 – 646
12/27/13	1,814.63	1026
12/27/13	2,176.00	113890 – 114020
12/27/13	678.00	114021 – 114118
12/27/13	14,947.68	244976 – 244988
12/30/13	172,787.60	ACH 602
12/30/13	2,176.07	ACH 603
12/30/13	2,876.68	49
12/30/13	265,036.85	245001 – 245009
12/31/13	2,176.16	ACH 604
01/02/14	3,466.66	647
01/02/14	17,977.74	245011 – 245013
01/03/14	373,559.59	ACH 605 – 610
01/03/14	87.00	648
01/03/14	114.78	1518
01/03/14	12,897.63	245014 – 245044
01/03/14	88,214.18	245045 – 245066
01/03/14	3,009.63	245074 – 245078
01/07/14	1,588.19	50

01/07/14	1,180.00	51
01/14/14	105,669.10	245080 – 245127
1/14/14	Addendum (to appear on future schedule)	\$34,356.81
TOTAL	\$ 2,532,214.68	

- D. APPROVE PERSONNEL ACTION FORMS. (SEE ATTACHED)
- E. APPROVE LISTING OF PREVIOUSLY AUTHORIZED CAPITAL PURCHASES TO BE INCLUDED ON REIMBURSEMENT RESOLUTION.
- F. APPROVE OFFER TO PURCHASE TAX FORECLOSED PROPERTY: (PCT 1) LOTS 124 & 125, SECTION 8, LAKE LIVINGSTON VILLAGE, CAUSE NO. T12-530.
- G. APPROVE JUSTICE OF THE PEACE, PCT 2 REQUEST FOR (PRO-RATA) EXPENDITURE OF JUSTICE COURT TECHNOLOGY FUNDS FOR THE PURCHASE OF THREE (3) COMPUTERS TOTALING \$3,021.
- H. AUTHORIZE AND ASSIGN USE OF ADDITIONAL OFFICE SPACE IN THE POLK COUNTY OFFICE ANNEX (ROOM #138) TO CASA – (COURT APPOINTED SPECIAL ADVOCATES) FOR CHILDREN, AN AGENCY FUNCTIONING IN SUPPORT OF THE COUNTY.
- I. APPROVE SERVICE AGREEMENT WITH EXCEL FOR MEDICAL WASTE DISPOSAL AT JAIL.
- J. APPROVE THE APPOINTMENT AND BOND OF DERYL OATES AS RESERVE DEPUTY CONSTABLE PCT. 3.
- K. RECEIVE AND RECORD DISTRICT JUDGE'S ORDER APPOINTING MARGIE AINSWORTH AS COUNTY AUDITOR FOR POLK COUNTY.
- L. APPROVE RELEASE OF BOND SUBMITTED APRIL 9, 2012 WITH ROAD USE AGREEMENT APPROVED FOR TRANSCANADA.
- M. APPROVE COUNTY CLERK'S REQUEST TO APPROVE JOINT PRIMARY ELECTION SERVICES CONTRACT WITH THE REPUBLICAN AND DEMOCRATIC PARTIES.
- N. APPROVE (1) AMENDMENT NO. 5 TO GLO CONTRACT NO. 10-5226-000-5210 ROUND 1 FUNDING THAT INCLUDES REVISED CONTRACT PERIOD, AMENDED FUNDING ALLOCATION, PERFORMANCE STATEMENT AND BUDGET AND (2) AMENDMENT NO. 1 TO GLO CONTRACT NO. 12-526-000-6757 AND ROUND 2.2 FUNDING THAT INCLUDES AMENDED FUNDING ALLOCATION, PERFORMANCE STATEMENT AND PROJECT BUDGET.
- O. APPROVE APPLICATION FOR FY2014 EMERGENCY MANAGEMENT PERFORMANCE GRANT.

- P. APPROVE RESOLUTION NAMING TEXPOOL REPRESENTATIVES CONSISTENT WITH APPOINTMENT OF MARGIE AINSWORTH AS POLK COUNTY AUDITOR.
- Q. APPROVE AMENDMENT TO CONTRACT WITH DEEP EAST TEXAS COUNCIL OF GOVERNMENTS OLDER AMERICANS ACT PROGRAM REFLECTING SECOND QUARTER FY14 CONTRACT EXTENSION AND FUNDING FOR COUNTY AGING CONGREGATE AND HOME DELIVERED MEALS PROGRAM.

DISCUSSION OF AGENDA ITEM 5:

THE COURT NOTED THAT 3 OUT OF 4 CONSTABLES DID NOT SUBMIT THE 1ST QTR. REPORT OF WARRANT SERVICE ACTIVITY. CONSTABLE BILL CUNNINGHAM (CONSTABLE PCT 2) PROVIDED THE REQUIRED REPORT. DID NOT RECEIVE ANY REPORT FROM CONSTABLES OF PCTS. 1, 3 OR 4. THE REPORTS WILL BE PART OF THE BUDGET PROCESS

- 5. RECEIVE AND REVIEW CONSTABLE WARRANT SERVICE PROGRAM 1ST QUARTER REPORT FOR FY2014 (OCT. 1, 2013 – DEC. 31, 2013).

DISCUSSION OF AGENDA ITEM 6:

- 6. CONSIDER ANY/ALL NECESSARY ACTION REGARDING DISPOSITION OF SURPLUS GENERATORS PREVIOUSLY OFFERED AT AUCTION.

JAY BURKS BRIEFED COMMISSIONERS, NOTING THAT THE RESERVE BID WAS NOT MET WHEN THESE ITEMS WERE OFFERED IN THE COUNTY'S ONLINE AUCTION. ONALASKA IS INTERESTED IN PURCHASING ONE. JAY REQUESTS THAT THE OTHER TWO BE TRADED IN ON THE PURCHASE OF 2 NEW UNITS TO BE USED AT THE MAINTENANCE BLDG. AND ONE FOR THE ELEVATOR IN THE COURTHOUSE. JAY WANTS AUTHORITY TO ALLOW RONNIE VINCENT TO ACCEPT BID FROM ONALASKA AND TRADE THE OTHER TWO. MOTION TO AUTHORIZE JAY BURKS TO MOVE FORWARD IN GETTING FIRM PRICING AND THEN BRING RESULTS BACK TO COMMISSIONER'S COURT. MOTIONED BY TOMMY OVERSTREET AND SECONDED BY RONNIE VINCENT. (ALL VOTING YES)

- 7. DISCUSS AND TAKE ANY/ALL NECESSARY ACTION REGARDING APPLICATIONS RECEIVED FOR FIRE MARSHALL POSITION.

DISCUSSION OF AGENDA ITEM 7

MOTION BY TOMMY OVERSTREET, SECONDED BY JOHN THOMPSON TO APPOINT SHANNON BARRON AS POLK COUNTY FIRE MARSHAL, AS A REGULAR PART-TIME POSITION WORKING 20 HRS. PER WEEK (ON AVERAGE) NOT TO EXCEED 1,040 HRS. PER YEAR @ PAY GROUP 20-STEP 1.

JOHN THOMPSON, TOMMY OVERSTREET AND RONNIE VINCENT VOTING YES – BOB WILLIS AND MILT PURVIS VOTING NO – MOTION PASSES. THE COURT CONCURRED THAT A BUDGET AMENDMENT WILL BE CONSIDERED AT A FUTURE MEETING TO FUND THIS POSITION AS A SEPARATE DEPARTMENT, UTILIZING GENERAL FUND BALANCE AS NEEDED.

8. AFTER DUE NOTICE AND A PUBLIC HEARING CONDUCTED ON JANUARY 14, 2014, THE COMMISSIONERS COURT CONSIDERED AND APPROVED THE FOLLOWING MATTERS:

a) TO AUTHORIZE THE LEASE OF THE COUNTY'S SOUTHLAND PARK REAL PROPERTY LOCATED ON THE EAST BANK OF THE TRINITY RIVER BELOW THE EXISTING LAKE LIVINGSTON DAM, AND TO APPROVE THE TERMS OF A GROUND LEASE TO EAST TEXAS ELECTRIC COOPERATIVE, INC. MOTION BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT – ALL VOTING YES, WITH MILT PURVIS ABSTAINING.

b) TO AUTHORIZE LEGAL COUNSEL FOR POLK COUNTY TO ACQUIRE REAL PROPERTY NEAR THE COUNTY'S SOUTHLAND PARK REAL PROPERTY LOCATED ON THE EAST BANK OF THE TRINITY RIVER BELOW THE EXISTING LAKE LIVINGSTON DAM, PREPARE DOCUMENTS NECESSARY TO DEDICATE SUCH PROPERTY FOR PUBLIC RECREATION PURPOSES, AND TO LEASE THE NEWLY ACQUIRED PROPERTY ALONG WITH THE SOUTHLAND PARK PROPERTY TO EAST TEXAS ELECTRIC COOPERATIVE, INC. MOTION BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS. ALL VOTING YES, WITH MILT PURVIS ABSTAINING.

9. RECEIVE REQUESTS FOR VEHICLE PURCHASE/REPLACEMENT AND CONSIDER APPROVAL TO ADVERTISE FOR BIDS FOR THE PURCHASE OF VEHICLES, INCLUDING THE TRADE-IN AND/OR RE-ASSIGNMENT OF USED VEHICLES.

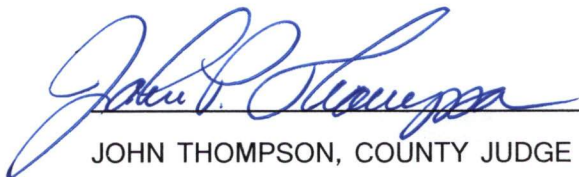
DISCUSSION OF AGENDA ITEM 9

BOB WILLIS MADE A MOTION TO TABLE, SECONDED BY MILT PURVIS. ALL VOTING YES.

ADJOURN:

MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO ADJOURN COURT THIS
14TH DAY OF JANUARY, 2014 AT 11:35 A.M.

ALL VOTING YES.


JOHN THOMPSON, COUNTY JUDGE

ATTEST:


LYNETTE ADAMS, CHIEF DEPUTY