

STATE OF TEXAS §

DATE: SEPTEMBER 9, 2014

REGULAR MEETING

COUNTY OF POLK §

ALL PRESENT

## COMMISSIONERS COURT

AGENDA POSTING #2014 - 116

BE IT REMEMBERED ON THIS THE 9<sup>TH</sup> DAY OF SEPTEMBER, 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, SCHELANA HOCK - 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 DON WILKEY OF FIRST BAPTIST CHURCH ONALASKA.
  - PLEDGE OF ALLEGIANCE TO U.S. & TX FLAGS LED BY JIM JOHNSON.
  
2. PUBLIC COMMENTS:
  - A. DON WILKEY INFORMED COURT THAT PREDATORY LENDING AND/OR PAY DAY LOANS ARE UN-REGULATED AND CAUSING FAMILIES TO GET TIED INTO HIGH INTEREST LOANS RESULTING IN THEM LOSING HOMES & VEHICLES WHEN THEY CAN'T AFFORD TO PAY BACK THE LOAN.
  
3. INFORMATIONAL REPORTS:
  - A. DISTRICT CLERK KATHY CLIFTON ADVISED COURT THEY ARE STILL WORKING ON THE DISTRIBUTION OF EXCESS FUNDS FROM SHERIFF'S TAX SALE SINCE THE LAST DISTRIBUTION WAS RECEIVED ON JUNE 10, 2014.

### OLD BUSINESS

4. MOTIONED BY JUDGE THOMPSON, SECONDED BY MILTON PURVIS, TO TABLE "APPROVE MINUTES OF AUGUST 12, 2014 (REGULAR MEETING) & AUGUST 19, 2014 (SPECIAL SESSION). ALL VOTING YES.

NEW BUSINESS

5. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, APPROVAL OF ORDER SETTING ELECTED OFFICIALS' SALARIES, EXPENSES AND ALLOWANCES FOR FY2015.  
ALL VOTING YES.
  
6. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO RECEIVE AND RECORD DISTRICT JUDGES' ORDERS SETTING FY2015 COMPENSATION FOR COUNTY AUDITOR, ASSISTANT AUDITORS AND (DISTRICT) COURT REPORTERS, COURT COORDINATORS AND BAILIFFS, PURSUANT TO LOCAL GOVERNMENT CODE.  
ALL VOTING YES.
  
7. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, I MOVE TO RATIFY THE 1.67 PERCENT PROPERTY TAX INCREASE REFLECTED IN THE FY2015 PROPOSED BUDGET.  
ALL VOTING YES.

DISCUSSION OF AGENDA ITEM 8 BY JUDGE THOMPSON.

8. MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, TO ADOPT FY2015 BUDGET.  
ALL VOTING YES.
  
9. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, TO ORDER SETTING THE 2014 TAX RATE AT .6461 (DEBT SERVICE .1216, GENERAL FUND .3757 & ROAD & BRIDGE .1488) KEEPING ROAD & BRIDGE TAX RATE THE SAME.  
VOTES RECORDED AS FOLLOWS:  
JUDGE THOMPSON – NO  
BOB WILLIS – YES  
RONNIE VINCENT – YES  
MILTON PURVIS – YES  
TOMMY OVERSTREET – NO  
MOTION CARRIED.

10. CONSENT AGENDA: JUDGE THOMPSON NOTED ITEM C INCLUDES 2 ADDENDUMS IN THE AMOUNT OF \$106,886.83 & \$720.00 AND TABLE ITEM A. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO APPROVE THE CONSENT AGENDA AS FOLLOWS: (ALL VOTING YES)

- A. TABLE "APPROVE MINUTES OF AUGUST 26, 2014 (SPECIAL & REGULAR MEETING) AND

SEPTEMBER 2, 2014 (SPECIAL SESSION).

B. APPROVE BUDGET REVISIONS #2014-21, AS PRESENTED BY THE COUNTY AUDITOR AND BUDGET AMENDMENTS #2014-21(A), AS SUBMITTED AND REVIEWED BY COURT APPOINTED COMMITTEE. (SEE ATTACHED)

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

DATE	AMOUNT	CHECK #
8/20/14	1,926.00	115555 - 115656
8/20/14	2,628.00	115657 - 115770
8/22/14	737.00	206
8/22/14	56,751.00	708
8/22/14	417,687.11	1049 - 1051
8/22/14	64,194.09	248851 - 248886
8/25/14	1,000.00	248938
8/28/14	413,361.14	ACH 730 - 734
8/28/14	2,876.68	66
8/28/14	216,904.11	248978 - 248983
8/28/14	3,692.19	248984 - 248990
8/29/14	4,489.48	709 - 710
8/29/14	3,466.66	711
8/29/14	200.18	1032
8/29/14	131.89	1543 - 1544
8/29/14	1,856.00	115771 - 115884
8/29/14	47,149.55	248941 - 248977
8/29/14	4,031.12	249000 - 249009
8/29/14	34,835.42	249010 - 249027
8/29/14	455.70	249028
9/02/14	235,728.30	ACH 735
9/02/14	18,127.74	249030 - 249033
9/02/14	44,498.00	249034
9/09/14	48,456.98	249035 - 249074
9/09/14	Addendum to appear on future schedule	\$106,886.83
9/09/14	Addendum to appear on future schedule	\$720.00
<b>TOTAL</b>	<b>\$1,625,184.34</b>	

- D. APPROVE PERSONNEL ACTION FORMS. (SEE ATTACHED)
- E. APPROVE OFFERS TO PURCHASE TAX FORECLOSED PROPERTIES: (PCT 1) LOTS 135 & 136, NATASHA HEIGHTS, CAUSE NO. T05-081, LOT 237, SECTION 13, LAKE LIVINGSTON VILLAGE, CAUSE NO. T12-250; (PCT 4) LOT 212, SECTION 1, CRYSTAL LAKES, CAUSE NO. T11-169.
- F. APPROVE ORDER DESIGNATING REGULAR TERMS OF THE POLK COUNTY COMMISSIONERS COURT FOR FY2015, PURSUANT TO TX LOCAL GOVERNMENT CODE 81.005(A).
- G. APPROVE ORDER SETTING JUROR REIMBURSEMENT FOR FY2015 (OCTOBER 1, 2014 – SEPTEMBER 30, 2015). (SEE ATTACHED)
- H. ADOPT RESOLUTION EXPRESSING INTENT TO REIMBURSE FY2015 EXPENDITURES TO BE INCURRED BY POLK COUNTY, TEXAS (REIMBURSEMENT RESOLUTION).  
(SEE ATTACHED)
- I. SET SHERIFFS' AND CONSTABLES' FEES TO TAKE EFFECT JANUARY 1, 2015 AND DIRECT NOTIFICATION TO STATE COMPTROLLER, PURSUANT TO TEX. LOC. GOV'T. CODE 118.131.
- J. APPROVE DISTRICT CLERK'S REQUEST FOR EXPENDITURE FROM DISTRICT CLERK RECORDS MANAGEMENT FUND FOR ARCHIVAL SCANNING OF DISTRICT/COURT RECORDS IN THE AMOUNT OF \$5,244.50.
- K. APPROVE RENEWAL AGREEMENT WITH INTEGRATED DATA SERVICES FOR COUNTY CLERK'S IMAGING SOFTWARE MAINTENANCE FOR FY2015.
- L. RATIFY DOCUMENTATION AS SUBMITTED FOR 2008 IKE DISASTER RECOVERY PROJECT: CHANGE ORDERS #1 & #2 "DUNBAR GYM".

ASSISTANT DISTRICT ATTORNEY SONNY ECKHART DISCUSSED AGENDA ITEM 11.

- 11. MOTIONED BY MILTON PURVIS, SECONDED BY RONNIE VINCENT, APPROVAL OF REQUEST FROM DISTRICT CLERK TO ESTABLISH A \$2 ELECTRONIC FILING TRANSACTION FEE, CERTIFYING THAT THE FEE IS NECESSARY TO RECOVER THE ACTUAL SYSTEM OPERATING COST INCURRED BY THE COUNTY, PURSUANT TO GOV'T CODE 72.032 (C)(1)-(4).  
ALL VOTING YES.

COMMISSIONER VINCENT DISCUSSED AGENDA ITEM 12.

12. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO SUBMIT WRITTEN REQUEST TO TXDOT FOR COUNTY PURCHASE OF RECLAIMED ASPHALT (RAP) AND DETERMINE METHOD OF FUNDING AT A LATER DATE.  
ALL VOTING YES.

SONNY ECKHART DISCUSSED AGENDA ITEM 13 NOTING HE IS PREPARING A NOTICE OF REJECTION.

13. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO APPROVE RECOMMENDATION OF DISTRICT ATTORNEY TO FILE NOTICE OF NON-ACCEPTANCE OF QUIT CLAIM DEED TRANSFERRING OWNERSHIP OF PRIVATE PROPERTY TO THE COUNTY.  
ALL VOTING YES.

14. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, APPROVAL OF FY14 BUDGET AMENDMENT REQUESTED BY SHERIFF FOR \$25,000.00 ADDITIONAL FUDNING FOR JAIL GROCERIES TO BE FUNDED FROM FUND BALANCE.  
ALL VOTING YES.

15. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO AWARD BIDS AS FOLLOWS:

2015-01.01 PCT 1 CHIP & SEAL – CCC BLACKTOPPING & PINTO CONSTRUCTION

2015-01.02 PCT 1 CRACKED FUEL – BRYAN & BRYAN & CLEVELAND ASPHALT

2015-01.03 PCT 1 HOT/COLD MIX – EAST TX ASPHALT, CLEVELAND ASPHALT & PAVERS SUPPLY, CO.

2015-01.04 PCT 1 LIMESTONE STABLIZATION – CCC & PINTO CONSTRUCTION

2015-01.05 PCT 1 LIMESTONE BASE – EAST TEXAS ASPHALT & PAVERS SUPPLY CO.

2015-01.06 PCT 1 OTHER BASE MATERIALS – D. WASHBURN & PAVERS SUPPLY CO.

2015-01.07 PCT 1 BULK MATERIALS – FIRST MATERIALS & TECH

2015-01.08 PCT 1 APPLICATION OF TYPE D HOT MIX ASPHALT CONCRETE – CCC BLACKTOPPING

2015-02.01 PCT 2 CHIP & SEAL – CCC BLACKTOPPING & PINTO CONSTRUCTION

2015-02.02 PCT 2 CRACKED FUEL – BRYAN & BRYAN & CLEVELAND ASPHALT

2015-02.03 PCT 2 HOT/COLD MIX – CLEVELAND ASPHALT, EAST TEXAS ASPHALT, PAVERS SUPPLY, CO.

2015-02.04 PCT 2 LIMESTONE STABLIZATION – CCC & PINTO CONSTRUCTION

2015-02.05 PCT 2 LIMESTONE BASE – EAST TX ASPHALT & PAVERS SUPPLY, CO.

2015-02.06 PCT 2 OTHER BASE MATERIALS – D. WASHBURN & PAVERS SUPPLY, CO.  
2015-02.07 PCT 2 BULK MATERIALS – FIRST MATERIALS & TECH.  
2015-02.08 PCT 2 APPLICATION OF TYPE D HOT MIX ASPHALT CONCRETE – CCC  
BLACKTOPPING

2015-03.01 PCT 3 CHIP & SEAL – CCC BLACKTOPPING & PINTO CONSTRUCTION  
2015-03.02 PCT 3 CRACKED FUEL – BRYAN & BRYAN & CLEVELAND ASPHALT  
2015-03.03 PCT 3 HOT/COLD MIX – CLEVELAND ASPHALT, EAST TX ASPHALT & PAVERS  
SUPPLY CO.  
2015-03.04 PCT 3 LIMESTONE STABLIZATION – CCC & PINTO CONSTRUCTION  
2015-03.05 PCT 3 LIMESTONE BASE – EAST TX ASPHALT & PAVERS SUPPLY, CO.  
2015-03.06 PCT 3 OTHER BASE MATERIALS – D. WASHBURN & PAVERS SUPPLY, CO.  
2015-03.07 PCT 3 BULK MATERIALS – FIRST MATERIALS & TECH  
2015-03.08 PCT 3 APPLICATION OF TYPE D HOT MIX ASPHALT CONCRETE – CCC  
BLACKTOPPING

2015-04.01 PCT 4 CHIP & SEAL – CCC BLACKTOPPING & PINTO CONSTRUCTION  
2015-04.02 PCT 4 CRACKED FUEL – BRYAN & BRYAN & CLEVELAND ASPHALT  
2015-04.03 PCT 4 HOT/COLD MIX – CLEVELAND ASPHALT, EAST TX ASPHALT & PAVERS  
SUPPLY, CO.  
2015-04.04 PCT 4 LIMESTONE STABLIZATION – CCC & PINTO CONSTRUCTION  
2015-04.05 PCT 4 LIMESTONE BASE – EAST TX ASPHALT & PAVERS SUPPLY, CO.  
2015-04.06 PCT 4 OTHER BASE MATERIALS – D. WASHBURN & PAVERS SUPPLY, CO.  
2015-04.07 PCT 4 BULK MATERIALS – FIRST MATERIALS & TECH  
2015-04.08 PCT 4 APPLICATION OF TYPE D HOT MIX ASPHALT CONCRETE – CCC  
BLACKTOPPING

2015-05 BULK PURCHASE OF LIMESTONE ROAD BASE – EAST TX ASPHALT & PAVERS SUPPLY,  
CO.

2015-06 TIRES & TUBES – A TO Z TIRE, COOK TIRE & SERVICE, SOUTHERN TIRE MART & USA  
TRANSMISSION & TIRE

2015-07 – OIL GREASE, GAS & DIESEL

PCT 1 – HUGHES & THOMAS PETROLEUM

PCT 2 – HUGHES

PCT 3 – HUGHES

PCT 4 – HUGHES

MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT TO AWARD BID 2015-08 (PEST CONTROL SERVICES) TO TERMINIX.

ALL VOTING YES.

MOTIONED BY RONNIE VINCENT, SECONDED BY BOB WILLIS, TO AWARD BID 2015-09 (MOTOR GRADER BLADES) TO DL TRACTOR PARTS & SERVICES, DOGGETT MACHINERY & VALK MANUFACTURING.

ALL VOTING YES.

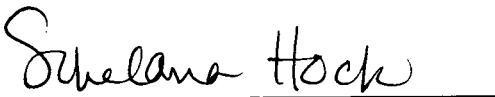
ADJOURN:

MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO ADJOURN COURT THIS 9<sup>TH</sup> DAY OF SEPTEMBER, 2014 AT 10:24 A.M.

ALL VOTING YES.

  
JOHN THOMPSON, COUNTY JUDGE

ATTEST:

  
SCHELANA HOCK, COUNTY CLERK