

STATE OF TEXAS §

DATE: MARCH 10, 2015

REGULAR MEETING

COUNTY OF POLK §

MILTON PURVIS - ABSENT

COMMISSIONERS COURT

AGENDA POSTING #2015 - 032

BE IT REMEMBERED ON THIS THE 10TH DAY OF MARCH, 2015, THE HONORABLE COMMISSIONERS COURT MET IN "REGULAR" CALLED MEETING WITH THE FOLLOWING OFFICERS AND MEMBERS PRESENT, TO WIT;

HONORABLE SYDNEY MURPHY, COUNTY JUDGE PRESIDING. BOB WILLIS - COMMISSIONER PCT #1, RONNIE VINCENT - COMMISSIONER PCT #2, C.T. "TOMMY" OVERSTREET - COMMISSIONER PCT #4, KHRISTIE NICHOLSON - COURT 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 MURPHY.
 - INVOCATION LED BY CHIEF DEPUTY SHERIFF BYRON LYONS.
 - PLEDGE OF ALLEGIANCE TO U.S. & TEXAS FLAGS LED BY JIM JOHNSON.
2. PUBLIC COMMENTS: NONE.
3. INFORMATIONAL REPORTS:
 - A. MARGIE AINSWORTH INFORMED COURT ALL MONIES FROM OIL ROYALTIES ON POLK COUNTY SCHOOL LANDS HAVE BEEN DISTRIBUTED TO THE SCHOOL DISTRICTS, PURSUANT TO THE COURT'S PREVIOUS DIRECTION.
 - B. JUDGE MURPHY STATED THE HEAT EXCHANGER SERVICING THE COURTROOM IS DOWN & THAT'S THE REASON THE ROOM IS COOL. THE POWER OUTAGE LAST THURSDAY DAMAGED THE COURTHOUSE PHONE SYSTEM, BUT INSURANCE WILL BE COVERING THE REPLACEMENT.
4. OLD BUSINESS:

DISCUSSION OF ITEM A BY JUDGE & COMMISSIONERS. JUDGE MURPHY STATED REVISIONS IN BUDGETED FUNDS FROM SHERIFF'S DEPT & JAIL CAN FUND 4

CORRECTIONS OFFICER POSITIONS FOR THE REMAINDER OF THE YEAR BUT THAT APPROXIMATELY \$40,400 WOULD HAVE TO COME FROM GENERAL FUND BALANCE TO FUND THE 2 ADDITIONAL CORRECTIONS OFFICERS.

- A. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, APPROVAL TO HIRE 6 CORRECTIONS OFFICERS IN ORDER TO BRING THE COUNTY JAIL INTO COMPLIANCE WITH THE TEXAS COMMISSION ON JAIL STANDARDS.

ALL VOTING YES.

NEW BUSINESS

- 5. CONSENT AGENDA: JUDGE NOTED ITEM C INCLUDES AN ADDENDUM IN THE AMOUNT OF \$63,471.56, ITEM L HAS ALL CHANGES INCORPORATED BASED ON COMMISSIONERS REVISIONS AND WILL BE SUBMITTED TO TXDOT. MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, TO APPROVE THE CONSENT AGENDA AS FOLLOWS:

(ALL VOTING YES)

- A. APPROVE MINUTES OF FEBRUARY 24, 2015 (SPECIAL & REGULAR SESSION).
- B. APPROVE BUDGET AMENDMENTS #2015-09(A), AS SUBMITTED AND REVIEWED BY COURT APPPOINTED COMMITTEE. (SEE ATTACHED)
- C. APPROVE SCHEDULE OF BILLS, INCLUDING ADDENDUM. (SEE ATTACHED)

DATE	AMOUNT	CHECK #
02/18/15	62,574.58	1064
02/20/15	100.00	1565
02/20/15	55,942.60	251856 - 251888
02/25/15	360.00	117285 - 117293
02/26/15	3,891.18	ACH 835
02/26/15	380,326.13	ACH 836 - 841
02/26/15	3,195.75	251928 - 251933
02/27/15	4,785.64	743
02/27/15	8,642.25	744
02/27/15	253,576.16	251947 - 251993
03/02/15	3,466.66	745
03/02/15	1,146.00	117294 - 117393
03/02/15	18,127.74	251994 - 251997
03/03/15	156,382.20	ACH 842
03/03/15	3,101.44	78
03/03/15	244,506.03	251999 - 252007

03/10/15	101,923.28	252008 – 252071
03/10/15	Addendum to appear on future schedule	\$63,471.56
TOTAL	\$1,302,047.64	

- D. APPROVE PERSONNEL ACTION FORMS. (SEE ATTACHED)
- E. APPROVE OFFERS TO PURCHASE TAX FORECLOSED PROPERTIES: (PCT 2)
LOTS 26 & 27, BLOCK 52, SECTION 3, CEDAR POINT, CAUSE #T14-055; LOTS 14 & 15, BLOCK 7, SECTION 1, IMPALA WOODS, CAUSE #T11-047; LOT 16, BLOCK 7, SECTION 1, IMPALA WOODS, CAUSE #T11-043; LOTS 11 & 12, BLOCK 19, SECTION 2, IMPALA WOODS, CAUSE #T14-022; LOT 66, BLOCK 2, SECTION 5, IMPALA WOODS, CAUSE #T11-319.
- F. APPROVE ORDER DESIGNATING SURPLUS PROPERTY. (SEE ATTACHED)
- G. APPROVE INTERLOCAL AGREEMENT BETWEEN POLK COUNTY AND CORRIGAN-CAMDEN ISD FOR THE COUNTY'S PROVISION OF ELECTION EQUIPMENT AND SERVICES FOR THE MAY 9, 2015 ELECTION.
- H. RECEIVE CERTIFICATION OF COMPLETION OF CONTINUING EDUCATION FOR 2014, AS PRESCRIBED IN SECTION 81.0025 OF THE TEXAS GOVERNMENT CODE FOR THE FOLLOWING OFFICIAL; MILTON PURVIS, COMMISSIONER. (SEE ATTACHED)
- I. ACCEPT DONATION FROM BOUNDS CHEVROLET OF SURPLUS TELEPHONE SYSTEM EQUIPMENT WHICH IS INTEROPERABLE WITH COUNTY'S EXISTING SYSTEM.
- J. APPROVE SUBMITTAL OF REQUEST OT STATE COMPTROLLER FOR UNCLAIMED RURAL ELECTRIC COOPERATIVE CAPITAL CREDITS.
- K. APPROVE FIRST AMENDED AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS (FIXED PRICE), AT PREVIOUSLY APPROVED AND CONTRIBUTED ESTIMATED COST OF \$15,000 FOR THE TXDOT FM 356 HIGHWAY IMPROVEMENT PROJECT NEAR ONALASKA.
- L. APPROVE UPDATE TO COUNTY TRANSPORTATION INFRASTRUCTURE FUND GRANT PROGRAM – PRIORITIZED LIST. (SEE ATTACHED)

DISCUSSION OF ITEM 6 BY JUDGE MURPHY.

- 6. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, APPROVAL OF INTERLOCAL AND MASTER AGREEMENTS WITH NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS FOR GABRIEL ROEDER SMITH & COMPANY ACTUARIAL SERVICES, AS

REQUIRED, RELATING TO OTHER POST EMPLOYMENT BENEFITS (OPEB) OF THE COUNTY – RETIREE HEALTH BENEFITS – TO INCLUDE AN OPTIONAL COST STUDY FOR THE ADDITIONAL CHARGE OF \$1,230.

ALL VOTING YES.

DISCUSSION OF ITEM 7 BY JUDGE MURPHY. NOTING ONCE ALL EXPENDITURES ARE PAID FOR FY2015, APPROXIMATELY \$7,000 WILL BE REMAINING IN THE JUSTICE COURT TECHNOLOGY FUND BALANCE, WHICH – WITH ESTIMATED REVENUES CONSIDERED - WILL NOT BE SUFFICIENT TO FUND COMMITTED EXPENSES IN FY2016 WITHOUT SUPPORT FROM THE GENERAL FUND.

7. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO APPROVE JUSTICE OF THE PEACE REQUESTS FOR EXPENDITURES FROM THE JUSTICE COURT TECHNOLOGY FUND, AS FOLLOWS; JP1 - \$669.02 TRAVEL EXPENSE FOR NET DATA CONFERENCE; AND JP2 - \$204.95 MONTHLY FOR INCREASED INTERNET EXPENSE.

ALL VOTING YES.

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

- A. TO CONSULT WITH LEGAL COUNSEL AS AUTHORIZED BY TEXAS GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.071, REGARDING EAST TEXAS ELECTRIC COOPERATIVE, INC'S LEASE OF THE COUNTY'S SOUTHLAND PARK REAL PROPERTY, POTENTIAL AMENDMENT TO LEASE OF SOUTHLAND PARK; AND ANY POTENTIAL ACTION NEEDED FOR SUCH AMENDMENT.
- B. CONSULTATION WITH LEGAL COUNSEL PURSUANT TO TEXAS GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.071 TO SEEK ADVICE ON PENDING LITIGATION, SETTLEMENTS AND OTHER MATTERS, WHICH ARE CONFIDENTIAL UNDER THE DISCIPLINARY RULES OF THE STATE BAR, ON WHICH THE DUTY OF THE ATTORNEY TO THE COUNTY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT CLEARLY CONFLICTS WITH THE OPEN MEETINGS ACT.

EXECUTIVE SESSION ENDED AT 10:33 A.M.

DISCUSSION OF ITEM 8 BY ATTORNEY JIM ALLISON.

8. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE AND RATIFY AN AMENDMENT TO THE EAST TEXAS ELECTRIC COOPERATIVE, INC'S LEASE OF THE COUNTY'S SOUTHLAND PARK REAL PROPERTY ON THE EAST BANK OF THE TRINITY RIVER

BELOW THE EXISTING LAKE LIVINGTON DAM; TO APPROVE THE TERMS OF AN AMENDMENT TO THE GROUND LEASE TO EAST TEXAS ELECTRIC COOPERATIVE, INC., TO ADD LAND TO THE LEASED PREMISES FOR PUBLIC RECREATION USES; AND TO DEDICATE REAL PROPERTY ADDED TO THE LEASED PREMISES FOR PUBLIC RECREATION USES. ALL VOTING YES. (SEE ATTACHED) (ALSO NOTED THAT COPIES WILL BE PROVIDED TO THE COUNTY CLERK FOR FILING IN THE COUNTY'S PROPERTY RECORDS.

ADJOURN:

MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO ADJOURN COURT THIS 10TH DAY OF MARCH, 2015 AT 10:39 A.M.

ALL VOTING YES.



SYDNEY MURPHY, COUNTY JUDGE

ATTEST:



SCHELANA HOCK, COUNTY CLERK