

COMMISSIONERS COURT

AGENDA POSTING #2015 - 066

Be it remembered on this The 26th day Of May, 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

Milton Purvis - Commissioner Pct #3

C.T. "Tommy" Overstreet - Commissioner Pct #4

Schelana Hock - County Clerk

Margie Ainsworth - County Auditor

The following agenda items, orders and decrees were duly made, considered & passed.

1. Welcomed and called to ORDER at 10:00 A.M. by Judge Murphy.
 - INVOCATION led by Chris Borden of First Assembly of God Church.
 - PLEDGE OF ALLEGIANCE TO U.S. & TX FLAGS led by Jim Johnson.

2. PUBLIC COMMENTS: none

3. INFORMATIONAL REPORTS:

District Attorney Lee Hon updated court on resignation of District Clerk noting District Judges are conferring to appoint someone to fill the position; He also stated the District Attorney's office will be getting a crime victim therapy dog named Zita possibly on Thursday of this week.

Emergency Management Coordinator Larry Pitts updated court on rainfall noting the Lake Livingston dam is at 62,100 and they are expecting another increase, the lake level is 132.71 and some portions of the

county received 1.5 inches of rain last night; Red Cross is ready and available if they aren't sent to another location in Texas and as of today no houses have been reported flooded below the dam. Commissioner Bob Willis asked court to keep Nueces County Commissioner Joe McCombs and family in their prayers. McCombs son, daughter in law & grandkids were swept away in floods; his son was found and is in ICU but the others haven't been found yet.

Tax Assessor-Collector Leslie Burks stated their new software is in place and they are expected to go live this evening.

NEW BUSINESS

4. CONSENT AGENDA: Judge Murphy asked for item D to be pulled and discussed individually and item B includes an addendum in the amount of \$14,312.50. MOTIONED by Bob Willis, SECONDED by Ronnie Vincent, to approve the consent agenda as follows: (all voting yes)
- A. Approve minutes of May 12, 2015 (Regular Session).
 - B. Approve schedule of bills, including addendum. (SEE ATTACHED)

DATE	AMOUNT	FUND	CHECK #
5/7/15	386,771.52	Gen, R&B 1-4, Security, Aging, Adult Suprv., CCAP-Juv Prob	874-879
5/8/15	2,335.05	Retiree Health Benefits Trst	83
5/8/15	1,487.65	Grant Fund	755-756
5/8/15	78,912.19	Gen., R&B 1,2,3, Aging	253075-253117
5/8/15	3,123.83	Gen., R&B 1-4, Sec	253118-253123
5/8/15	1,341.92	General	253135
5/11/15	206,164.55	Gen., JP Justice Ct Tech, R&B 1-4, Security, Aging, Sheriff-Commissary Funds	253169-253219
5/12/15	7,869.08	General	253220
5/13/15	744.00	General	117983-118086
5/15/15	39,033.45	Gen., R&B 2-4, Aging	253226-253258
5/19/15	85.95	Polk Co Hist Commission	1576-1577
5/19/15	13,233.75	General Fund	253270-253272
5/26/15	79,735.94	Gen., R&B 1-4, Law Library, Pretrial Intervention, Aging	253273-253328

5/20/15	20,000.00	General	253329
5/26/15	14,312.50	Addendum to appear on future schedule	
TOTAL	\$840,838.88		

C. Approve listing of previously authorized capital purchases to be included on reimbursement resolution. (NO listing presented)

Discussion of item D by Judge Murphy, indicating that she would abstain from voting in the event that Windham & Sons performed any work for the company requesting the Road Use Agreement.

D. MOTIONED by Milton Purvis, SECONDED by Tommy Overstreet, to approve (Pct.3) road use agreement with Vision Resources.

All voting yes. Judge Murphy abstained. (SEE ATTACHED)

Discussion of agenda item 5.

5. Consider approval of personnel matters, as follows;

A. MOTIONED by Tommy Overstreet, SECONDED by Milton Purvis, approval of personnel action form requests submitted since last meeting.

All voting yes. (SEE ATTACHED)

B. MOTIONED by Bob Willis, SECONDED by Tommy Overstreet, to approve personnel management system update to include job description for Indigent Defense Coordinator, as previously authorized, to be classified in Pay Group 16.

All voting yes.

C. MOTIONED by Bob Willis, SECONDED by Tommy Overstreet, to delete "consider approval of Sheriff's department request for creation of new job description for Deputy (Transport) Supervisor".

All voting yes.

D. MOTIONED by Tommy Overstreet, SECONDED by Milton Purvis, to approve order designating Courtney Comstock as Assistant Emergency Management Coordinator, as needed.

All voting yes. (SEE ATTACHED)

Judge Murphy noted item 6 doesn't have any amendments & the revisions are changes using budgeted funds.

6. Consider requests for revisions to the current budget, as follows;
- A. MOTIONED by Ronnie Vincent, SECONDED by Milton Purvis, to approve budget revisions #2015-14, as presented by the County Auditor.
- All voting yes. (SEE ATTACHED)

7. Consider requests for capital purchases to be paid from (stated) fund balance and included on the FY2015 reimbursement resolution for year-end issuance of legally authorized debt, as follows;
- A. MOTIONED by Milton Purvis, SECONDED by Tommy Overstreet, to delete "consider approval of County Treasurer's request for purchase of computer (\$700), software (\$146) and upgrade for money counter (\$600), as requested in FY2015 budget and listed on capital purchase projections", noting that currently budgeted funds have been identified to purchase the necessary upgrade for the money counter and directing the Data Processing Department to work with the Treasurer on resolving any computer issues.
- All voting yes.

8. MOTIONED by Ronnie Vincent, SECONDED by Milton Purvis, to approve corrected Order of Acceptance for Public Maintenance of Long Point Drive, to include exception noted by Commissioner Vincent on May 12, 2015 regarding Alabama Point P.O.A. payment of \$20,084.20 to bring subject road to minimum county standards.
- All voting yes. (SEE ATTACHED)

Judge Murphy read for the record the wording for the Exception; "Exception: An Agreement between Polk County, Pct. 2 and Alabama Point Subdivision P.O.A. that the Alabama Point Subdivision will reimburse Polk County Precinct 2 for cost to bring stated road up to minimum County specifications (\$20,084.20)".

9. MOTIONED by Milton Purvis, SECONDED by Ronnie Vincent, approval of counter offer from property owner for purchase of right of way along Plant Road as related to Road Improvements Project included in the GLO Disaster Grant DRS220146.
- All voting yes.

10. MOTIONED by Bob Willis, SECONDED by Tommy Overstreet, to table "consider approval of resolution of agreement to contribute right of way funds (fixed price) in the amount of \$1,430 for the TXDOT

FM1988 at Long King Creek Highway Improvement Project and determine method of funding”.

All voting yes.

11. Moved to end of agenda.

12. Discuss and consider any/all necessary action regarding process for the posting of County positions.

No action taken.

Judge Murphy discussed item 13.

13. MOTIONED by Milton Purvis, SECONDED by Tommy Overstreet, approval of designation of Christi Sullivan to represent Polk County on the Texas Forest Country Partnership, replacing Betty Russo.

All voting yes.

Discussion of item 14 by Rachell Hunt of District Attorney's office & Chief Deputy Sheriff Byron Lyons.

14. MOTIONED by Milton Purvis, SECONDED by Tommy Overstreet, to table for further review “receive legal review regarding agreement for helicopter services for county marijuana eradication operations and take any/all necessary action regarding said agreement and DEA letter of agreement to clarify liability exposure and to ensure that use of grant funds will not incur any expense to the county”.

All voting yes.

Judge Murphy & Chief Deputy Byron Lyons discussed item 15. Judge Murphy noted that the contract/s must ensure there will be no additional officers, will not result in over population of the Polk County Jail, transportation and medical costs would be the other counties responsibilities and the two counties would be billed for any employee overtime & emergency room costs should their inmate have to be taken to hospital ER.

15. MOTIONED by Tommy Overstreet, SECONDED by Milton Purvis, to approve Interlocal Cooperation Agreements with Liberty and Chambers Counties for contracted housing of inmates in the Polk County Jail.

All voting yes.

Executive Session:

Judge Murphy noted that District Judge Kaycee Jones, District Attorney Lee Hon, Assistant District Attorney

Rachell Hunt, Robert Belt with auditing firm of Belt Harris Pechacek and County Auditor Margie Ainsworth are asked to participate in consultation with Counsel.

- A. 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 began at 11:05 a.m.

Executive Session ended at 11:42 a.m. & regular meeting resumed.

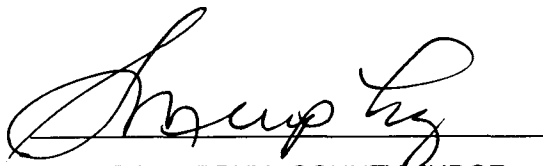
Judge Murphy advised that County Auditor Margie Ainsworth will check with State Comptroller to get assistance with District Clerk's Office and the District Judges will keep everyone posted regarding their selection of a District Clerk Appointee to fill the vacancy created by Kathy Clifton's resignation.

- 11. Discuss FY2015 budget status and development of FY2016 budget. Judge Murphy provided preliminary figures to the Court Members, noting that FY2016 revenues are currently estimated to fall significantly short of projected expenses. No action taken.

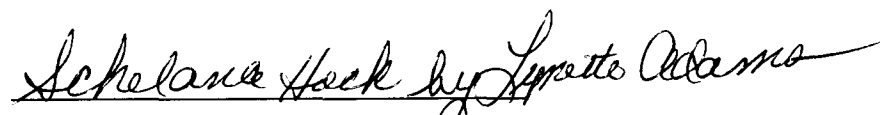
Adjourn:

MOTIONED by Tommy Overstreet, SECONDED by Milton Purvis, to adjourn court this 26th day of May 2015 at 11:56 a.m.

All voting yes.


SYDNEY MURPHY, COUNTY JUDGE

ATTEST:


SCHELANA HOCK, COUNTY CLERK