

STATE OF TEXAS §

DATE: SEPTEMBER 8, 2015

COUNTY OF POLK §

REGULAR MEETING

ALL PRESENT

COMMISSIONERS COURT

AGENDA POSTING #2015 - 115

Be it remembered on this The 8th day Of SEPTEMBER, 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 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 JIM MAYLAND OF TRINITY LUTHERAN CHURCH.
 - PLEDGE OF ALLEGIANCE TO U.S. & TEXAS FLAGS LED BY JIM JOHNSON.

2. PUBLIC COMMENTS: NONE.

3. INFORMATIONAL REPORTS:
 - A. COUNTY CLERK SCHELANA HOCK INFORMED COURT THAT THE COMPANY THAT MAKES THE BANK NOTE SECURITY PAPER THAT IS USED TO ISSUE BIRTH/DEATH CERTIFICATES WENT OUT OF BUSINESS AND OUR VENDOR ONLY HAS A LIMITED AMOUNT AND ONLY LEGAL SIZE PAPER. OTHER SURROUNDING COUNTIES ARE OUT OF THE PAPER OR ALMOST OUT AND SENDING CITIZENS TO OUR OFFICE. COUNTY CLERK NOTED WE ARE OK ON PAPER AND ISSUING TO QUALIFIED APPLICANTS.

RELATING TO THE FY2016 BUDGET PROCESS:

4. MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, APPROVAL OF ORDER

SETTING ELECTED OFFICIAL'S SALARIES, EXPENSES AND ALLOWANCES FOR FY2016, NOTING NO INCREASES OTHER THAN LONGEVITY.

ALL VOTING YES. (SEE ATTACHED)

DISCUSSION OF ITEM 5.

5. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO RECEIVE AND RECORD DISTRICT JUDGE'S ORDERS SETTING FY2016 COMPENSATION FOR COUNTY AUDITOR, ASSISTANT AUDITORS AND (DISTRICT) COURT REPORTERS, COURT COORDINATORS AND BAILIFFS, PURSUANT TO LOCAL GOVERNMENT CODE.

ALL VOTING YES. (SEE ATTACHED)

6. MOTION BY BOB WILLIS, STATING, "I MOVE TO RATIFY THE PROPERTY TAX INCREASE REFLECTED IN THE FY2016 BUDGET", SECONDED BY TOMMY OVERSTREET.

RECORD OF VOTES AS FOLLOWS:

BOB WILLIS - YES

RONNIE VINCENT - YES

MILTON PURVIS - YES

TOMMY OVERSTREET - YES

JUDGE MURPHY - YES

ALL VOTING YES.

DISCUSSION OF 7 BY JUDGE & COURT MEMBERS.

7. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, TO ADOPT THE FY2016 BUDGET AS PRESENTED, EXCLUDING DISTRICT ATTORNEY'S PERSONNEL ACTION FORM REQUESTING VCLG STAFF PROMOTION AND MERIT ON TODAY'S AGENDA UNDER ITEM 11-A.

RECORD OF VOTES AS FOLLOWS:

BOB WILLIS - YES

RONNIE VINCENT - YES

MILTON PURVIS - YES

TOMMY OVERSTREET - YES

JUDGE MURPHY - YES

ALL VOTING YES.

8. MOTION BY BOB WILLIS, STATING "I MOVE THAT PROPERTY TAX RATE BE INCREASED BY THE ADOPTION OF A TAX RATE OF 0.6461, WHICH IS EFFECTIVELY A 0.69 PERCENT INCREASE IN THE TAX RATE", SECONDED BY RONNIE VINCENT.
ALL VOTING YES. (SEE ATTACHED)

JUDGE MURPHY STATED THE AMOUNTS OF THE TAX RATE:

0.3798 GENERAL

0.1429 ROAD & BRIDGE

0.5227 M & O

0.1234 DEBT RATE

0.6461 TOTAL 2016 TAX RATE

DISCUSSION OF ITEM 9 BY JUDGE MURPHY, RACHELL HUNT, ASSISTANT DISTRICT ATTORNEY & DERYL OATES (ENVIRONMENTAL ENFORCEMENT OFFICER)

9. OLD BUSINESS (TABLED FROM LAST AGENDA)

- A. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO TABLE "CONSIDER ADOPTION OF NUISANCE ABATEMENT PROCEDURES (POLICY) FOR THE UNINCORPORATED AREAS OF POLK COUNTY, PURSUANT TO CHAPTER 343 OF THE TEXAS HEALTH AND SAFETY CODE, AS AMENDED" TO MODIFY THE PROPOSED POLICY TO REFLECT ONLY MINIMUM STATUTORY REQUIREMENTS.
ALL VOTING YES.

10. NEW BUSINESS

CONSENT AGENDA: JUDGE MURPHY STATED ITEM B INCLUDES AN ADDENDUM IN THE AMOUNT OF \$33,938.52, DISCUSS ITEM I INDIVIDUALLY AND ITEM J HAS A VARIANCE THAT IS SPECIFIED IN THE ORDER.

MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO APPROVE THE CONSENT AGENDA AS FOLLOWS: (ALL VOTING YES)

- A. APPROVE MINUTES OF AUGUST 25, 2015 REGULAR AND SPECIAL (PUBLIC HEARING) AND SEPTEMBER 1, 2015 SPECIAL (PUBLIC HEARING).
B. APPROVE SCHEDULE OF BILLS, INCLUDING ADDENDUM. (SEE ATTACHED)

DATE	AMOUNT	FUND	CHECK #
8/20/15	\$996.93	General	100
8/21/15	\$292,117.78	Gen, R&B 1&4, DA hot check fund, Aging, Drug Forf fund	254800-254859

8/24/15	\$189,495.00	General	254905
8/25/15	\$75,853.26	Grant Fund	1070
8/25/15	\$45,000.00	R&B 1-4	254906
8/28/15	\$37,972.01	Gen, Hotel Occup tax fund, R&B 2-4	254907-254950
8/28/15	\$717.00	Grant Fund	779
8/28/15	\$15.00	General	254968
8/31/15	\$3,466.66	Grant Fund	780
8/31/15	\$375,597.87	Gen, R&B 1-4, Security, Pretrial Inter, Aging, Adult Superv, CCAP Juv Prob	933-938
8/31/15	\$1,422.00	General	118894-119006
8/31/15	\$3,815.17	Gen, R&B 1-4, Security	254969-254974
9/1/15	\$156,337.89	Gen, R&B 1-4, Secur, Pretrial Interv, Aging, Adult Superv, CCAP Juv Prob	940
9/1/15	\$18,127.74	General, Aging	254975-254978
9/1/15	\$241,165.14	Gen, R&B 1-4, Secur, Pretrial Interv, Aging, CCAP Juv Prob	254980-254986
9/2/15	\$5,427.52	Retiree Health Benefits	91
9/2/15	\$86.75	General	254987
9/2/15	\$500.00	Bond Fees	201
9/8/15	\$105,717.70	Gen, R&B 1-4, Aging	254988-255050
9/8/15	Addendum	\$33,938.52 (to appear on future schedule)	
TOTAL	\$1,553,831.42		

- C. APPROVE AGREEMENT WITH CITY OF LIVINGSTON FOR (LVFD) FIREFIGHTING SERVICES IN FY2016.
- D. APPROVE ORDER DESIGNATING REGULAR TERMS OF COMMISSIONERS COURT FY2016, PURSUANT TO LOCAL GOVERNMENT CODE, 81.005(A). (SEE ATTACHED)
- E. APPROVE ORDER SETTING JUROR REIMBURSEMENT FOR FY2016 (OCTOBER 1, 2015 – SEPTEMBER 30, 2016). (SEE ATTACHED)
- F. ADOPT RESOLUTION EXPRESSING INTENT TO REIMBURSE CERTAIN FY2016 EXPENDITURES (CAPITAL PURCHASES) TO BE INCURRED BY POLK COUNTY, TEXAS (REIMBURSEMENT RESOLUTION). (SEE ATTACHED)
- G. APPROVE RENEWAL AGREEMENT WITH INTEGRATED DATA SERVICES FOR COUNTY CLERK'S IMAGING SOFTWARE MAINTENANCE FOR FY2016.
- H. RECORD CERTIFICATE OF PARTICIPATION FOR COMMISSIONER BOB WILLIS AT 2015 TCDRS ANNUAL CONFERENCE. (SEE ATTACHED)

- I. DISCUSSED INDIVIDUALLY.
- J. APPROVE PRECINCT 2 COMMISSIONER'S REQUEST FOR ORDER OF ACCEPTANCE FOR PUBLIC MAINTENANCE OF HAMMERBILL STREET AND SEA GULL DRIVE, AS SET ASIDE IN THE FINAL PLAT OF LAKE LIVINGSTON ESTATES SECTION FOUR SUBDIVISION OF POLK COUNTY, TEXAS, INCLUDING SPECIFIED VARIANCE. (SEE ATTACHED)
- K. APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN POLK COUNTY AND STANLEY CROW FOR DESIGNATION OF COUNTY STAGING (CSA) AT VF FACTORY OUTLET PARKING FACILITY. (SEE ATTACHED)
- L. APPROVE HOMELAND SECURITY GRANT PROGRAM – PROPERTY TRANSFER RECORD AGREEMENT FOR THE TRANSFER OF ONE (1) DELL POWEREDGE 2900 SERVER FROM DEEP EAST TEXAS COUNCIL OF GOVERNMENTS TO POLK COUNTY OFFICE OF EMERGENCY MANAGEMENT.

DISCUSSION OF CONSENT AGENDA ITEM I BY RACHELL HUNT, ASSISTANT DISTRICT ATTORNEY, AND DAVID WAXMAN.

- I. MOTIONED BY MILTON PURVIS, SECONDED BY BOB WILLIS, APPROVAL OF CONTRACT WITH GOODWIN LASITER STRONG FOR ENGINEERING SERVICES AND AGREEMENT WITH DAVID WAXMAN, INC. FOR PROJECT ADMINISTRATION AND MANAGEMENT SERVICES RELATING TO TEXAS CAPITAL FUND INFRASTRUCTURE PROJECT – CORRIGAN OSB, LLC, AUTHORIZING JUDGE MURPHY TO EXECUTE BOTH AGREEMENTS FOLLOWING FINAL LEGAL REVIEW.
ALL VOTING YES.

11. PERSONNEL MATTERS:

- A. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE PERSONNEL ACTION FORM REQUESTS SUBMITTED SINCE LAST MEETING, DELETING REQUEST #1.
ALL VOTING YES (SEE ATTACHED)

12. BUDGET REVISIONS/AMENDMENTS:

- A. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE BUDGET REVISIONS #2015-21, AS PRESENTED BY THE COUNTY AUDITOR.
ALL VOTING YES. (SEE ATTACHED)
- B. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE BUDGET AMENDMENTS #2015-21(A), AS PRESENTED BY THE COUNTY AUDITOR.
ALL VOTING YES. (SEE ATTACHED)

JUDGE MURPHY ASKED IF COMMISSIONER WILLIS & OVERSTREET WERE IN AGREEMENT TO SELL PROPERTIES AS LISTED IN ITEM 13, BOTH AGREED YES.

13. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, APPROVAL OF OFFERS TO PURCHASE TAX FORECLOSED PROPERTIES, AS FOLLOWS:

- A. (PCT 1) LOTS 33 & 34, BLK 4, SEC 1, LAKELAND HIDEAWAY, CAUSE #T14-002.
- B. (PCT 1) LOTS 66 & 67, SEC 6, WILD COUNTRY LAKE ESTATES, CAUSE #T10-125.
- C. (PCT 1) LOTS 15-17 & 31-33, BLK 5, SEC 1, WILD COUNTRY LAKE ESTATES, CAUSE #T10-154.
- D. (PCT 4) LOTS 126 & 127, SEC 1, INDIAN SPRINGS LAKE ESTATES, CAUSE #T13-027.
- E. (PCT 4) LOTS 2, 4 & 6, BLK 9, SEC 2 & LOTS 192 & 194, SEC 16, INDIAN SPRINGS LAKE ESTATES, CAUSE #T14-227.

ALL VOTING YES.

14. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO RATIFY CONTRACT WITH OFFICE OF THE ATTORNEY GENERAL FOR DISTRICT ATTORNEY VICTIM COORDINATOR AND LIAISON (VCLG) GRANT PROGRAM FOR 2015-2016, CONTINGENT ON BUDGET ADJUSTMENT ELIMINATING SALARY INCREASE AND USING FUNDS FOR OPERATING COSTS.

ALL VOTING YES

DISCUSSION OF ITEM 15 BY JUDGE MURPHY & DERYL OATES.

15. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO TABLE "DISCUSSION AND ANY NECESSARY ACTION REGARDING PURCHASE & INSTALLATION OF ADDITIONAL FAX MACHINE FOR ENVIRONMENTAL ENFORCEMENT OFFICE" AND REQUEST DISTRICT ATTORNEY'S REVIEW OF ANY STATUTORY REQUIREMENT FOR DEDICATED MACHINE.

ALL VOTING YES.

DISCUSSION OF ITEM 16 BY EMERGENCY MANAGEMENT COORDINATOR LARRY PITTS WHO STATED SOME AREAS HAD RECEIVED A GOOD AMOUNT OF RAIN AND OTHERS HAD NOT SO HE SUGGESTED BURN BAN CONTINUE TO BE IN EFFECT.

16. CONSIDER WHETHER CIRCUMSTANCES CONTINUE TO EXIST IN THE UNINCORPORATED AREAS OF THE COUNTY CREATING A PUBLIC SAFETY HAZARD THAT WOULD BE EXACERBATED BY OUTDOOR BURNING PROHIBITED UNDER THE COMMISSIONERS COURT (BURN BAN) ORDER

ADOPTED ON AUGUST 11, 2015 AND TAKE ANY NECESSARY ACTION ON THE COURT FINDINGS.
NO ACTION TAKEN. (BURN BAN TO REMAIN IN EFFECT).

RACHELL HUNT DISCUSSED ITEM 17, PROVIDING MATTERS OF CONCERN IDENTIFIED IN HER LEGAL REVIEW OF THE PROPOSED AGREEMENT.

17. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, TO TABLE "APPROVE AGREEMENT FOR COURTHOUSE ELEVATOR AND LIFT MAINTENANCE SERVICES", REQUESTING THAT MS. HUNT ADDRESS HER CONCERNS WITH THE COMPANY TO SEE IF A RESOLUTION WAS POSSIBLE.

ALL VOTING YES.

RACHELL HUNT & TAX ASSESSOR COLLECTOR LESLIE BURKS DISCUSSED ITEM 18, WITH MS. HUNT DETAILING HER CONCERNS IDENTIFIED IN LEGAL REVIEW OF THE PROPOSED AGREEMENT.

18. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, TO TABLE "CONSIDER REQUEST FROM TAX ASSESSOR-COLLECTOR FOR APPROVAL OF CONTRACT WITH OFFICIAL PAYMENTS FOR CREDIT CARD SERVICES THROUGH POLK COUNTY TAX OFFICE", REQUESTING THAT MS. HUNT ADDRESS HER CONCERNS WITH THE COMPANY TO SEE IF A RESOLUTION WAS POSSIBLE.

ALL VOTING YES.

RACHEL HUNT & DAVID WAXMAN DISCUSSED ITEM 19 TO RESOLVE CONCERNS IDENTIFIED IN LEGAL REVIEW OF THE PROPOSED CONTRACT.

19. MOTIONED BY MILTON PURVIS, SECONDED BY BOB WILLIS, TO RECEIVE LEGAL REVIEW RELATING TO CONTRACT BETWEEN POLK COUNTY AND CORRIGAN OSB, LLC ON THE RESPONSIBILITY OF THE PARTIES IN CONNECTION WITH THE TEXAS CAPITAL FUND CONTRACT 7215092 AND APPROVE FINAL CONTRACT TERMS, AUTHORIZING JUDGE MURPHY TO EXECUTE THE FINAL FORM OF THE CONTRACT TO BE PROVIDED BY MS. HUNT.

ALL VOTING YES.

ADJOURN:


MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO ADJOURN COURT THIS 8TH
DAY OF SEPTEMBER, 2015 AT 11:13 A.M.

ALL VOTING YES.



SYDNEY MURPHY, COUNTY JUDGE

ATTEST:



SCHELANA HOCK, COUNTY CLERK