

STATE OF TEXAS §

DATE: OCTOBER 13, 2015

COUNTY OF POLK §

REGULAR MEETING

ALL PRESENT

## COMMISSIONERS COURT

AGENDA POSTING #2015 - 132

Be it remembered on this The 13<sup>TH</sup> day Of OCTOBER, 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. JUDGE MURPHY WELCOMED EVERYONE AND CALLED MEETING TO ORDER AT 10:00 A.M.
  - INVOCATION LED BY JAY BURKS OF POLK CO MAINTENANCE DEPT.
  - PLEDGE OF ALLEGIANCE TO U.S. & TEXAS FLAGS LED BY JIM JOHNSON.
  
2. PUBLIC COMMENTS:

JIM JOHNSON INFORMED COURT OF THE SPCA FUNDRAISER AT BLUE DUCK IN LIVINGSTON FROM 11 A.M. TO 9:00 P.M. TODAY AND THURSDAY, OCTOBER 15TH. HE STATED FOOD WOULD BE SERVED AND THERE WILL BE A SILENT AUCTION IN THE LOBBY AREA.
  
3. INFORMATIONAL REPORTS:
  - A. PRESENTATION OF RESOLUTIONS RECOGNIZING THE SERVICE AND RETIREMENT OF JEAN LEBLANC-JUVENILE PROBATION, STEVE HULLIHEN-DATA PROCESSING AND GINA HULLIHEN-DELINQUENT TAX OFFICE. (GINA HULLIHEN UNABLE TO ATTEND)  
(SEE ATTACHED)

4. OLD BUSINESS (TABLED FROM LAST AGENDA)

RACHELL HUNT & JAY BURKS DISCUSSED ITEM 4.A.

A. MOTIONED BY MILTON PURVIS, SECONDED BY RONNIE VINCENT, APPROVAL OF AGREEMENT FOR COURTHOUSE ELEVATOR AND LIFT MAINTENANCE.

ALL VOTING YES.

NEW BUSINESS

5. CONSENT AGENDA: JUDGE MURPHY NOTED ITEM B INCLUDES ADDENDUMS IN THE AMOUNT OF \$29,822.93(FY15) & \$34,178.66(FY16), COMMISSIONER PURVIS ASKED TO DISCUSS ITEM I INDIVIDUALLY.

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

A. APPROVE MINUTES OF SEPTEMBER 22, 2015 (REGULAR SESSION) AND SEPTEMBER 30, 2015 (EMERGENCY MEETING).

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

DATE	AMOUNT	FUND	CHECK #
<u>FY15</u>			
9/18/15	\$9,403.20	GRANT	786-789
9/18/15	\$3,767.00	GRANT	790
9/18/15	\$167.45	GENERAL, POLK CO HISTORICAL	1585-1586
9/18/15	\$78,280.10	GEN, R&B 1,3,4, AGING	255278-255328
9/22/15	\$5,226.76	GRANT	791-793
9/22/15	\$14,148.47	GEN, R&B 2, DA HOT CK FUND	255386-255389
9/23/15	\$378,353.87	GEN, R&B 1-4, SECUR, PRETRIAL INTERV, AGING, ADULT SUPERV, CCAP JUV PROB	947-952
9/23/15	\$227.64	GENERAL	953-955
9/25/15	\$3,613.90	ADULT SUPERVISION	956
9/25/15	\$3,577.14	SHERIFFS FED REV SHARING	1045-1048
9/25/15	\$3,852.17	GEN, R&B 1-4	255390-255395
9/25/15	\$25,742.51	GEN, R&B 2,3, PRETRIAL INTERV, DA HOT CK FUND, AGING	255396-255444
9/25/15	\$6,429.81	GENERAL FUND	255451-255452
9/28/15	\$1,106.49	GRANT FUND	794
9/29/15	\$43,656.92	GEN, R&B 104, SECUR, PRETRIAL INTERV, AGING, CCAP JUV PROB	255453

9/30/15	\$256,900.86	GRANT FUND	795
9/30/15	\$966.00	GENERAL FUND	119138-119295
9/30/15	\$84.00	GENERAL FUND	119296-119306
9/30/15	\$27,154.62	GEN, R&B 1-4, SECUR, PRETRIAL INTERV, AGING, ADULT SUPERV, CCAP JUV PROB	255454-255460
9/30/15	\$175,223.40	GEN, R&B 104, LAW LIBRARY, PRETRIAL INTERV, AGING	255461-255534
9/30/15	\$24,707.97	GEN, R&B 1,2,4, AGING	255535-255569
10/1/15	\$156,512.28	GEN, R&B 1-4, SECUR, PRETRIAL INTERV, AGING, ADULT SUPERRV, CCAP JUV PROB	957
10/2/15	\$7,903.20	RETIREE HEALTH BENEFITS	94
10/2/15	\$220,623.17	GEN, R&B 104, SECURITY, PRETRIAL INTERV, AGING, CCAP JUV PROB	255574
10/13/15	\$54,641.18	GEN, R&B 1-4, LAW LIBRARY	255585-255623
<b>FY16</b>			
10/1/15	\$3,466.66	GRANT FUND	796
10/1/15	\$18,127.74	GENERAL, AGING	255570-255573
10/13/15	\$10,266.57	GEN, R&B 1,2,4	255575-255584
10/13/15	ADDENDUM	\$29,822.93 (FY15) (TO APPEAR ON FUTURE SCHEDULE)	
10/13/15	ADDENDUM	\$34,178.66 (FY16) (TO APPEAR ON FUTURE SCHEDULE)	
<b>TOTAL</b>	<b>\$1,534,131.08</b>		

- C. APPROVE REQUEST FROM RAY MYERS, CONSTABLE PRECINCT 3, FOR THE APPOINTMENT OF PAUL BENFER AS RESERVE DEPUTY CONSTABLE PRECINCT 3 AND APPROVE RELATED BOND, AUTHORIZING THE COUNTY JUDGE TO EXECUTE THE SAME.
- D. APPROVE PRECINCT 2 REQUEST TO ADVERTISE FOR BIDS FOR THE PURCHASE OF ROAD MATERIALS RELATING TO COUNTY TRANSPORTATION INFRASTRUCTURE FUND GRANT PROGRAM – ROCKY CREEK ROAD IMPROVEMENT PROJECT.
- E. RATIFY SALES ORDER TO EXTEND AGREEMENT WITH ACS FOR DISTRICT CLERK’S RECORDS IMAGING ON A MONTHLY BASIS FOR UP TO ONE YEAR.



- F. APPROVE INTERLOCAL AGREEMENT WITH LUBBOCK COUNTY RENEWING POLK COUNTY'S PARTICIPATION IN THE REGIONAL PUBLIC DEFENDER PROGRAM.
- G. APPROVE RESOLUTION IN SUPPORT OF FY2016 INDIGENT DEFENSE FORMULA GRANT APPLICATION. (SEE ATTACHED)
- H. APPROVE INDIGENT DEFENSE FY2016 DISCRETIONARY GRANT PROGRAM AWARD TO FUND A POSITION FOR INDIGENT DEFENSE COORDINATOR.
- I. DISCUSSED INDIVIDUALLY.
- J. APPROVAL OF AGREEMENTS FOR TEXAS DEPARTMENT OF TRANSPORTATION OFF-SYSTEM BRIDGE REPLACEMENT OR REHABILITATION PROJECTS, AS FOLLOWS:
  - (PCT 2) CSJ#0911-04-086 CANEY CREEK ON FOREST HILLS LP;  
CSJ#0911-04-081 TRIB. LONG KING CREEK ON HORACE BONDS RD;  
CSJ#0911-04-072 KICKAPOO CREEK ON WELLS LANDING RD;
  - (PCT 3) CSJ#0911-04-084 KIBBLE CREEK ON OAKDALE LP;  
CSJ#0911-04-083 TRIB. LONG KING CREEK ON OLD HWY 35 N;  
CSJ#0911-04-082 CANEY CREEK ON DARDEN RD;  
CSJ#0911-04-075 PINEY CREEK ON NINE BRIDGE RD;  
CSJ#0911-04-073 BARNETT CREEK ON OLD BERRING RD;  
CSJ#0911-04-071 PACES CREEK ON PUNK RD;  
CSJ#0911-04-080 BUNDIX CREEK ON ROCK ISLAND RD;
  - (PCT 4) CSJ#0911-04-078 BEECH CREEK ON NETTLES CEMETERY RD;  
CSJ#0911-04-079 DOUBLE BRANCH ON SEGNO FIRE LN;  
CSJ#0911-04-077 TRIB. OF BIG SANDY CREEK ON SEGNO FIRE LN;  
CSJ#0911-04-076 HICKORY CREEK ON COUNTY LINE RD;  
CSJ#0911-04-074 DRAW ON REVIA RD;  
CSJ#0911-04-034 BLUE BRANCH ON BLUEWATER RD;  
CSJ#0911-04-085 MENARD CREEK ON DUFF RD
- K. RECEIVE AND RECORD (2015) CERTIFICATION OF TRAINING, PURSUANT TO GOV'T CODE, SEC 551.005 AND 552.012, FOR DISTRICT CLERK BOBBYE RICHARDS. (SEE ATTACHED)
- L. APPROVE PRECINCT 4 (CAMP SEALE) ROAD USE AGREEMENT WITH SENDERO ENERGY.

DISCUSSION OF ITEM 5.I. BY COMMISSIONER PURVIS.

- I. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE ANNUAL RENEWAL OF LEASE AGREEMENT WITH DR. LEWIS FOR MEDICAL CLINIC SPACE LOCATED IN THE M.G. REILY HUMANITARIAN BULDING IN CORRIGAN AND ADDING JAMES BLEDSOE AS ADDITIONAL LEASE HOLDER.  
ALL VOTING YES.

6. PERSONNEL MATTERS:

- A. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, APPROVAL OF PERSONNEL ACTION FORM REQUESTS, AS REVISED, SUBMITTED SINCE LAST MEETING.  
ALL VOTING YES. (SEE ATTACHED)

7. REVISIONS AND/OR AMENDMENTS TO THE BUDGET:

- A. MOTIONED BY MILTON PURVIS, SECONDED BY BOB WILLIS, TO APPROVE BUDGET REVISIONS #2015-23 & #2016-01 (FY2015 AND FY2016), AS PRESENTED BY THE COUNTY AUDITOR.  
ALL VOTING YES. (SEE ATTACHED)

- B. MOTIONED BY RONNIE VINCENT, SECONDED BY TOMMY OVERSTREET, TO APPROVE BUDGET AMENDMENTS #2015-23(A) (FY2015), AS PRESENTED BY THE COUNTY AUDITOR.  
ALL VOTING YES. (SEE ATTACHED)

8. REQUESTS FOR CAPITAL PURCHASES TO BE PAID FROM (STATED) FUND BALANCE AND INCLUDED ON THE FY2016 REIMBURSEMENT RESOLUTION FOR YEAR-END ISSUANCE OF LEGALLY AUTHORIZED DEBT, AS FOLLOWS:

- A. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, APPROVAL OF REQUEST FROM JUSTICE OF THE PEACE, PRECINCT 4, JAMIE JONES FOR CAPITAL PURCHASE OF SCANNER AND SHREDDER TOTALING \$2,316 TO BE PAID FROM GENERAL FUND BALANCE.  
ALL VOTING YES.

DISCUSSION OF ITEM 9.

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

- A. (PCT 1) LOTS 41 & 42, SEC 6, LAKE LIVINGSTON VILLAGE, CAUSE #T09-149,
- B. (PCT 1) LOT 68, SEC 2, LAKE LIVINGSTON VILLAGE, CAUSE #T11-113,
- C. (PCT 1) LOT 284, SEC 13, LAKE LIVINGSTON VILLAGE, CAUSE #T12-190,
- D. (PCT 1) LOT 61, SEC 12, LAKE LIVINGSTON VILLAGE, CAUSE #T09-128,
- E. (PCT 1) LOT 32, BLK 11, SEC 2, LAKESHORE ESTATES, CAUSE #T12-103,
- F. (PCT 2) LOT 61, BENTWOOD BEND, CAUSE #T08-119,
- G. (PCT 2) LOTS 43 & 44, BLK 1, SEC 4, TWIN HARBORS, CAUSE #T14-161,
- H. (PCT 4) LOT 225, SEC 1, INDIAN SPRINGS, CAUSE #T09-133.

ALL VOTING YES.

10. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, APPROVAL TO FILE CLAIM WITH STATE COMPTROLLER, PURSUANT TO GOV'T CODE, SEC. 61.0015(b) FOR REIMBURSEMENT OF A PORTION OF THE JUROR FEES PAID BY POLK COUNTY DURING THE PERIOD OF JULY 1, 2015 THROUGH SEPTEMBER 30, 2015.

ALL VOTING YES.

11. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO RECEIVE CONSTABLE QUARTERLY REPORTS FOR WARRANT SERVICE PROGRAM, SUBMITTED BY CONSTABLES RAY MYERS(PCT 3) AND BUBBA PIPER(PCT 4). NO REPORT SUBMITTED BY SCOTT HUGHES(PCT 1) AND BILL CUNNINGHAM(PCT 2).

ALL VOTING YES.

DISCUSSION OF ITEM 12.

12. MOTIONED BY RONNIE VINCENT, SECONDED BY MILTON PURVIS, TO APPROVE JUSTICE COURT PRECINCT 2 REQUEST FOR DSL/BROADBAND SERVICE FROM EASTEX NET TO BE FUNDED BY CONTINGENCY FUNDS THAT WILL BE MOVED INTO JP2 GENERAL FUND OPERATING LINE ITEM BY FUTURE BUDGET REVISION.

ALL VOTING YES.

DISCUSSION OF ITEM 13 & 15 BY COUNTY CLERK SCHELANA HOCK.

13. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, TO APPROVE APPOINTMENT OF ELECTION JUDGES AND ALTERNATES FOR A 1 YEAR PERIOD PENDING VERIFICATION OF VOTER REGISTRATION OF THREE JUDGES, APPOINT ART ZIEBELL AS EARLY VOTING BALLOT BOARD JUDGE AND APPROVE EARLY VOTING SCHEDULE FOR THE NOVEMBER 3, 2015



CONSTITUTIONAL AMENDMENT ELECTION.

ALL VOTING YES. (SEE ATTACHED)

14. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, APPROVAL OF COUNTY CLERKS REQUEST TO CONSOLIDATE ELECTION PRECINCTS FOR THE NOVEMBER 3, 2015 CONSTITUTIONAL AMENDMENT ELECTION PURSUANT TO TEXAS ELECTION CODE §42.0051.

ALL VOTING YES. (SEE ATTACHED)

15. MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, TO APPROVE COUNTY CLERK REQUEST FOR APPOINTMENT OF ELECTION JUDGES FOR CONSOLIDATED ELECTION PRECINCTS, PURSUANT TO TEXAS ELECTION CODE §32.003.

ALL VOTING YES. (SEE ATTACHED)

16. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, APPROVAL OF INTERLOCAL AGREEMENT WITH THE CITY OF GOODRICH FOR ENVIRONMENTAL ENFORCEMENT SERVICES.

ALL VOTING YES. (SEE ATTACHED)

17. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE THE FY2016 RE-BIDS AS FOLLOWS:

- A. 2016-01.05 (PCT 1 LIMESTONE BASE) TO EAST TX ASPHALT  
2016-01.06 (PCT 1 OTHER BASE MATERIALS) TO BRAD SMITH, EAST TX ASPHALT & SOUTHERN CRUSHED CONCRETE  
2016-01.07 (PCT 1 BULK MATERIALS) N/A – NO BID RECEIVED.
- B. 2016-02.05 (PCT 2 LIMESTONE BASE) TO EAST TX ASPHALT  
2016-02.06 (PCT 2 OTHER BASE MATERIALS) TO EAST TX ASPHALT, SOUTHERN CRUSHED CONCRETE, D WASHBURN PAVING COMPANY & BRAD SMITH  
2016-02.07 (PCT 2 BULK MATERIALS) N/A – NO BID RECEIVED.
- C. 2016-03.05 (PCT 3 LIMESTONE BASE) TO EAST TX ASPHALT  
2016-03.06 (PCT 3 OTHER BASE MATERIALS) TO EAST TX ASPHALT, SOUTHERN CRUSHED CONCRETE, BRAD SMITH & D WASHBURN PAVING  
2016-03.07 (PCT 3 BULK MATERIALS) N/A – NO BID RECEIVED.
- D. 2016-04.05 (PCT 4 LIMESTONE BASE) TO EAST TX ASPHALT  
2016-04.06 (PCT 4 OTHER BASE MATERIALS) TO BRAD SMITH, SOUTHERN CRUSHED CONCRETE, EAST TX ASPHALT & D WASHBURN PAVING  
2016-05.07 (PCT 4 BULK MATERIALS) N/A – NO BIDS RECEIVED.
- E. 2016-05 (BULK PURCHASE OF LIMESTONE ROAD BASE) TO EAST TX ASPHALT

F. 2016-06 (TIRES & TUBES) TO SOUTHERN TIRE MART, WAYNE'S TIRE SHOP, A  
TO Z TIRE AND BEASLEY TIRE SERVICE

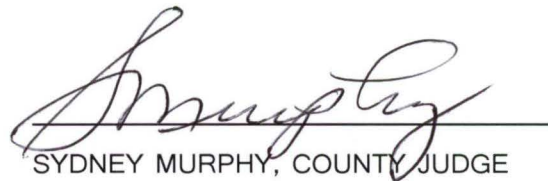
G. 2016-09 (MOTOR GRADER BLADES) TO MUSTANG CAT, TX TIMBER JACK,  
DOGGETT AND VALK.

ALL VOTING YES.

ADJOURN:

MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO ADJOURN COURT THIS 13<sup>TH</sup>  
DAY OF OCTOBER, 2015 AT 10:27 A.M.

ALL VOTING YES.

  
SYDNEY MURPHY, COUNTY JUDGE

ATTEST:

  
SCHELANA HOCK, COUNTY CLERK