

STATE OF TEXAS §

DATE: February 23, 2016

COUNTY OF POLK §

REGULAR MEETING

ALL PRESENT

COMMISSIONERS COURT

AGENDA POSTING #2016 - 022

Be it remembered on this The 23RD day Of FEBRUARY, 2016, 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 BYRON LYONS.

- PLEDGE OF ALLEGIANCE TO U.S. & TEXAS FLAGS LED BY JIM JOHNSON.

2. PUBLIC COMMENTS: NONE.

3. INFORMATIONAL REPORTS:

1. JERRY HATHORN WITH POLK COUNTY HEALTH ADVISORY COALITION UPDATED THE COURT ON NUMBER OF CLIENTS THEY'VE HAD AND THAT THEY'VE PARTNERED WITH TEXAS AGRILIFE TO PRESENT MOST RECENT DATA AVAILABLE.

2. DISTRICT CLERK BOBBYE RICHARDS UPDATED COURT ON DISTRICT CLERK'S OFFICE ACTIVITY, PROJECTS AND NEW PROCEDURES/POLICIES THEY'VE PUT IN PLACE SINCE JULY 2015.

3. COMMISSIONER OVERSTREET INFORMED EVERYONE OF THE UPCOMING 39TH ANNUAL FIRESCHOOL TO BE HELD AT THE POLK COUNTY FIRE TRAINING FIELD ON SATURDAY, FEBRUARY 27, 2016.

NEW BUSINESS

4. CONSENT AGENDA: JUDGE MURPHY NOTED ITEM B. INCLUDES AN ADDENDUM IN THE AMOUNT OF \$35,873.58, ITEM E IS AN UPDATED PLAN AND ITEM G INCLUDES THE DISTRICT CLERK'S POLICY FOR CHANGE FUNDS. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO APPROVE THE CONSENT AGENDA AS FOLLOWS: (ALL VOTING YES)

A. APPROVE MINUTES OF FEBRUARY 9, 2016 (REGULAR SESSION).

B. APPROVE SCHEDULE OF BILLS INCLUDING ADDENDUM. (SEE ATTACHED)

| DATE | AMOUNT | FUND | CHECK # |
|---------|----------------|--|---------------|
| 2/3/16 | \$1,000.00 | General | 257468 |
| 2/3/16 | \$111,824.98 | Gen, Hotel Occ, JP Justice Crt Tech, R&B 1-4, Security, Sheriff Comm | 257522-257584 |
| 2/4/16 | \$2,702.75 | Retiree Health | 103 |
| 2/5/16 | \$504.00 | Grant | 822 |
| 2/5/16 | \$7,259.82 | Gen, R&B 1,2,4, Aging | 257603-257618 |
| 2/8/16 | \$38,586.25 | Polk Co Hist Comm | 1606 |
| 2/9/16 | \$302,234.83 | Debt Serv, Drug Forf | 257677-257682 |
| 2/9/16 | \$4,747.56 | General | 257683 |
| 2/10/16 | \$661,615.62 | Debt Service | 044 |
| 2/10/16 | \$592,600.00 | 2012,2013 Tax Notes | 220 |
| 2/10/16 | \$95.28 | Grant | 823-824 |
| 2/11/16 | \$1,500,000.00 | General (Investments) | 045 |
| 2/12/16 | \$1,344.80 | Adult Sprv, CCAP Juv Prob | 046 |
| 2/12/16 | \$92,053.86 | Gen, R&B 1-4, Security, Pretrial, Aging, Adult Sprv, CCAP Juv Prob | 047,048,049 |
| 2/12/16 | \$276,047.61 | Gen, R&B 1-4, Security, Pretrial, Aging, Adult Sprv, CCAP Juv Prob | 050 |
| 2/12/16 | \$3,215.23 | Gen, R&B 3,4 | 051 |
| 2/12/16 | \$730.45 | Grant | 825 |
| 2/12/16 | \$6,446.27 | Grant | 1073 |
| 2/12/16 | \$3,347.20 | General | 257737-257742 |
| 2/12/16 | \$1,028.55 | General, Judiciary | 257743-257747 |
| 2/12/16 | \$43,910.10 | Gen, R&B 1-4, Sheriff Comm | 257684-257736 |
| 2/12/16 | \$3,070.10 | Gen, R&B 1-4 | 257748-257752 |

| | | | |
|--------------|-----------------------|--|---------------|
| 2/23/16 | \$99,751.07 | Gen, R&B 1-4, Aging, Drug Forf, Co Clerk Records Mgmt | 257753-257797 |
| 2/23/16 | Addendum | \$35,873.58 (to appear on future schedule) | |
| TOTAL | \$3,754,116.33 | | |

- C. RECEIVE CERTIFICATION OF COMPLETION OF 2015 CONTINUING EDUCATION FOR TOMMY OVERSTREET, COMMISSIONER PCT. 4, AS PRESCRIBED IN SECTION 81.0025 OF THE TEXAS GOVERNMENT CODE. (SEE ATTACHED)
 - D. ACCEPT PUBLIC ASSISTANCE GRANT DR4223 SUBGRANT AWARDS FOR THE FOLLOWING (PCT. 2) PROJECTS; 01113 OLD GROVETON ROAD, 0366 RAY MARSH RD/PRIDGEN RD FOR REPAIR OF RETAINING WALL, ROAD & CULVERT DAMAGE INCURRED DURING DECLARED DISASTER (MAY 2015).
 - E. APPROVE UPDATED COUNTY COMMUNITY PLAN AS REQUIRED BY GOVERNOR'S OFFICE CRIMINAL JUSTICE GRANT PROGRAMS. (SEE ATTACHED)
 - F. APPROVE INTERLOCAL AGREEMENT BETWEEN POLK COUNTY AND THE CITY OF LIVINGSTON FOR THE COUNTY'S PROVISION OF ELECTION EQUIPMENT AND SERVICES FOR THE MAY 7, 2016 ELECTION. (SEE ATTACHED)
 - G. APPROVE DISTRICT CLERK'S REQUEST TO ESTABLISH (4) OFFICE CHANGE FUNDS AND POLICY FOR INTERNAL USE OF SAID FUNDS, AS RECOMMENDED BY COUNTY AUDITOR.
 - H. APPROVE MEDICAL SERVICE AGREEMENT WITH CHI ST. LUKE'S HEALTH MEMORIAL (LIVINGSTON AND LUFKIN FACILITIES) AS MANDATED PROVIDERS FOR THE COUNTY INDIGENT HEALTHCARE PROGRAM.
5. PERSONNEL MATTERS:
- A. MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, TO APPROVE PERSONNEL ACTION FORM REQUESTS SUBMITTED SINCE LAST MEETING (NO EMERGENCY HIRES).
ALL VOTING YES. (SEE ATTACHED)
6. BUDGET AMENDMENTS:
- A. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE BUDGET AMENDMENTS #2016-09(A), AS PRESENTED BY THE COUNTY AUDITOR.
ALL VOTING YES. (SEE ATTACHED)

7. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, APPROVAL OF OFFERS TO PURCHASE TAX FORECLOSED PROPERTIES, AS FOLLOWS:

(PCT 1) LOT 34, SEC 11, LAKE LIVINGSTON VILLAGE, CAUSE #T15-061
LOT 19, BLK 6, SEC 2, LAKESHORE ESTATES, CAUSE #T07-163

(PCT 2) LOTS 27-36, SEC 3, LAKE LIVINGSTON R&R CLUB, CAUSE #T12-142
LOT 169, SEC 2, CANYON PARK, CAUSE #T15-017

LOT 64, SEC 1, CANYON PARK, CAUSE #T12-291

PART OF LOT 2, BLK 6, KICKAPOO FOREST, CAUSE #T09-015

LOT 24, OAK RIDGE, CAUSE #T10-291

(PCT 3) TR 102, .572 ACRE, I.N. MORELAND SURVEY, ABST 54, CAUSE #T10-390

(PCT 4) LOTS 246 & 246, SEC 22, BIG THICKET LAKE ESTATES, CAUSE #T03-116

ALL VOTING YES.

8. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO APPROVE PRECINCT 4 REQUEST TO ADVERTISE FOR BIDS FOR THE PURCHASE OF ONE (1) NEW OR LATE MODEL BACKHOE AND FRONT END LOADER, WITH OR WITHOUT TRADE-IN OF 1995 FORD BACKHOE MODEL 555D, TO BE PAID BY ROAD & BRIDGE PCT 4 FUND BALANCE AND INCLUDED ON FY2016 REIMBURSEMENT RESOLUTION FOR YEAR-END ISSUANCE OF LEGALLY AUTHORIZED DEBT (TAX NOTES).

ALL VOTING YES.

DISCUSSION OF AGENDA ITEM 9 BY JUDGE MURPHY, EDWIN COLFAX – GRANT PROGRAM MANAGER FOR TEXAS INDIGENT DEFENSE COMMISSION, COMMISSIONERS, COUNTY COURT AT LAW JUDGE TOM BROWN, DISTRICT JUDGE KAYCEE JONES, DISTRICT JUDGE ERNIE MCCLENDON, LOCAL ATTORNEY DANA WILLIAMS AND DISTRICT ATTORNEY LEE HON. JUDGES BROWN, JONES AND MCCLENDON PROVIDED THE COURT WITH INFORMATION REGARDING PROCEDURES THEY HAVE EACH INSTITUTED IN AN EFFORT TO REDUCE INDIGENT DEFENSE COSTS AND NOTED THAT – ALTHOUGH THEY EACH SUPPORT THE ESTABLISHMENT OF A PUBLIC DEFENDER’S OFFICE IN POLK COUNTY – THEY FEEL THAT FURTHER STUDY NEEDS TO BE DONE IN THE SCOPE AND OPERATIONAL COSTS FOR THE OFFICE.

9. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO DELETE “CONSIDER ANY/ALL NECESSARY ACTION REGARDING GRANT APPLICATION FOR THE ESTABLISHING OF PUBLIC DEFENDER OFFICE”.

ALL VOTING YES.

JUDGE MURPHY THANKED MR. COLFAX FOR THE TIME AND EFFORT HE HAS COMMITTED TO ASSISTING POLK COUNTY IN THIS EFFORT AND REQUESTED THAT THE JUDGES KEEP THE COMMISSIONERS COURT INFORMED AS TO THE INDIGENT DEFENSE ACTIVITY AND POLICIES.

DISCUSSION OF AGENDA ITEM 10 BY JUDGE MURPHY, COMMISSIONERS & TEXAS AGRILIFE EXTENSION AGENT MARK CURRIE RELATING TO CURRENT RATES ASSOCIATED WITH LEASES IN THE THROCKMORTON AND BAYLOR COUNTY AREAS AND HOW THEY COMPARE TO THE EXISTING RATES REFLECTED IN THE POLK COUNTY SCHOOL LAND SURFACE LEASES. THE COURT ASKED MARK CURRIE TO RESEARCH THE MATTER AND REPORT BACK TO THE COURT FOR FURTHER DISCUSSION

10. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO TABLE "CONSIDER ANY NECESSARY ACTION REGARDING SURFACE LEASE AGREEMENT EXPIRING JUNE 30, 2016 FOR POLK COUNTY SCHOOL LAND IN THROCKMORTON AND BAYLOR COUNTIES".

ALL VOTING YES.

DISCUSSION OF AGENDA ITEM 11 BY JUDGE MURPHY, COMMISSIONER PURVIS & AUDITOR MARGIE AINSWORTH.

11. MOTIONED BY MILTON PURVIS, SECONDED BY BOB WILLIS, TO APPROVE TXDOT REQUEST FOR ADDITIONAL LOCAL PARTICIPATION FUNDING IN THE AMOUNT OF \$2,292.60 TO CLOSE-OUT 2007 BRIDGE CONSTRUCTION PROJECT #CSJ1193-02-022 "FM942 AT BARNETT CREEK" TO BE FUNDED FROM GENERAL FUND CONTINGENCY TO ROAD & BRIDGE FUND PCT. 3.

ALL VOTING YES.

DISCUSSION OF AGENDA ITEM 12 BY PAT OATES WITH GOODWIN-LASITER-STRONG.

12. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS FOR TDA TEXAS CAPITAL FUND CONTRACT NO. 7215092 (CORRIGAN OSB PROJECT) CONTINGENT UPON ACQUISITION OF UTILITY EASEMENTS FOR THE WATER MAIN.

ALL VOTING YES.

13. MOTIONED BY MILTON PURVIS, SECONDED BY BOB WILLIS, APPROVAL OF CONSTRUCTION CONTRACT CHANGE ORDER NO. 1 FOR GLO IKE 2.2 PACKAGE 3 PLANT ROAD IMPROVEMENT,

NOTING THAT THE ADDITIONAL \$4,200 AMOUNT IS TO BE FUNDED BY ROAD & BRIDGE, PCT 3.
ALL VOTING YES.

DISCUSSION OF AGENDA ITEM 14 AND JUDGE MURPHY STATED JP 1 WAS ON BOARD.

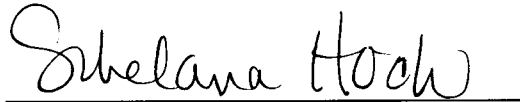
14. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, APPROVAL OF JUSTICE OF THE PEACE, PCT. 4 REQUEST FOR OFFICE MODIFICATIONS TO IMPROVE SECURITY (DOOR REPLACEMENT) WITH ESTIMATED PROJECT TOTAL OF \$2,800.00 TO BE PAID FROM JUSTICE COURT SECURITY FUNDS UTILIZING A PORTION OF JP1 FUND BALANCE.
ALL VOTING YES.

ADJOURN:

MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO ADJOURN COURT THIS 23RD DAY OF FEBRUARY, 2016 AT 11:34 A.M.
ALL VOTING YES.


SYDNEY MURPHY, COUNTY JUDGE

ATTEST:



SCHELANA HOCK, COUNTY CLERK