

STATE OF TEXAS §

DATE: November 8, 2016

COUNTY OF POLK §

REGULAR MEETING

ALL PRESENT

## COMMISSIONERS COURT

AGENDA POSTING #2016 - 117

Be it remembered on this the 8th day Of November, 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 AND CALLED TO ORDER AT 10:00 A.M. BY JUDGE MURPHY.
  - INVOCATION LED BY DON GOODWIN WITH BEECH CREEK ASSEMBLY OF GOD.
  - PLEDGE OF ALLEGIANCE TO U.S AND TEXAS FLAGS LED BY JUDGE MURPHY.
  
2. PUBLIC COMMENTS: NONE.
  
3. INFORMATIONAL REPORTS:
  - A. KIM BARTEL, COMMUNITY LIAISON, INTRODUCED THE REGION 5 PREVENTION RESOURCE CENTER OF THE ALCOHOL & DRUG ABUSE COUNCIL OF DEEP EAST TEXAS.  
  
JUDGE MURPHY INFORMED THE COURT THAT SHERIFF HAMMACK AND DPS ARE CONSIDERING COMMERCIAL DRIVERS TEST SITES IN POLK COUNTY.
  
4. OLD BUSINESS (TABLED FROM LAST AGENDA)
  - A. MOTIONED BY RONNIE VINCENT, SECONDED BY MILTON PURVIS, TO APPROVE MINUTES OF OCTOBER 17, 2016 REGULAR MEETING.

- B. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO TABLE TO THE NEXT MEETING "RECEIVE COUNTY AUDITORS REPORT, PURSUANT TO LOCAL GOVERNMENT CODE SEC 114.025 (FOR THE PERIOD ENDING SEPTEMBER 30, 2016)" AS REQUESTED BY THE AUDITOR. (ALL VOTING YES)

**NEW BUSINESS**

5. CONSENT AGENDA: JUDGE MURPHY NOTED ITEM B INCLUDES TWO ADDENDUMS ONE IN THE AMOUNT OF \$16,354.20 AND THE SECOND IN THE AMOUNT OF \$133,418.26. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO APPROVE THE CONSENT AGENDA AS FOLLOWS: (ALL VOTING YES)

- A. APPROVE MINUTES OF PREVIOUS MEETING OCTOBER 25, 2016 (REGULAR SESSION).  
 B. APPROVE SCHEDULES OF BILLS INCLUDING ADDENDUMS. (SEE ATTACHED)

DATE	AMOUNT	FUND	CHECK #
10/20/16	382,497.09	GEN, R&B 1-4, SECURITY, AGING, ADULT SUPERV, JUV PROB	182-187
10/20/16	2,816.99	GEN, R&B 1-4	261812-261815
10/20/16	739.73	GENERAL	261816-261817
10/20/16	177.50	GEN, JUDICIARY	261818-261819
10/24/16	3,921.85	ADULT SUPERVISION	188
10/24/16	38,833.60	GEN, JUDICIARY	189
10/24/16	74,627.02	JUDICIARY	190
10/24/16	12,493.51	JUDICIARY	191-192
10/24/16	26,392.50	GRANT	881
10/24/16	37,190.00	GRANT	882
10/24/16	364,482.74	GRANT	1082
10/24/16	514.90	GENERAL	261820-261821
10/24/16	145,928.52	GEN, R&B 1-4, AGING	261822-261851
10/24/16	15,228.65	JUDICIARY	261852-261856
10/24/16	40,512.37	R&B 1	261857
10/25/16	1,161.70	GRANT	883
10/25/16	162.48	GENERAL	261858
10/25/16	326.83	GENERAL	261859
10/25/16	133,238.28	R&B 1	261860
10/26/16	8,297.60	RETIREE HEALTH	120

10/26/16	152,511.34	GEN, R&B1-4, SECURITY, AGING, ADULT SUPERV, CCAP JUV PROB	193
10/26/16	9,719.22	GEN, R&B 1	261861
10/26/16	266,846.01	GEN, R&B 1-4, SECURITY, AGING, ADULT SUPERV, JUV PROB	261862-261887
10/27/16	6,723.32	GEN, JUDICIARY	261888-261903
10/27/16	350.00	GENERAL	261904
10/27/16	37,573.13	GEN, R&B 1, 3, AGING	261905-261930
10/27/16	19,868.60	GEN, R&B 1, 3, 4, DIST CLRK RECORD PRESV	261931-261934
10/28/16	7,051.18	POLK CO HIST COMM	1635-1637
10/28/16	2,614.00	GENERAL	261935-261936
11/1/16	3,466.66	GRANT	884
11/1/16	923.88	GEN, R&B 4, DA COLLECTION, AGING	261941-261942
11/1/16	1,800.98	GEN, DA HOT CHK, AGING	261943-261944
11/1/16	59,174.13	GEN, R&B 1, 2, LAW LBRY, AGING, DRUG FORF	261945-261980
11/1/16	5,562.99	GENERAL, AGING	261981-261985
11/1/16	18,807.16	GENERAL, AGING	261986-261989
11/1/16	275.00	GENERAL	261990
11/1/16	5,088.90	DRUG FORF	261991-261993
11/1/16	60.00	GENERAL	261994
11/2/16	2,091.41	GENERAL	261995
11/2/16	31,502.29	GEN, R&B 2, 3, 4, AGING	261996-262028
	ADDENDUM	\$16,354.20 FY2016	
	ADDENDUM	\$133,418.26 FY2017	
<b>TOTAL</b>	<b>\$1,921,554.06</b>		

- C. ACCEPT 2017 RENEWAL OF RETIREE HEALTH AND PRESCRIPTION COVERAGES THROUGH TEXAS ASSOCIATION OF COUNTIES RETIREE MEDICAL PROGRAM.
- D. APPROVE MAINTENANCE AGREEMENT WITH MORPHO TRUST USA FOR LIVESCAN IN THE AMOUNT OF \$1,599 ANNUALLY, AS REQUESTED AND BUDGETED BY DISTRICT CLERK.
- E. APPROVE FINAL PLAT FOR FOREST BEND SUBDIVISION, LOCATED IN PRECINCT 4.
- F. RECEIPT OF NOTICE OF TERMINATION OF LEASE AGREEMENT WITH UTMB FOR PROPERTY LEASED IN THE JAMES J. "BUDDY" PURVIS HUMANITARIAN BUILDING IN

CORRIGAN.

- G. APPROVE AMENDMENT OF CONTRACT WITH WORKFORCE SOLUTIONS TO ADJUST "WORKSITE HOURS" FOR AGING PREPARATION SITE TO CONFORM TO FACILITY'S OPERATING HOURS.
  - H. APPROVE NOTICE OF TERMINATION OF CURRENT AGREEMENT WITH STAR GRAPHICS FOR COUNTY POSTAGE SYSTEM AND INITIATE NEW LEASE WITH PITNEY BOWES.
  - I. APPROVE PAYMENT REQUEST NO. 2 SUBMITTED BY WAY SERVICE LTD. FOR COUNTY ENERGY SAVINGS PROGRAM.
  - J. RECEIPT OF COUNTY TREASURER FY2016 4<sup>TH</sup> QUARTER REPORT (JUL-AUG- SEPT 2016). (SEE ATTACHED)
  - K. RECEIPT OF COUNTY TREASURER ANNUAL INVESTMENT REPORT 2016 (OCT 2015- SEPT 2016). (SEE ATTACHED)
6. PERSONNEL MATTERS:
- A. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, APPROVAL OF PERSONNEL ACTION FORM REQUESTS SUBMITTED SINCE LAST MEETING.  
ALL VOTING YES. (SEE ATTACHED)
7. BUDGET REVISIONS/AMENDMENTS:
- A. MOTIONED BY MILTON PURVIS, SECONDED BY BOB WILLIS, APPROVAL OF BUDGET REVISION #2017-02 AND AMENDMENT #2017-02(A).  
ALL VOTING YES. (SEE ATTACHED)
8. CONSIDER REQUESTS FOR CAPITAL PURCHASES TO BE PAID FROM FUND BALANCE AND INCLUDED ON THE FY2017 REIMBURSEMENT RESOLUTION FOR YEAR-END ISSUANCE OF LEGALLY AUTHORIZED DEBT, AS FOLLOWS:
- A. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO APPROVE COUNTY AUDITOR REQUEST FOR PURCHASE OF SOFTWARE FOR COMPUTER UPGRADE IN THE AMOUNT OF \$768.00 TO BE PAID FROM THE GENERAL FUND.  
ALL VOTING YES.
  - B. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE DISTRICT CLERK REQUEST FOR PURCHASE OF LIVSCAN EQUIPMENT TOTALING \$3,837 AS LISTED IN CAPITAL PURCHASE PROJECTIONS FOR FY2017, TO BE PAID FROM THE GENERAL FUND.

ALL VOTING YES.

9. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, APPROVAL OF OFFERS TO PURCHASE TAX FORECLOSED PROPERTIES AS FOLLOWS;  
(PCT 1) LOT 11, BLK 27, SEC 5, HOLIDAY LAKE ESTATES, CAUSE #T06-330.  
ALL VOTING YES.

JUDGE MURPHY DISCUSSED ITEM 10.

10. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, APPROVAL OF A FEE AGREEMENT (IN THE AMOUNT OF \$90,000) FOR PROFESSIONAL SERVICES BETWEEN POLK COUNTY AND MPTX ASSOCIATES FOR HAZARD MITIGATION PLAN UPDATE.  
ALL VOTING YES.

JUDGE MURPHY DISCUSSED THE RATING COMMITTEE'S RECOMMENDATION FOR ADMINISTRATION AND ENGINEERING SERVICES FOR THE 2017-18 CDBG PROGRAM. IT WAS RECOMMENDED TO SELECT KSA FOR ENGINEERING SERVICES AND DAVID J. WAXMAN, INC. FOR GRANTS ADMINISTRATION. COMMISSIONER WILLIS ASKED WHO SUBMITTED RESPONSES AND JUDGE MURPHY READ THE LIST OF THE COMPANIES. COMMISSIONER OVERSTREET ALSO DISCUSSED THE RATING PROCESS.

11. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO ACCEPT RATING COMMITTEE'S RECOMMENDATION OF KSA (ENGINEERING SERVICES) AND DAVID J. WAXMAN, INC. (GRANT ADMINISTRATION) FOR THE 2017-2018 CDBG PROGRAM.  
RECORDED VOTES AS FOLLOWS:  
JUDGE MURPHY: YES  
COMMISSIONER WILLIS: NO  
COMMISSIONER VINCENT: YES  
COMMISSIONER PURVIS: YES  
COMMISSIONER OVERSTREET: YES  
MOTION CARRIED.

JUDGE MURPHY AND COMMISSIONER OVERSTREET DISCUSSED THE CANCELLATION NOTICE AND TERMINATION OF INTERLOCAL AGREEMENT RECEIVED FROM THE CITY OF HUNTSVILLE FOR LANDFILL SERVICES.

12. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO RECEIVE NOTICE OF CANCELLATION AND TERMINATION OF INTERLOCAL AGREEMENT WITH CITY OF HUNTSVILLE FOR LANDFILL SERVICES, EFFECTIVE JANUARY 3, 2017.  
ALL VOTING YES.

DISCUSSION OF AGENDA ITEM 13 BY JUDGE MURPHY, NOTING THE EMPLOYEES THAT WILL BE EFFECTED BY THE FLSA RULE CHANGE WHICH INCREASES THE WAGE THRESHOLD FOR QUALIFICATION AS AN EXEMPT EMPLOYEE ON DECEMBER 1, 2016.

13. MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, THAT THE EXTRA HOURS RECORDED BY EXEMPT EMPLOYEES THAT WILL MOVE TO THE "NON-EXEMPT" CATEGORY WILL BE APPLIED TO EQUIVALENT TIME AND ARE TO BE USED WITHIN THE NEXT 13 MONTHS (BY DECEMBER 31, 2017).  
ALL VOTING YES.

COMMISSIONER WILLIS ADDRESSED AN ISSUE ONE OF HIS EMPLOYEES HAD WITH HR NOT ASSISTING THE EMPLOYEE WITH TYPING A LETTER SO THAT THE EMPLOYEE COULD BEGIN GETTING HIS PAYROLL PRINTED AND ATTACHED WITH LEAVE BALANCE SHEET INSTEAD OF BEING EMAILED. HE INFORMED HUMAN RESOURCE SUPERVISOR ADRENA GILBERT TO COME GET THE LETTER FROM HIM AND THAT SHE WAS DOING AN INJUSTICE TO THE COUNTY EMPLOYEES. AND ADVISED HER THAT IF ANOTHER ISSUE CAME UP THAT THEY WOULD HAVE ANOTHER DISCUSSION JUST LIKE THIS ONE.

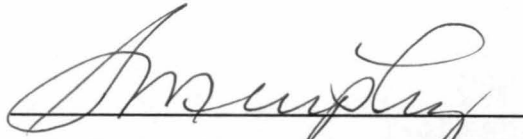
AT 10:28 A.M. JUDGE MURPHY ANNOUNCED THAT THE COURT WILL MOVE INTO EXECUTIVE SESSION, AS AUTHORIZED BY TEX. GOV'T CODE, SECTION 551.074.

**EXECUTIVE SESSION**

BEGAN AT 10:30 A.M.: DELIBERATION REGARDING THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT AND DUTIES OF A PUBLIC OFFICER OR EMPLOYEE.  
EXECUTIVE SESSION ENDED AT 10:41 A.M.

ADJOURN:

MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO ADJOURN COURT THIS 8<sup>TH</sup> DAY OF NOVEMBER, 2016 AT 10:42 A.M.  
ALL VOTING YES.



SYDNEY MURPHY, COUNTY JUDGE

ATTEST:



SHELANA HOCK, COUNTY CLERK