

STATE OF TEXAS §

DATE: November 22, 2016

COUNTY OF POLK §

REGULAR MEETING

ALL PRESENT

## COMMISSIONERS COURT

AGENDA POSTING #2016 - 125

Be it remembered on this The 22<sup>ND</sup> 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 & CALLED TO ORDER AT 10:00 A.M. BY JUDGE MURPHY.
  - INVOCATION LED BY JAMES SISSON OF PINEY WOODS COWBOY CHURCH.
  - PLEDGE OF ALLEGIANCE TO U.S. & TEXAS FLAGS LED BY JIM JOHNSON.
  
2. PUBLIC COMMENTS: NONE.
  
3. INFORMATIONAL REPORTS:

JUDGE MURPHY RECOGNIZED TOMMY COLEMAN FOR BEING APPOINTED BY GOVERNOR ABBOTT TO THE STATE BOARD OF EDUCATOR CERTIFICATION.

COMMISSIONER OVERSTREET INFORMED COURT THAT ROTO-MILL (ROAD MATERIAL) WILL BE AVAILABLE FOR POLK COUNTY FROM TXDOT IN FEBRUARY 2017.

  - A. RECEIVE YEARLY ACTIVITY REPORT FROM JAY BURKS, MAINTENANCE DEPARTMENT. JAY INFORMED COURT THEY'VE RECEIVED 1239 WORK ORDER REQUESTS (3,967 STAFF HOURS), 377 SUPPLY ORDERS, PROCESSED 145,000 PIECES OF MAIL, 5

EXPERIENCE WORKS WORKERS, 12 SAFETY MEETINGS CONDUCTED, 91% CPR/AED CERTIFIED, 1,000 STAFF HOURS SPENT MOWING, 612 WORK ORDERS FOR MAINTENANCE OF COUNTY VEHICLES, ELEVATOR & WORKING WITH WAY COMPANY 1,000 MAN HOURS AND DUNBAR GYM RENTED 10 TIMES.

LARRY PITTS INTRODUCED CORLEE THOMAS AS THE NEW REPLACEMENT FOR RON HARRIS TO THE NATIONAL RESOURCE CONSERVATION DISTRICT.

JUDGE MURPHY INVITED EVERYONE TO LIVINGSTON CHRISTMAS LIGHT LIGHTING AT 6 P.M. TONIGHT AND REMINDED EVERYONE OF DEPARTMENT HEAD MEETING AT 2:00 P.M. TODAY.

4. OLD BUSINESS (TABLED FROM LAST AGENDA)

A. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO RECEIVE COUNTY AUDITORS REPORT, PURSUANT TO LOCAL GOVERNMENT CODE SEC. 114.025 (FOR PERIOD ENDING SEPTEMBER 30, 2016).

ALL VOTING YES.

NEW BUSINESS

5. CONSENT AGENDA: JUDGE MURPHY ASKED COURT TO TABLE MINUTES FOR NOVEMBER 21, 2016 (AGENDA ITEM A) AND ITEM B INCLUDES AN ADDENDUM IN THE AMOUNT OF \$123,200.75. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO APPROVE THE CONSENT AGENDA AS FOLLOWS: (ALL VOTING YES)

A. APPROVE MINUTES FOR NOVEMBER 8, 2016 (REGULAR SESSION) & TABLE NOVEMBER 21, 2016 (SPECIAL SESSION).

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

DATE	AMOUNT	FUND	CHECK #
11/2/16	3,228.00	General	122437-122617
11/3/16	390,096.55	General, R&B 1-4, Security, Aging, Adult Superv, CCAP Juv Prob	194-199
11/3/16	2,816.99	General, R&B 1-4	262029-262032
11/4/16	3,476.09	Retiree Health Benefits	121
11/4/16	837.50	Grant	885
11/4/16	55,242.85	General	262051
11/4/16	44,690.24	General, R&B 1-4	262052-262097
11/4/16	21.67	General	262098-262099
11/4/16	4,632.56	General, Hotel, R&B 1,3,4	262100-262106

11/4/16	138.78	General	262107
11/7/16	6.00	General	122618
11/7/16	16,354.20	General, Co Clerk Records Mgmt	262108-262110
11/7/16	133,418.26	General, R&B 1,2,3,4, Aging, Co Clerks Records Mgmt	262111-262148
11/7/16	14.50	General	262149
11/7/16	20,323.27	General, R&B 1,2,3,4, Aging, Sheriff Comm	262150-262169
11/8/16	36.24	Grant Fund	886
11/8/16	55.02	Sheriffs Fed Rev Sharing	1076
11/8/16	204.49	General	262170
11/8/16	272,691.00	Polk Co Energy Savings Program	262171
11/10/16	20,000.00	General	262172
11/10/16	385.70	General	262178
11/10/16	19,292.40	General, R&B 1,2	262179-262191
11/10/16	9,822.56	General, Pretrial Intervention	262193-262207
11/10/16	1,885.10	General	262208-262210
11/14/16	18,362.70	General	262211
11/14/16	28,417.80	General, R&B 3	262212-262218
11/15/16	49.48	Grant	887
11/15/16	53,885.49	General, R&B 2,3, Aging	262219-262279
11/22/16	Addendum	\$123,200.75 (to appear on future schedule)	
<b>TOTAL</b>	<b>\$1,100,385.44</b>		

- C. RECEIVE COUNTY AUDITOR'S REPORT, FOR PERIOD ENDING OCTOBER 31, 2016 PURSUANT TO LOCAL GOVERNMENT CODE SEC.114.025.
- D. APPROVE REVISED CONTRACT AMENDMENT/EXTENSION FOR FY2017 WITH DEEP EAST TEXAS COUNCIL OF GOVERNMENTS FOR THE OLDER AMERICANS ACT PROGRAMS (CONGREGATE AND HOME DELIVERED MEALS).
- E. APPROVE COUNTY INFORMATION RESOURCES AGENCY (CIRA) SERVICES AGREEMENT.
6. JUDGE MURPHY DISCUSSED ITEM 6.PERSONNEL MATTERS:
- A. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, APPROVAL OF PERSONNEL ACTION FORM REQUESTS SUBMITTED SINCE LAST MEETING (NO EMERGENCY HIRES). ALL VOTING YES. (SEE ATTACHED)

7. BUDGET REVISIONS/AMENDMENTS:

- A. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE BUDGET REVISIONS FY2016 #2016-25 & #2016-25(A) AND FY2017 #2017-03 & #2017-03(A), AS PRESENTED BY THE COUNTY AUDITOR.

ALL VOTING YES. (SEE ATTACHED)

- B. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, APPROVAL OF FY2016 BUDGET AMENDMENT TO TRANSFER ADDITIONAL \$3,565.00 FROM GENERAL FUND TO JUSTICE COURT TECHNOLOGY FUND TO BALANCE REVENUE SHORTFALL.

ALL VOTING YES.

8. MOTIONED BY RONNIE VINCENT, SECONDED BY TOMMY OVERSTREET, APPROVAL OF OFFERS TO PURCHASE TAX FORECLOSED PROPERTIES, AS FOLLOWS:

- (PCT 2) LOT 48, SEC 1, FOREST HILL, #T12-064  
LOT 56, BLK 17, SEC 1, CEDAR POINT, #T15-538  
LOTS 1 & 3, BLK 2, SEC 1, TEXAS ACRES, #T13-208  
LOT 33, BLK 5, SEC 2, TEXAS ACRES, #T14-081  
LOT 43, BLK 6, SEC 2, TEXAS ACRES, #T15-243
- (PCT 4) LOTS 202-205, SEC 18, INDIAN SPRINGS, #T13-447

ALL VOTING YES.

DISTRICT CLERK BOBBYE RICHARDS DISCUSSED AGENDA ITEM 9.

9. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, APPROVAL OF DISTRICT CLERK'S REQUEST TO UTILIZE SPACE LOCATED ON 2<sup>ND</sup> FLOOR OF ONALASKA SUB-COURTHOUSE AND FORMERLY OCCUPIED BY THE SHERIFF'S OFFICE.

ALL VOTING YES.

DISCUSSION OF AGENDA ITEM 10 BY COURT.

10. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO REJECT STATEMENT OF QUALIFICATIONS AND READVERTISE FOR PROPOSALS ON COUNTY CIVIL ENGINEERING SERVICES.

ALL VOTING YES.

SHERIFF KENNETH HAMMACK, CAPTAIN JOHN SANDERS AND COMMISSIONER VINCENT DISCUSSED ITEM 11.

11. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, TO AWARD BID #2017-10 AS FOLLOWS; CALDWELL COUNTRY CHEVROLET FOR 9 PATROL UNITS FOR SHERIFF'S OFFICE AT

\$47,980 EACH WITH TOTAL BEING \$431,820; CALDWELL COUNTRY FORD FOR ONE TRANSPORT UNIT (2017 TAURUS) IN THE AMOUNT OF \$34,440; CALDWELL COUNTRY CHEVROLET FOR 2017 CHEVROLET SILVERADO 1500 CREW CAB (FOR EMERGENCY MANAGEMENT) IN THE AMOUNT OF \$25,940; GRAPEVINE DODGE FOR 2017 DODGE CHARGER (FOR PCT 2 CONSTABLE) IN THE AMOUNT OF \$48,294, WITH (TEN) TRADE-INS FROM SHERIFF'S OFFICE TOTALING \$40,600 (WITH EQUIPMENT) AND NO TRADE IN OF EMERGENCY MANAGEMENT VEHICLE AND TABLE VEHICLE FOR I.T. DEPT, FOR A TOTAL OF \$499,894 TO BE PAID FROM GENERAL FUND BALANCE AND INCLUDED ON FY2017 REIMBURSEMENT RESOLUTION FOR YEAR-END ISSUANCE OF LEGALLY AUTHORIZED DEBT (TAX NOTES).

ALL VOTING YES.

12. MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, TO RESCHEDULE COMMISSIONERS COURT REGULAR MEETING FROM JANUARY 10, 2017 TO WEDNESDAY, JANUARY 11, 2017 AT 10:00 A.M. DUE TO CONFLICT WITH DEEP EAST TEXAS LEGISLATIVE RECEPTION.

ALL VOTING YES.

DISCUSSION OF ITEM 13 BY JUDGE MURPHY, COMMISSIONER OVERSTREET, COMMISSIONER PURVIS AND SHERIFF KENNETH HAMMACK.

13. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, APPROVAL OF PERSONNEL MANAGEMENT SYSTEM (POLICY) UPDATE REGARDING EXTRA HOURS WORKED BY EXEMPT EMPLOYEES, REVISING POLICY TO BE CONSISTENT WITH USE OF EQUIVALENT HOURS BY NON-EXEMPT EMPLOYEES (USE BY YEAR-END), AND NOTING LAW ENFORCEMENT DOESN'T FALL UNDER THESE GUIDELINES.

ALL VOTING YES.

(SEE ATTACHED)

EXECUTIVE SESSION:

CONSULTATION WITH ATTORNEY; A CLOSED MEETING WILL BE HELD PURSUANT TO SECTION 551.071 OF THE GOVERNMENT CODE REGARDING CONSULTATION WITH ATTORNEY TO SEEK ADVICE ON MATTER/S WHICH ARE CONFIDENTIAL UNDER THE DISCIPLINARY RULES OF THE STATE BAR, IN WHICH THE DUTY OF THE ATTORNEY OF THE COUNTY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT CLEARLY CONFLICTS WITH THE OPEN MEETINGS ACT.

EXECUTIVE SESSION BEGAN AT 10:33 A.M.

EXECUTIVE SESSION ENDED AT 10:48 A.M.

RECONVENED INTO OPEN SESSION AT 10:49 A.M.

JUDGE MURPHY DISCUSSED AGENDA ITEM 14.

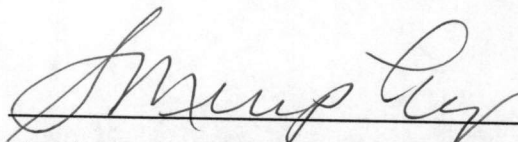
14. MOTIONED BY MILTON PURVIS, SECONDED BY RONNIE VINCENT, TO RETROACTIVELY PAY \$10,666.67 TO EMILY JANOWSKI FOR TRAVEL ALLOWANCE FOR FISCAL YEARS 2014-2016 AND RE-COOP OVER PAYMENT TO MARK CURRIE AND ALYSSA PUCKETT BY WITHHOLDING TRAVEL ALLOWANCE UNTIL THEY REACH THE \$1,000 FOR OVERPAYMENT, EFFECTIVE NEXT PAYROLL DISTRIBUTION.

ALL VOTING YES.

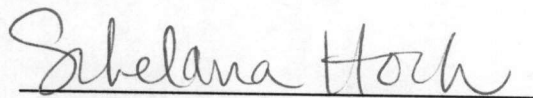
ADJOURN:

MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO ADJOURN COURT THIS 22<sup>ND</sup> DAY OF NOVEMBER, 2016 AT 10:51 A.M.

ALL VOTING YES.

  
SYDNEY MURPHY, COUNTY JUDGE

ATTEST:



SCHELANA HOCK, COUNTY CLERK