

STATE OF TEXAS §

DATE: FEBRUARY 14, 2017

COUNTY OF POLK §

REGULAR MEETING

ALL PRESENT

COMMISSIONERS COURT

AGENDA POSTING #2017 - 013

Be it remembered on this the 14TH day of FEBRUARY, 2017, 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 LINDELL MITCHELL OF LIVINGSTON CHURCH OF CHRIST.
 - PLEDGE OF ALLEGIANCE TO U.S. & TX FLAGS LED BY JIM JOHNSON.
2. PUBLIC COMMENTS: NONE.
3. INFORMATIONAL REPORTS:

JUDGE MURPHY ASKED TOMMY COLEMAN TO CONGRATULATE DISTRICT ATTORNEY LEE HON ON HIS RECENT APPOINTMENT BY THE STATE.

 - A. PATRICIA SNOOK PRESENTED THE COUNTY HISTORICAL COMMISSION ANNUAL REPORT FOR 2016, PURSUANT TO GOV'T CODE, SECTION 318.008.

COUNTY AUDITOR MARGIE AINSWORTH INTRODUCED MARILYN RICE AS NEW EMPLOYEE FOR AUDITOR'S OFFICE.

NEW BUSINESS

4. CONSENT AGENDA: JUDGE MURPHY NOTED ITEM D NEEDS TO BE DELETED, ITEM B INCLUDES 2 ADDENDUMS IN THE AMOUNTS OF \$41,815.52 & \$344.85. MOTIONED BY MILTON PURVIS, SECONDED BY RONNIE VINCENT, TO APPROVE THE CONSENT AGENDA AS FOLLOWS:

(ALL VOTING YES)

A. APPROVE MINUTES OF JANUARY 24, 2017 (REGULAR SESSION).

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

DATE	AMOUNT	FUND	CHECK #
1/17/17	268.65	Retiree Health Benefits	000124
1/20/17	6,636.78	General, Judiciary	263231-263244
1/20/17	42,455.38	Gen, R&B 1, Aging, Sheriff Comm	263245-263275
1/20/17	15,250.64	General, R&B 1,4	263276-263284
1/20/17	15.00	General	263285
1/24/17	98,226.05	Gen, R&B 1,2,3,4, Law Library, Aging	263286-263339
1/24/17	11,596.69	General, Sheriff Comm	263340
1/24/17	75.00	R&B 1	263341
1/24/17	418,506.00	Polk Co Energy Savings Program	263342
1/25/17	2,770.84	Gen, R&B 1,3,4	263343-263345
1/26/17	2,770.84	Gen, R&B 1,3,4	263346-263348
1/26/17	50,557.23	Gen, R&B 2,3, Aging	263349-263388
1/27/17	82.50	General	263394
1/30/17	1,708.00	General	123346-123443
1/31/17	246,926.72	Gen, R&B 1,2,3,4, Security, Aging, Retiree Health, CCAP Juv Probation	125
1/31/17	164,806.68	Gen, R&B 1,2,3,4, Security, Aging, Adult Superv, CCAP Juv Probation	254
1/31/17	9,558.24	General, DA Hot Ck, Aging	263401-263402
1/31/17	28,219.99	Gen, R&B 1,2,3,4, Security, Aging, CCAP Juv Probation	263403-263408
2/1/17	3,466.66	Grant	909
2/1/17	18,807.16	General, Aging	263409-263412
2/2/17	1,373.12	Grant	910-911
2/2/17	70,365.64	Gen, R&B 1,2,3,4, Pretrial Intev, Aging	263413-263467
2/3/17	145,098.25	Debt Service	263477-263478

2/3/17	1,460.56	General, Law Library	263479-263487
2/3/17	3,803.00	General	263488
2/7/17	3,744.74	Retiree Health Benefits	126
2/8/17	1,402.00	General	123444-123594
2/8/17	231,330.19	Gen, R&B 1,2,3,4, Aging	263489-263592
2/14/17	Addendum	\$41,815.52 (to appear on future schedule)	
2/14/17	Addendum	\$344.85 (to appear on future schedule)	
TOTAL	\$1,581,282.55		

- C. APPROVE LISTING OF PREVIOUSLY AUTHORIZED CAPITAL PURCHASES TO BE INCLUDED ON REIMBURSEMENT RESOLUTION. (SEE ATTACHED)
- D. DELETE "RECEIVE COUNTY AUDITOR'S REPORT, PURSUANT TO LOCAL GOV'T CODE SEC 114.025"
- E. RECEIVE COUNTY TREASURER'S FY2017 1ST QUARTER REPORT (OCT, NOV, DEC 2016). (SEE ATTACHED)
- F. APPROVE INTERLOCAL AGREEMENT BETWEEN POLK COUNTY AND CITY OF ONALASKA FOR THE COUNTY'S PROVISION OF ELECTION EQUIPMENT AND SERVICES FOR THE MAY 6, 2017 ELECTION, AS RECOMMENDED BY THE COUNTY CLERK.
- G. RECEIVE SHERIFF'S DEPARTMENT 2016 RACIAL PROFILING REPORT. (SEE ATTACHED)
- H. APPROVE UPDATED COUNTY COMMUNITY PLAN AS REQUIRED BY GOVERNOR'S OFFICE CRIMINAL JUSTICE GRANT PROGRAMS.
- I. APPROVE ORDER DESIGNATING SURPLUS PROPERTY. (SEE ATTACHED)
- J. APPROVE HOMELAND SECURITY GRANT PROGRAM PROPERTY TRANSFER RECORD AGREEMENT WITH JASPER COUNTY FOR EIGHT (8) ADAPX ELECTRONIC DIGITAL PENS. (SEE ATTACHED)
- K. APPROVE PAYMENT REQUEST NO. 5 SUBMITTED BY WAY SERVICE LTD. FOR COUNTY ENERGY SAVINGS PROGRAM.
- L. APPROVE RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH BANCORP SOUTH EQUIPMENT FINANCE, A DIVISION OF BANCORP SOUTH BANK, RELATING TO THE JANUARY 11, 2017 PURCHASE OF ROAD AND BRIDGE EQUIPMENT (8 NEW 2017 MACK GU713 CAB AND CHASSIS UNITS EQUIPPED WITH DUMP BED TO INCLUDE TRADE-IN OF (8) 2016 UNITS) AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE SAID AGREEMENT/S ON BEHALF OF THE COUNTY. (SEE ATTACHED)

5. PERSONNEL MATTERS:

- A. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, APPROVAL OF PERSONNEL ACTION FORM REQUESTS SUBMITTED SINCE LAST MEETING, NOTING 6 EMERGENCY HIRINGS.

ALL VOTING YES. (SEE ATTACHED)

6. BUDGET REVISIONS/AMENDMENTS:

- A. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO APPROVE FY2017 BUDGET REVISIONS #2017-7 AND BUDGET AMENDMENTS #2017-7(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) TR 316, 2.39 ACRES, AUGUSTIN VIESCA SURVEY, ABST 77, CAUSE #T16-117,
LOTS 60 & 61, SEC 4, FOREST SPRINGS, CAUSE #T16-045,
(PCT 2) LOTS 1 & 2, BLK 11, SEC 1, CEDAR POINT, CAUSE #T16-011,
LOTS 87-89, SEC 2, FOREST HILLS, CAUSE #T08-263,
LOTS 10-12, BLK 8, SEC 1, IMPALA WOODS, CAUSE #T15-159,
LOT 66, BLK 7, SEC 3, IMPALA WOODS, CAUSE #T14-242,
(PCT 3) TR 46, 1.00 ACRE, JOSEPH W SCATES SURVEY, ABST 69, CAUSE #T13-179,
TR 2, 1.50 ACRES, J.J. MAYES SURVEY, ABST 426, CAUSE #T15-111,
(PCT 4) LOTS 175-179, SEC 13, INDIAN SPRINGS, CAUSE #T05-112,
LOT 48, SEC 7, HOLLY HILLS, CAUSE #T10-051,
LOT 165, SEC 1, INDIAN SPRINGS, CAUSE #T11-320,
LOTS 30 & 31, SEC 1, INDIAN SPRINGS, CAUSE #T13-022.

ALL VOTING YES.

DISCUSSION OF AGENDA ITEM 8 BY SHERIFF HAMMACK, COMMISSIONER OVERSTREET & ASSISTANT COUNTY AUDITOR STEPHANIE DALE.

8. MOTIONED BY TOMMY OVERSTREET, SECONDED BY BOB WILLIS, APPROVAL OF LAND USE AGREEMENT BETWEEN POLK COUNTY AND THE POLK COUNTY PEACE OFFICERS' ASSOCIATION FOR USE OF COUNTY PROPERTY (BUILDING AND GUN RANGE) LOCATED IN MOSCOW, TEXAS.

ALL VOTING YES. (SEE ATTACHED)

JUDGE MURPHY DISCUSSED AGENDA ITEM 9.

9. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, TO AUTHORIZE COUNTY JUDGE TO SUBMIT TO THE CITY OF LIVINGSTON A PETITION TO CLOSE GRANT AVE AND EXECUTE NECESSARY DOCUMENTS RELATING TO PROPOSED CDL CERTIFICATION SITE TO BE LOCATED AT THE POLK COUNTY LAW ENFORCEMENT CENTER.
ALL VOTING YES.

JUDGE MURPHY DISCUSSED AGENDA ITEM 10.

10. RESOLUTIONS:

- A. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO ADOPT RESOLUTION IN OPPOSITION TO UNFUNDED MANDATES, SUPPORTING AMENDMENT TO THE TEXAS CONSTITUTION EXPRESSLY PROHIBITING THE IMPOSITION OF MANDATORY GOVERNMENTAL PROGRAMS ON TEXAS COUNTIES UNLESS FULLY FUNDED BY THE STATE;
- B. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, APPROVAL OF RESOLUTION REQUESTING THE LEGISLATURE FULLY FUND THE COSTS OF INDIGENT CRIMINAL DEFENSE;
- C. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, APPROVAL OF RESOLUTION OPPOSING SENATE BILL 2 AND ADDITIONAL REVENUE CAPS ON TEXAS COUNTIES.

ALL VOTING YES. (SEE ATTACHED)

JUDGE MURPHY & MAINTENANCE SUPERVISOR JAY BURKS DISCUSSED AGENDA ITEM 11.

11. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, APPROVAL TO ACCEPT QUOTE FOR STRUCTURAL FOUNDATION REPAIR OF MAIN BUILDING OF THE DUNBAR COMPLEX FROM OLSHAN IN THE AMOUNT OF \$39,960 TO BE PAID FROM GENERAL FUND BALANCE AND INCLUDED ON REIMBURSEMENT RESOLUTION FOR YEAR END ISSUANCE OF LEGALLY AUTHORIZED DEBT (TAX NOTES).
ALL VOTING YES.

DISCUSSION OF AGENDA ITEM 12 BY COMMISSIONER VINCENT.

12. MOTIONED BY RONNIE VINCENT, SECONDED BY TOMMY OVERSTREET, TO APPROVE REQUEST OF MOMACK ENTERPRISES, LLC FOR VARIANCE TO EXEMPT FROM COUNTY SUBDIVISION REGULATIONS THE DIVISION OF 75.93 ACRES IN THE GEORGE MILES SURVEY A-413, LOCATED IN PRECINCT 2 AND CONSISTING OF 3 TRACTS EACH EXCEEDING 10 ACRES WITH INDIVIDUAL ACCESS TO EXISTING PUBLIC ROADS AND WITH NO OTHER COMMON AREAS AND/OR STREETS. (SEE ATTACHED)

ALL VOTING YES.

ADJOURN:


MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO ADJOURN COURT THIS 14TH DAY OF FEBRUARY, 2017 AT 10:22 A.M.

ALL VOTING YES.



SYDNEY MURPHY, COUNTY JUDGE

ATTEST:



SCHELANA HOCK, COUNTY CLERK