

STATE OF TEXAS §

DATE: AUGUST 13, 2019

COUNTY OF POLK §

REGULAR MEETING

ALL PRESENT

## COMMISSIONERS COURT

AGENDA POSTING #2019 - 078

Be it remembered on this the 13<sup>TH</sup> day of AUGUST, 2019, 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

Louis Ploth – 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 LYNDON MITCHELL WITH FIRST ASSEMBLY OF GOD.
  - PLEDGES TO U.S. & TEXAS FLAGS LED BY COUNTY CLERK SCHELANA HOCK.
  
2. PUBLIC COMMENTS: NONE.
  
3. INFORMATIONAL REPORTS:

DISTRICT ATTORNEY WILLIAM HON INTRODUCED HIS NEW MISDEMEANOR & JUVENILE DIVISION PROSECUTOR RACHEL ELLSWORTH AND THANKED THE COURT FOR THEIR SUPPORT OF THE VETERANS TREATMENT COURT PROGRAM.

  - A. RECEIVED INFORMATIONAL REPORT FROM CASSANDRA LOWRIE, INFORMATION TECHNOLOGY, ON CYBERSECURITY.

### NEW BUSINESS

4. CONSENT AGENDA: JUDGE MURPHY NOTED AGENDA ITEM B INCLUDES 5 ADDENDUMS IN THE AMOUNTS OF \$100,607.59, \$2,910.92, \$13,299.22, \$2,141,527.63 AND \$31,799.27. MOTIONED

BY RONNIE VINCENT, SECONDED BY TOMMY OVERSTREET, TO APPROVE THE CONSENT AGENDA AS FOLLOWS: (ALL VOTING YES)

A. APPROVE MINUTES OF JULY 23, 2019 (REGULAR SESSION).

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

DATE	AMOUNT	FUND	CHECK #
7/25/19	5,166.92	General	277999
7/26/19	177,658.95	General	ACH 1135, 1154, 1160
7/26/19	100,235.85	General	ACH 1150, 1155, 1157, 1158, 1159
7/26/19	2,910.92	General	278000-278001
7/26/19	3,989.44	General	278013-278016
7/26/19	3,329.40	General	278017-278021
7/26/19	948.00	General	278022
8/5/19	12,317.48	Retiree Health Benefits	206
8/5/19	281,667.04	General	278026-278031
8/7/19	88,651.13	General	278032-278063
8/7/19	1,289.91	General	278064-278067
8/13/19	19,560.95	General	278023-278025
8/13/19	527,623.90	General	278068-278230
8/13/19	30,816.59	General	278231-278253
8/13/19	6,513.98	General	278254-278264
8/13/19	Addendum #1	\$100,607.59 (to appear on future schedule)	
8/13/19	Addendum #2	\$2,910.92 (to appear on future schedule)	
8/13/19	Addendum #3	\$13,299.22 (to appear on future schedule)	
8/13/19	Addendum #4	\$2,141,527.63 (to appear on future schedule)	
8/13/19	Addendum #5	\$31,799.27 (to appear on future schedule)	
<b>TOTAL</b>	<b>\$1,262,680.46</b>		

C. APPROVE ORDER DESIGNATING SURPLUS PROPERTY. (SEE ATTACHED)

D. APPROVE ADOPTION OF HEALTHCARE ELIGIBILITY STANDARDS, DOCUMENTATION AND

VERIFICATION PROCEDURES FOR STATE FISCAL YEAR SEPTEMBER 1, 2019 – AUGUST 31, 2020.

- E. APPROVE ADVERTISING FOR ANNUAL BIDS.
- F. APPROVE RESOLUTION IN SUPPORT OF VETERANS TREATMENT COURT FOR POLK COUNTY. (SEE ATTACHED)
- G. APPROVE RESOLUTION AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) DISASTER RECOVERY PROGRAM GRANT APPLICATION TO THE TEXAS GENERAL LAND OFFICE FOR THE HURRICANE HARVEY DR-4332 BUYOUT PROJECTS; AND AUTHORIZING THE COUNTY JUDGE TO ACT AS THE COUNTY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE CDBG DISASTER RECOVERY PROGRAM. (SEE ATTACHED)
- H. APPROVE ACTION TO AUTHORIZE AMENDED RETENTION AGREEMENT FOR LEGAL SERVICES RELATED TO OPIOID LITIGATION.
- I. ACCEPT GRANT FUNDS AWARDED TO THE POLK COUNTY OFFICE OF EMERGENCY MANAGEMENT FROM THE TEXAS A&M FOREST SERVICE STATE-WIDE COMMUNITY WILDFIRE PROTECTION PROGRAM.
- J. APPROVE AMENDMENT TO AGREEMENT WITH BRAZOS TRANSIT DISTRICT RENEWING RURAL TRANSPORTATION SERVICES FOR A TWO-YEAR TERM EFFECTIVE SEPTEMBER 1, 2019.
- K. APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN POLK COUNTY AND TEXAS DEPARTMENT OF PUBLIC SAFETY FOR USE OF THE TEXAS STATEWIDE INTEROPERABILITY CHANNEL PLAN.

5. PERSONNEL MATTERS:

- A. MOTIONED BY MILTON PURVIS, SECONDED BY BOB WILLIS, TO APPROVE PERSONNEL ACTION FORM REQUESTS SUBMITTED SINCE LAST MEETING AND AUTHORIZING EMERGENCY HIRES IN THE 258<sup>TH</sup> DISTRICT, DISTRICT ATTORNEY, JAIL AND TAX OFFICE.  
ALL VOTING YES. (SEE ATTACHED)
- B. MOTIONED BY MILTON PURVIS, SECONDED BY BOB WILLIS, APPROVAL OF UPDATES TO PERSONNEL MANAGEMENT SYSTEM.  
ALL VOTING YES.

6. BUDGET REVISIONS/AMENDMENTS:

- A. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO APPROVE

FY2019 BUDGET REVISIONS #2019-12 AND AMENDMENTS #2019-12(A), AS PRESENTED BY THE COUNTY AUDITOR'S OFFICE.

ALL VOTING YES. (SEE ATTACHED)

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

(PCT 1) LOT 24, SECTION 6, LAKE LIVINGSTON VILLAGE, CAUSE #T17-077

(PCT 2) LOTS 322 & 323, SECTION 2, WIGGINS VILLAGE #2 AND MOBILE HOME LABEL #RAD1006930, CAUSE #T11-358

(PCT 4) SOUTH ½ OF LOT 8, SECTION 6, INDIAN SPRINGS, CAUSE #T17-202

LOTS 220, 221, 224 & 225, SECTION 16, INDIAN SPRINGS, CAUSE #T15-470

ALL VOTING YES.

8. MOTIONED BY BOB WILLIS, SECONDED BY RONNIE VINCENT, TO APPROVE COUNTY INVESTMENT POLICY, AS PRESENTED BY COUNTY TREASURER.

ALL VOTING YES. (SEE ATTACHED)

9. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO AWARD BID #2019-19 "ELECTRONIC POLLBOOKS" TO HART INTERCIVIC INC (THE ONLY BIDDER) IN THE REVISED AMOUNT OF \$13,552.50 TO BE PAID FROM CHAPTER 19 FUNDS (\$6,500) AND COUNTY CLERK ELECTIONS (\$7,052.50).

ALL VOTING YES.

10. MOTIONED BY RONNIE VINCENT, SECONDED BY BOB WILLIS, TO AWARD BID TO COX CONTRACTORS INC, PENDING AGREEMENT OF TERMS, WITH SECONDARY AWARD TO KOMATSU ARCHITECTURE, REGARDING REQUEST FOR PROPOSALS #2019-20 "ARCHITECTURAL DESIGNS FOR POLK COUNTY ANNEX RENOVATIONS".

ALL VOTING YES.

11. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, APPROVAL TO REINSTATE COUNTY FIRE MARSHAL POSITION.

ALL VOTING YES.

12. MOTIONED BY BOB WILLIS, SECONDED BY MILTON PURVIS, APPROVAL OF PRECINCT 1 CONSTABLE REQUEST FOR APPROVAL TO EXPEND ASSET FORFEITURE FOR THE REIMBURSEMENT OF TRAVEL EXPENSES IN THE AMOUNT OF \$832.63 RELATING TO SOUTH

EAST TEXAS EXPORT INVESTIGATION GROUP (STEIG) ACTIVITIES.

ALL VOTING YES.

JAMES GILLEY (FINANCIAL ADVISOR-U.S. CAPITAL ADVISORS) DISCUSSED THE OUTCOME OF THE BIDDING & MADE RECOMMENDATION.

13. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE ORDER AUTHORIZING APPROXIMATELY \$1,750,000 POLK COUNTY, TEXAS TAX NOTES SERIES 2019, PURCHASED BY AMEGY BANK FOR A RATE OF 2.170% AND ANYTIME CALL FEATURE WHICH ALLOWS THE COUNTY TO PAY OFF OR REFINANCE NOTES AT ANY TIME.

ALL VOTING YES. (SEE ATTACHED)

14. MOTIONED BY MILTON PURVIS, SECONDED BY RONNIE VINCENT, TO RECEIVE AND RECORD DISTRICT JUDGE TRAVIS KITCHENS' ORDER OF APPOINTMENT OF 258<sup>TH</sup> DISTRICT COURT REPORTER, EFFECTIVE AUGUST 1, 2019.

ALL VOTING YES. (SEE ATTACHED)

15. BUDGET WORKSHOP:

A. MOTIONED BY MILTON PURVIS, SECONDED BY BOB WILLIS, TO RECEIVE TAX ASSESSOR COLLECTOR'S 2019 (FY2020) EFFECTIVE TAX RATE CALCULATION AND VERIFICATION OF COLLECTION RATE. JUDGE MURPHY INFORMED THE COURT THAT THE EFFECTIVE TAX RATE IS 0.6246/\$100, THAT THE EXPECTED COLLECTION RATE IS 96% OR BETTER, AND THAT THE PUBLIC HEARINGS ON THE PROPOSED TAX RATE OF 0.6461/\$100 WOULD BE SCHEDULED (SEE ITEM C BELOW).

ALL VOTING YES.

B. MOTIONED BY BOB WILLIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE PROPOSED SALARIES, EXPENSES & ALLOWANCES OF ELECTED OFFICIALS.

ALL VOTING YES.

C. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO PLACE A PROPOSAL TO ADOPT A 2019 PROPERTY TAX RATE OF \$0.6461 ON THE SEPTEMBER 10, 2019 AGENDA AT 10:00 A.M. AND SCHEDULE PUBLIC HEARINGS ON THE PROPOSED RATE TO BE HELD ON AUGUST 27, 2019 AT 9:30 A.M. AND ON SEPTEMBER 3, 2019 AT 4:00 P.M.

JUDGE MURPHY CALLED FOR A RECORD VOTE AS FOLLOWS:

COMMISSIONER OVERSTREET - YES

COMMISSIONER WILLIS - YES

COMMISSIONER VINCENT – YES

COMMISSIONER PURVIS – YES

JUDGE MURPHY – YES

- D. DISCUSSION OF FY2020 PROPOSED BUDGET TO BE FILED FOR PUBLIC INSPECTION:
- JUDGE MURPHY DISCUSSED UPDATES TO THE TAX REVENUE CALCULATION AND DEBT WORKSHEETS TO INCLUDE INFORMATION THAT HAD BEEN RECEIVED SINCE THE PREVIOUS MEETING, AND REMINDED THE COURT THAT THE GOAL IS TO KEEP THE ANNUAL DEBT BETWEEN \$750,000 TO \$1,000,000 (OR LESS) TO KEEP THE PORTION OF THE TAX RATE THAT MUST BE DEDICATED TO DEBT SERVICE TO A MINIMUM.
- JUDGE MURPHY DISCUSSED THE COUNTY'S FUND BALANCE AND PROPOSED USING A PORTION OF THE GENERAL FUND BALANCE TO PAY FOR THE COUNTY'S PORTION OF THE COURTHOUSE RESTORATION PROJECT AND A ONE-TIME TRANSFER TO ROAD & BRIDGE FROM PREVIOUSLY RECEIVED IAH FUNDS ABOVE WHAT WAS BUDGETED.
- JUDGE MURPHY DISCUSSED THE SAVINGS IN THE FY2020 BUDGET FROM TRANSITIONING CURRENT CELL PHONE ALLOWANCES TO A "PUBLIC SAFETY" GOVERNMENT PLAN WITH COUNTY-ISSUED CELL PHONES.
- JUDGE MURPHY NOTED ADDITIONAL PERSONNEL THAT HAVE BEEN INCLUDED IN THE FY2020 BUDGET, INCLUDING: INTERNAL AUDITOR (AUDITOR'S OFFICE), PART-TIME SECRETARY (JUSTICE OF THE PEACE, PCT. 2), PATROL DEPUTY (SHERIFF'S OFFICE), SOCIAL SERVICES DIRECTOR, FIRE MARSHAL, AND PART-TIME DEPUTY CLERK (TAX ASSESSOR/COLLECTOR'S OFFICE). THE COURT OFFERED NO OPPOSITION TO THESE ADDED POSITIONS.
- DISCUSSION OF REQUESTED INCREASE IN TRAVEL ALLOWANCES FOR JUSTICES OF THE PEACE (JPs). ADDITIONAL DOCUMENTATION AND REQUEST FROM ALL JPs IS NEEDED FOR THE COURT TO CONSIDER AN INCREASE FROM THE CURRENT ALLOWANCE.
- DISCUSSION OF FY2020 CAPITAL PURCHASE PROJECTIONS:
- COUNTY CLERK HAS AGREED TO FUND ELECTRONIC POLLBOOKS.
- CASEY LOWRIE (INFORMATION TECHNOLOGY DEPT) STATED THAT THE JUSTICE OF THE PEACE PCT. 1 LAPTOP WAS INCLUDED IN THE FY2020 ANNUAL TECH ROTATION.
- JUDGE MURPHY STATED THAT SOME VEHICLES MUST BE ELIMINATED TO REDUCE CAPITAL PURCHASE PROJECTIONS TO BELOW \$1,000,000 AND RECOMMENDED ELIMINATING THE VEHICLES FOR THE SHERIFF'S OFFICE & JAIL AS THEY ARE JUST NOW RECEIVING THE VEHICLES APPROVED IN THE FY2019 BUDGET, AND ELIMINATING ONE OF THE THREE VEHICLES REQUESTED BY MAINTENANCE.

JAY BURKS (MAINTENANCE DEPT) INDICATED THE REQUEST FOR TRAILER ON CAPITAL PROJECTIONS COULD BE REMOVED & PAID FOR FROM CURRENT YEAR'S BUDGET. JUDGE MURPHY ASKED DISTRICT ATTORNEY LEE HON IF HE COULD DO WITHOUT ONE OR BOTH OF HIS REQUESTED VEHICLES, AND HE STATED THAT HE COULD NOT. COMMISSIONER OVERSTREET ASKED IF EMERGENCY MANAGEMENT NEEDED EIGHT HANDHELD RADIOS, AND JUDGE MURPHY STATED THAT THEY DO BECAUSE COMMUNICATIONS WAS ONE OF THE BIGGEST ISSUES DURING HARVEY. COMMISSIONER VINCENT ASKED SHERIFF HAMMACK WHAT POSITION REMOVING HIS REQUESTED VEHICLES WILL PUT HIM IN NOW THAT HE IS RECEIVING NEW VEHICLES. THE SHERIFF INDICATED THE NEW VEHICLES WILL NOT PUT THEM BACK WHERE THEY NEED TO BE, AS THEY ARE REQUESTING TEN NEW VEHICLES THIS YEAR. JUDGE MURPHY SUGGESTED THAT THOSE TEN VEHICLES COULD BE REMOVED AND OPTIONS DISCUSSED WITH ENTERPRISE FLEET MANAGEMENT. COMMISSIONERS VINCENT AND OVERSTREET NOTED THAT THE SHERIFF HAS TWO MUST HAVE HIGH-TICKET ITEMS AND RECOMMENDED REMOVING THE SHERIFF'S VEHICLES.

ITEMS REMOVED FROM FY2020 CAPITAL PROJECTIONS ARE AS FOLLOWS:

\$3,500 FOR MAINTENANCE ENCLOSED TRAILER REQUEST;

\$40,000 FOR MAINTENANCE VEHICLE REQUEST;

\$600,000 FOR SHERIFF'S VEHICLE REQUEST;

\$17,250 FOR COUNTY CLERK'S ELECTRONIC POLLBOOK REQUEST;

\$1,443.80 FOR JUSTICE OF THE PEACE, PCT. 1 LAPTOP & MONITORS REQUEST

JUDGE MURPHY ASKED THE COURT IF THERE WERE ANY OTHER COMMENTS OR SUGGESTIONS IN TERMS OF THE BUDGET. NONE WERE NOTED.

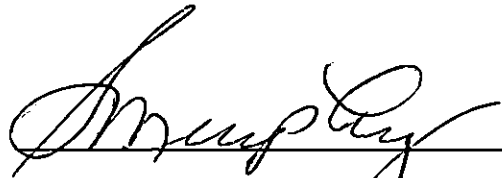
- E. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO SCHEDULE A PUBLIC HEARING ON TUESDAY, SEPTEMBER 10, 2019 AT 9:30 A.M. IN THE COMMISSIONERS COURTROOM OF THE POLK COUNTY COURTHOUSE IN LIVINGSTON, TEXAS TO RECEIVE COMMENT REGARDING THE FY2020 BUDGET.

ALL VOTING YES.


ADJOURN:

MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO ADJOURN COURT THIS 13<sup>TH</sup> DAY OF AUGUST, 2019 AT 11:39 A.M.

ALL VOTING YES.

  
SYDNEY MURPHY, COUNTY JUDGE

ATTEST:



SCHELANA HOCK, COUNTY CLERK