

**COMMISSIONERS COURT
AGENDA POSTING # 2023 - 045**

Be it remembered on this the 16TH day of May, 2023, the Honorable Commissioners Court met in “REGULAR” called meeting with the following officers and members present, to wit;

- Honorable Milton Purvis – Commissioner Pct #3 presiding,
- Guylene Robertson – Commissioner Pct #1,
- Mark DuBose – Commissioner Pct #2,
- Jerry Cassity - Commissioner Pct #4,
- Schelana Hock – County Clerk and
- Louis Ploth – County Auditor.

The following agenda items, orders and decrees were duly made, considered and passed.

1. WELCOMED & CALLED TO ORDER AT 10:00 A.M. BY COMMISSIONER PURVIS.
 - INVOCATION LED BY SHERIFF BYRON LYONS.
 - PLEDGES TO U.S. & TEXAS FLAGS LED BY COUNTY CLERK SCHELANA HOCK.
2. PUBLIC COMMENTS: NONE.
3. INFORMATIONAL REPORTS:
 - SHERIFF BYRON LYONS PROVIDED AN UPDATE ON DEPUTY CALEB BOYER WHO WAS INVOLVED IN AN ACCIDENT ON MAY 12TH WHILE EN ROUTE TO A CALL.
 - A. MOTIONED BY GUYLENE ROBERTSON, SECONDED BY JERRY CASSITY, TO RECEIVE THE YEARLY AUDIT AS PRESENTED BY DARLA DEAR.
ALL VOTING YES.
 - B. RECOGNITION OF GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA) “CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING” RECEIVED BY COUNTY AUDITOR’S OFFICE FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2021.

NEW BUSINESS

4. CONSENT AGENDA: COMMISSIONER PURVIS NOTED AGENDA ITEM B INCLUDES 9 ADDENDUMS IN THE AMOUNT OF 1- \$15.75, 2- \$408,286.90, 3- \$227,218.96, 4- \$2,359.32, 5- \$21,303.21, 6- \$13,442.22, 7- \$113,538.67, 8- \$1,671.68, 9- \$53,486.43.
MOTIONED BY JERRY CASSITY, SECONDED BY GUYLENE ROBERTSON, TO APPROVE THE CONSENT AGENDA AS FOLLOWS: (ALL VOTING YES)
 - A. APPROVE MINUTES OF APRIL 25, 2023 (REGULAR SESSION).
 - B. APPROVE SCHEDULES OF BILLS, INCLUDING ADDENDUMS. (SEE ATTACHED)

	AMOUNT	FUND	CHECK #
4/23/2023	118,638.47	General	ACH 2981,2972,2973,2 978,2979,2980,29 8,2989,2990,2987
4/24/2023	4,000.00	General	299159
4/25/2023	22,261.70	General	299160

4/27/2023	10,000.00	ARPA	234
4/27/2023	171,718.34	General	299165-299166
4/28/2023	2,070.92	General	299161-299164
4/28/2023	5,529.39	General	299179-299183
4/28/2023	3,420.68	General	299167-299178
4/28/2023	8,866.64	General	299184-299187
5/2/2023	296,189.94	Retiree Health Trust	427-432/299188-299193
5/4/2023	3,126.27	General	299194-299197
5/5/2023	69,830.03	General	299198-299215
5/8/2023	442.78	General	299264
5/16/2023	576,243.66	ARPA	ACH 235-236/1182-1184/299265-299417
TOTAL	\$1,292,338.82		
	Addendum #1	\$15.75 to appear on future schedule	
	Addendum #2	\$408,286.90 to appear on future schedule	
	Addendum #3	\$227,218.96 to appear on future schedule	
	Addendum #4	\$2,359.32 to appear on future schedule	
	Addendum #5	\$21,303.21 to appear on future schedule	
	Addendum #6	\$13,442.22 to appear on future schedule	
	Addendum #7	\$113,538.67 to appear on future schedule	
	Addendum #8	\$1,671.68 to appear on future schedule	
	Addendum #9	\$53,486.43 to appear on future schedule	


- C. APPROVE ORDER DESIGNATING SURPLUS PROPERTY NO LONGER IN USE BY COUNTY CLERK AND TAX ASSESSOR/COLLECTOR. (SEE ATTACHED)
- D. APPROVE RESOLUTION DESIGNATING MAY 22, 2023 AS "JURY APPRECIATION DAY" IN POLK COUNTY, TEXAS. (SEE ATTACHED)
- E. APPROVE MEMORANDUM OF UNDERSTANDING WITH CORRIGAN-CAMDEN I.S.D. AND LIVINGSTON I.S.D. FOR LOCAL DISASTER PREPAREDNESS (SHELTERING). (SEE ATTACHED)
- F. APPROVE DISTRICT CLERK'S REQUEST TO APPROVE TYLER TECHNOLOGIES DEFENDANT ACCESS SOFTWARE AND PRODUCTS AT NO ADDITIONAL COST TO THE COUNTY. (SEE ATTACHED)
- G. APPROVE FIRE MARSHAL'S REQUEST TO ACCESS BRYCER COMPLIANCE ENGINE SOFTWARE AT NO ADDITIONAL COST TO THE COUNTY. (SEE ATTACHED)
- H. RATIFY AMENDMENT NO. 2 TO GENERAL LAND OFFICE CONTRACT NUMBER 20-066-018-C125 FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY HURRICANE HARVEY BUYOUT/ACQUISITION PROGRAM.
- I. ACCEPT 2022 TOYOTA TUNDRA AWARDED TO POLK COUNTY CONSTABLE PRECINCT ONE AND AUTHORIZE MAINTENANCE AND OPERATIONS EXPENSES FOR THE VEHICLE TO BE FUNDED FROM PRECINCT ONE ASSET FORFEITURES.

- J. ACCEPT 2005 FORD F250 PICKUP TRUCK AWARDED TO THE POLK COUNTY SHERIFF'S OFFICE AND ADD VEHICLE TO COUNTY INSURANCE POLICY.
 - K. ACCEPT AUTOMATED LICENSE PLATE READER AND SPEED TRAILER DONATED TO POLK COUNTY SHERIFF'S OFFICE.
 - L. APPROVE REQUEST FROM DISTRICT ATTORNEY TO EXEMPT CERTAIN VEHICLES FROM INSCRIPTION REQUIRED ON COUNTY MOTOR VEHICLES, PURSUANT TO SECTION 721.005 OF THE TEXAS TRANSPORTATION CODE. (SEE ATTACHED)
 - M. APPROVE PURCHASE OF NEW HAM RADIO, COAX AND ANTENNA FOR ANNEX BUILDING, NOT TO EXCEED \$15,000, TO BE PAID FROM EMERGENCY MANAGEMENT CAPITAL OUTLAY (BUDGETED FUNDS).
5. PERSONNEL MATTERS:
- A. MOTIONED BY JERRY CASSITY, SECONDED BY MARK DUBOSE, TO APPROVE PERSONNEL ACTION FORM REQUESTS SUBMITTED BY DEPARTMENT HEADS SINCE LAST MEETING. (NO EMERGENCY HIRES).
ALL VOTING YES. (SEE ATTACHED)
 - B. MOTIONED BY JERRY CASSITY, SECONDED BY GUYLENE ROBERTSON, TO RECEIVE AND RECORD PERSONNEL ACTION FORMS SUBMITTED BY ELECTED OFFICIALS SINCE LAST MEETING.
ALL VOTING YES. (SEE ATTACHED)
6. BUDGET REVISIONS/AMENDMENTS:
- A. MOTIONED BY JERRY CASSITY, SECONDED BY GUYLENE ROBERTSON, TO APPROVE FY2023 BUDGET REVISIONS AND AMENDMENTS, AS PRESENTED BY THE COUNTY AUDITOR'S OFFICE.
ALL VOTING YES. (SEE ATTACHED)
7. CAPITAL PURCHASES:
- A. MOTIONED BY GUYLENE ROBERTSON, SECONDED BY JERRY CASSITY, TO APPROVE EMERGENCY MANAGEMENT'S REQUEST FOR THIRTEEN (13) AUTOMATED EXTERNAL DEFIBRILLATOR (AED) UNITS FOR POLK COUNTY BUILDINGS, NOT TO EXCEED \$18,096 TO BE FUNDED BY GENERAL FUND BALANCE AND INCLUDED ON THE FY2023 REIMBURSEMENT RESOLUTION FOR YEAR-END ISSUANCE OF LEGALLY AUTHORIZED DEBT.
ALL VOTING YES.
8. MOTIONED BY JERRY CASSITY, SECONDED BY GUYLENE ROBERTSON, TO REJECT BID #2023-11 TO REMOVE AND REPLACE WINDOWS AT DUNBAR COMPLEX AND AUTHORIZE RE-BID.
ALL VOTING YES.
9. MOTIONED BY GUYLENE ROBERTSON, SECONDED BY JERRY CASSITY, APPROVAL OF REVISED INTERLOCAL AGREEMENT BETWEEN POLK COUNTY AND BURKE CENTER, REMOVING JASPER COUNTY FROM THE AGREEMENT.
ALL VOTING YES. (SEE ATTACHED)
10. MOTIONED BY MARK DUBOSE, SECONDED BY GUYLENE ROBERTSON, APPROVAL TO REGULATE MASS GATHERINGS AND OUTDOOR MUSIC FESTIVALS IN UNINCORPORATED AREAS OF POLK COUNTY, PURSUANT TO CHAPTER 751 OF THE TEXAS HEALTH AND SAFETY CODE AND CHAPTER 2104 OF THE TEXAS OCCUPATIONS CODE.
ALL VOTING YES. (SEE ATTACHED)
11. MOTIONED BY MARK DUBOSE, SECONDED BY JERRY CASSITY, TO APPROVE CONDITIONAL APPROVAL OF INFRASTRUCTURE DEVELOPMENT PLAN FOR LIVINGSTON RESERVE RV PARK, LOCATED IN PRECINCT TWO, CONTINGENT UPON THAT THE DEVELOPER WILL "VARY LAYOUT AS REQUIRED TO FIT BETWEEN TREE ROWS" AND THAT THE COMPLETED RV PARK MUST CONFORM TO SECTION 1.4 OF THE POLK COUNTY RV PARK REGULATIONS.
ALL VOTING YES.

12. MOTIONED BY JERRY CASSITY, SECONDED BY MARK DUBOSE, APPROVAL TO CLOSE GLOVER AND FRANK ROAD RAILROAD CROSSINGS, PRECINCT 3, CONTINGENT UPON AGREEMENT FROM UNION PACIFIC AND TEXAS DEPARTMENT OF TRANSPORTATION TO REIMBURSE THE COUNTY FOR EXPENSES TO BUILD A NEW ROADWAY BETWEEN OLD HWY 35 AND FRANK ROAD; AND REHABILITATE OLD HWY 35, FROM THE INTERSECTION WITH GLOVER ROAD, AND McCARTY ROAD, FROM INTERSECTION WITH FRANK ROAD TO FM 942. ALL VOTING YES. (SEE ATTACHED)
13. MOTIONED BY GUYLENE ROBERTSON, SECONDED BY JERRY CASSITY, TO APPROVE SETTLEMENT TERMS WITH ALLERGAN DEFENDANTS AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE THE SETTLEMENT PARTICIPATION AND RELEASE FORMS REGARDING STATEWIDE SETTLEMENT OFFERS IN THE MATTER OF TEXAS STATEWIDE OPIOD MULTI-DISTRICT LITIGATION FOR THE COUNTY IN THE MATTER OF *IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION*, MDL NO. 1:17-MD-022804.

ADJOURN:

MOTIONED BY GUYLENE ROBERTSON, SECONDED BY JERRY CASSITY, TO ADJOURN COURT THIS 16TH DAY OF MAY 2023 AT 10:32 A.M.
ALL VOTING YES.



MILTON PURVIS, COMMISSIONER PCT 3

ATTEST:



SCHELANA HOCK, COUNTY CLERK