

**COMMISSIONERS COURT
AGENDA POSTING # 2023 - 054**

Be it remembered on this the 13TH day of JUNE, 2023, the Honorable Commissioners Court met in “REGULAR” called meeting with the following officers and members present, to wit;

Honorable Sydney Murphy – County Judge presiding,
Guylene Robertson – Commissioner Pct #1,
Mark DuBose – Commissioner Pct #2,
Milton Purvis – Commissioner Pct #3,
Jerry Cassity - Commissioner Pct #4,
Wendy Timm – Deputy 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 JUDGE SYDNEY MURPHY.
 - INVOCATION LED BY POLK COUNTY SHERIFF BYRON LYONS
 - PLEDGES TO U.S. & TEXAS FLAGS LED BY WENDY TIMM OF COUNTY CLERK’S OFFICE.
2. PUBLIC COMMENTS: TYLER EPSTEIN COMMENTED ON AGENDA ITEM ‘5N’ & BILLY LAMBETH COMMENTED ON TYLER EPSTEIN VS. POLK COUNTY COMMISSIONERS COURT.
3. INFORMATIONAL REPORTS:
 - A. POLK COUNTY COMMISSIONERS COURT PRESENTED THE BOBBY SMITH MEMORIAL SCHOLARSHIPS (SPONSORED BY LINEBARGER, GOGGAN, BLAIR & SAMPSON) TO NEVIAH HICKOX (BIG SANDY ISD), OLIVIA MEDINA (CORRIGAN-CAMDEN ISD), ALEJANDRA PEREZ (GOODRICH ISD), KYLIE VALDEREZ (LEGGETT ISD), SIERRA RAINS (LIVINGSTON ISD), AND BRADY SMITH (ONALASKA ISD).
 - B. POLK COUNTY COMMISSIONERS COURT PRESENTED THE LAW ENFORCEMENT SCHOLARSHIPS (SPONSORED BY MANAGEMENT & TRAINING CORPORATION (MTC) – OPERATORS OF THE IAH SECURE ADULT DETENTION FACILITY) TO COOPER SMITH (BIG SANDY ISD), OLIVIA MEDINA (CORRIGAN-CAMDEN ISD), PASCUAL FLORES (GOODRICH ISD), AND TAYLOR TOLAR (LIVINGSTON ISD).
 - C. RECEIVE NOTICE OF PUBLIC HEARING FROM THE CITY OF LIVINGSTON SCHEDULED FOR JUNE 13, 2023 REGARDING THE ANNEXATION OF 34.04 ACRES OF THE M.L. CHOATE A-15 AND BRIDGER HOBBS A-327 SURVEYS AT 617 FM 350 SOUTH.
(SEE ATTACHED)
MILTON PURVIS PROVIDED INFORMATION REGARDING THE 4H SKEET SHOOT. GOOD TURNOUT - WELL OVER 100 STUDENTS PARTICIPATED.
4. OLD BUSINESS (TABLED FROM LAST AGENDA)
 - A. MOTIONED BY MILTON PURVIS, SECONDED BY JERRY CASSITY, APPROVAL OF AMENDMENT TO AGREEMENT WITH INTEGRATED PRESCRIPTION MANAGEMENT (IPM) FOR INDIGENT HEALTHCARE PROGRAMS. (SEE ATTACHED)
ALL VOTING YES.
 - B. MOTIONED BY MARK DUBOSE, SECONDED BY JERRY CASSITY, TO TABLE “DISCUSS AND CONSIDER ANY NECESSARY ACTION REGARDING FY2024 EMPLOYEE BENEFITS: EMPLOYEE HEALTH COVERAGE – MAJOR MEDICAL”.

ALL VOTING YES.

NEW BUSINESS

5. CONSENT AGENDA: JUDGE MURPHY NOTED AN ADDENDUM TO ITEM B IN THE AMOUNT OF \$92,611.67. THE COURT DISCUSSED ITEMS ‘I’ AND ‘N’ IN GREATER DETAIL. MOTIONED BY MILTON PURVIS, SECONDED BY GUYLENE ROBERTSON TO APPROVE THE CONSENT AGENDA AS FOLLOWS: (ALL VOTING YES)

- A. APPROVE MINUTES OF MAY 30, 2023 (REGULAR SESSION).
 B. APPROVE SCHEDULES OF BILLS. (SEE ATTACHED)

Date	Amount	Fund	Check #
5/12/2023	221,097.64	General	ACH 3003,3008, 3007
5/30/2023	8,841.75	General	299733-299734
6/1/2023	327,303.94	Grants	1189/299754
6/2/2023	3,924.52	General	299744-299753
6/5/2023	291,608.22	Retiree Health Insurance	437-438/ 299755299756
6/13/2023	308,925.88	ARPA	238/ 299757299866
Total	\$1,161,701.95		
	Addendum #1	\$92,611.67 to appear on future schedule	

- C. APPROVE ORDER DESIGNATING SURPLUS PROPERTY NO LONGER IN USE BY THE DISTRICT ATTORNEY’S OFFICE. (SEE ATTACHED)
 D. RECEIVE & RECORD PERSONNEL ACTION FORMS SUBMITTED BY ELECTED OFFICIAL SINCE LAST MEETING. (SEE ATTACHED)
 E. APPROVE RENEWAL OF INTERLOCAL AGREEMENT WITH TEXAS ASSOCIATION OF COUNTIES RISK MANAGEMENT POOL AND APPLICATION FOR PRIVISION OF INSURANCE COVERAGES TO INCLUDE WORKERS COMPENSATION, AUTO (PHYSICAL, DAMAGE & LIABILITY) AND GENERAL – PUBLIC OFFICIALS – LAW ENFORCEMENT LIABILITIES. (SEE ATTACHED)
 F. APPROVE RENEWAL OF HOST AGENCY AGREEMENT WITH MOTIVATION EDUCATION & TRAINING, INC (MET) FOR SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM FOR JULY 1, 2023 – JUNE 30, 2024. (SEE ATTACHED)
 G. APPROVE LEASE AGREEMENT RENEWING SUPPLEMENTAL COUNTY PARKING AT 321 NORTH BEATTY AVENUE. (SEE ATTACHED)
 H. APPROVE AMENDED AND RESTATED MEMORANDUM OF UNDERSTAING WITH PINEY WOOD LAKES TEXAS CHAPTER MASTER NATURALISTS, THE EAST TEXAS ELECTRIC COOPERATIVE, INC. AND POLK COUNTY FOR BENEFICIAL MANAGEMENT OF NATURAL RESOURCES AT EAST TEXAS ELECTRIC COOPERATIVE HYDROELECTRIC PLANT GAZEBO. (SEE ATTACHED)
 I. APPROVE AMENDMENT TO FUNDING AGREEMENT WITH THE TEXAS HISTORICAL COMMISSION FOR THE POLK COUNTY COURTHOUSE RESTORATION GRANT. (SEE ATTACHED)
 J. RECEIVE DONATION FROM POLK COUNTY HIGHER EDUCATION & TECHNOLOGY FOUNDATION EQUIVALENT TO POLK COUNTY COMMERCE CENTER PROPERTY INSURANCE RENEWAL.
 K. APPROVE SUBMITTAL OF REQUEST TO STATE COMPTROLLER FOR UNCLAIMED

RURAL ELECTRIC COOPERATIVE CAPITAL CREDITS.

- L. ACCEPT FY2023 INDIGENT DEFENSE FORMULA GRANT NO. 212-23-187 IN THE AMOUNT OF \$48,807. (SEE ATTACHED)
 - M. APPROVE ROAD USE AGREEMENT BETWEEN POLK COUNTY, PRECINCT 4 AND UMBRIEL (H. BROWN INC.). (SEE ATTACHED)
 - N. RESCIND ORDER ABANDONING MAINTENANCE OF SAN FRANCISCO ROAD, PRECINCT 1, AND ADD TO MASTER STREET ADDRESS GUIDE (MSAG).
6. PERSONNEL MATTERS:
- A. MOTIONED BY GUYLENE ROBERTSON, SECONDED BY JERRY CASSITY, TO APPROVE PERSONNEL ACTION FORM REQUESTS SUBMITTED BY DEPARTMENT HEADS SINCE LAST MEETING AND AUTHORIZING ONE EMERGENCY HIRING FOR AGING DEPT. ALL VOTING YES. (SEE ATTACHED)
 - B. MOTIONED BY JERRY CASSITY, SECONDED BY MARK DUBOSE, TO APPROVE GOVERNOR'S BOND AND OATH OF OFFICE FOR APPOINTED TAX ASSESSOR/COLLECTOR STEVE HULLHEN FOR THE TERM BEGINNING JUNE 1, 2023. ALL VOTING YES. (SEE ATTACHED)
7. BUDGET REVISIONS/AMENDMENTS:
- A. MOTIONED BY GUYLENE ROBERTSON, SECONDED BY JERRY CASSITY, TO APPROVE FY2023 BUDGET REVISIONS #2023-16 AND AMENDMENTS #2023-16(A), AS PRESENTED BY THE COUNTY AUDITOR'S OFFICE. ALL VOTING YES. (SEE ATTACHED)
8. MOTIONED BY MARK DUBOSE, SECONDED BY MILTON PURVIS, TO ALLOW THE USE OF CERTAIN FIREWORKS FOR THE JULY 4TH FIREWORK SEASON AS THE COUNTY IS NOT CURRENTLY IN A DESIGNATED DROUGHT AREA. PER THE FIRE MARSHAL, THE COUNTY'S DROUGHT STATUS IS SUBJECT TO CHANGE AND MAY NEED TO BE REVISITED. ALL VOTING YES.
9. MOTIONED BY MILTON PURVIS, SECONDED BY MARK DUBOSE, TO APPROVE APPOINTMENT OF TWO (2) POLK COUNTY ELECTED OFFICIALS (SYDNEY MURPHY & GUYLENE ROBERTSON) TO SERVE ON THE DEEP EAST TEXAS COUNCIL OF GOVERNMENTS (DETCOG) BOARD OF DIRECTORS FOR THE 2023-2024 TERM. ALL VOTING YES.
10. MOTIONED BY GUYLENE ROBERTSON, SECONDED BY MILTON PURVIS, TO ACCEPT BID FROM WILLIAMS GLASS IN THE AMOUNT OF \$116,000 FOR RE-BID #2023-11, "REMOVE AND REPLACE WINDOWS AT DUNBAR COMPLEX, 1114 NORTH DOGWOOD AVENUE, LIVINGSTON, AND DISPOSAL OF ALL DEBRIS" AND TO PAY FOR UNBUDGETED PORTION (APPROXIMATELY \$30,000) FROM THE RESTORATION PROJECTS FUND. ALL VOTING YES.
11. MOTIONED BY MILTON PURVIS, SECONDED BY JERRY CASSITY, APPROVAL OF AGREEMENT WITH BDO USA, LLP FOR FORENSIC AUDITING AND FORENSIC TECHNOLOGY SERVICES TO PERFORM FORENSIC AUDIT OF THE POLK COUNTY JAIL COMMISSARY ACCOUNT. ALL VOTING YES. (SEE ATTACHED)
12. MOTIONED BY GUYLENE ROBERTSON, SECONDED BY JERRY CASSITY, APPROVAL OF CERTIFICATE OF EXEMPTION FROM POLK COUNTY RV PARK REGULATIONS TO PERMIT TWO RVs ON PERSONAL PROPERTY FOR PRIVATE USE, PER AFFIDAVIT FROM LANDOWNER THAT THE SECOND RV WILL BE FOR THEIR DEPENDENT'S RESIDENCE. ALL VOTING YES. (SEE ATTACHED)

13. ROAD & BRIDGE EQUIPMENT LEASE/PURCHASE THROUGH INTERLOCAL PURCHASING SYSTEMS (TIPS) (THEREBY SATISFYING COMPETITIVE BIDDING REQUIREMENTS) PURSUANT TO EAST TEXAS MACK SALES, LLC QUOTATIONS:

- A. MOTIONED BY MILTON PURVIS, SECONDED BY JERRY CASSITY, TO PURCHASE EIGHT (8) NEW 2024 MACK GR64F CAB AND CHASSIS UNITS (WITH M-DRIVE, OX DUMPBODIES AND PINTLE HITCHES) AT \$166,040 EACH WITH A 12-MONTH TRADE ALLOWANCE OF \$151,040 EACH UNIT, ASSUMING EACH TRADE-IN UNIT MEETS ALL TRADE TERMS, TO BE PAID FROM ROAD & BRIDGE CAPITAL LEASES FUND. (ALL VOTING YES)
- B. MOTIONED BY MARK DUBOSE, SECONDED BY JERRY CASSITY, TO APPROVE TRADE/BUYBACK OF SIX (6) 2023 AND TWO (2) 2022 MACK GR64F TRUCKS AT \$126,000 EACH FOR UNITS CURRENTLY LEASED BY EACH ROAD & BRIDGE PRECINCT, ASSUMING EACH TRADE-IN UNIT MEETS ALL TRADE TERMS. (ALL VOTING YES)
- C. MOTIONED BY MILTON PURVIS, SECONDED BY JERRY CASSITY, TO APPROVE RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH CADENCE EQUIPMENT FINANCE, A DIVISION OF CADENCE BANK, RELATING TO THE ESTIMATED JUNE PURCHASE OF ROAD AND BRIDGE EQUIPMENT (8) NEW 2024 MACK GR64FR CAB AND CHASSIS UNITS EQUIPPED WITH DUMP BED (TO INCLUDE TRADE-IN OF SIX (6) 2023 UNITS AND TWO (2) 2022 UNITS) AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE SAID AGREEMENT/S ON BEHALF OF THE COUNTY. ALL VOTING YES. (SEE ATTACHED)

14. DISCUSS AND CONSIDER ANY/ALL NECESSARY ACTION REGARDING THE PURCHASE OF REAL PROPERTY.

(CLOSED SESSION/EXECUTIVE SESSION: PURSUANT TO TEXAS GOV'T CODE SECTION 551.072 FOR DELIBERATION REGARDING REAL PROPERTY.)
ENTERED INTO EXECUTIVE SESSION AT 10:42 A.M.

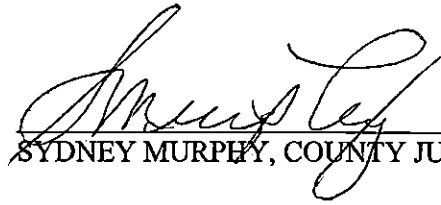
RETURNED TO OPEN SESSION AT 11:07 A.M.

MOTIONED BY MILTON PURVIS, SECONDED BY JERRY CASSITY, TO APPROVE PURCHASE OF APPROXIMATELY 325 ACRES AT \$5,500 PER ACRE FROM RAYONIER FOREST RESOURCES, LOCATED IN ABST 39 WM JOHNS SURVEY TRACT 16-2, 17-2 & 18-2 (A PORTION OF PROPERTY ID 235597-10039002325) TO EXPAND THE POLK COUNTY LANDFILL (TO INCLUDE A 150-FOOT BUFFER ON THE WESTERN, NORTHERN, AND EASTERN EDGES), TO BE PAID FROM GENERAL FUND BALANCE.
ALL VOTING YES.

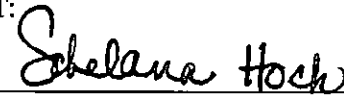
MOTIONED BY MARK DUBOSE, SECONDED BY GUYLENE ROBERTSON, TO APPROVE PURCHASE OF 1.1258 ACRES AND IMPROVEMENTS LOCATED AT 321 N. BEATTY AVE, LIVINGSTON, TX 77351, (PROPERTY ID 75431-H1000002800), FOR \$1,269,028.20 PLUS CLOSING AND TITLE COSTS, TO BE PAID FROM GENERAL FUND BALANCE.
ALL VOTING YES.

ADJOURN:

MOTIONED BY MILTON PURVIS, SECONDED BY JERRY CASSITY, TO ADJOURN COURT THIS 13TH DAY OF JUNE 2023 AT 11:13 A.M.
ALL VOTING YES.


SYDNEY MURPHY, COUNTY JUDGE

ATTEST:


SCHELANA HOCK, COUNTY CLERK

BY: 
WENDY TIMM, DEPUTY CLERK