

**COMMISSIONERS COURT
AGENDA POSTING # 2023 - 073**

Be it remembered on this the 25TH day of JULY, 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,
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 JUDGE SYDNEY MURPHY.
• INVOCATION LED BY JOEL MCMAHON OF FIRST METHODIST CHURCH LIVINGSTON.
• PLEDGES TO U.S. & TEXAS FLAGS LED BY SCHELANA HOCK, COUNTY CLERK.

2. PUBLIC COMMENTS:

TYLER EPSTEIN – ADVISED HE WAS BACK ONCE AGAIN CONCERNING SAN FRANCISCO ROAD IN PRECINCT 1. HE STATED HE’S BEEN HERE A FEW TIMES REGARDING THIS ROAD. MR. EPSTEIN DISCUSSED A LANDOWNER NOT BEING ABLE TO ACCESS HER PROPERTY BECAUSE OF A BUILDING BEING BUILT ON AND OVER A COUNTY ROAD. HE SUGGESTED THAT THE COURT NEEDED TO GET MORE TRAINING & OPINIONS REGARDING ROAD MATTERS. HE REQUESTED THAT COMMISSIONERS COURT PUT THIS ON THE AGENDA AND HAVE THE MAN REMOVE THE BUILDING FROM THE ROAD AND AN INDEPENDENT THIRD PARTY TO DO AN INVESTIGATION IN REGARDS TO THIS MATTER.

JUDGE MURPHY ASKED MR. EPSTEIN TO WRAP IT UP.

TYLER SAID HE WOULD LIKE THIS COMMISSIONERS COURT TO SUBMIT ITSELF TO A INDEPENDENT THIRD PARTY REVIEW ON ITS HANDLING OF ROAD MATTERS.

3. INFORMATIONAL REPORTS: NONE.

NEW BUSINESS

4. CONSENT AGENDA: JUDGE MURPHY NOTED THAT AGENDA ITEM B INCLUDES 6 ADDENDUMS. MOTIONED BY JERRY CASSITY, SECONDED BY GUYLENE ROBERTSON, TO APPROVE THE CONSENT AGENDA AS FOLLOWS: (ALL VOTING YES)
A. APPROVE MINUTES OF JULY 11, 2023 (REGULAR SESSION).
B. APPROVE SCHEDULES OF BILLS, INCLUDING ADDENDUMS. (SEE ATTACHED)

DATE	AMOUNT	FUND	CHECK #
7/11/2023	285,498.58	Retiree, General	443-444, 300335-300337

7/12/2023	26,284.39	Grants, General	1197, 300338-300345
7/13/2023	2,390.64	General	300346-300348
7/13/2023	2,036.33	General	300382-300386
7/14/2023	29,372.58	General	300364-300381
7/14/2023	176.00	General	300387
7/14/2023	4,000.00	General	300388
7/18/2023	273.00	General	300389-300390
7/25/2023	476.47	General	300490
7/25/2023	67,555.00	ARPA	240
7/25/2023	216,913.35	Grants	1198
7/25/2023	673,249.72	General	300391-300489
8/1/2023	24,050.59	General	300491-300494
TOTAL	\$1,332,276.65		
	Addendum #1	\$3,446.05 to appear on future schedule	
	Addendum #2	\$118,152.48 to appear on future schedule	
	Addendum #3	\$1,276,456.20 to appear on future schedule	
	Addendum #4	\$4,632.39 to appear on future schedule	
	Addendum #5	\$115,261.63 to appear on future schedule	
	Addendum #6	\$1,941.68 to appear on future schedule	

- C. APPROVE ORDER DESIGNATING SURPLUS PROPERTY NO LONGER IN USE BY THE AUDITOR'S OFFICE AND EMERGENCY MANAGEMENT. (SEE ATTACHED)
- D. RECEIVE COUNTY AUDITOR'S MONTHLY REPORT, PURSUANT TO LOCAL GOVERNMENT CODE SEC 114.025.
- E. RECEIVE AND RECORD PERSONNEL ACTION FORMS SUBMITTED BY ELECTED OFFICIALS SINCE LAST MEETING. (SEE ATTACHED)
- F. APPROVE UPDATE TO MASTER STREET ADDRESS GUIDE (MSAG) REMOVING .077452 MILES OF PAT ROAD, A PRIVATE GATED ROAD, FROM THE MSAG AND FROM COUNTY MAINTENANCE. (SEE ATTACHED)
- G. APPROVE RENEWAL LEASE AGREEMENT BETWEEN POLK COUNTY AND MITCHELL FUNERAL HOME. (SEE ATTACHED)
- H. APPROVE TO FILE CLAIM WITH STATE COMPTROLLER, PURSUANT TO GOV'T CODE, SEC. 61.0015(B), FOR REIMBURSEMENT OF A PORTION OF THE JUROR FEES PAID BY POLK COUNTY DURING THE PERIOD OF APRIL 1 THROUGH JUNE 30, 2023.
- I. APPROVE "NO CHANGE" IN COUNTY ROAD & BRIDGE FEE (\$10) AND CHILD SAFETY FEE (\$1.50) AUTHORIZED BY THE TEXAS TRANSPORTATION CODE, SEC. 502.401 - 502.403.
- J. ACCEPT PAYMENT OF \$60,023 FROM THE PAYMENTS IN LIEU OF TAXES (PILT) PROGRAM.
- K. ACCEPT DONATION OF FRAMED HOUSTON ASTROS JERSEY FROM RIVER OAKS CHRYSLER, JEEP, DODGE, RAM FOR THE SHERIFF'S OFFICE.
- L. RECEIVE COUNTY TREASURER'S MONTHLY (JUNE 2023) REPORT. (SEE ATTACHED)

- M. RECEIVE COUNTY TREASURER'S FY2023 3RD QUARTER (APRIL, MAY, JUNE 2023) REPORT. (SEE ATTACHED)
- N. APPROVE CONSTABLE PRECINCT 1, SCOTT HUGHES' REQUEST TO APPOINT CHUCK COTTON AND JUSTIN AMUNDSEN TO RESERVE DEPUTY CONSTABLE.
5. PERSONNEL MATTERS:
- A. MOTIONED BY MARK DUBOSE, SECONDED BY JERRY CASSITY, TO APPROVE PERSONNEL ACTION FORM REQUESTS SUBMITTED BY DEPARTMENT HEADS SINCE LAST MEETING, AUTHORIZING 1 EMERGENCY HIRING AT MAINTENANCE. JUDGE MURPHY NOTED THE ENVIRONMENTAL ENFORCEMENT OFFICER RESCINDED RESIGNATION.
ALL VOTING YES. (SEE ATTACHED)
6. BUDGET REVISIONS:
- A. MOTIONED BY JERRY CASSITY, SECONDED BY GUYLENE ROBERTSON, APPROVAL OF FY2023 BUDGET REVISIONS #2023-19, AS PRESENTED BY THE COUNTY AUDITOR'S OFFICE.
ALL VOTING YES. (SEE ATTACHED)
7. MOTIONED BY MARK DUBOSE, SECONDED BY GUYLENE ROBERTSON, APPROVAL OF OFFERS TO PURCHASE TAX FORECLOSED PROPERTIES, AS FOLLOWS:
(PCT 2) LOTS 144 & 145, SECTION 1, CANYON PARK, CAUSE #T20-247.
ALL VOTING YES.
8. MOTIONED BY JERRY CASSITY, SECONDED BY MARK DUBOSE, TO ISSUE ORDER EXTENDING DISASTER DECLARATION AND COUNTYWIDE BURN BAN IN UNINCORPORATED AREAS OF THE COUNTY FOR 30 DAYS.
ALL VOTING YES. (SEE ATTACHED)
- MOTIONED BY MARK DUBOSE, SECONDED BY GUYLENE ROBERTSON, TO EXEMPT TCEQ PERMITTED AIR CURTAIN INCINERATORS FROM BURN BAN UPON SUBMITTAL OF THE PERMIT TO THE POLK COUNTY FIRE MARSHAL.
ALL VOTING YES.
9. MOTIONED BY GUYLENE ROBERTSON, SECONDED BY MARK DUBOSE, APPROVAL TO REINSTATE THE COUNTY'S LIFE SAFETY CODE – NFPA 101 (NATIONAL FIRE PROTECTION ASSOCIATION).
ALL VOTING YES.
10. MOTIONED BY JERRY CASSITY, SECONDED BY GUYLENE ROBERTSON, TO APPROVE KDF ENTERPRISES AS PRIMARY CONTRACTOR AND DRC EMERGENCY SERVICES AS SECONDARY CONTRACTOR FOR DISASTER DEBRIS REMOVAL, REDUCTION, DISPOSAL, AND OTHER DEBRIS-RELATED SERVICES.
ALL VOTING YES.
11. MOTIONED BY JERRY CASSITY, SECONDED BY MARK DUBOSE, TO ESTABLISH LEASE AGREEMENTS WITH ANCO INSURANCE AND HABITAT FOR HUMANITY EFFECTIVE AUGUST 1, 2023, MAINTAINING EXISTING LEASE RATES FOR A 3-YEAR TERM.
ALL VOTING YES.
12. GLOVER ROAD:
- A. MOTIONED BY JERRY CASSITY, SECONDED BY GUYLENE ROBERTSON, TO APPROVE PURCHASE OF RIGHT OF WAY (ROW) FOR GLOVER ROAD EXTENSION, TO BE REIMBURSED AT A LATER DATE BY UNION PACIFIC.

ALL VOTING YES.

- B. MOTIONED BY GUYLENE ROBERTSON, SECONDED BY MARK DUBOSE, TO AUTHORIZE REQUEST FOR PROPOSALS FOR CONSTRUCTION OF ROADS, TO INCLUDE A NEW ROADWAY BETWEEN OLD HIGHWAY 35 AND FRANK ROAD AND REHABILITATION OF EXISTING SEGMENTS OF OLD HIGHWAY 35 AND MCCARTY ROAD, TO BE FUNDED BY THE COUNTY AND REIMBURSED BY UNION PACIFIC AND TEXAS DEPARTMENT OF TRANSPORTATION.

ALL VOTING YES.

13. MAGNOLIA CREEK RANCH PHASE 1-6:

- A. MOTIONED BY MARK DUBOSE, SECONDED BY GUYLENE ROBERTSON, APPROVAL OF REQUEST FOR VARIANCE FROM POLK COUNTY SUBDIVISION REGULATION DESIGN STANDARDS SECTION 7.17, PLAT REQUIREMENTS, REQUIRING THAT PLATS FOR DEVELOPMENTS OF THIS SIZE BE PREPARED TO SCALE NO SMALLER THAN ONE-INCH EQUALS TWO HUNDRED FEET. THE PLAT WILL BE COMPLETED AT 1" = 300' SCALE WHICH WILL BE SUFFICIENT SINCE ALL LOTS ARE OVER TEN ACRES AND WILL ALLOW THE ENTIRE SUBDIVISION LAYOUT TO FIT ON ONE PAGE.

ALL VOTING YES.

- B. MOTIONED BY MARK DUBOSE, SECONDED BY JERRY CASSITY, APPROVAL OF REQUEST FOR VARIANCE FROM POLK COUNTY SUBDIVISION REGULATION DESIGN STANDARDS SECTION 12.8, ROAD CONSTRUCTION SPECIFICATIONS, REQUIRING ALL ROAD INTERSECTIONS THAT ARE NOT AT A 90-DEGREE ANGLE TO HAVE A ROUNDED CURVE WITH NO LESS THAN TWENTY-FIVE FOOT RADIUS. THE PROPOSED LAYOUT OF THE ROADS FOLLOWS PRE-EXISTING LOGGING ROADS THAT FOLLOW THE TERRAIN. ALL INTERSECTIONS WILL HAVE CLEAR FIELD OF VISION TO ALL TRAFFIC AND ROADS SIGNS WILL BE INSTALLED TO MITIGATE ANY SAFETY CONCERNS. THE DEVELOPER MUST INCLUDE THE SIGN REQUIREMENTS SPECIFIED IN THE ENGINEERED PLANS ON THEIR PLAT APPLICATION.

ALL VOTING YES.

- C. MOTIONED BY MARK DUBOSE, SECONDED BY GUYLENE ROBERTSON, APPROVAL OF REQUEST FOR VARIANCE FROM POLK COUNTY SUBDIVISION REGULATION DESIGN STANDARDS APPENDIX S, MINIMUM 175' CENTERLINE RADIUS REQUIREMENT BECAUSE THE ROADS ALL WILL FOLLOW PRE-EXISTING LOGGING ROADS AND THERE WILL BE REDUCED POSTED SPEED LIMIT SIGNS, WARNING SIGNS PRIOR TO THE CURVE, AND/OR GUARDRAILS TO MITIGATE ANY SAFETY CONCERNS, ALL OF WHICH WILL BE INCLUDED ON THE DEVELOPERS PLAT APPLICATION.

ALL VOTING YES.

14. MOTIONED BY JERRY CASSITY, SECONDED BY MARK DUBOSE, TO TABLE EXECUTIVE SESSION AND PLACE ON NEXT COMMISSIONERS COURT MEETING SINCE COMMISSIONER MILTON PURVIS IS ABSENT FROM THE MEETING.

ALL VOTING YES.

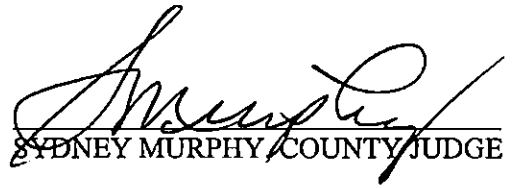
15. MOTIONED BY JERRY CASSITY, SECONDED BY MARK DUBOSE, APPROVAL TO ADVERTISE REQUEST FOR BIDS FOR MAINTAINER REPAIR FOR ROAD & BRIDGE PRECINCT 4.

ALL VOTING YES.


ADJOURN:

MOTIONED BY MARK DUBOSE, SECONDED BY JERRY CASSITY, TO ADJOURN COURT THIS 25TH DAY OF JULY 2023 AT 10:31 A.M.

ALL VOTING YES.


SYDNEY MURPHY, COUNTY JUDGE

ATTEST:



SCHELANA HOCK, COUNTY CLERK