

**COMMISSIONERS COURT  
AGENDA POSTING # 2022 - 048**

Be it remembered on this the 24<sup>TH</sup> day of MAY, 2022, 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,  
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 and passed.

1. WELCOMED & CALLED TO ORDER AT 10:00 A.M. BY JUDGE SYDNEY MURPHY.  
· INVOCATION LED BY DAVID DARDEN OF NEW BEULAH BAPTIST CHURCH.  
· PLEDGES TO U.S. & TEXAS FLAGS LED BY COUNTY CLERK SCHELANA HOCK.
2. PUBLIC COMMENTS: HERSCHEL MCDONALD AND MICHAEL OLDNER DISCUSSED AGENDA ITEM 6 AND FELT VOTERS ON MIDWAY LOOP AND HUBERT CEMETERY ROAD BEING CHANGED TO ANOTHER COMMISSIONER PRECINCT WAS UNINTENTIONAL ELECTION TAMPERING. BOTH EXPRESSED CONCERNS ABOUT BEING ABLE TO VOTE IN COMMISSIONER PCT 4 RACE DURING THE PRIMARY BUT COULDN'T IN THE PRIMARY RUNOFF. MR. MCDONALD ALSO NOTED THAT MAKING A COUNTY ROAD THE BORDER BETWEEN TWO PRECINCTS BLURS THE LINES OF WHO IS RESPONSIBLE FOR MAINTAINING THAT ROAD.
3. INFORMATIONAL REPORTS:
  - A. RECOGNIZE JADYN PACE AS WINNER OF PINE RIDGE HEALTH CARE AND REHABILITATION ART CONTEST FOR DEPICTION OF POLK COUNTY COURTHOUSE SQUARE.
  - B. GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA) – RECEIVE DISTINGUISHED BUDGET PRESENTATION AWARD FOR FY2022.
  - C. SPOTLIGHT ON POLK COUNTY: INFORMATION TECHNOLOGY DEPARTMENT
  - D. CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT UPDATE GIVEN BY JUDGE MURPHY. JUDGE MURPHY NOTED THAT CARES ACT FUNDS HAVE SO FAR BEEN UTILIZED FOR ASSISTANCE TO SCHOOL DISTRICTS; PURCHASE OF I.T. SOFTWARE / HARDWARE / COMMUNICATIONS; BUILDING & HVAC UPGRADES; VACCINE CLINICS & ADMINISTRATION; COVID HAZARD & OVERTIME PAY; AND ASSISTANCE IN THE DISTRICT ATTORNEY'S OFFICE AND COUNTY COURT AT LAW TO MOVE BACKLOG OF CASES CAUSED BY THE COVID PANDEMIC. AT OUR REQUEST, JUDGE UNDERWOOD HAS APPOINTED KAYCEE JONES TO ASSIST WITH BACKLOG OF CASES IN THE DISTRICT COURTS, AND COVID FUNDS WILL BE USED FOR A PORTION OF HER SALARY, AS WELL AS HER STAFF AND ANCILLARY COSTS ASSOCIATED WITH COURT OPERATIONS. ALL AGREED TO GIVE A ONE TIME COVID PAYMENT OF \$50,000 (DIVIDED EQUALLY) TO POLK COUNTY VOLUNTEER FIRE DEPARTMENTS.
4. OLD BUSINESS:

- A. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, APPROVAL OF FALCONE FOREST SECTION IV SUBDIVISION APPLICATION, LOCATED IN PRECINCT 4. ALL VOTING YES.

**NEW BUSINESS**

5. CONSENT AGENDA: JUDGE MURPHY NOTED AGENDA ITEM B INCLUDES THREE ADDENDUMS IN THE AMOUNTS OF \$1,318.89, \$138,016.54 AND \$11,702.47. MOTIONED BY RONNIE VINCENT, SECONDED BY GUYLENE ROBERTSON, TO APPROVE THE CONSENT AGENDA AS FOLLOWS: (ALL VOTING YES)

- A. APPROVE MINUTES OF PREVIOUS MEETINGS: MAY 10, 2022 AND MAY 17, 2022 (REGULAR/SPECIAL SESSIONS)

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

|              |                     |                                           |                                            |
|--------------|---------------------|-------------------------------------------|--------------------------------------------|
| 5/1/2022     | 323.81              | General                                   | 293783                                     |
| 5/12/2022    | 4,244.53            | General                                   | 293795                                     |
| 5/12/2022    | 16,482.09           | General                                   | 293788-293794                              |
| 5/13/2022    | 105,861.36          | General                                   | ACH<br>2476,2483,2484,2485, 2486,2487,2481 |
| 5/13/2022    | 2,504.16            | General                                   | 293785-293787                              |
| 5/13/2022    | 17,332.32           | Grants                                    | 1119/293810-293820                         |
| 5/20/2022    | 5,051.17            | General                                   | ACH 2497,2501, 2502, 2503                  |
| 5/24/2022    | 354,191.47          | American Rescue Plan Act                  | 201,1120,1121,365-367, 293827-293931       |
| 5/31/2022    | 74.23               | General                                   | ACH 2491,2492,2493                         |
| 6/1/2022     | 323.81              | General                                   | 293784                                     |
| 6/1/2022     | 32,376.85           | General                                   | 293677-293683                              |
| <b>TOTAL</b> | <b>\$538,765.80</b> |                                           |                                            |
|              | Addendum #1         | \$1,318.89 to appear on future schedule   |                                            |
|              | Addendum #2         | \$138,016.54 to appear on future schedule |                                            |
|              | Addendum #3         | \$11,702.47 to appear on future schedule  |                                            |

- C. APPROVE ORDER DESIGNATING SURPLUS PROPERTY NO LONGER IN USE BY THE INFORMATION TECHNOLOGY DEPARTMENT. (SEE ATTACHED)
- D. RECEIVE COUNTY AUDITOR'S MONTHLY REPORT, PURSUANT TO LOCAL GOVERNMENT CODE SEC. 114.025.
- E. RECEIVE DONATION FROM POLK COUNTY HIGHER EDUCATION & TECHNOLOGY FOUNDATION EQUIVALENT TO POLK COUNTY COMMERCE CENTER PROPERTY INSURANCE RENEWAL.
- F. APPROVE AMENDMENT AND RENEWAL OF FACILITY OPERATION AND MANAGEMENT SERVICES AGREEMENT WITH MANAGEMENT & TRAINING CORPORATION (MTC) RELATING TO THE IAH SECURE ADULT DETENTION FACILITY. (SEE ATTACHED)
- G. APPROVE CHANGE ORDERS TO UPDATE PRICE SHEETS FOR ROAD BASE MATERIALS FROM CCC BLACKTOPPING AND EAST TEXAS ASPHALT. (SEE ATTACHED)

- H. APPROVE ORDER ACCEPTING BRIDGEWOOD, LOCATED IN BRIDGEVIEW SUBDIVISION, PRECINCT 2, AS A COUNTY ROAD AND ADD TO MASTER STREET ADDRESS GUIDE (MSAG). (SEE ATTACHED)
  - I. APPROVE REQUEST FROM DISTRICT ATTORNEY FOR ASSET FORFEITURE EXPENDITURE OF SEIZED PROPERTY NOT TO EXCEED \$1,462.64 FOR THE PURCHASE OF OFFICE FURNISHINGS.
  - J. APPROVE REMOVAL OF BILLY DUKE AS RESERVE DEPUTY CONSTABLE AND APPOINTMENT OF TONI B. CURRIE TO RESERVE DEPUTY CONSTABLE PRECINCT 3.
  - K. APPROVE SPONSORSHIP FROM LONG TERM RECOVERY FOR OFFICE OF EMERGENCY MANAGEMENT 2022 HURRICANE PARTY, NOT TO EXCEED \$1,500.
  - L. APPROVE PURCHASE OF BATTERY BACKUP FOR JUDICIAL CENTER, NOT TO EXCEED \$2,940, TO BE PAID FROM INFORMATION TECHNOLOGIES CAPITAL OUTLAY REPAIR/REPLACE EQUIPMENT (BUDGETED FUNDS). (SEE ATTACHED)
6. DISCUSSION ON PRECINCT BOUNDARY LINES BY JUDGE MURPHY, COMMISSIONER OVERSTREET AND TAX ASSESSOR/COLLECTOR LESLIE BURKS. JUDGE MURPHY ADDRESSED CONCERNS NOTED IN PUBLIC COMMENTS, EXPLAINING THAT THE COUNTY IS REQUIRED BY FEDERAL LAW TO MOVE PRECINCT BOUNDARIES TO KEEP THE DEVIATION OF POPULATION BETWEEN PRECINCTS AS LOW AS POSSIBLE, AND NO MORE THAN 10%. THE FEDERAL GOVERNMENT PROVIDES CENSUS BLOCKS THAT CANNOT BE BROKEN UP. ONCE THE BOUNDARIES HAVE BEEN REDRAWN AND SUBMITTED TO THE FEDERAL GOVERNMENT FOR APPROVAL, THEY CANNOT BE CHANGED. SHE FURTHER NOTED THAT THE COMMISSIONERS HAVE AGREED WHICH PRECINCT IS RESPONSIBLE FOR EVERY COUNTY ROAD THAT BORDERS TWO PRECINCTS.
- IT WAS DISCOVERED THAT SEVERAL PEOPLE THAT HAVE BEEN VOTING IN PRECINCT 4 SINCE THE BOUNDARIES WERE REDRAWN FOLLOWING THE 2010 CENSUS HAVE ACTUALLY BEEN VOTING IN THE WRONG PRECINCT, AS THOSE PARTICULAR BOUNDARIES WERE NOT CHANGED FOLLOWING THE 2020 CENSUS. BURKS NOTED THAT SHE WAS NOT IN OFFICE AT THE TIME THE LINES WERE REDRAWN FOLLOWING THE 2010 CENSUS. JUDGE MURPHY NOTED THAT SHE HAS BEEN IN OFFICE LONG ENOUGH TO HAVE CORRECTED THE ERRORS. PER THE JUDGE'S REQUEST, BURKS LEFT THE MEETING TO REACH OUT TO THE SECRETARY OF STATE TO DETERMINE IF THOSE VOTERS THAT VOTED IN PRECINCT 4 IN THE PRIMARY COULD BE ELIGIBLE TO VOTE IN THE RUNOFF ELECTION. UPON RETURNING TO THE MEETING, BURKS CONFIRMED THAT SHE HAD THE RESPONSIBILITY TO CHANGE THE VOTER REGISTRATION FOR ANY VOTERS FOUND TO BE IN THE INCORRECT PRECINCT AT THE TIME THAT SHE DISCOVERED THE ERROR. THEREFORE, THOSE THAT WERE ABLE TO VOTE IN PRECINCT 4 IN THE PRIMARY ELECTION THAT HAD THEIR VOTER REGISTRATIONS CORRECTED WOULD NOT BE ELIGIBLE TO VOTE IN THE RUNOFF ELECTION IN PRECINCT 4.
7. PERSONNEL MATTERS:
- A. MOTIONED BY MILTON PURVIS, SECONDED BY RONNIE VINCENT, TO APPROVE PERSONNEL ACTION FORM REQUESTS SUBMITTED SINCE LAST MEETING (NO EMERGENCY HIRING).  
ALL VOTING YES. (SEE ATTACHED)
8. PERSONNEL MANAGEMENT SYSTEM:
- A. MOTIONED BY TOMMY OVERSTREET, SECONDED BY GUYLENE ROBERTSON TO REMOVE CAP ON RETIREE HEALTH BENEFITS FOR EMPLOYEES THAT RETIRE AND THEN RETURN TO WORK FOR THE COUNTY.  
ALL VOTING YES.
  - B. MOTIONED BY TOMMY OVERSTREET, SECONDED BY GUYLENE ROBERTSON TO CHANGE MERIT POLICY TO DISCRETIONARY RAISE POLICY THAT REMOVES THE EVALUATION FORM AS A PREREQUISITE FOR RAISES; AND CREATE A LINE ITEM FOR

EACH DEPARTMENT'S BUDGET ALONG WITH ONE UNDER COMMISSIONERS COURT THAT DEPARTMENTS CAN REQUEST TO UTILIZE (NO MORE THAN 50% OF THEIR STAFF IN A GIVEN YEAR).

ALL VOTING YES.

- C. MOTIONED BY MILTON PURVIS, SECONDED BY RONNIE VINCENT, TO UPDATE LONGEVITY POLICY, EFFECTIVE OCTOBER 1, 2022, TO PAY OFFICIALS AND REGULAR FULL-TIME AND PART-TIME EMPLOYEES ON THE LAST PAYROLL OF THE MONTH THEIR LONGEVITY IS EARNED AS FOLLOWS: YEARS 2-4 \$500; YEARS 5-9 \$1,000; YEARS 10-14 \$2,000; YEARS 15-19 \$2,500; YEARS 20-24 \$3,000; YEARS 25-29 \$3,500; YEARS 30+ \$4,000.

ALL VOTING YES.

9. BUDGET REVISIONS/AMENDMENTS:

- A. MOTIONED BY RONNIE VINCENT, SECONDED BY TOMMY OVERSTREET, APPROVAL OF FY2022 BUDGET REVISIONS #2022-13 AND AMENDMENTS #2022-13(A), AS PRESENTED BY THE COUNTY AUDITOR'S OFFICE.

ALL VOTING YES. (SEE ATTACHED)

10. CAPITAL PURCHASES:

- A. MOTIONED BY RONNIE VINCENT, SECONDED BY GUYLENE ROBERTSON, APPROVAL TO REPAIR THE FLOORS AT THE SHERIFF'S OFFICE, PURSUANT TO LOCAL GOVERNMENT CODE, SEC. 252.022, LESS AMOUNT TO BE PAID BY INSURANCE, TO BE PAID FROM GENERAL FUND BALANCE, NOT TO EXCEED \$53,200, AND INCLUDED ON THE FY2022 REIMBURSEMENT RESOLUTION FOR YEAR-END ISSUANCE OF LEGALLY AUTHORIZED DEBT (TAX NOTES).

(SEE ATTACHED)

ALL VOTING YES.

11. MOTIONED BY RONNIE VINCENT, SECONDED BY MILTON PURVIS, APPROVAL OF OFFERS TO PURCHASE TAX FORECLOSED PROPERTIES, AS FOLLOWS:

(PCT. 2) LOT 20, BLOCK 6, KICKAPOO FOREST, CAUSE #T14-075.

(PCT. 3) LOTS 85 & 86, SNOW HILL, CAUSE #T15-170.

9.35 ACRES, AJ WILCOX SURVEY, ABSTRACT 623, CAUSE #T11-135.

ALL VOTING YES.

12. MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE REQUEST FROM PRECINCT 2 COMMISSIONER RONNIE VINCENT TO UTILIZE DISASTER RECOVERY / MITIGATION FUNDS IN THE AMOUNT OF \$194,000 FOR THE PARTIAL REBUILD AND REPAIR OF COUNTY ROADS AND CULVERTS IMPACTED BY THE APRIL 2020 TORNADO.

13. MOVED TO END OF MEETING.

14. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO SELECT TFR ENTERPRISE AS PRIMARY AND DRC EMERGENCY SERVICES AS SECONDARY CONTRACTS FOR PREPOSITIONED CONTRACTS FOR EMERGENCY DISASTER DEBRIS REMOVAL, REDUCTION, DISPOSAL AND OTHER DEBRIS-RELATED SERVICES.

ALL VOTING YES.

15. MOTIONED BY GUYLENE ROBERTSON, SECONDED BY RONNIE VINCENT, TO APPROVE ACCEPTANCE OF PROPOSED FUNDING TO POLK COUNTY PER THE DEEP EAST TEXAS COUNCIL OF GOVERNMENTS (DETCOG) METHOD OF DISTRIBUTION (MOD) FOR THE REGIONAL MITIGATION PROGRAM, PART OF THE STATE OF TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) MITIGATION ACTION PLAN, IN THE AMOUNT OF \$17,098,000.

(SEE ATTACHED)

13. BUDGET WORKSHOP:

- A. JAMES GILLEY WITH U.S. CAPITAL ADVISORS PROVIDED INFORMATIONAL REPORT AND OPTIONS FOR ISSUANCE OF DEBT TO FUND ALL OR PORTION OF THE COUNTY'S PORTION (WHAT IS NOT GRANT FUNDED) OF THE COURTHOUSE RESTORATION PROJECT.

MOTIONED BY MILTON PURVIS, SECONDED BY TOMMY OVERSTREET, TO APPROVE UTILIZING \$2,450,000 FROM GENERAL FUND BALANCE AND TO INCLUDE THE REMAINING (ESTIMATED AT \$5,726,837) ON THE 2022 SERIES TAX NOTES, TO BE PAID OVER THE NEXT SEVEN YEARS.

ALL VOTING YES.

- B. MOTIONED BY MILTON PURVIS, SECONDED BY GUYLENE ROBERTSON, TO TABLE "DISCUSS AND CONSIDER CHANGES TO THE DISTRIBUTION OF THE ROAD & BRIDGE PORTION OF TAX RATE IN CONFORMANCE WITH REVISED PRECINCT BOUNDARIES".

ALL VOTING YES.

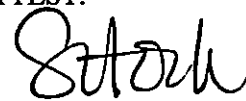
ADJOURN:

MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO ADJOURN COURT THIS 24<sup>TH</sup> DAY OF MAY 2022 AT 11:51 A.M.

ALL VOTING YES.

  
SYDNEY MURPHY, COUNTY JUDGE

ATTEST:

  
SCHELANA HOCK, COUNTY CLERK