

**COMMISSIONERS COURT
AGENDA POSTING # 2021-088**

Be it remembered on this the 28TH day of **SEPTEMBER, 2021**, 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 AND CALLED TO ORDER AT 10:00 A.M. BY JUDGE SYDNEY MURPHY.
 - INVOCATION LED BY JOSH CARNEY OF FIRST PENECONSTAL CHURCH.
 - PLEDGES TO U.S. & TEXAS FLAGS LED BY COUNTY CLERK SCHELANA HOCK.

2. PUBLIC COMMENTS:
TYLER EPSTEIN DISCUSSED J.A. WALDING ROAD.

JUDGE MURPHY READ COMMENTS SUBMITTED BY CLAIR MCADAMS AND RYAN THOMAS FOR THE RECORD IN REGARDS TO J.A. WALDING ROAD.

KYLE PARRISH SPOKE FOR CRAIG JONES, REID ROWE AND BUBBA ROWE REGARDING AGENDA ITEMS 16 AND 17.

3. INFORMATIONAL REPORTS:
 - A. PRESENTATION OF TEXAS HISTORICAL COMMISSION DISTINGUISHED SERVICE AWARD TO POLK COUNTY HISTORICAL COMMISSION.

NEW BUSINESS

4. CONDUCT PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE COUNTY AND DISTRICT CLERKS' PRESERVATION AND RESTORATION RECORDS PLANS FOR FY2022.
PUBLIC HEARING BEGAN AT 10:10 A.M.
COUNTY CLERK & DISTRICT CLERK DISCUSSED PLANS.
NO FURTHER COMMENTS.
5. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO CLOSE THE PUBLIC HEARING AT 10:12 A.M.
ALL VOTING YES.
6. CONDUCT PUBLIC HEARING ON THE CREATION OF A REINVESTMENT ZONE TO BE KNOWN AS POLK COUNTY REINVESTMENT ZONE-LONE SPUR FOR PURPOSES OF TAX ABATEMENT TO PROVIDE ECONOMIC DEVELOPMENT WITHIN THE COUNTY, AS DESCRIBED AND DEPICTED:

Owner	Parcel #	Acreage
WILLIS BROTHERS LTD PARTNERSHIP	10063000900	250.757
CHARLES R ZIPPERER SR.	80150003200	11.43
ANDREW JACKSON & ALBERTA HOWARD	80150003400	5.66
Owner	Parcel #	Acreage
CLYDE C. & LINDA K. ADAMS	80150003300	11.433
WILLIS BROTHERS LTD PARTNERSHIP	10063000810	20
R.L. (NUNNY) & PATRICIA SANDERS	10063001600	48.626
WILLIS BROTHERS LTD PARTNERSHIP	10525007200	9
MIKE R. PARKER	10063001200	48.09
ELISABETH A. COCHRAN HUGHES	10063000710	154.436
RODNEY & BRENDA SMITH	10063005000	50
MIKE R. PARKER	10525001900	124.05
WAYNE REED JR. & SHERRY BAKER	10098000520	166.3
WAYNE REED JR. & SHERRY BAKER	10060008626	3.3
ODETTE MCMURREY MACE	10098001850	94.43
JAMES D. MCMURREY JR.	10098000600	75
MICHAEL R. PARKER TRUST	10525004400	87.32
ELISABETH A. COCHRAN HUGHES	10063000700	1.56
SAID DIRI & LATIFA ELMHARZI	80150003000	15
DEBRA NELSON	80150002400	6.27
GREGORY & INEZ DUNKER	80150003900	25
JAMES PAUL LAURENT	10060009500	1
WILLIS BROTHERS LTD PARTNERSHIP	10060008200	292
WILLIS BROTHERS LTD PARTNERSHIP	10874000200	62
ROBERT J. & PEGGY RANDOLPH	10060007700	0.5
JAMES PAUL LAURENT	10060009400	800.24
WAYNE REED JR. & SHERRY BAKER	10060009000	57.11
WAYNE REED JR. & SHERRY BAKER	10060008630	290.13
WAYNE REED JR. & SHERRY BAKER	10060008300	109.65
ROBERT J. & PEGGY RANDOLPH	10060007702	70.162
WILLIS BROTHERS LTD PARTNERSHIP	10060010900	67.12
GEMINI77 LAND LLC	10060007600	591.06
WILLIS BROTHERS PARTNERSHIP	10098000200	396
WAYNE REED JR. & SHERRY BAKER	10098000510	62.87
ROBERT C. WILLIS	10098000300	0.5
DEBRA NELSON	80150002400	5
DEBRA NELSON	80150002400	18.77
WAYNE REED JR. & SHERRY BAKER	10098000400	135.01
PATSY SICINSKI	10874000100	59.561
WRIGHT BAKER	10098000500	212.59
ALLEN NELSON	80150002300	13.18
MARY L. CORIA	10063001805	1.608
ALVO WOODS	10063002005	1.608
EVELYN REESE	10063002100	1.608
BILLY T. PAGE	80150002605	2.5
ODETTE MCMURREY MACE	10098000650	75
HOWARD JR. & MARIE T. DANIEL	10063000100	10.9
PATRICIA SCHUENEMAN DAVIS	80150002600	2.5
JAMES D. MCMURREY	10098001800	94.43
DEBRA NELSON	80150002400	13.61
DEBRA NELSON	80150002400	16.78

DEBRA NELSON	80150002400	5
DOYLE & MICHELE FENLEY TRUSTEES OF THE DOYLE FENLEY & MICHELE FENLEY	80150002800	5
WILLIS BROTHER LTD PARTNERSHIP	10063001400	739.333
CHARLES D. MCMURREY	10063000310	48.837
JOSE T. REYNOSO	80150002000	9.27
CLAUDE G. & FRANCES HUGHES	10063000400	8.307
WILLIS BROTHERS LTD PARTNERSHIP	10063001410	1.42
JOHNNY & ELLEN VINCENT	10060003800	7.1
SHILOH RIDGE WATER SUPPLY CORP.	10060007720	2.737
JOHN LARRY PETERS	10525003500	1.3
STATE OF TEXAS	10063000500	278.03
JOHN LARRY PETERS	10525002115	6.5
JOHN LARRY PETERS	10525002130	1.711
TRUMAN WAYNE PETERS	10525002100	8.211
SM FARMS FAMILY LIMITED PARTNERSHIP	10525006200	221.51
HENRY & CAROLYN ISBELL	10063000600	4.6169
RONALD & DEBRA MCCLAIN	10525004600	101.09
MURPHY CHILDREN TRUST	10525002400	222
JAMES A. & JOYCE S. WEAVER	10525005300	40.86
DEE & KATHY FERIS	10063000620	3.919
REBA A. SIMMONS	10525002105	1
CHRISTINA & DARIN PETERS	10525002200	5
LAKE LIVINGSTON BOAT & RV STORAGE LLC.	10063000615	14
TERRY & VICKIE FREEMAN	10063000630	30
DANNY & YVONNE GLOVER	10063000610	18.3
DANNY & YVONNE GLOVER	10063000645	11.051
DANNY & YVONNE GLOVER	10063000646	5.969
HENRY & CAROLYN ISBELL	10063000621	8.4231
FRANKIE J. JR & VICKEY GENNUSO	10063000647	0.2841
DANNY & YVONNE GLOVER	10063000651	5.06
DANNY & YVONNE GLOVER	10063000650	6.11
STEVE & MILLS RHETTA BESIER	10063000611	5
DANNY & YVONNE GLOVER	10063000613	10.144
PAN AMERICAN PROPERTIES LLC	10063001420	10.667
STEVE & MILLS RHETTA BESIER	10063000655	5
JOHN LARRY PETERS	10525003600	1.5
JOHN LARRY PETERS	10525004610	1.31
GUADALUPE VILLASENOR	10240000600	33.622
JAMES M. MCMURREY	10063000301	14.7941
CHARLES RANDY PETERS	10525002140	8.211
JASON ARCE	10525002120	8.211
CHRISTINA & DARIN PETERS	10525002150	3.211
PATSY SICINSKI	10240000810	5.411
THRESSA F. MORGAN	10063001905	0.311
DOUGLAS LEE RANDOLPH ESTATE	10063001700	1.608
THRESSA F. MORGAN	10063001900	1.297
CHARLES SPARKS	10063000625	11.091
CLAUDE G. & FRANCES HUGHES	10063000410	1
ADN INC.	10063000300	23.498
CLAUDE & JUNE HUGHES	10063000705	6.72
ALLEN & MICHELLE POTTER	10060003500	2

ALLEN & MICHELLE POTTER	10060003400	17.928
PATSY SICINSKI	10240000800	22.135
ROGER RANDOLPH	10063003300	1.35
MIKE R. PARKER	10525002000	1
		6691.2632

ERIC MAGEE OF ALLISON, BASS & MAGEE, LLP DISCUSSED ITEM 6.

BART GOLDSMITH PROVIDED COMMENTS ABOUT ASSISTING WITH DEVELOPMENT IN THE COUNTY.

NO FURTHER COMMENTS.

7. MOTIONED BY MILTON PURVIS, SECONDED BY RONNIE VINCENT, TO CLOSE PUBLIC HEARING AT 10:19 A.M.
ALL VOTING YES.
8. MOTIONED BY GUYLENE ROBERTSON, SECONDED BY RONNIE VINCENT, APPROVAL TO CREATE A REINVESTMENT ZONE, TO BE KNOWN AS POLK COUNTY LONE SPUR FOR PURPOSES OF TAX ABATEMENT TO PROVIDE ECONOMIC DEVELOPMENT WITHIN THE COUNTY IN ACCORDANCE WITH CHAPTER 312 OF THE TEXAS TAX CODE, SAID REINVESTMENT ZONE TO BE LOCATED AS DESCRIBED IN THE APPLICATION BY LONE SPUR SOLAR ENERGY LLC.
JUDGE SYDNEY MURPHY ABSTAINED.
ALL OTHERS VOTING YES. (SEE ATTACHED)
9. MOTIONED BY GUYLENE ROBERTSON, SECONDED BY TOMMY OVERSTREET TO APPROVE THE ROAD USE AGREEMENT WITH LONE SPUR ENERGY FOR THE PURPOSES OF RESTORING ANY ROADS POTENTIALLY DAMAGED DURING CONSTRUCTION OF SOLAR FARM.
JUDGE SYDNEY MURPHY ABSTAINED.
ALL OTHERS VOTING YES.
MOTION BY GUYLENE ROBERTSON, SECONDED BY TOMMY OVERSTREET, TO APPROVE A TAX ABATEMENT AGREEMENT WITH LONE SPUR SOLAR ENERGY LLC, TO PROVIDE ECONOMIC DEVELOPMENT WITHIN POLK COUNTY REINVESTMENT ZONE-LONE SPUR LOCATED WITHIN POLK COUNTY IN ACCORDANCE WITH CHAPTER 312 OF THE TEXAS TAX CODE, UPON LAND DESCRIBED IN THE APPLICATION AND PUBLIC NOTICES REQUIRED BY LAW, FOR THE CONSTRUCTION OF A SOLAR POWER GENERATING PROJECT OF APPROXIMATELY 105 MW CAPACITY, AT AN ESTIMATED COST OF \$76,000,000.
JUDGE SYDNEY MURPHY ABSTAINED.
ALL OTHERS VOTING YES.
MOTION BY GUYLENE ROBERTSON, SECONDED BY MILTON PURVIS, TO APPROVE THE ADDENDUM TO THE TAX ABATEMENT AGREEMENT WITH LONE SPUR SOLAR ENERGY LLC TO ACCEPT THE JOB CREATION WAIVER AND THE NUMBER OF PERMANENT JOBS CREATED.
JUDGE SYDNEY MURPHY ABSTAINED.
ALL OTHERS VOTING YES. (SEE ATTACHED)
10. CONSENT AGENDA: JUDGE MURPHY NOTED THAT CONSENT AGENDA ITEM B INCLUDES 5 ADDENDUMS IN THE AMOUNTS OF \$20,026.26, \$2,800, \$146,521.72, \$40,358.59 AND \$291,705.41. MOTIONED BY RONNIE VINCENT, SECONDED BY MILTON PURVIS, TO APPROVE THE CONSENT AGENDA AS FOLLOWS: (ALL VOTING YES)
 - A. APPROVE MINUTES OF PREVIOUS MEETING: SPETEMBER 14, 2021 (REGULAR SESSION).
 - B. APPROVE SCHEDULES OF BILLS, INCLUDING ADDENDUMS. (SEE ATTACHED)
 - C. APPROVE ORDER DESIGNATING SURPLUS PROPERTY. (SEE ATTACHED)
 - D. RECEIVE COUNTY AUDITOR'S MONTHLY REPORT, PURSUANT TO LOCAL GOVERNMENT CODE SEC. 114.025.

- E. APPROVE ORDER SETTING JUROR REIMBURSEMENT FOR FY2022. (SEE ATTACHED)
- F. APPROVE ORDER DESIGNATING REGULAR TERMS OF COMMISSIONERS COURT FOR FY2022. (SEE ATTACHED)
- G. APPROVE ORDER SETTING TERMS OF THE CONSTITUTIONAL COUNTY COURT. (SEE ATTACHED)
- H. ADOPT RESOLUTION EXPRESSING INTENT TO REIMBURSE CERTAIN FY2022 EXPENDITURES (CAPITAL PURCHASES) TO BE INCURRED BY POLK COUNTY, TEXAS (REIMBURSEMENT RESOLUTION) (SEE ATTACHED)
- I. APPROVE DISTRICT CLERK PRESERVATION AND RECORDS RESTORATION PLAN FOR FY2022 AND SET A DISTRICT COURT RECORDS ARCHIVE FEE IN THE AMOUNT OF \$10, AS REFLECTED IN THE FY2022 ADOPTED BUDGET. (SEE ATTACHED)
- J. APPROVE COUNTY CLERK PRESERVATION AND RECORDS RESTORATION PLAN FOR FY2022 AND SET A COUNTY CLERK RECORDS ARCHIVE FEE IN THE AMOUNT OF \$10, AS REFLECTED IN THE FY2022 ADOPTED BUDGET. (SEE ATTACHED)
- K. RECEIVE AND RECORD DISTRICT JUDGES' ORDER OF RE-APPOINTMENT AND OATH OF LOUIS PLOTH AS COUNTY AUDITOR FOR POLK COUNTY, EFFECTIVE SEPTEMBER 18, 2021. (SEE ATTACHED)
- L. APPROVE REQUEST FROM SCOTT HUGHES, CONSTABLE PRECINCT 1, FOR ASSET FORFEITURE EXPENDITURE OF SEIZED PROPERTY NOT TO EXCEED \$47,800 FOR PURCHASE OF LAW ENFORCEMENT VEHICLE AND \$1,480.93 FOR TRAVEL/TRAINING.
- M. APPROVE SIX-MONTH RENEWAL OF MEMORANDUM OF UNDERSTANDING WITH CONSTABLE PRECINCT 1 REGARDING BEAU PRICE MONTHLY SALARY, TO BE FUNDED SOLELY FROM CONSTABLE PRECINCT 1 ASSET SEIZURES. (SEE ATTACHED)
- N. APPROVE REQUEST FROM LEE HON, DISTRICT ATTORNEY, FOR ASSET FORFEITURE EXPENDITURE OF SEIZED PROPERTY NOT TO EXCEED \$1,676 FOR PUBLICATION OF LEGAL DOCUMENTS.
- O. ACCEPT DONATIONS PROVIDED TO THE FIRE MARSHAL FOR FIRE PREVENTION EDUCATION.
- P. APPROVE USE OF \$29,980 FROM MAINTENANCE CAPITAL OUTLAY BUILDINGS (BUDGETED FUNDS) TO REPLACE ROOF AT CORRIGAN FOOD PANTRY.
- Q. APPROVE USE OF \$3,044.39 FROM JUSTICE COURT BUILDING SECURITY FUND BALANCE TO INSTALL WALK THROUGH METAL DETECTOR AT JUSTICE OF THE PEACE, PRECINCT 2.
- R. APPROVE REVISION OF ORDER AUTHORIZING AND ASSIGNING SPACE IN COUNTY-OWNED BUILDINGS. (SEE ATTACHED)
- S. APPROVE REVISIONS TO ANIMAL CONTROL ORDINANCE REGARDING LEGISLATED CHANGES IN FEES. (SEE ATTACHED)

11. PERSONNEL MATTERS:

- A. MOTIONED BY TOMMY OVERSTREET, SECONDED BY GUYLENE ROBERTSON, TO APPROVE PERSONNEL ACTION FORM REQUESTS SUBMITTED SINCE LAST MEETING AND AUTHORIZING 2 EMERGENCY HIRES (1-SHERIFF'S OFFICE & 1-JAIL). ALL VOTING YES. (SEE ATTACHED)

12. BUDGET REVISIONS/AMENDMENTS:

- A. MOTIONED BY RONNIE VINCENT, SECONDED BY TOMMY OVERSTREET, APPROVAL OF FY2021 BUDGET REVISIONS #2021-19 AND AMENDMENTS #2021-19(A), AS PRESENTED BY THE COUNTY AUDITOR'S OFFICE. ALL VOTING YES. (SEE ATTACHED)

- 13. MOTIONED BY RONNIE VINCENT, SECONDED BY MILTON PURVIS, APPROVAL TO PURCHASE TAX FORECLOSED PROPERTIES AS FOLLOWS:
(PCT 2) LOTS 36, 37 & 38, BLOCK 11, SECTION 2, CEDAR POINT, CAUSE #T13-116

ALL VOTING YES.

14. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, APPROVAL OF PROPOSED THREE (3) YEAR AGREEMENT FROM NET DATA FOR JUSTICE OF THE PEACE CASE MANAGEMENT, REAL VISION IMAGING, INTEGRATED CREDIT CARD PAYMENT SYSTEM, iTICKET DPS CITATION DOWNLOAD AND GHS COLLECTIONS MANAGEMENT AND AUTHORIZING COUNTY JUDGE TO SIGN AGREEMENTS.

ALL VOTING YES. (SEE ATTACHED)

15. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT TO TABLE ITEM TO END OF AGENDA TO CONSULT WITH LEGAL COUNSEL.

16. MOTIONED BY RONNIE VINCENT, SECONDED BY TOMMY OVERSTREET, TO MODIFY POLK COUNTY SUBDIVISION REGULATIONS TO ONLY REQUIRE IMPERVIOUS SURFACE ON PUBLIC ROADS ACCESS BY EXISTING ROADS WITH IMPERVIOUS SURFACE AND NOT REQUIRE IMPERVIOUS SURFACE ON PRIVATE ROADS.

ALL VOTING YES

MOTIONED BY GUYLENE ROBERTSON, SECONDED BY MILTON PURVIS, TO REQUIRE A 10% BOND FOR 2 YEARS, ARTICLES OF INCORPORATION INCLUDED IN BYLAWS, CONSTRUCTION AGREEMENT FORM, REMOVE WATER DEVELOPMENT BUT INCLUDE CERTIFICATE.

ALL VOTING YES.

17. MOTIONED BY RONNIE VINCENT, SECONDED BY TOMMY OVERSTREET, TO RELEASE CONSTRUCTION SECURITY UPON RECEIPT OF WRITTEN REQUEST AND APPROVE ROLLING PINES SUBDIVISION SECTION 1 LOCATED IN PRECINCT 2 CONTINGENT UPON RECEIPT OF MAINTENANCE BOND.

ALL VOTING YES.

18. MOTIONED BY TOMMY OVERSTREET, SECONDED BY RONNIE VINCENT, TO ACCEPT NOMINATION OF PAM PIERCE, MIKE NETTLES, TOM CURRAN, PAUL DAVID "FATMAN" EVANS, AND LESLIE JONES-BURKS BY RESOLUTION, FOR POLK CENTRAL APPRAISAL DISTRICT BOARD MEMBERS FOR THE 2022/2023 TERM.

ALL VOTING YES. (SEE ATTACHED)

19. MOTIONED BY TOMMY OVERSTREET, SECONDED BY GUYLENE ROBERTSON, TO RESCHEDULE THE REGULAR COMMISSIONERS COURT SESSION SET FOR TUESDAY, OCTOBER 12TH TO FRIDAY OCTOBER 8TH, DUE TO THE COURT'S ATTENDANCE AT THE COUNTY JUDGES AND COMMISSIONERS ASSOCIATION CONFERENCE IN ROUND ROCK, TEXAS.

ALL VOTING YES.

20. MOTIONED BY TOMMY OVERSTREET, SECONDED BY GUYLENE ROBERTSON, TO AUTHORIZE GOODWIN-LASITER-STRONG TO ADVERTISE FOR CONSTRUCTION BIDS ON THE TEXAS DEPARTMENT OF AGRICULTURE FY2020 DALLARDSVILLE SEGNO WSC PLANT IMPROVEMENTS, CONTRACT NO. 7220361 AND AUTHORIZING THE COUNTY JUDGE TO SIGN DOCUMENTS.

ALL VOTING YES.

21. MOTIONED BY GUYLENE ROBERTSON, SECONDED BY MILTON PURVIS, TO ACCEPT COOPER RANCHES LLC PROPOSAL #2021-20 FOR SCHOOL LANDS LEASE.

ALL VOTING YES.

22. MEDICAL AND MENTAL HEALTH SERVICES AT THE POLK COUNTY JAIL:

A. MOTIONED BY GUYLENE ROBERTSON, SECONDED BY RONNIE VINCENT, APPROVAL OF AGREEMENT FOR MEDICAL DIRECTOR SERVICES WITH DR. RAYMOND LUNA

INCREASING PAY TO \$80,400 ANNUALLY.

ALL VOTING YES. (SEE ATTACHED)

- B. MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, APPROVAL OF AGREEMENT FOR AFTER-HOURS INMATE MEDICAL SERVICES WITH ANN LUNA WINSTON, IN THE AMOUNT OF \$36,000 ANNUALLY.

ALL VOTING YES. (SEE ATTACHED)

- C. MOTIONED BY GUYLENE ROBERTSON, SECONDED BY TOMMY OVERSTREET, APPROVAL OF AGREEMENT FOR INMATE MENTAL HEALTH SERVICES WITH SERENITY HOUSE COUNSELING, PLLC., IN THE AMOUNT OF \$48,000 ANNUALLY.

ALL VOTING YES. (SEE ATTACHED)

JUDGE MURPHY INTRODUCED HER NEW OFFICE MANAGER JENNIFER THOMPSON.

23. MOTIONED BY TOMMY OVERSTREET, SECONDED BY GUYLENE ROBERTSON, TO ADOPT FINDINGS OF FACT REGARDING POLITICAL BOUNDARIES OF POLK COUNTY, TEXAS AND AN ORDER REDISTRICTING OF POLITICAL BOUNDARIES; AND EVALUATE DEMOGRAPHICS REGARDING REDISTRICTING OF COUNTY POLITICAL BOUNDARIES.

ALL VOTING YES. (SEE ATTACHED)

COURT ENTERED INTO EXECUTIVE SESSION AT 11:45 A.M. PURSUANT TO GOVERNMENT CODE 551.071 FOR CONSULTATION WITH ATTORNEY.

EXECUTIVE SESSION ENDED AT 12:48 P.M.

COURT RETURNED TO OPEN SESSION AT 12:49 P.M.

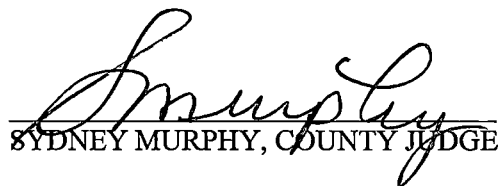
15. MOTIONED BY RONNIE VINCENT, SECONDED BY GUYLENE ROBERTSON, TO TAKE NO ACTION. CHANGING THE STATUS OF JA WALDING ROAD.

ALL VOTING YES.

ADJOURN:

MOTIONED BY TOMMY OVERSTREET, SECONDED BY MILTON PURVIS, TO ADJOURN COURT THIS 28TH DAY OF SEPTEMBER 2021 AT 12:50 P.M.

ALL VOTING YES.


SYDNEY MURPHY, COUNTY JUDGE

ATTEST:


SCHELANA HOCK, COUNTY CLERK