

Exhibit B
County Rejection of Proposed
Rollover



Amy Holdeman, Purchasing Agent

TO: Ms. Lisa Agnor

Date: August 26, 2010

RE: City –County Contract; FY 2010

Ms. Agnor, regarding the story in today's Marshall News Messenger, as you may be aware, the County had traditionally prepared the Interlocal Agreement between the City and the County. This was also the case in 2009, when following the approval of the annual contracts by the Commissioners' Court, the Interlocal Agreement with the City was forwarded to Mr. Ardis Wright on October 13, 2009.

In the transmittal correspondence, it is specifically stated that "I will not be able to disburse payments until I receive the executed contract." This is my duty under the laws of the State of Texas. Once this is done, the City will receive payment due.

For the record, the contract for FY 2009 was forwarded to the City Manager's Office on November 24, 2008 and was returned to the County on July 1, 2009. The County issued its check for \$65,000 on July 13, 2009, which "caught up" the payments due through the end of July.

Further, Commissioners voted unanimously, on February 9, 2009, to not approve the "roll over" for road construction set forth in the addendum proposed by the City, and a copy of this resolution was faxed to the City on February 18, 2009.

Last, please be advised that my file reflects that the Park Street renovation which was performed by the County in 2008 was done at a cost of \$33,600, which represented work for calendar years 2007 and 2008, as reflected in the attached resolution passed on June 24, 2008. Accordingly, the only year in question as to the "rollover" is 2009.

Thus, please be advised that once I receive the executed contract, the City will be paid, just as with last year. Please do not hesitate to contact me should you have any questions with respect to the foregoing.

Sincerely,

Amy Holdeman
Purchasing Agent



County Judge
Richard M. Anderson
Harrison County
200 West Houston, Room 315
Marshall, Texas 75670
903-935-8401
903-935-4853 Fax
Charlene Graff, Admin. Assist.

FILED FOR RECORD
2009 FEB -5 PM 3:12

CLEAR
BY [Signature] CLERK
PROPERTY

Pursuant to Chapter 551 of the Texas Government Code requiring governmental bodies to give notice of their meetings, this is to advise that a REGULAR meeting of the HARRISON COUNTY COMMISSIONERS' COURT will be held at 9:00 a.m. on the 9th day of FEBRUARY 2009, in the COMMISSIONERS' COURTROOM at the HARRISON COUNTY COURTHOUSE in MARSHALL, TEXAS, at which time the Commissioners' Court will consider all matters pertaining to Harrison County business as may come before it, including by way of information but not limitation, the following matters:

CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE
PUBLIC COMMENTS

AGENDA:

1. Consideration and action regarding Line Item Transfers and Fund Transfers as listed, but not limited to:
2. Ratification of approval of budget amendment (line item 14-620-4572) in the amount of \$170,991.00 to budget auction proceeds to be used for R& B equipment purchases.
3. Consideration and action to approve the purchase of one (1) leather high-back chair in the amount of \$179.99 as requested by the District Judge.
4. Consideration and approval of payment of Regular and Special Bills.
5. Consideration and approval of transcribed minutes of Regular Commissioner's Court Meeting(s) of January 12, 2009 and January 27, 2009 and a Special Meeting of January 23, 2009.
6. Administrative Session -- (Dept.) Written Reports:
 - a. Maintenance --- concerning repairs and maintenance performed upon county owned premises and equipment; status of ongoing projects, and information concerning planned projects.
 - b. Human Resources --- concerning current employee numbers, vacancies and hiring of employees in any county departments.
 - c. Information Technology --- concerning the status of all existing/required communication and information services and equipment, including phones, computers, audio/visual aids and security equipment.
 - d. Sheriff --- concerning statistics reflecting law enforcement activity; execution of civil responsibilities; jail population and location of and turnover in prisoners.
 - e. Road and Bridge --- concerning status of construction, maintenance and repairs of county roads, bridges and right of ways; also concerning condition of equipment.
7. Consideration and approval of personnel changes for the Harrison County Road & Bridge Department.

8. Consideration and approval of the utility applications submitted to the Harrison County Road & Bridge Department as follows:

| | |
|------------------------------|---|
| Tanos Exploration, LLC. | Ray Bussey Road, CR 3634 |
| Penn Virginia Oil & Gas L.P. | Judge Furrh Road, CR 1207 |
| Leigh Water Supply Corp. | North Marshall Industrial Avenue, CR 4016 |
| Leigh Water Supply Corp. | Old 134, CR 2606 |

9. Consideration and approval of STOP sign Issuance Order #09-48 to post a STOP sign on CR 1320/Eddington Road at its intersection with CR 1314/Mercer Road.

10. Consideration and action to approve two (2) Interlocal Agreements to allow Harrison County to utilize current competitively bid contracts as listed below.

1. Collin County and Harrison County and to further authorize the County Judge to execute the same.
2. Hunt County and Harrison County and to further authorize the County Judge to execute the same.

11. Consideration and action to approve Amendment 5 to the Professional Service Agreement between Architexas and Harrison County and to further authorize the County Judge to execute the same.

[12. Consideration and action to approve an Addendum to the Annual Interlocal Agreement between Harrison County and the City of Marshall and to further authorize the County Judge to execute the same.] ★

13. Consideration and approval of 2009-2010 Historical Commission appointments as requested by Ms. Margaret Agnor, Chairman.

14. Consideration and action regarding the request by Activa for a tax abatement agreement with Harrison County.

15. Consideration and approval of the acceptance of the FY 2009 Formula Grant (10/1/2008 – 9/30/2009) for Indigent Defense Services in the amount of \$33,730.00 and authorization for the County Judge to execute said document.

ADJOURN


 RICHARD ANDERSON, COUNTY JUDGE

This is to certify that at the time and date stamped hereon, the notice of a meeting, a copy of which is attached hereto, has been filed in my office, and posted on my official bulletin board in the Courthouse, as is required by Texas Government Code, Chapter 551.

Executed on February 5, 2009.

Bruce AnnMarie
 COUNTY CLERK
 HARRISON COUNTY, TEXAS

(In accordance with Title III of the Americans with Disabilities Act, we invite all attendees to advise us of any special accommodations due to disability. Please submit your request as far as possible in advance of the program you wish to attend.)

Item #1

Motion by Comm. Greer
Seconded by Comm. Thompson
All Members voting in favor
Motion carried unanimously
Order #2009-30

IT IS ORDERED by the Commissioners' Court of Harrison County, Texas, to approve the Line Item Transfers and Fund Transfers as submitted and approved by the County Auditor: Exhibit A

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Item #2

Motion by Comm. McBride
Seconded by Comm. Greer
All Members voting in favor
Motion carried unanimously
Order #2009-31

IT IS ORDERED by the Commissioners' Court of Harrison County, Texas, to approve and ratify Budget Amendment (line item 14-620-4572) in the amount of \$170,991.00, dated August 26, 2008, to budget auction proceeds to be used for the Road and Bridge Department equipment purchases. Exhibit B

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Item #3

Motion by Comm. Bennett
Seconded by Comm. McBride
All Members voting in favor
Motion carried unanimously
Order #2009-32

IT IS ORDERED by the Commissioners' Court of Harrison County, Texas, to approve the purchase of one (1) leather high-back chair in the amount of \$179.99 as requested by the District Judge. Exhibit C

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2-9-2010

ADDENDUM TO THE 2008 - 2009 INTERLOCAL AGREEMENT BETWEEN
HARRISON COUNTY AND THE CITY OF MARSHALL TEXAS

This Addendum supplements and modifies the attached (or accompanying) Interlocal Agreement by and between Harrison County and the City of Marshall, Texas; and in the event of any inconsistency between the terms and provisions of this Addendum, on the one hand, and the terms and provisions of the attached Agreement, on the other hand, the terms and provisions of this Addendum shall supersede and be controlling.

1. Section 3.7 under Section Three "Harrison County Library Service" is hereby amended and modified by deleting the final sentence of said section which reads as follows: "Any unused portion of the remaining \$16,800.00 mutual aid balance will expire on September 30, 2009, and will not be carried beyond the term hereof" and the following sentence shall be added "Any unused portion of the remaining \$16,800.00 mutual aid balance that has not been utilized by September 29, 2009, shall carryover to the following year."

WITNESS THE EXECUTION HEREOF, effective in duplicate, this 28th day of January, 2009.

CITY OF MARSHALL,

BY: Frank Johnson
Frank Johnson, City Manager

Attest:

Lisa Agnor
Lisa Agnor, City Secretary

EXHIBIT - F
FEB 09 2009

X:\DOCS\CONTRACT-ADDENDUM

NOT APPROVED

Item #12

2-9-2009

Motion by Comm. Greer
Seconded by Comm. McBride
All Members voting in favor
Motion carried unanimously
Order #2009-41

IT IS ORDERED by the Commissioners' Court of Harrison County, Texas, to decline to accept the Addendum dated January 28, 2009, to the Annual Inter-local Agreement between Harrison County and the City of Marshall, and **it is further ordered**, that any subsequent requests are to be reviewed, ad hoc, by the Court. Exhibit P

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Item #13

Motion by Comm. Bennett
Seconded by Comm. Thompson
All Members voting in favor
Motion carried unanimously
Order #2009-42

IT IS ORDERED by the Commissioners' Court of Harrison County, Texas, to approve the 2009-2010 Historical Commission appointments as requested by Ms. Margaret Agnor, Chairman: Exhibit Q

Need exhibit with names.

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FACSIMILE if all pages are not received please call 903.935.8412

To: City Of Marshall Purchasing Department
Attn: Mr. Artis Wright, Purchasing Agent
Phone # 903.935.4419
Fax # 903.938.3531
Pages: 2 including cover page

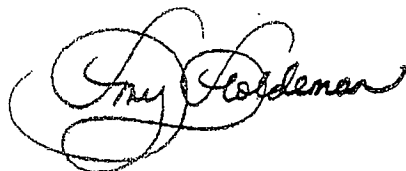
From: Harrison County Purchasing Department
Name: Amy Holdeman, CPPB, Purchasing Agent
Fax # 903.935.4807
Phone # 903.935.8412
Date: 2.18.09 E-Mail: amyh@co.harrison.tx.us

Good Morning Artis,

Per our phone conversation I am attaching a copy of the Resolution passed by the Commissioner's Court on February 9, 2009 declining to accept the Addendum dated January 28, 2009 to the Interlocal Agreement between Harrison County and the City of Marshall.

If anyone has any additional questions, please feel free to have them contact me. Also, please advise as to what steps will be necessary for the City to execute the original agreement.

Have a great day and thanks for your assistance.



Amy Holdeman, CPPB
Harrison County Purchasing Agent
PO Box 2025
Marshall, Texas 75671-2025

CONFIDENTIALITY NOTICE: This Facsimile transmission is intended only for the addressee shown above. It may contain information that is privileged, confidential or otherwise protected from disclosure. Any review, dissemination or use of this transmission or any of its contents by persons other than the addressee is strictly prohibited. If you received this fax in error, please call us immediately upon receipt. Thank you for your cooperation.

CERTIFICATE OF RESOLUTION

THE STATE OF TEXAS

COUNTY OF HARRISON

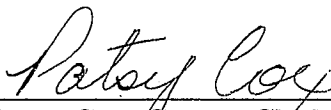
I, Patsy Cox, the duly elected County Clerk of Harrison County, Texas, do hereby certify that the following is a true and correct copy of the Resolution passed by the Commissioners' Court of Harrison County, Texas at a meeting properly convened on the 9th day of February, 2009, which is recorded as Order #2009-41 in the Official Minutes of the Commissioners' Court of Harrison County, Texas.

"IT IS ORDERED by the Commissioners' Court of Harrison County, Texas, to decline to accept the Addendum dated January 28, 2009 to the Annual Inter-local Agreement between Harrison County and the City of Marshall, and **it is further ordered**, that any subsequent requests are to be reviewed, ad hoc, by the Court.

Motion made by Commissioner James Greer. Motion seconded by Commissioner Galen McBride. Motion carried unanimously. Order #2009-41."

WITNESS MY HAND AND THE OFFICIAL SEAL, this the 9th day of

February, 2009.



Patsy Cox, County Clerk
Harrison County, Texas

(Seal)