

STATE OF TEXAS

COUNTY OF WHARTON

BE IT REMEMBERED that a Regular Court Session was held on Monday, January 11, 2010 at 9:30 A.M. in the Commissioners' Courtroom of the Wharton County Courthouse Annex Building with the following in attendance:

John W. Murrile,	County Judge
Leroy Dettling,	Commissioner Pct.1
D.C. "Chris" King,	Commissioner Pct.2
Philip Miller,	Commissioner Pct.3
Jimmy Kainer,	Commissioner Pct.4

The meeting was called to order at 9:37 A.M., Leroy Dettling, Commissioner Pct.1 gave the invocation, County Judge John W. Murrile led in the pledge of allegiance, and the following business was transacted, to-wit:

Agenda items are in the order they were taken in the meeting.

- Public Comments Commissioner Dettling stated they have thawed out.
- Commissioner King stated they had a broken water pipe and that he was sad about the out come of the UT/Alabama National Championship game.
- Commissioner Miller stated nothing new happening.
- Commissioner Kainer stated they went to work today. All machines are running.
- County Judge Murrile stated he is ready for spring.
- Election Administrator Judy Owens addressed the court. She attended a general election conference and discussed the voting machine results in Dallas County.
7. Set preservation filing fees for the District Clerk District Clerk Denice Malota addressed the court. She is asking the court to set the filing fee to \$10.00.
- Motion by Philip Miller, second by Leroy Dettling to set \$10.00 filing fee in the District Clerk's Office under Section 51.708 GC to fund the preservation of court records effective January 11, 2010.
- All Voted AYE. Motion Carried.
5. Review audit reports for ESD#1 Patrick Hlavaty addressed the court. Discussed the 2008-2009 audit. He explained how funds are divided. They do this in June and they reserve \$5,000.00 in operating funds for expenses. Asked about their meeting place.

4. Contract with Matagorda Co. Juvenile Probation Department for “Motivation Day”
- Holly McCown with Juvenile Probation addressed the court. The cost will be \$50.00 a day. County Attorney recommended changes to article 8-proposed change submitted to County Judges’ office to the extent provided by Texas Law. Article 17 delete exclusively and add after Matagorda County and or Wharton County.
- Motion by Philip Miller, second by Jimmy Kainer to approve contract with the changes made by the County Attorney and authorize County Judge Murrile to sign contract with Matagorda County Juvenile Probation Department for “Motivation Day” with corrections as stated.
- All Voted AYE. Motion Carried.
1. Interlocal agreement with Matagorda Co. Jail for Housing Inmates Amendment #2
- Motion by Jimmy Kainer, second by Chris King to approve amendment #2 the Housing of Inmates Interlocal Agreement with Matagorda County Jail at a rate of \$50.00 a day to \$45.00 a day and authorize County Judge Murrile to sign.
- All Voted AYE. Motion Carried.
6. Interlocal agreement with the City of Wharton for asphalt overlay of Jr. College Blvd.
- Commissioner King addressed this issue. This will be to put asphalt overlay on Junior College Blvd.
- Domingo Montalvo with the City of Wharton addressed the court.
- County Attorney G.A. “Trey” Maffett recommend changes to the contract. Need to add a Section 9 releasing the County. Change wording in Section 2 to take out procure and to pay and reimburse the County for materials and all cost and pay upon invoice receipt.
- Motion by Chris King, second by Leroy Dettling to approve interlocal agreement with the City of Wharton for asphalt overlay of Jr. College Blvd. with changes to the contract as stated, and authorize County Judge Murrile to sign.
- All Voted AYE. Motion Carried.
2. Certificate of substantial completion of JP.3 office
- Motion by Philip Miller, second by Chris King to authorize County Judge Murrile to sign substantial completion of Justice of Peace #3 Office.
- All Voted AYE. Motion Carried.

3. Temporary position for Wharton Tax Office
Patrick Kubala addressed the court. This would be for the last week of January and the first week of February. The total amount would be \$734.63.
Motion by Jimmy Kainer, second by Philip Miller to approve temporary position for two weeks in the Wharton Tax Office in the amount of \$735.00.
All Voted AYE. Motion Carried.
8. Set pipe installation fees for all four precincts
Motion by Philip Miller, second by Jimmy Kainer to approve setting pipe installation fees for 2010 for all four precincts as stated.
All Voted AYE. Motion Carried.
9. Set Wharton Co. Dump Fees
Motion by Chris King, second by Philip Miller to approve Tipping Fees for 2010 as stated effective January 1, 2010.
All Voted AYE. Motion Carried.
10. Take action on disposal of old CAD Building
Commissioner Kainer addressed this issue. Would like to sell the old CAD building. Will need to move WIC to the Extension Building.
Will revisit.
11. 2009 Budget adjustments
County Auditor Sharon H. Boedeker read the 2009 budget adjustments into the minutes.

Recess for break at 11:07 A.M.

Reconvene at 11:25 A.M.

- Revisit
11. 2009 Budget adjustments
Assistant District Attorney Ross Kurtz addressed the court.
Motion by Leroy Dettling, second by Philip Miller to approve 2009 budget adjustments except FMLR Pct.4 and District Attorney's adjustments.
All Voted AYE. Motion Carried.
District Attorney to Public Safety \$8,687.00 deducted new balance \$7,644.45.
Motion by Chris King, second by Leroy Dettling to approve District Attorney's bill for DPS Public Safety in the amount of \$8,687.00 less the amount for two TV's and a 32inch monitor with the new amount of \$7,644.45.
All Voted. Motion Carried.

Commissioner Dettling voted-aye.
Commissioner King voted-aye.
Commissioner Miller voted-no.
Commissioner Kainer voted-aye.

FMLR Pct.4 \$30,630.00 diesel.

Motion by Jimmy Kainer, second by Philip Miller to approve FMLR Pct.4 budget adjustment in the amount of \$37,957.00.

All Voted. Motion Carried.

Commissioner Dettling voted-aye.
Commissioner King voted-aye.
Commissioner Miller voted-no.
Commissioner Kainer voted-aye.

R&B Pct.4

Motion by Jimmy Kainer, second by Leroy Dettling to approve Pct.4 R&B budget adjustment to credit \$20,000.00 from bridge to diesel and take the remaining \$8,246.00 out of the 2010 budget in the amount of \$87,706.00.

All Voted. Motion Carried.

Commissioner Dettling voted-aye.
Commissioner King voted-aye.
Commissioner Miller voted-no.
Commissioner Kainer voted-aye.

Revisit

10. Take action on
disposal of old
CAD Building

County Attorney gave options to sell the property. You can use a broker.

Put on the January 25, 2010 agenda

Recess for lunch at 12:10 P.M.

Reconvene at 1:18 P.M.

12. 2009 Budget
amendments

County Auditor Sharon H. Boedeker read the 2009 budget amendments into the minutes.

Motion by Leroy Dettling, second by Jimmy Kainer to approve the 2009 budget amendments as stated.

All Voted AYE. Motion Carried.

13. Resolution #10-01 2010 Exempt License Plates Motion by Leroy Dettling, second by Philip Miller to approve Resolution #10-01 2010 Exempt License Plates.
All Voted AYE. Motion Carried.
14. Increase cell phone allowance for Pct.4 Foreman Commissioner Kainer addressed this issue.
Motion by Chris King, second by Leroy Dettling to change Pct.2 and Pct.4's foreman to \$30.00 stipend and for Pct.4's mechanic to have a bump only.
All Voted AYE. Motion Carried.
15. Approve overtime and holiday pay County Treasurer Donna Kocurek addressed this item.
Put on the January 25, 2010 agenda.
16. 2010 salary schedules Motion by Philip Miller, second by Chris King to approve the 2010 salary schedules.
All Voted AYE. Motion Carried.
County Judge Murrile left at 1:52 P.M. Commissioner King as Pro Term.
17. Ratify payroll and benefits for 12-28-2009 Motion by Leroy Dettling, second by Philip Miller to ratify approval of payroll on the amount of \$267,526.60 and payroll benefits in the amount of \$402,933.72 as presented on December 28, 2009.
All Voted AYE. Motion Carried.
18. Time sensitive and payroll benefits 01-15-2010 Motion by Philip Miller, second by Jimmy Kainer to authorize County Treasurer and County Auditor to pay and release time sensitive invoices in the amount of \$20,187.01 as presented, payroll, and applicable benefits for January 15, 2010 to be ratified by Commissioners' Court on January 25, 2010.
All Voted AYE. Motion Carried.
County Judge Murrile arrived back at 1:56 P.M.
19. Credit agreement with Thomas Petroleum LLC. County Attorney stated changes that should be made by adding Wharton County with Victoria County.
Motion by Philip Miller, second by Chris King to approve credit agreement with Thomas Petroleum LLC., and authorizing County Judge Murrile to sign agreement with the changes stated by the County Attorney.
All Voted AYE. Motion Carried.

20. Ratify time sensitive invoices 12-14-2009
 Motion by Philip Miller, second by Chris King to ratify approval of time sensitive invoices in the amount of \$4,050.00 as presented to Commissioners' Court on December 14, 2009.
 All Voted AYE. Motion Carried.
21. Ratify time sensitive invoices 12-28-2009
 Motion by Jimmy Kainer, second by Leroy Dettling to ratify approval of time sensitive invoices in the amount of \$128,997.06 as presented to Commissioners' Court on December 28, 2009.
 All Voted AYE. Motion Carried.
22. Pay any remaining 2009 invoices out of 2009's budget
 County Treasurer Donna Kocurek addressed this item.
 Motion by Philip Miller, second by Leroy Dettling to set Commissioners' Court Special Session for Thursday, January 14, 2010 at 4:00 P.M. to approve any remaining 2009 invoices to come out of 2009's budget.
 All Voted AYE. Motion Carried.
- Revisit 18. Time sensitive and payroll benefits 01-15-2010
 Need to add \$226.37 to Card Service Center.
 Motion by Philip Miller, second by Jimmy Kainer to amend motion to add \$226.37 to Card Service Center to make the new total amount \$20,413.38.
 All Voted AYE. Motion Carried.
23. Go out for bids for used dozer for Pct.3 & 4
 Commissioner Miller addressed this issue. They are asking to go out for bids to purchase used dozers for Pct.3 & 4.
 Motion by Philip Miller, second by Jimmy Kainer to go out for bids for used dozers for Pct.3 & 4 to be opened in the Auditors office on March 4, 2010 and present in court on March 8, 2010 and award.
 All Voted AYE. Motion Carried.
24. Approve optional health care services for indigent health care
 County Treasurer Donna Kocurek addressed this issue. This should be Mental Health Care.
 Motion by Chris King, second by Leroy Dettling to approve Mental Health Care Services for Indigent Health Care.
 All Voted AYE. Motion Carried.

25. Approve Commissioners' Court Minutes
Motion by Philip Miller, second by Jimmy Kainer to approve the December Commissioners' Court Minutes.
All Voted AYE. Motion Carried.
26. Accept Monthly Reports
Commissioner Miller read the monthly reports into the minutes.
Motion by Philip Miller, second by Jimmy Kainer to approve the monthly reports as stated.
All Voted AYE. Motion Carried.
27. Permits
Pct.'s 1,2,&3-no permits.
Pct.4-Sanchez Oil & Gas, Bore, CR 414.
Motion by Jimmy Kainer, second by Philip Miller to approve.
All Voted AYE. Motion Carried.
Pct.4-Caza Operating Co. LLC., Heavy Load, FM 961 to CR 467 to location.
Motion by Jimmy Kainer, second by Philip Miller to approve.
All Voted AYE. Motion Carried.
Pct.4-Riddle Engineering Corp., Heavy Load, FM 960 to CR 454 to location.
Motion by Jimmy Kainer, second by Philip Miller to approve.
All Voted AYE. Motion Carried.
28. Pay claims
Batch 50
Jim Guinn \$5,190.05
Motion by Philip Miller, second by Chris King to approve bill to Jim Guinn in the amount of \$5,190.05.
All Voted AYE. Motion Carried.
Jail employee \$87.00 chest x-ray after testing for TB in the jail.
County Attorney said it is appropriate to pay this claim.
Check to see if the county insurance will cover this.

\$710,769.23

Motion by Chris King, second by Leroy Dettling to pay claims.

All Voted AYE. Motion Carried.
Commissioner King left at 2:42 P.M.

Adjourn

Motion by Leroy Dettling, second by Jimmy Kainer to adjourn.

All Voted AYE. Motion Carried.

Commissioner King absent for the vote.