

STATE OF TEXAS

COUNTY OF WHARTON

BE IT REMEMBERED that a Regular Court Session was held on Monday, February 8, 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 9:35 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      No public comments.

2. Reports by              Attorney Amy Rod representative for ESD #2 addressed the court. They adopted  
Emergency              the EMS budget as their own.  
Service Districts

2, 3 and 4              Raymond Rabius addressed the court. He is with ESD #2. The rate of collection  
is at 80%.

ESD #4 will use same collection agency as ESD #3.

There is no budget for ESD #3.

Motion by Chris King, second by Philip Miller to accept written reports by  
Emergency Service Districts 2 and 4 regarding district’s budget, tax rate and debt  
service for the preceding fiscal year HB 527 Section 775.036 (a).

All Voted AYE. Motion Carried.

19. Adopt order Authorizing Issuance of Wharton County Texas General Obligation Refunding Bonds Series 2010
- Jim Gilley with Coastal Securities addressed the court. Interest rate 1.8.1% 1.64 true cost rate. \$79,197.52 savings to the county. \$70,548.00 on today's dollar savings. Ratings updated to A2.
- Motion by Philip Miller, second by Jimmy Kainer to adopt an order authorizing the issuance of Wharton County, Texas, General Obligation Refunding Bonds, and Series 2010 and authorize County Judge Murrile to sign.
- All Voted AYE. Motion Carried.
- Cynthia Redwine with Vinson & Elkins was present.
1. Beautification project by Wharton Garden Club around the courthouse gazebo
- County Judge Murrile addressed this issue.
- Motion by Philip Miller, second by Leroy Dettling to authorize beautification project by the Wharton Garden Club around the gazebo on the courthouse grounds.
- All Voted AYE. Motion Carried.
- Commissioner King absent for the vote.
3. Status of communication plan
- Eric Scheibe and Daniel Harris with Halff Associates presented the 2010 Engineering Communication Plan. They gave a short update on the Tres Palacios project.
- Mickey Reynolds with Halff Associates addressed the court.
6. Approve Motorola Service Agreement on the MCC-5500 console equipment
- Captain T. J. Sparkman with the Sheriff's Department addressed the court.
- Motion by Chris King, second by Leroy Dettling to approve Motorola Service Agreement for coverage on the MCC-5500 console equipment.
- All Voted AYE. Motion Carried.
4. Move funds from 911 Addressing Salary
- County Judge Murrile addressed this issue.
- Motion by Chris King, second by Philip Miller to move funds from 911 to elections for 11 hours from 911 to make part-time position a full-time position at the current pay grade for full-time effective February 1, 2010.
- All Voted AYE. Motion Carried.

Recess for break at 10:40 A.M.

Reconvene at 11:00 A.M.

22. Approve library participation form for lending of digital materials

County Librarian Barbara Goodell addressed the court. This is through the Houston Public Library and will be a one time training fee of \$1,500.00.

Motion by Jimmy Kainer, second by Philip Miller to approve library participation form to provide services for the lending of digital materials with the Houston Public Library with a one time fee of \$1,500.00 and authorizing County Judge Murrile to sign.

All Voted AYE. Motion Carried

23. Agreement with All-Tex and the Wharton County Library

Motion by Philip Miller, second by Jimmy Kainer to approve agreement with All-Tex. This is contingent on getting E rate at a discount at the Librarians discretion and authorize County Librarian to sign.

All Voted AYE. Motion Carried.

7. Interlocal agreement with City of East Bernard to house inmates in the county jail

Motion by Philip Miller, second by Chris King to approve interlocal agreement with City of East Bernard to house inmates in the county jail at the rate of \$44.50.

Motion by Philip Miller, second by Chris King to amend motion by section 3 to add \$44.50 per day for the year 2010 to house prisoners.

All Voted AYE. Motion Carried.

Resend motion and second.

Put back on the next agenda for February 22, 2010. Captain T.J. Sparkman with the Sheriff's Department to look over contracts.

Motion by Philip Miller, second by Chris King to authorize County Attorney to negotiate contract with the Cities of Wharton and East Bernard with Commissioner Pct.1 Leroy Dettling to assist.

All Voted AYE. Motion Carried.

8. Interlocal agreement with City of Wharton to house inmates in the county jail

Pass see item #7.

9. Lease agreement with IKON Office Solutions for copy Machine for Pct.2 Commissioner King addressed this issue.  
 Motion by Chris King, second by Philip Miller to approve lease agreement with IKON Office Solutions for copy machine for Pct.2 in the amount of \$169.00 a month for 5 year term and authorize County Judge Murrile to sign.  
 All Voted AYE. Motion Carried.
14. Discuss possible addition to personnel policy Commissioner Miller addressed this issue. Have the personnel policy committee along with the County Attorney write up requirement concerning employees driving records.
5. Amend agreement for Assessment and Collection Services between Boling ISD and Wharton County Tax Assessor Collector Patrick Kubala addressed the court. Amend contract to charge the 540 accounts (the residents of Matagorda Co) that are in the Boling School District. The charge will be \$1.00 per parcel.  
 Motion by Philip Miller, second by Leroy Dettling to approve amendment to the Agreement for Assessment and Collection Services between Boling ISD and Wharton County and authorize County Judge Murrile and Tax Assessor Collector Patrick Kubala to sign.  
 All Voted AYE. Motion Carried.
10. Lease agreement for copiers with IKON for District Clerk copiers Motion by Philip Miller, second by Jimmy Kainer to approve lease agreement with IKON Office Solutions in the amount of \$353.48 a month for 48 months for copiers in the District Clerk's office and authorize County Judge Murrile to sign.  
 All Voted AYE. Motion Carried.
11. Amend copier Contract with IKON for County Clerk's Office County Clerk Sandra K. Sanders addressed this issue.  
 Motion by Philip Miller, second by Leroy Dettling to approve amendment to copier contract with IKON Office Solution to add \$15.00 per month for additional paper drawer needed for birth and death certification paper and authorize County Judge Murrile to sign.  
 All Voted AYE. Motion Carried.
17. Continue use of one DSL line for County offices' Darlene Munoz with the IT Department addressed the court. Darlene to get Representative from AT&T to come talk to the court.  
 Put back on the next agenda February 22, 2010.

12. Discuss Subdivision Policy  
Commissioner Miller addressed this issue. County Attorney to get with Commissioner Miller and research.

Recess at 12:00 P.M. for lunch

Reconvene at 1:10 P.M.

13. Discuss weigh station on Hwy. 59  
Commissioner Miller addressed this issue. Commissioner Miller to talk to TXDOT.

15. Approve plat for Liska Family Trust  
Pass at this time.

18. Take appropriate action for replacement of county damaged culvert on CR 418  
Commissioner Kainer addressed this issue. The cost of new culvert is \$871.50 and the land owner will cover \$350.00 of the cost.  
Motion by Jimmy Kainer, second by Philip Miller to authorize the replacement of culvert on CR 418 with the funds in the amount of \$521.50 to come from Commissioner Pct.4 budget.

All Voted AYE. Motion Carried.

16. Order appointing Election Judges for new precincts term 1-1-2010 to 7-31-2010  
Motion by Philip Miller, second by Jimmy Kainer to approve order appointing Election Judges for new precincts term January 1, 2010 to July 31, 2010.  
All Voted AYE. Motion Carried.

20. 2009/2010 budget adjustments  
County Auditor Sharon H. Boedeker read the 2009 budget adjustments into the minutes.

Motion by Philip Miller, second by Leroy Dettling to approve the 2009 budget adjustments as stated.

All Voted AYE. Motion Carried.

County Auditor Sharon H. Boedeker read the 2010 budget adjustments into the Minutes.

Motion by Leroy Dettling, second by Philip Miller to approve the 2010 budget adjustments as stated.

All Voted AYE. Motion Carried.

21. 2010 budget amendments County Auditor Sharon H. Boedeker read the 2010 budget amendments into the minutes.
- Motion by Philip Miller, second by Leroy Dettling to approve the 2010 budget amendments as stated.
- All Voted AYE. Motion Carried.
24. Ratify payroll, overtime/holiday, and payroll for 01-25-2010 Motion by Philip Miller, second by Chris King to ratify approval of payroll and overtime/holiday time in the amount of \$284,478.33 and payroll benefits in the amount of \$425,930.19 as presented on January 25, 2010.
- All Voted AYE. Motion Carried.
25. Time sensitive and payroll benefits 02-15-2010 Motion by Philip Miller, second by Jimmy Kainer to ratify approval of time sensitive invoices in the amount of \$167,193.98 as presented, payroll and all applicable benefits for February 15, 2010 to be ratified by Commissioners' Court on February 22, 2010.
- All Voted AYE. Motion Carried.
26. Ratify time sensitive for 01-11-2010 Motion by Leroy Dettling, second by Chris King to ratify approval of time sensitive invoices in the amount of \$8,045.67 as presented to Commissioners' Court on January 11, 2010.
- All Voted AYE. Motion Carried.
27. Ratify time sensitive for 01-25-2010 Motion by Leroy Dettling, second by Chris King to ratify approval of time sensitive invoices in the amount of \$45,116.51 as presented to Commissioners' Court on January 25, 2010.
- All Voted AYE. Motion Carried.
28. Approve January Commissioners' Court Minutes Motion by Philip Miller, second by Leroy Dettling to approve January Commissioners' Court Minutes with change to the January 25, 2010 minutes agenda item #12 cleaning of the Frank Shannon Building to change the rate from \$122.00 to \$122.50.
- All Voted AYE. Motion Carried.
29. Monthly reports Commissioner Miller read the monthly reports into the minutes.
- Motion by Philip Miller, second by Leroy Dettling to approve the monthly reports as stated.
- All Voted AYE. Motion Carried.

30. Permits Pct.1-4 no permits.

31. Pay claims Claims  
\$419,823.81 -2010 claims  
\$3,550.16-2009 claims paid out of 2010 budget  
\$168,949.39 -JP Register  
\$26,547.50 Jonathan Kulak-Rerun checks  
\$3,601.09-Texana-Rerun checks

Motion by Jimmy Kainer, second by Leroy Dettling to approve paying claims.

All Voted AYE. Motion Carried.

ADJOURN Motion by Philip Miller, second by Leroy Dettling to adjourn.

All Voted AYE. Motion Carried.

Commissioner King absent for the vote.