

Commissioners Court February 23, 2009
**NOTICE OF A MEETING OF THE
COMMISSIONERS' COURT OF WHARTON COUNTY, TEXAS**

This Notice is posted pursuant to the Texas Open Meetings Act (VERNON'S TEXAS CODES ANN. GOV. CODE CH. 551). The Wharton County Commissioners' Court will hold a meeting at 9:30 A.M. on the *23rd day of February 2009*, in the Wharton County Commissioners Courtroom, Wharton County Courthouse Annex Building, 309 E. Milam Wharton, Texas. An Open Meeting will be held concerning the following subjects:

**CALL TO ORDER
INVOCATION**

PLEDGE OF ALLEGIANCE - Pledge of Allegiance to the American Flag and Pledge of Allegiance to the Texas Flag

PUBLIC COMMENTS

At this time comments will be taken from the audience on Non-Agenda related topics. To address the Court, please submit a Public Participation/Witness Form to the County Clerk. Please Complete the Public Participation/Witness Form in its Entirety.

NO ACTION MAY BE TAKEN BY THE COURT DURING PUBLIC COMMENTS

PRESENTATIONS & PROCLAMATIONS

Proclamation 09-13 – United States Navy Day

**SAID COURT WILL AT SAID HOUR AND ON SAID DATE DISCUSS, CONSIDER AND
ACT UPON THE FOLLOWING:**

1. Receive grant from Homeland Security in the amount of \$426,000 to be split between City of Wharton, City of El Campo and Wharton County for radio equipment. (County Judge)
2. Set date for public hearing concerning posting a maximum reasonable speed limit on County Roads 154 and 162. (Commissioner Dettling)
3. Update on County's Wellness Program. (County Judge)
4. Authorize County Judge to sign Service Agreement with Motorola for console equipment for the period March 1, 2009 thru December 31, 2009. (Sheriff)
5. Ratification of lease agreement for four new copiers for the Sheriff's Office and the property insurance on machines. (Sheriff)
6. 10:00 A.M. PUBLIC HEARING – for creation of Emergency Service District 3 and 4.
7. Order special election for Emergency Service District 3. (County Judge)
8. Order special election for Emergency Service District 4. (County Judge)
9. Order joint election. (Election Administrator)
10. Order to waive optical scan ballots for special elections. (Election Administrator)
11. Authorize County Judge to sign Interlocal Agreement Providing for Housing of Inmates from Wharton County in the Matagorda County Jail. (Sheriff)

12. Authorize County Judge to sign Crossing Project Work Authorization Agreements between the State of Texas, the Kansas City Southern Railway Company and Wharton County. (County Judge)
13. Authorize County Judge to sign Joint Agreement in the Interest of Public Safety relating to the Market Street, Victoria Street and Main Street at-grade crossings in the County with Kansas City Southern Railway Company and the Texas Mexican Railway Company. (County Judge)
14. Take all appropriate action to abandon and vacate portions on Market, Victoria and Main Streets in the town of Louise. (County Judge)
15. Purchase of Gradall for PCT 4. (Commissioner Kainer)
16. Permission to sell two used Gradalls. (Commissioner Kainer)
17. Damage to PCT 4 dozer. (Commissioner Kainer)
18. Approve refund in the amount of \$4,102.24 for the 2007 tax year to First American Real Estate Tax Service for an overpayment per section 31.11 (A.2) Texas Property Tax Code. (Tax Assessor/Collector)
19. Ratify approval of payroll in the amount of \$235,783.58 and payroll benefits in the amount of \$104,373.07 presented February 9, 2009. (County Treasurer)
20. Ratify approval of time sensitive invoices in the amount of \$61,546.98 presented February 9, 2009. (County Treasurer)
21. Authorize County Treasurer and County Auditor to pay and release time sensitive invoices presented, payroll and Applicable benefits for February 27, 2009 to be ratified by Commissioners Court March 9, 2009. (County Treasurer)
22. Ratify electronic fund transfer in the amount of \$10,553.87 and \$17,517.68 to Susser Petroleum. (County Treasurer)
23. Budget adjustments. (County Auditor)
24. Budget amendments. (County Auditor)
25. Approve 4th Quarter 2008 Treasurer's Investment Report. (County Treasurer)
26. Precinct budget transfers to Wharton Drainage Budget for 2009 services. (County Judge)
27. Amend recently authorized WA #6 for Halff Associates to perform engineering services to the County through 2009. (County Judge)
28. Authorize County Judge to inform Kansas City Southern Railroad of County's position regarding road crossings and safety equipment. (County Judge)
29. Authorize approval for an additional \$10,000 (on top of the recently authorized WA #6) for Halff Associates to assist the County with recommendations associated with road crossing closers and safety equipment along the new Kansas City Southern Railroad through Wharton County. (County Judge)
30. Interlocal agreement between Wharton County and City of East Bernard regarding San Bernard Clearing Project. (County Judge)
31. Purchase of land from First State Bank of Louise for JP 3 Building. (Commissioner Miller)
32. Accept Monthly Reports – District Clerk-January; Theft-by-Check-January; JP 2, 3 & 4-January; Constable 2-January

33. Permits

34. Pay claims.

ADJOURN

The Commissioners Court will announce it will go into Executive Session. If necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel to discuss matters of land acquisition, litigation and personnel matters as specifically listed on this agenda. The Commissioners Court may also announce it will go into Executive Session, if necessary to receive advice from Legal Counsel regarding any other item on this agenda.

Posted at _____ A.M./P.M. on the _____ day of _____, 2009 by Joyce Ferrell.

COMMISSIONERS' COURT, WHARTON COUNTY, TEXAS

CLERK OF THE COURT

Wharton County encourages compliance with the Americans with Disabilities Act (ADA) in the conduct of all public meetings. To that end, persons with disabilities who plan to attend this meeting and who may need auxiliary aids such as an interpreter for a person who is hearing impaired are requested to contact the Wharton County Judge's office at (979) 532-4612 as soon as the meeting is posted (72 hours before the meeting) or as practical so that appropriate arrangements can be made. While it would be helpful to receive as much advance notice as possible, Wharton County will make every reasonable effort to accommodate any valid request regardless of when it is received. Braille is not available.

Filed in County Clerk's Office at 8:15 a.m. on the 20th day of February 2009.