

STATE OF TEXAS

COUNTY OF WHARTON

BE IT REMEMBERED that a Regular Court Session was held on Monday, April 26, 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 9:33 A.M., Leroy Dettling, Commissioner Pct.1 gave the invocation, followed by the pledge of allegiance, and the following business was transacted, to-wit:

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

Commissioner Philip Miller Pct.3 absent.

Public Comments Kevin Chin with the American Red Cross Rio Colorado Chapter for Wharton County addressed the court. He told what they do for the county. They are requesting funds. All funds raised in Wharton County stay in Wharton County. He gave a handout on Heroes for the American Red Cross.

Commissioner Pct.1 Leroy Dettling will chair and would like to make a presentation to all Pct.'s in the County.

Proclamation County Judge Murrile read Proclamation # 10-05 Habitat Stewardship Week into #10-05 Habitat the minutes. Stewardship Week

Motion by Leroy Dettling, second by Chris King to approve Proclamation #10-05 proclaiming April 25, 2010 through May 2, 2010 as Habitat Stewardship Week in Wharton County.

All Voted AYE. Motion Carried.

Proclamation Commissioner King read Proclamation #10-06 Conservation Day into the minutes. #10-06

Conservation Day Motion by Chris King, second by Jimmy Kainer to approve Proclamation #10-06 proclaiming April 27, 2010 as Conservation Day on Wharton County.

All Voted AYE. Motion Carried.

1. Review precincts compliance TEC 42.031
Election Administrator Judy Owens presented compliance numbers to the court.
Motion by Leroy Dettling, second by Jimmy Kainer to approve review findings for precincts compliance TEC 42.031.

All Voted AYE. Motion Carried.

2. Contract addendum for Electric Monitoring Device with G4S Justice Services
Chief Juvenile Probation Officer Holly McCown addressed the court.
The electronic monitoring cost would be \$4.96 a day and the juvenile's family would be responsible for reimbursing the county for the cost.

Motion by Jimmy Kainer, second by Chris King to approve contract addendum for Electronic Monitoring Device with G4S Justice Services and authorize County Judge Murrile to sign.

All Voted AYE. Motion Carried.

3. Authorize County Judge to sign any & all documents pertaining to the sale of old CAD building
County Judge Murrile addressed this issue. County Attorney G.A. Maffett III to work on contracts.

Pass till next Commissioners' Court Session on Monday, May 10, 2010.

4. Award bid for renovation of Annex D "Fibbers"
Pass at this time.

5. Replace HVAC System in Annex D "Fibbers"
Pass at this time.

6. Ratify contact with TXU for electricity
County Judge Murrile addressed this issue. The new rate is 0.0648349 per kilowatt and will save the county on the electric bill.

Motion by Chris King, second by Leroy Dettling to authorize ratifying contract with TXU for supply of electricity for the period of April 1, 2010 through March 31, 2013 with an extended term end date of April 1, 2015 at a rate of 0.0648349 per kilowatt.

All Voted AYE. Motion Carried.

7. Purchase of diesel fuel for late model vehicles outside of current bid contract
 Commissioner Dettling addressed this issue.
 Motion by Leroy Dettling, second by Jimmy Kainer to authorize using a fuel man card for the purchase of diesel without red dye for late model vehicles outside of the current bid contract.
 All Voted AYE. Motion Carried.
8. Approve Leonard Wittig subdivision Platt on CR 162
 Pass at this time.
9. Action regarding wording on heavy load permit
 Motion by Chris King, second by Jimmy Kainer to raise bond from \$50,000.00 to \$75,000.00.
 Motion died for lack of vote.

Commissioner Miller Pct.3 arrived at 10:15 A.M.

Motion by Chris King, second by Jimmy Kainer to change wording on item #8 to read house moving one way only and to change #7 bond from \$50,000.00 to \$75,000.00 effective May 1, 2010.

All Voted AYE. Motion Carried. 3-0

Commissioner Miller Pct.3 did not vote.

10. Approve Form 120 for Optional Health Care Service Notification for Indigent Health Care
 County Treasurer addressed this issue.
 Motion by Jimmy Kainer, second by Leroy Dettling to approve Form 120-Optional Health Care Service Notification for Indigent Health Care and authorize County Judge Murrile to sign.
 All Voted AYE. Motion Carried.
11. Ratify time sensitive for 03-22-2010
 Motion by Chris King, second by Philip Miller, to ratify approval of time sensitive invoices in the amount of \$4,209.59 as presented to Commissioners' Court on March 22, 2010.
 All Voted AYE. Motion Carried.

12. Ratify time sensitive for 04-05-2010
 Motion by Philip Miller, second by Leroy Dettling to ratify approval of time sensitive invoices in the amount of \$3,540.78 as presented to Commissioners' Court on April 5, 2010.

 All Voted AYE. Motion Carried.
13. Ratify sales tax payment to comptroller for 04-12-2010
 Motion by Philip Miller, second by Jimmy Kainer to ratify sales tax payment to the Comptroller in the amount of \$1,179.45 as presented to Commissioners' Court on April 12, 2010.

 All Voted AYE. Motion Carried.
14. Ratify time sensitive for 04-12-2010
 Motion by Jimmy Kainer, second by Leroy Dettling to ratify approval of time sensitive invoices in the amount of \$20,595.57 as presented to Commissioners' Court on April 12, 2010.

 All Voted AYE. Motion Carried.
15. Ratify payroll and payroll benefits for 04-12-2010
 Motion by Jimmy Kainer, second by Leroy Dettling to ratify approval of payroll in the amount of \$244,398.86 and payroll benefits in the amount of \$103,918.48 as presented on April 12, 2010.

 All Voted AYE. Motion Carried.
17. Treasurer's monthly Cash and Investment Report for December 2009
 County Treasurer Donna Kocurek read the Treasurer's monthly Cash and Investment report for December 2009 into the minutes.

 Motion by Jimmy Kainer, second by Leroy Dettling to approve the resubmitted monthly Cash and Investment Report submitted by County Treasurer for December 2009 and authorize publication on the counties website of Affidavit of same in accordance with Local Government Code 114.026 due to adjustments.

 All Voted AYE. Motion Carried.
16. Time sensitive and payroll benefits for 04-30-2010
 Motion by Philip Miller, second by Leroy Dettling to authorize County Treasurer and County Auditor to pay and release time sensitive invoices in the amount of \$42,548.70 as presented, payroll and applicable benefits for April 30, 2010 to be ratified by Commissioners' Court on May 10, 2010.

 All Voted AYE. Motion Carried.

18. Treasurer's monthly Cash and Investment Report for January 2010
- County Treasurer Donna Kocurek read the Treasurer's monthly Cash and Investment Report for January 2010 into the minutes.
- Motion by Leroy Dettling, second by Philip Miller to approve the monthly Cash and Investment Report submitted by County Treasurer for January 2010 and authorize publication of Affidavit of same in accordance with Local Government Code 114.026 on the counties website.
- All Voted AYE. Motion Carried.
19. Treasurer's monthly Cash and Investment Report for February 2010
- County Treasurer Donna Kocurek read the Treasurer's monthly Cash and Investment Report for February 2010 into the minutes.
- Motion by Chris King, second by Leroy Dettling to approve monthly Cash and Investment Report submitted by County Treasurer for February 2010 and authorize publication of Affidavit of same in accordance with Local Government Code 114.026 on the counties website.
- All Voted AYE. Motion Carried.
20. 2010 Budget Adjustments
- 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 Leroy Dettling, second by Philip Miller to approve the 2010 budget amendments as stated.
- All Voted AYE. Motion Carried.
22. Monthly Reports
- County Judge Murrile read the monthly reports into the minutes.
- Motion by Philip Miller, second by Jimmy Kainer to accept monthly reports as stated.
- All Voted AYE. Motion Carried.

23. Permits

Pct.1-Verizon, Bore, on CR 147.

Motion by Leroy Dettling, second by Philip Miller to accept.

All Voted AYE. Motion Carried.

Pct.2-Windrush Operating Co., LLC., Heavy Load, Ingress CR 257 to Rodeo Road to location.

Motion by Chris King, second by Philip Miller to approve.

All Voted AYE. Motion Carried.

Pct.3 & Pct.4-Have no permits.

24. Pay claims

Batch 50 Total \$24,469.64

Austin White Lime Co. \$7,331.19 for Pct.1 & Pct.2 road materials

B&B Wireless \$41.90 for two cell phone chargers for Constable Pct.4

Bickerstaff, Heath, Delgado \$7,754.75 for litigation on CR119

Quality Hot-Mix Inc., \$9,341.80 for Pct.3 (wrong bidder)

Do not pay B&B Wireless \$41.90 for two cell phone chargers for Constable Pct.4.

New total for Batch 50 \$24,427.74

Motion by Chris King, second by Philip Miller to approve batch 50 in the amount of \$24,427.74.

All Voted AYE. Motion Carried.

\$126,794.96

\$14,502.23

\$275,141.97

\$10,708.00

Motion by Philip Miller, second by Leroy Dettling to pay claims.

All Voted AYE. Motion Carried.

Revisit
16. Time sensitive
and payroll
benefits for
04-30-2010

County Treasurer addressed this issue. They have a bill from Wal-Mart in the amount of \$243.26 that needs to be added making the new total of \$42,791.96.

Motion by Jimmy Kainer, second by Philip Miller to authorize County Treasurer and County Auditor to pay and release time sensitive invoices as presented with adding bill received from Wal-Mart in the amount of \$243.26 making the new total \$42,791.96, payroll and applicable benefits for April 30, 2010 to be ratified by Commissioners' Court on May 10, 2010.

All Voted AYE. Motion Carried.

ADJOURN

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

All Voted AYE. Motion Carried.