

STATE OF TEXAS

COUNTY OF WHARTON

BE IT REMEMBERED that a Regular Court Session was held on Monday, April 27, 2009 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

Commissioner Dettling stated they are working on the roads and are watching the creeks and rivers.

Commissioner King stated they are replacing pipes to increase water flow.

Commissioner Miller stated the crops are looking good and that they have had 10 inches of rain.

Commissioner Kainer stated there is a Railroad crossing open west of Wharton.

County Judge Murrile stated that fishing is good on the Bernard.

Diane Gertson Extension Agent gave report on the safety seat project. There were 51 car seats inspected, 39 new seats and 18 old seats were replaced. Fifteen children were not restraint at all, and none of the children were properly restrained. This was a \$65,649.00 economical benefit and they are going to try to do this once a year.

1. Agreement with
Wharton Co. &
AT&T for (MIS)

Darlene Munoz with the I.T. Department addressed the court. The changes that were recommended by the County Attorney were not approved by AT&T. The cost will be \$589.00 a month. The T-1 line would increase the speed and band width.

Pass till next agenda on May 11, 2009.

2. Abandon portion of CR 383 Motion by Philip Miller, second by Leroy Dettling to approve order abandoning a portion of CR 383 as per exhibit A attached.
- All Voted AYE. Motion Carried.
3. Review housing Cost for City of Wharton inmates Motion by Philip Miller, second by Chris King to charge the rate of \$22.36 effective January 1, 2009 for the housing of the City of Wharton's inmates, and bill the City of Wharton for the previous years of \$2,045.02.
- All Voted AYE. Motion Carried.
4. Review housing Cost for City of East Bernard inmates Motion by Chris King, second by Philip Miller to charge the rate of \$35.00 a day for 2009 year for housing of the City of East Bernard inmates.
- All Voted AYE. Motion Carried.
5. Adopt Drainage Criteria Manual Motion by Chris King, second by Philip Miller to adopt and implement the Drainage Criteria Manual for Wharton County.
- All Voted AYE. Motion Carried.

ADENDUM

1. Texas Jail Commission Standards Shannon Herklotz with the Texas Commission on Jail Standards addressed the court. He presented the report on the jail population. There is not enough staffing.

T.J. Sparkman with the Sheriff's Department addressed the court.
Raymond Jansky with the Sheriff's Department addressed the court.

There are a total of 31 employee's assigned to the jail. Floor officers there are 5 assigned to a shift with 1 in the control room, 1 in the booking department and 3 officers on the floor. They have 2 twelve hour shifts. Twenty floor officers plus, a supervisor for each crew.

Sheriff's Department to bring in numbers for overtime.

Recess at 11:05 A.M.

Reconvene at 11:22 A.M.

6. Ratify payment Susser Petroleum Motion by Philip Miller, second by Jimmy Kainer to ratify electronic fund transfers in the amount of \$2,617.87 (Pct.4) and \$5,297.29 (Pct.2) to Susser Petroleum.

All Voted AYE. Motion Carried.

15. Meet in Closed Session
The County Judge, all Commissioners', and the County Attorney are going into close session at 11:26 A.M. to deliberate the following matter regarding removal of obstruction in County Road 119.
16. Reconvene Open Session
Reconvene open session at 11:45 A.M. No action taken.
7. Ratify payroll and Benefits
Motion by Philip Miller, second by Jimmy Kainer to approve and ratify approval of payroll in the amount of \$244,841.56 and payroll benefits in the amount of \$100,373.46 as presented on April 13, 2009.

Commissioner King absent for the vote.

All Voted AYE. Motion Carried.
8. Ratify time sensitive 03-23-09
Motion by Philip Miller, second by Chris King to ratify approval of time sensitive invoices in the amount of \$54,918.29 as presented on March 23, 2009.

All Voted AYE. Motion Carried.
9. Ratify time Sensitive 02-23-09
Motion by Chris King, second by Leroy Dettling to ratify approval of time sensitive invoices in the amount of \$88,024.00 as presented on February 23, 2009.

All Voted AYE. Motion Carried.
10. Ratify payment to Mid Coast Title Co. for JP.3 building
Motion by Philip Miller, second by Jimmy Kainer to ratify payment to Mid Coast Title Company for \$16,583.66 for the purchase of JP.3 building.

All Voted AYE. Motion Carried.
11. Railroad crossing on CR 448
Motion by Jimmy Kainer, second by Philip Miller to authorize County Judge Murrile to sign Joint Agreement in the interest of Public Safety relating to connector roads that connect TX 183 (also known as Business 59) and CR 448 at-grade crossing in the County with Kansas City Southern Railway Company and the Texas Mexican Railway Company.

All Voted AYE. Motion Carried.

Recess for lunch at 12:01 P.M.

Reconvene at 1:05 P.M.

County Judge Murrile absent.

12. Order abandoning & vacating a Portion of CR 448
 Motion by Jimmy Kainer, second by Leroy Dettling to approve order abandoning and vacating a portion of CR 448 (Railroad Crossing) situated in Wharton County, Texas.
 All Voted AYE. Motion Carried.
13. Monthly Cash & Investment Report
 County Treasurer Donna Kocurek read the report into the minutes.
 Motion by Leroy Dettling, second by Philip Miller to approve the monthly Cash and Investment Report submitted by County Treasurer for December 2008 and authorize Publication of Affidavit of same in accordance with Local Government with Local Government Code 114.026.
 All Voted AYE. Motion Carried.
14. Payroll And Benefits 04-11-09
 Motion by Philip Miller, second by Leroy Dettling to authorize County Treasurer and County Auditor to pay and release time sensitive invoices as presented in the amount of \$591,076.96, and payroll and applicable benefits for April 30, 2009 to be ratified by Commissioners' Court on May 11, 2009.
 All Voted AYE. Motion Carried.
17. Agreements Wharton Co. Clerk and Cott Systems
 County Clerk Sandra K. Sanders addressed the court.
 Motion by Philip Miller, second by Leroy Dettling to authorize County Judge to sign agreements for Online Index Books, eCommerce Service, Redaction Services and Hardware and Network Software Addendum between Wharton County Clerk and Cott Systems.
 All Voted AYE. Motion Carried.
18. Resolution 09-21 Supporting Legislation on Recycling of TV's and other Electronics
 Motion by Leroy Dettling, second by Philip Miller to approve resolution #09-21 Supporting Legislation for Recycling of Televisions and Other Electronics.
 All Voted AYE. Motion Carried
19. Ratify county Depository Contract
 Motion by Leroy Dettling, second by Jimmy Kainer to ratify county depository contract extension.
 All Voted AYE. Motion Carried.

20. Ratify time Sensitive 04-13-09
 Motion by Philip Miller, second by Leroy Dettling to ratify approval of time sensitive invoices in the amount of \$48,885.56 as presented on April 13, 2009.
 All Voted AYE. Motion Carried.
21. 2008-2009 Budget Adjustments
 County Auditor read the 2008 budget adjustments into the minutes.
 Motion by Philip Miller, second by Leroy Dettling to approve the 2008 budget adjustments as stated by the County Auditor.
 All Voted AYE. Motion Carried.
 County Auditor read the 2009 budget adjustments into the minutes.
 Motion by Jimmy Kainer, second by Leroy Dettling to approve the 2009 budget adjustments as stated by the County Auditor.
 All Voted AYE. Motion Carried.
22. Budget Amendments
 County Auditor read the budget amendments into the minutes.
 Motion by Philip Miller, second by Leroy Dettling to approve the budget amendments as stated by the County Auditor.
 All Voted AYE. Motion Carried.
23. Chemical & Road Materials Bids for 09
 Motion by Philip Miller, second by Leroy Dettling to authorize bids for chemicals and road materials for 2009 to be presented on May 26, 2009.
 All Voted AYE. Motion Carried.
25. Ratify signatures on register approved 04-13-09
 Motion by Philip Miller, second by Jimmy Kainer to ratify signatures on register approved on April 13, 2009 for \$12,696.00 and \$91,125.00.
 All Voted AYE. Motion Carried.
24. Ratify date for Sheriff's Department bids for 05-11-09
 Motion by Philip Miller, second by Leroy Dettling to ratify date of May 11, 2009 for presentation of bids for program cars for the Sheriff's Department as authorized by Commissioners' Court on April 13, 2009.
 All Voted AYE. Motion Carried.

26.Monthly
Reports

Commissioner Miller 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.

27.Permits

Pct.1, 2, 3, & 4 have no permits.

28.Pay claims

Batch 50

All-Tex Networking Solution \$311.25

Lone Star Uniforms \$109.90

Reimbursement Pct.2 secretary \$691.39

Pekar's body shop (Sheriff's Department) \$5,700.33

Wylie Manufacturing Pct.4 \$1,404.02

Total \$8,216.89

Motion by Leroy Dettling, second by Jimmy Kainer to approve batch 50.

All Voted AYE. Motion Carried.

\$14,082.18

\$49,815.80

\$18.00

\$183,212.91

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

All Voted AYE. Motion Carried.

ADJOURN

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

All Voted AYE. Motion Carried.