

STATE OF TEXAS

COUNTY OF WHARTON

BE IT REMEMBERED that at Regular Court Session was held on Monday, May 10, 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 9:36 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.

Public Comments Commissioner Dettling stated they are working on the roads.

Commissioner King stated the dewberries are about gone.

Commissioner Miller stated they are doing road work.

Commissioner Kainer stated the fair was a success. They broke the record on attendance from last year.

Felipe Guzman with Prime Echo Group addressed the court. He feels his product would save the county money on freight from \$8,000.00 to \$11,000.00 and \$16,000.00 to \$29,000.00 on product if the county used them.

Proclamation Commissioner Miller read the Proclamation #10-20 2010 Hospital Week in
#10-10 2010 El Campo, Texas into the minutes.

Hospital Week Motion by Philip Miller, second by Jimmy Kainer to approve resolution #10-20
in El Campo, TX. designating the week of May 9th through May 15, 2010 as Hospital Week in
El Campo, Texas.

All Voted AYE. Motion Carried.

1. Permit for Motion by Leroy Dettling, second by Chris King to approve Wharton County
Juneteenth Courthouse Grounds application for Juneteenth Festivities for June 19, 2010 from
Festivities 7:00 A.M. to 10:00 P.M.
June 2010

All Voted AYE. Motion Carried.

2. Verizon cell phones for DPS
Motion by Philip Miller, second by Leroy Dettling to ratify GSA-Federal Supply Schedule Purchase Order for Verizon cell phones for DPS.
All Voted AYE. Motion Carried.
3. Texas CO. RFCB
Motion by Jimmy Kainer, second by Chris King to appoint Leroy Dettling to serve on the Texas Colorado River Floodplain Coalition Board.
All Voted AYE. Motion Carried.
4. Permit for Freedom Festival June 2010
Motion by Jimmy Kainer, second by Leroy Dettling to approve Wharton County Courthouse Grounds application for Freedom Festival for June 25 & 27, 2010 from 4:00 P.M. on June 25, 2010 to 1:00 A.M. June 27, 2010.
All Voted AYE. Motion Carried.
9. Appointment to The Records Clerk Wharton PD Local Advisory Data Board
Motion by Chris King, second by Philip Miller to appoint Raymond Jansky-Asst. Jail Administrator Wharton SO; Becky Ivy-District Attorney's Office; Tim Guin-City of Wharton Chief of Police; Mandy Barnett-Records Clerk Wharton PD to the Local Advisory Data Board.
All Voted AYE. Motion Carried.
10. Contract between Angels Care Home Health and Wharton Co. for Indigent Health Care Program
County Treasurer addressed this issue.
Motion by Jimmy Kainer, second by Philip Miller to approve contract between Angels Care Home Health and Wharton County Indigent Health Care Program and authorize County Judge Murrile to sign.
All Voted Aye. Motion Carried.
11. Administrative Order regarding the purchase of Video conferencing equipment
Motion by Leroy Dettling, second by Philip Miller to approve Administrative Order for Courthouse Security Funds for the purchase of video conferencing equipment for district and county courtrooms and authorize County Judge Murrile to sign.
All Voted AYE. Motion Carried.
12. Establish a "No Through Trucks" zone in the Vallejo Addition
Commissioner Kainer addressed this issue.
Pass at this time. Put back on the next agenda May 24, 2010.

5. Resolution #10-07 Tax Abatement Application for Lamberti USA
Luca Mandolesi with Lamberti USA addressed the court.
Motion by Chris King, second by Leroy Dettling to approve Resolution #10-07 for Tax Abatement Application with Lamberti USA, Inc. located in Hungerford, Texas.
All Voted AYE. Motion Carried.
6. 10:00 A.M. Public Hearing for creation of Reinvestment Zone
Open Public Hearing at 10:10 A.M. to discuss the creation of Reinvestment Zone. Commissioner King asked the question is this for production only.
Close Public Hearing at 10:12 A. M.
7. Resolution #10-08 Reinvestment Zone
Motion by Chris King, second by Leroy Dettling to approve Resolution #10-08 designating certain property as herein legally described, including metes and bounds description as therein contained, a Reinvestment Zone and said Reinvestment zone shall hereinafter be referred to as the Wharton County Reinvestment Zone #10-01.
All Voted AYE. Motion Carried.
8. Resolution #10-09 Tax Abatement agreement with Lamberti USA
Motion by Chris King, second by Philip Miller to approve Resolution #10-09 extend tax abatement agreement at 45% for five years and authorize County Judge Murrile to sign agreement with Lamberti USA, Inc.
All Voted AYE. Motion Carried.
- Proclamation #10-11 Mental Health Awareness Month in Wharton County
Commissioner King read Proclamation #10-11 Mental Health Awareness Month in Wharton County into the minutes.
Motion by Chris King, second by Leroy Dettling to approve Proclamation #10-11 declaring May 2010 as Mental Health Awareness Month in Wharton County.
All Voted AYE. Motion Carried.
17. Closed Session
Went into Closed Session at 10:26 A.M. with the County Judge, all Commissioners', the County Attorney and Dick Hudgins as broker and Real Estate Agent on the Deliberation Regarding Real Property to deliberate the purchase, exchange, lease or value of real property because deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person authorized by the Texas Government Code Section 551.072.
Reconvene open session at 11:28 A.M.

18. Sell County property Motion by Philip Miller, second by Leroy Dettling to authorize going into contract and hire Hudgins-Groover to sell old CAD building and authorize County Judge Murrile to sign contract for six months with the option re renew.
- All Voted AYE. Motion Carried.
13. Interlocal Agreement between City of El Campo and Wharton Co. for improvements to South Meadow Lane Commissioner Miller addressed this issue.
- Motion by Philip Miller, second by Jimmy Kainer to approve Interlocal Agreement between the City of El Campo and Wharton County to make improvements to South Meadow Lane and authorize County Judge Murrile to sign.
- All Voted. Motion Carried.
- Commissioner Dettling voted-aye
Commissioner King voted-no
Commissioner Miller voted-aye
Commissioner Kainer voted-aye
14. Approve drainage easement on the Jeff Rainer property Commissioner Dettling addressed this issue.
- Motion by Leroy Dettling, second by Jimmy Kainer to approve drainage easement on CR 130 for Jeff and Kelly Rainer.
- All Voted AYE. Motion Carried.
15. Approve labor charges to repair WCJC van for the Senior Citizens Program County Judge Murrile addressed this issue. Commissioner Kainer addressed this issue.
- Motion by Jimmy Kainer, second by Leroy Dettling to approve paying charges of \$263.50 for labor to fix the Wharton County Junior College Van for Senior Citizens Wheels on Meals Program.
- All Voted AYE. Motion Carried.
16. Approve Leonard Wittig subdivision plat on CR 162 Commissioner Dettling addressed this issue.
- Motion by Leroy Dettling, second by Jimmy Kainer to approve the Leonard Wittig subdivision plat on CR 162.
- All Voted AYE. Motion Carried.

19. Interlocal agreement between Wharton County and the City of El Campo on Tres Palacios Creek Mickey Reynolds with Halff Associates addressed the court. Motion by Jimmy Kainer, second by Philip Miller to approve changes and ratify Interlocal Agreement between Wharton County and the City of El Campo to improve Tres Palacios Creek from Business 59 to CR 406. All Voted AYE. Motion Carried.

Recess for lunch at 12:00 P.M.

Reconvene at 1:05 P.M.

Revisit The original date of the agreement was August 11, 2008.

19. Interlocal agreement between Wharton County and the City of El Campo on Tres Palacios Creek

20. Ratify payroll and payroll benefits for 04-26-2010 Motion by Philip Miller, second by Leroy Dettling to ratify payroll in the amount of \$242,070.45 and payroll benefits in the amount of \$456,198.31 as presented on April 26, 2010.

All Voted AYE. Motion Carried.

21. Treasurer's 1st Quarterly Investment Report for 2010

County Treasurer read the Quarterly Investment Report into the minutes.

Motion by Jimmy Kainer, second by Leroy Dettling to approve the Treasurer's Quarterly Investment Report for the 1st Quarter of 2010.

All Voted AYE. Motion Carried.

22. Treasurer's monthly Cash and Investment Report for March 2010

County Treasurer read the monthly Cash and Investment Report for March 2010 into the minutes.

Motion by Jimmy Kainer, second by Leroy Dettling to approve the monthly Cash and Investment Report submitted by the County Treasurer for March 2010 and authorize publication of affidavit of same in accordance with Local Government Code 114.026 on the County's website.

All Voted AYE. Motion Carried.

23. Ratify time sensitive for 02-08-2010 Motion by Philip Miller, second by Jimmy Kainer to ratify approval of time sensitive invoices in the amount of \$1,077.47 as presented to Commissioners' Court on February 8, 2010.
- All Voted AYE. Motion Carried.
24. Approve time sensitive for 03-22-2010 Motion by Jimmy Kainer, second by Leroy Dettling to approve time sensitive invoices in the amount of \$3,776.14 as presented to Commissioners' Court on March 22, 2010.
- All Voted AYE. Motion Carried.
25. Ratify payment of the Sprint/ Nextel bill Motion by Jimmy Kainer, second by Philip Miller to ratify payment of the Sprint/ Nextel bill from \$2,214.44 to \$2,216.57.
- All Voted AYE. Motion Carried.
26. Ratify time sensitive for 04-26-2010 Motion by Philip Miller, second by Leroy Dettling to ratify approval of time sensitive invoices in the amount of \$40,032.03 as presented to Commissioners' Court on April 26, 2010.
- All Voted AYE. Motion Carried.
27. Time sensitive and payroll benefits for 05-14-2010 Motion by Jimmy Kainer, second by Philip Miller to authorize County Treasurer and County Auditor to pay and release time sensitive invoices in the amount of \$155,133.62 as presented, payroll and applicable benefits for May 14, 2010 to be ratified by Commissioners' Court on May 24, 2010.
- All Voted AYE. Motion Carried.
28. 2010 Budget Adjustments County Auditor Sharon H. Boedeker read the 2010 budget adjustments into the minutes.
- Motion by Jimmy Kainer, second by Philip Miller to approve the 2010 budget adjustments as stated.
- All Voted AYE. Motion Carried.
29. 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.

30. Review findings for departments completed during the 1st quarter of 2010 County Auditor submitted review findings for departments completed during the first quarter of 2010.
31. Authorize County Judge to sign renewal of Property Liability Policy from 07-01-10 through 07-01-11 Motion by Philip Miller, second by Leroy Dettling to authorize County Judge Murrile to sign renewal of property liability policy July 01, 2010 through July 01, 2011.
All Voted AYE. Motion Carried.
Commissioner King absent for the vote.
32. Approve April Court Minutes Motion by Jimmy Kainer, second by Philip Miller to approve April Commissioners' Court Minutes.
All Voted AYE. Motion Carried.
Commissioner King absent for the vote.
33. 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.
Commissioner King absent for the vote.
34. Permits Pct.1-None
Pct.3-None
Pct.4-DCM Midstream, LP., Pipe line crossing, on CR 456, CR 465, Jones Creek, and CR 454.
Motion by Jimmy Kainer, second by Philip Miller to approve with a \$800.00 check on hand.
All Voted AYE. Motion Carried.
Commissioner King absent for the vote.
Will revisit.

35. Pay Claims

Batch 50 total \$22,153.69
2009 Bounceback Inc., \$434.00 for Theft by check
2009 TDCAA \$275.00 registration fee for Sandra Vaughn
2004 & 2005 Travis County Clerk \$625.00 for Mental Health
Texas Settlement Region \$1,500.00 for Economic Development
P2 Emulsions \$18,945.89 for Pct.3 Commissioner Miller
VonDerAu Ford \$373.80 repair on Meals on Wheels van

Motion by Philip Miller, second by Jimmy Kainer to pay claims in the amount of \$22,153.69.

All Voted AYE. Motion Carried.

Revisit
34. Permits

Pct.2-Abaco Operating, LLC., Heavy Load, Ingress Hwy 60 to CR 207 to CR 215 to location.

Motion by Chris King, second by Leroy Dettling ratify.

All Voted AYE. Motion Carried.

Commissioner Miller absent for the vote.

Revisit
35. Pay Claims

Claims
\$174,754.92
\$511.00
\$143,723.28
\$208,955.63

Motion by Philip Miller, second by Jimmy Kainer to pay claims.

All Voted AYE. Motion Carried.

ADJOURN

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

All Voted AYE. Motion Carried.