

STATE OF TEXAS

COUNTY OF WHARTON

BE IT REMEMBERED that a Regular Court Session was held on Tuesday, May 26, 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 9:31 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.

County Judge Murrile congratulated County Auditor Sharon H. Boedeker on receiving 4 CPU credits and 19 hours.

Darrell Darnell gave update on the Peace Officer Memorial. The memorial is complete. They have raised \$30,000.00 plus. The dedication will be on Friday, May 29, 2009 at 10:30 A.M.

1. Extension to file audit for ESD #2

Amy Rod attorney for Emergency Service Distict#2 addressed the court. They are asking for a 30 day extension.

Motion by Philip Miller, second by Jimmy Kainer to grant 30 day extension to file audit report for Emergency Service District #2.

All Voted AYE. Motion Carried.
2. Renewal with Texas Facilities Commission for lease of CPS Building

Paul Shannon with the County Building Maintenance Department addressed the court. Reported problems with the building's maintenance by the CPS personal. They are not maintaining the building. Need to reduce the lease term from five years to two years.

Pass till later.

County Judge Murrile and Paul Shannon will discuss this with CPS.
3. Set date and time for county auction

Chief Bill Copeland addressed this issue. They have 10-12 seized and county vehicles. El Campo P.D. has quite a few vehicles also. They are possibly looking at the middle of July to the first part of August for the sale.

Pass at this time. Chief Bill Copeland to check with El Campo.

4. Tek-Com Maintenance for county Printers

Motion by Leroy Dettling, second by Chris King to authorize County Judge Murrile to execute Revised Schedule A with Tek-Com for monthly maintenance in the amount of \$494.00 on county printers.

All Voted AYE. Motion Carried.
5. Authorize payment for invoice Bailey Architects

Motion by Jimmy Kainer, second by Leroy Dettling to approve to pay bill from Bailey Architects in the amount of \$1,437.16 for warranty work with Stoddard Construction to come out of Stoddard's retainage money.

All Voted AYE. Motion Carried.
6. Authorize SAVNS Maintenance Grant Contract between Attorney General and Wharton County

Motion by Philip Miller, second by Leroy Dettling to authorize County Judge Murrile to execute SAVNS Maintenance Grant Contract between the Office of the Attorney General and Wharton County for the State Fiscal Year 2010.

All Voted AYE. Motion Carried.
7. Agreement renewal Between Apriss and Wharton Co. for Vine

Motion by Philip Miller, second by Jimmy Kainer to authorize County Judge Murrile to execute R-06 Service Agreement Renewal Notice between Apriss and Wharton County for Vine.

All Voted AYE. Motion Carried.
8. Accept \$10,000.00 payment from Milagro Exploration to resurface CR106 and CR 139

Commissioner Dettling addressed this issue. Ratification to accept payment. Bond B004686 has expired. They agreed on \$10,000.00.

Motion by Leroy Dettling, second by Jimmy Kainer to accept fee of \$10,000.00 from Milagro Exploration to resurface CR 106 and CR 139 and release Heavy Load Permit Bond B004686.

All Voted AYE. Motion Carried.
9. Approve order creating ESD #3

County Judge Murrile read the meets and bounds into the minutes.

Will revisit.

13. Change Commissioners' court meeting time for June 8, 2009
 Motion by Chris King, second by Philip Miller to move time from 9:30 A.M. to 8:30 A.M. for Commissioners' Court Session on June 8, 2009.
 All Voted AYE. Motion Carried.
14. Take appropriate action to change letter grade from a 13A to a 13B
 Commissioner Dettling addressed this issue. He is requesting to change pay grade from a 13A to 13B. This would be .34 cents more an hour. Commissioner Dettling stated there are funds available.
 No action taken.
15. Take appropriate action to pay temporary employees at a different class
 Commissioner Dettling addressed this issue. He has a heavy equipment and a light truck driver that he is requesting to hire at a lower class.
 Motion by Leroy Dettling, second by Chris King to authorize Pct.1 Commissioner Leroy Dettling to hire at a lower class as requested.
 All Voted AYE. Motion Carried.
16. Ratify payroll and benefits 05-11-09
 Motion by Philip Miller, second by Chris King to authorize and ratify approval of payroll in the amount of \$249,105.82 and payroll benefits in the amount of \$102,646.67 as presented on May 11, 2009.
 All Voted AYE. Motion Carried.
17. Approve changes to the Sick Bank Leave Policy
 Motion by Philip Miller, second by Leroy Dettling to approve changes to the sick bank leave policy as presented.
 All Voted AYE. Motion Carried.
19. Ratify time Sensitive 05-11-09
 Motion by Philip Miller, second by Jimmy Kainer to ratify approval of time sensitive invoices as presented in the amount of \$62,421.27 on May 11, 2009.
 All Voted AYE. Motion Carried.
- Revisit 17. Approve change to the Sick Bank Leave Policy
 Motion by Philip Miller, second by Jimmy Kainer to strike 15 consecutive working days from section 14.06 line 1.
 All Voted AYE. Motion Carried.

Recess for Break at 10:37 A.M.

Reconvene at 10:55 A. M.

22. Authorize Purchase of 2 program vehicles for the Sheriff's Office
 Motion by Philip Miller, second by Jimmy Kainer to advertise for 2 program vehicles for the Sheriff's Department with opening the bids in the County Auditor's Office on June 18, 2009 and awarding the bids on June 22, 2009 in Commissioners' Court.
 All Voted AYE. Motion Carried.
- Revisit 9. Approve order creating ESD #3
 Motion by Leroy Dettling, second by Chris King to approve the order creating Emergency Service District #3.
 All Voted AYE. Motion Carried.
10. Appoint Board of Directors for ESD #3
 Motion by Leroy Dettling, second by Chris King to appoint David Clayton, Curtis Edward, Dr. Herman Wolf, Johanna Sheek, and Larry Bubela to the Board of Directors for Emergency Service District #3.
11. Approve order creating ESD #4
 Motion by Philip Miller, second by Jimmy Kainer to approve the order creating Emergency Service District #4.
 All Voted AYE. Motion Carried.
12. Appoint Board of Directors for ESD #4
 Motion by Philip Miller, second by Jimmy Kainer to appoint Steve Appling, Gary Charbula, Keith Bram, John Crowell, and Melissa Green to the Board of Directors for Emergency Service District #4.
 All Voted. AYE. Motion Carried.
20. Closed Session
 Litigation, Indigent Health care
 The County Judge, all Commissioners', and the County Attorney are going into closed session at 11:11 A.M. to deliberate the following matters 1.) Pending litigation involving County Road 119 and 2.) Reimbursement of County funds paid through Wharton County Indigent Health Care as authorized by Texas Government Code 551.071.
21. Open Session
 Litigation, Indigent Health care
 Reconvene open session at 11:40 A.M.
 Motion by Chris King, second by Leroy Dettling to approve resolution and order and authorize County Judge Murrile to sign letter of employment with Bickerstaff Heath Delgado Acosta LLP. for litigation on County Road 119.
 All Voted AYE. Motion Carried.
 No action taken for Indigent Health Care.

23. Authorize use of surplus money to pay overtime for the Jail and the Sheriff's Office
 Chief Bill Copeland addressed the court. Bill gave the numbers for how they could pay overtime for the jail and dispatch. They would like to use the money from the open positions. They have \$46,000.00 in surplus (salary only).
 Table until next meeting.
24. Authorize renewal of property liability
 Motion by Philip Miller, second by Leroy Dettling to authorize County Judge Murrile to execute renewal of property liability policy from July 1, 2009 through July 1, 2010.
 All Voted AYE. Motion Carried.
 Commissioner Kainer absent for the vote.
18. Payroll & Benefits 05-29-09
 Motion by Philip Miller, second by Chris King to authorize County Treasurer and County Auditor to pay and release time sensitive invoices as presented in the amount of \$144,814.81, payroll and applicable benefits for May 29, 2009 to be Ratified on Commissioners' Court on June 8, 2009.
 All Voted AYE. Motion Carried.
 Commissioner Kainer absent for the vote.
25. Revise amount needed from contingency for overtime/holiday
 County Auditor stated they need \$345.00 more from contingency.
 Motion by Philip Miller, second by Chris King to approve the additional \$345.00 needed to come from contingency.
 All Voted AYE. Motion Carried.
26. Reappointment of County Auditor and Oath of Office
 The County Auditor Sharon H. Boedeker was reappointed for another 2 years.
27. Ratify bid opening for Pct.4 gradall
 Motion by Jimmy Kainer, second by Philip Miller to change opening date and present to court on June 8, 2009 at 9:00 A.M.
 All voted AYE. Motion Carried.
28. 2008-2009 Budget Adjustments
 County Auditor Sharon H. Boedeker read the 2008 budget adjustments into the minutes.

Motion by Leroy Dettling, second by Philip Miller to approve 2008 budget adjustments as stated by the County Auditor.
All Voted AYE. Motion Carried.

County Auditor Sharon H. Boedeker read the 2009 budget adjustments into the Minutes.

Motion by Chris King, second by Leroy Dettling to approve 2009 budget adjustments as stated by the County Auditor.

All Voted AYE. Motion Carried.

29.2009 County Auditor Sharon H. Boedeker read the 2009 budget amendments into the
Budget minutes.
Amendments

Recess for lunch at 12:27 P.M.

Reconvene at 1:30 P.M.

County Judge Murrile Absent.

Commissioner King acting as Pro Term.

Revisit Motion by Philip Miller, second by Jimmy Kainer to approve 2009 budget
29.2009 Amendments as stated by the County Auditor.
Budget All Voted AYE. Motion Carried.
Amendments

30.Chemical and Motion by Philip Miller, second by Jimmy Kainer to award all chemical bids as
road material presented. See bid sheet.
bids

All Voted AYE. Motion Carried.

Motion by Philip Miller, second by Jimmy Kainer to award all road material bids as stated. See bid sheet.

All Voted AYE. Motion Carried.

Motion by Jimmy Kainer, second by Philip Miller to accept all chemical and road material bids.

All Voted AYE. Motion Carried.

31.Monthly
Reports

Commissioner Miller read the monthly reports into the minutes.

Motion by Philip Miller, second by Leroy Dettling to accept monthly reports as stated.

All Voted AYE. Motion Carried.

32.Permits

No permits.

33.Pay Claims

Batch 50 total \$13,985.46

District Judge- Ikon Office Solution \$8.75

Pct.1- Quality Hot-Mix \$12,611.76

Tax Assessor Collector- Spindlemedia \$860.59 (5 monitors)

Mental Health- Travis County Clerk \$390.00

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

All Voted AYE. Motion Carried.

Regular Claims

\$119,611.69

\$178,737.06

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

All Voted AYE. Motion Carried.

ADJOURN

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

All Voted AYE. Motion Carried.