

STATE OF TEXAS

COUNTY OF WHARTON

BE IT REMEMBERED that a Regular Court Session was held on Monday, June 22, 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 9:37 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 resurfacing roads between Wharton and Burr, and announced several deaths in the Precinct, and that we need rain.

Commissioner Miller stated it’s hot and dry and that they are doing road and ditch work.

Commissioner Kainer stated that Saws needs to come by and check the water table level and see that we can not afford to sell any water.

County Judge Murrile announced that Donna Kocurek, County Treasurer completed 20 hours for continuing education and 5 hours for Public Funds Investment.

Commissioner Leroy Dettling completed 15 hours of continuing education at the 51<sup>st</sup> Annual County Judges and Commissioners’ Continuing Education Conference.

Commissioner Jimmy Kainer completed 12 hours of continuing education at the 51<sup>st</sup> Annual County Judges and Commissioners’ Continuing Education Conference.

Commissioner King arrived at 9:40 A.M.

1.Erate contract  
County Library

Barbara Goodell with the Library addressed this issue.

Motion by Philip Miller, second by Leroy Dettling to approve and authorize County Judge Murrile to sign Erate Contract and Letter of Agency with Erate Consulting Specialist, Inc.

All Voted AYE. Motion Carried.

2. Lease renewal with Texas Facilities Commission for CPS Building  
County Judge Murrile addressed this issue.  
Motion by Philip Miller, second by Jimmy Kainer to authorize County Judge Murrile to execute Lease Renewal Amendment with Texas Facilities Commission for lease of CPS Building.  
All Voted AYE. Motion Carried.
3. Approve updated assessing and collecting agreements for taxing entities  
Motion by Leroy Dettling, second by Chris King to approve the updated assessing and collecting agreements with the following taxing entities: City of East Bernard, Louise ISD, Boling ISD, Coastal Bend Groundwater Conservation District, City of Wharton, West Wharton County Hospital District, Wharton ISD, and Louise Water District as stated.  
All Voted AYE. Motion Carried.
4. Order prohibiting certain fireworks in unincorporated areas of county  
Motion by Chris King, second by Leroy Dettling to take all appropriate action to ratify the Order Prohibiting Certain Fireworks in Unincorporated Areas of Wharton County.  
All Voted AYE. Motion Carried.
5. Interlocal agreement for Geriatric Psychiatric Services  
Motion by Philip Miller, second by Leroy Dettling to authorize County Judge Murrile to sign Amended Interlocal Agreement for Geriatric Psychiatric Services with Matagorda County.  
All Voted AYE. Motion Carried.
6. Presentation from Halff Associates  
John Ivey with Halff Associates gave presentation on Wharton County NFIP requirements. Wes Birdwell with Halff Associates also gave update.  
Monica Martin with the permit office addressed the court. She is using the flood map that was provided by Halff Associates.
7. Utilize the base flood elevation and floodway data  
Motion by Philip Miller, second by Leroy Dettling to adopt and utilize the base flood elevation and floodway data available from the Wharton County Drainage Master Plan and other sources to regulate floodplain development as stated.  
All Voted AYE. Motion Carried.
8. Acquire drainage easement along Jones Creek  
Commissioner Kainer addressed this issue. This is on Jones Creek on the Pierce Ranch. Wes Birdwell with Halff Associates addressed the court. All work will be done on the Pierce Ranch. County Attorney to send letter on what is expected of the County and the land owner.

Motion by Jimmy Kainer, second by Philip Miller to authorize County Attorney to draft letter to Laurence Armour at the Pierce Ranch for easement and clearing of Jones Creek. The easement will be 250 feet wide starting at 125 feet from the center of the line and authorizing County Judge Murrile to sign.

All Voted AYE. Motion Carried.

9.Ratify payroll  
and benefits  
06-08-09

Motion by Jimmy Kainer, second by Leroy Dettling to ratify approval of payroll in the amount of \$250,996.42 and payroll benefits in the amount of \$102,870.95 presented June 8, 2009.

All Voted AYE. Motion Carried.

Commissioner King left at 10:35 A.M.

10.2009  
Budget  
Adjustments

Margie Heimann with the auditor's office read the 2009 budget adjustments into the minutes.

Motion by Philip Miller, second by Leroy Dettling to approve the 2009 budget adjustments as stated.

All Voted AYE. Motion Carried.

11.2009  
Budget  
Amendments

Margie Heimann with the auditor's office read the 2009 budget amendments into the minutes.

Motion by Leroy Dettling, second by Philip Miller to approve the 2009 budget amendments as stated.

All Voted AYE. Motion Carried.

12.Present bids  
for Sheriff's  
Department  
vehicles

VonDerAu Ford-2008 Mercury Grand Marquis LS-\$14,789.02-Mileage 21,949  
VonDerAu Ford-2008 Mercury Grand Marquis LS-\$14,842.14-Mileage 26,850  
VonDerAu Ford-2008 Mercury Grand Marquis LS-\$15,453.46-Mileage 21,500  
Philpott Ford-2008 Ford Crown Victoria P-71's-\$16,500.00-Mileage 10K-24K

Chief Bill Copeland with the Sheriff's Department would like to take the 2008 Mercury Grand Marquis LS for \$14,789.02 from VonDerAu Ford and the 2008 Mercury Grand Marquis LS for \$15,453.46 from VonDerAu Ford.

Recess for break at 10:48 A.M.

Reconvene at 11:10 A.M.

- Revisit  
12. Present bids  
for Sheriff's  
Department  
vehicles
- Motion by Jimmy Kainer, second by Philip Miller to accept bids.
- All Voted AYE. Motion Carried.
- Motion by Jimmy Kainer, second by Philip Miller to award bid to Von Der Au Ford for the 2008 Mercury Grand Marquis LS for \$14,789.02 and for the 2008 Mercury Grand Marquis LS for \$15,453.46. They did not want the 2008 Mercury Grand Marquis LS for \$14,842.14 due to the mileage.
- All Voted AYE. Motion Carried.
- All Voted AYE. Motion Carried
13. Guidelines for  
General, R&B,  
FM&LR fund  
balances
- Passed at this time.
14. Pay grade for  
Pct. 1 maintainer  
operator
- Commissioner Dettling addressed this issue. He has an open position and an employee from another Pct. would like the position. Commissioner Dettling is asking for the current position that is a 14G be made a 16F.
- County Judge Murrile stated the budget policy reads no.
- No motion made.
15. Host Blood  
Drive in July
- County Treasurer addressed this issue. The blood bank contacted her to see if the county would host a blood drive in July. They are very low at this time.
- Motion by Leroy Dettling, second by Philip Miller to host a blood drive in July.
- All Voted AYE. Motion Carried.
16. Monthly Cash  
& Investment  
Report 03-09
- 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 March 2009 and authorize publication of Affidavit of same in accordance with Local Government Code 114.026.
- All Voted AYE. Motion Carried.

17. Monthly Cash & Investment Report 04-09 County Treasurer Donna Kocurek read the report into the minutes.  
Motion by Leroy Dettling, second by Jimmy Kainer to approve the Monthly Cash And Investment Report submitted by County Treasurer for April 2009 and Authorize publication of Affidavit of same in accordance with Local Government Code 114.026.  
All Voted AYE. Motion Carried.
19. 2010 Texas Co. & District Retirement Plan County Treasurer Donna Kocurek addressed this issue. Information only.
18. Payroll and applicable Benefits 06-30-09 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 \$73,168.72 as presented, payroll and applicable benefits for June 30, 2009 to be ratified by Commissioners' Court July 13, 2009.  
All Voted AYE. Motion Carried.
20. 1<sup>st</sup> Quarter 2009 Treasurer's Investment Report County Treasurer Donna Kocurek read the 1<sup>st</sup> Quarter Investment report into the minutes.  
Motion by Philip Miller, second by Leroy Dettling to approve the 1<sup>st</sup> Quarter 2009 Treasurer's Investment Report.  
All Voted AYE. Motion Carried.
21. Ratify time sensitive 06-08-09 Motion by Philip Miller, second by Leroy Dettling to ratify approval of time sensitive invoices in the amount of \$55,322.38 as presented on June 8, 2009.  
All Voted AYE. Motion Carried.
22. Set date for Special Session Motion by Philip Miller, second by Leroy Dettling to set Special Session for Monday, June 29, 2009 at 8:30 A.M.  
All Voted AYE. Motion Carried.
23. 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 by Commissioner Miller.  
All Voted AYE. Motion Carried.

County Judge Murrile left at 11:45 A.M.

24.Permits                   None

25.Pay Claims               Batch 50  
A.C. Jurasek building maintenance (jail sewer) \$630.00  
Gary Tupa Plumbing (jail sewer) \$7,882.53  
Pekar's Body Shop (jail accident) \$1,183.40  
Wharton Services Texana (cleaning JP.1 July, Sept., and Oct. from 08) \$735.00

Motion by Philip Miller, second by Jimmy Kainer to not pay bill in the amount of \$735.00 from Wharton Services.

Motion by Philip Miller, second by Leroy Dettling to pay batch 50 except Wharton Services bill in the amount of \$735.00.

All Voted AYE. Motion Carried.

Question on Valero's bid for road materials.

\$1,511.23  
\$1,437.16  
\$208.63  
\$438,152.21

Motion by Jimmy Kainer, second by Leroy Dettling to pay claims.

All Voted AYE. Motion Carried.

County Judge Murrile back in at 11:50 A.M.

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

All Voted AYE. Motion Carried.