

STATE OF TEXAS

COUNTY OF WHARTON

BE IT REMEMBERED that a Regular Court Session was held on Monday, July 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 9:37 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 working on the roads and picking up trees.  
 Commissioner King stated they are also picking up trees.  
 Commissioner Miller stated they are doing the same.  
 Commissioner Kainer stated they received a good rain and had Fish for heroes that went well. Commissioner Kainer wanted to commend Teresa Ott and Philip Urbanovsky on all there work and that there are good people in Wharton County.

County Judge Murrile congratulated Commissioner Dettling on the 12 hours of Continuing education he received from Texas A&M at the 75<sup>th</sup> Annual South Texas County Judges’ and Commissioners’ Association Conference.

1. Appoint representative  
 Houston Area Library System  
 Barbara Goodell addressed the court.  
 Motion by Philip Miller, second by Leroy Dettling to appoint Gretchen Hawk as lay representative to the Houston Area Library System for a two year period effective September 2009 through August 2011 and authorize County Judge Murrile to sign.

All Voted AYE. Motion Carried.

2. Library internet Service  
 Barbara Goodell addressed the court. This is a renewal contract and the amount has gone down from \$310.00 to \$290.00 a month.  
 Motion by Philip Miller, second by Jimmy Kainer to authorize County Judge to sign annual contract for internet provider service with the University of Texas at

Austin office of telecommunication services from September 1, 2009 through August 31, 2010.

All Voted AYE. Motion Carried

3. Purchase software from NetData for CJIS reports
- Sandra K. Sanders County Clerk addressed this issue. Needing to purchase software from NetData to do CJIS reports countywide out of account 47 in the amount of \$500.00.

Motion by Leroy Dettling, second by Jimmy Kainer to approve the purchase of software from NetData for CJIS reports to the state countywide in the amount of \$500.00 to come from account 47.

All Voted AYE. Motion Carried.

4. Take appropriate action to make Victoria St. a 2-way street
- Commissioner Miller addressed this issue. Commissioner Miller recommends to change Victoria Street in Louise from 2<sup>nd</sup> Street to Hackberry from a one-way to a two-way.

Motion by Philip Miller, second by Jimmy Kainer to change Victoria Street in Louise from 2<sup>nd</sup> Street to Hackberry from a one-way street to a two-way street.

All Voted AYE. Motion Carried.

5. Indigent Defense Expense Reimb.
- Pass at this time will revisit.

6. Renewal for Wharton/Matagorda County CPS Services
- Motion by Philip Miller, second by Chris King to authorize County Judge Murrile to sign contract #23381086 renewal #2010.01 with Wharton/Matagorda County CPS Services for providing concrete services for the term September 1, 2009 through August 31, 2010.

All Voted AYE. Motion Carried.

7. Maintenance renewal for Tax Office copy machine
- Patrick Kubala addressed this issue. This contract is a renewal for their copy machine.
- Motion by Leroy Dettling, second by Chris King to approve renewal contract for maintenance for copy machine for an additional year with Bay City Office Supply.

All Voted. AYE. Motion Carried.

8. Susser Petroleum
- Motion by Leroy Dettling, second by Philip Miller to ratify EFT in the amount of \$13,640.74 to Susser Petroleum.

All Voted AYE. Motion Carried.

10. Approve updated assessing and collecting agreements for taxing entities      Motion by Philip Miller, second by Leroy Dettling to approve the updated assessing and collecting agreements with the following taxing entities: East Bernard ISD, Wharton County Emergency Service District #2 and Wharton County Junior College District and authorize County Judge Murrile to sign.  
All Voted AYE. Motion Carried.
5. Indigent Defense Expense Reimb.      Ross Kurtz Assistant District Attorney addressed the court. \$145,836.57 is the Amount to ask for.  
  
Motion by Philip Miller, second by Jimmy Kainer to authorize County Judge Murrile to sign Texas Task Force on Indigent Defense Application for Indigent Defense Expense Reimbursement and request funds in the amount of \$145,836.57.  
  
All Voted AYE. Motion Carried.
11. Bids for Pct.1 pickup truck      Pass at this time. Will check with going through HGAC.
12. Ratify payroll and benefits for June 22, 2009      Motion by Philip Miller, second by Jimmy Kainer to ratify approval of payroll in the amount of \$251,650.15 and payroll benefits in the amount of \$102,821.82 as presented on June 22, 2009.  
  
All Voted AYE. Motion Carried.
13. Approve date for blood drive      County Treasurer Donna Kocurek addressed this issue. Would like to set the date for the blood drive to Friday, August 14, 2009 in the Commissioners' Courtroom.  
  
Motion by Jimmy Kainer, second by Leroy Dettling to set the day for the blood drive to Friday, August 14, 2009 in the Commissioners' Courtroom from 8:00 A.M. to 12:00 P.M.  
  
All Voted AYE. Motion Carried.
14. Phone line charge for ATM machine      County Treasurer Donna Kocurek addressed this issue. They have received a bill for \$40.36 for the phone line for the ATM machine. This line has to be an analog line.  
  
Motion by Jimmy Kainer, second by Leroy Dettling to approve to pay phone bill to come out of account 503 Data Processing no to exceed \$45.00 a month.  
  
All Voted. Motion Carried 3-1  
  
Commissioner Dettling voted-aye.  
Commissioner King voted-aye.  
Commissioner Miller voted-no.

Commissioner Kainer voted-aye.

16. Ratify time sensitive for July 13, 2009  
Motion by Jimmy Kainer, second by Chris King to ratify approval of time sensitive invoices in the amount of \$204,108.83 as presented July 13, 2009.  
All Voted Aye. Motion Carried.
17. Determine number of years for CAFR on county website  
County Auditor Sharon H. Boedeker addressed this issue. She is required to have this on the counties website.  
Motion by Philip Miller, second by Leroy Dettling to set number of years at 2 years.  
All Voted AYE. Motion Carried.
18. Budget Adjustments  
County Auditor Sharon H. Boedeker read the budget adjustments into the minutes.  
Motion by Leroy Dettling, second by Chris King to approve the budget adjustments as stated.  
All Voted AYE. Motion Carried.
19. Budget Amendments  
County Auditor Sharon H. Boedeker read the budget amendments into the minutes.  
Motion by Philip Miller, second by Jimmy Kainer to approve budget amendments As stated.  
All Voted AYE. Motion Carried.
20. Repairs for Pct.2 over-turned truck.  
Commissioner King addressed this issue. Commissioner King is short in his maintenance budget.  
Pass at this time. Will come back when funds run out.
21. Monthly Cash and Investment report  
County Treasurer Donna Kocurek read the report into the minutes.  
Motion by Jimmy Kainer, second by Leroy Dettling to approve monthly cash and investment report submitted by County Treasurer for June 2009 and authorize publication of affidavit of same in accordance with Local Government Code 114.026.  
All Voted AYE. Motion Carried.
22. 2-4D Application  
Motion by Jimmy Kainer, second by Philip Miller to ask TDA for open area application of 2-4D in Wharton County for ground and aerial spraying starting August 1, 2009. Legally must have a permit from TDA to spray.

All Voted AYE. Motion Carried.

23. JP.2 clerk's salary

Motion by Jimmy Kainer, second by Leroy Dettling to pay clerk in JP.2 office in the amount of \$176.26 with funds to come out of contingency.

All Voted. Motion Carried 3-2

Commissioner Dettling voted-aye.  
Commissioner King voted-no  
Commissioner Miller voted-no  
Commissioner Kainer voted-aye  
County Judge Murrile voted-aye

Recess for 10 minutes at 10:50 A.M.

Reconvene at 11:14 A.M.

24. Monthly Reports

County Judge Murrile read the monthly reports into the minutes.

Motion by Philip Miller, second by Jimmy Kainer to approve monthly reports as stated and adding County Treasurer's May report.

All Voted Aye. Motion Carried.

25. Permits

Pct.'s 1-4 no permits.

15. Time sensitive and payroll benefits 07-31-09

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 \$656,521.31, payroll and applicable benefits for July 31, 2009 to be ratified by Commissioners' Court on August 10, 2009.

All Voted AYE. Motion Carried.

26. Pay claims

Claims:  
\$24,184.55  
\$770,787.70  
\$84,966.97  
\$2,916.66  
\$3,786.11

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

All Voted AYE. Motion Carried.

9. Bid opening date for I-Beam material Motion by Jimmy Kainer, second by Philip Miller to advertise for bids to be opened on August 10, 2009 in the County Auditor's office at 9:00 A.M. and presented to court on August 10, 2009.

All Voted AYE. Motion Carried.

27. Budget Workshop Eric Scheibe and Wes Birdwell with Half Associates addressed the court. They presented the court with the 2010 Drainage Budget and Permitting process with fees. The study on the lower Jones Creek should be around \$60,000.00.

Monica Martin addressed the court.

District Judge Randy Clapp addressed the court. He is wanting to give his court coordinator a raise and not have the part-time position.

County Judge Murrile recommends a salary of \$37,000.00 and put \$3,000.00 into part-time/sick leave.

Adjourn Motion by Philip Miller, second by Jimmy Kainer to adjourn.

All Voted AYE. Motion Carried.