

STATE OF TEXAS

COUNTY OF WHARTON

BE IT REMEMBERED that a Regular Court Session was held on Monday, August 10, 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 got a little rain yesterday and they will finish road work this week.  
Commissioner King stated they have a bearing out on their chipper.  
County Judge Murrile stated they got .06 of rain and that he rode his motorcycle so it will rain.  
Commissioner Miller stated they received .05 of rain and that it is dry, dry, dry.  
Commissioner Kainer stated it's hot and dry and they are getting 1 1/3 bail of cotton to an acre and soy beans are about finished.  
Paul Shannon stated the Wharton/El Campo softball girls are at the World Series. They played at 9:30 A.M. and they won the first game and lost the 2nd and 3<sup>rd</sup>.

1. Security lighting  
for JP.3 building  
with WCEC

Maintenance Supervisor, Paul Shannon addressed the court. There is no lighting outside at the JP.3 building. The cost would be \$22.24 a month per light and they are needing 2 lights. This would be a guarantee of security lighting with WCEC.

Motion by Philip Miller, second by Jimmy Kainer to approve a one year guarantee of security lighting with WCEC in the amount of \$44.48 a month.

All Voted AYE. Motion Carried.

2. ESD #4  
resignation of  
Steve Appling

Motion by Philip Miller, second by Leroy Dettling to accept letter of resignation from Steve Appling from the Emergency Service District #4 Board effective today Monday, August 10, 2009.

All Voted AYE. Motion Carried.

3. ESD #4  
appointment of  
Bob Little                      Motion by Philip Miller, second by Jimmy Kainer to appoint Bob Little to  
Emergency Service District #4 Board to fill Steve Appling's term effective today  
Monday, August 10, 2009.
- All Voted AYE. Motion Carried.
4. Action to pay                      County Judge Murrile addressed this issue.  
pro-rated  
property taxes                      Motion by Philip Miller, second by Jimmy Kainer to approve to pay pro-rated  
on Fibbers                              share of property taxes on Fibbers in the amount of \$1,040.99 to come out of  
contingency.
- All Voted AYE. Motion Carried.
5. Contract with                      County Attorney Trey Maffett stated this is just a renewal so the County Board  
County Title                              can get reimbursement.  
IV-E for Child  
Welfare Services                      Motion by Jimmy Kainer, second by Leroy Dettling to authorize County Judge  
Murrile to sign County Title IV-E Child Welfare Services, Contract Number  
23379432 for FY 2010.
- All Voted AYE. Motion Carried.
6. Backlog of                              Commissioner Dettling addressed this issue. He is having difficulty getting signs  
county road                              and bills for signs from the 911 addressing department. Commissioner Miller  
sign request                              said we need to find out what that department is doing daily.  
from 911  
addressing                              Will revisit.
7. House bill 55                              Chief Bill Copeland addressed the court. Effective September 1, 2009 the House  
"Cell Phone                              bill 55 "Cell phone use prohibited" in school zones. Chief Copeland stated the  
Use Prohibited"                              county will need to post signs. Commissioner Dettling will need 11 for Boling and  
in school zones                              Louise will need 2. Commissioner Miller stated we should order the signs.  
County Attorney stated no public hearing will be needed.
- Motion by Philip Miller, second by Leroy Dettling to approve purchasing signs  
prohibiting the use of cell phones in school zones in Boling and Louise.
- All Voted AYE. Motion Carried.
- Revisit  
6. Backlog of                              Prudencio Arriaga with 911 addressing addressed the court. County  
county road                              Judge Murrile asked Prudencio how close to finished is he on the 911 addressing.  
sign request                              All of the routes are done. Commissioner Dettling is wanting Prudencio to teach  
from 911                                      Kelly how to make signs on Friday. Commissioner Kainer would also like one of  
addressing                                      his guys to be trained to make signs.

8. I-Beam bid  
Tabulations
- County auditor Sharon H. Boedeker stated that only one bid was received. The bid received is from Jonathan C. Kulak.
- Motion by Philip Miller, second by Jimmy Kainer to accept bid for I-Beam.
- All Voted AYE. Motion Carried.
- Commissioner King absent for the vote.
- Will award the bid later.
9. 2009  
Budget  
Adjustments
- County Auditor Sharon H. Boedeker read the budget adjustments into the minutes.
- Motion by Philip Miller, second by Leroy Dettling to approve the budget adjustments as stated.
- All Voted AYE. Motion Carried.
10. 2009  
Budget  
Amendments
- County Auditor Sharon H. Boedeker read the budget amendments into the minutes.
- Motion by Chris King, second by Jimmy Kainer to approve the budget amendments as stated.
- All Voted AYE. Motion Carried.
11. Presentation  
by AFLAC  
on disability
- Todd Trotter with AFLAC addressed the court. Mr. Trotter gave presentation on disability insurance. He is asking if he can be allowed to offer the disability policy during open enrollment.

Recess for break at 10:37 A.M.

Reconvene at 11:06 A.M.

- Revisit  
11. Presentation  
by AFLAC  
on disability
- Motion by Chris King, second by Leroy Dettling to add disability to be offered during open enrollment.
- All Voted. Motion Carried 3-1.
- Commissioner Dettling voted aye.  
Commissioner King voted aye.  
Commissioner Miller voted aye.  
Commissioner Kainer voted no.

23. 2010 Budget Workshop  
 District Judge Randy Clapp addressed the court. He had asked for \$39,500.00 plus \$3,000.00 supplement. County Judge Murrile recommends \$36,500 plus the \$3,000.00 supplement. Linda Dixon will stay through the end of January 2010 due to retirement and insurance. Cassie Ritter's raise will go into effect on February 1, 2010.
15. Clarify overtime for the Sheriff's Office  
 County Treasurer Donna Kocurek asked Chief Bill Copeland to clarify what they need. They are wanting:  
 Dispatchers to work overtime for dispatchers and get paid.  
 Jailers to work overtime for jailers and get paid.  
 Jailers to work for dispatchers and get paid.  
  
 County Treasurer stated the motion need to read average blended rate in place of fixed dollar amount.  
  
 Motion by Philip Miller, second by Leroy Dettling to amend motion from July 13, 2009 minutes on the Sheriff's Office overtime to change fixed rate to read average blended rate.  
  
 All Voted AYE. Motion Carried.
13. UTMB Indigent Health Care  
 County Treasurer Donna Kocurek addressed this issue. She recommends that we do not enter into this contract, due to they are wanting the county to pay out \$60,000.00 per indigent patient. The state guidelines only allows \$30,000.00 and we would not get any reimbursement from the state after we met the 8% of the GRTL. We have one indigent patient going there.
12. Ratify time sensitive 07-27-09  
 Motion by Philip Miller, second by Leroy Dettling to ratify approval of time sensitive invoices in the amount of \$594,377.11 as presented on July 27, 2009  
  
 All Voted AYE. Motion Carried.
14. Approve date for special session  
 County Treasurer addressed this issue.  
  
 Motion by Leroy Dettling, second by Philip Miller to approve Special Session for Monday, August 31, 2009 to pay claims for Indigent Health Care.  
  
 All Voted AYE. Motion Carried.
16. 2<sup>nd</sup> Quarter Investment Report  
 County Treasurer Donna Kocurek read the 2<sup>nd</sup> Quarter Investment Report into the minutes.  
  
 Motion by Philip Miller, second by Jimmy Kainer to approve Treasurer's 2<sup>nd</sup> Quarter Investment Report.  
  
 All Voted AYE. Motion Carried.

17. Ratify payroll and benefits for July 27, 2009      Motion by Jimmy Kainer, second by Leroy Dettling to ratify approval of payroll in the amount of \$248,512.84 and payroll benefits in the amount of \$409,050.54 as presented on July 27, 2009.
- All Voted AYE. Motion Carried.
18. Time sensitive and payroll benefits 08-14-09      Motion by Jimmy Kainer, second by Chris King to authorize County Treasurer and County Auditor to pay and release time sensitive invoices in the amount of \$73,201.19 as presented, payroll and applicable benefits for August 14, 2009 to be ratified by Commissioners' Court on August 24, 2009.
- All Voted AYE. Motion Carried.
19. Approve July Minutes      Motion by Philip Miller, second by Jimmy Kainer to approve July Commissioners' Court Minutes.
- All Voted AYE. Motion Carried.
20. Monthly Reports      County Judge Murrile read the monthly reports into the minutes.
- Motion by Philip Miller, second by Leroy Dettling to approve monthly reports as stated.
- All Voted AYE. Motion Carried.
21. Permits      Pct.'s 1-3 have no permits.
- Pct.4 Ratify Heavy Load Riddle Engineering Corp., FM 960 and CR 454 go east on CR 454 one mile to location. Need bond.
- Motion by Jimmy Kainer, second by Philip Miller to approve ratification of permit and approve pending receiving bond.
- All Voted AYE. Motion Carried.
- Pct.4 Heavy Load Ricochet Energy, Inc., Hwy 59 North to CR 458 West to location.
- Motion by Jimmy Kainer, second by Philip Miller to approve.
- All Voted AYE. Motion Carried.

22. Pay claims           Batch 50:  
Pct.2 cups for \$20.13  
Boots for Mental Health Officer Mike Moreno \$79.99

Motion by Philip Miller, second by Chris King to not pay batch 50 claims.

All Voted AYE. Motion Carried.

Claims:  
\$303,088.68  
\$49,050.90

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

All Voted AYE. Motion Carried.

Recess for lunch at 12:14 P.M. till 1:30 P.M.

Reconvene at 1:43 P.M.

23. 2010                   466-Cut \$150,000.00 out for Kleas Building  
    Budget               503/515-Cut \$15,000.00 leave at \$4,000.00  
    Workshop             512/516-Cut \$15,000.00 van for the Sheriff's Office  
                              516/560-Cut \$5,000.00 from the Sheriff's Office for cars making it \$70,000.00

Recess for 10 minutes at 2:58 P.M.

Reconvene at 3:16 P.M.

Road & Bridge  
Pct.4 512-Cut \$94,000.00 making it \$275,000.00  
Pct.3 512-Cut \$90,000.00 for bridge making it \$0.00  
512-Add \$15,000.00  
431-Add \$6,000.00  
466-Cut \$100,000.00  
FMLR  
Pct.3 512- Cut \$94,443.00 make \$175,000.00 machine & equipment

Wes Birdwell and Alicia Rudd with Halff Associates addressed the court. They reviewed the drainage budget. They went over drainage fees, the drainage easement process, the drainage district prep., and the 2010 drainage budget.

Recess at 4:44 P.M. Will reconvene at 1:30 P.M. Tuesday, August 11, 2009

Reconvene at 1:45 P.M. on Tuesday, August 11, 2009.

The following were present:

John W. Murrile,	County Judge
Leroy Dettling,	Commissioner Pct.1
Philip Miller,	Commissioner Pct.3
Jimmy Kainer,	Commissioner Pct.4

Commissioner King absent.

Road & Bridge  
Pct.3 512-Cut \$46,000.00 making it \$133,500.00 machine equipment

Commissioner King arrived at 1:55 P.M.

Pct.4 512-Cut \$100,000.00 machine equipment  
522-Add \$50,000.00 to bridge making it \$190,000.00  
490 Elections-108 make it \$13,260.00 increase to 30 hours a week.  
107-make it \$40,000.00 from \$15,000.00 for 4 elections

Recess for break at 2:33 P.M.

Reconvene at 2:52 P.M.

324-includes election supplies \$18,300.00 leaving as is.  
Road & Bridge  
Pct.2 Take \$5,000.00 out of diesel making it \$45,000.00  
313-make it \$92,000.00  
318-make it \$7,500.00 culverts  
Capitol-FM Pct.2 512- machine equipment cut from \$60,000.00 to \$45,000.00  
Pct.3 30628/512-cut from \$175,000.00 to \$120,000.00 for dozer  
Pct.4 30629/512-cut from \$175,000.00 to \$120,000.00 for dozer  
Pct.2 20613/522-cut \$130,000.00 for bridge

Recess at 4:20 P.M. Will reconvene at 4:00 P.M. Wednesday, August 12, 2009

Reconvene at 4:10 P.M. on Wednesday, August 12, 2009

The following were present:

John W. Murrile,	County Judge
Leroy Dettling,	Commissioner Pct.1
D.C. "Chris" King,	Commissioner Pct.2

Recess at 4:11 P.M. Will reconvene at 10:00 A.M Thursday, August 13, 2009

Reconvene at 10:20 A.M. on Thursday, August 13, 2009

The following were present:

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

Jail-cut the 2 jailers and add \$50,000.00 plus benefits for overtime for jail.  
511 make budget \$60,000.00 in office equipment.  
506/507 move Troy to Sheriff's Office budget \$9,744.00  
Tax rate 0.30750 General  
Road & Bridge 0.065  
466 option services \$42,240.00 for rule of 75 for retirement.

Will put Budget Workshop back on the August 24, 2009 agenda.

Adjourn Motion by Leroy Dettling, second by Chris King to adjourn.

All Voted AYE. Motion Carried.