

STATE OF TEXAS

COUNTY OF WHARTON

BE IT REMEMBERED that a Regular Court Session was held on Monday, September 28, 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 9:40 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.

Proclamation #09-34
Livestrong Day 2009

Commissioner King read the proclamation #09-34 Livestrong Day 2009 into the minutes

Motion by Chris King, second by Jimmy Kainer to proclaim October 2, 2009 as Livestrong Day in Wharton County.

All Voted AYE. Motion Carried.

1. Convert part-time position to a full-time position
District Attorney's Office

Gordon Dudley with the District Attorney's office addressed the court. They are asking to make Rosalie Pekar from a part-time employee to a full-time employee for the balance of the 09 year funded from there discretionary fund.

Motion by Chris King, second by Philip Miller to approve funds to make part-time position in the District Attorney's office a full-time position effective October 1, 2009. Funds to come from the District Attorney's discretionary fund.

All Voted AYE. Motion Carried.

2. Adopt Drainage Review Ordinance

Eric Scheibe with Halff Associates addressed the court.

Motion by Philip Miller, second by Leroy Dettling to adopt the Drainage Review Ordinance for Wharton County with an effective date of January 1, 2010.

All Voted AYE. Motion Carried.

3. Tres Palacios Project WA#5 Amendment #2 Eric Scheibe with Halff Associates addressed the court.
Motion by Jimmy Kainer, second by Philip Miller to approve modified contract between Halff Associates and Wharton County for the Tres Palacios Project-WA#5 Amendment #2.

All Voted AYE. Motion Carried.
4. 2010 Communications Plan Project WA#7 Eric Scheibe with Halff Associates addressed the court.
Motion by Leroy Dettling, second by Philip Miller to approve contract between Halff Associates and Wharton County for the 2010 Communications Plan Project-WA#7.

All Voted AYE. Motion Carried.
5. Action for bids to replace bridge on CR 442 over Tres Palacios River Commissioner Kainer addressed this issue.
Motion by Jimmy Kainer, second by Philip Miller to advertise for bids to replace bridge on CR442 over the Tres Palacios River to be opened on Thursday, October 22, 2009 at 3:30 P.M. in the County Auditors Office and present to court and award on Monday, October 26, 2009.

All Voted AYE. Motion Carried.
6. 10:00 A.M. Public Hearing on creation of the District Courts Records Technology Fund Open Public Hearing at 10:05 A.M. District Clerk Denice Malota addressed the court. This would be for preservation only and the fee would be \$5.00. This would be on new civil and family cases.
Close Public Hearing at 10:07 A.M.
7. District Court Archive Fee Motion by Philip Miller, second by Leroy Dettling to set District Court Records Archive Fee at \$5.00 and establish a District Court Records Technology Fund and approve the District Court Records Technology Fund Archive Plan and Budget effective January 1, 2010.

All Voted AYE. Motion Carried.
11. Resolution #09-33 WCJC Delivered Meal Grant Program Motion by Philip Miller, second by Jimmy Kainer to approve resolution #09-33 WCJC Home-Delivered Meal Grant Program and authorize County Judge Murrile to sign.

All Voted AYE. Motion Carried.

19. Presentation of 2008 Annual Financial Report Jeff Stogner with Baker, Stogner & Associates went over the 2008 Comprehensive Annual Financial Report.

12. Interlocal Agreement for Geriatric Psychiatric Service with Matagorda Co. Motion by Philip Miller, second by Chris King to approve Interlocal Agreement for Geriatric Psychiatric Service with Matagorda County from October 1, 2009 to September 30, 2010 and authorize County Judge Murrile to sign agreement.
All Voted AYE. Motion Carried.

13. Set fees for 2010 Sheriff's and Constables Motion by Jimmy Kainer, second by Leroy Dettling to set fees for 2010 Sheriff's and Constables' Fees as required under Local Government Code Section 118.131. This will be the same as 2009.

All Voted AYE. Motion Carried.

Commissioner Miller absent for the vote.

17. Approve Tek Com Technologies revised contract Motion by Philip Miller, second by Jimmy Kainer to approve Tek Com Technologies revised contract for 2009 and authorize County Judge Murrile to sign.

All Voted AYE. Motion Carried.

8. 10:30 A.M. Public Hearing Open Public Hearing at 10:32 A.M. County Auditor discussed the proposed 2010 County Budget and the 2009 proposed tax rate under Section 111.007, Texas Local Government Code.

Close Public Hearing at 10:37 A.M.

Recess for break at 10:40 A.M.

Reconvene at 11:00 A.M.

16. Authorize bids for fuel, chemicals and road materials Motion by Philip Miller, second by Leroy Dettling to advertise for bids to be received and opened in the auditors office on Thursday, November 19, 2009 at 3:30 P.M. and present to court and award on Monday, November 23, 2009.

All Voted AYE. Motion Carried.

9. Adopt 2010 County Budget Motion by Philip Miller, second by Leroy Dettling to adopt the 2010 County Budget.

All Voted AYE. Motion Carried.

22. August Cash and Investment Report
County Treasurer Donna Kocurek read the report 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 August 2009 and authorize publication of Affidavit of same in accordance with Local Government Code 114.026.
All Voted AYE. Motion Carried.
23. Ratify time sensitive 08-24-09
Motion by Philip Miller, second by Leroy Dettling to ratify approval of time sensitive invoices in the amount of \$14,915.59 as presented to Commissioners' Court on September 14, 2009.
All Voted AYE. Motion Carried.
24. Ratify payroll and benefits for 09-14-09
Motion by Jimmy Kainer, second by Chris King to ratify approval of payroll in the amount of \$249,065.87 and payroll benefits in the amount of \$102,586.96 as presented on September 14, 2009.
All Voted AYE. Motion Carried.
25. Time sensitive and payroll benefits 09-30-09
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 \$101,202.13 as presented, payroll and applicable benefits for September 30, 2009 to be ratified by Commissioners' Court on October 12, 2009.
All Voted AYE. Motion Carried.
26. 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.
27. Permits
Precinct's 1-4 no permits.
- Revisit
1. Convert part-time position to a full-time position District Attorney's Office
Motion by Chris King, second by Philip Miller to amend motion adding 8A.
All Voted AYE. Motion Carried.

28. Pay Claims \$344,372.67
 \$134,148.95

Motion by Jimmy Kainer, second by Chris King to pay claims.

All Voted AYE. Motion Carried.

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

All Voted AYE. Motion Carried.