

STATE OF TEXAS

COUNTY OF WHARTON

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

Public Comments County Judge Murrile apologized to Mickey Reynolds for sending him to Houston for an 8:00 A.M. meeting that actually starts at 1:30 P.M.

Commissioner Dettling stated they are getting plenty of rain.

Commissioner King stated they are paving roads.

Commissioner Miller stated they are working to finish the JP.3 parking lot.

Commissioner Kainer stated they are getting plenty of rain.

2. Presentation from Wells Nelson & Association Investment Banking Steven Perry and Michael Kellner with Wells Nelson & Association Investment Banking gave presentation. They gave a handout booklet explaining their financing. Steven explained bond insurance.

Will put resolution on next agenda. Will get with our bond attorney's to get correct language for resolution.

3. JP.2 tower/radios controlling internet Darlene Munoz with the IT Department addressed the court. A T-One line for East Bernard would be \$250.00 a month with AT&T. Houston 2-way has not returned any of her phone calls.

JP.2 Kubicek addressed the court. She is having a lot of problems with staying connected.

County Judge Murrile asked Darlene if she could get another bid on a T-One line from another company and to check on getting there frequency licensed. Need to have 2-Way Houston Systems at the next meeting.

4. Lease agreement with Bay City Office Supply for JP.3 copy machine
County Attorney looked over the contract all okay. County Judge Murrile wants JP.3 to check with other companies to see if they can find a cheaper rate than \$126.00 a month.

5. Regarding bids for vehicles for Sheriff's Office for 2010
Chief Bill Copeland with the Sheriff's Office addressed the court. Bill is asking if they can go out for bids now. They will not get the vehicles until February or March.

Motion by Philip Miller, second by Leroy Dettling to authorize to go out for bids for a 4 door suv or car for a total of 3 vehicles with the bids to be turned in by November 19, 2009 by 3:00 P.M. to be opened at that time in the Auditor's Office and will present to the court on November 23, 2009.

All Voted AYE. Motion Carried.

1. Application to use courthouse grounds for 11-21-09
County Judge Murrile addressed this issue. We do not have everything that is required from "We Want to be Heard" for use of the courthouse grounds for November 21, 2009.

6. Housing of Inmates Interlocal Agreement with Matagorda Co.
Motion by Philip Miller, second by Jimmy Kainer to approve Amendment #1 to add commence date to the Housing of Inmates Interlocal Agreement with Matagorda County.

All Voted AYE. Motion Carried.

8. ESD #3
Patrick Kubala addressed this issue.

assessing and collecting agreement with Wharton County

Motion by Leroy Dettling, second by Jimmy Kainer to approve the assessing and collecting agreement with Wharton County Emergency Service District #3.

All Voted AYE. Motion Carried.

Commissioner King absent for the vote.

9. Ratify August Commissioners' Court Minutes
Motion by Jimmy Kainer, second by Philip Miller to ratify August Commissioners' Court Minutes adding August 6, 2009 Budget Workshop.

All Voted AYE. Motion Carried.

10. 2009
Budget
adjustments
- County Auditor read the 2009 budget adjustments into the minutes.
- Motion by Leroy Dettling, second by Jimmy Kainer to approve the 2009 budget adjustments as stated.
- All Voted AYE. Motion Carried.
- Commissioner King absent for the vote.
11. 2009
Budget
amendments
- No budget amendments.
12. Present bid
tabulations for
bridge construc-
tion on CR 422
- The only bid received was from Wakefield Bridge Co. in the amount of \$146,000.00.
- Motion by Jimmy Kainer, second by Philip Miller to accept the bid from Wakefield Bridge Company.
- All Voted AYE. Motion Carried.
- Commissioner King absent for the vote.
- Motion by Jimmy Kainer, second by Philip Miller to award the bid to Wakefield Bridge Company in the amount of \$146,000.00 with out beams.
- All Voted. Motion Carried.
- Commissioner Pct.1-No
Commissioner King Pct.2 was not present for the discussion. No vote.
Commissioner Pct.3-Aye
Commissioner Pct.4-Aye
County Judge Murrile-Aye

Recess for 10 minutes at 11:00 A.M.

Reconvene at 11:16 A.M.

Revisit #3

3. JP.2 tower/radios
controlling
internet
- The County Attorney is to get with Darlene and send a letter or call them to come to the next Commissioners' Court Session on Monday, November 9, 2009.

- Revisit#12
12. Present bid tabulations for bridge construction on CR 422
- Commissioner Kainer Pct.4 will purchase the beams and Wakefield Bridge Co. will pick the beams up.
13. Schedule public hearing for reduction of speed limit on CR 166
- Commissioner Dettling addressed this issue.
- Motion by Leroy Dettling, second by Chris King to set public hearing to reduce the speed limit on CR 166 for Wednesday, November 9, 2009 at 10:00 A.M.
- All Voted AYE. Motion Carried.
14. Present preliminary plat for Don Davis subdivision
- Pass till next agenda.
15. Interlocal agreement with the City of Wallis for street paving
- Pass till next agenda.
16. Discuss personnel policy manual
- County Treasurer feels that the personnel policy manual should be passed out at this time to employees. After the overtime section is worked out then that section will be handed out.
17. Approve Investment Policy
- County Treasurer addressed this issue.
- Motion by Jimmy Kainer, second by Chris King to approve the Investment Policy.
- All Voted AYE. Motion Carried.
18. 3rd Quarter Treasurer's Investment Report
- County Treasurer read the 3rd Quarter Treasurer's Investment Report into the minutes.
- Motion by Jimmy Kainer, second by Chris King to approve the 3rd Quarter Treasurer's Investment Report.
- All Voted AYE. Motion Carried.

19. Treasurer's Monthly Cash and Investment Report for September 2009
County Treasurer read the Cash and Investment Report for September 2009 into the minutes.
Motion by Jimmy Kainer, second by Leroy Dettling to approve monthly Cash and Investment Report submitted by County Treasurer for September 2009 and authorize publication of Affidavit of same in accordance with Local Government Code 114 on the county website.
All Voted AYE. Motion Carried.
20. Ratify payment to Iron Planet
Motion by Philip Miller, second by Jimmy Kainer to approve and ratify payment to Iron Planet in the amount of \$35,925.00.
All Voted AYE. Motion Carried.
21. Ratify time sensitive 10-12-09
Motion by Leroy Dettling, second by Jimmy Kainer to ratify approval of time sensitive invoices in the amount of \$70,397.17 as presented to Commissioners' Court on October 12, 2009.
All Voted AYE. Motion Carried.
22. Ratify payroll and benefits for 10-12-09
Motion by Chris King, second by Leroy Dettling to ratify approval of payroll in the amount of \$245,507.78 and payroll benefits in the amount of \$101,796.68 as presented on October 12, 2009.
All Voted AYE. Motion Carried.
23. Time sensitive and payroll benefits 10-30-09
Motion by Leroy Dettling, second by Philip Miller to authorize County Treasurer and County Auditor to pay and release time sensitive invoices in the amount of \$218,750.49 as presented, payroll and applicable benefits for October 30, 2009 to be ratified by Commissioners' Court on November 9, 2009.
All Voted AYE. Motion Carried.
24. Establish a local data advisory board pursuant to HB 2730
Motion by Philip Miller, second by Jimmy Kainer to establish a local data advisory board pursuant to HB 2730 with the following appointed:
Sandra K. Sanders, County Clerk; Denice Malota, District Clerk; Daniel Marek, Lieutenant Wharton County Sheriff's Office; G.A. "Trey" Maffett, County Attorney; and Gordon Dudley, Assistant District Attorney.
All Voted AYE. Motion Carried.

25. 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.

26. Permits

Pct.1-Verizon, Bore on CR 108-Cockburn Rd.

Motion by Leroy Dettling, second by Chris King to approve.

All Voted AYE. Motion Carried.

Pct.1-Verizon, Bore on CR 190-New Gulf Rd.

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

All Voted AYE. Motion Carried.

Pct.2-Choice Exploration, Inc., Bore on CR 205 and CR 207 we have \$400.00 check.

Motion by Chris King, second by Jimmy Kainer to approve.

All Voted AYE. Motion Carried.

Pct.2-Cypress E&P Corp., Heavy Load ingress Hwy 90 to CR 271 for 3 miles in Lissie.

Motion by Chris King, second by Philip Miller to approve.

All Voted AYE. Motion Carried.

Pct.2-Crum Production Co., Request a gathering line along CR 262 and CR 279.

Pass at this time.

Pct.3-no permits

Pct.4-Sanchez Oil & Gas Corp., Heavy Load ingress from Hwy 71 to CR 405 to location.

Motion by Jimmy Kainer, second by Philip Miller to approve.

All Voted AYE. Motion Carried.

7. Accept Annual Commissioners' Road Report Motion by Philip Miller, second by Jimmy Kainer to accept Annual Commissioners' Road Report for Pct.1, Pct.3, and Pct.4 as per Transportation Code 251.005.

All Voted AYE. Motion Carried.

Commissioner King absent for the vote.

27. Pay claims Batch 50 total amount \$9,375.65

Ace Mart Restaurant Supply \$699.95 (coffee maker for Sheriff's Office)-Reject
CNP Services \$8,220.32 (scanner for the District Attorney's Office)-Reject
El Campo Fence \$212.00-Sheriff's Department.
Helena Chemical Company \$107.40-Pct.3

Motion by Philip Miller, second by Chris King to pay claims in the amount of \$4,455.42.

All Voted AYE. Motion Carried.

The coffee maker for the Sheriff's Office and the scanner for the District Attorney's off will need to come out of their discretionary funds.

\$249,095.26

\$31,327.34

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

All Voted AYE. Motion Carried.

Adjourn Motion by Philip Miller, second by Chris King to adjourn.

All Voted AYE. Motion Carried.