

STATE OF TEXAS

COUNTY OF WHARTON

BE IT REMEMBERED that a Regular Court Session was held on Monday, November 9, 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 9:35 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 last night and are trying to work around that and are staying busy.

Commissioner King stated they are chasing easements and have seven so far.

Commissioner Miller stated they had a lot of rain on the north end of the county in Pct.3 and Pct.4 they have received anywhere from 2 to 4 inches.

Commissioner Kainer stated it was rain we didn't need.

County Judge Murrile stated they received 1/10 of rain.

Peter McGill and Aaron Wilson extension agents with the county addressed the court. They will be having water well testing on November 18, 2009. There will be a mobile unit here from Texas A & M. This will be on domestic wells only. Samples will be taken from 7:00 A.M. through 10:00 A.M. and there will be a \$5.00 charge. On Thursday November 19, 2009 at 7:00 P.M. they will have the results at the Crescent fair grounds and they will have an educational class at that time. They can pickup their water testing packets at all of the precinct barns and the drop off locations will be in El Campo at the Farmers Co-op, East Bernard Pct.2 barn and the Wharton Extension Office.

On December 14, 2009 they will be having their annual luncheon for Commissioners Court and Elected Officials at the Extension Office.

1. Resolution #09-42 Recognizing Monica Martin
Commissioner Dettling read the resolution #09-42 Recognizing Monica Martin, CFM into the minutes.
Motion by Philip Miller, second by Chris King to approve resolution #09-42 recognizing Monica Martin, CFM as floodplain manager of the year.
All Voted AYE. Motion Carried.
6. 2010 Series Obligation Refunding Bonds
Steven M. Perry, and Mike Kelner with Wells Nelson & Associates addressed the court.
Thomas A. Sage and Cynthia R. Redivise attorney's with Venson & Elkins Bond Counsel for the county addressed the court.
Motion by Chris King, second by Leroy Dettling to approve resolution authorizing the issuance of Wharton County, Texas General Obligation Refunding Bonds, Series 2010: setting certain parameters for the bonds: authorizing the redemption prior to maturity of certain outstanding obligations; and authorizing the County Judge to approve the amount, the interest rate, price and terms thereof and certain other procedures and provisions related thereto.
All Voted AYE. Motion Carried.
14. Additional funding from contingency for indigent attorney fees and office cleaning for 2009
District Judge Randy Clapp addressed the court. He is requesting additional funds for the rest of the 2009 year in the amount of \$30,000.00. He received information that he received a grant in the amount of \$160,000.00 for prosecution. Would like to take this out of the capital trial contingency.
Motion by Philip Miller, second by Jimmy Kainer to fund the additional \$30,000.00 to come out of the capital murder contingency fund to pay indigent attorney fees and office cleaning for 2009.
All Voted AYE. Motion Carried.
4. JP.2 tower/radios controlling Internet
JP.2 Cynthia Kubicek addressed the court. They were told not to use air cards. Darlene does have bids for a T-One line.
Guy Guttenberger with Houston 2-way Radio addressed the court.
Paul Shannon addressed the court about putting a light system to show if the signal is good or bad.
Need to get with Intertel to get connection from Commissioner Pct.2 to JP.2 office. Have Houston 2-way Radio check the system when all computers are up and running at the same time.

2. Accept grant from Librarian Barbara Goodell addressed the court.
the Johnson
Foundation for Motion by Philip Miller, second by Leroy Dettling to authorize County Judge
the Library Murrile to sign acceptance grant from the Johnson Foundation in the amount of
\$11,500.00 to purchase catalog stations and two early literacy stations.
- All Voted AYE. Motion Carried.
3. Bids for purchase of a van for the juvenile probation department Pass on this item.
5. Set Special Election Administrator Judy Owens addressed this issue.
Session to Set Special Session to canvass election results for Monday, November 16, 2009
canvass election results at 9:00 A.M.
7. Agreements for Tax Assessor/Collector Patrick Kubala addressed this issue. This is for tax payers
online tax collection services that wish to pay their taxes online.
Will revisit.
8. Interlocal agree- Withdraw item.
ment with the
City of Wallis
for street paving
9. Replat of Lots Commissioner Miller addressed this issue.
37, 38, and 39
Block 2-John
Boyd Subdivision
in Louise

Recess at 10:44 A.M. for 15 minutes.

Reconvene at 11:05 A.M.

Revisit

9. Replat of Lots Motion by Philip Miller, second by Jimmy Kainer to approve replat of lots 37, 38,
37, 38, and 39 and 39 block 2-John Boyd Subdivision in Louise as presented.
Block 2-John
Boyd Subdivision All Voted AYE. Motion Carried.
in Louise
Commissioner King absent for the vote.

10. Amend local data advisory board pursuant to HB 2730
- Motion by Philip Miller, second by Leroy Dettling to approve amending the local data advisory board by adding Darlene Munoz, IT Person Wharton Co.; Terry Marek, El Campo Police Chief; Susan Chlebek, El Campo Police Dept.; Lela Hale, Wharton Co. Sheriff Dept.; Gerry Orsak, District Clerk's Office; Sandra Vaughn, District Attorney's Office; Patty Shannon, County Judge's Office; Annie Rowe, Wharton County Adult Probation Dept.; Donna Zahn, County Attorney's Office; and Debbie Reynolds, NetData to the pursuant to HB 2730.
- All Voted AYE. Motion Carried.
11. ESD #4 assessing and collecting agreement with Wharton County
- Tax Assessor/Collector Patrick Kubala addressed this issue.
- Motion by Philip Miller, second by Jimmy Kainer to approve assessing and collecting agreement with Wharton County Emergency Service District #4.
- All Voted AYE. Motion Carried.
12. Authorizing Quitclaim of Drainage Easement
- Commissioner Dettling addressed this issue.
- Motion by Leroy Dettling, second by Philip Miller to authorize the releasing of Drainage Easement CR 142.
- All Voted AYE. Motion Carried.
- Motion by Philip Miller, second by Leroy Dettling to authorize County Judge Murrile to sign Quitclaim of Drainage Easement to Su. S. Chen and wife, Geneva Chen.
- All Voted AYE. Motion Carried.
13. Accept Annual Commissioner Pct.2 Road Report
- Motion by Chris King, second by Jimmy Kainer to accept Annual Commissioner Pct.2 Road Report as per Transportation Code 251.005.
- All Voted AYE. Motion Carried.
15. Agreement with Ikon for copiers for the County Clerks Office and JP.3 Office
- Motion by Philip Miller, second by Jimmy Kainer to approve and authorize County Judge Murrile to sign agreement with Ikon for copiers in the County Clerk's Office and Justice of the Peace #3 Office.
- All Voted AYE. Motion Carried.

16. Resolution #09-40 Home Care and Hospice Month
 County Judge Murrile read resolution #09-40 Home Care and Hospice Month.
 Motion by Philip Miller, second by Leroy Dettling to approve resolution #09-40 designating the month of November as Home Care and Hospice Month in Wharton County.
 All Voted AYE. Motion Carried.
17. Resolution #09-41 Energy Efficient and Conservation Block Grant Program
 County Judge Murrile read resolution #09-41 Energy Efficient and Conservation Block Grant Program.
 Motion by Leroy Dettling, second by Chris King to approve resolution #09-41 and authorize County Judge Murrile to apply for the Energy Efficient and Conservation Block Grant Program and authorize County Judge Murrile to sign.
 All Voted AYE. Motion Carried.
18. Amend 2010 Budget Summary for Records Preservation for District Clerk & Family Protection
 Motion by Chris King, second by Jimmy Kainer to amend the 2010 Budget Summary to reflect January 1 Fund Balances for Records Preservation for District Clerk and Family Protection.
 All Voted AYE. Motion Carried.
19. 2009 budget adjustments
 County Auditor Sharon H. Boedeker read the 2009 budget adjustments into the minutes.
 Motion by Leroy Dettling, second by Jimmy Kainer approve Pct.1 and Pct.4 2009 diesel adjustments.
 Commissioner Dettling voted-aye
 Commissioner King voted-aye
 Commissioner Miller voted-no
 Commissioner Kainer voted-aye
 All Voted. Motion Carried.
 Motion by Leroy Dettling, second by Jimmy Kainer to approve all other 2009 budget adjustments.
 All Voted AYE. Motion Carried.

20. 2009 budget amendments County Auditor Sharon H. Boedeker read the 2009 budget amendments into the minutes.

Motion by Philip Miller, second by Chris King to approve the 2009 budget amendments as stated.

All Voted AYE. Motion Carried.

Revisit
Public Comments

County Judge Murrile stated that Wharton County was on the agenda for Jail Standards Commission and we are locked in at 144 inmates in the jail and the others will have to be shipped out. We have a contract with Matagorda County but they may have problems also. We are trying to work a deal with Calhoun County which will be about \$46.00 to \$47.00 a day. Matagorda County is \$50.00 a day. We will need money for this.

Recess at 12:00 P.M. for lunch.

Reconvene at 1:05 P.M.

Revisit

7. Agreement for online tax collection services

County Attorney checked over the agreements and they are okay.

Motion by Philip Miller, second by Leroy Dettling to approve the agreements with Certified Payments for online tax collection services at no cost to the county and authorize County Judge Murrile to sign.

All Voted AYE. Motion Carried.

21. 2010 contract schedule with Tek-Com Technologies

Motion by Philip Miller, second by Jimmy Kainer to approve and authorize County Judge Murrile to sign the 2010 contract schedule with Tek-Com Technologies.

All Voted AYE. Motion Carried.

22. Public Officials Liability Policy

Motion by Chris King, second by Leroy Dettling to approve new coverage for "taking claims" currently excluded from Public Officials Liability Policy with a \$500.00 premium.

All Voted AYE. Motion Carried.

23. Ratify payroll and benefits for 10-26-09

Motion by Chris King, second by Philip Miller to ratify approval of payroll in the amount of \$243,527.36 and payroll benefits in the amount of \$430,103.19 as presented on October 26, 2009.

All Voted AYE. Motion Carried.

24. Ratify time sensitive invoices 10-12-09 Motion by Philip Miller, second by Jimmy Kainer to ratify approval of time sensitive invoices in the amount of \$3,900.00 as presented to Commissioners' Court on October 12, 2009.
- All Voted AYE. Motion Carried.
25. Ratify time sensitive invoices 10-26-09 Motion by Chris King, second by Leroy Dettling to ratify approval of time sensitive invoices in the amount of \$164,564.60 as presented to Commissioners' Court on October 26, 2009.
- All Voted AYE. Motion Carried.
26. Time sensitive and payroll benefits 11-13-09 Motion by Chris King, second by Leroy Dettling authorize County Treasurer and County Auditor to pay and release time sensitive invoices in the amount of \$96,686.15 as presented, payroll and applicable benefits for November 13, 2009 to be ratified by Commissioners' Court on November 23, 2009.
- All Voted AYE. Motion Carried.
27. Helena Chemical Bill approved on 10-26-09 batch 50 Pass on this item.
28. Approve October Minutes Motion by Jimmy Kainer, second by Philip Miller to approve October Commissioners' Court Minutes.
- All Voted AYE. Motion Carried.
29. Monthly Reports Commissioner Miller read the monthly reports.
- Motion by Philip Miller, second by Leroy Dettling to accept monthly reports as stated.
- All Voted AYE. Motion Carried.

30. Permits

Pct.1 & 2-None.

Pct.3-Ricochet Energy, Heavy Load, Hwy 71 north to FM 2546 west to CR 389 south to location.

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

All Voted AYE. Motion Carried.

Pct.4-Wharton County Electric Cooperative, Power Line on CR 475.

Motion by Jimmy Kainer, second by Leroy Dettling to approve.

All Voted AYE. Motion Carried.

31. Pay Claims

Batch 50

\$8,220.32-CNP District Attorneys Office for scanners. They did contact Darlene.

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

All Voted AYE. Motion Carried.

\$2,969.94-Biggerstaff, Health and Delgade CR119.

Motion by Leroy Dettling, second by Jimmy Kainer to approve.

All Voted AYE. Motion Carried.

\$135.98

\$42,562.92

\$203,686.11

Motion by Chris King, second by Leroy Dettling to pay claims.

All Voted AYE. Motion Carried.

ADJOURN

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

All Voted AYE. Motion Carried.