

**SPECIAL TERM  
SPECIAL SESSION  
JANUARY 2, 2009**

On this the 2<sup>nd</sup> day of January, 2009, A.D., at 9:00 a.m. the Commissioners' Court of Jackson County, Texas convened in a Special Term, Special Session, thereof in the Courthouse of Edna, Texas, with the following members of the Court present to-wit:

Harrison Stafford, II	County Judge
Wayne Hunt	Comm. Pct. #1
Wayne Bubela	Comm. Pct. #2
Johnny Belicek	Comm. Pct. #3
Larry Deyton	Comm. Pct. #4
Kenneth McElveen	County Clerk

At which time the following proceedings were had.

The meeting was called to order by County Judge, Harrison Stafford, II.

**Swearing in New Elected Officials and Accepting Official Bonds**

Swearing in ceremonies were held as follows: Wayne Hunt, Comm. Pct. #1, Johnny Belicek, Comm. Pct. #3, Donna Atzenhoffer, County Tax Assessor/Collector, Michelle Darilek, County Auditor, Andy Louderback, Sheriff, John W. 'Cisco' Marek, Constable Pct. #1, Cynthia Poulton, Constable, Pct. #2.

A motion was made Comm. Bubela, seconded by Comm. Deyton to accept the oaths and bonds of the elected officials as presented and filed in the Bond Book in the County Clerk's office.

Motion carried.

**Approve Bond on Tax Assessor-Collector Pursuant to the Texas Property Tax Code, Section 6.28**

A motion then was made by Comm. Bubela, seconded by Comm. Hunt to approve the bond for Texas Property Tax Code, Section 6.28 of Donna Atzenhoffer.

Motion carried.

**Adjournment**

A motion was made by Comm. Deyton, seconded by Comm. Belicek to adjourn.

Motion carried.

Meeting was **ADJOURNED** at 9:10 a.m.

**APPROVED** this the 12<sup>th</sup> day of January, 2009.

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Harrison Stafford, II  
County Judge

ATTEST:

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Kenneth W. McElveen, County Clerk  
And Ex-Officio Clerk of the Commissioners'  
Court of Jackson County, Texas

**REGULAR TERM**

**REGULAR SESSION**

**JANUARY 12, 2009**

On this the 12<sup>th</sup> day of January, 2009, A.D., at 9:00 a.m. Commissioners' Court of Jackson County, Texas, convened in a Regular Term, Regular Session, thereof, at the Courthouse of Edna, Texas, with the following members of the Court present, to-wit:

Harrison Stafford	County Judge
Wayne Hunt	Comm. Pct. #1
Wayne Bubela	Comm. Pct. #2
Johnny Belicek	Comm. Pct. #3
Larry Deyton	Comm. Pct. #4
Leslie Miller	County Clerk Deputy

At which time the following proceedings were had.

**Citizens Comments**

There were none.

**Minutes Approved**

The Minutes of December 22, 2008 and January 2, 2009 were presented. A motion was made by Comm. Belicek, seconded by Comm. Bubela to approve the Minutes.

Motion carried.

**Consider Budget Amendments and Line-Item Transfers For FY 2008 and FY 2009 Budgets, And Take Any Necessary Action**

There were none.

**Receive Bonds for Jackson County Navigation District**

The bonds for Mary Horton and the three Commissioners of the Navigation District, Clarence Schomberg, Dennis Simons and Gary Olson were received.

Clerk's note: A copy of the bonds filed in the Bond Record in the County Clerk's office.

**Receive Annual Reports from District Clerk and County Clerk**

The annual reports were received from the District and County Clerk.

Judge Stafford noted that they would review the reports and if there were any questions, the Court would address them at a later date.

Clerk's note: A copy of the report on file among the exhibits of Comm. Court.

**Consider Special Road Use Agreement with Texas Limited Partnership Garrison Ltd., on County Roads 449, 452 and 463, and Take Any Necessary Action**

Comm. Deyton noted to the Court that the Special Road Use Agreement with Texas Limited Partnership Garrison Ltd. had been received and he had already signed the Agreement.

A motion was made by Comm. Deyton, seconded by Comm. Belicek to accept the Road Use Agreement.

Motion carried.

Clerk's note: A copy of the agreement on file among the exhibits of Comm. Court.

**Consider Service Agreement with Q T Technologies for Fueling Terminal**

Michelle Darilek, County Auditor spoke to the Court concerning the Service Agreement with Q T Technologies for the Fueling Terminal at the airport.

A motion was made by Comm. Deyton, seconded by Comm. Bubela to accept the Gold Service Agreement for \$995 and authorized the Judge to sign the Agreement.

Motion carried.

Clerk's note: A copy of agreement on file among the exhibits of Comm. Court.

**Consider Purchase of Printer for JP #2 Out of JP Technologies Fund, and Take Any Necessary Action**

Discussion was had concerning the purchase of the printer for JP #2 with the funds coming out of JP Technologies Fund.

A motion was made by Comm. Bubela, seconded by Comm. Hunt to approve the purchase out of the JP Technologies Fund.

Motion carried.

**Payment of County and Precinct Bills and Court Orders, If Any**

A motion was made by Comm. Bubela, seconded by Comm. Hunt to approve the payment of County and Precinct bills.

Motion carried.

**Consider Payroll Changes, If Any, and Take Any Necessary Action**

A motion was made Comm. Bubela, seconded by Comm. Hunt to approve the payroll changes.

Motion carried.

Payroll changes are as follows:

*January 12, 2009*

***FULL TIME:***

<u>NAME</u>	<u>DEPARTMENT</u>	<u>TYPE OF CHANGE</u>	<u>BI-WEEKLY FROM:</u>	<u>BI-WEEKLY TO:</u>	<u>EFFECTIVE DATE</u>
McCarrell, Michelle	Sheriff	Full time	\$0.00	\$914.60	01/10/2009
Green, Sharon	Jail	Termination	\$1,164.88	\$0.00	01/05/2009
Yaws, James David	Maintenance	Resignation	\$1,230.46	\$0.00	01/09/2009
Burttschell, Brad	Jail	Full time	\$0.00	\$1,164.88	01/24/2009
Butler, J. B.	Precinct #3	Promotion	\$1,212.76	\$1,375.11	02/07/2009

***PART TIME:***

<u>NAME</u>	<u>DEPARTMENT</u>	<u>TYPE OF CHANGE</u>	<u>HOURLY FROM:</u>	<u>HOURLY TO:</u>	<u>EFFECTIVE DATE</u>
McCarrell, Michelle	Sheriff		\$7.50	\$9.50	12/27/2008
Sanchez, Andrew	Sheriff		\$0.00	\$9.50	12/20/2008
Rester, Aaron	Jail		\$0.00	\$11.87	01/20/2009

**Various County Reports, If Any, And Take Any Necessary Action**

The County Treasurer's Monthly and Quarterly reports were presented.

A motion was made by Comm. Deyton, seconded by Comm. Belicek to approve the Quarterly Report.

Motion carried.

Clerk's note: A copy of the Monthly report among the exhibit's of Comm. Court.  
Quarterly Report as follows:





**News and Information**

Judge Stafford noted to the Court he had received an e-mail concerning the Coastal Impact Assistance Program (CIAP) that will provide \$250 million annually for 2007 through 2010 for coastal restoration.

Judge Stafford also noted a Special Meeting of the Commissioner's Court will be held Wednesday, January 14, 2009 at 9:00 a.m. to discuss the progress of the railroad.

Courtland Frankson spoke to the Court concerning the sidewalk bids. He furnished the Court with a proposed drawing showing the different phases that work could be done to sidewalks and drives. This was taken for study.

Clerk's note: A copy of the drawing among the exhibits of Comm. Court.

**ADJOURNMENT**

A motion was made by Comm. Deyton, seconded by Comm. Belicek to adjourn at 10:40 a.m.  
Motion carried.

Meeting was **ADJOURNED**.

**APPROVED** this the 26<sup>th</sup> day of January, 2009.

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Harrison Stafford, II  
County Judge

ATTEST:

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Kenneth W. McElveen, County Clerk  
And Ex-Officio Clerk of the Commissioners'  
Court of Jackson County, Texas

**SPECIAL TERM**  
**SPECIAL SESSION**  
**JANUARY 14, 2009**

On this the 14<sup>th</sup> day of January, 2009, A.D., at 9:00 a.m. Commissioners' Court of Jackson County, Texas, convened in a Special Term, Special Session, thereof, at the Courthouse of Edna, Texas, with the following members of the Court present, to-wit:

Harrison Stafford	County Judge
Wayne Hunt	Comm. Pct. #1
Wayne Bubela	Comm. Pct. #2
Johnny Belicek	Comm. Pct. #3
Larry Deyton	Comm. Pct. #4
Leslie Miller	County Clerk Deputy

At which time the following proceedings were had.

**Discuss Progress on Railroad Renovation**

Discussion was had concerning the progress of the railroad. Allen Pepper with Kansas City Southern furnished the Court with a list of the crossings in Jackson County that shows which crossings will have gates with lights and which crossings will have stop or yield signs.

Comm. Deyton stated he would like the railroad to reconsider putting a yield sign at the crossing on CR 414 that leads to the Transfer Station.

Clinton Tegeler with Jackson County Chamber of Commerce and Agriculture also spoke to the Court with concerns about the railroad. He also furnished the Court with a Resolution expressing their profound concern of the safety of the citizens of Jackson County.

Citizens who addressed the Court were Dianne Juroske, Principal of Industrial Elementary West in Inez and Charles Mozisek from Inez. Lee Peek with Kansas City Southern, Darin Kosmak and Marla Jasek, both with the Texas Department of Transportation and Mike Sizemore with Sizemore Consulting were all in attendance and addressed the Court.

Clerk's note: A copy of the crossings chart and the Resolution of Chamber of Commerce and Agriculture on file among the exhibits of Comm. Court.

**ADJOURNMENT**

A motion was made by Comm. Deyton, seconded by Comm. Belicek to adjourn at 10:05 a.m.

Motion carried.

Meeting was **ADJOURNED**.

**APPROVED** this the 26<sup>th</sup> day of January, 2009.

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Harrison Stafford, II  
County Judge

ATTEST:

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Kenneth W. McElveen, County Clerk  
And Ex-Officio Clerk of the Commissioners'  
Court of Jackson County, Texas

**REGULAR TERM  
SPECIAL SESSION  
JANUARY 26, 2009**

On this the 26th day of January, 2009, A.D., at 9:00 a.m. the Commissioners' Court of Jackson County, Texas convened in a Regular Term, Special Session, thereof, at the Courthouse of Edna, Texas, with the following members of the Court present, to-wit:

Harrison Stafford, II	County Judge
Wayne Hunt	Comm. Pct. #1
Wayne Bubela	Comm. Pct. #2
Johnny Belicek	Comm. Pct. #3
Larry Deyton	Comm. Pct. #4
Kenneth McElveen	County Clerk

At which time the following proceedings were had.

**Citizens Comments**

There were none.

**Minutes Approved**

The Minutes of January 12, 2009 and January 14, 2009 were presented. It was stated by Comm. Deyton to amend the Minutes on page 575 under discussion for the progress of the railroad. It was noted that Comm. Deyton stated he would like the railroad to consider putting lights and arms instead as yield signs as printed.

A motion was made by Comm. Hunt, seconded by Comm. Belicek to approve with change.

Motion carried.

Clerk's note: Correction to be made on the original.

**Budget Amendments**

There were none.

**Receive Order Appointing County Auditor**

Judge Stafford noted that the order was received with Michelle Darilek being the Auditor beginning January 1, 2009 ending December 31, 2011 or until her successor would be appointed and qualified.

Clerk's note: A copy of order on file among the exhibits of Comm. Court.

**Consider Jackson County Road Special Use Agreement with Ambassador Petroleum, Inc. on County Road 430, and Take Any Necessary Action**

This item was tabled.

**Approve Specifications for Courthouse Sidewalk Project**

Comm. Belicek noted that the sidewalk had been previously discussed but no decision had been made.

A motion was made by Comm. Belicek, seconded by Comm. Bubela to approve specifications.

Motion carried.

**Consider Approval of Partnership with Jackson County Master Gardeners on Educational Garden Project, and Take Any Necessary Action**

Comm. Belicek noted that their report of the project had been made earlier but no record has been made concerning the work by Master Gardeners around the old county jail.

A motion was made by Comm. Belicek, seconded by Comm. Bubela to approve the plan. It was noted that Janice Brundrett opposed the plan.

Motion carried.

**Consider Implementing Burn Ban**

Judge Stafford noted the average was 566.

A motion was made by Comm. Deyton, seconded by Comm. Bubela to place the burn ban in effect and to put the appropriate markers out.

Motion carried.

**Receive No Exposure Certification Authorization from TCEQ**

Judge Stafford noted that this was concerning the storm water plan and the No Exposure Certificate had been received.

Clerk's note: A copy of the letter and Certificate on file among the exhibits of Comm. Court.

**Consider Appointments to Jackson County Historical Commission for the Period 1/26/09 to 12/31/10, and Take Any Necessary Action**

A list was provided effective 01/26/2009 with terms expiring 12/31/2010.

A motion was made by Comm. Hunt, seconded by Comm. Belicek to approve.

List as follows: Mr. & Mrs. Gerald Clark, Mrs. Cora Dvorak, Judy Rodriguez, Nancy Simons, Mrs. Ken Jarrett, Louise Janica, M/M. Harrison Stafford, II, M/M Frank Condron, Lura Faye Motley, Kim Randolph, Mrs. Martin Starup, Mrs. Sue Quinn, M/M Ray Brundrett, Larry Hobson, M/M Ken Pryor, Joe Speed, Maxine Price, M/M Patrick Brzozowski, Brenda Gail Novasad, Denise Ryan, Bertha Dell McDowell, M/M Sylvester Walleck, M/M John Taylor, and Clinton Tegler.

Motion carried.

Clerk's note: A copy of list on file among the exhibits of Comm. Court.

**Consider Pressure Washer and Fencing Bids at Transfer Station, and Take Any Necessary Action**

A motion was made Comm. Bubela, seconded by Comm. Deyton to approve Action Oilfield Supply, Inc's bid of \$995.00 for the pressure washer.

Motion carried.

Clerk's note: A copy of bid on file among the exhibits of Comm. Court.

Comm. Bubela noted that bids had been received concerning several projects on the fencing at the Transfer Station.

A motion was made by Comm. Deyton, seconded by Comm. Hunt to approve the North and the East side with the bid going to AAA Fence Co of Goliad, Texas for 445 feet on the North side for \$6,895 and 510 feet on the East side for \$7,905.

Motion carried.

Clerk's note: A copy of bids received on file.

**Consider Road Crossing Agreement on County Road 237 with Ganado Telephone Company, and Take Any Necessary Action**

A motion was made by Comm. Bubela, seconded by Comm. Hunt to authorize the application for the road crossing and authorize the signatures on that crossing agreement.

Motion carried.

**Consider Agreements with TxDot on Bridge Replacements on FM 822, and Take Any Necessary Action**

Judge Stafford noted that 2 bridge projects had been received from Texas Department of Transportation, with the cost of the contract being 10% for the County; bridge at Milby Branch \$2,572 and bridge at Kerr Branch \$2,546.

A motion was made by Comm. Hunt, seconded by Comm. Bubela to accept the applications and authorize the signing of the contract by Judge Stafford.

Motion carried.

Clerk's note: A copy on file among the exhibit's of Comm. Court.

**Consider Exercising Option Under County Depository Contract, and Take Any Necessary Action**

This item was tabled.

**Consider the Approval and Certification of Funding Received by Wal-Mart in the Amount of \$1,000 for the Summer Reading Program Promoting Children Literacy, and Take Any Necessary Action**

It was noted that \$1,000 was received from Wal-Mart for the Summer Reading Program.

A motion was made by Comm. Bubela, seconded by Comm. Belicek to budget and certify.

Motion carried.

**Receive the County and District Clerk's Association of Texas Certificate of Completion**

A copy of the County and District Clerk's Association of Texas Certificate was awarded to Sharon Mathis, District Clerk and Kenneth McElveen, County Clerk for 20 hours of continuing education for 2008.

Clerk's note: A copy of certificates on file among the exhibits of Comm. Court.

**Consider Additional User(s) of JP Morgan Chase Procurement Card and Take Any Necessary Action**

County Auditor, Michelle Darilek noted that an additional card is necessary for Bobby Bell, District Attorney.

A motion was made by Comm. Bubela, seconded by Comm. Deyton to authorize.

Motion carried.

**Consider Addition of Merchant Category Code for Users and Take Any Necessary Action**

It was noted that additional codes were necessary for the Sheriff and Maintenance for hardware and building supplies.

A motion was made by Comm. Bubela, seconded by Comm. Belicek to authorize additional merchant category codes.

Motion carried.

**Consider Bids Received for Purchase of Used Excavator, 2002 or Newer for Precinct #2, and Take Any Necessary Action**

A used 4x2 wheeled excavator from Highway Equipment Company was presented for \$105,000.

A motion was made by Comm. Bubela, seconded by Comm. Hunt to approve.

Motion carried.

Clerk's note: A copy of bid and quotation as well as information on file among exhibits of Comm. Court.

**Consider Ratification of Library Microfilm Printer/Scanner Support and Maintenance**

**Agreement with Lason and Take Any Necessary Action**

Michelle Darilek noted to the Court that the ratification of Terry Gasch's signature on the application was necessary in the amount of \$1,062.61.

A motion was made by Comm. Deyton, seconded by Comm. Belicek to ratify Terry Gasch's signature.

Motion carried.

Clerk's note: A copy of agreement on file among the exhibits of Comm. Court.

**Consider Annual Payment of Hal Systems Client Backup Service out of County Clerk Records Management and Take Any Necessary Action**

It was noted by Michelle Darilek that this had been approved in October at \$300 set up and \$350 monthly. The annual bill was available for \$4,200.

A motion was made by Comm. Hunt, seconded by Comm. Bubela to approve the annual invoice verses the monthly payment.

Motion carried.

**Consider Bids Received for the Fuel Card Lock System and Bulk Fuel Purchases and Take Any Necessary Action**

Under the Card Lock System the bids received were from Sun Coast approved with a markup of .12 per gallon based on day of order.

A motion was made by Comm. Bubela, seconded by Comm. Hunt to approve.

Motion carried.

On Bulk Sales, Rudolph, Inc. was approved on bulk rate on bulk sales.

A motion was made by Comm. Deyton, seconded by Comm. Bubela to approve.

Motion carried.

Clerk's note: A copy of bids on file among the exhibits of Comm. Court.

**Consider Quotes Received for the Installation of Fence at the Transfer Station and Take Any Necessary Action**

This is a duplication so it is not necessary to address.

**Payroll Changes**

There were none.

**Various County Reports**

The extension report was received.

**News and Information**

Judge Stafford noted that the FDA was providing World Development Showcase on January 28 at 1:30 in Room 205 of the Wells Fargo Bank building.

He also noted that the Flag City Opera had given a report of their experience using the auditorium.

It was noted that the jail would have an inspection on February 18, 2009 and the Larry Deyton and Johnny Belicek would be at that inspection.

Discussion was had concerning the Chamber Banquet.

Judge Stafford noted that on February 17, 2009, television would have converter box and he had information concerning that if anyone was interested.

Judge Stafford also noted that there was a decrease in the retirement fund with the TCDRS of 29%.

Comm. Deyton noted that there was some problems with the Reverse 911 due to necessary upgrades in equipment after meeting with Alan Friedrich, EMC, Andy Louderback, Sheriff, Clinton Woolridge, City of Edna and Lorrie McClennan with Reverse 911.

**Consider Exercising Option Under County Depository Contract, and Take Any Necessary Action**

Item previously tabled. . Judge Stafford noted that he would excuse himself of any discussion concerning this matter due to his private interest

Mary Horton spoke to the Court and provided information concerning the existing contract with Prosperity Bank and what their new rates would be and was disappointed in the drop in the interest rate. After discussion a motion was made by Comm. Bubela, seconded by Comm. Hunt to authorize Mary Horton to provide documentation for bids for the depository contract. It was noted that Harrison Stafford, County Judge, abstained from voting.

Motion carried.

Discussion was had concerning the February 10<sup>th</sup> Management meeting to be held at the Hafernack Center.

Larry Deyton noted that discussion was had concerning the airport RAMP program grant

**Payment of County and Precinct Bills and Court Orders, If Any**

A motion was made by Comm. Deyton, seconded by Comm. Bubela to approve the payment of county and precinct bills along with one court order from F&L Enterprises for 1 Gripple XL 3500 in the amount of \$6500.

Motion carried.

Discussion was then had concerning purchase of uniform hats that would be covered under Internal Revenue code 162 and be taxable to the employees. It was decided a discussion was needed between the Sheriff and the Internal Revenue Service.

**ADJOURNMENT**

A motion was made by Comm. Deyton, seconded by Comm. Belicek to adjourn.

Motion carried

Meeting **ADJOURNED.**

**APPROVED** this the 9<sup>th</sup> day of February, 2009.

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Harrison Stafford, II  
County Judge

ATTEST:

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Kenneth W. McElveen, County Clerk  
And Ex-Officio Clerk of the Commissioners'  
Court of Jackson County, Texas