

**REGULAR TERM  
REGULAR SESSION  
JUNE 8, 2009**

On this the 8<sup>th</sup> day of June, 2009, A.D., at 9:00 a.m. the Commissioners' Court of Jackson County, Texas convened in a Regular Term, Regular Session, thereof, at the Courthouse in Edna, Texas, with the following member 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
Leslie Miller	Deputy County Clerk

At which time the following proceedings were had:

**Citizens Comments**

There were none.

**Minutes Approved**

The Minutes of May 26 -27, 2009 were presented.

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

Motion carried.

**Budget Amendments**

Budget amendments #287 through #292 were presented.

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

Motion carried.

Budget Amendments #287 through #286 are as follows:

6-04-2009 3:24 PM		BUDGET ADJUSTMENT REGISTER					PAGE:
PACKET: 00044-6/8/09							
BUDGET CODE: CB-Current Budget							
FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
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Budget Adj. # 000287							
10 560-4360	6/08/2009	SHERIFF FUEL	2,000.00-	55,000.00	3,352.16	56,352.16	32,934.29
10 560-4185	6/08/2009	SHERIFF SALARY, DISPATCHER, PART TIME	2,000.00	10,000.00	0.00	12,000.00	2,842.07
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Budget Adj. # 000288							
41 611-4381	6/08/2009	R&B #1 ROAD MATERIALS, C/O	1,446.00-	55,342.00	3,000.00-	50,896.00	50,896.00
41 611-4385	6/08/2009	R&B #1 SIGNS, SIGN BLANKS	1,446.00	1,500.00	0.00	2,946.00	1,000.87
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Budget Adj. # 000289							
42 612-4381	6/08/2009	R&B #2 ROAD MATERIALS, C/O	10,140.00-	121,599.00	30,000.00-	81,459.00	81,459.00
42 612-5500	6/08/2009	R&B #2 CAPITAL OUTLAY	10,140.00	20,000.00	0.00	30,140.00	0.62
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Budget Adj. # 000290							
43 613-4381	6/08/2009	R&B #3 ROAD MATERIALS, C/O	4,074.00-	24,800.00	2,000.00-	18,726.00	18,726.00
43 613-4770	6/08/2009	R&B #3 RENTAL	4,074.00	7,500.00	0.00	11,574.00	3,382.00
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Budget Adj. # 000291							
10 333-3235	6/08/2009	CERTIFY & BUDGET - LIBRARY GRANTS	5,604.00	0.00	9,941.00	15,545.00-	0.00
10 650-5500	6/08/2009	CERTIFY & BUDGET - CAPITAL OUTLAY	5,604.00	1,300.00	5,500.00	12,404.00	11,113.87
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Budget Adj. # 000292							
10 561-4310	6/08/2009	SHERIFF OFFICE SUPPLIES & EXPENSES	2,000.00-	5,200.00	0.00	3,200.00	1,163.21
10 561-4750	6/08/2009	SHERIFF REPAIR & MAINTENANCE	2,000.00	46,180.00	0.00	48,180.00	1,917.03
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PACKET NOTES: 287 - GEN, SHERIFF - COVER PART TIME DISPATCH THRU YR END							

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
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Budget Adj. # 000292							
		288 - R&B #1 - COVER PURCHASE OF SIGNS					
		289 - R&B #2 - PURCHASE 2 SHREDDERS					
		290 - R&B #3 - COVER ROLLER RENTAL					
		291 - CERTIFY & BUDGET - TOCKER FOUNDATION GRANT FOR					
		SHELVING UNIT PURCHASE					
		292 - GEN, SHERIFF - COVER JAIL REPAIR & MAINTENANCE					
		TOTAL NO. ADJUSTMENTS--REVENUE:			1	5,604.00	
		TOTAL NO. ADJUSTMENTS--EXPENSE:			11	5,604.00	
		TOTAL IN PACKET--				11,208.00	

\*\*\* NO WARNINGS \*\*\*

\*\*\* NO ERRORS \*\*\*

\*\*\* END OF REPORT \*\*\*

**Consider Road Use Agreement from Sue Ann Operation on County Roads 453, 454 and 456, and Take any Necessary Action**

Discussion was had concerning the Road Use Agreement with Sue Ann Operation on County Roads 453, 454 and 456.

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

Motion carried.

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

**Consider the Jackson County Memorial Library's Request to Apply for the Tocker Foundation Grant for Two Children Replacement Computers**

Terri Gasch, Librarian, spoke to the Court concerning applying for the Tocker Foundation Grant to replace two computers.

A motion was made by Comm. Belicek, seconded by Comm. Deyton to approve the request to apply for the grant in the amount of \$2,536.

Motion carried.

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

**Consider Solid Waste Interlocal Agreement with GCRPC for the Amount of \$13,650.63 for the Purchase of a Vertical Baler and a Polypropylene Strapping Machine and Purchase of Same, and Take any Necessary Action**

Michelle Darilek spoke to the Court concerning an agreement with GCRPC for \$13,650.63 for a vertical baler and a polypropylene strapping machine.

A motion was made by Comm. Bubela, seconded by Comm. Hunt to approve the agreement with GCRPC.

Motion carried.

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

**Receive Amendment to Irrevocable Standby Letter of Credit from Prosperity Bank for Transfer Station Closing Costs, and Take any Necessary Action**

This letter was received.

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

**Consider Request of Carver Community Center Regarding Debris Removal, and Take any Necessary Action**

Judge Stafford addressed the Court concerning debris removal from the Carver Community Center.

A motion was made by Comm. Bubela, seconded by Comm. Belicek to approve the use of a dumpster to dispose of paper and cardboard products only.

Motion carried.

**Receive Report from CASA**

Tim Hornback, Interim Executive Director, and Mary Ann Menning, Board President, with Court Appointed Special Advocates (CASA) spoke to the Court concerning the work they are currently doing in Jackson County. They are currently serving 16 children in our County at a cost of \$1,500 per child. CASA is requesting the County to provide some funding to help with their cause. Judge Stafford asked that CASA send in a formal request and their financial information so the Court could look at it.

**Consider Road Use Agreement with Square Mile Energy on County Road 446, and Take any Necessary Action**

This item was tabled.

**Consider Amendment to 2008 Homeland Security Grant Program, and Take any Necessary Action**

Andy Louderback, Sheriff, spoke to the Court concerning an amendment to 2008 Homeland Security Grant Program. He noted that the funds are to purchase multi band radios so that the Sheriff's department could communicate with other law enforcement agencies that come through or into Jackson County.

Comm. Belicek expressed concerns with purchasing the radios. He noted that the Sheriff's department would be the only law enforcement agency in Jackson County to have 800-megahertz capability and the other agencies (Edna PD, Fire Department and EMS) would not be able to communicate with them. Comm. Belicek stated he is against the 800-megahertz system.

A motion was made by Judge Stafford, seconded by Comm. Hunt to accept the money but not to decide on how to spend it until an agreement is made.

Motion carried.

**Consider Payment of County and Precinct Bills, and Court Orders**

Michelle Darilek noted there is one Court Order for Ganado Feed and More for 2 straw hats for the Sheriff's Department in the amount of \$104.94.

A motion was made by Comm. Bubela, seconded by Comm. Deyton to approve the payment of County and precinct bills and 1 Court Order to Ganado Feed and More for \$104.94.

Motion carried.

**Payroll Changes**

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

Motion carried.

Payroll changes as follows:

*June 8, 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>
Gonzalez, Anna	Jail	Resignation	\$1,164.88	\$0.00	06/12/2009

*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>
Gonzalez, Anna	Jail		\$0.00	\$13.87	06/13/2009
Hudgeons, Stephanie	Jail		\$0.00	\$11.87	06/05/2009

**Receive Various County Reports, News and Information**

The Treasurer's monthly report, Library report and Extension report were received.

Judge Stafford noted the 911 map needs to be updated.

Judge Stafford noted the KBD index is 498 and at 500 the Court will consider a burn ban.

Comm. Deyton noted there is a travel trailer at the airport that still needs to be moved.

**Adjournment**

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

Meeting was **ADJOURNED**.

**APPROVED** this the 22<sup>nd</sup> day of June, 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  
JUNE 22, 2009**

On this the 22<sup>nd</sup> day of June, 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 in Edna, Texas, with the following member of the Court present, to-wit:

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

At which time the following proceedings were had:

**Receive Donation from Balfour Beatty to Purchase Drug Dog and Take any Necessary Action**

Mark Snailham and Jose Garcia with Balfour Beatty presented to Sheriff Andy Louderback and to the Court a donation for \$13,000 to purchase a drug dog for the County and procure the necessary training.

A motion was made by Comm. Hunt, seconded by Comm. Deyton to accept the \$13,000 and to approve the purchase of the dog and necessary training.

Motion carried.

**Citizens Comments**

There were none.

**Minutes Approved**

The Minutes of June 8, 2009 were presented.

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

Motion carried.

**Budget Amendments**

Budget amendments #293 through #296 were presented.

A motion was made by Comm. Deyton, seconded by Comm. Belicek to approve the budget amendments.

Motion carried.

Budget Amendments #293 through #296 are as follows:

6-19-2009 8:42 AM		BUDGET ADJUSTMENT REGISTER					PAGE:	
PACKET: 00045-6/22/09								
BUDGET CODE: CB-Current Budget								
FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE	
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Budget Adj. # 000293								
10 450-4750	6/22/2009	DISTRICT CLERK	705.00-	1,200.00	0.00	495.00	0.00	
		REP & MAINT, OFFICE EQUIPMENT						
10 450-4180	6/22/2009	DISTRICT CLERK	705.00	8,000.00	0.00	8,705.00	708.99	
		SALARY, PART/TIME SECRETARIES						
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Budget Adj. # 000294								
10 570-4570	6/22/2009	JUVENILE PROBATION	830.00-	2,000.00	0.00	1,170.00	0.18	
		NON/RESIDENTIAL SERVICES						
10 570-4575	6/22/2009	JUVENILE PROBATION	830.00	4,000.00	0.00	4,830.00	199.54	
		RESIDENTIAL SERVICES						
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Budget Adj. # 000295								
25 571-4180	6/22/2009	JUV PROBATION GRANT	40.00-	11,000.00	0.00	10,960.00	3,831.86	
		SALARY, PART/TIME SECRETARIES						
25 571-4310	6/22/2009	JUV PROBATION GRANT	40.00	4,199.00	320.00-	3,919.00	87.14	
		OFFICE SUPPLIES & EXPENSES						
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Budget Adj. # 000296								
10 561-4085	6/22/2009	CORRECTIONS	88.00-	7,616.00	0.00	7,528.00	0.00	
		LONGEVITY						
10 561-4129	6/22/2009	CORRECTIONS	1,159.67-	30,287.00	0.00	29,127.33	8,112.68	
		SALARY, CORRECTION OFFICER						
10 561-4133	6/22/2009	CORRECTIONS	3,708.98-	30,287.00	0.00	26,578.02	7,911.18	
		SALARY, CORRECTION OFFICER						
10 560-4204	6/22/2009	CORRECTIONS	5,472.72-	13,120.00	11.00	7,658.28	438.06	
		FRO BENE, WORK COMP						
10 561-4183	6/22/2009	CORRECTIONS	10,429.37	2,000.00	0.00	12,429.37	133.06	
		SALARY, CORRECTION OFF, PT/TIM						
PACKET NOTES:								
293 - GEN, DISTRICT CLERK - ADD'L PART TIME THRU YEAR END								
294 - GEN, JUV PROB - COVER DETENTION SERVICES								
295 - JUVENILE PROBATION - ADJ BUDGET TO CORRECT AMT PER GRANT								
296 - GEN, CORRECTIONS - COVER PART TIME CORRECTIONS OFFICER TO DATE								
TOTAL IN PACKET--			0.00					

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
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\*\*\* NO WARNINGS \*\*\*  
\*\*\* NO ERRORS \*\*\*

\*\*\* END OF REPORT \*\*\*

**Consider Re-Instating the Burn Ban, and Take any Necessary Action**

Judge Stafford noted to the Court the KBDI is now 596.

A motion was made by Comm. Hunt, seconded by Comm. Deyton to implement the burn ban until the index is under 500.

Motion carried.

**Consider Road Use Agreement with Square Mile Energy on County Road 446, and Take any Necessary Action**

This item was tabled.

**Consider Resolution Regarding Oil & Gas Valuations, and Take any Necessary Action**

Judge Stafford spoke to the Court concerning legislation to change or repeal Texas Tax Code Sec. 23.175.

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

Motion carried.

Resolution as follows:

**RESOLUTION**

**UNDER-VALUATION OF OIL AND GAS PROPERTIES**

**WHEREAS**, in 2007 the Texas Legislature adopted a severance tax-based interpretation of the Texas Tax Code, Sec. 23.175 (commonly known as the market condition factor) to be applied to the valuation of oil and gas properties in the State of Texas; and

**WHEREAS**, the Texas State Comptroller's severance tax-based estimate of the market condition factor results in the under-valuation of oil and gas property to the detriment of all other taxpayers; and

**WHEREAS**, many counties receive the vast majority of their tax revenues from the county's oil and gas values; and

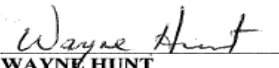
**WHEREAS**, these counties will be adversely and catastrophically affected by the market condition factor as interpreted by Texas Comptroller's office; and

**WHEREAS**, these counties will be forced to underfund essential county government services or shift approximately \$300 million in taxes to other taxpayers;

**NOW, THEREFORE, BE IT RESOLVED** that Jackson County requests that Governor Perry, Lt. Governor Dewhurst, and Speaker Straus support legislation in a special session to change or repeal Texas Tax Code Sec. 23.175 to bring all Texas taxpayers into an equitable position.

**READ AND ADOPTED** this 22nd day of June, 2009.

  
HARRISON STAFFORD II  
JACKSON COUNTY JUDGE

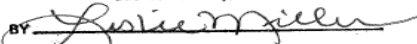
  
WAYNE HUNT  
Commissioner Pct. 1

  
JOHNNY BELICEK  
Commissioner Pct. 3

WAYNE BUBELA  
Commissioner Pct. 2

  
LARRY DEYTON  
Commissioner Pct. 4

FILED 6/22/09  
KENNETH W. McELVEEN-Clerk of County Court  
Jackson County, Texas

BY 

**Consider Contract Renewal With Linebarger Goggan Blair & Sampson LLP for the Collection of Delinquent Taxes, and Take any Necessary Action**

Chip Sutton with Linebarger Goggan Blair & Sampson spoke to the Court concerning renewing their Agreement for Tax Collection Services.

A motion was made by Comm. Belicek, seconded by Comm. Deyton to renew the contract.

Motion carried.

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

**Receive Reports From Linebarger Goggan Blair & Sampson LLP on Collection of Fees and Fines and Delinquent Tax Collections**

Linebarger Goggan Blair & Sampson LLP presented the Delinquent Tax Report for December 1, 2007 through May 31, 2009.

This item was received.

**Receive Bids for Shelving in County Clerk's Office and Take any Necessary Action**

This item was tabled.

**Consider Internet Filtering Software for Courthouse and Take any Necessary Action**

Andy Louderback, Sheriff, and Michelle Darilek, Auditor, spoke to the Court concerning purchasing internet filtering software for the Courthouse.

A motion was made by Judge Stafford, seconded by Comm. Deyton to purchase the Sonicwall Gateway AV INT PREV Spyware Pro 2040 at a cost of \$700 per year.

Motion carried.

Clerk's note: A copy of John Morehead – Professional Computer Network Systems proposal on file among the exhibits of Comm. Court.

**Consider Price Change on Originally Approved Amount for Mobile Data Terminals and Take any Necessary Action**

Michelle Darilek spoke to the Court concerning approving an additional \$317 for the purchase of Mobile Data Terminals.

A motion was made by Judge Stafford, seconded by Comm. Hunt to approve the additional \$317.

Motion carried.

**Consider Bid from Chemical Lime as a Sole Source and Take any Necessary Action**

Michelle Darilek addressed the Court concerning the bid from Chemical Lime as a Sole Source.

A motion was made by Comm. Deyton, seconded by Comm. Hunt to approve Chemical Lime as a Sole Source and to accept the bids for Precinct #2 and #4.

Motion carried.

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

**Consider Payment of County and Precinct Bills, and Court Orders**

Michelle Darilek noted there is one Court Order for a hat for the Sheriff's Department to Ganado Feed and More for \$54.95.

A motion was made by Comm. Deyton, seconded by Comm. Hunt to approve the payment of County and Precinct bills a one Court Order for \$54.95.

Motion carried.

**Payroll Changes**

A motion was made by Comm. Belicek, seconded by Comm. Deyton to approve the payroll changes.

Motion carried.

Payroll changes as follows:

**COMMISSIONERS'  
COURT  
PAYROLL  
CHANGES**  
June 22, 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>
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**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>
Pierce, Wendy	Sheriff		\$0.00	\$6.55	06/17/2009
Walthall, Carla	District Clerk		\$9.80	\$8.00	05/30/2009

**Receive Various County Report, News and Information**

Judge Stafford noted the Continuing Educations Certificates had been received from Texas A&M University for the following: Judge Stafford, 1.6 CEU's, Comm. Deyton, 1.2 CEU's, Comm. Belicek, .8 CEU's, Comm. Hunt, 1.6 CEU's, Comm. Bubela, .9 CEU's.

Judge Stafford also noted a flyer/calendar from Jackson County Extension Family Consumer Sciences had been received.

Michelle Darilek noted that the County has some TWC workers for the summer for all County offices to utilize.

**Adjournment**

A motion was made by Comm. Deyton, seconded by Comm. Belicek to adjourn at 9:56 a.m.

Motion carried.

Meeting was **ADJOURNED** at 9:56 a.m.

**APPROVED** this the 13<sup>th</sup> day of July, 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