

**REGULAR TERM
REGULAR SESSION
MARCH 9, 2009**

On this the 9th day of March, 2009, A.D., at 8:00 a.m. the 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, 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.

It was noted that Cassandra Hayden and Brittney Carroll were present in Court on volunteer attendance for college program.

Minutes Approved

The Minutes of February 23, 2009, were presented.

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

Motion carried.

Budget Amendments

Budget Amendments #263 through #266 were presented.

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

Motion carried.

Budget Amendments as follows:

3-06-2009 9:49 AM		BUDGET ADJUSTMENT REGISTER					PAGE:	
PACKET: 00039-3/9/09								
BUDGET CODE: CB-Current Budget								
FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE	

Budget Adj. # 000263								
10 495-5500	3/09/2009	COUNTY AUDITOR	200.00-	1,300.00	0.00	1,100.00	23.23	
		CAPITAL OUTLAY						
10 495-4760	3/09/2009	COUNTY AUDITOR	200.00	5,700.00	0.00	5,900.00	155.25	
		MAINT & SUPPORT/COMPUTERS						

Budget Adj. # 000264								
10 552-4710	3/09/2009	CONSTABLE #2	147.00-	500.00	0.00	353.00	175.50	
		INSURANCE/BONDS						
10 552-4360	3/09/2009	CONSTABLE #2	600.00-	4,700.00	0.00	4,100.00	4,023.30	
		FUEL						
10 552-4620	3/09/2009	CONSTABLE #2	747.00	500.00	0.00	1,247.00	725.41	
		COMMUNICATIONS						

Budget Adj. # 000265								
12 516-5500	3/09/2009	FERM IMPROVEMENT	407.00-	263,107.00	5,118.00-	257,582.00	212,224.60	
		CAPITAL OUTLAY						
12 700-7010	3/09/2009	FERM IMPROVEMENT	407.00	0.00	0.00	407.00	407.00	
		TRS TO GENERAL						
10 510-4753	3/09/2009	PUBLIC FACILITIES	407.00	1,000.00	0.00	1,407.00	1,000.52	
		MAINT, BLDG, BOARD OF DEVELOPME						
10 390-3912	3/09/2009	TRANSFER FROM	407.00-	0.00	0.00	407.00	407.00	
		TRANSFER FROM PERMANENT IMPROV						

Budget Adj. # 000266								
52	613-5500	3/09/2009	EQUIP REPLACEMENT #	748.00-	59,525.00	0.00	58,777.00	58,777.00
	CAPITAL OUTLAY							
52	700-7043	3/09/2009	EQUIP REPLACEMENT #	748.00	0.00	0.00	748.00	748.00
	TRS TO R&B #3							
43	390-3952	3/09/2009	R&B #3	748.00-	0.00	0.00	748.00	748.00
	TRS FROM EQUIP REPLACEMENT #3							
43	613-5500	3/09/2009	R&B #3	748.00	2,100.00	0.00	2,848.00	1.25
	CAPITAL OUTLAY							
	PACKET NOTES:							
	263 - GEN, AUDITOR - COVER ADD'L COMPUTER MAINT & SUPPORT							

3-06-2009 9:49 AM BUDGET ADJUSTMENT REGISTER PAGE: 1

PACKET: 00039-3/9/09

BUDGET CODE: CB-Current Budget

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
Budget Adj. # 000266							
264 - GEN, CONSTABLE #2 - COVER COMMUNICATIONS THRU YR END							
265 - GEN, PUBLIC FACILITIES - PURCH 8 TABLES FOR CHAMBER,							
BUD \$2,000 IN PERM IMPROV TO PURCH NEW TABLES & CHAIRS							
266 - R&B #3 - TO PURCH 1/3 OF ROLLER							
				TOTAL NO. ADJUSTMENTS--REVENUE:	2	1,155.00-	
				TOTAL NO. ADJUSTMENTS--EXPENSE:	11	1,155.00	
				TOTAL IN PACKET--		0.00	

*** NO WARNINGS ***

*** NO ERRORS ***

*** END OF REPORT ***

Consider Request for Extending Paid Military Leave, and Take Any Necessary Action

A revised Jackson County Personnel Policy, sections 9.09 through 9.09.05, dated March 9, 2009 was presented to the Court concerning Military leave. Discussion was had concerning the revised policy which enables employees to participate in the supplemental military pay program for training. Employees could take additional leave time or be paid the difference between amounts received from the Reserves and what County pay would have been. Records of their training must be submitted to the personnel department.

A motion was made by Comm. Bubela, seconded by Comm. Hunt to approve the revision of differential supplement pay.

Motion carried.

Clerk's Note: A copy of revision on file among the exhibits of Comm. Court.

Consider Length of Depository Bid Contract, and Take Any Necessary Action

Judge Stafford noted that the previous contracts could be for 2 years or 4 years with a 2 year extension.

A motion was made by Judge Stafford, seconded by Comm. Bubela to go in to a 4 year contract with a 2 year extension. It was noted that negotiation could be had after the 2 years.

Motion carried.

Review Racial Profiling Report From Sheriff's Department for 2008

Judge Stafford noted that this was a report for 2008.

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

Receive/Distribute Appointments from Secretary of State Office

Kenneth McElveen, County Clerk, provided the appointments from the Secretary of State that were signed by the Governor of Texas and the Secretary of State to Wayne Bubela and Johnny Belicek and noting that he had also received one for Donna Atzenhoffer, Tax Assessor/Collector, Cyndi Poulton and Cisco Marek for Constables that would be distributed later.

Purchase Dump Truck for Pct. #3, and Take Any Necessary Action

Comm. Belicek noted to the Court that he would like to purchase a \$15,500 dump truck and requested their approval to go forward.

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

Motion carried.

Receive Continuing Education Certificates

The County Judges and Commissioners Association of Texas acknowledged that Comm. Hunt, Comm. Bubela, Comm. Belicek and Comm. Deyton were approved for successfully completing education under provisions of Article 81.0025 of the Texas Local Government Code. Clerk’s note: A copy of the certificates on file among the exhibits of Comm. Court.

Payroll Changes.

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

Motion carried.

Payroll changes as follows:

| *March 9, 2009*

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| *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	Length of service increase	\$914.60	\$958.13	04/04/2009
Gonzalez, Anna	Jail	Length of service increase	\$1,102.79	\$1,164.88	04/18/2009

| *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>
Polk, Kerryina	D. A. Forfeiture	Part time	\$0.00	\$7.50	03/06/2009

Payment of County and Precinct Bills and Court Orders, if Any

A motion was made by Comm. Bubela, seconded by Comm. Deyton to approve the County and Precinct bills and one Court Order for the reimbursement of a ticket for the County 4-H Assistant to attend the Houston Livestock Show Calf Scramble in support of a child from Jackson County in the amount of \$34.00 plus mileage and meals. It was noted by Judge Stafford that this was a one time expense.

Motion carried.

Various County Reports

The Treasurer's report and the Library report were submitted.

It was also noted that a letter was received from TXDOT concerning bridges on FM 822, at the Milby and Kerr Branch as they were approved to be replaced.

It was also noted that a contract had been returned on the removal and replacement of the sidewalks at the Jackson County Courthouse from Balusek-Frankson Surveyor of Victoria.

Adjournment

A motion was then made by Comm. Deyton, seconded by Comm. Belicek to adjourn at 9:20 a.m.

Motion carried.

Meeting was **ADJOURNED**.

APPROVED this the 23rd day of March, 2009.

Harrison Stafford, II
County Judge

ATTEST:

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

**REGULAR TERM
SPECIAL SESSION
MARCH 23, 2009**

On this the 23rd day of March, 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.

Citizen Comment

There were none.

Minutes Approved

The Minutes for March 9, 2009 were presented. It was noted that on page 605 under Appointments from Secretary of State Office it should read Wayne Hunt instead of Wayne Bubela. With that correction a motion was made by Comm. Bubela, seconded by Comm. Belicek to approve.

Motion carried.

Budget Amendments

There were none.

Consider Removal of Burn Ban, and Take Any Necessary Action

Bernard Scott, Ganado Fire Department, spoke concerning the burn ban. Judge Stafford noted that the index range from a minimum of 356 to 656 with the KBD average of 554 index as provided by the Texas Forrest Service.

Discussion was had concerning areas served by the Ganado Fire Department and in Edna.

A motion was made by Comm. Deyton, seconded by Comm. Hunt to have the burn ban automatically lifted when the KBD average goes under 500. Thus, the burn ban will remain at this time.

Consider Agreement with Kinder Morgan Regarding Rectifier Location, and Take Any Necessary Action

A motion was made by Comm. Deyton, seconded by Comm. Belicek to accept the agreement.

Motion carried.

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

Consider 2010 Census Resolution, and Take Any Necessary Action

Judge Stafford noted that the past census had been conducted by Golden Crescent Regional Planning Commission. He had received letters from other law firms offering their services for the upcoming 2010 census.

A motion was made by Judge Stafford, seconded by Comm. Belicek to approve the resolution.

Resolution as follows:

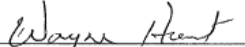
County of JACKSON 2010 Census Resolution

- Whereas, the next Decennial Census will be taken in the year 2010, and political representation to the United States House of Representatives, state legislatures and local governments is determined by the Decennial Census, and the County of Jackson recognizes the equal importance of each resident in the 2010 Census count; and,
- Whereas, the County of Jackson has agreed to be one of 39,000 government entities in partnership with the U.S. Census Bureau; and,
- Whereas, the County of Jackson understands that its primary role in this partnership is to formulate a COMPLETE COUNT COMMITTEE that should include, representatives of Government, Education, Media, Faith-Based/Religion, Community-based Organizations, and Business; and,
- Whereas, the role is to bridge all gaps between the community and the Census Bureau on geographic matters, outreach activities, and information centers; and,
- Whereas, the role is to create census awareness programs for pre-kindergarten to college-age students, coalesce with educational institutions, distribute Census Bureau Education programs, and to encourage parents and college students to apply for Census jobs; and,
- Whereas, the role is to utilize all aspects (print and electronic) of its industry to inform, motivate, and educate the city's residents in the necessity and importance of their rapid response and 100% participation in the 2010 Census; and,
- Whereas, the role is to form a cross denominational coalition for the dissemination of Census information, inclusion of special announcements in church bulletins and sermons, hosting of Census awareness activities, and circulation of Census job opening bulletins; and,
- Whereas, the role is to make the community aware of the many ways Census data is used to obtain funding for essential community services and programs; and,
- Whereas, the role is to encourage all area businesses to advertise the 2010 Census message in sales advertisements, promotional materials and displays, and to sponsor 2010 Census community awareness activities; and,
- Whereas, the committee is to receive and disseminate to all segments of the community information regarding the availability of Census jobs in the local area;

County of Jackson hereby proclaim/resolve the 2010 Census as a top priority for all elected and appointed officials, and encourage full support and participation of this community in achieving an accurate and complete count through the formulation of a COMPLETE COUNT COMMITTEE.

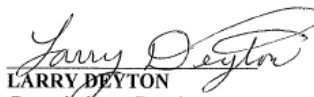
Signed this 23 day of MARCH, 2009.


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 3-23-09
KENNETH W. McELVEEN-Clerk of County Court
Jackson County, Texas

BY 

Consider Interlocal Participation Agreement Between CIRA and Jackson County for a Project to Develop Standards and Requirements for a Common Integrated Justice System Solution for County Government, and Take Any Necessary Action

Judge Stafford noted that the participation fee for the project that had been previously discussed at 1% of the general revenue or \$4,661 and fee is requested with approval of the agreement..

A motion was made by Judge Stafford, seconded by Comm. Dayton to enter into the Interlocal Participation Agreement and pay the \$4,661 participation fee.

Motion carried.

Clerk's note: The Agreement on file among the exhibits of Comm. Court.

Receive Continuing Education Hours

It was noted that a certificate for continuing education from Texas A&M University was received for Kenneth McElveen, County Clerk for 16.5 hours or 1.65 CEU's.

Consider District Court and Grand Jury Room Improvements with Harnett Grant, and Take Any Necessary Action

A motion was made by Comm. Belicek, seconded by Comm. Bubela to approve quote from Visual Techniques, Inc. for \$10,949 plus option to install additional electrical upgrades in District Courtroom and Grand Jury Room out of Hartnett Gift.

Motion carried.

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

Consider Advertising for Bids to Scan and Index Selected County Clerk Records with Funds to Come From County Clerk Records Management and Take Any Necessary Action

A packet of bid specifications had been provided requesting that certain items be scanned and indexed.

A motion was made by Comm. Bubela, seconded by Comm. Hunt to approve going out for bids.

Motion carried.

Consider Appraisal, in Compliance with the Uniform Appraisal Standards for Federal Land Acquisitions, and Survey of Mauritz Camp Property Purchased in December 2007, to Comply with CIAP Grant Requirements

A motion was made by Comm. Bubela, seconded by Comm. Hunt to approve the appraisal and survey on the Camp Mauritz property.

Motion carried.

Consider Approval of Warranty Deed Correction on Mauritz Scout Reservation Purchase, and Take Any Necessary Action

A motion was made by Comm. Hunt, seconded by Comm. Bubela to authorize Judge Stafford to sign the Corrected Warranty Deed.

Motion carried.

Consider Acceptance of VL & JH Robinson Charitable Foundation Donation for 800 Megahertz Communication System and Certify and Budget Same if Approved

The Sheriff's request for the grant was \$30,410.

Sheriff not present, this item was tabled.

Receive Jackson County Juvenile Probation Fund Audited Financial Statements for the Grant Year Ended August 31, 2008

The audit report from Wayne Beyer, Certified Public Accountant, was received.

Judge Stafford noted the report was received for record.

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

Consider Agreement with Elevator Transportation Services, Inc to Furnish and Install New Code Compliant Flex Hose Including Payment of Such and Take Any Necessary Action

Comm. Belicek noted that the current replacement for a hose was every 7 years and requested that this be approved so that it would be in place by the expiration of the 7 year time period.

A motion was made by Comm. Belicek, seconded by Comm. Bubela to approve \$2,750 for the hose and replacement fee.

Motion carried.

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

County and Precinct Bills

A motion was made by Comm. Hunt, seconded by Comm. Bubela to approve payment of County and Precinct bills along with two Court Orders, one being for \$30.86 for a Rodeo ticket for Mike Hiller to show support for an entry from Jackson County, the other to CIRA for \$4,661 for participation in Justice Software package development.

Motion carried.

Payroll Changes

A motion was made by Judge Stafford, seconded by Comm. Dayton to approve the payroll changes.

Motion carried.

Payroll changes as follows:

March 23, 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>
Gasch, Theresa	Library	Length of service increase	\$1,223.15	\$1,277.19	03/21/2009
Morton, Carolyn	Library	Length of service increase	\$828.96	\$888.80	03/21/2009

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>
Kazmir, Ashley	Library		\$6.55	\$7.00	03/21/2009

Various County Reports

Judge Stafford noted that a letter was received from the County-Wide Drainage District thanking for the assistance on dump trucks usage to repair the Sloan Ditch crossing.

Judge Stafford also noted that he had received 2 e-mails concerning the military leave policy from John Mays and John Acosta.

It was also noted that a Continuation Certificate for a Heavy Load Permit Bond had been received for C & E Operating, Inc. from Suretec Insurance Company.

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

Judge Stafford noted that the Texas Governor had attempted to declare Texas as drought disaster area with 199 of the 254 counties but it was rejected and the State is reapplying.

Clerk's note: A copy of the e-mails among the exhibits of Comm. Court.

News and Information

It was noted by Comm. Bubela that there were concerns of citizens mudding in the ditches after the recent rain and that violation would be reported to the Sheriff to give citations.

I was also noted that there is a meeting on April 6, 2009 for CPR training for the Comm. Court.

The Court then recessed until 11:10 a.m.

Consider Purchase of 2 – 15' Balwing Shredders with Trade in for Pct. 2 and Take Any Necessary Action

At 11:10 a.m. bids received on two 15 foot shredders for Precinct 2. Comm. Bubela requested to trade in two old shredders and purchase two new shredders.

A motion was then made by Comm. Bubela, seconded by Comm. Belicek to approve the purchase and payment of two shredders with a fee of \$13,000 to \$14,000.

Motion carried.

Adjournment

A motion was made by Comm. Deyton, seconded by Comm. Belicek to adjourn at 11:10 a.m.

Motion carried.

Meeting was **ADJOURNED**.

APPROVED this the 13th day of April, 2009.

Harrison Stafford, II
County Judge

ATTEST:

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