REGULAR TERM REGULAR SESSION MAY 9, 2016

On this the 9th day of May, 2016, 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 of Edna, Texas, with the following members of the Court present, to-wit:

Dennis Simons	County Judge
Wayne Hunt	Comm. Pct. #1
Wayne Bubela	Comm. Pct. #2
Johnny Belicek	Comm. Pct. #3
Dennis Karl	Comm. Pct. #4
Barbara Williams	County Clerk

At which time the following proceedings were had.

<u>Citizens Comments-Opportunity for public to address Commissioner's Court on non-agenda items. The Court may not comment nor deliberate on non-agenda items. (Presentations should be limited to (5) minutes)</u>

There were none

Approval of Minutes and/or additions and corrections, if any

The minutes April 25, 2016 were presented.

A motion was made by Comm. Belicek, seconded by Comm. Bubela to approve the minutes. Motion carried.

Consider Budget amendments, line-item transfers and revenue certifications for FY 2016 Budget, and take any necessary action

A motion was made by Comm. Bubela, seconded by Comm. Karl, to approve the budget amendments. Motion carried.

Budget amendments as follows:

5-02-2016 5:01 PM PACKET: 00194-5-9-16 BUDGET CODE: CB-Curre	nt Budget		BUDGET ADJUST	MENT REGISTER			PAGE
FUND ACCOUNT Budget Adj. # 001430	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	RUDGET BALANCE
25 575-4570 EXT CONTRACT - CO DEPT; TITLE IVE		VENILE PROBATION	1,115.32-	0.00	3,769.00	2,653.68	2,653.68
25 575-4310 OFFICE SUPPLIES 6 OEPT: TITLE IVE PACKET NOTES: 1430 - JUV PROBAT	EXPENSES	VENILE PROBATION BUDGET TO COVER PHO	1,115.32	7,500.00	3,769.00-	4,846.32	594.09
			TOTAL IN PAC	KET		0.00	
· · · NO WARNINGS · · ·							
*** NO ERRORS ***							

Consider changes to designated investment options under Nationwide Retirement Solutions
Agreement, and take any necessary action

*** END OF REPORT ***

Judge Simons advised the Court that the changes would add three funds to the possible investments for retirement, and delete one fund.

A motion was made by Comm. Bubela, seconded by Comm. Belicek, to allow changes to designated investment options under Nationwide Retirement Solutions Agreement. Motion carried. Consider resolution adopting Investment Policy and Investment Strategies for Jackson

County, and take any necessary action

It was noted that this was an annual requirement, and that there were no changes from the last policy.

A motion was made by Belicek, seconded by Comm. Karl, to adopt the resolution for Investment Policy and Investment Strategies for Jackson County. Motion carried. Resolution as follows:

RESOLUTION TO ADOPT INVESTMENT POLICY FOR JACKSON COUNTY

On this the 9th day of May 2016, the Commissioners of Jackson County, Texas, being in regular term, the following resolution was considered:

WHEREAS, the Jackson County Commissioners, in order to satisfy the statutory requirements of Local Government Code 116 and Government Code 2256 to define and adopt a written investment policy regarding the investments of funds under its control; and

WHEREAS, the Jackson County wishes to comply with the Public Funds Investment Act;

WHEREAS, the policy as presented this date emphasizes safety of principal and hereby supports the objectives and strategies of the policy; now, therefore,

BE IT RESOLVED, that the Jackson County Investment Policy this date be adopted

Adopted this 9th day of May 2016, by vote of this court.

Dennis Simons

Wayne Hunt

Wayne Bubela

Johnny E/ Belicek

Dennis Kari Commissioner, Precinct #4

Barbara Earl

Page 9 of 9

Consider changes to Personnel Policy Manual, and take any necessary action

Judge Simons advised the Court that the changes discussed at a prior session have now been put into writing for approval.

A motion was made by Comm. Bubela, seconded by Comm. Belicek to approve the changes to Personnel Policy Manual. Motion carried.

Clerk's note: A copy of changes on file among exhibits of Commissioners' Court.

Consider adopting an order authorizing the sale of fireworks for Memorial Day, and take any necessary action

Judge Simons advised the Court that Mr. B fireworks had put in a request to authorize sales, and reminded the Court that authorization would need to be approved each year.

A motion was made by Comm. Karl, seconded by Comm. Hunt to authorize the sale of fireworks for Memorial Day. Motion carried.

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

Consider waiving rental fee of Services Building Auditorium for Friends of Elder Citizens to hold seminar for Jackson County Citizens and take any necessary action

Judge Simons advised the Court that the seminar would be to discuss estate planning.

A motion was made by Comm. Belicek, seconded by Comm. Bubela to waive the rental fee of Services Building Auditorium for Friends of Elder Citizens to hold seminar for Jackson County Citizens. Motion carried.

Consider Jackson County Road Special Use Agreement (Pipeline) with Kinder Morgan Tejas Pipeline, LLC on County Roads 272, 274, 259, 260 and 273, in Precinct 2, and take any necessary action

A motion was made by Comm. Bubela, seconded by Comm. Belicek to approve the Jackson County Road Special Use Agreement (Pipeline) with Kinder Morgan Tejas Pipeline, LLC on County Roads 272, 274, 259, 260 and 273, in Precinct 2. Motion carried.

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

Consider Document Imaging and Services and Products Agreement with DataBank IMX, and take any necessary action

Barbara Earl, County Clerk, advised the Court that this had been approved during budget time. The Court would need to approve the agreement for the project to begin.

A motion was made by Comm. Belicek, seconded by Comm. Karl to approve the Document Imaging and Services and Products Agreement with DataBank IMX and funds to come from County Clerk Records Management. Motion carried.

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

Consider proposals received for annual financial audit, and take any necessary action

Michelle Darilek, Auditor, advised the Court that only one proposal was submitted.

A motion was made by Comm. Hunt, seconded by Comm. Karl to employ Beyer & Company for annual financial audit for a three year agreement. Motion carried. Clerk's note: A copy of bid on file among exhibits of Commissioners' Court.

Consider requesting unclaimed capital credits received from electric cooperatives from the
State Comptroller to be used to fund a community and economic development program under
Section 381.004 of the Local Government Code, and take any necessary action

Judge Simons noted that this was an annual requirement and funds could only be used toward certain projects.

A motion was made by Comm. Bubela, seconded by Comm. Belicek to request unclaimed capital credits received from electric cooperatives from the State Comptroller to be used to fund a community and economic development program under Section 381.004 of the Local Government Code. Motion carried.

Consider renewal contract with Westlaw regarding law library books, and take any necessary action

Sharon Mathis, District Clerk, requested that the Court pass this item to allow time to get more information. This item was passed.

Consider payment of County and precinct bills and court orders

Michelle Darilek, Auditor, advised the Court there were no court orders at this time.

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

Payroll changes as follows:

COMMISSIONERS' COURT
PAYROLL CHANGES

May 9, 2016

NAME	DEPARTMENT	TYPE OF CHANGE	FROM:	TO:	DATE
Marlow, Christopher	Sheriff	Length of service increase	\$19.554	\$20.325	05/07/2016
			BI-WEEKLY	BI-WEEKLY	EFFECTIVE
NAME	DEPARTMENT	TYPE OF CHANGE	FROM:	<u>TO:</u>	DATE

Receive various county reports, news and information

Judge Simons advised the Court that an appreciation BBQ would be held at the county airport for elected officials and their families, and also noted a Resiliency workshop hosted by A&M would be held on June 9 covering risk management during storms. Michelle Darilek, auditor, reminded the Court to submit any project suggestions for the TAC Risk Management Reimbursement grant as soon as possible. Mary Horton, Treasurer, noted that due to Sonic Boom running out of the pebbles for Sonic Boom, all costs for boomerangs would be reimbursed. Comm. Hunt advised the Court of a TxDOT meeting to be held on Thursday.

ADJOURNMENT

A motion was made by Comm. Belicek, seconded by Comm. Bubela to adjourn at 9:28 am. **APPROVED** this the 23rd day of May, 2016.

May 9, 2016

Dennis Simons County Judge

ATTEST:

Barbara Earl, County Clerk

And Ex-Officio Clerk of the Commissioners'

Court of Jackson County, Texas

REGULAR TERM REGULAR SESSION MAY 23, 2016

On this the 23rd day of May, 2016, 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 of Edna, Texas, with the following members of the Court present, to-wit:

Dennis Simons	County Judge
Wayne Hunt	Comm. Pct. #1
Wayne Bubela	Comm. Pct. #2
Johnny Belicek	Comm. Pct. #3
Dennis Karl	Comm. Pct. #4
Barbara Williams	County Clerk

At which time the following proceedings were had.

<u>Citizens Comments-Opportunity for public to address Commissioner's Court on non-agenda items.</u> The Court may not comment nor deliberate on non-agenda items. (Presentations should be limited to (5) minutes)

There were none

Approval of Minutes and/or additions and corrections, if any

The minutes from May 9, 2016 were presented.

A motion was made by Comm. Belicek, seconded by Comm. Bubela to approve the minutes. Motion carried.

Consider Budget amendments, line-item transfers and revenue certifications for FY 2016 Budget, and take any necessary action

A motion was made by Comm. Belicek, seconded by Comm. Karl, to approve the budget amendments. Motion carried.

Budget amendments as follows:

PACE	20-2016 1:41 PM GET: 00195-5/23/16			BUDGET ADJUST	GENT REGISTER			рас
FUNT	D ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEM BUDGET	BUDGET BALANCE
Budg	get Adj. # 001431							
10	409-4760 MAINT & SUPPORT/C DEPT: NON-DEPARTM	5/23/2016 1 CMPUTERS ENTAL	NONDEPT	1,240.00-	16,000.00	1,800.00-	12,960.00	2,962.20
10	409-5500 CAPITAL OUTLAY DEPT: NON-DEPARTM	5/20/2016	NONDEPT	1,240.00	2,320.00	1,800.00	5,360.00	1,898.03
Bud	get Ad). # 001432							
10	436-4530 LEGAL AD LITTEM DEPT: COURT EXPEN		COURT EXPENSE	2,750.00	20,000.00	0.00	22,750.00	2,000.00
10	436-4537 LEGAL OTHER, DIST DEPT: COURT EXPEN	- 24TH	COURT EXPENSE	2,750.00-	10,000.00	0.00	7,250.00	5,289.17
Bud	iget Adj. # 201433					,		
10	361-4750 REPAIR & MAINTEN DEPT: CORRECTIONS	NCE	CORRECTIONS	5,500.00	20,000.00	0.00	25,500.00	5,031.32
10	561-4500 CONTRACT SERVICE DEPT: CORRECTIONS		CORRECTIONS	2,000.00-	15,000.00	0.00	13,000.00	3,796.58
10	561-4680 TRAVEL/TRAINING DEPT: CORRECTION:		CORRECTIONS	2,000.00-	5,000.00	0.00	3,000.00	2,159.35
10	561-4310 OFFICE SUPPLIES : DEPT: CORRECTION: PACKET NOTES:	EXPENSES	COST OF SWITCH IN C	1,500.00-	5,500.00	155.00-	3,845.00	1,826.20
	ROOM 1432 - ORN, COUR	T EXP - COVI	ER AD LITEM; SPENT :	\$20750 YTD				
				TOTAL IN PA	CKET		0.0	10
5-20	0-2016 1:41 PM			BUDGET ADJUSTM	INT REGISTER			PAGE
	tr: 00195-5/23/16 tf CODE: CB-Current	Budget						
FUND Budge	ACCOUNT at Adj. # 001433	DATE	DESCRIPTION	adjustrænt	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
	NO WARNINGS ***							
*** 1	NO ERRORS ***							

Receive Annual Financial Report and Budget from Jackson County Emergency District No. 3, and take any necessary action

Judge Simons noted that it was a clean audit.

A motion was made by Comm. Bubela, seconded by Comm. Hunt, to receive the Annual Financial Report and Budget from Jackson County Emergency District No. 3. Motion carried. Clerk's note: A copy of report/budget on file among exhibits of Commissioners' Court.

Consider offering a free County Clean-up Day, and take any necessary action

Discussion was had concerning possible dates for the clean-up day.

A motion was made by Bubela, seconded by Comm. Karl, to offer a free County Clean-up Day either June 11 or June 18. Motion carried.

Consider Oil and Gas Lease from Hurd Enterprises, LTD. regarding 2.88 acres on County Road 407, Precinct 2, and take any necessary action

Judge Simons advised the Court that it is a three year lease for \$250.00 per acre, 23% royalty.

A motion was made by Comm. Bubela, seconded by Comm. Belicek to approve the Oil and Gas Lease from Hurd Enterprises, LTD. regarding 2.88 acres on County Road 407, Precinct 2. Motion carried.

Clerk's note: A copy of lease on file among exhibits of Commissioners' Court.

Consider Contract between Department of State Health Services (DSHS) Vital Statistics Unit and Jackson County Clerk's Office, and take any necessary action

Barbara Earl, County Clerk, advised the Court that it was a two year contract allowing the County Clerk's Office to issue birth and death certificates.

A motion was made by Comm. Bubela, seconded by Comm. Hunt to authorize the contract between Department of State Health Services (DSHS) Vital Statistics Unit and Jackson County Clerk's Office and to authorize the Judge to sign. Motion carried.

Clerk's note: A copy of contract on file among exhibits of Commissioners' Court.

Receive As Built Drawings, Texas Department of Licensing and Regulation compliance letter with ramp and walkway drawing and Final Cost Schedules for Carancahua Breakwater and Boat Ramp Project, and take any necessary action

It was noted that the project was in substantial compliance.

A motion was made by Comm. Karl, seconded by Comm. Bubela to receive As Built Drawings, Texas Department of Licensing and Regulation compliance letter with ramp and walkway drawing and Final Cost Schedules for Carancahua Breakwater and Boat Ramp Project. Motion carried.

Clerk's note: A copy of documents on file among exhibits of Commissioners' Court.

Receive Final Cost Schedule for Mauritz Wastewater Project, and take any necessary action

A motion was made by Comm. Bubela, seconded by Comm. Belicek to receive Final Cost Schedule for Mauritz Wastewater Project. Motion carried.

Clerk's note: A copy of cost schedule on file among exhibits of Commissioners' Court.

Consider Internal Control Policy required by Governmental Standards, and take any necessary action

This item was passed. No action taken.

Consider Resolution concerning off-system bridge program with Texas Department of Transportation to replace bridge located on CR 455, and take any necessary action

Comm. Karl advised the Court Precincts X and 2 have met the match for state standards to begin the project.

A motion was made by Comm. Karl, seconded by Comm. Belicek to approve the Resolution concerning off-system bridge program with Texas Department of Transportation to replace bridge located on CR 455. Motion carried.

Resolution as follows:

RESOLUTION

The State of Texas County of Jackson

WHEREAS, the federal off-system bridge program is administered by the Texas Department of Transportation (the State) to replace or rehabilitate structurally deficient and functionally whoselet (collective) referred to a sedficient) bridges located on public roads and streets off the designated state highway system; and

WHEREAS, <u>Jackson County</u>, hereinafter referred to as the Local Government owns a bridge located at <u>Draw on CR 455</u>, National Bridge Inventory (NBI) Structure Number <u>13-121-0-AA02-76-001</u>; and

WHEREAS, a project to remedy the bridge is included in the currently approved pri projects as authorized by Texas Transportation Commission Minute Order Number Dated 11/19/15. Control-Section-Job (CSJ) Number 0913-18-031; and

WHEREAS, the usual fund participation ratio for projects on such program is 80 percent federal, 10 percent state and 10 percent Local Government; and

WHEREAS, Texas Administrative Code, Title 43, Section 15.55(d) (43 TAC Section 15.55(d)) provides that under specified conditions the 10 percent Local Government match fund participation requirement may be waited with agreement by the Local Government to perform, or cause to be performed, an equivalent dollar amount of structural improvement work on other deficient bridges or deficient maintane cross-drainage amounters within its injustaction, such a project of structural improvement work being referred to as an "equivalent-match project"; and

WHEREAS, the estimated local match fund participation requirement on the approved federal off-system bridge project is \$31,350.09 (dollars), hereinafter referred to as the "participation-vaived" project, such participation requirement the Local Government proposes be waited in return perform or cause to be performed equivalent-match project structural improvement

THEREFORE, BE IT RESOLVED that the Local Government perform, or cause to be performed, the following equivalent-match project(s) in return for waiver of the local match fund participation centerment on the approved federal off-system bridge program (participation-waived) project not yet awarded:

LOCATION (and NBI ON SCHOOL BUS ROUTE? DESCRIPTION OF STRUCTURAL IMPROVEMENT WORK structure identification number, if applicable) Yes Replace Culvert \$ 7,096.00 ('R 444 over Draw (At Int of CR 443)

BE IT FURTHER RESOLVED that in receiving this waiver the Local Government acknowledges its obligation to conform with all conditions of 43 TAC Section 15.55(d); such conditions that include but are not restricted to the following:

- conditions that include but are not restricted to the following:

 1. The Local Government must be currently in compliance with load posting and closure regulations as defined in National Bridge Impection Standards under US Code of Federal Regulations, Title 23, Section 650,203.

 2. The equivalent-mastle project work increases the load capacity of the existing bridge or other mainfance cross-drainage structure, or upgrades the structure to its original load capacity with a minimum ungrade to safely earry school bus loading if located on a school bus roate.

 3. In performing, or causing to be performed, the equivalent-match project(s), the Local Government assumes all responsibilities for engineering and construction, and complying with all applicable state and federal environmental regulations and permitting requirements for the structures being improved waiter approval process has been completed.

 4. The work on the proposed equivalent-match project(s) has not begun and will not begin until the local match fund participation waiter approval process has been completed.

 5. The Local Government will be allowed three years after the contract award of the participations waiter enguest be approved, an appropriate written agreement or amendment to a previously executed agreement will be accusted between the State and Local Government.

red this the 23rd day of May, 2016.

Dennis Simons, County Judge County Commissioners.

FILED MAY 23, 2011, @11 olum.
RA EARL, Clark of County Court
JACKSON COUNTY TRANS

Consider and discuss approval and purchase of radio equipment for road and bridge, and take any necessary action

Discussion was had concerning the equipment, installation and payment.

A motion was made by Comm. Belicek, seconded by Comm. Bubela to approve the purchase of radio equipment in the amount of \$2,199.00 to Telcom Sales and \$6,472.20 to Victoria Communication Services new cable, antenna and installation on the tower on FM 3131 for road and bridge, and payment to be divided equally among the four precincts. Motion carried. Clerk's note: A copy of bid on file among exhibits of Commissioners' Court.

Consider Resolution in opposition to proposed rule change by Texas Department of Motor Vehicles, and take any necessary action

Donna Atzenhoffer, Tax Assessor/Collector, advised the Court that Texas Department of Motor Vehicles was making changes to fee schedules and responsibilities resulting in the a loss of funds for the County.

A motion was made by Comm. Belicek, seconded by Comm. Bubela, to approve the Resolution in opposition to proposed rule change by Texas Department of Motor Vehicles. Motion carried.

Resolution as follows:



RESOLUTION OPPOSING RULES PROPOSED BY THE TEXAS DEPARTMENT OF MOTOR VEHICLES THAT DECREASE COUNTY REVENUES, INCREASE COUNTY COST, AND REDUCE LOCAL CONTROL

WHEREAS, the Jackson County Tax Assessor Collector is charged with collecting vehicle registration tees, which provide for certain legislative authorized revenues to offset costs associated with collecting and dispersing these fees for the Texas Department of Motor Vehicles; and

WHEREAS, the 83rd State Legislature passed HB 2202 which created the Texas Department of Motor Vehicles fund, authorized the Texas Department of Motor Vehicles to establish certain fees by board rule, authorized the board to direct certain fees to the Fund, and allows county revenues to be set by board rule; and

WHEREAS, the Texas Department of Motor Vehicles has proposed rules setting title transfer and registration processing and handling fees for its own funding; and has further proposed fees and changes for the County Tax Assessor-Collectors, and the various deputy classification types; and

WHEREAS, the Jackson County Tax Assessor Collector may deputize full service title companies to provide titling and registration services and limited service companies to provide registration services, which increase access and locations for these services by citizens; and

WHEREAS, the rules proposed by the Texas Department of Motor Vehicles will decrease county nues, increase county costs, and reduce local control.

NOW, THEREFORE BE IT RESOLVED that the Jackson County Commissioners Court opposes the rules as proposed by the Texas Department of Motor Vehicles amending Title 43 of the Texas Administrative Code Chapter 217.

PASSED AND APPROVED this 23 day of May, 2016.

Dennis Simons County Judge

RY 160 /20

Consider Treasurer's Report, and take any necessary action

Mary Horton, Treasurer, submitted the Treasurer's Report to the Court.

A motion was made by Comm. Belicek, seconded by Comm. Hunt, to approve the Treasurer's Report. Motion carried.

Report approval as follows and entire report on file among exhibits of Commissioner's Court:

MINUTES OF COUNTY FINANCES TREASURER'S REPORT

IN ACCORDANCE with Section 114.026, Local Government Code, we, the undersigned, cons Commissioners' Court of said County, certify that on the 23rd day of May 2016, at the Regu we compared and examined the monthly report of Mary Horton, Treasurer of Jackson County, 2016, and finding the same correct, entered an order in the Minules approving said report,

FILED FOR RECORD THIS the 23rd day of May A.D., 2016, and recorded on the 23rd day of May A.D., 2016.

Barbara Earl, County Clerk and Ex-Officio Clerk of the Commissioners' Court in and for Jackson County, Texas

By:_____ Deputy

Consider payment of County and precinct bills and court orders

Michelle Darilek, Auditor, submitted one court order to Jackson County Herald Tribune in the amount of \$200.00 for dispatcher appreciation ad.

A motion was made by Comm. Belicek, seconded by Comm. Karl to approve the payment of County and precinct bills and one court order to Jackson County Herald Tribune in the amount of \$200.00 to come from non-departmental. Motion carried.

Clerk's note: A copy of court order on file among exhibits of Commissioners' Court.

Consider payroll changes, if any, and take any necessary action

A motion was made by Comm. Hunt, seconded by Comm. Bubela to approve the payroll changes. Motion carried. Payroll changes as follows:

COMMISSIONERS' COURT
PAYROLL CHANGES

May 23, 2016

NAME

DEPARTMENT

TYPE OF CHANGE

HOURLY FROM: HOURLY TO: EFFECTIVE DATE

NAME

DEPARTMENT

TYPE OF CHANGE

BI-WEEKLY FROM: BI-WEEKLY TO: EFFECTIVE DATE

Krebs, Hannah

Extension Service

Resignation

\$397.30

\$0.00

06/03/2016

Receive various county reports, news and information

Comm. Hunt advised the Court that a safety meeting would be held on June 6. Andy Louderback, Sheriff, discussed budget concerns with the radio towers being shared with the Commissioner Precincts. Michelle Darilek, Auditor, noted that the Auditor's Office would soon begin scanning bills into the computer and that all bills would need to be signed in order to be processed and scanned.

ADJOURNMENT

A motion was made by Comm. Belicek, seconded by Comm. Bubela to adjourn at 9:55 am. **APPROVED** this the 13th day of June, 2016.

Dennis Simons County Judge

ATTEST:

Barbara Earl, County Clerk

And Ex-Officio Clerk of the Commissioners'

Court of Jackson County, Texas