

**REGULAR TERM
REGULAR SESSION
DECEMBER 14, 2009**

On this the 14th day of December, 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 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, Absent
Leslie Miller	Deputy County Clerk

At which time the following proceedings were had.

Citizens Comments

There were none.

Minutes Approved

The Minutes of November 23, 2009 were presented.

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

Motion carried.

Budget Amendments

There were none.

Approve Primary Joint Resolution of Jackson County Clerk's office with the Jackson County Democratic Party and Jackson County Republican Party for the 2010 Primary Election

A motion was made by Comm. Bubela, seconded by Comm. Belicek to enter into a Joint Primary with the Democratic and Republican parties.

Motion carried.

Resolution as follows:

Prescribed by Secretary of State (Form JRC)
Elections PRIM/jresolution.doc
Joint Resolution Contract; Texas Administrative Code rule §81.157
Section 172.126, V.T.C.A., Election Code, 10/2007

FILED 12/14/09
KENNETH W. McELVEEN-Clerk of County Court
Jackson County, Texas
BY Leslie Miller

PRIMARY JOINT RESOLUTION

A. JOINT RESOLUTION

WHEREAS, the Democratic Party of Jackson County, Texas, and the Republican Party of Jackson County, Texas, desire to enter into a 2010 Joint Primary Election Services Contract with the Jackson County Election Administrator/County Clerk, as the County Election Officer.

AND WHEREAS, the Commissioners Court of Jackson County, Texas desires to give authorization for said Contract.

NOW THEREFORE BE IT RESOLVED BY THE COMMISSIONERS COURT OF JACKSON, COUNTY, TEXAS, THAT:

Said Commissioners Court authorizes a Joint Contract by and among, Gerald Clark, Democratic Party Chair, and John Cotten, Republican County Chair, and Kenneth McElveen, County Election Officer of Jackson County, Texas, for the conduct and supervision of the Jackson County Joint Primary Election on March 2, 2010, and the Jackson County Joint Primary Runoff Election, if necessary, on April 13, 2010.

PASSED AND APPROVED, THIS 14th DAY OF December, 2009.

<u>Wayne Hunt</u> Signature of Commissioner, Precinct 1	<u>Harrison Stafford, II</u> Signature of County Judge
<u>Johnny Belicek</u> Signature of Commissioner, Precinct 3	<u>Wayne Bubela</u> Signature of Commissioner, Precinct 2
<u>Jackson</u> County Democratic Party	<u>Jackson</u> County Republican Party
By: <u>Gerald M. Clark Sr.</u> , County Chair	By: <u>John C. Cotten</u> , County Chair
County Elections Official	
By: <u>James M. Cheen</u> , County Election Administrator/County Clerk	

Reset

Consider Road Special Use Agreement with Acock Anaqua Operating Co. LLC regarding County Road 313, and Take any Necessary Action

Comm. Belicek spoke to the Court concerning a Special Use Agreement with Acock Anaqua Operating Co., LLC for County Road 313.

A motion was made by Comm. Belicek, seconded by Comm. Bubela to approve the agreement and authorize Comm. Belicek to sign the agreement.

Motion carried.

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

Consider Signing of AFLAC Plan Summary documents, and Take any Necessary Action

Mary Horton spoke to the Court concerning signing the AFLAC Plan Summary documents regarding the Flexible Spending Account increase the Court had previously approved.

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

Motion carried.

Consider Appointments of Jackson County Emergency District #2 Directors, and Take any Necessary Action

A motion was made by Comm. Bubela, seconded by Comm. Belicek to reappoint Charles Taylor and Louis Klusmeyer and to appoint Ronnie Kubecka to replace Bill Stroud, each for a 2-year term to expire on December 31, 2011.

Motion carried.

Consider Appointment to Gulf Bend Center Board, and Take any Necessary Action

A motion was made by Comm. Belicek, seconded by Comm. Bubela to reappoint Judge Harrison Stafford, II for one year.

Motion carried.

Consider Tocker Foundation Grant Application for Replacement of Shelving, and Take any Necessary Action; Consider M.G.& Lillie A. Foundation Inc. Grant Application for Replacing Shelving, and Take any Necessary Action; Consider The Trull Foundation Grant Application for Collection Development, and Take any Necessary Action

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

Motion carried.

Consider Request from George Washington Carver Community Center, and Take any Necessary Action

Bertha Brooks addressed the Court regarding designating George Washington Carver Community Center as a Historic Site.

The Court will research the matter and consider the request at a later date.

Receive Bond on Donna Atzenhoffer, Tax Assessor-Collector, according to the Collection's Contract with Edna Independent School District

This Bond was received.

Clerk's note: A copy of the bond on file among the Bond records in the County Clerk's office.

Authorize County Treasurer to Sign Agreements with Driving Safety Services on Contract Changes

A motion was made by Comm. Hunt, seconded by Comm. Bubela to authorize Mary Horton to sign agreements.

Motion carried.

Payment Of County And Precinct Bills And Court Orders, If Any

A motion was made by Comm. Hunt, seconded by Comm. Bubela to approve the bills along with one Court Order to John D. Mercer and Associates for \$9,617.56.

Motion carried.

Consider Hiring of Vacated Positions in Sheriff’s Office, and Take any Necessary Action

A motion was made by Comm. Bubela, seconded by Comm. Belicek to allow the Sheriff’s Office to go out for applications to fill the open positions in the jail and dispatch.

Motion carried.

Consider Payroll Changes, If Any, And Take Any Necessary Action

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

Motion carried.

Payroll changes as follows:

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>
Fowler, Kirk	Jail	Resignation	\$1,164.88	\$0.00	12/07/2009
Sheblak, Jennie	County Judge	Retirement	\$925.80	\$0.00	12/31/2009
Adkins, Joetta	County Clerk	Full time	\$0.00	\$760.00	12/26/2009
McCarrell, Michelle	Sheriff	Resignation	\$1,070.92	\$0.00	12/25/2009

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>
-------------	-------------------	-----------------------	---------------------	-------------------	-----------------------

Various County Reports, If Any, And take Any Necessary Action

The 4-H report was received.

The Library report was received.

The Treasurer’s Monthly report was received.

Wayne Hunt submitted a Certificate of Participation for 14 hours of Educational Training.

ADJOURNMENT

A motion was made by Comm. Belicek, seconded by Comm. Bubela to adjourn at 9:30 a.m.

Meeting **ADJOURNED.**

APPROVED this the 28th day of December, 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
DECEMBER 28, 2009**

On this the 28th day of December, 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
Leslie Miller	Deputy County Clerk

At which time the following proceedings were had.

Citizens Comments

There were none.

Minutes Approved

The Minutes of December 14, 2009 were presented.

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

Motion carried.

Budget Amendments

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

Motion carried.

Budget Amendments as follows:

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET
12-23-2009 4:35 PM PRELIMINARY BUDGET ADJUSTMENT REGISTER PAGE:						
PACKET: 00056-12/28/2009						
BUDGET CODE: NY-NEXT YEAR						

Budget Adj. # 000385						
10 333-3280	12/28/2009	GENERAL-HOMELAND SE	729.00	0.00	0.00	97,496.03-
		STATE HOMELAND SECURITY G				
10 406-5500	12/28/2009	EMERGENCY MANAGEMEN	729.00	0.00	0.00	729.00
		CAPITAL OUTLAY				

Budget Adj. # 000386						
10 333-3280	12/28/2009	GRN-HOMELAND SECURI	96,767.03	0.00	0.00	97,496.03-
		STATE HOMELAND SECURITY G				
10 560-5500	12/28/2009	SHERIFF	96,767.03	13,000.00	0.00	109,767.03
		CAPITAL OUTLAY				

Budget Adj. # 000387						
10 333-3235	12/28/2009	LIBRARY	5,837.00	0.00	0.00	5,837.00-
		LIBRARY GRANTS				
10 650-4180	12/28/2009	LIBRARY	4,997.00	7,000.00	0.00	11,997.00
		SALARY, PART/TIME SECRETARIES				
10 650-4201	12/28/2009	LIBRARY	400.00	5,004.00	0.00	5,404.00
		FRG BENE, SCC SEC TAXES				
10 650-4203	12/28/2009	LIBRARY	410.00	5,004.00	0.00	5,414.00
		FRG BENE, RETIREMENT				
10 650-4204	12/28/2009	LIBRARY	5.00	205.00	0.00	210.00
		FRG BENE, WORK COMP				
10 650-4206	12/28/2009	LIBRARY	25.00	33.00	0.00	58.00
		FRG BENE, UNEMPLOYMENT COMP				

Budget Adj. # 000388						
25 333-3272	12/28/2009	DIVERSIONARY PLACEM	23,539.00	0.00	0.00	23,539.00-
		DIVERSIONARY PLACE - TJPC-H				
25 577-4575	12/28/2009	DIVERSIONARY PLACEM	23,539.00	0.00	0.00	23,539.00
		RESIDENTIAL SERVICES				
25 333-3277	12/28/2009	COMMIT REDUCTION	25,000.00	0.00	0.00	25,000.00-
		COMMIT REDUCTION - TJPC-C				
25 579-4575	12/28/2009	COMMIT REDUCTION	25,000.00	0.00	0.00	25,000.00
		RESIDENTIAL SERVICES				

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET
Budget Adj. # 000389 -----						
28 367-3672	12/28/2009	SUMMER READING DONA SUMMER READING	1,000.00	2,000.00-	0.00	3,000.00-
28 651-4550	12/28/2009	SUMMER READING PROFESSIONAL FEES	1,000.00	2,000.00	0.00	3,000.00
Budget Adj. # 000390 -----						
10 650-5500	12/28/2009	LIBRARY CAPITAL OUTLAY	56.50-	8,865.00	0.00	8,808.50
10 650-4310	12/28/2009	LIBRARY OFFICE SUPPLIES & EXPENSES	56.50	5,000.00	0.00	5,056.50
Budget Adj. # 000391 -----						
42 612-4381	12/28/2009	R&B #2 ROAD MATERIALS, C/O	200.00-	105,600.00	0.00	105,400.00
42 612-4310	12/28/2009	R&B #2 OFFICE SUPPLIES & EXPENSES	200.00	250.00	0.00	450.00
Budget Adj. # 000392 -----						
72 331-3170	12/28/2009	CIAP - GOMESA GOMESA	8,343.94-	10,000.00-	0.00	1,656.06-
72 660-5500	12/28/2009	CIAP - GOMESA CAPITAL OUTLAY PACKET NOTES: CERTIFY AND BUDGET - 385 - CERTIFY & BUDGET - FY 2008 HOMELAND SECURITY FUNDS FOR EOC SHSP GRANT (DESK) (APPROX \$5488.71 REMAINING) 386 - CERTIFY & BUDGET - FY 2008 HOMELAND SEC FUNDS FOR LAW ENFORCEMENT GRANT - FOR REPEATER & 800 PORTABLE RADIOS (APPROX \$1142.97 REMAINING) 387 - CERTIFY & BUDGET - LONE STAR LIBRARY GRANT FOR PART TIME PERSONNEL 388 - CERTIFY & BUDGET - TJPC GRANT FUNDS RECEIVED AFTER FY10 BUDGET ADOPTED 389 - CERTIFY & BUDGET - DONATION FROM WAL-MART FOR SUMMER READING PROGRAM 390 - RECLASS BALANCE OF TOCKER GRANT TO OFFICE SUPPLIES FOR PRINT CARTRIDGE. APPROVED BY GRANTOR. 391 - COVER WIRELESS NETWORK ROUTER 392 - ADJ BUDGET TO ACTUAL GOMESA DMT RECEIVED	8,343.94-	621,141.00	0.00	612,797.06

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	
Budget Adj. # 000392 -----							
					TOTAL NO. ADJUSTMENTS--REVENUE:	7	144,528.09
					TOTAL NO. ADJUSTMENTS--EXPENSE:	15	144,528.09
					TOTAL IN PACKET--		289,056.18

*** NO WARNINGS ***

*** NO ERRORS ***

*** END OF REPORT ***

Update and News on Reverse 911 System, and Take any Necessary Action

Lorrie McClennan spoke to the Court concerning the Reverse 911 System. She thanked the Court for letting her attend the Fall Conference for the Reverse 911 Summit. She noted that Plant CML will be the new company effective January 15, 2010. She noted she was told by Plant CML that our contract obligated us to update our equipment every three years. She also stated that we should educate the public on what the system is and when they are called to not ignore the call.

Consider Emergency Management Performance Grant Application for Fiscal Year 2010, and Take any Necessary Action

A motion was made by Comm. Bubela, seconded by Comm. Dayton to approve the application and allow Judge Stafford to sign the application.

Motion carried.

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

Consider Deputation in County Clerk's Office, and Take any Necessary Action

A motion was made by Comm. Belicek, seconded by Comm. Hunt to approve the deputation of Joetta Adkins in the County Clerk's office.

Motion carried.

Clerk's Note: The deputation on file among the Deputation Records in the County Clerk's office.

Consider the Grant Application from the Texas Commission on the Arts for Funds for Summer Reading Program, and Take any Necessary Action

A motion was made by Comm. Belicek, seconded by Comm. Bubela to approve the application and allow Judge Stafford to sign.

Motion carried.

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

Deputize Maria Christina Hernandez in District Clerk Office, and Take any Necessary Action

A motion was made by Comm. Bubela, seconded by Comm. Hunt to approve the deputation of Maria Christina Hernandez in the District Clerk's office.

Motion carried.

Clerk's note: The deputation on file among the Deputation Records in the County Clerk's office.

Consider Contract Renewal with West Law for Law Library Services, and Take any Necessary Action

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

Motion carried.

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

Consider Computer System in District Courtroom, and Take any Necessary Action

Sharon Mathis, District Clerk, spoke to the Court concerning purchasing a computer and printer for the District Courtroom. She noted this computer system will allow them to have the Judgment and Sentence ready within a few minutes.

A motion was made by Comm. Bubela, seconded by Comm. Deyton to approve the purchase of the computer and printer on government contract with Dell for \$983.45 for the computer and \$105.59 for the printer. Funds to be transferred from General Fund – Nondepartmental, Unclassified.

Motion carried.

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

Consider CIRA Services Contract Renewal, and Take any Necessary Action

A motion was made by Comm. Hunt, seconded by Comm. Bubela to approve the no cost contract for web hosting and authorize Judge Stafford to sign.

Motion carried.

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

Consider Memorandum of Understanding between Jackson County and the Supreme Court of Texas for Support of Continuity of Court Operations in the Event of an Emergency, and Take any Necessary Action

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

Motion carried.

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

Consider Special Road Use Agreement with Atinum Operating, Inc., regarding County Road 412 and Hwy 111 East, and Take any Necessary Action

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

Motion carried.

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

Certify and Budget Funds Received Under the Following Grant: a. Wal Mart Grant \$1,000.00 Summer Reading Program

This item was taken care of under Budget Amendments.

Consider Approval of Maintenance and Service Agreement with Great American Leasing Company, and Take any Necessary Action

Michelle Darilek noted the lease was approved by Court in November and this is a separate Maintenance and Service Agreement.

A motion was made by Comm. Bubela, seconded by Judge Stafford to approve the agreement at no extra cost and allow Judge Stafford to sign.

Motion carried.

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

Consider Energy and Efficiency Conservation Block Grant, and Take any Necessary Action

Michelle Darilek noted the final application for this grant is due on January 17, 2010. The amount the County is allotted is \$57,576. Golden Crescent has agreed to administer the grant for \$1,000, which will be paid from the grant funds.

A motion was made by Comm. Bubela, seconded by Comm. Belicek to apply for the grant with Golden Crescent to administer the grant for lighting retrofit in the Courthouse.

Motion carried.

Consider Support and Maintenance Agreement for Microfilm Machine at Library and Take any Necessary Action

A motion was made by Judge Stafford, seconded by Comm. Hunt to approve the agreement and authorize Michelle Darilek to sign.

Motion carried.

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

Consider Payment of County and Precinct Bills, and Court Orders

A motion was made by Comm. Bubela, seconded by Comm. Deyton to pay the County and Precinct bills.

Motion carried.

Consider Payroll Changes, If Any, And Take Any Necessary Action

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

Motion carried.

Michelle Darilek noted the overtime for jailers is almost depleted and monies will be transferred from Abandoned Motor Vehicle per budget discussion.

Payroll changes as follows:

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	Resignation	\$1,070.92	\$0.00	12/26/2009	date correction

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>
Bear, Christy	Sheriff		\$9.50	\$10.00	12/27/2009
Martin, Jessica	Sheriff		\$9.50	\$10.00	12/27/2009
Griggs, Leigh	Sheriff		\$9.50	\$10.00	12/27/2009
Parker, Joy	Sheriff		\$0.00	\$10.00	12/18/2009
Phipps, Adrienne	Sheriff		\$9.50	\$10.00	12/27/2009
Hernandez, Christy	District Clerk/Records Management		\$0.00	\$7.65	12/28/2009

Various County Reports, If Any, And take Any Necessary Action

Judge Stafford noted the USDA is seeking applications for single family housing loans.

Comm. Bubela noted that a roof blew off during a storm at the Transfer Station.

Court recessed for a 10 minute break at 9:43 a.m.

Court reconvened with full Court present at 9:55 a.m.

Workshop on Justice of the Peace Pct. #1

Judge Stafford noted the Judge Bobby Doelitsch has another job and will be resigning so there is a need to appoint someone.

After discussion it was noted that Cathy Calloway, retired Justice of the Peace, agreed to accept appointment if requested. Appointment to be determined at January 11, 2010 meeting.

ADJOURNMENT

A motion was made by Comm. Deyton, seconded by Comm. Belicek to adjourn at 10:15 a.m.

Meeting **ADJOURNED.**

APPROVED this the 11th day of January, 2010.

Harrison Stafford, II
County Judge

ATTEST:

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