

Hamilton County Commissioner's Court  
Regular Session  
Monday, September 28, 2009  
9:00 A.M.

Hamilton County Commissioner's Court met in Regular Session on Monday, September 28, 2009 at 9:00 A.M. with the following members present: County Judge Randy Mills, Commissioners Jim Boatwright, Mike Lewis, Jon Bonner and Dickie Clary.

The meeting was called to order and Judge Mills opened with prayer.

There were no public comments.

A motion was made by Clary and seconded by Boatwright to approve the minutes of September 14, 2009 with the correction to the paragraph where Precinct One bought the mower which was financed by Capital City Leasing. It should read as follows: The purchase price of the mower is \$34,189.44 with annual payments of \$12,116.99 for three years at an interest rate of 4.2%. The motion carried unanimously.

A motion was made by Lewis and seconded by Bonner to approve the budget amendments submitted. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 34 Page 350)

A motion was made by Lewis and seconded by Clary to approve \$380,173.46 amount of bills submitted for payment. The total amount comprised of \$230,197.99 for courthouse restoration and \$79,223.40 for regular bills. The law enforcement contract refunds to both of the cities were also in this billing cycle. The City of Hamilton was refunded \$48,423.27 and the City of Hico was refunded \$22,278.80 which respectively equates to 35.9% and 16.5% of their contracts. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 34 Page 355)

A motion was made by Boatwright and seconded by Lewis to approve the Texas Department of Rural Affairs and Hamilton County Disaster relief Program Grant Contract. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 34 Page 368)

A motion was made by Boatwright and seconded by Clary to approve the Fair Housing Resolution. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 34 Page 396)

A motion was made by Bonner and seconded by Boatwright to approve the Resolution Appointing authorized Signatures for the Disaster Relief Program Grant. Those approved were the county judge, county treasurer, county auditor, and county

clerk. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 34 Page 397)

A motion was made by Clary and seconded by Bonner approving the Resolution Regarding Section 504 Grievance Procedures related to Employment of Persons with Disabilities. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 34 Page 398)

A motion was made by Boatwright and seconded by Clary to table the Administration Contract for the Disaster Relief Grant. Steve Kirbo stated that today is the beginning date of the grant. The motion carried unanimously.

Judge Mills was excited to inform the court that Lady Justice which was located behind the District Judge's Bench had been found and returned to Hamilton County by Frances Ramsey.

Commissioner Lewis continued stating that Hamilton County Courthouse Restoration is continuing with some problems related to the roof support needed for the installation of the cupola. The support that is being addressed is that of north and south winds which might impact the stability of the structure. This will require a change order and the estimated cost is \$117,000.00. Lewis met with the architects and discussed an alternative which is being considered and if this alternative is accepted it will cost the county a lot less money.

Commissioner Bonner stated his concern that after all this time the architects just discovered this problem. Bonner further stated that he did not feel that this was Hamilton County's responsibility and that the county should not be out any money. The architects are at fault here and should be held accountable. Commissioner Boatwright concurred.

Judge Mills stated that he felt like it was based upon an assumption and we all know where assumptions can lead.

Commissioner Lewis continued that there were some positives that had occurred from the chain of events. One thing this would allow for would be that the elevator cars could be installed during Phase II of the reconstruction which helps with the inspections and warranties associated with them.

The projected completion date is now December which is intertwining with the application process of Phase II. Texas Historical Commission's Representative Bess Graham is going to inquire with the commission to see if this is going to impact Hamilton County in Phase II.

The court would like for the next owners meeting of October 21, 2009 to be a posted meeting to allow the court to meet with the group so that the court may hear first hand the details concerning the cupola.

A motion was made by Boatwright and seconded by Lewis to appoint James Lancaster the representative for Hamilton County Solid Waste Advisory Committee (SWAC). The motion carried unanimously.

A motion was made by Lewis and seconded by Clary to approve The County Information Resources Agency (CIRA) Services Agreement for email maintenance and two-way travel on list serve. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 34 Page 400)

A motion was made by Lewis and seconded by Bonner to approve the Interlocal Governmental Contract between the City of Hico and the County of Hamilton for the purpose of maintaining an office for the use of the Justice of the Peace, Precinct Three. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 34 Page 411)

A motion was made by Clary and seconded by Bonner to Table Item Thirteen of the agenda which was to adopt order to continue the present residential construction inspection plan or a modification thereof. The motion carried unanimously.

County Auditor Marliessa Clark reported to the court that the Fair Labor Standards Act does not require pay for holidays. Holidays are considered a benefit therefore the county is not required to pay. Ms. Clark also recommended to the court that the county pay the employees as the benefit occurs and therefore it would vastly minimize the bookkeeping involved.

The court decided that they would like to see the change to the policy in writing and then submitted to the court for consideration and/or approval. Judge Mills stated that he would get with Ms. Eoff and present to the court the change in writing for an amendment to the current policy.

A motion was made by Bonner and seconded by Boatwright to approve the bond renewal for Texas Agrilife Extension Service Secretary Susan Hemphill. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 34 Page 413)

A motion was made by Clary and seconded by Boatwright to approve the bond for Hamilton County Assistant Treasurer Dicie Moyers. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 34 Page 415)

Commissioner Bonner briefed the court on the letter received from Lone Star about the utility transmission line which would impact Hico and the northern end of Hamilton County.

A motion was made by Boatwright and seconded by Bonner to approve the departmental reports submitted. The motion carried unanimously. (Recorded in Commissioners Court Papers Book 34 Page 418)

A motion was made by Clary and seconded by Bonner to adjourn. The motion carried unanimously.

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County Judge

Attest: \_\_\_\_\_  
County Clerk