

Hamilton County Commissioner's Court
Regular Session
Monday, November 8, 2010
9:00 A.M.

Hamilton County Commissioner's Court met in Regular Session on Monday, November 08, 2010 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.

Dave Gustafson stated that this election cycle had been tough on everyone. Mr. Gustafson stated that he thought that Commissioner Bonner should have given his comments while Damon Chumney was present not after he left.

Damon Chumney suggested that copies of the bills be made for the public and that their may be some open records request if the court is not more forthcoming. Mr. Chumney also reiterated that it was a mistake to purchase the \$600,000.00 in Certificates of Obligation to finance the courthouse restoration project. Continuing he added that he notice that there was no prayer before special meetings.

Commissioner Bonner asked Judge Mills for a responsive action and to clarify the procedures when the Commissioner's Court usually responds to the public comments. Judge Mills explained that the court usually held their comments until the end of the meeting. That is the normal protocol.

Judge Mills stated that we will review the bills when they are brought up on the agenda. Mills continued to say that the Certificates of Obligation is history. It is done and we need to go forward for the mental health of all concerned.

Central Texas Council of Governments 9-1-1 Specialist Cindy Bridges recommended to the court that a section of property located on Highway 22 off of County Road 300 needed to have a private road designation. Commissioner Lewis asked her recommendation for the road number and Ms. Bridges suggested Private Road 298. The court will place this item on the next agenda for approval.

A presentation was made by Senntech's owner Stephen Senn concerning his desire to render information technology (I.T.) services to Hamilton County. Judge Mills explained to the court that in his time in office the county had been through several I.T. people trying to supply the county's needs. Judge Mills suggested that we have a workshop to develop the needs of the departments in hopes to better determine what would be best.

The court passed on the minutes of October 21, 2010 Commissioner's Court. County Clerk Debbie Rudolph was still waiting for information from RBR Construction to complete those minutes.

A motion was made by Clary and seconded by Boatwright to approve the minutes of October 25, 2010 changing Paragraph Five deleting "for the geo thermal" at the end of the sentence. The motion carried unanimously.

A motion was made by Lewis and seconded by Bonner to rescind the approval of the bills of October 25, 2010 in the amount of \$117,294.57. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 38 Page 77)

A motion was made by Bonner and seconded by Lewis to re-approve the bills for October 25, 2010 in the amount of \$117,072.57. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 38 Page 77)

The court discussed at length if the budget amendments were available to the public and currently how we do business. Judge Mills asked the court if they wanted the budget amendments read. It is not a problem if you want me to. County Treasurer Debbie Eoff stated that she could print another copy to place on the court's table for the public to review. The budget amendments and the list of claims (bills) are filed for record with the County Clerk. It was determined that the budget amendments would be read aloud by County Treasurer Debbie Eoff.

A motion was made by Boatwright and seconded by Lewis to approve two budget amendments. The two amendments were tendered to the court which County Auditor Marliessa Clark had submitted a letter which served as a certification which is required by Title 4, Subtitle B, Sec. 111.0107 of the Local Government Code, of receipt of revenue from intergovernmental contracts available to disbursement but not included in the budget for this year. Attached was a copy of the special budget amendments for the limited purpose of spending the revenue for general purposes or any of its intended purposes. (1) ORCA Grant and (2) Communications Grant; the motion carried unanimously. (Recorded in Commissioner's Court Papers Book 38 Page 1)

A motion was made by Clary and seconded by Bonner to approve payment of \$132,376.02 amount of bills submitted for payment. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 38 Page 5)

An overview of the Hamilton County Courthouse Restoration Project was presented by Judge Mills and Komatsu Architecture's Charlie Wilson. Judge Mills explained that the funding was granted in phases being Phase I-Exterior Restoration and Phase II Interior Restoration. Ms. Wilson then explained that although the funding was granted in phases that some of the work being done in Phase I was actually work that could have been done in Phase II. One example of this was the elevators.

The decision for the geo thermal wells used for the heating and cooling was made because the Texas Historical Commission would not allow the enormous chillers necessary for the building to be placed on the roof. You would not want those sitting on your lawn, nor would you have wanted them to be placed in the parking lot in addition to the ones already installed. Wilson stated that the cost of the geo thermal was \$635,405.00. The investment payback should be in five to eleven years. The geo thermal wells were moved to Phase II because it made more sense.

Ms. Wilson also pointed out that Texas Historical Commission funds 85% of the project. Any money left over THC takes back so the court made the decision to spend all the money so that it would be used and not returned to THC. The Texas Historical Commission only funded \$20 million last round and it was fortunate that Hamilton County had already started this project so that it allowed them to receive the additional funding.

Judge Mills asked County Auditor Marliessa Clark to give a financial overview and Ms. Clark did not have her numbers with her. Ms. Clark did say that there was approximately \$65,000.00 underage on Phase I that is to be split with RBR Construction. Clark added that the county has approximately \$200,000.00-\$215,000.00 not spoken for but THC has that money. The county's share of Phase I is \$400,000.00 and she estimated that the county's 15% match for Phase II is \$562,000.00.

Ms. Wilson then explained to the court how the bid process works and the construction manager at risk (CMAR) who is a general contractor who takes on all the responsibility for the project. The CMAR works in conjunction with the county, architects and the Texas Historical Commission.

After this long review the court recessed at 10:20 A.M. for ten minutes. Reconvening at 10:30 A.M. the court proceeded with the following:

A motion was made by Boatwright and seconded by Bonner to approve the 2011 Hamilton County Resolution Indigent Defense Grant Program. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 38 Page 18)

Hamilton County Auditor Marliessa Clark reported that the bank reconciliation was completed up to August 2009 with the exception of Accounts Payable which Assistant County Treasurer Dicie Moyers was working to complete. Upon completion of the Accounts Payable reconciliation for August 2009 then September 2009 reconciliation will begin.

A motion was made by Bonner and seconded by Boatwright to approve the request by John McStay Ranch to bore a water line under CR 231 in Precinct Three. The water line will be placed twenty-four inches below the existing greater ditch. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 38 Page 20)

Judge Mills requested to be removed from the Hamilton County Law Enforcement Committee because he felt like he was not the best advocate because of his strong feelings. Mills stated that he is concerned with how the county is reimbursed for the services. Most activity occurs within the city limits and the residents of the county get the short end of the stick. We are functioning for city services. Mills stated that he only knows of two possible solutions: (1) no law enforcement contract and (2) hire more deputies.

Commissioner Clary volunteered to serve and fill Mill's vacancy. A motion was made by Bonner and seconded by Boatwright to remove Judge Randy Mills as a member from the Hamilton County Law Enforcement Committee and appoint Commissioner Dickie Clary to fill the vacancy created by Judge Mill's removal. The motion carried unanimously.

A motion was made by Lewis and seconded by Bonner to ratify the appointment of Ms. Donna Twain of Coryell County for a two-year term to Central Counties Mental Health Mental Retardation Board of Trustees. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 38 Page 21)

The court discussed and reviewed the guidelines for the Feral Hog Abatement Program. It was acknowledged by the court that the signed notarized statement by Hamilton County Trapper Danny Craig would be sufficient in certifying the number of feral hogs killed in the month of October 2010. The court also designated a member of the court to sign the "Letter of Intent" as Judge Mills drafted the letter. The court agreed that Commissioner Clary would be the court member to sign this letter of intent. (Recorded in Commissioner's Court Papers Book 38 Page 23)

A motion was made by Bonner and seconded by Boatwright to approve the Resolution Authorizing the Application to County Grants for Implementation of "Hog Out" Abatement Technologies Programs. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 38 Page 27)

County Clerk Debbie Rudolph informed the court that one of the election precincts submitted a request for payment of \$50.00 for the facility instead of the normal \$25.00 which the county had paid the entity for years. Ms. Rudolph recommended that if we pay one polling location \$50.00 that we increase the other precincts as well. A motion was made by Bonner and died for lack of a second. County Clerk Rudolph ask for clarity from the court if she is to pay the \$50.00 requested by the one polling location and County Attorney Mark Henkes stated that the action of the court required me to pay only \$25.00 to all polling locations.

Hamilton County Auditor Marliessa Clark is to provide the Hamilton County Commissioners Court with a financial review of Phase I of the Courthouse Restoration Project for Commissioner's Court Friday, November 12, 2010.

Judge Mills stated that he had received notification from Allison Bass and Associated of a dismissal of the lawsuit in the United States District Court for the Western District of Texas, Waco Division against Randy Murphree, Johnny Slough, B. J. Shepherd, and Douglas Forrest brought by Carolyn Barns, Complainant.

A motion was made by Lewis and seconded by Boatwright to approve the departmental reports submitted. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 38 Page 28)

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

County Judge

Attest: _____
County Clerk