

Hamilton County Commissioner's Court
Regular Session
Monday, November 14, 2011
9:00 A.M.

Hamilton County Commissioner's Court met in Regular Session on Monday, November 14, 2011 at 9:00 A.M. with the following members present: County Judge Randy Mills, Commissioners Jim Boatwright, Mark Tafel, Jon Bonner and Dickie Clary.

Judge Mills called the court to order and opened with prayer.

Lloyd Huggins stated that he was in support of the OSSF contract which he believes to be a critical element of the Leon Rivershed Protection Plan.

Damon Chumney spoke stating that he was pleased to see that the court supported not changing the subdivision rules. Mr. Chumney stated that he was also in favor of the OSSF contract. He continued stating that he questioned the purchase of the vault door with an expense of \$16,000.00. The protocol that was used for the selection of the county's nominee for the Hamilton County Appraisal District Board was also in question.

Judge Mills responded to Mr. Chumney saying that he should know the code for appointments. I usually go by a policy as a general rule. Is it up to me to spoon feed the commissioners? John Galindo is our candidate who lives in Precinct Two. Mr. Galindo serves our county well and I am a big believer in experience.

A motion was made by Clary and seconded by Tafel to approve the following budget amendments: Precinct Two from Road Materials and Supplies to Non Capital Equipment, Courthouse from Electricity-Annex to Multi Purpose Utilities and Hill Country Community Action and Non-departmental from Professional Services to Redistricting Fee. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 41 Page 425)

A motion was made by Clary and seconded by Boatwright to approve the consent agenda as follows:

- A. Minutes of October 24, 2011 Commissioner's Court Meeting
- B. Minutes of November 9, 2011 Owner's Meeting (No minutes-meeting not posted for commissioner's court)
- C. Approve the Departmental Reports
- D. Approve Bills Submitted for Payment -\$114,353.11

The motion carried by a majority vote. Mills abstained. (Recorded in Commissioner's Court Papers Book 41 Page 432 and 667)

Chris Rowe, Representative of Null-Lairson Certified Public Accountants presented the county's 2010 outside audit. Mr. Rowe stated that in the end everything was found where it is to be. A motion was made by Boatwright and seconded by Clary to accept the Outside Annual Financial Audit for the year 2010. The motion carried by a majority vote. Mills abstained. (Recorded in Commissioner's Court Papers Book 41 Page 552)

Hamilton County Burn Ban-Court took no action waiting two weeks for review

A motion was made by Tafel and seconded by Bonner to accept an anonymous donation for Precinct Two. The donation was for \$500.00. Commissioner Tafel stated that the donor wanted to remain anonymous. The motion carried by majority vote. Mills abstained.

A motion was made by Tafel and seconded by Bonner to accept the property damage loss payments from Texas Association of Counties Risk Management Pool for damages which arose out of a water damage claim on August 1, 2011. The total amount of claims for the county was \$183,000.00 with the county treasurer receiving \$6,156.36 and the county clerk receiving \$14,157.07 from the total amount of the claim. The salvage retention of \$250.00 and the deductibles of \$500.00 were deducted from the respective offices. Boatwright, Tafel, Bonner and Clary voting for and Mills abstains. The motion carried by a majority vote. (Recorded in Commissioner's Court Papers Book 41 Page 506)

A motion was made by Bonner and seconded by Boatwright to approve bond renewal for Hamilton County Constable Precinct Three, Peggy Parks, Hamilton County Sheriff Gregg Bewley, Hamilton County Deputy County Clerk Kiesha Bagwell, Hamilton County Reserve Deputy Sheriff Rondy Frank and Hamilton County Reserve Deputy Sheriff Sam Gladney. The motion carried by majority vote. Boatwright, Tafel, Bonner and Clary voting for and Mills abstained. (Recorded in Commissioner's Court Papers Book 41 Page 446)

A motion was made by Mills and seconded by Boatwright to approve casting 750 votes for John Galindo and the balance of 717 votes for David Lengefeld. Tafel stated that he did not want to do that. He would like to see Galindo receive 750 votes and divide the balance of 717 among the remaining candidates equally with 143 votes cast leaving two votes on the table. The motion died due to Judge Mills rescinding his motion as well as Boatwright rescinding his second. A motion was made by Tafel and seconded by Bonner to cast 750 votes to John Galindo and the remaining 717 divided equally between nominees Lynn Allen, Billy Lasater, David Lengefeld, T. P. Medlock and Kenney Wiese leaving two votes on the table. The motion carried unanimously. (Recorded in Commissioner's Court Papers Book 41 Page 504)

Commissioner Boatwright stated that he did not have a problem with John Galindo but he did not like the protocol used in this process / selection of the county's nominee.

A motion was made by Clary and seconded by Boatwright to ratify the blanket order regarding inspection of Mental Health Court Records in 220th Judicial District Court of Bosque, Comanche and Hamilton County, Texas. The motion carried by a majority vote. Mills abstained. (Recorded in Commissioner's Court Papers Book 41 Page 445)

A motion was made by Bonner and seconded by Clary to approve 2011 Hamilton County Resolution Indigent Defense Grant Program. The motion carried by a majority vote. Mills abstained. (Recorded in Commissioner's Court Papers Book 41 Page 459 and 531)

Commissioner Clary presented a review regarding the On Site Sewage Facility Repair/Replacement Program

Judge Mills called for a recess to allow for a conference call regarding the telephone system for the courthouse. The court recessed at approximately 10:50A.M.

Commissioner Tafel was absent upon reconvening from the court's recess.

Reconvening a motion was made by Clary and seconded by Boatwright to approve the On Site Sewage Facility Repair/Replacement Program Contract. The motion carried by a majority vote. Mills abstained. (Recorded in Commissioner's Court Papers Book 41 Page 460)

During the courthouse restoration discussion Judge Mills stated that a surge protector would be installed in the courthouse to protect the electrical system. It was discussed during the owner's meeting the installation of the surge protector should be at a minimal fee.

A motion was made by Mills and seconded by Bonner to approve proceeding with Michael Van enter to restore the vault door. Mills and Bonner voted for and Boatwright and Clary voted against. Tafel was absent. The motion died for lack of a majority vote.

Commissioner Clary stated that the irrigation line in the lawn would be installed before dedication day.

Future agenda items: November 21, 2011 canvass both Constitutional Amendment and Local Option Election, Courthouse Restoration – Vault Door

Agenda Item No. 19- Consider overtime, holiday, vacation and/or sick leave payments for employees leaving county employment

Item No. 19 was Commissioner's Tafel item to address so the court did not hear this item due to his absence.

A motion was made by Boatwright and seconded by Bonner to adjourn the meeting. Boatwright, Bonner and Clary voted in favor and Judge Mills abstained. The motion carried by a majority vote.

County Judge

Attest: _____
County Clerk