

Milam County Commissioner's Court

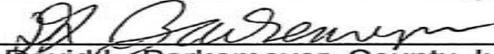
September 22, 2014

NOTICE OF MEETING OF THE COMMISSIONERS' COURT OF MILAM COUNTY, TEXAS

Notice is hereby given that a meeting of the above named Commissioner's Court will be held on Monday, the 22nd of September, 2014, at 10:00 a.m., in the Commissioner's Courtroom, Milam County Courthouse, 102 S. Fannin, Cameron, Texas, at which time the following agenda items will be covered:

- Prayer –
Period of silence followed by presentation of any additional prayers and words of encouragement
(Please complete public participation form prior to meeting)
1. Call Meeting to Order and establish quorum
 2. Pledge of Allegiance - U.S. Flag, Texas Flag. "Honor the Texas Flag, I pledge allegiance to thee, Texas, one State, Under God, one and indivisible"
 3. Approve minutes of previous meetings
 4. Public Participation (Please complete public participation form prior to meeting)
 5. Approve Utility Installations
 6. Discuss and take possible action authorizing the Road & Bridge Dept to enter private property
 7. Approve Resolution in support of Proposition One, Constitutional Amendment for State Highway Fund
 8. Approve Resolution for the determination of equipment rates for force account road work for the County Transportation Infrastructure Fund Grant Program
 9. Approve Proclamation for Constitution Week - Daughters of the American Revolution
 10. Approve Resolution opposing the plans of the Lower Brushy Creek Water Control & Improvement District to schedule another property tax election on 11-4-2014.
 11. Approve payment of bills
 12. Adjourn

Dated this the 19th day of September, 2014
Commissioners' Court of Milam County, Texas

By 
David L. Barkemeyer, County Judge

Filed 19 day of Sept
in 2014, At 9:20 A M.
BARBARA VANSA
County Clerk, Milam County, Texas
By 
Deputy

I, the undersigned, County Clerk, do hereby certify that the above Notice of Meeting of the above named Commissioners' Court, is a true and correct copy of said Notice, and that I posted a true and correct copy of said Notice on the bulletin board at the Courthouse door of Milam County, Texas, at a place readily accessible to the general public at all times on the 19th day of September, 2014, and said Notice remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

Dated this the 19th day of September, 2014
County Clerk of Milam County, Texas
Barbara Vansa

By 

If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting the Commissioners Court will conduct a closed meeting in accordance with the Texas Open Meetings Act, Government Code, Chapter 551, Subchapters D and E. Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes or decisions will be taken in open meeting.



- Prayer
- Any additional prayers and words of encouragement followed by period of silence (Please complete public participation form prior to meeting)

Item 1

- Call meeting to Order and establish quorum

Item 2

- Pledge of Allegiance
- Texas Flag
 - "Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."

Item 3

- Approve minutes of previous meetings

Item 4

- Public Participation
 - Please complete public participation form prior to meeting

RULES OF PROCEDURE, CONDUCT, AND DECORUM AT MEETINGS OF THE MILAM COUNTY COMMISSIONERS' COURT

- IV. The business of Milam County is conducted by and between the members of the Milam County Commissioners Court and by those members of the county staff, elected officials, department heads, consultants, experts and/or members of the public requested to be present and participate. While the public is invited to attend all meetings of the Commissioners Court (except Executive Sessions) the public's participation therein is limited to that of observers unless a member (or members) of the public is requested to address the Commissioners Court on a particular issue or (issues) or unless the member (or members) of the public completes a Public Participation Form and submits same to the County Judge's Secretary or county clerk prior to the time the Court Session is called to order. A sample of the Milam County Commissioners Court Public Participation Form is attached hereto as Exhibit "A".
- Each member of the public who appears before the Commissioners Court shall be limited to a maximum of five (5) minutes to make his/her remarks. Time for each speaker shall be maintained by the County Clerk or such other designated representative of the Commissioners Court.
 - Maximum discussion on any agenda item, regardless of the number of members of the public wishing to address the Commissioners Court on such agenda item (or items) shall be limited to thirty (30) minutes. In the event that more than six (6) members of the public wish to address a particular agenda item (or items), then only the first six (6) members of the public recognized to speak shall be divided equally between those members of the public wishing to speak for the agenda item (or items) and those members of the public wishing to speak against the agenda item (or items).
 - In matters of exceptional interest, the Court may, by the majority vote of the members of the Court in attendance at the meeting, either shorten or lengthen the time allocated for a particular member of the public, all members of the public and/or the amount of time allocated for all agenda items and/or a specific agenda item.
 - It is the intention of the Court to provide an open access to the citizens of Milam County to address the Commissioners Court and to express themselves on issues of county government. Members of the public are reminded that the Milam County Commissioners Court is a Constitutional Court, the Milam County Commissioners Court also possesses the power to issue a Contempt of Court Citation under Section 81.024 of the Texas Local Government Code. Accordingly, all members of the public in attendance at any Regular, Special and/or Emergency meeting of the Court shall conduct themselves with proper respect and decorum in speaking to, and/or addressing the Court; in participating in public discussions before the Court; and in all actions in the presence of the Court. Proper attire for men, women and children is mandatory. Those members of the public who are inappropriately attired and/or who do not conduct themselves in an orderly and appropriate manner will be ordered to leave the meeting. Refusal to abide by the Court's order and/or continued disruption of the meeting may result in a Contempt of Court Citation.
 - It is not the intention of the Milam County Commissioners Court to provide a public forum for the demeaning of any individual or group. Neither is it the intention of the Court to allow a member (or members) of the public to insult the honesty and/or integrity of the Court, as a body, or any member (or members) of the Court, individually or collectively. Accordingly, profane, insulting or threatening language directed toward the Court and/or any person in the Court's presence and/or racial, ethnic, or gender slurs or epithets will not be tolerated. Violation of these rules may result in the following sanctions:
 - Cancellation of a speaker's remaining time;
 - Removal from the Commissioners Courtroom;
 - A Contempt Citation; and/or
 - Such other civil and/or criminal sanctions as may be authorized under the Constitution, Statutes and Codes of the State of Texas.

Item 5

- Approve Utility Installations

NOTICE OF PROPOSED INSTALLATION
UTILITY LINE ON MILAM COUNTY RIGHT-OF-WAY

SEP 15 2014

TO: Milam County Commissioners Court
102 South Fannin Avenue
Cameron Texas 76520

Date: Sept. 12, 2014

Formal notice is hereby given that **SOUTHWEST MILAM WATER SUPPLY CORPORATION**
proposes to place a **WATER LINE**

within the right-of-way of COUNTY ROAD 234 (Approx. 2 miles North of Hwy. 79)

as follows: (give location, length, general design, etc.) SEE MAP FOR LOCATION

4" PVC CASING PIPE TO EXTEND ACROSS ENTIRE
RIGHT OF WAY. TO BE PLACED PERPENDICULAR TO
ROADWAY AT A MINIMUM DEPTH OF 36".

The line will be constructed and maintained on the road right-of-way as directed by Milam County Commissioners' Court in accordance with governing laws.

Our firm further understands that the County considers proper traffic control measures as those complying with applicable portions of the Texas Manual of Traffic Control Devices required for adoption by the "Transportation Code" (V.C.T.A. CH. 251)

The location and description of the proposed line and appurtenances is more fully shown by 1 copies of drawings attached to this notice.

Construction of this line is proposed to begin on or after the 26th day of Sept., 20 14.

APPROVAL

This application is hereby approved subject to the following understandings and restrictions:

It is expressly understood that the said County Commissioners' Court does not imply hereby to grant any right, claim, title or easement in or upon this County Road; and it is further understood that in the future, should Milam County, for any reason, need to work, improve, relocate, widen, increase, add to, decrease, or in any manner change the structure of this road or right-of-way, this line, if affected, will be moved at the direction of the Milam County Engineer or County Commissioner. This installation work shall not damage any part of the roadway and adequate provisions shall be made to cause a minimum of inconvenience to traffic and adjacent property owners.

APPROVED BY MILAM COUNTY COMMISSIONERS' COURT

by: _____

DATE: _____

SOUTHWEST MILAM WATER SUPPLY CORPORATION

PO BOX 232
ROCKDALE TX 76567
(512)446-2604 phone
(512)446-7376 fax


Authorized Signature

KEN HALL, General Manager
Printed Name

Item 6

- Discuss and take possible action authorizing the Road & Bridge Dept to enter private property

PERMISSION FOR ENTRY AND WAIVER OF CLAIMS

I, Stryker Sulak, the undersigned, hereby give my consent to Milam County and its employees to enter my property located on County Road 429, for the purpose of maintaining County Road 429. In addition, I hereby waive any and all claims against Milam County that may result from that entry.


Stryker Sulak

Date

7-13-14

Item 7

- Approve Resolution in support of Proposition One, Constitutional Amendment for State Highway Fund

RESOLUTION

Support for Proposition One Constitutional Amendment for State Highway Fund

WHEREAS, S.J.R. 1, Third Called Session, 83rd Legislature, approved a proposed constitutional amendment to be submitted to the voters on November 4, 2014; and

WHEREAS, this proposed constitutional amendment (Proposition One) will provide immediate additional funding for the state highway fund to be used only for constructing, maintaining, and acquiring right of way for public roadways other than toll roads; and

WHEREAS, this proposed constitutional amendment will provide needed support for public highways without increasing taxes; and

WHEREAS, the county road system will be eligible for assistance from this funding; now

NOW, THEREFORE, BE IT RESOLVED, that the Commissioners Court of _____ County does hereby support the Proposition One constitutional amendment for the state highway fund to be considered on November 4, 2014, and requests its approval by the voters.

Read and Adopted this _____ day of _____, 2014, by a vote of _____ ayes and _____ nays.

County Judge

Commissioner, Precinct 1

Commissioner, Precinct 2

Commissioner, Precinct 3

Commissioner, Precinct 4

ATTEST:

County Clerk

Item 8

- Approve Resolution for the determination of equipment rates for force account road work for the County Transportation Infrastructure Fund Grant Program

RESOLUTION BY THE COMMISSIONERS COURT OF MILAM COUNTY, TEXAS, APPROVING THE DETERMINATION OF EQUIPMENT RATES FOR FORCE ACCOUNT (IN-KIND) ROAD WORK FOR THE COUNTY TRANSPORTATION INFRASTRUCTURE FUND GRANT PROGRAM.

WHEREAS, Milam County has received a Grant Award Notification related to the County Transportation Infrastructure Fund ("TIF") Grant Program from the Texas Department of Transportation ("TxDOT"); and

WHEREAS, the Commissioners Court of Milam County has determined that it is in the best interests of the County to maximize the reimbursement rate for each piece of equipment used for the TxDOT County TIF Grant Program by considering both the Federal Emergency Management Administration (FEMA) Schedule of Equipment Rates and the Rental Rate Blue Book.

THEREFORE, IT IS RESOLVED BY THE COMMISSIONERS COURT OF MILAM COUNTY, TEXAS, THAT:

The County approves using the higher rate listed in either the most current FEMA Schedule of Equipment Rates or the Rental Rate Blue Book for equipment utilized for the TxDOT funded County Transportation Infrastructure fund Grant.

ADOPTED THIS _____ DAY OF SEPTEMBER, 2014, BY THE COMMISSIONERS COURT OF MILAM COUNTY, TEXAS.

David Barkemeyer, County Judge

Opey Watkins
Commissioner, Precinct 1

Kenneth Hollas
Commissioner, Precinct 2

John Fisher
Commissioner, Precinct 3

Jeff Muegge
Commissioner, Precinct 4

ATTEST:

Barbara Vansa, County Clerk

Item 9

- Approve Proclamation for Constitution Week –
Daughters of the American Revolution

**Constitution Week 2014
Proclamation**

WHEREAS, September 17, 2014 marks the two hundred and twenty-seventh anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

WHEREAS, it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and

WHEREAS, public law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 - 23 as constitution week;

NOW THEREFORE, I, David Barkemeyer, Milam County Judge, along with Milam County Commissioners of the state of Texas, do hereby proclaim September 17 - 23, 2014 to be CONSTITUTION WEEK

In Milam County, TEXAS, and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787.



David Barkemeyer, Milam County Judge

Opey Watkins, Commissioner, Pct 1

Kenneth Hollas, Commissioner, Pct 2

John Fisher, Commissioner, Pct 3

Jeff Muegge, Commissioner, Pct 4

IN WITNESS WHEREOF, we have hereunto set our hand and caused to be affixed the Great Seal of the County of Milam, in the State of Texas on this 22nd day of September, 2014 commemorating the anniversary of the Independence of the United States of America.

Item 10

- Approve Resolution opposing the plans of the Lower Brushy Creek Water Control & Improvement

**RESOLUTION
OPPOSING THE PLANS OF THE LOWER BRUSHY CREEK WATER
CONTROL & IMPROVEMENT DISTRICT TO SCHEDULE
ANOTHER PROPERTY TAX ELECTION ON NOVEMBER 4, 2014**

- WHEREAS;** The voters of Milam County residing within the Lower Brushy Creek Water Control & Improvement District #1 defeated two similar propositions on November 7, 2000 by an overall margin of 5 to 1 and again in the tax election in May, 2003.
- WHEREAS;** There is only one dam in the Milam County that would be affected by an increased tax and,
- WHEREAS;** Milam County taxpayers would pay a disproportionate share of the taxes since the majority of the tax burden placed on the Milam County property owners would be expended on dams within Williamson County where 22 of the 23 dams in the District exist and,
- WHEREAS;** The powers of the District are so general and broad that the expenditure of tax moneys for the maintenance of the dams would not be guaranteed and,
- WHEREAS;** A study requested by the District reported that a flood of biblical proportions, 30.5" in 6 hours on saturated ground would be required before the area protected by the flood control structures might be endangered and,
- WHEREAS;** This effort is apparently the result of an unfunded mandate being imposed Upon the taxpayers of the District and,
- WHEREAS;** It is not the responsibility of the tax payers throughout the District to bear risk intrinsic to those homeowners, who build in natural flood plains, particularly when flood insurance is readily available to those who need it and,
- WHEREAS;** Subsequent to the November 7, 2000, tax election, taxpayers on the Eastern end of the original District voted to separate themselves from the Western end to avoid new property taxation,
- WHEREAS;** Higher property taxes discourage economic development.

BE IT THEREFORE RESOLVED:

That in consideration of the fact that Milam County voters defeated the taxing propositions placed before them in the November 7, 2000 and again in the May, 2003 election by a margin 5 to 1, and in consideration of the other factors included in this resolution Milam County Commissioners Court, as representatives of the property owners residing within the boundaries of the District within Milam County, do hereby go on record as opposing any new property taxes proposed by the Board of the Lower Brushy Creek Water Control & Improvement District #1B.

IN WITNESS WHEREOF, members of the Commissioners Court have set their hand on this the __ day of _____, 2014.

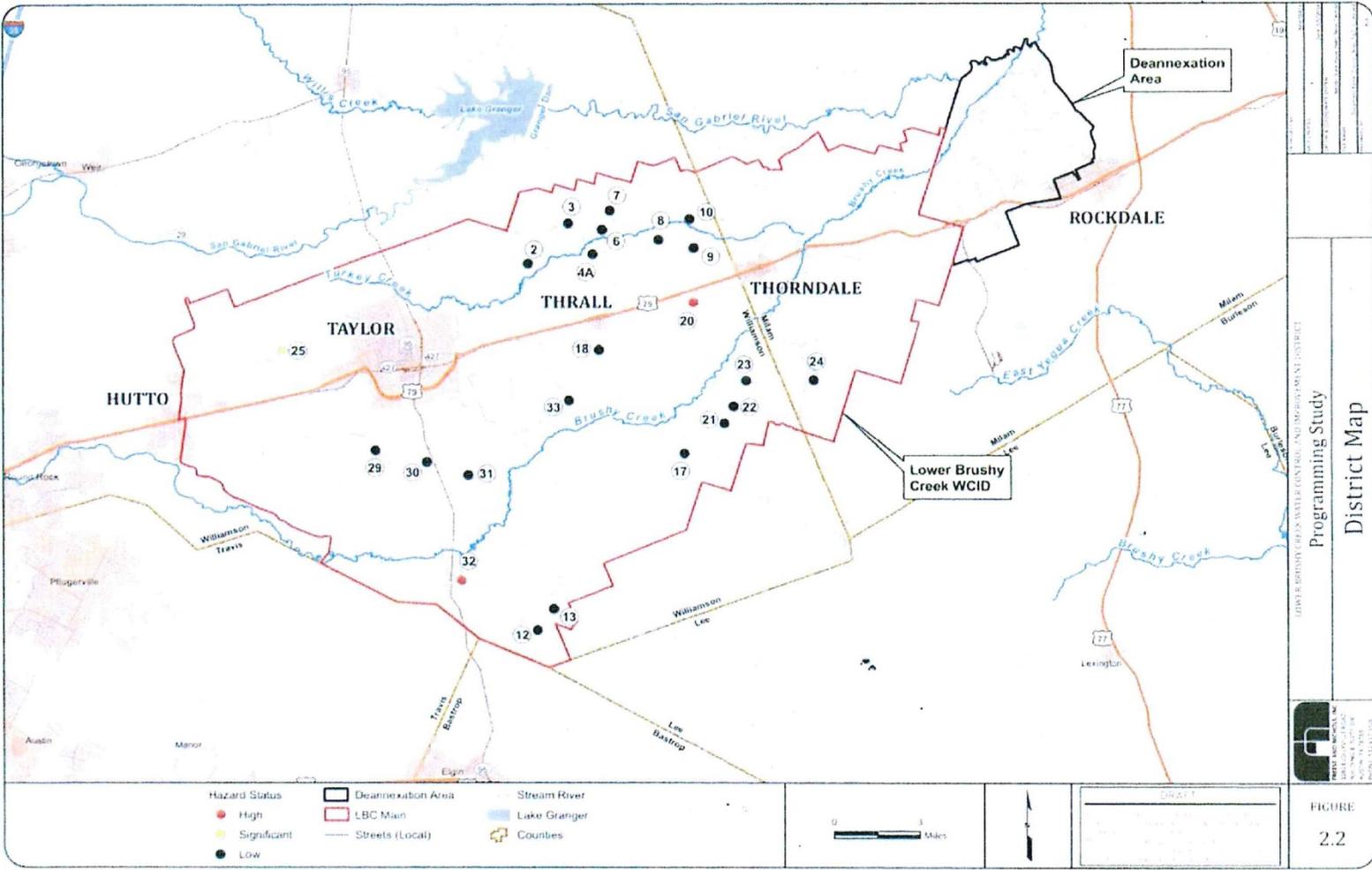
Richard Watkins, Precinct 1

Kenneth Hollas, Precinct 2

John Fisher, Precinct 3

Jeff Muegge, Precinct 4

David Barkemeyer, County Judge



JONES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT
 Programming Study
 District Map
 FIGURE 2.2

Case Number: 2020-104-1-1-1
 Document Path: \\jcwip\apps\GIS\Map Packages\960194171-00-WCID-District-Map-Fig 2.mxd

Item 11

- Approve Payment of Bills

Prepaid General Fund Utilities

A T & T	\$35.90
Atmos Energy	\$1084.00
Progressive Waste Solutions of TX	\$72.26
Progressive Waste Solutions of TX	\$792.56
Reliant Energy Solutions	\$1,917.12
Verizon Wireless	\$449.75

Grand Total

\$4,351.59

Unpaid Bills to Approve Over \$2,500

General Fund

Advantage Laundry Systems	\$8,626.65
Best Choice Food Group	\$2,962.67
Climate Control AC & Heating	\$19,179.71
CTWP Leasing	\$2,732.02
D6 Solutions LLC	\$5,415.00
Ebco Development INC	\$2,674.00
Gulf Coast Paper Co	\$3,943.58
Hart Intercivic INC	\$5,240.00
John Paschall	\$2,810.00
Milam Appraisal District	\$60,446.19
Pitney Bowes Global Fin svces LLC	\$3,066.00
Scott & White Hospital	\$13,932.62
Texas Assoc of Counties Risk Mgmt P	\$21,014.00
Variverge	\$5,000.00

General Fund Total

\$190,594.57

Unpaid Bills to Approve Over \$2,500

R & B Fund, PCT #1

Bank Of The West	\$2,931.02
Ergon Asphalt & Emulsions INC	\$12,158.98

R & B Fund, PCT #1 Total \$17,613.24

Unpaid Bills to Approve Over \$2,500

R & B Fund, PCT #2

Caterpillar Financial SVCES Corp	\$6,077.42
Holt Cat Co	\$5,910.48
Johnson Oil Company	\$7,668.25

R & B Fund, PCT #2 Total **\$24,031.04**

Unpaid Bills to Approve Over \$2,500

R & B Fund, PCT #3

Caterpillar Financial SVCES Corp	\$3,339.89
Texas Fleet Fuel	\$2,809.60

R & B Fund, PCT #3 Total \$10,820.84

Unpaid Bills to Approve Over \$2,500

R & B Fund, PCT #4

Contech Const Products	\$4,356.66
Strouhal Tire	\$2,536.04
Texas Fleet Fuel	\$3,380.67
R & B Fund, PCT #4 Total	\$16,746.11

Unpaid Bills to Approve Over \$2,500

W.I.C.

Denio's	\$3,890.00
Evergreen UV	\$2,815.75
Office Depot	\$3,338.92

W.I.C. Total Fund	\$11,321.42
-------------------	-------------

Unpaid Bills to Approve Over \$2,500

Historical Museum

Ebco Development INC	\$7,000.00
----------------------	------------

Historical Museum Total Fund	\$7,285.72
------------------------------	------------

Unpaid Bills to Approve Over \$2,500

Transaction Fees

McCreary, Veselka, Bragg & Allen PC \$3,636.30

Fund Total \$3,636.30

Unpaid Bills to Approve

Grand Total

\$288,202.71

Item 12

- Adjourn