

Milam County Commissioner's Court

June 22, 2015

**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 Tuesday, the 22nd of June, 2015, 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. Approve permission for entry and waiver of claims
7. Approve Resolution requesting Public Sale of Property
8. Approve Agreement between City of Milano and Precinct 3 for 2014 and 2015
9. Approve Deputation of Joshua L. Perez, Deputy Sheriff
10. Accept Resignation of Pct. 101 Alternate Election Judge Tom Jones and resignation for Early Voting Ballot Board Alternate Judge, Sue Jones
11. Discuss and approve relocating Pct. 316 polling location from Gause Community Center to Gause V.F.D. building
12. Discuss and take action on Gause Community Center donation
13. Approve election and alternate judges for the Countywide Polling Place Program
14. Approve Board Member term for the Central Counties Services, MHMR
15. Approve purchase of hydraulic excavator - Pct. 3
16. Approve purchase of BL70 Backhoe - Pct. 4
17. Approve sale of surplus equipment - Pct. 4
18. Recognize Distinguished Service Award from Texas Historical Commission
19. Approve line item adjustments
20. Approve payment of bills
21. Adjourn

Dated this the 18th day of June, 2015
Commissioners' Court of Milam County, Texas

By *David L. Barkemeyer*
David L. Barkemeyer, County Judge

Filed 18 day of June
in 2015, At 3:50 M.
BARBARA VANSA
County Clerk, Milam County, Texas
By *Linda Hoo*
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 Courthouse door and the County Clerk's Office of Milam County, Texas, at a place readily accessible to the general public at all times on the 18th day of June, 2015, and said Notice remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

Dated this the 18th day of June, 2015
County Clerk of Milam County, Texas
Barbara Vansa

By *Linda Hoo*



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

JUN 19 2015

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

Date: 6/17/2015

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 413

as follows: (give location, length, general design, etc.)

LOCATION - Approx. 600 ft. EAST OF FM 3061 ON COUNTY RD. 413
BORE TO BE INSTALLED PERPENDICULAR TO ROADWAY.
MINIMUM DEPTH TO BE 36 INCHES, CASING (4") to be installed

ACROSS ENTIRE ROADWAY. (Meter Installation For 4468 FM 3061)
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 15th day of July, 2015.

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

- Approve permission for entry and waiver of claims

PERMISSION FOR ENTRY AND WAIVER OF CLAIMS

I, Gary Daniel with Christianson Plumbing, the undersigned, hereby give my consent to Milam County and its employees to enter my property located on County Road 446 , for the purpose of maintaining County Road 446. In addition, I hereby waive any and all claims against Milam County that may result from that entry.



Gary Daniel, Christianson Plumbing

6-11-15

Date

Item 7

- Approve Resolution requesting Public Sale of Property

STATE OF TEXAS

COUNTY OF MILAM

**RESOLUTION REQUESTING A PUBLIC SALE
OF PROPERTY ACQUIRED BY THE COUNTY OF MILAM, TEXAS
AT A DELINQUENT TAX SALE**

WHEREAS, the following described properties were offered for sale by the Sheriff of Milam County, Texas at public auctions pursuant to judgments of foreclosure for delinquent taxes by the District Courts of Milam County; and

WHEREAS, the following described properties did not receive sufficient bids as set by law and were struck off to The County of Milam, Texas, Trustee, for the use and benefit of itself and the other taxing units which levied taxes on the properties, pursuant to Section 34.01 (j) Texas Tax Code; and

WHEREAS, TEX. TAX CODE § 34.05 (c) and (d) provides that a taxing unit may request that the Sheriff sell properties at a public sale to the highest bidder with no minimum bid required,

THEREFORE, BE IT HEREBY RESOLVED that The County of Milam, Texas, does hereby request the Sheriff of Milam County, Texas to conduct a public sale in the manner prescribed by the Texas Rules of Civil Procedure and § 34.05 (c) and (d) of the Texas Tax Code and sell the following described properties to the highest bidder for cash with a minimum bid of \$250.00 for each property.

Properties to be sold:

Tax Account 000000019806, Lot 2, Block G, Green Addition to the City of Cameron, Milam County, Texas being more particularly described in Volume 1229, Page 262 of the Deed Records, Milam County, Texas

Tax Account 000000010708, Lot 10, Block 29, West Cameron Addition to the City of Cameron, Milam County, Texas being that property more particularly described in Volume 1215, Page 112 of the Deed Records, Milam County, Texas

Tax Account 000000015070, Lot 1, Block 3, Lester Addition to the City of Cameron, Milam County, Texas being that property more particularly described in Volume 1229, Page 264 of the Deed Records, Milam County, Texas

Tax Account 000000024194, The South part of Lot 2 and all of Lot 3, Block 36, Original Townsite to the City of Rockdale, Milam County, Texas being that property more particularly described in Volume 1238, Page 223 of the Deed Records, Milam County, Texas

BE IT FURTHER RESOLVED that the County Judge of Milam County, Texas, is authorized to execute any deed necessary to convey the property sold pursuant to this Resolution.

THIS RESOLUTION WAS ADOPTED this _____ day of _____, 2015 by the Commissioners Court of Milam County, Texas.

County Judge

Attested: County Clerk

Item 8

- Approve Agreement between City of Milano and Precinct 3 for 2014 and 2015

INVOICE for 2014

INTER-GOVERNMENTAL AGREEMENT
CITY OF MILANO AND MILAM COUNTY

WHEREAS, the City of Milano has need to have some of the city streets graded,
and

WHEREAS, the City of Milano does not have the equipment nor manpower to do
this work, and

WHEREAS, the Commissioner of Precinct #3 has the equipment for grading and
the manpower to operate the equipment;

BE IT THEREFORE RESOLVED that the City of Milano and the
Commissioners Court of Milam County hereby enter into an inter-governmental
agreement whereby the Commissioner of Pct. 3 will provide the equipment and
manpower to grade the streets of Milano, at the discretion of the Commissioner,

AND THE CITY OF MILANO will pay Milam County an annual fee of \$1,250
as long as the agreement is in effect and provide or pay for all material and reimburse the
County for all labor cost as determined by the Commissioner of Pct. 3. Either party to
this agreement may terminate this agreement at any time without the approval of the
other party.

PASSED AND APPROVED by the Commissioners Court of Milam County,
Texas meeting in regular session on the 22nd day of June, 2015.

PASSED AND APPROVED by the City Council of Milano, Texas, meeting in
regular session on the _____ day of _____, 2015.

David L. Barkemeyer, County Judge

Attest: County Clerk

Mayor of Milano

Attest: City Secretary

INTER-GOVERNMENTAL AGREEMENT
CITY OF MILANO AND MILAM COUNTY

WHEREAS, the City of Milano has need to have some of the city streets graded, and

WHEREAS, the City of Milano does not have the equipment nor manpower to do this work, and

WHEREAS, the Commissioner of Precinct #3 has the equipment for grading and the manpower to operate the equipment;

BE IT THEREFORE RESOLVED that the City of Milano and the Commissioners Court of Milam County hereby enter into an inter-governmental agreement whereby the Commissioner of Pct. 3 will provide the equipment and manpower to grade the streets of Milano, at the discretion of the Commissioner,

AND THE CITY OF MILANO will pay Milam County an annual fee of \$1,250 as long as the agreement is in effect and provide or pay for all material and reimbursers the County for all labor cost as determined by the Commissioner of Pct. 3. Either party to this agreement may terminate this agreement at any time without the approval of the other party.

PASSED AND APPROVED by the Commissioners Court of Milam County, Texas meeting in regular session on the 22nd day of June, 2015.

PASSED AND APPROVED by the City Council of Milano, Texas, meeting in regular session on the ____ day of _____, 2015.

David L. Barkemeyer, County Judge

Attest: County Clerk

Billy Barnett, Mayor of Milano

Attest: City Secretary

Item 9

- Approve Deputation of Joshua L. Perez,
Deputy Sheriff

Item 10

- Accept Resignation of Pct. 101 Alternate Election Judge Tom Jones and resignation for Early Voting Ballot Board Alternate Judge, Sue Jones

Item 11

- Discuss and approve relocating Pct. 316 polling location from Gause Community Center to Gause V.F.D. building

Item 12

- Discuss and take action on Gause Community Center donation

Item 13

- Approve election and alternate judges for the Countrywide Polling Place Program

Item 14

- Approve Board Member term for the Central Counties Services, MHMR

JUN 08 2015



*Meeting Behavioral &
Developmental Needs*

June 4, 2015

Judge David Barkemeyer
Milam County Courthouse
County Judge Office
102 South Fannin
Cameron, TX 76520

Dear Judge Barkemeyer:

With the staggered terms of the nine-member Board of Trustees for Central Counties Center, each year several positions must be acted upon by the political subdivisions constituting the MHMR Center's local service area. The position held by Ms. Ann King expires on August 31, 2015. Ms. King has agreed to serve another two-year term.

On behalf of the Board of Trustees, I wish to express our appreciation for your time and attention to these Board appointments. Following action of the Commissioners' Court, please send us a copy of the Minutes of the Commissioners' Court indicating the action taken.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ray Helmcamp', is written over a horizontal line.

Ray Helmcamp, Ph.D.
Executive Director

RH/SP

Item 15

- Approve purchase of hydraulic excavator – Pct.
3

Item 16

- Approve purchase of BL70 Backhoe – Pct. 4

Item 17

- Approve sale of surplus equipment – Pct. 4

Item 18

- Recognize Distinguished Service Award from Texas Historical Commission

TEXAS HISTORICAL COMMISSION
real places telling real stories

June 1, 2015

The Honorable Dave Barkemeyer
County of Milam
102 S. Fannin Avenue, Suite 1
Cameron, TX 76520

Dear Judge Barkemeyer,

We are pleased to inform you that the Milam Historical Commission (CHC) is a recipient of a **Distinguished Service Award** that honors your appointees' dedication and hard work during the 2014 year of service!

The Texas Historical Commission (THC) gives this award to CHCs who document successful preservation programs that promote the history and character of Texas. Thank you for supporting your CHC in its efforts to demonstrate how preservation contributes to the livelihood of communities across the state.

To honor this achievement, we ask that you **present the enclosed Distinguished Service Award (DSA) certificate to CHC appointees during a formal meeting of the commissioners court.** We have found that public affirmation is the most effective way to show gratitude for CHC efforts. And, a formal award ceremony is an ideal time to highlight CHC efforts that reflect positively on the county.

Please share the accomplishments of your CHC with your community. CHC projects contribute to economic development and heritage tourism efforts in your county, as well as demonstrate citizenship. **Enclosed is a press release** that can be used to promote the DSA award.

Congratulations to you and your CHC appointees on a job well done!

Sincerely,



Bratten Thomason
History Programs Division Director
Texas Historical Commission

Enclosed: DSA certificate, Press Release, Promotional Suggestions
cc: Milam CHC chair



TEXAS HISTORICAL COMMISSION

PRESENTS THIS

2014

DISTINGUISHED SERVICE AWARD

TO

MILAM COUNTY HISTORICAL COMMISSION

IN RECOGNITION OF ITS ACTIVE
AND WELL-BALANCED PRESERVATION PROGRAM


EXECUTIVE DIRECTOR

June 1, 2015

DATE



TEXAS HISTORICAL COMMISSION
real places telling real stories

Item 19

- Approve Line Item Adjustments

JUNE 22, 2015

MILAM COUNTY
LINE ITEM BUDGET ADJUSTMENTS

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>	<u>REASON</u>
12-401-402 CT APPT ATTY-CR	12-401-405 CT APPT ATTY-OTHER	\$ 850.00	CO. JUDGE
12-409-490 COMMITTED FUNDS	12-409-107 TEMP/EMP POOL	\$ 4,000.00	GENERAL
12-409-490 COMMITTED FUNDS	12-409-201 SOC SEC	\$ 300.00	GENERAL
12-409-490 COMMITTED FUNDS	12-409-208 MEDICARE	\$ 75.00	GENERAL
12-435-401 CT APPT ATTY-CR	12-435-405 CT APPT ATTY-OTHER	\$ 50,000.00	DIST. COURT
12-499-310 OFFICE SUPPLIES	12-499-418 VEHICLE REG	\$ 250.00	TAX A/C
12-510-494 MISC	12-510-331 GAS,OIL, ETC	\$ 850.00	CTHSE BLDGS
12-551-481 CONF & DUES	12-551-482 TRAINING	\$ 61.54	CONST #2
12-565-571 EQUIP ITEMS <M	12-565-570 NEW EQUIP	\$ 13,331.96	SHERIFF OPER.
12-566-492 INS & BOND PREM	12-566-471 HOUSING PRISONERS	\$ 15,000.00	JAIL
21-611-494 MISC	21-611-481 CONF & DUES	\$ 500.00	R&B #1

JUNE 22, 2015

MILAM COUNTY
 LINE ITEM BUDGET ADJUSTMENTS

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>	<u>REASON</u>
22-612-492 INS & BONDS	22-612-430 ADV/LEGAL NOTICES	\$ 500.00	R&B #2
22-612-486 RESERVE	22-612-450 BLDG REPAIRS & MAINT	\$ 3,500.00	R&B #2
22-612-486 RESERVE	22-612-460 TRUCK & MACH HIRE	\$ 17,500.00	R&B #2
22-612-492 INS & BONDS	22-612-481 CONF & DUES	\$ 750.00	R&B #2
22-612-492 INS & BONDS	22-612-494 MISC	\$ 150.47	R&B #2
23-613-486 RESERVE	23-613-460 TRUCK & MACH HIRE	\$ 25,000.00	R&B #3
24-614-494 MISC	24-614-350 CLEANING SUPPLIES	\$ 3.19	R&B #4
24-614-486 RESERVE	24-614-450 BLDG REPAIRS & MAINT	\$ 3,500.00	R&B #4

Item 20

- Approve Payment of Bills

Prepaid General Fund Utilities

A T & T	\$46.79
Atmos Energy	\$567.60
Progressive Waste Solutions Of TX	\$72.26
Progressive Waste Solutions Of TX	\$792.56
Reliant Energy Solutions	\$1,293.09
Verizon Southwest	\$239.94
Verizon Wireless	\$384.62

Grand Total

\$3,396.86

Unpaid Bills to Approve Over \$2,500

General Fund

CTWP Leasing	\$2,795.39
D6 Solutions LLC	\$5,415.00
Gulf Coast Paper Co.	\$2,931.61
Hart Intercivic INC	\$5,040.00
Lonnie Gosch	\$11,250.00
Milam Appraisal District	\$60,968.69
Purchase Power	\$5,000.00
Scott & White Clinic	\$8,476.29
Texas Assoc Of Counties	\$20,353.00

General Fund Total

\$165,107.79

Unpaid Bills to Approve Over \$2,500

R & B Fund, PCT #1

Associated Supply Company INC	\$3,966.81
Bank Of The West	\$2,931.02
John Deere Financial	\$3,077.50

R & B Fund, PCT #1 Total \$11,095.70

Unpaid Bills to Approve Over \$2,500

R & B Fund, PCT #2

All American Diesel And Tire	\$4,613.77
Anderson Machinery Austin INC	\$4,944.43
Caterpillar Financial Svces Corp	\$2,590.72
Little River Materials INC	\$4,642.89
Petroleum Solutions INC	\$8,988.80

R & B Fund, PCT #2 Total \$43,941.59

Unpaid Bills to Approve Over \$2,500

R & B Fund, PCT #3

Anderson Machinery Austin INC	\$2,770.28
Caterpillar Financial Svces Corp	\$5,373.44
Joe L Valadez	\$5,570.83
Texas Fleet Fuel	\$4,359.66

R & B Fund, PCT #3 Total \$21,644.06

Unpaid Bills to Approve Over \$2,500

R & B Fund, PCT #4

Anderson Machinery Austin INC	\$3,394.11
Apac Texas INC	\$3,301.20
Contech Const Products	\$6,960.00
Joe L Valadez	\$8,330.99
Romco Equipment Co.	\$2,633.73
Texas Fleet Fuel	\$3,365.26

R & B Fund, PCT #4 Total

\$31,615.74

Unpaid Bills to Approve Over \$2,500

Public Health Preparedness Grant

First Aid & Safety Of Texas INC	\$4,014.75
Marketlab INC	\$3,366.73
School Outfitters	\$2,819.98

Fund Total \$13,443.53

Unpaid Bills to Approve Over \$2,500

W.I.C.

DP Nutrition LLC

\$2,817.20

Fund Total

\$2,855.78

Unpaid Bills to Approve

Grand Total

\$296,476.71

Item 21

- Adjourn