

**Special Session, august 4, 2008**

**BE IT REMEMBERED** that on **August 4, 2008**, there was begun and holden a Special Session of the Commissioners Court of Jefferson County, Texas, with the following members and officers present and participating except those absent as indicated:

ABSENT:

Honorable Ronald L. Walker, County Judge -

Commissioner Eddie Arnold, Commissioner Pct. No. 1

Commissioner Mark L. Domingue, Commissioner Pct. No. 2

Commissioner Waymon D. Hallmark, Commissioner Pct. No. 3

Commissioner Everette D. Alfred, Commissioner Pct. No. 4

Honorable G. Mitch Woods, Sheriff

Honorable Carolyn L. Guidry, County Clerk -

-the following proceedings were had and orders made, to-wit:



**NOTICE OF MEETING AND AGENDA  
OF COMMISSIONERS' COURT  
OF JEFFERSON COUNTY, TEXAS  
August 4, 2008**

Notice is hereby given that the Commissioners' Court of Jefferson County, Texas, will meet at 1:30 p.m., on the 4<sup>th</sup> day of **August 2008** at its regular meeting place in the Commissioners' Courtroom, Jefferson County Courthouse, 1149 Pearl Street, Beaumont, Texas.

Said meeting will be a Special Meeting for the purpose of transacting the routine business of the County. Persons with disabilities requiring auxiliary aids for services who wish to attend this meeting should contact the County Judge's Office to arrange for assistance.

In addition to the routine business of the County, the subject of said meeting will be the following:

**INVOCATION: Eddie Arnold, Commissioner, Precinct No. 1**

**PLEDGE OF ALLEGIANCE: Mark Domingue, Commissioner, Precinct No. 2**

**PURCHASING:**

1. Receive and file bids for IFB 08-088/JN, Hot Mix Overlay for 1.437 Miles of Englin Road SH 73 North of SH 124.

Motion: Commissioner Hallmark  
Second: Commissioner Alfred  
Action: Approved

**SEE ATTACHED PAGES: 11 - 18**

2. Receive and file bids for IFB 08-087/JN, Labor and Equipment to Install 81 Simplex Grinder Pumps/Lift Stations.

Motion: Commissioner Hallmark  
Second: Commissioner Alfred  
Action: Approved

**SEE ATTACHED PAGES: 19 - 45**

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3. Reject all bids received for IFB 08-087/JN, Labor and Equipment to Install 81 Simplex Grinder Pumps/Lift Stations.

Motion: Commissioner Hallmark  
Second: Commissioner Alfred  
Action: Approved

4. Award IFB 08-071/JN, Taxiway "D" Pavement Repairs for the Southeast Texas Regional Airport to Airfield Improvement and Repairs, in the amount of \$117,430.00.

Motion: Commissioner Hallmark  
Second: Commissioner Alfred  
Action: Approved

5. Award RFP 08-065/DC, Auditing Services for Jefferson County to Gayle W. Botley & Associates.

Motion: Commissioner Hallmark  
Second: Commissioner Alfred  
Action: Approved

6. Consider and possibly approve Change Order #2, an increase of \$13,506.00, to contract with SeTex Construction Corporation for IFB 08-046/DC, Renovations of Southeast Texas Regional Airport Re-Bid modifications to the TSA checkpoint. The substantial completion time will remain the same bringing the total contract to \$3,949,380.50.

Motion: Commissioner Hallmark  
Second: Commissioner Alfred  
Action: Approved

7. Consider and possibly approve Change Order #4, to contract with McInnis Construction, Inc. for IFB 08-087/DC, Reconstruction of Damaged Infrastructure at Walter Umphrey State Park and Sabine Boat Ramp to add additional one (1) year warranty to the contract to care of any defects in the 15'x45'x8" section of cement stabilized limestone base in front of the North Boat Ramp due to the fact that proper testing was not performed on this material. If any defects in the material or workmanship arise within twenty-four (24) months following date of substantial completion, McInnis Construction, Inc. will make the necessary repairs free of charge, according to the warranty requirements of the Contract Documents and add 1 ILS @ \$0.00/LS. The substantial completion time will remain the and there is a no charge for the changes and the contract price remains \$1,276,303.09.

Motion: Commissioner Hallmark  
Second: Commissioner Alfred  
Action: Approved

8. Consider and possibly approve professional agreement (PROF 08-093/DC) with Chica & Associates, Inc., for the Rehabilitation of the Existing Garth Road including pavement repairs, joint repairs, joint cleaning, joint sealing, etc. for a not to exceed amount of \$42,323.75.

Motion: Commissioner Hallmark  
Second: Commissioner Alfred  
Action: Approved

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9. Approve specifications for IFB 08-090/JN, Indigent Burial Plots.

Motion: Commissioner Hallmark

Second: Commissioner Alfred

Action: Approved

10. Approve specifications for IFB 08-092/JN, Labor and Equipment to Install 81 Simplex Grinder Pumps/Lift Stations.

Motion: Commissioner Hallmark

Second: Commissioner Alfred

Action: Approved

11. Consider and possibly approve disposition of salvage property as authorized by Local Government Code §263.152(a)(4), by donating it to a charitable organization, LaBelle – Fannett V.F.D. & EMS.

Motion: Commissioner Hallmark

Second: Commissioner Alfred

Action: Approved

12. Consider and possibly approve disposition of salvage property as authorized by Local Government Code §263.151 (1) for broken or obsolete items.

Motion: Commissioner Hallmark

Second: Commissioner Alfred

Action: Approved

**COUNTY COMMISSIONERS:**

13. Consider authorizing the County Judge to execute an amendment to TxCDBG Contract No. 724006 between Jefferson County and the Office of Rural Community Affairs which extends the contract date through October 4, 2008.

Motion: Commissioner Domingue

Second: Commissioner Arnold

Action: Approved

14. Execute, receive and file TxCDBG amendment to Contract no. 724006.

Motion: Commissioner Domingue

Second: Commissioner Arnold

Action: Approved

**SEE ATTACHED PAGES: 46 - 47**

15. Receive and file executed Interlocal Cooperation Contract to Provide Healthcare Services between Jefferson County and (UTMB) The University of Texas Medical Branch.

Motion: Commissioner Domingue

Second: Commissioner Arnold

Action: Approved

**SEE ATTACHED PAGES: 48 - 66**

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16. Consider approving Interlocal Agreement between Jefferson County and Sabine Neches Navigation District.

Motion: Commissioner Domingue  
Second: Commissioner Arnold  
Action: Approved

17. Execute, receive and file Interlocal Agreement between Jefferson County and Sabine Neches Navigation District.

Motion: Commissioner Domingue  
Second: Commissioner Arnold  
Action: Approved

**SEE ATTACHED PAGES: 67 - 68**

18. Consider approving Interlocal Agreement for fuel purchases between Jefferson County and the cities of Port Neches, Nederland, and Groves.

Motion: Commissioner Domingue  
Second: Commissioner Arnold  
Action: Approved

19. Consider and possibly retain \$10 Road and Bridge fee for calendar year 2009.

Motion: Commissioner Domingue  
Second: Commissioner Arnold  
Action: Approved

20. Receive and file an Indigent Healthcare Affiliation Agreement between Jefferson County and Baptist Hospital of Southeast Texas, Christus Hospital, and The Medical Center of Southeast Texas together with associated documents amending and terminating prior agreements.

Motion: Commissioner Domingue  
Second: Commissioner Arnold  
Action: Approved

**SEE ATTACHED PAGES: 69 - 100**

21. Consider and renew County Title IV-E Legal Services contract with the Texas Department of Family and Protective Services.

Motion: Commissioner Domingue  
Second: Commissioner Arnold  
Action: Approved

22. Consider and renew County Title IV-E Child Welfare Services contract with the Texas Department of Family and Protective Services.

Motion: Commissioner Domingue  
Second: Commissioner Arnold  
Action: Approved

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23. Consider and authorize County Judge to sign "Consent, Approval and Instruction" form related to the Paying Agent accounts at Texas State Bank. This allows the County to have an automated sweep option on the debt service accounts at Texas State Bank.

Motion: Commissioner Domingue  
Second: Commissioner Arnold  
Action: Approved

24. Consider and possibly approve an increase in the rates charged at the Walter Umphrey State Park RV Facility. Proposed rate increase are \$375/month; \$105/week; and \$22/day.

Motion: Commissioner Domingue  
Second: Commissioner Arnold  
Action: Approved

**COUNTY AUDITOR:**

25. Consider and approve budget transfer – Jury Fund – additional cost.

110-2027-412-2003	Employees Insurance	\$3,500	
110-2027-412-5020	Grand Jurors		\$3,500

Motion: Commissioner Alfred  
Second: Commissioner Domingue  
Action: Approved

26. Consider and approve budget transfer – Correctional Facility – additional cost.

120-3062-423-4009	Maintenance –	\$11,000	
	Buildings & Grounds		
120-3062-423-6014	Capital – Buildings & Structures		\$11,000

Motion: Commissioner Alfred  
Second: Commissioner Domingue  
Action: Approved

27. Consider and approve budget transfer – Sheriff's Department – additional cost.

120-3059-421-4052	Postage	\$14,000	
120-3059-421-2003	Employees Insurance		\$14,000

Motion: Commissioner Alfred  
Second: Commissioner Domingue  
Action: Approved

28. Consider and approve budget transfer – Road & Bridge Precinct 4 – purchase of a Gradall.

114-0409-431-6011	Capital – Road Machinery	\$249,000	
114-0000-491-8006	Transfers Out –		\$249,000

Capital Projects

Motion: Commissioner Alfred  
Second: Commissioner Domingue  
Action: Approved

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29. Consider and approve budget transfer – Road & Bridge Precinct 4 – purchase of a zero-turn radius mower.

114-0409-431-6011	Capital – Road Machinery	\$8,000	
114-0402-431-3079	Crushed Stone		\$8,000

Motion: Commissioner Alfred  
Second: Commissioner Domingue  
Action: Approved

30. Consider and approve budget transfer – Road & Bridge Precinct 4 – additional cost.

114-0405-431-4008	Maintenance – Automobiles & Trucks	\$1,000	
114-0402-431-3078	Crushed Stone		\$1,000

Motion: Commissioner Alfred  
Second: Commissioner Domingue  
Action: Approved

31. Consider and approve budget transfer – Road & Bridge Precinct 4 – additional cost.

114-0405-431-4018	Maintenance – Road Machinery	\$1,000	
114-0402-431-3080	Cover Stone		\$1,000

Motion: Commissioner Alfred  
Second: Commissioner Domingue  
Action: Approved

32. Receive and file monthly financial statement for Jefferson County for the month ending June 30, 2008.

Motion: Commissioner Alfred  
Second: Commissioner Domingue  
Action: Approved

**SEE ATTACHED PAGES: 101 - 117**

33. Regular County Bills – check #302878 through check #303166.

Motion: Commissioner Alfred  
Second: Commissioner Domingue  
Action: Approved

**SEE ATTACHED PAGES: 118 - 127**

**COUNTY CLERK:**

34. Consider and possibly approve Early Voting polling locations and hours for the November 4, 2008, General Election as attached, including the addition of the Effie & Wilton Hebert Library, 2025 Merriman St., Port Neches, TX.

Motion: Commissioner Domingue

Second: Commissioner Alfred

Action: Approved

**SEE ATTACHED PAGE: 128**

35. Consider and possibly approve an Amended Order for November 4, 2008, General Election including the addition of the Effie and Wilton Hebert Library as an Early Voting location.

Motion: Commissioner Domingue

Second: Commissioner Alfred

Action: Approved

36. Receive and File an Amended Order for November 4, 2008, General Election.

Motion: Commissioner Domingue

Second: Commissioner Alfred

Action: Approved

**SEE ATTACHED PAGES: 129 - 131**

37. Consider and possibly approve appointing a Central Counting Station Manager, Tabulation Supervisor and Assistant Tabulation Supervisor pursuant to Election Code 32.002, 127.002 & 127.003 for the period August 1, 2008, through July 31, 2010.

Motion: Commissioner Domingue

Second: Commissioner Alfred

Action: Approved

**Note: Chris Mouton, Paul Helegda, and Ken Seholm respectively.**

**COUNTY ENGINEER:**

38. Consider and possibly approve amendment to Project Cooperation Agreement between General Land Office and Jefferson County for U.S. Army Corps of Engineers Sabine Pass to San Luis Pass Shoreline Erosion Feasibility Study, GLO Contract No. 02-473-000, Amendment No. 7. This will extend the term of the Agreement to allow for successful completion of the Project. This Project is located in Precinct No. 3.

Motion: Commissioner Domingue

Second: Commissioner Alfred

Action: Approved



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39. Execute, receive and file Pipeline Permit 03-P-07 to Samson Lone Star, L.P. for pipeline that was installed crossing Aggie Drive. Project was located in Precinct No. 1.

Motion: Commissioner Domingue

Second: Commissioner Alfred

Action: Approved

**SEE ATTACHED PAGES: 132 - 142**

40. Execute, receive and file Utility Permit 03-U-08 to Newtron, Inc. for the distribution of phone cables and 12 strand fibers from 1905 Industrial Park to 1710 Industrial Park in Nederland, Texas. Project is located in Precinct No. 2.

Motion: Commissioner Domingue

Second: Commissioner Alfred

Action: Approved

**SEE ATTACHED PAGES: 143 - 150**

41. Execute, receive and file Pipeline Permit 07-P-08 to City of Beaumont for pipeline crossing Highland Avenue. Project is located in Precinct No. 4.

Motion: Commissioner Domingue

Second: Commissioner Alfred

Action: Approved

**SEE ATTACHED PAGES: 151 - 157**

**\*\*\*DISCUSSION ON ANY OTHER ITEM NOT ON AGENDA WITHOUT TAKING ACTION.**

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Ronald L. Walker  
County Judge



**ADDENDUM TO  
NOTICE OF MEETING  
OF COMMISSIONERS' COURT  
OF JEFFERSON COUNTY, TEXAS**

Notice having been heretofore posted of a Regular Meeting to Commissioners' Court of Jefferson County, Texas, on the **4<sup>th</sup> day of August 2008** in the Commissioners' Courtroom, Jefferson County Courthouse, 1149 Pearl Street, Beaumont, Texas, notice is hereby given of the following additional subject to be considered:

**COUNTY COMMISSIONER:**

42. Consider and possibly approve Resolution supporting TCEQ in seeking a favorable redesignation of the Beaumont – Port Arthur area to “attainment” of the ozone National Ambient Air Quality Standard (NAAQS).

Motion: Commissioner Domingue

Second: Commissioner Arnold

Action: Approved

**SEE ATTACHED PAGE: 158**

**COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT:**

43. Consider and possibly approve granting up to a 30-day leave without pay for Myra Howard, a Counselor in the Drug Intervention Program for Community Supervision and Corrections Department.

Motion: Commissioner Domingue

Second: Commissioner Alfred

Action: Approved

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Ronald L. Walker  
County Judge

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**There being no further business to come before the Court at this time,  
same is now here adjourned on this date, August 4, 2008.**