

Special Session, October 6, 2008

BE IT REMEMBERED that on **October 6, 2008**, there was begun and holden a Regular 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 Absent

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
October 6, 2008**

Notice is hereby given that the Commissioners' Court of Jefferson County, Texas, will meet at 1:30 p.m., on the **6th** day of **October 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: Everett D. Alfred, Commissioner, Precinct No. 4

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

PURCHASING:

1. Receive and file job order contract (JOC 09-009/DC) with JAMAIL Construction for the replacement of the Jefferson County Courthouse 5th Floor 5 ton condenser unit due to Hurricane IKE in the amount of \$10,067.49 in accordance with TXMAS Contract#5-56060.

Motion: Commissioner Domingue

Second: Commissioner Hallmark

Action: Approved

SEE ATTACHED PAGES: 12 - 22

2. Receive and file job order contract (JOC 09-008/DC) with Kellogg Brown & Root Services for the repair of the Philpott Hanger at the Southeast Texas Regional Airport due to Hurricane IKE in the amount of \$1393.65 in accordance with TCPN Contract#4537.

Action: TABLED

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3. Receive and file job order contract (JOC 09-007/DC) with JAMAIL Construction for the repair of the Port Arthur Courthouse Carpenter Shop Building Roof due to Hurricane IKE in the amount of \$6,711.62 in accordance with TXMAS Contract#5-56060.

Motion: Commissioner Domingue

Second: Commissioner Hallmark

Action: Approved

SEE ATTACHED PAGES: 23 - 29

4. Receive and file job order contract (JOC 09-006/DC) with JAMAIL Construction for the repair of the Port Arthur Probation Office due to Hurricane IKE in the amount of \$36,690.63 in accordance with TXMAS Contract#5-56060.

Motion: Commissioner Domingue

Second: Commissioner Hallmark

Action: Approved

SEE ATTACHED PAGES: 30 - 38

5. Receive and file job order contract (JOC 09-005/DC) with JAMAIL Construction for the repair of the Sheriff Hanger chain link fence due to Hurricane IKE in the amount of \$8,402.02 in accordance with TXMAS Contract#5-56060.

Motion: Commissioner Domingue

Second: Commissioner Hallmark

Action: Approved

SEE ATTACHED PAGES: 39 - 44

6. Receive and file job order contract (JOC 09-004/DC) with JAMAIL Construction for the repair of the Port Arthur Courthouse Maintenance Office due to Hurricane IKE in the amount of \$1,393.65 in accordance with TXMAS Contract#5-56060.

Motion: Commissioner Domingue

Second: Commissioner Hallmark

Action: Approved

SEE ATTACHED PAGES: 45 - 49

7. Receive and file job order contract (JOC 09-003/DC) with Kellogg Brown & Root Services for the repair of the interior and electrical survey of the Hamshire Building due to Hurricane IKE in the amount of \$837.00 in accordance with TCPN Contract#4537.

Motion: Commissioner Domingue

Second: Commissioner Hallmark

Action: Approved

SEE ATTACHED PAGES: 50 - 53

8. Receive and file job order contract (JOC 09-002/DC) with Weatherproofing Technologies, Inc. for the repair of Ford Park Softball Field Lights due to Hurricane IKE in the amount of \$3,877.46 in accordance with TCPN Contract#R4812.

Motion: Commissioner Domingue

Second: Commissioner Hallmark

Action: Approved

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9. Consider and possibly approve a discretionary exemption in accordance with Local Government Code 262.024(a) (1) for an item that is necessary to make purchase promptly to relieve the necessity of the citizens or to preserve the property of the county to Monument Constructors for roof repairs at the Jefferson County Courthouse, Downtown Jail and New Courthouse Addition in the amount of \$41,726.00.

Motion: Commissioner Domingue

Second: Commissioner Hallmark

Action: Approved

10. Consider and possibly approve Change Order 1, an increase of \$9,418.72, to contract with APAC-Texas, Inc. for IFB 08-088/JN, Hot Mix Overlay for 1.437 Miles of Englin Road from SH 73 North to SH 124. Bringing the total contract to \$130,940.22.

Motion: Commissioner Domingue

Second: Commissioner Hallmark

Action: Approved

11. Execute, receive and file renewal contract for IBM iSeries 9406-810, Serial 454TM with Sirius for the period of October 6, 2008 to October 5, 2009 in the amount of \$14,287.54 in accordance with DIR Contract# DIR-SDD-286.

Motion: Commissioner Domingue

Second: Commissioner Hallmark

Action: Approved

SEE ATTACHED PAGE: 55

12. Execute, receive and file Antiquities Permit Application Historic Buildings and Structure with the Texas Historical Commission and Jefferson County for the Jefferson County Roof and Spire Restoration.

Motion: Commissioner Domingue

Second: Commissioner Hallmark

Action: Approved

SEE ATTACHED PAGES: 56 - 58

13. Approve specifications for IFB 09-011/JN, Bridge Replacement Project for Jefferson County: McDermard Road, Thompson Road, Green Pond Road and South China Road.

Motion: Commissioner Domingue

Second: Commissioner Hallmark

Action: Approved

14. Approve specifications for IFB 09-010/JN, Erosion Control for the Cajun Cabins at Pleasure Island (Re-Bid).

Motion: Commissioner Domingue

Second: Commissioner Hallmark

Action: Approved

15. Approve specifications for IFB 09-001/JN, Morgue Transport for Jefferson County.

Motion: Commissioner Domingue

Second: Commissioner Hallmark

Action: Approved

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16. Approve specifications for IFB 08-096/JN, Term Contract for Catalog Pricing for Janitorial Supplies for Jefferson County.

Motion: Commissioner Domingue
Second: Commissioner Hallmark
Action: Approved

17. Approve specifications for RFP 08-089/JN, Inmate Telephone Service for Jefferson County.

Motion: Commissioner Domingue
Second: Commissioner Hallmark
Action: Approved

COUNTY COMMISSIONERS:

18. Consider and possibly approve the 2009 County Holidays. (attachment)

Motion: Commissioner Alfred
Second: Commissioner Domingue
Action: Approved

SEE ATTACHED PAGE: 59

19. Consider and possibly approve a Resolution authorizing a grant from Jefferson County to Nutrition and Services for Seniors in the amount of \$ 50,000.00.

Motion: Commissioner Alfred
Second: Commissioner Domingue
Action: Approved

SEE ATTACHED PAGES: 60 - 61

20. Consider authorizing the County Judge to execute a U. S. Department of Justice Coverdell Forensic Science Improvement Grant Award conditions and continuation form. The amount of the award for 2008-2009 is \$41,716.00.

Motion: Commissioner Alfred
Second: Commissioner Domingue
Action: Approved

21. Consider and possibly approve a Resolution proclaiming October 23 as Julie Rogers "Gift of Life" Program Day, the month of October 2008 as Breast Cancer Awareness Month and October 17 as Mammography Day in Jefferson County.

Motion: Commissioner Alfred
Second: Commissioner Domingue
Action: Approved

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22. Consider and possibly approve Health Premiums for 2009 with the Southeast Texas Government Employee Benefits Pool.

Motion: Commissioner Alfred

Second: Commissioner Domingue

Action: Approved

23. Consider and possibly approve a Proclamation for the week of October 5-11, 2008 as National 4-H Week in Jefferson County.

Motion: Commissioner Alfred

Second: Commissioner Domingue

Action: Approved

SEE ATTACHED PAGES: 64 - 65

24. Receive and file order to adopt tax rate at .365 cents per \$100 valuation.

Motion: Commissioner Alfred

Second: Commissioner Domingue

Action: Approved

SEE ATTACHED PAGE: 66

25. Consider and approve an expenditure of approximately \$6,600 from Justice Court Building Security Fund (Fund 289) for installation of bullet resistant glass for the Justice of the Peace, Precinct 8 office.

Motion: Commissioner Alfred

Second: Commissioner Domingue

Action: Approved

26. Consider and possibly approve a Resolution to assign Robert Wayne Wickell, FEMA, to the coastal area to assist fisheries in their response and recovery from the effects of Hurricane Ike.

Motion: Commissioner Alfred

Second: Commissioner Domingue

Action: Approved

SEE ATTACHED PAGE: 67

27. Receive and file letter of agreement between Lamar University and the Jefferson County Commissioners Court for the taping of Jefferson County Commissioners Court Meetings.

Motion: Commissioner Alfred

Second: Commissioner Domingue

Action: Approved

SEE ATTACHED PAGES: 68 - 69

COUNTY AUDITOR:

28. Consider and approve fiscal year 2008 budget amendment – 136th District Court – additional cost.

120-2035-412-3010	Books	\$ 464	
120-1024-419-5040	Liability Insurance		\$ 464

Motion: Commissioner Hallmark
Second: Commissioner Alfred
Action: Approved

29. Consider and approve fiscal year 2008 budget transfer – Indigent Health Care – additional cost.

120-5079-442-3049	Pharmaceuticals	\$ 25,000	
120-5079-442-5032	Hospital Services		\$ 25,000

Motion: Commissioner Hallmark
Second: Commissioner Alfred
Action: Approved

30. Regular County Bills – check #305042 through check #305405.

Motion: Commissioner Hallmark
Second: Commissioner Alfred
Action: Approved

SEE ATTACHED PAGES: 70 - 80

COUNTY CLERK:

31. Consider and possibly approve changes to the Early Voting polling locations as follows:

- Change from Groves Activity Center, 6150 – 39th St., Groves, Texas, to Groves Public Works Building, 4925 McKinley, Groves, Texas, due to a delay in renovation;
- Change from Port Arthur Public Library, 4615 Ninth Avenue, Port Arthur, Texas, to YMCA of Port Arthur, 6760 9th Ave., Port Arthur, Texas 77642.

Motion: Commissioner Hallmark
Second: Commissioner Domingue
Action: Approved

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32. Consider and possibly approve changes to Election Day Polling locations due to damage from Hurricane Ike as follows:

- Change Pct. 31/101/108 from Labelle-Fannett VFD, 3473 Pine Tree Rd., Beaumont, Texas to Labelle First Baptist Church, 9400 FM 365, Beaumont, Texas;
- Change Pct. 32 from Sabine Pass Fire Station No. 4, 5030 S. Gulfway Drive, Sabine Pass, Texas, to Sabine Pass School, 5641 S. Gulfway, Sabine Pass, Texas
- Change Pct. 29 from Hamshire Community Building, 12393 Second Street, to Hamshire-Fannett Administration Building, 12702 Second Street, Fannett, Texas.

Motion: Commissioner Hallmark
Second: Commissioner Domingue
Action: Approved

COUNTY ENGINEER:

33. Execute, receive and file Pipeline Permit 08-P-08 to Ballard Exploration Company, Inc. for the distribution of natural gas crossing Pignut Road. Project is located in Precinct No. 4.

Motion: Commissioner Alfred
Second: Commissioner Hallmark
Action: Approved

SEE ATTACHED PAGES: 81 - 89

34. Execute, receive and file Pipeline Permit 09-P-08 to Coastal Caverns Inc. for distribution of salt water, power, and fiber optic crossing of Erie Street. Project is located in Precinct No. 4.

Motion: Commissioner Alfred
Second: Commissioner Hallmark
Action: Approved

SEE ATTACHED PAGES: 90 - 98

35. Consider and possibly approve General Land Office (GLO) Contract No. 08-124-000-1264-Amendment No. 1, Project Cooperation Agreement for Final Design, Bidding and Construction Funding for Pleasure Island Shoreline Protection CEPRA Project No. 1415. The money will be used for erosion control at Pleasure Island. Project is located in Precinct No. 3.

Motion: Commissioner Alfred
Second: Commissioner Hallmark
Action: Approved

36. Consider and possibly approve amendment to Project Cooperation Agreement between General Land Office and Jefferson County for the U.S. Army Corps of Engineers Sabine Pass to San Luis Pass Shoreline Erosion Feasibility Study, GLO Contract No. 02-473-000-0046—Amendment No. 8. This will add \$50,000 for ongoing work which has been budgeted. Project is located in Precinct No. 3.

Motion: Commissioner Alfred
Second: Commissioner Hallmark
Action: Approved

COUNTY TREASURER:

37. Receive and File Investment Schedule for August, 2008, including the year to date total earnings on County funds.

Motion: Commissioner Domingue

Second: Commissioner Hallmark

Action: Approved

SEE ATTACHED PAGES: 99 - 100

HUMAN RESOURCES:

38. Consider and possibly approve orders to authorize the following change to TCDRS Plan Provisions for Jefferson County to be effective January 1, 2009. Adopt a flat rate 4% COLA for retirees

Motion: Commissioner Alfred

Second: Commissioner Domingue

Action: Approved

RISK MANAGEMENT:

39. Consider and possibly approve the revised Jefferson County Retiree Health Benefits Policy effective October 6, 2008. (attachment)

Motion: Commissioner Hallmark

Second: Commissioner Domingue

Action: Approved

SEE ATTACHED PAGE: 101

SHERIFFS DEPARTMENT:

40. Consider authorizing the County Judge to execute a contract modification with the Texas Department of Criminal Justice affecting the per diem paid by the state for the housing of prisoners.

Motion: Commissioner Alfred

Second: Commissioner Hallmark

Action: Approved

DISTRICT ATTORNEY:

41. Announcement of an executive (closed) session as authorized by Section 551.071 of the Government Code to discuss pending litigation. (Roccaforte v. Jefferson County).

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



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

Notice having been heretofore posted of a Special Meeting to Commissioners' Court of Jefferson County, Texas, on the 6TH day of October 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:

PURCHASING:

42. Award IFB 08-090/JN, Indigent Burial Plots for Jefferson County to Claybar Haven of Rest Cemetery for one hundred burial plots at a cost of \$1259.00 per plot.

Motion: Commissioner Domingue

Second: Commissioner Hallmark

Action: Approved

43. Discuss, receive and file job order contract (JOC 09-008/DC) with Kellogg Brown & Root Services for the repair of the Philpott Hang at a cost of \$98,560.00.

Motion: Commissioner Domingue

Second: Commissioner Hallmark

Action: Approved

SEE ATTACHED PAGES: 102 - 104

COMMISSIONERS:

44. Discuss and possibly approve limiting Development Permit fees to \$5.00 for Hurricane Ike repairs through the end of 2008. Note: New construction and new on-site sewer installation will still require the normal permitting process and fees.

Motion: Commissioner Alfred

Second: Commissioner Domingue

Action: Approved

COUNTY AUDITOR:

45. Consider and possibly approve fiscal year 2009 budget transfer for correction to budgeted position for Drug Impact Court Coordinator.

120-2055-412-1002	Assistants & Clerks	\$8,263	
120-2055-412-2001	FICA	\$632	
120-2055-412-2002	Employees Retirement	\$1,215	
120-2055-412-5077	Contractual Services		\$10,110

Motion: Commissioner Hallmark
Second: Commissioner Alfred
Action: Approved

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, October 6, 2008.**