

**Special Session, December 22, 2008**

**BE IT REMEMBERED** that on **December 22, 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:

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 -  
Theresa Goodness, Chief Deputy present

Absent

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

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**NOTICE OF MEETING AND AGENDA AND MINUTES  
OF COMMISSIONERS' COURT  
OF JEFFERSON COUNTY, TEXAS  
December 22, 2008**

Notice is hereby given that the Commissioners' Court of Jefferson County, Texas, will meet at 1:30 p.m., on the **22<sup>nd</sup>** day of **December 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: Waymon D. Hallmark, Commissioner, Precinct No. 3**

**PLEDGE OF ALLEGIANCE: Everette D. Alfred, Commissioner, Precinct No. 4**

**PURCHASING:**

1. Receive and file job order contract (JOC 09-045/DC) with Weatherproofing Technologies, Inc. for the Remediation of the Jefferson County Courthouse Emergency Stairwell due to Hurricane IKE in the amount of \$64,530.50. This is in accordance with TCPN Contract #R4812. **SEE ATTACHED PAGES 10 - 13**

**Motion: Commissioner Domingue**

**Second: Commissioner Alfred**

**Action: Approved**

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2. Receive and file job order contract (JOC 09-044/DC) with Weatherproofing Technologies, Inc. for the Repairs of 279<sup>th</sup> Court Judge's Office due to Hurricane IKE in the amount of \$23,864.86. This is in accordance with TCPN Contract #R4812.

**SEE ATTACHED PAGES 14 - 17**

**Motion: Commissioner Domingue**

**Second: Commissioner Alfred**

**Action: Approved**

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3. Receive and file job order contract (JOC 09-043/DC) with Weatherproofing Technologies, Inc. for the Remediation of the Jefferson County Courthouse Emergency Remediation to include Carpet/Ceiling Tile/Light Fixtures due to Hurricane IKE in the amount of \$64,486.93. This is in accordance with TCPN Contract #R4812.

**SEE ATTACHED PAGES 18 - 22**

**Motion: Commissioner Domingue**  
**Second: Commissioner Alfred**  
**Action: Approved**

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4. Receive and file job order contract (JOC 09-042/DC) with Weatherproofing Technologies, Inc. for the Repair of County Court @ Law #1 Judges Chambers and Courtroom due to Hurricane IKE in the amount of \$39,954.00. This is in accordance with TCPN Contract #R4812. **SEE ATTACHED PAGES 23 - 26**

**Motion: Commissioner Domingue**  
**Second: Commissioner Alfred**  
**Action: Approved**

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5. Execute, receive and file contract for IFB 09-010/JN, Erosion Control for the Cajun Cabins at Pleasure Island, to Allco in the amount of \$529,894.61.

**SEE ATTACHED PAGES 27 - 28**

**Motion: Commissioner Domingue**  
**Second: Commissioner Alfred**  
**Action: Approved**

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6. Consider and possibly approve Change Order #5, an increase of \$77,740.00, to contract with SeTex Construction Corporation for IFB 08-046/DC, Renovations of Southeast Texas Regional Airport Re-Bid to include demolition of the existing and install new plaster soffit and framing at the southeast corner of the future lease space and furnish and install four (4) new light fixtures. The substantial completion time will increase by nineteen (19) days, changing the date to April 19, 2009 and bringing the total contract to \$4,169,507.65.

**Motion: Commissioner Domingue**  
**Second: Commissioner Alfred**  
**Action: Approved**

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7. Consider and possibly approve Change Order #1 a decrease of \$6,458.77 to job order contract (JOC 09-018/DC) with Jamail & Smith Construction to Remove and Replace Electrical Switchgear at Walter Umphrey State Park due to Hurricane IKE to delete fencing. Bringing the total to \$78,443.92. This is in accordance with TXMAS Contract#5-56060.

**Motion: Commissioner Domingue**  
**Second: Commissioner Alfred**  
**Action: Approved**

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8. Amend contract RFO 05-044/DD, Photocopiers for Jefferson County, with OCE Better Business Machines for a copier scanner for Emergency Management, an addition of \$189.00 per month.

**Motion: Commissioner Domingue**

**Second: Commissioner Alfred**

**Action: Approved**

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9. Amend contract RFO 05-044/DD, Photocopiers for Jefferson County, with OCE Better Business Machines for a copier to be shared by County Court @ Law #2 and County Court @ Law #3, an addition of \$159.00 per month.

**Motion: Commissioner Domingue**

**Second: Commissioner Alfred**

**Action: Approved**

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10. Consider and possibly approve one (1) year lease agreement with J.K. Chevrolet and Jefferson County for the 4,000 sf warehouse behind the former Air National Guard Building on Viterbo Road. Tenant will pay \$5.40 psf in advance for a total of \$21,600.00, plus taxes and utilities. Lease date is scheduled to be January 1, 2009, but no later than February 1, 2009.

**Motion: Commissioner Domingue**

**Second: Commissioner Alfred**

**Action: Approved with Commissioner Arnold abstaining**

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11. Execute, Receive and file a one (1) year lease agreement with J.K. Chevrolet and Jefferson County for the 4,000 sf warehouse behind the former Air National Guard Building on Viterbo Road. Tenant will pay \$5.40 psf in advance for a total of \$21,600, plus taxes and utilities. Lease date is scheduled to be January 1, 2009, but no later than February 1, 2009. **SEE ATTACHED PAGES 29 - 45**

**Motion: Commissioner Domingue**

**Second: Commissioner Alfred**

**Action: Approved with Commissioner Arnold abstaining**

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12. Consider and possibly approve a cost to Jefferson County 6% of total income payable to Coldwell Banker Commercial Arnold and Associates in the amount of \$1,296.00 for the lease agreement with J.K. Chevrolet.

**Motion: Commissioner Domingue**

**Second: Commissioner Alfred**

**Action: Approved with Commissioner Arnold abstaining**

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Notice of Meeting and Agenda and Minutes  
December 22, 2008

13. Discuss and possibly approve the Interim Purchasing Agent to enter into contract negotiations for RFP 08-089/JN, Inmate Telephone for Jefferson County Correctional Facility.

**Motion: Commissioner Domingue**  
**Second: Commissioner Alfred**  
**Action: Approved**

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

**Motion: Commissioner Domingue**  
**Second: Commissioner Alfred**  
**Action: Approved**

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15. Consider and possibly approve an auction of surplus property as authorized by Local Government Code §263.152(a), to auction by Horn's Auction, Inc. The auction is scheduled for Saturday, January 3, 2009 at 9:00 am.

**Motion: Commissioner Domingue**  
**Second: Commissioner Alfred**  
**Action: Approved**

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**COUNTY COMMISSIONERS:**

16. Receive and file executed contract between Jefferson County and Jeffrey S. Ward & Associates, Inc. for contract grant administration services for Hazard Mitigation Grant Program funds related to the unincorporated flood plain buy- out program.

**SEE ATTACHED PAGES 46 - 48**

**Motion: Commissioner Arnold**  
**Second: Commissioner Alfred**  
**Action: Approved**

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17. Receive and file abatement agreement between Jefferson County and Eastman Chemical Company for the construction of the Texas Gasification Project.

**SEE ATTACHED PAGES 49 - 59**

**Motion: Commissioner Arnold**  
**Second: Commissioner Alfred**  
**Action: Approved**

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18. Consider and possibly approve Continuing Education Credits, verifying that Commissioner Waymon D. Hallmark has satisfactorily completed 12.5 hours in 2008 and carry over 6 hours from 2007, he has met the 2008 County Commissioners Statutory Continuing Education requirement(16 hours).

**Motion: Commissioner Arnold**  
**Second: Commissioner Alfred**  
**Action: Approved**

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19. Receive and File the County Judges and Commissioners Association of Texas certificate of Certified County Commissioners Court Member for Commissioner Waymon D. Hallmark for completing the Commissioners Court Advanced Curriculum in 2008.

**SEE ATTACHED PAGES 60 - 61**

**Motion: Commissioner Arnold**  
**Second: Commissioner Alfred**  
**Action: Approved**

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20. Consider and possibly approve exempting the following group from paying for security during their scheduled events for the year 2009, Jefferson County Deputy Constable Association. The security expense will be paid via budgeted funds.

**Motion: Commissioner Arnold**  
**Second: Commissioner Alfred**  
**Action: Approved**

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21. Consider and possibly approve the appointment of a permanent Jefferson County Security Committee with the following Elected Officials and Department Heads considered as the standing committee members: Jefferson County Judge, Jefferson County Commissioner Precinct #1, Jefferson County Sheriff, Jefferson County District Attorney, Jefferson County Tax Assessor Collector and Director of Human Resources. There primary charge of this committee will be to review, monitor and recommend adding, deleting or modifying existing security policies and procedures. Any policy changes and/or financial issues will be referred to the Jefferson County Commissioners' Court for final approval. All other matters can be decided by the committee, via majority vote and notification to Jefferson County Commissioners' Court.

**Motion: Commissioner Arnold**  
**Second: Commissioner Alfred**  
**Action: Approved**

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22. Consider and possibly approve a Proclamation recognizing the retirement of Commissioner Waymon D. Hallmark.

**SEE ATTACHED PAGES 62 - 63**

**Motion: Commissioner Arnold**  
**Second: Commissioner Alfred**  
**Action: Approved**

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23. Consider authorizing the County Judge to execute an amended abatement agreement between Jefferson County and The Premcor Refining Group, Inc.

**Motion: Commissioner Arnold**  
**Second: Commissioner Alfred**  
**Action: Approved**

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24. Consider and possibly approve appointing Ms. Charlene Boudreaux- DeBlanc to the position of board member of the Risk Management Board. This is to replace the position currently held by Mr. Willie Knighton. This is an appointed position by Jefferson County Commissioner Precinct # 4.

**Motion: Commissioner Arnold**  
**Second: Commissioner Alfred**  
**Action: Approved**

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**COUNTY AUDITOR:**

25. Consider and approve budget amendment – County Clerk – election expense.

120-1014-414-5024	Election Expense	\$ 22,500	
120-9999-415-9999	Contingency		\$ 22,500

**Motion: Commissioner Arnold**  
**Second: Commissioner Alfred**  
**Action: Approved**

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26. Regular County Bills – check #309231 through check #309535.

**SEE ATTACHED PAGES 64 -74**

**Motion: Commissioner Arnold**  
**Second: Commissioner Alfred**  
**Action: Approved**

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**COUNTY CLERK:**

27. Consider and possibly approve order Canvassing the results of the December 16, 2008, Special Run- Off Election for State Senate District No.17 in accordance with Election Code Sec. 67.002. **SEE ATTACHED PAGES 75 - 83**

**Motion: Commissioner Alfred**  
**Second: Commissioner Hallmark**  
**Action: Approved**

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**COUNTY ENGINEER:**

28. Request approval to release retainage to Jamail & Smith Construction for repairs to the Sheriff Department Hangar chain link fence due to Hurricane Ike in the amount of \$420.10—Application No. 2.

**Motion: Commissioner Arnold**

**Second: Commissioner Alfred**

**Action: Approved**

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**COUNTY LIBRARY:**

29. Consider and possibly approve Application for Lone Star Libraries Grant for FY 2009 Grant is for \$6,148.00 and does not require a County match.

**Motion: Commissioner Domingue**

**Second: Commissioner Hallmark**

**Action: Approved**

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**COUNTY TREASURER:**

30. Receive and File Investment Schedule for November, 2008 including the year to date total earnings on County funds. **SEE ATTACHED PAGES 84 - 87**

**Motion: Commissioner Arnold**

**Second: Commissioner Hallmark**

**Action: Approved**

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**SHERIFF'S DEPARTMENT:**

31. Please consider and possibly approve authorizing the County Judge to sign the Inter-local Contract with the City of Nederland for continuation of the Narcotics Task Force.

**Motion: Commissioner Domingue**

**Second: Commissioner Alfred**

**Action: Approved**

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***Jefferson County Commissioners' cordially invites you to the Ceremony  
Honoring The Honorable Commissioner Waymon D. Hallmark Commissioner,  
Precinct No. 3. Reception immediately following Commissioners' Court.***

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

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Ronald L. Walker  
County Judge

Notice of Meeting and Agenda and Minutes  
December 22, 2008

**Special Session, December 22, 2008**

There being no further business to come before the Court at this time, same is now here adjourned on this date, December 22, 2008.