

Special Session, January 5, 2009

BE IT REMEMBERED that on **January 5, 2009**, 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
January 5, 2009**

Notice is hereby given that the Commissioners' Court of Jefferson County, Texas, will meet at 1:30 p.m., on the 5th day of **January 2009** 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: Eddie Arnold, Commissioner, Precinct No. 1

PURCHASING:

1. Receive and file job order contract (JOC 09-046/DC) with Weatherproofing Technologies, Inc. for the Removal and Replacement of Ceiling Tiles, Carpet and Windows and Caulking for the Building Located at 900 4th Street, Port Arthur due to Hurricane IKE in the amount of \$32,957.74. This is in accordance with TCPN Contract #R4812.

Motion: Commissioner Alfred

Second: Commissioner Domingue

Action: Approved

SEE ATTACHED PAGES: 08 – 10

2. Consider and possibly approve contract with Eastex Utility Construction for the installation of thirty-six (36) grinder pumps units, electrical and abandon existing septic tanks in the amount of \$81,155.94.

Motion: Commissioner Alfred

Second: Commissioner Domingue

Action: Approved

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3. Consider and possibly approve Change Order #6, 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 at no charge to the contract to take care of any defects in the asphalt paving in front of the North Boat Ramp due to the fact the asphalt did not meet the specifications for the compaction or air voids. If any defects in the material or workmanship arise within twenty-four (24) months following the date of substantial completion, McInnis Construction, Inc., will make the necessary repairs free of charge, according to the warranty requirements of the Contract Documents. The substantial completion time will remain the same and contract price remains at \$1,274,903.09.

Motion: Commissioner Alfred

Second: Commissioner Domingue

Action: Approved

4. Consider and possibly approve Change Order #6, an increase of \$57,055.00, to contract with SeTex Construction Corporation for IFB 08-046/DC, Renovations of Southeast Texas Regional Airport Re-Bid to provide two (2) independent powered baggage conveyors. The substantial completion time will remain April 19, 2009 and brings the total contract price to \$4,226,592.65.

Motion: Commissioner Alfred

Second: Commissioner Domingue

Action: Approved

COUNTY COMMISSIONERS:

5. Consider and possibly approve a resolution to accept a matching funds grant from the Criminal Justice Division to continue the operation of the Jefferson County Crime Victims' Clearinghouse/Victims' Assistance Center for the fiscal year 2009-2010. This grant is made available pursuant to the Victims of Crime Act. (This grant will be in the amount of \$50,000.00)

Motion: Commissioner Domingue

Second: Commissioner Alfred

Action: Approved

SEE ATTACHED PAGE: 11

6. Consider authorizing the County Judge to execute a pipeline easement agreement with TE Products Pipeline Company, LLC and HSC Pipeline partnership, LLC for the purposes of constructing pipelines upon property in Jefferson County. (These easements are for work areas for the continuation of the pipeline being constructed pursuant to easements executed on November 3, 2008)

Motion: Commissioner Domingue

Second: Commissioner Alfred

Action: Approved

7. Receive and file contract amendment between Jefferson County and the YMBL.

Motion: Commissioner Domingue

Second: Commissioner Alfred

Action: Approved

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8. Receive and file executed pipeline easements with TE Products Pipeline Company, LLC and HSC Pipeline Partnership, LLC.

Motion: Commissioner Domingue

Second: Commissioner Alfred

Action: Approved

SEE ATTACHED PAGES: 13 - 23

9. Receive and file executed Intergovernmental Agreement between Jefferson County and the Sabine-Neches Navigation District for the implementation and funding of waterway safety and security and law enforcement.

Motion: Commissioner Domingue

Second: Commissioner Alfred

Action: Approved

SEE ATTACHED PAGES: 24 - 28

10. Receive and file amended abatement agreement between Jefferson County and The Premcor Refining Group, Inc.

Motion: Commissioner Domingue

Second: Commissioner Alfred

Action: Approved

SEE ATTACHED PAGES: 29 - 76

11. Receive and file Order setting rate for Jefferson County and Orange County Pilotage Services from the Commissioners of Pilots.

Motion: Commissioner Domingue

Second: Commissioner Alfred

Action: Approved

SEE ATTACHED PAGES: 77 - 88

12. Approve, receive and file official bond for Eddie Arnold, Commissioner, Precinct No. 1.

Action: Tabled

13. Receive and file official oath for Eddie Arnold, Commissioner, Precinct No. 1.

Motion: Commissioner Domingue

Second: Commissioner Alfred

Action: Approved

SEE ATTACHED PAGES: 89 - 90

14. Receive and file official oath for Kenneth W. Dollinger, Justice Of The Peace, Precinct 1, Place 1.

Motion: Commissioner Domingue

Second: Commissioner Alfred

Action: Approved

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15. Approve, receive and file official bonds for the following elected officials: Michael “Shane” Sinegal, Commissioner, Precinct No. 3; Miriam K. Johnson, County Tax Assessor – Collector.

Motion: Commissioner Domingue
Second: Commissioner Alfred
Action: Approved

SEE ATTACHED PAGES: 93 - 98

Note: Move agenda item from Risk Management agenda item 23 per Judge Walker)

16. Receive and file official oaths for the following: Michael “Shane” Sinegal, Commissioner, Precinct No. 3 and Miriam K. Johnson, County Tax Assessor – Collector.

Motion: Commissioner Domingue
Second: Commissioner Alfred
Action: Approved

SEE ATTACHED PAGES: 99 - 101

Note: Move agenda item from Risk Management agenda item 24 per Judge Walker)

COUNTY AUDITOR:

17. Consider and possibly approve FY 2008 budget transfer – Jail – additional cost.

120-3062-423-5077	Contractual Services	\$130,000	
120-3062-423-3033	Food		\$130,000

Motion: Commissioner Arnold
Second: Commissioner Domingue
Action: Approved

18. Regular County Bills Check #309560 through Check #309780. (12/29/2008)

Motion: Commissioner Arnold
Second: Commissioner Domingue
Action: Approved

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19. Regular County Bills Checks #309781 through Check ~~#309929~~ 3099232. (01/05/2009)

Motion: Commissioner Arnold
Second: Commissioner Domingue
Action: Approved

SEE ATTACHED PAGES: 110 - 116

COUNTY CLERK:

20. Receive and file submission of Jefferson County under Section Five of the Voting Rights Act for Pre-clearance of Polling Location Changes of December 16, 2008, Special Run –Off Election..

Motion: Commissioner Alfred
Second: Commissioner Domingue
Action: Approved

SEE ATTACHED PAGES: 117 - 130

COUNTY ENGINEER:

21. Request approval to release retainage to McInnis Construction, Inc. for Reconstruction of Damaged Infrastructure at Walter Umphrey State Park and Sabine Pass Boat Ramp in the amount of \$64,457.65—Application No. 10.

Motion: Commissioner Domingue

Second: Commissioner Arnold

Action: Approved

RISK MANAGEMENT:

22. Consider and possibly approve renewal of Employee Assistance Program with Interface EAP effective January 1, 2009 at a flat renewal premium of \$1.65 per employee per month.

Motion: Commissioner Domingue

Second: Commissioner Alfred

Action: Approved

23. Approve, receive and file official bonds for the following elected officials: Michael “Shane” Sinegal, Commissioner, Precinct No. 3; Miriam K. Johnson, County Tax Assessor – Collector.

Note: Move agenda item to County Commissioners’ agenda item 15 per Judge Walker)

24. Receive and file official oaths for the following: Michael “Shane” Sinegal, Commissioner, Precinct No. 3 and Miriam K. Johnson, County Tax Assessor – Collector.

Note: Move agenda item to County Commissioners’ agenda item 16 per Judge Walker)

25. Approve, receive and file official bond for Eddie Arnold, Commissioner, Precinct No. 1.

Note: Duplicate (see County Commissioners’ agenda item 12)

26. Receive and file official oath for Eddie Arnold, Commissioner, Precinct No. 1.

Note: Duplicate (see County Commissioners’ agenda item 13)

27. Receive and file official oath for Kenneth W. Dollinger, Justice Of The Peace, Precinct 1, Place 1.

Note: Duplicate (see County Commissioners’ agenda item 14)

*****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 5th day of **January 2009** 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 COMMISSIONERS:

28. Receive and file official oath for James E. Trahan, Jefferson County Constable, Precinct No. 4.

Motion: Commissioner Domingue
Second: Commissioner Alfred
Action: Approved

SEE ATTACHED PAGES: 131 - 132

29. Receive and file official oath for Charles Bryan Werner, Chief Deputy Constable, Precinct No. 4.

Motion: Commissioner Domingue
Second: Commissioner Alfred
Action: Approved

SEE ATTACHED PAGES: 133 - 134

30. Receive and file official oath for Benjamin Curtis Collins, Deputy Constable, Precinct No. 4.

Motion: Commissioner Domingue
Second: Commissioner Alfred
Action: Approved

SEE ATTACHED PAGES: 135 - 136

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, January 5, 2009.**