

Special Session, September 28, 2009

BE IT REMEMBERED that on **September 28, 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 Michael Shane Sinegal, 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, AGENDA AND MINUTES
OF COMMISSIONERS' COURT
OF JEFFERSON COUNTY, TEXAS
September 28, 2009**

Notice is hereby given that the Commissioners' Court of Jefferson County, Texas, will meet at **1:30 p.m.**, on the **28th** day of **September 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:

10:00 a.m. – WORKSHOP- 10:00 a.m. to hear reports from Bailey Architects regarding the following:

Energy Assessment Report by EEA, the status of our grant request to Texas Historical Commission for Round VI funding and their recommendations for moving forward on the Historical Courthouse Restoration project. In addition discuss alternative funding sources for proposed work.

11:00 a.m. WORKSHOP- 11:00 a.m. to hear a presentation from Mr. Mark Hamlin of Brazos County concerning the NACo Prescription Discount Card Program.

INVOCATION: Mark L. Domingue, Commissioner, Precinct No. 2

PLEDGE OF ALLEGIANCE: Michael S. Sinegal, Commissioner, Precinct No. 3

PURCHASING:

1. Receive and File bids for IFB 09-127/KJS, Term Contract for Hydrated Lime for Jefferson County.

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

SEE ATTACHED PAGES: 14 - 17

2. Rescind awarded bid for, IFB 09-093/KJS, Jefferson County Courthouse Phase 2 Masonry and Windows to Mid-Continental Restoration in the amount of \$1,050,000.00.

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

3. Consider and possibly approve renewal of contract IFB 06-114/TI Term Contract for Portland Cement for Jefferson County, with Ash Grove, Texas, for the period of September 28, 2009 to September 27, 2010.

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

4. Execute, receive and file renewal of contract IFB 06-114/TI Term Contract for Portland Cement for Jefferson County, with Ash Grove, Texas, for the period of September 28, 2009 to September 27, 2010.

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

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5. Consider and possibly approve renewal of contract IFB 06-020/TI Term Contract for Monitoring, Testing, and Maintenance Service for Burglar and Fire Alarm Systems for Jefferson County, with Guardian Force, for the period of September 30, 2009 to September 29, 2010.

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

6. Execute, receive and file renewal of contract IFB 06-020/TI Term Contract for Monitoring, Testing, and Maintenance Service for Burglar and Fire Alarm Systems for Jefferson County, with Guardian Force, for the period of September 30, 2009 to September 29, 2010.

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

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7. Consider and possibly approve renewal of contract IFB 07-253/AW, Term Contract Maintenance and Repair of Elevators for Jefferson County, with Otis Elevator, Co. for the period of September 30, 2009 to September 29, 2010.

Motion: Commissioner Domingue

Second: Commissioner Arnold

Action: Approved

8. Execute, receive and file renewal of contract IFB 07-253/AW Term Contract Maintenance and Repair of Elevators for Jefferson County, with Otis Elevator, Co. for the period of September 30, 2009 to September 29, 2010.

Action: Tabled

9. Execute, receive, and file, Acceptance of Offer for IFB 09-128/KJS, Seal Coat for the Ford Park Softball Field Parking Lot to LD Construction in the amount of \$121,500.00.

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

SEE ATTACHED PAGES: 20 - 21

10. Consider and possibly approve Job Order Contract (JOC 09-145/KJS), with Jamail and Smith Construction to replace the exhaust pipe on the generator at the Minnie Rogers Juvenile Justice Center due to Hurricane IKE in the amount of \$1,077.78. This is in accordance with TXMAS Contract #10-56010.

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

11. Receive, and file Job Order Contract (JOC 09-145/KJS), with Jamail and Smith Construction to replace the exhaust pipe on the generator at the Minnie Rogers Juvenile Justice Center due to Hurricane IKE in the amount of \$1,077.78. This is in accordance with TXMAS Contract #10-56010.

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

SEE ATTACHED PAGES: 22 - 24

12. Consider and possibly approve Job Order Contract (JOC 09-146/KJS), with Centerline Construction for repairs to the Correctional Facility on the Recreation Canopy at Building No. 454C, PW No.4437 due to Hurricane IKE in the amount of \$3,456.46. This is in accordance with Interlocal agreement with Harris County Department of Education (HCDE).

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

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13. Receive, and file Job Order Contract (JOC 09-146/KJS), with Centerline Construction for repairs to the Correctional Facility on the Recreation Canopy at Building No. 454C, PW No.4437 due to Hurricane IKE in the amount of \$3,456.46. This is in accordance with Interlocal agreement with Harris County Department of Education (HCDE).

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

SEE ATTACHED PAGES: 25 - 27

14. Consider and possibly approve Job Order Contract (JOC 09-147/KJS), with Centerline Construction for repairs to the Correctional Facility on the Chapel and Recreation Bldg at Building No. 458C, PW No. 4439 due to Hurricane IKE in the amount of \$18,275.28. This is in accordance with Interlocal agreement with Harris County Department of Education (HCDE).

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

15. Receive, and file Job Order Contract (JOC 09-147/KJS), with Centerline Construction for repairs to the Correctional Facility on the Chapel and Recreation Bldg at Building No. 458C, PW No. 4439 due to Hurricane IKE in the amount of \$18,275.28. This is in accordance with Interlocal agreement with Harris County Department of Education (HCDE).

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

SEE ATTACHED PAGES: 28 - 31

16. Consider and possibly approve Job Order Contract (JOC 09-148/KJS), with Centerline Construction for repairs to the Correctional Facility on DORM H Building No. 435C, PW No. 4435 due to Hurricane IKE in the amount of \$2,629.72. This is in accordance with Interlocal agreement with Harris County Department of Education (HCDE).

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

17. Receive, and file Job Order Contract (JOC 09-148/KJS), with Centerline Construction for repairs to the Correctional Facility on DORM H Building No. 435C, PW No. 4435 due to Hurricane IKE in the amount of \$2,629.72. This is in accordance with Interlocal agreement with Harris County Department of Education (HCDE).

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

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18. Consider and possibly approve Job Order Contract (JOC 09-149/KJS), with Centerline Construction for repairs to the Correctional Facility on DORM K and U, Building No. 438C & 415C, PW No. 5232 due to Hurricane IKE in the amount of \$6,554.03. This is in accordance with Interlocal agreement with Harris County Department of Education (HCDE).

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

19. Receive, and file Job Order Contract (JOC 09-149/KJS), with Centerline Construction for repairs to the Correctional Facility on DORM K and U, Building No. 438C & 415C, PW No. 5232 due to Hurricane IKE in the amount of \$6,554.03. This is in accordance with Interlocal agreement with Harris County Department of Education (HCDE).

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

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20. Consider and possibly approve Job Order Contract (JOC 09-150/KJS), with Centerline Construction for repairs to the Correctional Facility on DORM P Building No. 443C, PW No. 4408 due to Hurricane IKE in the amount of \$5,097.61. This is in accordance with Interlocal agreement with Harris County Department of Education (HCDE).

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

21. Receive, and file Job Order Contract (JOC 09-150/KJS), with Centerline Construction for repairs to the Correctional Facility on DORM P Building No. 443C, PW No. 4408 due to Hurricane IKE in the amount of \$5,097.61. This is in accordance with Interlocal agreement with Harris County Department of Education (HCDE).

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

SEE ATTACHED PAGES: 38 - 41

22. Consider and possibly approve Job Order Contract (JOC 09-151/KJS), with Centerline Construction for repairs to the Correctional Facility on DORM S Building No. 452C, PW No. 4410 due to Hurricane IKE in the amount of \$4,754.10. This is in accordance with Interlocal agreement with Harris County Department of Education (HCDE).

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

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23. Receive, and file Job Order Contract (JOC 09-151/KJS), with Centerline Construction for repairs to the Correctional Facility on DORM S Building No. 452C, PW No. 4410 due to Hurricane IKE in the amount of \$4,754.10. This is in accordance with Interlocal agreement with Harris County Department of Education (HCDE).

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

SEE ATTACHED PAGES: 42 - 43

24. Amend contract RFO 05-044/DD, Photocopiers for Jefferson County, with OCE Better Business Machines for the replacement of one copier for the Criminal District Courts, a total cost of \$249.00 per month.

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

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

Motion: Commissioner Sinegal

Second: Commissioner Alfred

Action: Approved

COUNTY AIRPORT:

26. Consider and possibly approve TxDOT routine airport maintenance grant (RAMP) #AM2010BMPTA for the Southeast Texas Regional Airport in the amount of \$34,000. This grant will be used for airport runway lights, airfield herbicide, and runway pavement markings.

Motion: Commissioner Sinegal

Second: Commissioner Arnold

Action: Approved

27. Execute, receive, and file TxDOT routine maintenance grant (RAMP) #AM2010BMPTA for the Southeast Texas Regional Airport.

Motion: Commissioner Sinegal

Second: Commissioner Arnold

Action: Approved

SEE ATTACHED PAGES: 44 - 56

COUNTY COMMISSIONERS:

28. Consider authorizing the County Judge to enter a Burn Ban Order or to Rescind an existing Burn Ban Order regarding the danger of wildfire occurrence and drought indices.

Motion: Commissioner Arnold

Second: Commissioner Domingue

Action: Approved to Rescind

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29. Receive and file executed original contract between Jefferson County and the Office of the Attorney General for Victim Notification Grant funding.

Motion: Commissioner Arnold

Second: Commissioner Domingue

Action: Approved

SEE ATTACHED PAGES: 58 - 78

30. Consider and possibly approve Resolution authorizing County grant to Nutrition and Services for Seniors for fiscal year 2009/2010. Resolution allows Nutrition and Services for Seniors to apply for matching grant funds with the State of Texas.

Motion: Commissioner Arnold

Second: Commissioner Domingue

Action: Approved

SEE ATTACHED PAGES: 79

31. Consider and possibly approve the reappointment Larry Landry as commissioner to the Jefferson County emergency Services District # 1 (J.C.E.S.D.#1) Board of Commissioners for a two year term.

Motion: Commissioner Arnold

Second: Commissioner Domingue

Action: Approved

32. Consider and possibly adopt a Resolution recognizing Kathy Welch for 33 years of loyal and dedicated service to the Juvenile Probation Department and to the citizens of Jefferson County.

Motion: Commissioner Domingue

Second: Commissioner Arnold

Action: Approved

SEE ATTACHED PAGES: 80

33. Consider and possibly approve Jefferson County Tourism Committee Hotel Occupancy Tax allocation recommendations for the fall 2009 grant cycle.

Motion: Commissioner Arnold

Second: Commissioner Domingue

Action: Approved

34. Consider and possibly approve Jefferson County participating in the NACo Prescription Discount Card Program at no charge to the County.

Motion: Commissioner Arnold

Second: Commissioner Domingue

Action: Approved

Note: Mario Watkins appointed to be the Point of Contact for the program and distribution of cards.

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35. Consider and adopt amended Order to participate in the Texas Enterprise Zone Program and to nominate Motiva Enterprises LLC as a Triple Jumbo Enterprise Project.

Motion: Commissioner Arnold
Second: Commissioner Domingue
Action: Approved

36. Consider and approve order to adopt tax rate at .365 cents per \$100 valuation. The tax rate is .33024 for maintenance and operations and .03476 for debt service.

Motion: Commissioner Arnold
Second: Commissioner Domingue
Action: Approved

37. Conduct public hearing on proposed 2009-2010 Jefferson County Budget.

Note: Meeting opened and closed for comments on the proposed budget.

38. Adopt, receive, and file the 2009-2010 Jefferson County Budget.

Motion: Commissioner Domingue
Second: Commissioner Alfred
Action: Approved

SEE ATTACHED PAGES: 81 - 214

39.

40. Consider and ratify the property tax increase reflected in the adopted budget. This item is required by House Bill 3195.

Motion: Commissioner Sinegal
Second: Commissioner Alfred
Action: Approved

41. Consider and approve Resolution for the 2010 Indigent Defense Grant Application.

Motion: Commissioner Arnold
Second: Commissioner Domingue
Action: Approved

SEE ATTACHED PAGE: 215

42. Consider approving Resolution which approves the Articles of Incorporation and Bylaws for a Local Government Corporation to be named the Gulf Coast Community Protection and Recovery District.

Motion: Commissioner Arnold
Second: Commissioner Domingue
Action: Approved

Note: Resoluion to be received and filed on the agenda for October 5, 2009 per Loma.

43. Consider authorizing the County Judge to execute all documents necessary for Jefferson County's participation in the Gulf Coast Community Protection and Recovery District.

Motion: Commissioner Arnold
Second: Commissioner Domingue
Action: Approved

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44. Receive and file Application for Incorporation of Joint Local Government Corporation signed by three Jefferson County residents.

Motion: Commissioner Arnold
Second: Commissioner Domingue
Action: Approved

SEE ATTACHED PAGES: 216 - 217

COUNTY AUDITOR:

45. Consider and approve budget transfer – Road & Bridge, Precinct 3 – move purchase of wheeled excavator to Capital Projects.

113-0309-431-6011	Road Machinery	\$ 176,445	
113-0000-491-8006	Transfer Out – Capital Project		\$ 176,445

Motion: Commissioner Arnold
Second: Commissioner Domingue
Action: Approved

46. Consider and approve budget transfer – Treasurer – additional travel.

120-1017-415-5062	Travel	\$ 8	
120-1017-415-3078	Office Supplies		\$ 8

Motion: Commissioner Arnold
Second: Commissioner Domingue
Action: Approved

47. Consider and approve budget transfer – Juvenile Detention – additional cost.

120-3064-424-5034	Medical & Surgical	\$ 2,000	
120-3064-424-6022	Capital – Furniture & Fixtures		\$ 2,000

Motion: Commissioner Arnold
Second: Commissioner Domingue
Action: Approved

48. Consider and approve budget transfer – County Court @ Law III – additional postage.

120-2053-412-4052	Postage	\$ 150	
120-2053-412-3017	Clothing		\$ 150

Motion: Commissioner Arnold
Second: Commissioner Domingue
Action: Approved

49. Receive and file monthly Financial & Operating Statement for the month ending July 31, 2009.

Motion: Commissioner Arnold
Second: Commissioner Domingue
Action: Approved

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50. Regular County Bills – check #330001 through check #330349.

Motion: Commissioner Arnold
Second: Commissioner Domingue
Action: Approved

SEE ATTACHED PAGES: 233 - 244

COUNTY CLERK:

51. Receive and file submission of Jefferson County under Section Five of the Voting Rights Act for Pre-clearance of Polling Location Changes for November 3, 2009, Constitutional Amendment Election.

Motion: Commissioner Sinegal
Second: Commissioner Alfred
Action: Approved

SEE ATTACHED PAGES: 245 - 258

COUNTY TAX ASSESSOR- COLLECTOR:

52. Consider and possibly approve waiver of penalty and interest on one (1) account pursuant to Sec.33.011 of the State Property Tax Code.

Motion: Commissioner Alfred
Second: Commissioner Sinegal
Action: Approved

53. Consider and possibly approve a Resolution giving permission to the Sheriff to conduct an auction to sell property currently held by Jefferson County and the entities for which it collects. The auction will be held on the first Tuesday of November 2009.

Motion: Commissioner Alfred
Second: Commissioner Sinegal
Action: Approved

SEE ATTACHED PAGES: 259 - 275

ENGINEERING:

54. Consider and possibly approve Minor Plat of Circle J. Acres, Tracts I thru IV, being 7.666 acres of land and part of the David Burrell League, Abstract No. 68, Jefferson County. This property is located in Precinct No. 2.

Motion: Commissioner Domingue
Second: Commissioner Arnold
Action: Approved

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55. Consider and possibly approve Amended Final Plat of Landry Place, a private road subdivision, Tracts 1, 2, 3, and A being 4,996 acres of land out of the Manuel Chirino League, Abstract No. 10, Jefferson County. This property is located in Precinct No. 4.

Motion: Commissioner Domingue

Second: Commissioner Arnold

Action: Approved

56. Request approval for incorporating Devers Road a 60 foot road as shown on the plat of Devers Road, as recorded in the subdivision plat records File No. 2005041570 into the County Road System. Devers Road is located in Precinct No. 2.

Motion: Commissioner Domingue

Second: Commissioner Arnold

Action: Approved

SHERIFF'S DEPARTMENT:

57. Consider authorizing the County Judge to accept the 2009 Paul Coverdall Forensic Science Improvement Grant on behalf of the Crime Lab. This is a fully funded NIJ grant in the amount of \$80,104, and requires no cash match from the county.

Motion: Commissioner Domingue

Second: Commissioner Arnold

Action: Approved

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

Ronald L. Walker
County Judge



**ADDENDUM TO
NOTICE OF MEETING AND MINUTES
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 **28th** day of **September 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:

COMMISSIONERS COURT:

58. Consider authorizing the County Judge to execute a deed to the former Service Zone facility to convey same to the Port Arthur Economic Development Corporation.

Motion: Commissioner Arnold
Second: Commissioner Domingue
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, September 28, 2009.**