

## **Special Session, October 5, 2009**

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

Notice is hereby given that the Commissioners' Court of Jefferson County, Texas, will meet at **1:30 p.m.**, on the **5<sup>th</sup> day of October 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: Michael S. Sinegal, Commissioner, Precinct No. 3**

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

**PURCHASING:**

1. Receive and File bids for IFB 09-136/KJS, Term Contract for Reinforced Concrete Pipe and Pre-Cast Concrete Box Culverts for Jefferson County.

Action: No Bids

2. Receive and File bids for IFB 09-134/KJS, Sale of the Arena Deck Ice Cover at Ford Park.

Action: No Bids

3. 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.

Motion: Commissioner Domingue

Second: Commissioner Sinegal

Action: Approved

**SEE ATTACHED PAGE: 09**

Notice of Meeting and Agenda  
October 5, 2009

4. Award IFB 09-127/KJS, Term Contract for Hydrated Lime for Jefferson County to Austin White Lime Company and Chemical Lime Company at a cost of \$149.29 per ton for 264.2 Type A Hydrated Lime and \$149.29 per ton for 264.2 Type C Quicklime Grade DS.

Motion: Commissioner Domingue

Second: Commissioner Sinegal

Action: Approved

5. Award IFB 09-127/KJS, Term Contract for Hydrated Lime for Jefferson County to Chemical Lime Company at a cost of \$150.00 per ton for 264.2 Type B Commercial Lime Slurry.

Motion: Commissioner Domingue

Second: Commissioner Sinegal

Action: Approved

6. Execute, receive and file Acceptance of Offer for IFB 09-127/KJS, Term Contract for Hydrated Lime for Jefferson County with Austin White Lime Company.

Motion: Commissioner Domingue

Second: Commissioner Sinegal

Action: Approved

**SEE ATTACHED PAGES: 10 - 12**

7. Execute, receive and file Acceptance of Offer for IFB 09-127/KJS, Term Contract for Hydrated Lime for Jefferson County with Chemical Lime Company.

Motion: Commissioner Domingue

Second: Commissioner Sinegal

Action: Approved

**SEE ATTACHED PAGES: 13 - 15**

8. Consider and possibly approve Task Order #3 with Arceneaux & Gates for a survey of the Southeast Texas Regional Airport and adjacent property fronting Hwy 69.

Motion: Commissioner Domingue

Second: Commissioner Sinegal

Action: Approved

**Note: A price not to exceed \$7500.**

**COUNTY COMMISSIONERS:**

9. 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.

Action: Tabled

10. Consider and possibly approve a Resolution adopting an Order for naming roads and assigning address numbers within unincorporated areas of Jefferson County to provide for an enhanced and more effective 9-1-1 Emergency Response System.

Motion: Commissioner Arnold

Second: Commissioner Domingue

Action: Approved

**Note: To be received and filed October 12, 2009 per Loma**

Notice of Meeting and Agenda  
October 5, 2009

11. Consider and possibly approve a Proclamation proclaiming Saturday, October 17, 2009 as the American Heart Association Golden Triangle 2009 START! Heart Walk day in Jefferson County.

Motion: Commissioner Arnold  
Second: Commissioner Domingue  
Action: Approved

**SEE ATTACHED PAGE: 16**

12. Consider and possibly approve a Proclamation designating October 22, 2009 as Julie Rogers "Gift of Life" Program Day and the month of October, 2009 as Breast Cancer Awareness Month and October 16, 2009 as Mammography Day in Jefferson County.

Motion: Commissioner Arnold  
Second: Commissioner Domingue  
Action: Approved

**SEE ATTACHED PAGES: 17 - 18**

13. Consider and possibly approve 2010 County Holidays.

Motion: Commissioner Arnold  
Second: Commissioner Domingue  
Action: Approved

**SEE ATTACHED PAGE: 19**

Note: If the holiday falls on a Saturday, the Friday before will be observed and if the holiday falls on a Sunday, the Monday following will be observed for all future holidays falling on the weekend.

14. Consider authorizing the County Judge to execute a Certificate of Completion on TDHCA Home Contract No.1000596.

Motion: Commissioner Arnold  
Second: Commissioner Domingue  
Action: Approved

15. Consider and possibly approve a Proclamation designating October 8, 2009 as Texan Plus Wii Bowling Championship Day in Jefferson County.

Motion: Commissioner Arnold  
Second: Commissioner Domingue  
Action: Approved

**SEE ATTACHED PAGE: 20**

16. Consider and possibly approve a Proclamation designating the month of October 4-10, 2009 to be National 4-H Week in Jefferson County.

Motion: Commissioner Arnold  
Second: Commissioner Domingue  
Action: Approved

**SEE ATTACHED PAGES: 21 - 22**

17. Receive and file Articles of Incorporation and By-Laws of Gulf Coast Community Protection and Recovery District, Inc. and Resolution of Jefferson County Commissioners Court approving same.

Motion: Commissioner Arnold  
Second: Commissioner Domingue  
Action: Approved

**SEE ATTACHED PAGES: 23 - 42**

18. Consider and possibly approve a Resolution adopting the Jefferson County Uniform Tax Abatement Policy for 2009.

Motion: Commissioner Arnold  
Second: Commissioner Domingue  
Action: Approved

19. Receive and file the approved Resolution adopting the Jefferson County Uniform Tax Abatement Policy and the Jefferson County Uniform Tax Abatement Policy.

Motion: Commissioner Arnold  
Second: Commissioner Domingue  
Action: Approved

**SEE ATTACHED PAGES: 43 - 57**

20. Consider and possibly appoint a Data Reporting Improvement Plan Advisory Board pursuant to Art. 60.09, Code of Criminal Procedure, (Per Art. 60.10 CCP, the board is to be comprised of the Sheriff or his designee, an attorney who represents the state in district courts, an attorney who represents the state in the county courts, District Clerk or her designee, the County Clerk or her designee, the Police Chief of the City of Beaumont, the Director of MIS or his designee and others deemed appropriate.) The board is to prepare a data reporting improvement plan to improve the disposition rates in criminal courts to exceed 90% and the board must be appointed no later than November 1, 2009.

Motion: Commissioner Arnold  
Second: Commissioner Domingue  
Action: Approved

21. Receive and file 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

**SEE ATTACHED PAGES: 58 - 60**

22. Consider authorizing the County Judge to execute a Resolution admitting the City of Taylor Landing to the Inter-Jurisdictional Emergency Management Plan to which the County is a party along with Nome, China, Bevil Oaks, Port Neches, Nederland, and Groves.

Motion: Commissioner Arnold  
Second: Commissioner Domingue  
Action: Approved

**Note: To be received and filed later, not signed by Mayor John J. Durkay.**

Notice of Meeting and Agenda  
October 5, 2009

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

Motion: Commissioner Arnold

Second: Commissioner Domingue

Action: Approved

**SEE ATTACHED PAGE: 61**

**COUNTY AUDITOR:**

24. Consider and approve FY 2009 budget transfer – Indigent Health – additional cost of pharmaceuticals.

120-5079-442-5032	Hospital Services	\$ 72,125	
-------------------	-------------------	-----------	--

120-5079-442-3049	Pharmaceuticals		\$ 72,125
-------------------	-----------------	--	-----------

Motion: Commissioner Alfred

Second: Commissioner Arnold

Action: Approved

25. Consider and approve FY 2009 budget transfer – District Attorney – additional postage.

120-2030-412-4052	Postage	\$ 1,000	
-------------------	---------	----------	--

120-2030-412-3078	Office Supplies		\$ 1,000
-------------------	-----------------	--	----------

Motion: Commissioner Alfred

Second: Commissioner Arnold

Action: Approved

26. Consider and approve FY 2010 budget transfer – Road & Bridge Precincts 1 and 2 – correction to road foreman salaries.

111-0101-431-1009	Road Foreman	\$ 3,546	
-------------------	--------------	----------	--

111-0101-431-2001	FICA	\$ 272	
-------------------	------	--------	--

111-0101-431-2002	Employees' Retirement	\$ 514	
-------------------	-----------------------	--------	--

111-0102-431-3079	Crushed Stone		\$ 4,332
-------------------	---------------	--	----------

112-0202-431-1028	Road Foreman	\$ 3,546	
-------------------	--------------	----------	--

112-0202-431-2001	FICA	\$ 272	
-------------------	------	--------	--

112-0202-431-2002	Employees' Retirement	\$ 514	
-------------------	-----------------------	--------	--

112-0202-431-3079	Crushed Stone		\$ 4,332
-------------------	---------------	--	----------

Motion: Commissioner Alfred

Second: Commissioner Arnold

Action: Approved

27. Regular County Bills – check #330350 through check #330687.

Motion: Commissioner Alfred

Second: Commissioner Arnold

Action: Approved

**SEE ATTACHED PAGES: 62 - 73**

**COUNTY CLERK:**

28. Consider and possibly approve a polling location change for the November 3, 2009, Constitutional Amendment Election for Pct. 65 from the current location at Regina Howell Elementary School, 5850 Regina Lane, Beaumont, Texas to Sallie Curtis Elementary School, 6225 N. Circuit Drive, Beaumont, Texas, due to notification from BISD Regina Howell Elementary will be unavailable on that date.

Motion: Commissioner Alfred  
Second: Commissioner Sinegal  
Action: Approved

**COUNTY TREASURER:**

29. Authorize release of pledged securities at Capital One Bank for the funds of Jefferson County.

Motion: Commissioner Alfred  
Second: Commissioner Sinegal  
Action: Approved

**ENGINEERING:**

30. Execute, receive and file Pipeline Permit 10-P-09 to Cimarex Energy Co. for the installation of a 6" pipeline encased in a 10" pipeline carrying oil, gas, and water across Old Sour Lake Road. Project is located in Precinct No. 1.

Motion: Commissioner Arnold  
Second: Commissioner Domingue  
Action: Approved

**SEE ATTACHED PAGES: 74 - 83**

31. Consider and possibly approve Final Plat of Foreman Estates, Lots 1 and 2, out of the David Choate Survey, Abstract No. 11, Jefferson County. This property is located in the City of Beaumont's ETJ (extra-territorial jurisdiction) and Precinct No. 1.

Motion: Commissioner Arnold  
Second: Commissioner Domingue  
Action: Approved

**RISK MANAGEMENT:**

32. Consider and possibly approve out of state travel for Kim Isaacs to attend the Medco Best Practices Conference in Las Vegas, Nevada October 28-30, 2009. This is a budgeted item. Medco is covering all cost except airfare and meals, which are estimated at \$ 375.00.

Motion: Commissioner Sinegal  
Second: Commissioner Domingue  
Action: Approved

**SHERIFF'S DEPARTMENT:**

33. Receive and file 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

**SEE ATTACHED PAGES: 84 - 93**

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

---

Ronald L. Walker  
County Judge



Notice of Meeting and Agenda  
October 5, 2009

**Special Session, October 5, 2009**

**There being no further business to come before the Court at this time,  
same is now here adjourned on this date, October 5, 2009.**