

Special Session, October 19, 2009

BE IT REMEMBERED that on **October 19, 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 X

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 19, 2009**

Notice is hereby given that the Commissioners' Court of Jefferson County, Texas, will meet at **1:30 p.m.**, on the **19th 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: Eddie Arnold, Commissioner, Precinct No. 1

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

PURCHASING:

1. Approve Specifications for IFB 09-156/KJS, for Term Contract for Liquid Soil Stabilizer for Jefferson County **Re-bid.**

Motion: Commissioner Alfred
Second: Commissioner Domingue
Action: Approved

2. Approve Specifications for IFB 09-157/KJS, Hot Mix Overlay for the Softball Fields Parking Lot at Ford Park

Motion: Commissioner Alfred
Second: Commissioner Domingue
Action: Approved

Notice of Meeting and Agenda
October 19, 2009

3. Consider and possibly approve Amendment I to contract IFB 09-079 KJS, Term Contract for Armored Car Service for Jefferson County with Rochester Armored Car. The Amendment will add an additional armored car service pick up seven days a week to the Sheriff Commissary, at 5030 Hwy 69 South, Beaumont, Texas 77705, in the amount of \$403.24/month.

Motion: Commissioner Alfred
Second: Commissioner Domingue
Action: Approved

4. Rescind award and terminate contract for the IFB 09-128/KJS, Seal Coat for the Ford Park Softball Field Parking Lot with L.D. Construction. This contract was executed, received and filed on Monday, September 28, 2009, by Jefferson County Commissioners' Court. The Asphalt Season for Seal Coat technically ends on October 1 each year, and weather has prevented extensions.

Motion: Commissioner Alfred
Second: Commissioner Domingue
Action: Approved

5. Amend award of IFB 09-114/KJS, Weatherproofing and Restoration of Jefferson County Sub-Courthouse, to Mid-Continental Restoration, Inc. to correct amount of \$110,550.00 from original incorrect amount of \$101,550.00

Motion: Commissioner Alfred
Second: Commissioner Domingue
Action: Approved

6. Consider and possibly approve Change Order No. 2-McInnis Construction, Inc. to contract IFB 09-104/KJS, Ford Park Women's Toilet Facility Project, for work required for irrigation piping, in the amount of \$8,573.25. This change brings the contract total from \$489,400.00 to \$497,973.25.

Motion: Commissioner Alfred
Second: Commissioner Domingue
Action: Approved

7. Execute, receive and file Change Order No. 2-McInnis Construction, Inc. to contract IFB 09-104/KJS, Ford Park Women's Toilet Facility Project, for work required for irrigation piping, in the amount of \$8,573.25. This change brings the contract total from \$489,400.00 to \$497,973.25.

Motion: Commissioner Alfred
Second: Commissioner Domingue
Action: Approved

SEE ATTACHED PAGES: 09 - 10

Notice of Meeting and Agenda
October 19, 2009

8. Consider and possibly approve a request for a waiver or decrease in monthly lease payments on The Courthouse Café, now doing business as Maggie's Home-style Café. The current rent is set at \$600.00.

Motion: Commissioner Arnold
Second: Commissioner Sinegal
Action: Approved

9. Execute, receive and file Engagement Letter for RFP 08-065/DC, Auditing Services for Jefferson County with Gayle W. Botley & Associates for year ending September 30, 2009.

Motion: Commissioner Alfred
Second: Commissioner Domingue
Action: Approved

SEE ATTACHED PAGES: 11 - 20

10. Approve extension of bid opening date for IFB 09-121/KJS, Sale of Former Postal Encoding Center Facility at 750 Pearl Street and Nearby Parking Lot from Monday, October 26, 2009 at 11:00 AM to Monday, November 30, 2009 at 11:00 AM.

Motion: Commissioner Alfred
Second: Commissioner Domingue
Action: Approved

COUNTY COMMISSIONERS:

11. 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

12. Consider and possibly approve a Proclamation recognizing October 18-24, 2009 as Italian History Week.

Motion: Commissioner Sinegal
Second: Commissioner Domingue
Action: Approved

SEE ATTACHED PAGE: 21

13. Consider authorizing the County Judge to execute a Consultant Agreement between Jefferson County and David Waxman, Inc. for Hurricane Rita Round II funding work. The work was previously approved by Commissioners' Court.

Motion: Commissioner Sinegal
Second: Commissioner Domingue
Action: Approved

14. Receive and file executed compromise and settlement and release between Jefferson County and AT & T.

Motion: Commissioner Sinegal
Second: Commissioner Domingue
Action: Approved

Note: Commission Arnold abstained due to recusal.

SEE ATTACHED PAGES: 22 - 30

15. Consider and possibly approve Certificate of Completion for Commissioner Everette Alfred. Commissioner Alfred has successfully completed the continuing education provisions of Article 81.0025 of the Texas Local Government Code 2008. Total hours earned in 2008-25.00. A total of 8.00 credit hours have carried over into the 2009 year.

Motion: Commissioner Sinegal
Second: Commissioner Domingue
Action: Approved

SEE ATTACHED PAGE: 31

16. Levy taxes for Port of Sabine Pass, Sabine Neches Navigation District, Port of Beaumont, and Port of Port Arthur.

Motion: Commissioner Sinegal
Second: Commissioner Domingue
Action: Approved

COUNTY AUDITOR:

17. Consider and approve FY 2009 budget transfer – payroll accrual items. See attached schedule.

Motion: Commissioner Alfred
Second: Commissioner Arnold
Action: Approved

SEE ATTACHED PAGES: 32

18. Regular County Bills – check #331065 through check #331300.

Motion: Commissioner Alfred
Second: Commissioner Arnold
Action: Approved

SEE ATTACHED PAGES: 33 - 41

ENGINEERING:

19. Execute, receive and file Pipeline Permit No. 12-P-09 to HSC Pipeline Partnership, LLC for the construction of a 6” propane pipeline across several Jefferson County roads. Project is located in Precinct No. 4.

Motion: Commissioner Alfred
Second: Commissioner Sinegal
Action: Approved

SEE ATTACHED PAGES: 42 - 60

HUMAN RESOURCES:

20. Consider and possibly approve, receive and file authorization to maintain Texas County and District Retirement System (TCDRS) Plan Provisions for 2010 at 14.38 percent.

Motion: Commissioner Domingue

Second: Commissioner Alfred

Action: Approved

SEE ATTACHED PAGES:

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

Ronald L. Walker
County Judge

Notice of Meeting and Agenda
October 19, 2009



**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 **19th** day of **October 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:

HEALTH & WELFARE DEPARTMENT:

21. Consider and possibly authorize payment, beyond the \$ 30,000.00 cap, to complete Chemotherapy treatment for a patient.

Motion: Commissioner Alfred
Second: Commissioner Sinegal
Action: Approved

Ronald L. Walker
County Judge



**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 **19th** day of **October 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:

22. Consider and possibly adopt a **Resolution** to cast votes in the Election of the Board of Directors of the Jefferson County Appraisal District as provided by Section 6.03 of the Tax Code.

Action: Tabled

23. Receive and file a Resolution to cast votes in the Election of the Board of Directors of the Jefferson County Appraisal District as provided by Section 6.03 of the Tax Code.

Action: Tabled

Ronald L. Walker
County Judge

Notice of Meeting and Agenda
October 19, 2009

Special Session, October 19, 2009

There being no further business to come before the Court at this time, same is now here adjourned on this date, October 19, 2009.