

**SPECIAL Session, March 19, 2012**

**BE IT REMEMBERED** that on **March 19, 2012**, 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 Jeff Branick, County Judge

Commissioner Eddie Arnold, Commissioner Pct. No. 1

Commissioner Brent Weaver, Commissioner Pct. No. 2

Commissioner Michael Sinegal, Commissioner Pct. No. 3

Commissioner Everette D. Alfred, Commissioner Pct. No. 4

Honorable G. Mitch Woods, Sheriff

Honorable Carolyn L. Guidry, County Clerk -

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

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Jeff R. Branick, County Judge  
Eddie Arnold, Commissioner, Precinct One

*Jefferson County Commissioners Court Minutes*  
*Jefferson County, Texas*

Brent A. Weaver, Commissioner, Precinct Two  
Michael S. Sinegal, Commissioner, Precinct Three  
Everette "Bo" Alfred, Commissioner, Precinct Four



**NOTICE OF MEETING AND AGENDA AND MINUTES  
OF COMMISSIONERS' COURT  
OF JEFFERSON COUNTY, TEXAS  
March 19, 2012**

Notice is hereby given that the Commissioners' Court of Jefferson County, Texas, will meet at **1:30 p.m.**, on the **19<sup>th</sup>** day of **March 2012** at its regular meeting place in the **Commissioners' Courtroom, 4<sup>th</sup> Floor, 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: Everette D. Alfred, Commissioner, Precinct No. 4**

**PURCHASING:**

1. Consider and approve specifications (IFB 12-010/KJS) Term Contract for Crushed Slag and asphalt products for Jefferson County.

**Motion by: Commissioner Weaver**  
**Second by: Commissioner Alfred**  
**Action: APPROVED**

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2. Consider and approve, execute, receive and file Change Order No. 2 to (IFB 11-036/KJS) Access Road Improvements at the Jack Brooks Regional Airport with Excavators and Constructors, Ltd. This change order will increase the contract amount by \$63,303.98, bringing the contract total to \$1,471,899.03 and will not change the total contract time. The change order involves the revision and addition of electrical items, including cost to Entergy to provide illumination of the new entrance road. This project is funded 95% by FAA AIP Grant 28 and 5% through budgeted funds.

**SEE ATTACHED PAGE 11**

**Motion by: Commissioner Weaver**  
**Second by: Commissioner Alfred**  
**Action: APPROVED**

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3. Consider and approve, execute, receive and file Contract (12-004/KJS) Needmore Road Bridge Project to APAC-Texas in the amount of \$ \$705,478.01.

**SEE ATTACHED PAGES 12 - 13**

**Motion by: Commissioner Weaver**  
**Second by: Commissioner Alfred**  
**Action: APPROVED**

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4. Consider and possibly approve disposal of scrap metal lockers and bunk beds. Scrap materials to be transported to a metal salvage company and there sold for such price as it may command and return funds to the County.

**Motion by: Commissioner Weaver**  
**Second by: Commissioner Alfred**  
**Action: APPROVED**

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5. Consider and possibly approve an auction of surplus property as authorized by Local Government Code §263.152 (a) (1) to be auctioned by Horn's Auction, Inc. The auction is scheduled for Saturday April 7, 2012 at 9:00 A.M.

**Motion by: Commissioner Weaver**  
**Second by: Commissioner Alfred**  
**Action: APPROVED**

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6. Consider and possibly approve disposition of salvage property as authorized by Local Government Code §263.152 (3) for broken or obsolete items.

**Motion by: Commissioner Weaver**  
**Second by: Commissioner Alfred**  
**Action: APPROVED**

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## COUNTY COMMISSIONERS:

7. Consider authorizing the County Judge to enter/ terminate a Burn Ban Order.

**Action: TABLED**

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8. Consider and possibly authorize the County Judge to execute an order creating the Air Products LLC Reinvestment Zone.

**Motion by: Commissioner Alfred**  
**Second by: Commissioner Arnold**  
**Action: APPROVED**

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9. Consider and possibly authorize the County Judge to execute an order amending the Premcor Reinvestment Zone.

**Motion by: Commissioner Alfred**  
**Second by: Commissioner Arnold**  
**Action: APPROVED**

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10. Receive and file executed order creating the Air Products LLC Reinvestment Zone.

**SEE ATTACHED PAGES 14 - 25**

**Motion by: Commissioner Alfred**  
**Second by: Commissioner Arnold**  
**Action: APPROVED**

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11. Receive and file executed order amending the Premcor Reinvestment Zone.

**SEE ATTACHED PAGES 26 - 37**

**Motion by: Commissioner Alfred**  
**Second by: Commissioner Arnold**  
**Action: APPROVED**

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12. Receive and file executed Inter-local Agreement between Jefferson County and the City of Groves. **SEE ATTACHED PAGES 38 - 41**

**Motion by: Commissioner Alfred**  
**Second by: Commissioner Arnold**  
**Action: APPROVED**

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13. Receive and file executed Inter-local Agreement between Jefferson County and the Port Neches- Groves Independent School District. **SEE ATTACHED PAGES 42 - 44**

**Motion by: Commissioner Alfred**  
**Second by: Commissioner Arnold**  
**Action: APPROVED**

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14. Consider and possibly approve a Proclamation designating March 22- April 1, 2012 as YMBL South Texas Fair Days in Jefferson County, Texas.

**SEE ATTACHED PAGE 45**

**Motion by: Commissioner Alfred**  
**Second by: Commissioner Arnold**  
**Action: APPROVED**

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15. Consider and possibly approve Jefferson County Tourism Committee Hotel Occupancy Tax allocation recommendation of Tennis Tournament bid fees for the Andy Roddick Foundation.

North American Finale	June 22 – 24, 2012	\$3,500.00
Classics Tournament	August 18 – 19, 2012	\$1, 000.00
Classics Tournament	November 17 – 18, 2012	\$1, 000.00
Total		\$5,500.00

**Action: TABLED**

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16. Consider and possibly authorize the County Judge to execute Department of State Health Services Contract No. 2012-040780-001 for Diabetes Health Services.

**Motion by: Commissioner Alfred**  
**Second by: Commissioner Arnold**  
**Action: APPROVED**

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17. Pursuant to Chapter 551 of the Texas Government Code, the Jefferson County Commissioners Court will meet at 1:30 o'clock P.M., on the 19<sup>TH</sup> day of March, 2012, to take up for consideration and to take action regarding any and all necessary adjustments in Jefferson County Election Precincts to conform with one or more Federal Court Orders affecting the redistricting of Texas Congressional, State Senate and State House of Representative Districts, as the same affect Jefferson County. The Commissioners Court will enter an Order to authorize the firm of Allison, Bass & Associates, LLP, redistricting counsel, to prepare and submit to the United States Department of Justice a submission

seeking pre-clearance of all Jefferson County election boundaries, voting places and procedures related to conforming existing County political boundaries to the Federal Court Ordered redistricting plan(s) for the State of Texas as the same apply to Jefferson County, Texas, pursuant to Sections 42.005, 42.0051, 42.006 and 42.007 of the Texas Election Code.

**Motion by: Commissioner Alfred**  
**Second by: Commissioner Arnold**  
**Action: APPROVED**

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18. Receive and consider a Presentation from the Spindle Center regarding their restructuring and benefits services.

**Motion by: Commissioner Sinegal**  
**Second by: Commissioner Weaver**  
**Action: APPROVED**

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19. Consider and possibly approve out of state travel for Terri Looney, Coastal and Marine Resources Agent to attend the National Oceanographic Science Bowl Competition. Terri serves as the Chairperson of this National Competition so it is mandatory that she attend. The contest will take place in Baltimore, Maryland. All fees, travel costs and lodging are being paid by Texas Sea Grant, so there is no cost to Jefferson County. The program will take place April 18<sup>th</sup> through April 22<sup>nd</sup>, 2012.

**Motion by: Commissioner Alfred**  
**Second by: Commissioner Arnold**  
**Action: APPROVED**

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## **COUNTY AUDITOR:**

20. Consider and approve budget transfer – Road & Bridge, Precinct 2 – additional overtime cost.

112-0202-431-1098	Overtime Pay	\$ 1,500	
112-0202-431-3079	Crushed Stone		\$ 1,500

**Motion by: Commissioner Arnold**  
**Second by: Commissioner Alfred**  
**Action: APPROVED**

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21. Regular County Bills – check #364333 through check #364644 (3/12/2012).

**SEE ATTACHED PAGES 46 - 56**

**Motion by: Commissioner Arnold**  
**Second by: Commissioner Alfred**  
**Action: APPROVED**

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22. Regular County Bills – check #364645 through check #364894 (3/19/2012).

**SEE ATTACHED PAGES 57 - 66**

**Motion by: Commissioner Arnold**  
**Second by: Commissioner Alfred**  
**Action: APPROVED**

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## **COUNTY CLERK:**

23. Consider and possibly approve, execute, receive and file, 2<sup>ND</sup> SUPPLEMENTAL and FINAL ORDER ADOPTING REVISED COUNTY POLITICAL BOUNDARIES, INCLUDING VOTING PRECINCTS FOLLOWING IMPOSITION OF COURT ORDERED DISTRICTS FOR STATE HOUSE OF REPRESENTATIVES.

**SEE ATTACHED PAGES 67 - 71**

**Motion by: Commissioner Sinegal**  
**Second by: Commissioner Weaver**  
**Action: APPROVED**

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24. Consider and possibly approve, receive and file, Notice of Early Voting Locations and Hours for May 29, 2012, Joint Democratic and Republican Primary Election. Locations are the same as approved by the Court on January 17, 2012, but dates have been changed in accordance with federal court order moving the Primary election date to May 29, 2012.  
**SEE ATTACHED PAGE 72**

**Motion by: Commissioner Sinegal**  
**Second by: Commissioner Weaver**  
**Action: APPROVED**

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25. Consider and possibly approve, receive and file Notice of Election Day Polling Locations for May 29, 2012, Joint Democratic and Republican Primary Election. Changes to precincts assigned to polling locations have been made to comply with 2<sup>ND</sup> SUPPLEMENTAL and FINAL ORDER ADOPTING REVISED COUNTY POLITICAL BOUNDARIES, INCLUDING VOTING PRECINCTS FOLLOWING IMPOSITION OF COURT ORDERED DISTRICTS FOR STATE HOUSE OF REPRESENTATIVES.

**SEE ATTACHED PAGES 73 - 75**

**Motion by: Commissioner Sinegal**  
**Second by: Commissioner Weaver**  
**Action: APPROVED**

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## **COUNTY ENGINEERING:**

26. Consider and possibly authorize the County Judge to execute an Easement & Right-Of-Way Agreement for crossing fee property between Air Products LLC and Jefferson County, Texas. Property is located in Precincts 2 and 3.

**Motion by: Commissioner Weaver**  
**Second by: Commissioner Sinegal**  
**Action: APPROVED**

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27. Execute, receive and file Pipeline Permit 02-P-12 to Air Products LLC for the installation of an 8-inch carbon dioxide pipeline crossing two (2) public road rights-of-way (Knauth Road & County Airport Access Road) belonging to Jefferson County, Texas. Project is located in Precincts 2 and 3. **SEE ATTACHED PAGES 76 - 97**

**Motion by: Commissioner Weaver**  
**Second by: Commissioner Sinegal**  
**Action: APPROVED**

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## **HUMAN RESOURCES:**

28. Consider and possibly approve and receive and file revisions to the "Personnel Policies Practices and Procedures Manuel" for Section 11.4 – Family Medical Leave Act (FMLA) Attachments C and C1, Jefferson County Certification of Health Care Provider forms.

**SEE ATTACHED PAGES 98 - 105**

**Motion by: Commissioner Sinegal**  
**Second by: Commissioner Weaver**  
**Action: APPROVED**

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**OTHER BUSINESS:**

**Receive reports from Elected Officials and staff on matters of community interest without taking action.**

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

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**Jeff R. Branick**  
**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 **19<sup>th</sup>** of **March 2012** in the Commissioners' Courtroom, **4<sup>TH</sup> Floor**, Jefferson County Courthouse, 1149 Pearl Street, Beaumont, Texas, notice is hereby given of the following additional subject to be considered:

**PURCHASING:**

29. Consider and approve, execute, receive and file Change Order No. 1 (IFB 11-049/KJS) Jefferson County Regional Marine Security Center with ALLCO. This change order will increase the contract amount by \$75,251.00, bringing the contract total to \$2,471,251.00 and request is made for additional calendar days to be determined as a result of this change. The change order is for cost to comply with the American Recovery and Reinvestment Act per the Buy American clause in lieu of specified foreign manufactured products. This is funded by the American Recovery and Reinvestment Act Port Security Grant Program (ARRA PSGP).

**SEE ATTACHED PAGES 106 - 107**

**Motion by: Commissioner Weaver**  
**Second by: Commissioner Alfred**  
**Action: APPROVED**

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**Jeff R. Branick**  
**County Judge**

**SPECIAL Session, March 19, 2012**

There being no further business to come before the Court at this time, same is  
now here adjourned on this date, March 19, 2012