

Special Session, October 1, 2012

BE IT REMEMBERED that on **October 1, 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:

- - - - -

Jeff R. Branick, County Judge
Eddie Arnold, Commissioner, Precinct One
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
October 1, 2012**

Notice is hereby given that the Commissioners' Court of Jefferson County, Texas, will meet at **10:00 a.m.**, on the **1st** day of **October 2012** at its regular meeting place in the **Commissioners' Courtroom, 4th 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: Everette D. Alfred, Commissioner, Precinct Four

PLEDGE OF ALLEGIANCE: Eddie Arnold, Commissioner, Precinct One

PURCHASING:

1. Approve specifications for Request for Proposals (RFP 12-028/JW), Inmate Health Care Services for Jefferson County Correctional Facility.

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

2. Consider and approve, execute, receive and file Change Order #1 to (IFB 12-014/KJS) Jefferson County Courthouse Interior Masonry Phase 4 Rehabilitation, for a decrease in the amount of \$4,518.00 lowering the contract total to \$33,292.00 Changes are due to the fragility of the historic marble and window moldings.

SEE ATTACHED PAGES 15 -18

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

3. Consider and possibly approve, execute, receive and file a renewal of (IFB 11-040/AW), Term Contract for Herbicides for Jack Brooks Regional Airport (Jefferson County) with Alligare, LLC., and Red River Specialties, Inc. for the first additional (1) one year renewal from October 16, 2012 to October 15, 2013. Proposed price increases for Red River Specialties, Inc. are shown on Attachment A. The price increases are due to an increased product cost to the vendor. **SEE ATTACHED PAGES 19 -20**

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

4. Approve, execute, receive and file Contract (12-030/KJS) Proposed 200,000 Gallon Elevated Water Storage Tank for the City of Hamshire, with Maguire Iron, Inc in the amount of the base proposal \$849,120.00, for the construction of a 200,000 gallon steel leg above ground tank, and proposal B for the hot mix surface for driveway in the amount of \$12,775.00, for a total contract award of \$861,895.00 with 300 calendar days. (Funded by Round 1 TDRA Grant Administered by The General Land Office of the State of Texas).

SEE ATTACHED PAGES 21 - 221

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

5. Consider and possibly approve disposition of salvage property as authorized by Local Government Code §263.152 (a) (4), by donating it to a charitable organization, Goodwill Industries.

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

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 Sinegal
Second by: Commissioner Weaver
Action: APPROVED

COUNTY COMMISSIONERS:

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

Action: TABLED

8. Consider and possibly approve Jefferson County Tourism Committee Hotel Occupancy Tax allocation recommendation for fall 2012.

SEE ATTACHED PAGES 12 - 13

Motion by: Commissioner Arnold
Second by: Commissioner Weaver
Action: APPROVED

9. Consider and possibly approve the 2013 County Holidays.

SEE ATTACHED PAGE 14

Motion by: Commissioner Arnold
Second by: Commissioner Weaver
Action: APPROVED

10. Consider and possibly approve a Proclamation proclaiming the month of October, 2012 as Italian History Month. **SEE ATTACHED PAGE 222**

Motion by: Commissioner Arnold
Second by: Commissioner Weaver
Action: APPROVED

11. Consider and possibly approve a Proclamation for National Disability Month.

SEE ATTACHED PAGE 223

Motion by: Commissioner Arnold
Second by: Commissioner Weaver
Action: APPROVED

12. Receive and file order to adopt tax rate at .365 cents per \$100 valuation. The tax rate is .340215 for maintenance and operations and .024785 for debt service.

SEE ATTACHED PAGE 224

Motion by: Commissioner Arnold
Second by: Commissioner Weaver
Action: APPROVED

13. Consider and approve a Resolution authorizing County Grant to Nutrition and Services for Seniors for fiscal year 2012-2013. Resolution allows Nutrition and Services to apply for matching grant funds with the State of Texas.

SEE ATTACHED PAGE 225

Motion by: Commissioner Arnold
Second by: Commissioner Weaver
Action: APPROVED

COUNTY AUDITOR:

14. Consider and possibly approve FY 2012 budget transfer – 60th District Court – additional cost.

120-2034-412-2002	Employees Retirement	\$ 600	
120-2034-412-5062	Travel		\$ 600

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

15. Consider and possibly approve FY 2012 budget transfer – Justice of the Peace, Pct. 8 – additional cost.

120-2049-412-1005	Extra Help	\$1,000	
120-2049-412-2002	Employees Retirement		\$1,000

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

16. Consider and possibly approve FY 2012 budget transfer – Veterans Services – additional cost.

120-8096-419-4052	Postage	\$ 100	
120-8096-419-2003	Employees Insurance		\$ 100

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

17. Consider and possibly approve FY 2012 budget amendment - Printing – additional cost.

120-1018-419-3078	Office Supplies	\$4,000	
120-1022-415-5062	Travel		\$4,000

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

18. Consider and possibly approve FY 2013 budget amendment – Parks & Recreation – allocation of Road & Bridge, Precinct 3 labor cost.

116-0606-431-1028	Laborer	\$28,000	
116-0606-431-2001	FICA	\$2,100	
116-0606-431-2002	Employees' Retirement	\$4,400	
116-0606-431-2003	Employees' Insurance	\$5,400	
113-0302-431-1028	Laborer		\$28,000
113-0302-431-2001	FICA		\$2,100
113-0302-431-2002	Employees' Retirement		\$4,400
113-0302-431-2003	Employees' Insurance		\$5,400

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

19. Consider and approve revised intergovernmental agreement with the City of Beaumont for the 2007 Supplemental Port Security Grant. Jefferson County acts as the fiduciary agent on this grant.

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

20. Consider and approve agreement with Martin Operating Partners, LP for the distribution of 2009 Port Security Grant. Jefferson County acts as the fiduciary agent on this grant.

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

21. Receive and file Financial & Operating Statements for the Month Ending August 31, 2012. **SEE ATTACHED PAGES 226 - 240**

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

22. Regular County Bills Check #371862 through Check #372170.

SEE ATTACHED PAGES 241 - 252

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

COUNTY TAX ASSESSOR-COLLECTOR:

23. Consider and possibly approve a Proclamation for the American Heart Association.

SEE ATTACHED PAGE 253

Motion by: Commissioner Arnold
Second by: Commissioner Sinegal
Action: APPROVED

COUNTY TREASURER:

24. Consider and possibly authorize the County Treasurer to execute Release of Excess Collateral with the Bank of New York-Mellon Trust Company for the funds of Jefferson County.

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

ENGINEERING DEPARTMENT:

25. Consider and possibly approve the Interlocal Agreement between Jefferson County and Drainage District No. 6 for the Lawhon Road Bridge at Green Pond Gully. This Agreement also includes tree removal for the new LaBelle Road Right-of-Way. Project is located in Precinct No. 4.

Motion by: Commissioner Alfred
Second by: Commissioner Sinegal
Action: APPROVED

26. Receive and file the Interlocal Agreement between Jefferson County and Drainage District No. 6 for the Lawhon Road Bridge at Green Pond Gully. This Agreement also includes tree removal for the new LaBelle Road Right-of-Way. Project is located in Precinct No. 4. **SEE ATTACHED PAGES 254 - 256**

Motion by: Commissioner Alfred
Second by: Commissioner Sinegal
Action: APPROVED

27. Consider and possibly approve Final Plat of Gilbert Lake Estates Phase XI a 27.12 acre subdivision out of the Sarah Miles Survey and the W. H. Aldridge Survey in Jefferson County. Project is located in Precinct No. 4.

Motion by: Commissioner Alfred
Second by: Commissioner Sinegal
Action: APPROVED

HUMAN RESOURCES:

28. Consider and possibly approve granting extended leave without pay for up to 90 days for Christopher Barnes, a Juvenile Probation Department employee.

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

SHERIFF'S DEPARTMENT:

29. Consider and possibly approve and accept donations totaling \$500.00 from the Brewster Procurement Group on behalf of Shell Pipeline and Motiva Enterprises. Money would be used for Emergency Responders to educate on topics such as pipeline awareness precautions, pipeline markers and signs, potential hazards, etc.

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

DISTRICT ATTORNEY:

30. Announcement of an executive (closed) session discussion of potential litigation between Jefferson County and the Department of Labor as authorized by Section 551.071 of the Government Code.

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.**

**Jeff R. Branick
County Judge**

Attachment A

IFB 11-040/AW

**Term Contract for Herbicides for Jack Brooks Regional Airport (Jefferson County)
Awarded October 17, 2011**

Proposed Price Increases

2	I t e m	Description	Container Size	Brand bid	Vendor	Price per Container	Proposed Price Increases
1A		POLARIS	2.5 gal.	Imazapyrasl	Alligare	\$ 129.85	
1B		POLARIS	5 gal. cube	Arsenal Herbicide	Red River	\$ 258.70	
2		Tordon 101	2.5 gal	Picloram+D	Alligare	\$ 54.63	
3A		Roundup	2.5 gal	Alecto 41S	Red River	\$ 24.85	\$ 36.25
3B		Roundup	5 gal. cube	No Bid			
4		Nalco Trol II	Case	Poly Control 2	Red River	\$ 83.28	\$ 96.00
5		Krovar I DF	Case	Bromacil 40/40	Alligare	\$ 355.20	
6		Oust Extra	4 lb.	Sulfomet Extra	Red River	\$ 111.00	
7		Surfactant	2.5 gal.	Alligare 90	Alligare	\$ 16.88	
8A		Plateau	2.5 gal	Plateau	Red River	\$ 138.00	
8B		Plateau	5 gal. cube	Plateau	Red River	\$ 605.00	
9A		24-D	2.5 gal	DMA 4 IVM	Red River	\$ 31.63	\$ 35.00
9B		24-D	5 gal. cube	No bid			
10A		Garlon 4	2.5 gal	Trichpour 4	Alligare	\$110.00	
10B		Garlon 4	5 gal. cube	Garlon 4 Ultra	Red River	\$370.00	
11A		Journey	2.5 gal	No bid			
11A		Journey	5 gal. cube	No bid			

**JEFFERSON COUNTY TOURISM COMMISSION
HOT GRANT APPLICATIONS
Fall 2012
September 12, 2012**

	<u>Request</u>	<u>Awarded</u>
1. Lamar State College Port Arthur Softball Tournament with AAV	\$Non-Bid Fee	\$500/\$500
2. The Streetz Dance Convention & Competition	\$6,000.00	\$2,000.00
3. Lamar University Athletics Southland Cross Country Championships	\$3,000.00 Bid-Fee	\$2,000.00
4. Southeast Texas Baseball Academy SETBA Tournament Nov-2012 - March 2, 2013	\$5,450.00 Bid-Fee	\$5,450.00
5. Port Neches Chamber of Commerce Riverfest May 2-5, 2013	\$34,823.63	\$10,447.00
6. Southeast Texas Arts Council Off Ramp Spring/Summer 2013	\$15,000.00	\$5,500.00
7. Sports Society for American Health 4 th Annual Exygon & Baptist Gusher Marathon	\$10,000.00	\$5,500.00
8. Jefferson County Southeast Texas Coalition for Air Service, LLC For air service revenue guarantee	\$30,000.00	\$30,000.00
9. Top Dog Softball Club Tournament May 25-26, 2013	\$Non-Bid Fee	\$500/\$500
10. Southern Black Softball Association Tournament August 16-19, 2013	\$7,500.00 Bid Fee	\$5,000.00
11. Beaumont/Port Arthur CVB's (Port Arthur Liaison) Travel Shows to promote Jefferson County	\$8,403.16	\$8,403.00
12. Hebert High School Alumni Association, Inc. Reunion advertising and promotion	\$9,568.94	\$2,900.00
13. Southern Black Softball Association	\$Non-Bid Fee	\$500/\$500

Tournament March 8-9, 2013

	<u>Request</u>	<u>Awarded</u>
15. Gator Country, LLC Brochures & Distribution	\$2,400.00	\$2,400.00
16. Art Museum of Southeast Texas (AMSET) Exhibitions: David Gibson, Sarah Williams...	\$7,225.50	\$2,790.00
17. Jefferson County CVB's (Port Arthur CVB as Liaison) 2013/2014 Regional Visitors Guide for County	\$62,441.00	\$62,441.00
20. Ford Park Event Center/SMG FY 2012-2013	\$106,900.00	\$80,900.00
Total	<u>\$755,212.23</u>	<u>\$223,231.00</u>



2013 County Holidays

**January 21(Monday)
Martin Luther King, Jr., Day**

**February 18 (Monday)
President's Day**

**March 29 (Friday)
Good Friday**

**May 27(Monday)
Memorial Day**

**July 4 (Thursday)
Independence Day**

**September 2 (Monday)
Labor Day**

**November 11 (Monday)
Veteran's Day**

**November 28 & 29 (Thursday & Friday)
Thanksgiving**

**December 25 & 26 (Wednesday & Thursday)
Christmas**

**January 1, 2014 (Wednesday)
New Year's**

Special Session, October 1, 2012

There being no further business to come before the Court at this time, same is
now here adjourned on this date, October 1, 2012