

**Special Session, December 3, 2012**

**BE IT REMEMBERED** that on **December 3, 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                      ABSENT

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  
December 3, 2012**

Notice is hereby given that the Commissioners' Court of Jefferson County, Texas, will meet at **1:30 p.m.**, on the **3<sup>rd</sup>** day of **December 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 Three**

**PLEDGE OF ALLEGIANCE: Everette D. Alfred, Commissioner, Precinct Four**

**PURCHASING:**

1. Receive and file bids for (IFB 12-033/KJS), Re-bid Sale of 9.40 Acres of Undeveloped Land in Jefferson County, North of Nederland City Limits.  
**SEE ATTACHED PAGES 13 - 21**

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

2. Approve Specifications for Invitation for Bid (IFB12-041/KJS) Re-Bid Jefferson County WC&ID No. 10 Generator Building and Generator Receptacles at All Lift Stations. .  
(Funded by Round 1 TDRA Grant Administered by The General Land Office of the State of Texas).

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

---

3. Award, (IFB 12-033/KJS), Re-bid Sale of 9.40 Acres of Undeveloped Land in Jefferson County, North of Nederland City Limits to Beaumont On Site Services, LLC., in the amount of \$152, 280.00.

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

---

4. Discuss and possibly approve the Purchasing Agent to enter into contract negotiations for (RFP 12-032/JW), Automated Teller Machine (ATM) Installation and Operation for Jefferson County.

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

---

5. Consider and possibly approve the purchase of an additional 50 grave spaces in accordance with (IFB 08-090/JN) Indigent Burial Plots for Jefferson County. The purchase price is \$275.00 each for a total of \$13,750.00.

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

---

6. Consider and approve, execute, receive and file a contract with The Lamar Companies for Jack Brooks Regional Airport. The contract total is \$10,000 for billboard posters and placement for 12/10/12 thru 03/03/13. **SEE ATTACHED PAGES 22 - 29**

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

---

7. 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 Weaver**  
**Second by: Commissioner Sinegal**  
**Action: APPROVED**

---

8. Consider and possibly approve a change of date for 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 was previously approved in Commissioner's Court on November 19, 2012, to take place on December 1, 2012, and is now scheduled for Saturday January 5, 2013 at 9:00 A.M.

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

---

## **COUNTY COMMISSIONERS:**

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

**Action: TABLED**

---

10. Consider and possibly appoint Dana A. Baker, Sr. as interim Constable of Precinct 6 to complete the term of Constable Joe Stevenson who resigned. Such appointment is authorized by Sec.87.041, Government Code.

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

---

11. Consider and possibly approve, receive and file executed Public Official Bond for Dana Baker, Constable, Precinct 6. **SEE ATTACHED PAGES 30 - 35**

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

---

12. Receive and file Official Oath for Dana Baker, Constable, Precinct 6.

**SEE ATTACHED PAGES 36 -37**

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

---

13. Consider, possibly approve and authorize the County Judge to execute the Jefferson County Family Focused Diabetes Program Subcontractor Agreement for March 30, 2012 through March 29, 2013 between Jefferson County and Shareka Smith Donald. (This is renewal)

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

---

14. Receive and file executed Jefferson County Family Focused Diabetes Program Subcontractor Agreement for March 30, 2012 through March 29, 2013 between Jefferson County and Shareka Smith Donald. **SEE ATTACHED PAGE 38**

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

---

15. Consider, possibly approve and authorize the County Judge to execute the Jefferson County Family Focused Diabetes Program Subcontractor Agreement for March 30, 2012 through March 29, 2013 between Jefferson County and Sandra C. Henson. (This is renewal)

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

---

16. Receive and file executed Jefferson County Family Focused Diabetes Program Subcontractor Agreement for March 30, 2012 through March 29, 2013 between Jefferson County and Sandra C. Henson. **SEE ATTACHED PAGE 39**

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

---

17. Consider, possibly approve and authorize the County Judge to execute the Jefferson County Family Focused Diabetes Program Subcontractor Agreement for March 30, 2012 through March 29, 2013 between Jefferson County and Debra N. Williams. (This is renewal)

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

---

18. Receive and file executed Jefferson County Family Focused Diabetes Program Subcontractor Agreement for March 30, 2012 through March 29, 2013 between Jefferson County and Debra N. Williams. **SEE ATTACHED PAGE 40**

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

---

19. Consider and possibly approve a Resolution with respect to financing certain facilities in Jefferson County, Texas by the Port Arthur Navigation District Industrial Development Corporation. **SEE ATTACHED PAGES 41 - 43**

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

---

20. ( To be considered after the executive session) Consider and possibly approve hiring the firm of Portner and Bond to provide the defense in the case of Lisa Schaver Harris v. Jefferson County.

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

---

## COUNTY AUDITOR:

21. Consider and approve FY 2013 budget amendment – Voters’ Registration Department – additional cost.

120-1031-415-4052	Postage	\$ 1,000	
120-1011-415-4052	Postage		\$ 1,000

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

---

22. Consider and approve FY 2012 budget transfer – Correctional Facility – over cap medical payments.

120-3062-423-5077	Contractual Services	\$ 109,000	
120-3062-423-2003	Employees’ Insurance		\$ 109,000

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

---

23. Consider and approve FY 2012 budget transfer – Road & Bridge, Precinct 3 – inventory adjustments.

113-0302-431-3080	Cover Stone	\$ 16,675	
113-0302-431-1028	Laborers		\$ 16,675

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

---

24. Consider and approve FY 2012 budget transfer – Road & Bridge, Precinct 4 – inventory adjustments.

114-0402-431-3080	Cover Stone	\$ 29,453	
114-0402-431-1028	Laborers		\$ 18,156
114-0402-431-1005	Extra Help		\$ 11,297

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

---

25. Consider and approve FY 2012 budget transfer – Mosquito Control – inventory adjustments.

124-5081-448-3016	Chemicals, Sprays	\$ 3,566	
124-5081-448-2005	Unemployment Compensation		\$ 3,566

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

---

26. Consider and approve FY 2012 budget amendment – Transfers Out – additional cost.

**SEE ATTACHED SCHEDULE PAGES 44 - 45**

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

---

27. Consider and approve FY 2013 budget transfer – Elections – additional cost.

120-1034-414-5024	Election Judges & Clerks	\$ 22,800	
120-1034-414-1002	Assistants & Clerks		\$ 17,000
120-1034-414-2003	Employees' Insurance		\$ 5,800

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

---



28. Regular County Bills – check #374256 through check #374433.

**SEE ATTACHED PAGES 46 - 54**

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

---

## **COUNTY CLERK:**

29. Consider and possibly approve additional contract fees for services performed under an election services contract with political subdivisions as prescribed by the Election Code, specifically a lease fee of \$250.00 per e-pollbook unit (electronic poll book, label printer, and barcode scanner), and a .05 per page printing charge for election forms, letters, and notices.

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

---

## **RISK MANAGEMENT:**

30. Consider and possibly approve annual renewal of Employee Assistance Program with Interface EAP at a flat renewal program cost of \$1.65 per employee per month, effective January 1, 2013.

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

---

## **DISTRICT ATTORNEY:**

31. Announcement of an executive (closed) session as authorized by Government Code §551.071 to discuss with counsel pending litigation. (Lisa Schaver Harris v. Jefferson County).

**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**

The following FY 2012 budget amendment is needed for additional transfers.

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
120-0000-491.80-06	TRANSFERS OUT - CAPITAL PROJECTS	\$ 3,500,000	
120-1024-419.20-04	WORKERS COMPENSATION - FUND 613	400,000	
120-0000-491.80-26	TRANSFERS OUT - SETEC FUND 550	50,000	
110-2027-412.50-55	PETIT JURORS		\$ 58,312
115-0501-431.10-02	ASSISTANTS & CLERKS		28,027
115-0501-431.20-03	EMPLOYEES' INSURANCE		16,799
120-1011-415.10-02	ASSISTANTS & CLERKS		59,064
120-1011-415.20-01	F.I.C.A. EXPENSE		14,524
120-1011-415.20-03	EMPLOYEES' INSURANCE		30,057
120-1013-415.10-02	ASSISTANTS & CLERKS		25,562
120-1014-414.10-02	ASSISTANTS & CLERKS		14,940
120-1014-414.20-03	EMPLOYEES' INSURANCE		35,219
120-1015-413.50-29	ATTORNEY		27,245
120-1015-413.50-77	CONTRACTUAL SERVICE		27,305
120-1022-415.10-02	ASSISTANTS & CLERKS		32,099
120-1024-419.10-99	TERMINATION ALLOWANCE		56,951
120-1024-419.20-02	EMPLOYEES' RETIREMENT		12,891
120-1024-419.20-05	UNEMPLOYMENT COMPENSATION		14,975
120-1024-419.50-35	APPRAISAL		161,906
120-1024-419.50-40	LIABILITY INSURANCE		25,254
120-1025-415.10-02	ASSISTANTS & CLERKS		27,539
120-1025-415.40-11	EQUIPMENT- MISCELLANEOUS		13,256
120-1025-415.60-02	COMPUTER EQUIPMENT		14,015
120-2030-412.10-02	ASSISTANTS & CLERKS		18,892
120-2030-412.10-24	ATTORNEY		106,826
120-2030-412.10-26	INVESTIGATOR		24,328
120-2030-412.20-01	F.I.C.A. EXPENSE		20,794
120-2030-412.20-03	EMPLOYEES' INSURANCE		40,000
120-2031-414.10-02	ASSISTANTS & CLERKS		61,672
120-2031-414.20-03	EMPLOYEES' INSURANCE		14,662
120-2032-412.20-03	EMPLOYEES' INSURANCE		13,429
120-2038-412.50-79	JUVENILE ATTORNEY FEES		16,869
120-2043-412.10-02	ASSISTANTS & CLERKS		22,237
120-2051-412.10-42	BAILIFF		18,773
120-2053-412.50-72	PAUPER ATTORNEY FEES		49,900
120-2055-412.50-77	CONTRACTUAL SERVICE		21,993
120-2060-412.10-01	DEPARTMENT HEAD		14,665
120-2060-412.20-03	EMPLOYEES' INSURANCE		20,353
120-3059-421.10-43	DEPUTIES		185,229
120-3059-421.10-47	CAPTAIN		19,852
120-3059-421.10-48	MAJOR		21,736
120-3059-421.10-94	LONGEVITY PAY		14,952
120-3059-421.10-95	EDUCATION PAY		18,062
120-3059-421.10-97	HOLIDAY PAY		30,472
120-3059-421.10-98	OVERTIME ALLOWANCE		15,785
120-3059-421.20-01	F.I.C.A. EXPENSE		46,538
120-3059-421.20-02	EMPLOYEES' RETIREMENT		26,102
120-3059-421.20-03	EMPLOYEES' INSURANCE		98,491

The following FY 2012 budget amendment is needed for additional transfers.

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
120-3059-421.50-16	CRIMINAL INVESTIGATION		14,170
120-3059-421.50-77	CONTRACTUAL SERVICE		30,517
120-3060-421.10-02	ASSISTANTS & CLERKS		55,242
120-3062-423.10-44	DETENTION OFFICERS		654,319
120-3062-423.10-45	SERGEANT		25,483
120-3062-423.10-72	MAINTENANCE CREW		20,922
120-3062-423.10-94	LONGEVITY PAY		33,178
120-3062-423.10-95	EDUCATION PAY		45,475
120-3062-423.10-97	HOLIDAY PAY		106,680
120-3062-423.10-98	OVERTIME ALLOWANCE		43,788
120-3062-423.20-01	F.I.C.A. EXPENSE		81,731
120-3062-423.20-02	EMPLOYEES' RETIREMENT		70,160
120-3062-423.30-33	FOOD		100,750
120-3062-423.40-11	EQUIPMENT- MISCELLANEOUS		16,959
120-3062-423.50-64	TRAINING & EDUC.		71,585
120-3063-424.10-02	ASSISTANTS & CLERKS		194,246
120-3063-424.20-02	EMPLOYEES' RETIREMENT		18,046
120-3063-424.20-03	EMPLOYEES' INSURANCE		20,276
120-3063-424.50-81	RELIEF-BOARD & LODGING		28,971
120-3064-424.10-02	ASSISTANTS & CLERKS		69,481
120-3080-421.50-77	CONTRACTUAL SERVICE		43,694
120-4071-461.10-05	EXTRA HELP		23,748
120-5074-441.10-02	ASSISTANTS & CLERKS		38,846
120-5074-441.20-03	EMPLOYEES' INSURANCE		13,724
120-5075-441.10-02	ASSISTANTS & CLERKS		27,484
120-5075-441.20-03	EMPLOYEES' INSURANCE		23,912
120-6083-416.10-05	EXTRA HELP		18,964
120-6083-416.10-72	MAINTENANCE CREW		73,890
120-6083-416.20-02	EMPLOYEES' RETIREMENT		14,153
120-6083-416.30-34	DIESEL FUEL		26,990
120-6083-416.40-53	GAS- NATURAL AND BUTANE		15,085
120-6083-416.40-54	TELEPHONE		75,694
120-6083-416.40-56	ELECTRICITY		75,714
120-6083-416.40-57	WATER AND SEWER		14,313
120-6084-416.10-72	MAINTENANCE CREW		28,433
120-6084-416.20-03	EMPLOYEES' INSURANCE		14,251
120-8095-417.30-37	GASOLINE		50,368
124-5081-448.10-12	OPERATORS		16,763
124-5081-448.40-07	AIRPLANE		13,443
		<u>\$ 3,950,000</u>	<u>\$ 3,950,000</u>

Count

87

**Special Session, December 3, 2012**

There being no further business to come before the Court at this time, same is  
now here adjourned on this date, December 3, 2012