

**Special Session, September 8, 2009**

**BE IT REMEMBERED that** on **September 9, 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 X

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 AND AGENDA  
OF COMMISSIONERS' COURT  
OF JEFFERSON COUNTY, TEXAS  
September 8, 2009**

Notice is hereby given that the Commissioners' Court of Jefferson County, Texas, will meet at **1:30 p.m.**, on the **8<sup>th</sup> day of September 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: Everette D. Alfred, Commissioner, Precinct No. 4**

**PURCHASING:**

1. Award IFB 09-119/KJS, Term Contract for Paper Stock and Envelopes, to Olmstead-Kirk Paper Company, Xerox Corporation, ARK World LLC and Scott Merriman as shown on Attachment "A".

Motion: Commissioner Domingue

Second: Commissioner Sinegal

Action: Approved

**SEE ATTACHED PAGES: 11 - 17**

2. Execute, receive and file Acceptance of Offer for IFB 09-119/KJS, Term Contract for Paper Stock and Envelopes with Olmstead-Kirk Paper Company.

Motion: Commissioner Domingue

Second: Commissioner Sinegal

Action: Approved

**SEE ATTACHED PAGES: 18 - 19**

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3. Execute, receive and file Acceptance of Offer for IFB 09-119/KJS, Term Contract for Paper Stock and Envelopes with Xerox Corporation.

Motion: Commissioner Domingue

Second: Commissioner Sinegal

Action: Approved

**SEE ATTACHED PAGES: 20 - 21**

4. Execute, receive and file Acceptance of Offer for IFB 09-119/KJS, Term Contract for Paper Stock and Envelopes with ARK World LLC.

Motion: Commissioner Domingue

Second: Commissioner Sinegal

Action: Approved

**SEE ATTACHED PAGES: 22 - 23**

5. Execute, receive and file Acceptance of Offer for IFB 09-119/KJS, Term Contract for Paper Stock and Envelopes with Scott Merriman.

Motion: Commissioner Domingue

Second: Commissioner Sinegal

Action: Approved

**SEE ATTACHED PAGES:**

6. Rescind Mid-County Materials and Construction, IFB 09-118/KJS, Term Contract for Dirt for Jefferson County, for Item #5, Sandy Loam.

Motion: Commissioner Domingue

Second: Commissioner Sinegal

Action: Approved

7. Re-award IFB 09-118/KJS, Term Contract for Dirt for Jefferson County, for Item #5, Sandy Loam to Advanced Asset Developments, LLC.

Motion: Commissioner Domingue

Second: Commissioner Sinegal

Action: Approved

8. Approve change of bid opening date for IFB 09-127/KJS, Seal Coat for the Softball Field Parking Lot at Ford Park from Monday, September 28, 2009 to Thursday, September 17, 2009 at 11:00 AM.

Motion: Commissioner Domingue

Second: Commissioner Sinegal

Action: Approved

9. Consider and possibly approve contract amendment for RFP 08-038/DC Emergency Disaster Recovery for Jefferson County with DRC for the Demolition of the remaining participating homes for the Home Buyout Program in Jefferson County.

Motion: Commissioner Domingue

Second: Commissioner Sinegal

Action: Approved

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10. Consider and possibly approve Change Order # 1, an increase of days of completion from 130 days to 137 days due to the initial impact to construction schedule associated with modification of footing from drilled footing dug spread footing and inclement weather during the months of June and July 2009 to contract with Bartlett Cocke, L.P. for IFB 09-032/KJS, Design/Build for the Southeast Texas Regional Airport Hanger # 7. The amount of contract remains at \$2,840,180.00.

Motion: Commissioner Domingue  
Second: Commissioner Sinegal  
Action: Approved

11. Consider and possibly approve inter-department transfer of County property as authorized by Local Government §Code 262.011 (j).

Motion: Commissioner Domingue  
Second: Commissioner Sinegal  
Action: Approved

12. Consider and possibly approve an auction of surplus property as authorized by Local Government Code §263.151 (a), by Horn's Auction, Inc. The auction is scheduled for Saturday, October 3, 2009 at 9:00 AM.

Motion: Commissioner Domingue  
Second: Commissioner Sinegal  
Action: Approved

**COUNTY COMMISSIONERS:**

13. 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.

Motion: Commissioner Domingue  
Second: Commissioner Alfred  
Action: Approved

Note: Burn ban reinstated

**SEE ATTACHED PAGES: 26 - 27**

14. Consider and possible approve the reappointment of Paula Pratt as a Trustee on the Spindletop MHMR Services Board of Trustees.

Motion: Commissioner Domingue  
Second: Commissioner Alfred  
Action: Approved

15. Consider and possibly approve a Proclamation the month of September 2009 as National Alcohol and Drug Addiction Recovery Month in Jefferson County.

Motion: Commissioner Domingue  
Second: Commissioner Alfred  
Action: Approved

**SEE ATTACHED PAGES: 28 - 29**

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16. Consider authorizing the posting of signs in accordance with H.B. 55, 81<sup>st</sup> Legislature, prohibiting the use of wireless communication devices in school crossing zones. (Section 545.425 Texas Transportation Code).

Motion: Commissioner Domingue  
Second: Commissioner Alfred  
Action: Approved

17. Consider and possibly approve Health Premiums for 2010 with the Southeast Texas Government Employee Benefits Pool.

Motion: Commissioner Domingue  
Second: Commissioner Alfred  
Action: Approved

18. Consider authorizing the County Judge to execute a contract between Jefferson County and Southeast Texas Regional Planning Commission once the corrected copy is submitted for grant funding related to the purchase of mosquito control chemicals.

Motion: Commissioner Domingue  
Second: Commissioner Alfred  
Action: Approved

19. Consider and possibly approve an order adopting provisions relating to residential building code standards applicable to the unincorporated areas of Jefferson County.

Motion: Commissioner Domingue  
Second: Commissioner Alfred  
Action: Approved

**COUNTY AUDITOR:**

20. Consider and approve budget amendment – Justice of the Peace, Precinct 1, Place 1 – additional fringe benefits.

120-2041-412-2001	FICA	\$ 650	
120-2041-412-2002	Employees	\$ 2,250	
	Retirement		
120-2055-412-5077	Contractual Services		\$ 2,900

Motion: Commissioner Sinegal  
Second: Commissioner Domingue  
Action: Approved

21. Consider and approve budget amendment – Printing – additional cost.

120-1018-419-5077	Contractual Services	\$ 1,000	
120-1022-415-1002	Assistants and Clerks		\$ 1,000

Motion: Commissioner Sinegal  
Second: Commissioner Domingue  
Action: Approved

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22. Consider and approve budget transfer – Road & Bridge Precinct 4 – additional cost.

114-0401-431-4052	Postage	\$ 100	
114-0401-431-3010	Books		\$ 100

Motion: Commissioner Sinegal  
Second: Commissioner Domingue  
Action: Approved

23. Consider and approve budget transfer – Historical Commission – additional equipment.

259-0000-414-3078	Office Supplies	\$ 1,150	
259-0000-414-3090	Education/ Demonstration	\$ 150	
259-0000-414-5062	Travel		\$ 700
259-0000-414-5021	Dues and Subscriptions		\$ 250
259-0000-414-5005	Mileage		\$ 350

Action: Tabled

24. Consider and approve issuance of home buy-out checks. Checks will not be released to the title company until Federal funding is received. Check #321428 through check #321432 for \$262,748.73.

Motion: Commissioner Sinegal  
Second: Commissioner Domingue  
Action: Approved

25. Regular County Bills – check #320883 through check #320907 and check #321149 through check #321427.

Motion: Commissioner Sinegal  
Second: Commissioner Domingue  
Action: Approved

**SEE ATTACHED PAGES: 30 - 40**

**COUNTY TREASURER:**

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

Motion: Commissioner Alfred  
Second: Commissioner Sinegal  
Action: Approved

**ENGINEERING:**

27. Consider and possibly approve a Minor Plat of Nicholson Place, private road subdivision, being 4.852 acres of land out of the Jiles Dugat Survey, Abstract No. 489 Jefferson County, Texas. This property is located in Precinct No. 2.

Motion: Commissioner Sinegal  
Second: Commissioner Alfred  
Action: Approved

**HISTORICAL COMMISSION:**

28. Hear brief presentation by Linda McMahan regarding reopening of the Sabine Pass Battleground and Historic Site & Dick Dowling Days.

Note: Presentation by Ron Ellington

**SHERIFF'S DEPARTMENT:**

29. Please consider and possibly approve the renewal of the TSA (Transportation Security Administration) grant for 10/1/2008- 9/30/2012.

Motion: Commissioner Sinegal  
Second: Commissioner Alfred  
Action: Approved

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

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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 **8<sup>th</sup>** day of **September 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:

**PURCHASING:**

30. Consider and possibly approve Change Order # 13, a for removal and replacement of two (2) swing doors at the Ticket Counter, remove three (3) existing sidewalks and reinstall with a 4" crown and issue credit for two (2) emergency Defibrillator's, to contract with SeTex Construction Corporation for IFB 08-046/DC, Renovations of Southeast Texas Regional Airport Re-Bid. The contingency balance of \$50,000.00 has been decreased by Change orders #10, #11, #12 and #13 of \$10,471.00 leaving a balance of \$15,511.80. The remaining balance of the contingency will be applied as a reduction to the contract amount.

Motion: Commissioner Domingue  
Second: Commissioner Sinegal  
Action: Approved

31. Execute, receive and file Change Order # 13, a for removal and replacement of two (2) swing doors at the Ticket Counter, remove three (3) existing sidewalks and reinstall with a 4" crown and issue credit for two (2) emergency Defibrillator's, to contract with SeTex Construction Corporation for IFB 08-046/DC, Renovations of Southeast Texas Regional Airport Re-Bid. The contingency balance of \$50,000.00 has been decreased by Change orders #10, #11, #12 and #13 of \$10,471.00 leaving a balance of \$15,511.80. The remaining balance of the contingency will be applied as a reduction to the contract amount.

Motion: Commissioner Domingue  
Second: Commissioner Sinegal  
Action: Approved

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32. Consider and possible approve Change Order #1 for JOC 09-089/KJS with Jamail and Smith Construction to re-feed four light poles from ground junction boxes to pole 1" PVC and wire using an excavator to dig the trenches and checked out power source to metal building in the amount of \$5,265.19. This increase the contract total from \$29,695.51 to \$34,960.70.

Motion: Commissioner Domingue  
Second: Commissioner Sinegal  
Action: Approved

33. Execute, receive and file Change Order #1 for JOC 09-089/KJS with Jamail and Smith Construction to re-feed four light poles from ground junction boxes to pole 1" PVC and wire using an excavator to dig the trenches and checked out power source to metal building in the amount of \$5,265.19. This increase the contract total from \$29,695.51 to \$34,960.70.

Motion: Commissioner Domingue  
Second: Commissioner Sinegal  
Action: Approved

**SEE ATTACHED PAGES: 42 - 44**

34. Execute, receive and file agreement with SOE Software Corporation and Jefferson County for the clarity election suite hosting and support.

Motion: Commissioner Domingue  
Second: Commissioner Sinegal  
Action: Approved

**SEE ATTACHED PAGES: 45 - 59**

**COUNTY COMMISSIONERS:**

35. Receive and file executed Inter-Local Agreement between Jefferson County and the cities of Beaumont and Port Arthur relating to the allocation of Byrne Justice Assistance Grant funding.

Motion: Commissioner Domingue  
Second: Commissioner Alfred  
Action: Approved

**SEE ATTACHED PAGES: 60 - 61**

36. Receive and file Inter- Local Cooperative Purchasing Agreement for road building materials between Jefferson County and the cities of Port Neches, Groves and Nederland.

Motion: Commissioner Domingue  
Second: Commissioner Alfred  
Action: Approved

**SEE ATTACHED PAGES: 62 - 67**

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**COUNTY AUDITOR:**

37. Consider and possibly approve budget transfer – County Clerk – purchase of SOE software for elections.

120-1014-414-6001	Capital - Software	\$60,000	
120-1014-414-1002	Assistants & Clerks		\$60,000

Motion: Commissioner Sinegal

Second: Commissioner Domingue

Action: Approved

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Ronald L. Walker  
County Judge

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**Special Session, September 8, 2009**

**There being no further business to come before the Court at this time,  
same is now here adjourned on this date, September 8, 2009.**