

Regular Session, September 26, 2011

BE IT REMEMBERED that on **September 26, 2011**, there was begun and holden a Regular 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 -
Shelia Perkins, Deputy Clerk present

ABSENT

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
September 26, 2011**

Notice is hereby given that the Commissioners' Court of Jefferson County, Texas, will meet at **1:30 p.m.**, on the **26th** day of **September 2011** 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: Michael S. Sinegal, Commissioner, Precinct No. 3

PLEDGE OF ALLEGIANCE: Everette D. Alfred, Commissioner, Precinct No. 4

PURCHASING:

1. No qualifications received September 20, 2011 for RFQ 11-035/AW, Commercial Lease for Property at the Jack Brooks Regional Airport.

Motion by: Commissioner Weaver

Second by: Commissioner Arnold

Action: APPROVED

- Award IFB 11-036/KJS, Access Road Improvements for Jack Brooks Regional Airport, to Excavators and Constructors, Ltd. of Port Arthur Texas, in the amount of \$1,400,431.45.

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

- Consider and possibly approve, execute, receive, and file, Change Order No. 3- to (IFB 10-006/KJS) Jefferson County Masonry and Windows Restoration (Phase III) with Phoenix I Restoration and Construction Ltd. to add and deduct various changes in the contract. The contract sum and compellation time will remain unchanged by this order.

SEE ATTACHED PAGES 12 - 33

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

- Consider and possibly approve, execute, receive and file renewal for Term Contract for Hydrated Lime for Jefferson County (IFB 09-127/KJS) with Austin White Lime Co., for the period of October 5, 2011 to October 4, 2012.

SEE ATTACHED PAGE 34

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

- Consider and possibly approve, execute, receive and file renewal for Term Contract for Hydrated Lime for Jefferson County (IFB 09-127/KJS) with Chemical Lime Co., for the period of October 5, 2011 to October 4, 2012.

SEE ATTACHED PAGE 35

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

- Consider and approve, execute, receive and file a Memorandum of Understanding (MOU) with Local Government Solutions (LGS) and Jefferson County Health and Welfare in accordance with DIR Contract #DIR-SDD-627 for the period of November 1, 2011 until November 1, 2012. **SEE ATTACHED PAGE 36**

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

7. Consider and possibly approve Addendum to Equipment Lease Purchase Agreement with DLL Public Finance LLC in accordance with RFQ 05-044/DD.

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

8. Consider and approve, execute, receive Lease Agreement with Eco Lab and Jefferson County for a dish machine at a rate of \$209.95/per month. This in accordance with BuyBoard Contract 18414. **SEE ATTACHED PAGES 37 - 39**

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

9. Consider and possibly approve disposition of salvage property as authorized by Local Government Code §263.151 (1) for broken or obsolete items.

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

COUNTY COMMISSIONERS:

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

Action: TABLED

11. Consider and possibly approve an Order creating the Praxair, Inc. Reinvestment Zone.

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

12. Consider and possibly approve an Order amending the Premcor Reinvestment Zone to allow the establishment of the Praxair, Inc. Reinvestment Zone.

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

13. Consider and possibly approve a Resolution to opt out of the exemption provided for goods in transit pursuant to Section 11.253 of the Texas Tax Code.

Action: TABLED

14. Consider and possibly approve a Proclamation for National Disability Employment Awareness Month. **SEE ATTACHED PAGE 40**

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

15. Consider and possibly approve and authorize the County Judge to execute an Intergovernmental Contract between Jefferson County, Texas and the City of Nederland, Texas.

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

16. Receive and file executed Intergovernmental Contract between Jefferson County, Texas and the City of Nederland, Texas. **SEE ATTACHED PAGES 41 - 47**

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

17. Consider and possibly approve and authorize the County Judge to execute an Intergovernmental Contract between Jefferson County, Texas and the City of Groves, Texas.

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

18. Receive and file executed Intergovernmental Contract between Jefferson County, Texas and the City of Groves, Texas. **SEE ATTACHED PAGES 48 -55**

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

19. Consider and possibly approve a Proclamation for National Breast Cancer Awareness Month. **SEE ATTACHED PAGES 56 - 57**

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

20. Consider and possibly approve a Resolution regarding the Jefferson County Section 3 policy and authorizing the County Judge to execute same.
SEE ATTACHED PAGES 58 - 59

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

21. Receive and file executed Inter-local Agreement between Jefferson County, the City of Port Arthur, and the City of Port Neches regarding the repair of the Old Twin City Highway. **SEE ATTACHED PAGES 60 - 64**

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

22. Consider and possibly authorize the County Judge to execute a Blanket Order Regarding the Inspection of Mental Health Court Records to comply with and implement the requirements of the Federal NICS Improvement Amendments Act of 2007.
SEE ATTACHED PAGE 65

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

23. Receive and file order to adopt tax rate at .365 cents per \$100 valuation. The tax rate is .336439 for maintenance and operations and .028561 for debt service.

SEE ATTACHED PAGE 66

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

24. Consider and approve Resolution for 2012 Indigent Defense Grant Application.

SEE ATTACHED PAGE 67

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

25. Execute, receive, and file contract for arraignment services and all other duties to be performed by Judge Leonard Giblin, Jr., Judge Harold Plessala, and Judge Charles Carver for the period 10/1/2011 – 9/30/2012. **SEE ATTACHED PAGE 68**

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

COUNTY AIRPORT:

26. Receive and file TxDOT Routine Airport Maintenance Program (RAMP) Grant-#M220BMPTA for the Jack Brooks Regional Airport.

SEE ATTACHED PAGES 69 -83

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

27. Consider and possibly approve out of state travel for Duke Youmans, Clarence Huckaby, Aaron Hatcher, and James Simon attendance at the FAA Wildlife Management and Identification Training October 19, 2011 in Lake Charles, La. (Chennault Int'l Airport) This training is free only cost will be for per diem and will use County vehicle for transportation.

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

COUNTY AUDITOR:

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

120-1018-419-1005	Extra Help	\$ 500	
120-1018-419-3078	Office Supplies	\$ 3,000	
120-1022-415-5001	Advertising		\$ 3,500

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

29. Consider and approve budget amendment – 252nd District Court – additional indigent defense cost.

120-2037-412-5072	Pauper Attorney Fees	\$ 15,000	
110-2027-412-5055	Petit Juror		\$ 15,000

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

30. Consider and approve budget amendment – Service Center – additional fuel cost.

120-8095-417-3037	Gasoline	\$ 30,000	
110-2027-412-5055	Petit Juror		\$ 30,000

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

31. Consider and approve budget transfer – Veterans’ Services – additional cost.

120-8096-419-3078	Office Supplies	\$ 50	
120-8096-419-2003	Employees’ Insurance		\$ 50

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

32. Receive and file Financial & Operating Statements for the Month Ending August 31, 2011. **SEE ATTACHED PAGES 84 - 98**

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

33. Regular County Bills – check #358191 through check #358477.

SEE ATTACHED PAGES 99 - 108

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

COUNTY CLERK:

34. Consider and possibly approve expenditure from the County Clerk’s Records Management Fund in the amount of \$36,674.00 to replace inadequate metal shelving for Probate Records and to purchase an additional rolling metal shelving unit to accommodate the preservation of probate files and the conversion of these records from the file folders to archival books.

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

ENGINEERING DEPARTMENT:

35. Consider and possibly approve Amendment No. 1 Project Cooperation Agreement between General Land Office (GLO) and Jefferson County in the amount of \$3,750,000.00 under the Coastal Erosion Planning and Response Act, GLO Contract No.11-239-000-4825. This Amendment will reflect a revised termination date of August 31, 2013. Project is located in Precinct 3.

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

JUVENILE PROBATION:

36. Consider and possibly adopt a Resolution recognizing James “Bubba” Martin, Jr. for 40 plus years of dedicated service to the Jefferson County Juvenile Probation Services Department and to the citizens of Jefferson County and wishing him well in his retirement. **SEE ATTACHED PAGES 109 - 110**

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

SHERIFF’S DEPARTMENT:

37. Consider and possibly approve deadline extension for 2009 IPP-Buffer Zone Protection Plan Grant Adjustment Notice.

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

38. Receive and file 2009 IPP-Buffer Zone Protection Plan Grant Adjustment Notice.

SEE ATTACHED PAGES 111 - 125

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

TAX ASSESSOR-COLLECTOR:

39. Consider and possibly approve a Resolution giving permission to the Sheriff to conduct an auction to sell property currently held by Jefferson County and the entities for which it collects. The auction will be held on the first Tuesday of November 2011.

SEE ATTACHED PAGE 126

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

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

Regular Session, September 26, 2011

There being no further business to come before the Court at this time, same is now here adjourned on this date, September 26, 2011