

COMMISSIONERS' COURT MINUTES  
REGULAR MEETING  
October 23, 2018

- 18-10-528 Motion to approve bypassing current methods of recruitment process and hire Cory Taylor as County Engineer, effective January 1, 2019

Agenda item 4.11-Discuss and consider proposed Southwinds Development proposed entry monument in median of Kilgore Parkway-**Tabled.**

- 18-10-529 Motion to approve plat for River Farms, Section 2 subject to statement being added to plat that states "Maintenance of drainage pipes and ditches and detention pond are the responsibility of River Farms HOA" and subject to approval of County Engineer, Gary Struzick.

Agenda item 4.13-Discuss and consider River Farms Section 2 plat-**Pulled.**

- 18-10-530 Motion to approve Consent agenda as presented.
- 18-10-531 Motion to approve purchase of Hydromulch seeding from K4 Environmental, LLC in the amount of \$34,200.00 for the Mayhaw Lateral Project.

- 18-10-532 Motion to accept into record Certificate of Completion-CDBG Hurricane Ike Recovery-Salt Water Barriers Project Certificate of Completion.
- 18-10-533 Motion to approve awarding Safari Run Park restrooms contract to Arnold Construction in the amount of \$83,736.00.
- 18-10-534 Motion to award Chambers County Golf Course Maintenance Repairs contract to Texan Tough Services in the amount of \$72,100.00.
- 18-10-535 Motion to approve replacement of hydraulic jack for the Courthouse elevator with an amount not to exceed \$70,000.00 to Otis Elevator.
- Amended motion and second to approve replacement of hydraulic jack for the Courthouse elevator with an amount not to exceed \$70,000.00 to Otis Elevator and to pay in full to receive the 5% discount and pending approval by the County Attorney.
- 18-10-536 Motion to approve referral to the local Justice of the Peace for a sewage nuisance of a malfunctioning on-site sewage facility on the property located at 5819 Dixie Lane, Baytown, TX 77523.

- 18-10-537 Motion to approve immediate hire of a Sheriff's Office clerk position that was approved for 2019 budget.
- 18-10-538 Motion to approve job descriptions as presented.
- 18-10-539 Motion to approve payroll changes as presented.
- 18-10-540 Motion to approve Orbit Gulf Coast NGL Exports, LLC its agents and/or its contractor(s) to enter upon the land described below for the purpose of making land, civil, archaeological, biological, cultural, environmental, geotechnical, and historical surveys and any and all other surveys that are reasonably related to the permitting and sites needed for a pipeline and its facilities.

Agenda item 4.14-Discuss and consider allowing an archaeological survey to be conducted at Koppel Road right-of-way where Grand Parkway is proposing an outfall structure-**Pulled**.

- 18-10-541 Motion to adopt Resolution for the Chambers County Mitigation Plan 2017.

Agenda item 1.2-Discuss and consider County policies regarding requisition/acquisition for materials related to grant projects, specifically

suggested HUD (Housing and Urban Development) purchasing and billing policies to avoid fraud, waste, and abuse.

18-10-542 Motion to approve a civil penalties payment in the amount of up to \$8,320.00 to the Internal Revenue Service in reference to the Federal Employment Tax Return Audit for Tax year 2016.

18-10-543 Motion to accept Commissioner, Pct. 3 Solid Waste Permits-Audit Report.

Agenda item 4.6-Discuss and consider status of the construction of Kilgore Regional Drainage Segment 1 with Angel Brothers and Jim Roberts including change order for the addition of back slop interceptor structures for drainage issues change order and final project acceptance and final project billing-**Tabled.**

Agenda item 4.5-Discuss and consider the status report of FM 1409 from Property Acquisition Services and from Dannenbaum Engineering-**Tabled.**

18-10-544 Motion to approve land swap with Chambers County Logistics Terminal on property adjacent to the extension of Kilgore Drainage Segment 2 and authorize Judge Sylvia to sign agreement.

18-10-545 Motion to approve Plains Pipeline and Exxon project for a future 36” line seeking survey permission for a preliminary pipeline route that crosses through a Chambers County owned parcel of land located off of Hatcherville Road (Hannah Nash League, Abstract 20-Enterprise Ditch).

Agenda item 4.7-Discuss and consider the status of construction of Kilgore Regional Drainage Segment 2 with **SER-Tabled.**

Agenda item 4.1-Discuss and consider update and rights of way acquisition, joint use agreements, and agreements for FM 1409-**No Action.**

Agenda item 4.2-Discuss and consider agreement and/or right of way acquisition issues associated with a possible amendment of Cost Sharing Agreement with TXDOT due to the removal of the bridge and removal of vehicle counting equipment from the plans-**No Action.**

Agenda item 4.3-Discuss and consider appraisal, surveying and engineering cost associated with property and rights of way acquisition or selling property associated with the Kilgore Drainage Project-**No Action.**

18-10-546 Motion to approve pipeline corridor designation on Chambers County School Land in Crockett County, Texas, as presented.

On this the 23rd day of October, A. D., 2018, the Commissioners' Court of Chambers County, with the following members present, to-wit:

Jimmy Gore	Commissioner, Precinct No. 1
Larry G. George	Commissioner, Precinct No. 2
Gary Nelson	Commissioner, Precinct No. 3
A. R. "Rusty" Senac	Commissioner, Precinct No. 4
Jimmy Sylvia	County Judge

with the following members absent, to-wit:

Heather H. Hawthorne	County Clerk
----------------------	--------------

met in a REGULAR MEETING at which time the following items were discussed, considered, passed or adopted, to-wit:

Judge Sylvia, according to law, opened Court at 9:30 a.m. into Open Session. Bobby Hall, offered prayer and then Judge Sylvia led the audience in the Pledge of Allegiance to the American flag and to the Texas flag.

Citizens Comments:

Louis Cognata-requested to have item put on next court agenda regarding Lawrence Drive Outfall.

Judge Sylvia went to agenda item 1.3 under Administration.

18-10-528 Motion made by George and seconded by Gore to approve bypassing current methods of recruitment process and hire Cory Taylor as County Engineer, effective January 1, 2019. Comment by Cory Taylor.

Passed; Insert.

Citizens Comments:

Patti Henry, District Clerk-asked the court to consider extending the phone system to White's Park for the Auxiliary Court Room.

Judge Sylvia went to agenda item 4.11 under Engineering/Project Management.

Agenda item 4.11-Discuss and consider proposed Southwinds Development proposed entry monument in median of Kilgore Parkway.

**Tabled.**

At this time, Judge Sylvia thanked Kim Vo for making 480 dozen egg rolls to benefit Jones County North Carolina.

Judge Sylvia went to several agenda items under Engineering/Project Management.

18-10-529 Motion made by Senac and seconded by Nelson to approve plat for River Farms, Section 2 subject to statement being added to plat that states “Maintenance of drainage pipes and ditches and detention pond are the responsibility of River Farms HOA” and subject to approval of County Engineer, Gary Struzick. Comment by Bobby Hall.

Passed.

Agenda item 4.13-Discuss and consider River Farms Section 2 plat.

**Pulled.**

Judge Sylvia went to the Consent agenda.

18-10-530 Motion made by Senac and seconded by Gore to approve the Consent agenda as presented.

Passed; Insert.

Judge Sylvia went to agenda items 5.1 & 5.2 under Economic Development & Tourism.

18-10-531 Motion made by Gore and seconded by George to approve purchase of Hydromulch seeding from K4 Environmental, LLC in the amount of \$34,200.00 for the Mayhaw Lateral Project. Comment by George Barrera, Purchasing Agent.

Passed; Insert.

18-10-532 Motion made by Senac and seconded by George to accept into record Certificate of Completion-CDBG Hurricane Ike Recovery-Salt Water Barriers Project Certificate of Completion. Comment by Sarah Cerrone, Economic Development.

Passed; Insert.

Judge Sylvia went to agenda item 6.1 under Parks & Recreation.



18-10-533 Motion made by Gore and seconded by George to approve awarding Safari Run Park restrooms contract to Arnold Construction in the amount of \$83,736.00. Comment by Mike Lessley, Project Manager.

Passed; Insert.

Judge Sylvia went to agenda items 7.1 & 7.2 under Maintenance & Buildings.

18-10-534 Motion made by Gore and seconded by Nelson to award Chambers County Golf Course Maintenance Repairs contract to Texan Tough Services in the amount of \$72,100.00. Comment by Mike Lessley, Project Manager.

Passed; Insert.

18-10-535 Motion made by George and seconded by Gore to approve replacement of hydraulic jack for the Courthouse elevator with an amount not to exceed \$70,000.00 to Otis Elevator. Comment by Mike Lessley, Project Manager.

Amended motion and second to approve replacement of Hydraulic Jack for the Courthouse elevator with an amount not to exceed \$70,000.00 to Otis Elevator and to pay in full to receive the 5% discount and pending approval by the County Attorney.

Passed; Insert.

Judge Sylvia went to agenda item 9.1 under Environmental Protection.

18-10-536 Motion made by George and seconded by Senac to approve referral to the local Justice of the Peace for a sewage nuisance of a malfunctioning on-site sewage facility on the property located at 5819 Dixie Lane, Baytown, TX 77523. Comment by Darla Branch, Environmental Health.

Passed; Insert.

At this time, Judge Sylvia went to agenda item 17.1 under Law Enforcement.

18-10-537 Motion made by Senac and seconded by Gore to approve immediate hire of a Sheriff's Office clerk position that was approved for

2019 budget. Comment by Gilbert Phillips, Chief Deputy.

Passed; Insert.

Judge Sylvia went to agenda items 18.1 & 18.2 under Personnel.

18-10-538 Motion made by Senac and seconded by George to approve job descriptions as presented.

Passed; Insert.

18-10-539 Motion made by Senac and seconded by Gore to approve payroll changes as presented.

Passed; Insert.

At this time, Judge Sylvia went to agenda items 4.12 & 4.14 under Engineering/Project Management.

18-10-540 Motion made by Nelson and seconded by George to approve Orbit Gulf Coast NGL Exports, LLC its agents and/or its contractor(s) to enter upon the land described below for the purpose of making land, civil, archaeological, biological, cultural, environmental, geotechnical, and historical surveys and any and all other surveys that are reasonably related to the permitting and sites needed for a pipeline and its facilities

Passed; Insert.

Agenda item 4.14-Discuss and consider allowing an archaeological survey to be conducted at Koppel Road right-of-way where Grand Parkway is proposing an outfall structure.

**Pulled.**

The court took a short recess at 10:44 a.m. and reconvened at 11:07 a.m. Judge Sylvia began with agenda items 1.1 & 1.2 under Administration.

18-10-541 Motion made by George and seconded by Senac to adopt Resolution for the Chambers County Mitigation Plan 2017. Comment by Kim Turner, Emergency Management.

Passed; Insert.

Agenda item 1.2-Discuss and consider County policies regarding requisition/acquisition for materials related to grant projects, specifically

suggested HUD (Housing and Urban Development) purchasing and billing policies to avoid fraud, waste, and abuse.

**Pulled.**

Judge Sylvia went to several agenda items under Financial.

18-10-542 Motion made by Senac and seconded by George to approve a civil penalties payment in the amount of up to \$8,320.00 to the Internal Revenue Service in reference to the Federal Employment Tax Return Audit for Tax year 2016. Comment by Nikki Whittington, Treasurer and Tony Sims, Auditor.

Passed; Insert.

18-10-543 Motion made by Nelson and seconded by Senac to accept Commissioner, Pct. 3 Solid Waste Permits-Audit Report. Comment by Ashley Savell, Auditor's Office and Tony Sims, Auditor.

Passed; Insert.

Judge Sylvia went to several agenda items under Engineering/Project Management.

Agenda item 4.6-Discuss and consider status of the construction of Kilgore Regional Drainage Segment 1 with Angel Brothers and Jim Roberts including change order for the addition of back slop interceptor structures for drainage issues change order and final project acceptance and final project billing. Comment by Bobby Hall and Jim Roberts, LCR Engineers.

**Tabled.**

Agenda item 4.5-Discuss and consider the status report of FM 1409 from Property Acquisition Services and from Dannenbaum Engineering.

**Tabled.**

18-10-544 Motion made by Senac and seconded by Nelson to approve land swap with Chambers County Logistics Terminal on property adjacent to the extension of Kilgore Drainage Segment 2 and authorize Judge Sylvia to sign agreement. Comment by Bobby Hall.

Passed; Insert.

18-10-545 Motion made by Nelson and seconded by Senac to approve Plains Pipeline and Exxon project for a future 36" line seeking survey permission for a preliminary pipeline route that crosses through a Chambers County owned parcel of land located off of Hatcherville Road (Hannah Nash League, Abstract 20-Enterprise Ditch). Comment by Bobby Hall.

Passed; Insert.

Agenda item 4.7-Discuss and consider the status of construction of Kilgore Regional Drainage Segment 2 with SER.

**Tabled.**

Court recessed at 12:01 p.m. out of Open Session and into Executive Session, Consultation with Attorney, Section 551.071, Gov. Code, V.T.C.S.; Purchase of Property, Section 551.072, Gov. Code, V.T.C.S.; to discuss agenda items 4.1, 4.2, 4.3, & 4.4. Court reconvened at 12:35 p.m. into Open Session. Judge Sylvia went to several agenda items under Engineering/Project Management.

Agenda item 4.1-Discuss and consider update and rights of way acquisition, joint use agreements, and agreements for FM 1409.

**No Action.**

Agenda item 4.2-Discuss and consider agreement and/or right of way acquisition issues associated with a possible amendment of Cost Sharing Agreement with TXDOT due to the removal of the bridge and removal of vehicle counting equipment from the plans.

**No Action.**

Agenda item 4.3-Discuss and consider appraisal, surveying and engineering cost associated with property and rights of way acquisition or selling property associated with the Kilgore Drainage Project.

**No Action.**

18-10-546 Motion made by Senac and seconded by George to approve pipeline corridor designation on Chambers County School Land in Crockett County, Texas as presented.

Passed; Insert.

The following visitors, department, agency, or business they represent were present in Court today:

Kris Hampton	County Clerk's Office
Lauren Van Deventer	County Judge's Office
Nikki Whittington	Chambers County Treasurer
Scott Peal	County Attorney
George Barrera	Purchasing Agent
Mike Lessley	Maintenance
Gilbert Phillips	Sheriff's Office
Bobby Hall	
Lyndsey Davis	Auditor's Office
Ashley Savell	Auditor's Office
Tony Sims	Auditor
Nathan Brandimarte	OBT
Darla Branch	Environmental Health
Victoria Figueroa	Environmental Health
Ryan Holzaepfel	Fire Marshall
Sarah Cerrone	Economic Development
Kim Turner	Emergency Management
Grant Smith	Parks & Recreation
Lawrence Lewis	Mosquito Control
Aaron Thomas	County Judge's Office
Valerie Jensen	CC Librarian
Billy Combs	Mayor of Beach City
Patrick Wiltshire	Public Management, Inc.
B. J. Simon	Baytown EDF
David Kadjar	Kilgore Park, LLC
Sue Hawthorne	The Progress
Patty Clark	Constables Office
Missy Parham	Constables Office
Wade Thibodeaux	Hometown Press
Gloria Roemer	The Seabreeze Beacon
Ignacio Ramirez	City of Baytown
Bobby Hall	Citizen
Jerry Shadden	TBCD
William Grigsby	City of Anahuac
Mona Cognata	Citizen
Lou Cognata	Citizen
Anne Martin	County Clerk's Office
Kim Vo	Chambers County

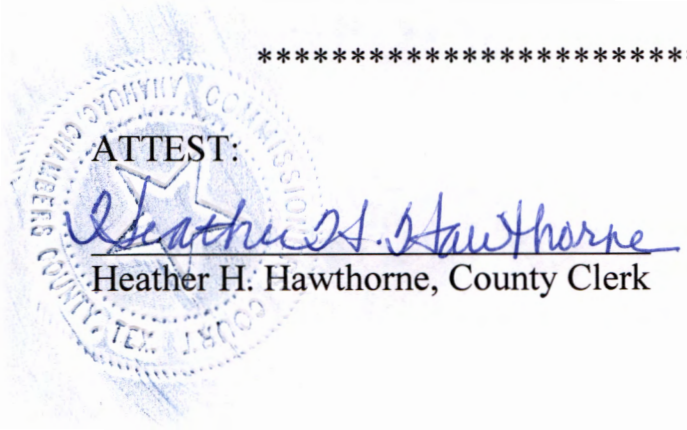
Parke Patterson  
Alex Van Duzer  
Jim Roberts  
Glenn Innerarity

Southwinds Development  
Southwinds Development  
LCR Engineers  
Communications

There being no further business, Court adjourned at 12:37 p.m.

\*\*\*\*\*

ATTEST:



*Heather H. Hawthorne*

Heather H. Hawthorne, County Clerk

APPROVED:

Jimmy Sylvia, County Judge