

On this the 9th day of May, A. D., 2017, the Commissioners' Court of Chambers County, with the following members present, to-wit:

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|----------------------|------------------------------|
| 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 |
| 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 9:34 a.m. into Open Session. Scott Peal, offered prayer and then Judge Sylvia led the audience in the Pledge of Allegiance to the American flag and to the Texas flag.

Agenda item 1.1-Citizens' comments:

Greg Poole-spoke on his concerns about agenda item 3.4 and is against.

Clint Moss-spoke on employee fairness in employment in Chambers County.

Judge Sylvia started with several agenda items under Administration.

17-05-220 Motion made by Senac and seconded by Nelson to approve Proclamation declaring May 8-12, 2017, as National Hospital Week.

Passed; Insert.

17-05-221 Motion made by Nelson and seconded by Gore to approve Resolution declaring May 2017, as Mental Health Month. Comment by Monique Sennett with Spindletop Center and Brian Hawthorne, Sheriff.

Passed; Insert.

Agenda item 1.7-Discuss and consider entering into an Interlocal Agreement between Jefferson County and Chambers County for laboratory services. Comments by Cheryl Lieck, District Attorney and Ed Shettle, Assistant District Attorney and Scott Peal, County Attorney.

Tabled.

At this time, Judge Sylvia skipped to agenda item 10.1 under Communications/Technology.

17-05-222 Motion made by Senac and seconded by Gore to approve change order in the amount of \$2,800.00 to Quality Tower Services for trenching 400ft. and supplying conduit and installation for Telco Services to be located at the new Mont Belvieu tower site. Comment made by Quinten Adams, Director of Communications.

Passed; Insert.

At this time, Judge Sylvia went to several agenda items under Administration.

17-05-223 Motion made by Gore and seconded by Nelson to approve VorTech Contracting Tax Abatement application. Comment by B.J. Simon, Baytown EDF.

Passed; Insert.

17-05-224 Motion made Nelson and seconded by Judge Sylvia to remove the agenda item 1.10 and not move forward.

Motion fails.

Rusty Senac, Larry George, and Jimmy Gore vote No.

Tabled at this time, will return to agenda item after short recess.

17-05-225 Motion made by Commissioners Court and seconded by Commissioners Court to approve Resolution supporting Fallen Officers.

Passed; Insert.

The court recessed at 10:35 a.m. to attend the Fallen Officers ceremony and court reconvened at 11:02 a.m. At this time, Judge Sylvia went back to agenda item 1.10 under Administration.

17-05-226 Motion made by George and seconded by Gore to approve Voluntarily Strengthening of Chambers County Standards of Ethics and Transparency Resolution as amended by Scott Peal, County Attorney. Motion was rescinded by both.

Rescind.

17-05-227 Motion made by Senac and seconded by Gore to **table** and bring back to the next court to present corrections as amended by Scott Peal, County Attorney.

Passed; Insert.

At this time, Judge Sylvia went to agenda item 3.3 under Road & Bridge.

Agenda item 3.3-Discuss and consider setting the weight load limit to 20,000 pounds gross vehicle weight (GVW) on Carrington Road, Precinct No.2.

Tabled.

Judge Sylvia moved along to agenda item 13.1 under Health & Welfare.

17-05-228 Motion made by Senac and seconded by George approve Amendment No.1 to the Department of State Health Services Contract No. 2017-049798-001A (WIC Contract for Fiscal Year 2017) effective October 1, 2016 and ending September 30, 2018 with amended contract amounts. Comment by Angela Kear, WIC Department.

Passed; Insert.

At this time, Judge Sylvia went to agenda item 15.1 under Library & Historical.

17-05-229 Motion made by George and seconded by Gore to approve request from Texas A&M AgriLife Extension to set up a lending library in the Smith Point and Oak Island Parks. Comment made by Lindy Petre, Extension Office and Valerie Jenson, Librarian. Comment by Commissioner Senac.

Passed; Insert.

At this time, Judge Sylvia moved to agenda item 16.1 under Law Enforcement.

Agenda item 1.1-Public Comment

Marybeth Bess-Recognized Chambers County nurses for National Nurses Week: Angela Kear, WIC; Sholanda Cooper-Smith and Diane Steel, Health Department/Wellness Center; Laura Hendrix, Jail nurse.

17-05-230 Motion made by Gore and seconded by Nelson to approve hiring a RN position for the jail. Comment by Marybeth Bess, Health Services Director and Brian Hawthorne, Sheriff.

Passed; Insert.

At this time, Judge Sylvia recognized Aaron Thomas and Haley Avriett for graduating from the LDI (Leadership Development Initiative) class 2017 through the West Chambers County Chamber of Commerce. Aaron Thomas was also selected 20 under 40 from the Baytown Sun.

Judge Sylvia went to several agenda items under Road & Bridge.

17-05-231 Motion made by Senac and seconded by George to set a Public Hearing on May 23, 2017, at 10:00 a.m. for the purpose of setting a speed limit on Wood Duck Lane and Mallard Drive in the Trinity Cove Subdivision on FM 3180. Comment by Kevin McClung, Road and Bridge.

Passed; Insert.

17-05-232 Motion made by Senac and seconded by George to Table agenda item 3.4. Comments made by Kevin McClung, Road & Bridge and Michael Lessley, Project Manager.

Tabled.

Court recessed at 11:35 a.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; Personnel, Section 551.074, Gov. Code, V.T.C.S. Court reconvened at 1:47 p.m. into Open Session. Let the record reflect Judge Sylvia and Commissioner Gore were not present. Judge Pro Tem Nelson went to several agenda items under Administration.

Let the record reflect that Commissioner Gore returned at 1:49 p.m.

Agenda item 1.2-Receive monthly reports: Baytown EDF, activity report; Certificate of completion, Millie Koonce, Tips and Strategies for Happy Readers and Turning Library Agnostics into True Believers; Continuing Education TLA Annual Conference, Michelle Mims, Aquila De La Cruz, and Lashebia Haskin; Certificate of completion, Lizbeth Cabrera, The Magic of Music in Storytime.

17-05-233 Motion made by Senac and seconded by George to approve Minutes of April 11, 2017, Regular Meeting; April 25, 2017, Regular Meeting; April 28, 2017, Special Called Meeting.

Passed; Insert.

17-05-234 Motion made by Senac and seconded by George to establish the commencement date, May 9, 2017, for local permitting of Heavy Haul /OW trucks, tractors, or trailers in and by Chambers County as authorized under Texas Transportation Code.

Passed; Insert.

17-05-235 Motion made by Gore and seconded by George to approve Chambers County Agreement with the Texas Health and Human Services Commission for the Minimum Payment Amount Program (MPAP) related to the Arboretum of Winnie, Nursing and Rehabilitation Center.

Passed; Insert.

17-05-236 Motion made by Senac and seconded by George to approve agreement between Chambers County and Hamer Enterprises to provide credit card services to Chambers County Justice of the Peace Offices as long as contract includes updated info as presented by County Attorney, Scott Peal.

Passed; Insert.

17-05-237 Motion made by Senac and seconded by Gore to authorize Judge Pro Tem Nelson to execute an Access Agreement by and between NRG Texas Power, LLC and Chambers County to allow surveying and civil and limited environmental studies for the purpose of evaluating drainage from the RWJ Subdivision located adjacent to the NRG subject property. Commissioner George abstained from voting.

Passed; Insert.

Agenda item 1.12-Discuss and consider renewing British Petroleum Restoration Consulting Contract with Tim Richardson.

Tabled.

At this time, Judge Pro Tem went to several agenda item under Financial.

17-05-238 Motion made by George and seconded by Gore to approve claim docket as presented.

Passed; Insert.

17-05-239 Motion made by George and seconded by Gore to approve travel reimbursements and miscellaneous expenditures in the amount of \$6,809.80.

Passed; Insert.

17-05-240 Motion made by Senac and seconded by George to approve budget amendments/transfers in the amount of \$6,400.00 as presented.
Comment by Heather Hawthorne, County Clerk.

Passed; Insert.

17-05-241 Motion made by Senac and seconded by Gore to approve Treasurer's report.

Passed; Insert.

Agenda item 2.5-Auditor's report-**None**.

Judge Pro Tem Nelson moved along to several agenda items under Road & Bridge.

17-05-242 Motion made by Senac and seconded by Gore to approve final counter offers to purchase rights away and easements for FM 1409: Parcel 14 remainder, Robert McKay, \$3,507.85 plus closing cost; Parcel E17, Betty Jean Fletcher, \$25,000.00 plus closing cost; Parcel E32, Ola Williams

Estate, Recommended Eminent Domain due to many heirs unknown;

Chambers County Commissioners Court

May 9, 2017

E34/TE34, Cottontree, LTD, \$1,599.00; E35/TE35, \$3,177.00 will be paid to Chambers County from Cottontree for reduction; E36/TE36, Cottontree, LTD, \$8,401.00 plus closing cost.

Passed; Insert.

Agenda item 3.2-Discuss and consider property and rights of way for Kilgore Drainage Project.

No Action.

Agenda item 3.6-Discuss and consider approving amendment to the Construction Agreement on the Kilgore Parkway Drainage Project relating to impact fee credits.

Tabled.

At this time, Judge Pro Tem Nelson skipped to several agenda items under Personnel.

Agenda item 17.1-Discuss and consider job descriptions-**None**

17-05-243 Motion made by George and seconded by Gore to approve payroll changes as presented except for Louise Rodriguez. Comment made by Brian Hawthorne, Sheriff.

Passed; Insert.

17-05-244 Motion made by Senac and seconded by Gore to approve vacation carryover as presented: Tammy Yarter, 20 hours; Tammy Jenkins, 76 hours, due to Tyler Odyssey software conversion.

Passed; Insert.

Agenda item 17.4-Discuss and consider extended medical leave-**None**.

Agenda item 17.5-Discuss and consider personnel issues.

No Action.

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

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|---------------------|------------------------------|
| Kris Hampton | County Clerk's Office |
| Mike Lessley | Chambers Co. Project Manager |
| Nikki Whittington | Chambers County Treasurer |
| Brian Hawthorne | Sheriff |
| Lauren Van Deventer | County Judge's Office |
| George Barrera | Purchasing Agent |
| Scott Peal | County Attorney |
| Cheryl Lieck | District Attorney |
| Eric Carcerrano | Assistant District Attorney |
| Ed Shettle | Assistant District Attorney |
| Kevin McClung | Road & Bridge |
| Marybeth Bess | Wellness Center |
| Lyndsey Davis | Auditor's Office |
| Bess Woody | Auditor's Office |
| Valerie Jensen | CC Librarian |
| Annie Vass | Library |
| Lawrence Lewis | Mosquito Control |
| Jessica Laskoskie | Health Services |
| Quinten Adams | Communications |

| | |
|--------------------|--------------------------------|
| Monique Sennett | Spindletop Center |
| Angelica Zamora | Spindletop Center |
| Wade Thibodeaux | Hometown Press |
| Sue Hawthorne | Anahuac Progress |
| Gloria Roemer | Seabreeze Beacon |
| Nathan Brandimarte | Orgain Bell & Tucker |
| Hazel Meaux | Citizen |
| Mayes Middleton | Citizen |
| Ignacio Ramirez | City of Baytown |
| Robbie King | Anahuac Chamber of Commerce |
| Daryl Morris | Citizen |
| Cade Van Deventer | Citizen |
| John Kemp | Citizen |
| Jerry Shadden | TBCD |
| Steve Kole | Citizen |
| David Kadjar | Kilgore Park, LLC |
| Vaughn Davidson | Kilgore Park, LLC |
| Jennifer Rocha | Adult Protective Services |
| B.J. Simon | Baytown EDF |
| Nellie Lundsford | Chambers Health |
| Sheila Haley | Adult Protective Services |
| Greg Poole | Citizen |
| Paul Lippke | Lippke, Cartwright, Roberts |
| Lindy Petre | Extension Office |
| Angela Kear | WIC Department |
| William Carter | US Congressman Brian Babin |

There being no further business, Court adjourned at 2:32 p.m.

ATTEST:



Heather H Hawthorne
Heather H Hawthorne, County Clerk

APPROVED:

Jimmy Sylvia
Jimmy Sylvia, County Judge, *Pro-tem*
Gary Nelson

COMMISSIONERS' COURT MINUTES
REGULAR MEETING
May 9, 2017

17-05-220 Motion to approve Proclamation declaring May 8-12, 2017, as National Hospital Week.

Agenda item 1.4-Discuss and consider Resolution regarding Voluntarily Strengthening of Chambers County Standards and Ethics and Transparency-**Tabled.**

17-05-221 Motion to approve Resolution declaring May 2017, as Mental Health Month.

Agenda item 1.7-Discuss and consider entering into an Interlocal Agreement between Jefferson County and Chambers County for laboratory services-**Tabled.**

17-05-222 Motion to approve change order in the amount of \$2,800.00 to Quality Tower Services for trenching 400ft. and supplying conduit and installation for Telco Services to be located at the new Mont Belvieu tower site.

17-05-223 Motion to approve VorTech Contracting Tax Abatement application.

- 17-05-224 Motion to remove agenda item 1.10 and not move forward.
- 17-05-225 Motion to approve Resolution supporting Fallen Officers.
- 17-05-226 Motion to approve Voluntarily Strengthening of Chambers County Standards of Ethics and Transparency Resolution as amended by Scott Peal, County Attorney. Motion was **rescinded.**
- 17-05-227 Motion to table agenda item 1.10 and bring back to court to present corrections as amended by Scott Peal, County Attorney.
- Agenda item 3.3-Discuss and consider setting the weight load limit to 20,000 pounds gross vehicle weight (GVW) on Carrington Road, Precinct No.2-**Tabled.**
- 17-05-228 Motion to approve Amendment No.1 to the Department of State Health Services Contract No. 2017-049798-001A (WIC Contract for Fiscal Year 2017) effective October 1, 2016 and ending September 30, 2018 with amended contract amounts.
- 17-02-229 Motion to approve request from Texas A&M AgriLife Extension to set up a lending library in the Smith Point and Oak Island Parks.

Week: Angela Kear, WIC; Sholanda Cooper-Smith and Diane Steel, Health Department/Wellness Center; Laura Hendrix, Jail Nurse.

- 17-05-230 Motion to approve hiring a RN position for the jail.
- 17-05-231 Motion to set a public a Public Hearing on May 23, 2017, at 10:00 a.m. for the purpose of setting a speed limit on Wood Duck Lane and Mallard Drive in the Trinity Cove Subdivision on FM 3180.
- 17-05-232 Motion to Table agenda item 3.4-
Tabled.
- Agenda item 1.2-Receive into record: Baytown EDF, activity report; Certificate of completion, Millie Koonce, Tips and Strategies for Happy Readers and Turning Library Agnostics into True Believers; Continuing Education TLA Annual Conference, Michelle Mims, Aquila De La Cruz, and Leshebia Haskin; Certificate of completion, Lizbeth Cabrera, The Magic of Music in Storytime.
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Agenda item 1.12-Discuss and consider renewing British Petroleum Restoration Consulting Contract with Tim Richardson-**Tabled.**

- 17-05-238 Motion to approve claim docket as presented.
- 17-05-239 Motion to approve travel reimbursements and miscellaneous expenditures in the amount of \$6,809.80.
- 17-05-240 Motion to approve budget amendments/transfers in the amount of \$6,400.00 as presented.
- 17-05-241 Motion to approve Treasurer's report.

Agenda item 2.5-Auditor's report-**none.**

- 17-05-242 Motion to approve final counter offers to purchase rights away and easements for FM 1409: Parcel 14 remainder, Robert McKay, \$3,507.85 plus closing cost; Parcel E17, Betty Jean Fletcher, \$25,000.00 plus closing; Parcel E32, Ola Williams Estate, Recommended Eminent Domain due to many heirs unknown; E34/TE34, Cottontree, LTD, \$1,599.00; E35/TE35, \$3,177.00 will be paid to Chambers County from Cottontree for reduction; E36/TE36,

Cottontree, LTD, \$8,401.00 plus closing cost.

Agenda item 3.2-Discuss and consider property and rights of way for Kilgore Drainage Project-**No Action.**

Agenda item 3.6-Discuss and consider approving amendment to the Construction Agreement on the Kilgore Parkway Drainage Project relating to impact fee credits-**Tabled.**

Agenda item 17.1-Discuss and consider job descriptions-**None.**

17-05-243 Motion to approve payroll changes as presented except for Louise Rodriquez: Dane Listi, Comptroller Judiciary Apportionment, \$3,054.18; Kathleen Esquivel, Comptroller Judiciary Apportionment, \$3,054.18; Eric Carcerano, Comptroller Judiciary Apportionment, \$3,054.18; Gary Herman, Road & Bridge, Pay group 14/7; Harry Raymond, Road & Bridge, Pay group 16/15; Joseph Pena, Road & Bridge, Pay group 21/7; Paula Isaacks, Sheriff's Office, Unclassified, \$46,584.85; Jessica King, Sheriff's Office, Unclassified \$64,658.03.

17-05-244 Motion to approve vacation carryover as presented: Tammy Yarter, 20 hours; Tammy Jenkins, 76 hours, due

to Tyler Odyssey software conversion.

Agenda item 17.4-Discuss and consider extended medical leave-
none.

Agenda item 17.5-Discuss and consider personnel issues-**No Action.**