

On this the 14th day of July, A. D., 2015, the Commissioners' Court of Chambers County, with the following members present, to-wit:

Mark Huddleston	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
Heather H. Hawthorne	County Clerk

and the following members absent, to-wit:

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

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Judge Pro Tem, Mark Huddleston, according to law, opened Court at 9:30 a.m. into Open Session.

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County Engineer Bobby Hall offered prayer and then Judge Pro Tem, Mark Huddleston, led the audience in the Pledge of Allegiance to the American flag and to the Texas flag.

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Judge Pro Tem, Mark Huddleston, went to several agenda items under Administration.

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Agenda item 1.1- Citizen's Comments- all comments will be addressed at the time of the agenda item.

Agenda item 1.2- Monthly Reports- Texas Historical Commission Distinguished Service Award.

Insert.

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15-07-380 Motion made by Senac and seconded by George to approve the Commissioner's Court minutes of the June 23, 2015, regular meeting as presented.

Passed.

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Agenda item 1.2-Monthly Reports- Insurance and Risk Management Capabilities from McGriff, Seibels & Williams, Inc.; National Flood Insurance Program Community Assistance report and a Certificate of Attendance awarded to Tony Sims, County Auditor for attending the Texas Association of Counties Investment Academy.

Insert.

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15-07-381 Motion made by Senac and seconded by Nelson declaring office furniture from County Judge's office as surplus property.

Insert.

Passed.

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Agenda item 1.5-discuss and consider Texas Compensation Group Advisors Agreement-**tabled**.

**Tabled.**

-----  
At this time, Judge Pro Tem, Mark Huddleston, went to several agenda items under Financial.

-----  
15-07-382 Motion made by George and seconded by Senac to accept the Chambers County, Texas Comprehensive Annual Financial Report for the year ending December 31, 2014.

Public comment made by Darla Deere, outside Auditor, Belt Harris Pechacek, LLLP.

Insert.

Passed.

-----  
Agenda item 2.8-discuss and consider Chambers County, Texas Single Audit Reports for the year ended December 31, 2014- **no action.**

Insert.

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At this time, Judge Pro Tem, Mark Huddleston went to several agenda items under Road & Bridge.

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At this time court recessed at 9:53 a.m. out of Regular session and went to the public hearing at 9:53 a.m. to discuss agenda item 3.1-Land Use Assumptions and Capital Improvements Plan, Kilgore Regional Drainage Plan.

A public comment was made by Paul Lippke.

The public hearing adjourned at 9:57 a.m.

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Court reconvened at 9:58 a.m. into Regular session.

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15-07-383 Motion made by Nelson and seconded by Senac to adopt the Resolution for Land Use Assumptions and Capital Improvements Plan, Kilgore Regional Drainage Plan

Insert.

Passed.

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15-07-384 Motion made by Senac and seconded by Nelson to adopt a resolution establishing a Public Hearing on August 28, 2015, at 9:30 a.m. for the adoption of impact fees, Kilgore Regional Drainage Plan.

Insert.

Passed.

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15-07-385 Motion made by Senac and seconded by Nelson to accept the proposal from Berg-Oliver Associates, Inc. for environmental services for the Regional Drainage System, not to exceed \$27,400.00.

Insert.

Passed.

-----

At this time, Judge Pro Tem, Mark Huddleston went to agenda item 8.1 under Environmental Protection.

-----  
15-07-386 Motion made by Senac and seconded by George to approve the review fees for Environmental Health as presented.

Insert.

Passed.

-----  
At this time, Judge Pro Tem, Mark Huddleston went to agenda item 5.3 under Parks & Recreation.

-----  
15-07-387 Motion made by Senac and seconded by George to approve the Temporary Park Use Agreement between Chambers County and the Beach City Volunteer Fire Department, for a fundraiser to be held at McCollum Park on July 18, 2015, and consider a temporary waiver of park rules for a one-time event with the approval from the Chambers County Sheriff.

Public comment made by Kevin Flemming and John Eversole.

Insert.

Passed.

-----  
Court recessed at 10:25 a.m. and reconvened at 10:39 a.m. into open session.

Court recessed out of open session at 10:39 a.m. and went into a Public Hearing at 10:39 a.m. to discuss agenda item 1.6 – the annual written

plan for the preservation and restoration of the district and county court records archive.

Public comment was made by Patti Henry, District Clerk, and Heather H. Hawthorne, County Clerk.

Insert.

Public hearing adjourned at 10:54 a.m. and went back into open session.

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Agenda item 1.13- discuss and consider update on the Arboretum Nursing Home and status on upcoming IGT payments-**no action**.

Public comment was made by Michael Whitley, Byron Burris, Nathan Brandimarte.

Insert.

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Agenda item 1.19- discuss and consider authorizing the County Judge to execute the proposed settlement agreement and any other necessary documents relating to the County's claim against British Petroleum, PLC for damages resulting from the Deepwater Horizon oil spill-**executive session**.

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Court recessed at 11:20 a.m. out of open session and into Executive Session under Section 551.071, Government Code, to consult with attorney. Court reconvened at 11:50 a.m. into Open Session.

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15-07-388 Motion made by Senac and seconded by Nelson to have Nathan Brandimarte amend the settlement agreement to include Mark Huddleston, County Judge Pro Tem, to execute the settlement agreement.

Insert.

Passed.

-----  
At this time, Judge Pro Tem, Mark Huddleston went to agenda items under Economic Development and Tourism.

-----  
15-07-389 Motion made by George and seconded by Nelson to authorize payment for Parcel 71 (Forrest & Tina McDaniel) for the Lake Anahuac East Levee project for the appraised value of \$213.00.

Insert.

Passed.

-----  
15-07-390 Motion made by George and seconded by Nelson to approve HOT Funds agreement for Texas Gatorfest 2015.

Insert.

Passed.

-----  
Agenda item 4.3- discuss and consider request of Chambers Wild for \$25,000 sponsorship-**tabled**.

Public comment made by Clay Jacobs, Sarah Cerrone, and Aaron Thomas.

Insert.

**Tabled.**

-----  
Agenda item 5.1- discuss and consider the purchase of 2 mowers for the Park's Department-**table**d.

**Tabled.**

-----  
15-07-391 Motion made by George and seconded by Nelson to authorize construction of restrooms in Granny Nelson Park in Smith Point, Texas, not to exceed \$70,573.00

Insert.

Passed.

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At this time, Judge Pro Tem, Mark Huddleston, went to agenda item 14.1 under Mosquito Control.

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15-07-392 Motion made by Senac and seconded by Nelson to approve change order to install one Add-A-Phase converter for mosquito control shop not to exceed \$4,000.00.

Insert.

Passed.

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At this time, Judge Pro Tem, Mark Huddleston, went to agenda item 9.1 under Safety/Emergency Management.



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15-07-393 Motion made by Nelson and seconded by George to approve the purchase of 2 power stretchers for Anahuac EMS not to exceed \$39,400.00.

Subsidiary motion made to rescind motion no. 15-07-393 and will revisit later in court.

**No Action.**

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At this time, Judge Pro Tem, Mark Huddleston, returned to agenda items under Administration.

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Agenda item 1.14- discuss and consider establishing White's Park Community Building as an auxiliary court facility and auxiliary county seat-  
**tabled.**

**Tabled.**

-----  
15-07-394 Motion made by Senac and seconded by Nelson to accept surety bonds for Heather Lanferman in District Clerk's office and a blanket surety bond for all other employees in the District Clerk's office.

Insert.

Passed.

-----  
At this time, Court recessed for a short break at 12:35 p.m. and reconvened at 12:50 p.m.

-----  
Agenda item 1.20- discuss and consider approving the County Judge to sign waiver letter relating to the 8<sup>th</sup> Galveston Bay Energy (GBE) pipeline for the Kilgore Regional Drainage Plan-**tabled.**

**Tabled.**

-----  
15-07-395 Motion made by George and seconded by Nelson to adopt the resolution honoring Sylvia Lamb for her service to the community of Wallisville and Wallisville Heritage Park in Chambers County, Texas.

Insert.

Passed.

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Agenda item 1.9- discuss and consider selling old Task Force building property in the City of Mont Belvieu – 1210 Winfree Rd.-**tabled.**

**Tabled.**

-----  
15-07-396 Motion made by Nelson and seconded by George to approve Tyler Technology Contract amendment reducing contract by \$5,750.00.

Insert.

Passed.

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15-07-397 Motion made by Senac and seconded by Nelson to approve the Permanent School Fund Distribution as presented. Barbers Hill ISD receiving 53.594% - \$493,518.46; Anahuac ISD receiving 13.495% - \$124,266.51; East Chambers ISD receiving 15.619% - \$143,828.86; Goose Creek ISD receiving 17.292 % - \$159,235.47.

Insert.

Passed.

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At this time, Judge Pro Tem, Mark Huddleston, returned to agenda item 9.1 under Safety/Emergency Management

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15-07-398 Motion made by Senac and seconded by Nelson to approve the transfer of funds for amendment of funding agreement to Anahuac EMS for 2 power stretchers.

Insert.

Passed.

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At this time, Judge Pro Tem, Mark Huddleston, returned to agenda items under Administration.

-----  
15-07-399 Motion made by Senac and seconded by George to add a new member position designated as “User Company Representative #3” to the Chambers County Heavy Haul Advisory Committee, appointing David Price for this position.

Insert.

Passed.

-----  
15-07-400 Motion made by George and seconded by Nelson to approve purchase of a 2016 Ford Expedition and a 2016 Ford Fusion, not to exceed \$50,000.00.

Insert.

Passed.

-----  
Agenda item 1.11-discuss and consider Crocket County School Land Hunting and Grazing Lease-**tabled.**

**Tabled.**

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Agenda item 1.12-discuss and consider office space for County Auditor Staff-**tabled.**

**Tabled.**

-----  
15-07-401 Motion made by George and seconded by Nelson to adopt the resolution authorizing a County grant to the Senior Citizens Project of Chambers County in the amount of \$16,230.00 to be used between October 1, 2015 through September 30, 2016.

Insert.

Passed.

At this time, Judge Pro Tem, Mark Huddleston, went to several agenda items under Financial.

-----  
15-07-402 Motion made by Senac and seconded by Nelson to approve claim docket beginning with check #93072 and ending with check #93467, as presented.

Commissioner George was not present at this time, out at 1:55 p.m.

Insert.

Passed.

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15-07-403 Motion made by Nelson and seconded by Senac to approve travel reimbursements and miscellaneous expenditures in the amount of \$4,356.27.

Commissioner George returned at 1:57 p.m.

Insert.

Passed.

-----  
15-07-404 Motion made by Nelson and seconded by Senac to approve the budget amendments as presented.

Insert.

Passed.

-----  
**Agenda item 2.6-discuss and consider Amended Investment Policy-tabled.**

**Tabled.**

-----  
At this time, Judge Pro Tem, Mark Huddleston, went to agenda items under Road & Bridge.

-----  
15-07-405 Motion made by Nelson and seconded by George to approve bid from Derryberry's L.P. for repairs and additions to the Engineering conference room air conditioner, not to exceed \$16,000.00.

Insert.

Passed.

-----  
15-07-406 Motion made by George and seconded by Nelson to adopt new fees for Engineering Department.

Insert.

Passed.

-----  
15-07-407 Motion made by George and seconded by Huddleston to deny request by William O. Wallace, Jr. for the abandonment and sale of a tract of land purchased in conjunction with the purchase of the right-of-way for the extension of FM 1409.

Insert.

**Denied.**

Agenda item 3.8-discuss and consider Interlocal Agreement with the City of Baytown for Fire Marshal inspections-**tabled.**

**Tabled.**

-----  
At this time, Court recessed for a short break at 2:25 p.m. and reconvened at 2:33 p.m.

-----  
15-07-408 Motion made by Nelson and seconded by George to approve authorizing Judge Sylvia to request Texas Department of Transportation to extend turning lanes and/or deceleration lanes on FM 2354 as stated in Rusty Senac's letter to Omar DeLeon with TXDOT.

Insert.

Passed.

-----  
15-07-409 Motion made by Senac and seconded by Nelson to approve and accept offer to purchase Parcel 5 (Barbers Hill ISD) in the amount of \$92,230.00, accept offer to purchase Parcel 13 (Charles McCawley) in the amount of \$57,973.00, accept offer to purchase Parcel 24 (Weibling Trust) in the amount of \$90,705.00 for FM 1409 right-of-way as presented.

Insert.

Passed.

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Judge Pro Tem Mark Huddletson then skipped to agenda items under Communications/Technology.

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15-07-410 Motion made by Nelson and seconded by George to renew current Motorola service contract for three dispatch radio positions.

Insert.

Passed.

-----  
Judge Pro Tem Mark Huddleston then skipped agenda items under Personnel.

-----  
15-07-411 Motion made by Nelson and seconded by Senac to accept into record payroll change form for Leslie Baillio Borne, effective August 13, 2014.

Insert.

Passed.

-----  
15-07-412 Motion made by Nelson and seconded by George to approve job description change and salary change for Victor De La Cruz in Road and Bridge, going from pay group 17-10 to 19-8. Commissioner Mark Huddleston voting against.

Insert.

Passed.

-----  
15-07-413 Motion made by Senac and seconded by Nelson to approve



the following payroll changes and job description changes: Grant Smith (Parks), Amber Ayres (Sheriff's Office), Bryan Burkhalter (Solid Waste), Open position replacing Larry Huebner (Solid Waste), Donald Webster (Sheriff's Office), Daniel Herman (Sheriff's Office), Ximena Valencia (County Clerk), Wyatt O. Raymond (Mosquito Control), Larry G. Rivon (Mosquito Control), Coley Adams (Parks), Cheryl Curtis (Relief Clerk), Bess Woody (Auditor), Joanna Wilson (County Clerk), Melinda Rhame (County Clerk)

Insert.

Passed.

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17.2- Vacation carryover- none  
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15-07-414 Motion made by Senac and seconded by Nelson to extend the medical leave of Kenneth Whittington by 30 days.

Citizen Comment made by Rusty Senac

Insert.

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

Lauren Van Deventer	Co. Judge's Office
Nikki Whittington	County Treasurer's Office
Bobby Hall	County Engineer
Scott Peal	County Attorney
Sarah Cerrone	Economic Development
Patti Henry	District Clerk
Nathan Brandimarte	Orgain, Bell & Tucker
Mike Lessley	Chambers Co. Project Manager
Robbie King	Anahuac Area Chamber of Commerce
Ignacio Ramirez	City of Baytown
Brian Hawthorne	Sheriff
Kim Turner	Emergency Management
Jimmy E. Gore	Citizen
Aaron Thomas	Co. Judge's Office
Dana Evans	Citizen
Sue Hawthorne	The Anahuac Progress
Quinten Adams	Communications Department
Lawrence Lewis	Mosquito Control
Grant Smith	Parks Superintendent
Lyndsey Davis	Auditor's Office

Rex Tunze	CC Environmental Health
Tony Sims	County Auditor
Byron Burris	Winnie Arboretum
Phillip Hopkins	Winnie Arboretum
Michael Whitley	Winnie Arboretum
Andrew De la Santos	Winnie Arboretum
John Eversole	Beach City VFD
Kevin Flemming	Beach City VFD
Sheryl Shaw	Chambers Co Historical
Bill Purser	Chambers Co Historical
Nell Northcutt-Purser	Chambers Co Historical
Jackie Payne	Chambers Co Historical
Bob Scherer	Citizen
Kenneth L Standley	CCHC
Clay Jacobs	Chambers Wild
Paul Lippke	Lippke Cartwright Roberts
Eddie V. Gray	Gray Enterprises
Lori Sims	Emergency Management
Valerie Jensen	Chambers Co Library System
Annie Vass	Chambers Co Library System
Amanda Lee	Citizen
B. J. Simon	WCC/Baytown EDF
Michelle Mancini	Vanir CM
Rufo Reyes	Vanir CM

Patrick Witshiro

Public Management

Tommie McNeely

Citizen

Billy Dills

Williamson, Sears & Rusnak

Greg Broussard

Citizen

Brandy Tanner

Citizen

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There being no further business, Court adjourned at 3:29 p.m.

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ATTEST:

APPROVED:

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Heather H. Hawthorne, County Clerk

\_\_\_\_\_  
Jimmy Sylvia, County Judge

COMMISSIONERS' COURT MINUTES  
REGULAR MEETING  
July 14, 2015

Agenda item 1.1- Citizen's  
Comments- All comments will be  
addressed at the time of the agenda  
item.

Agenda item 1.2-Month Reports-  
Texas Historical Commission  
Distinguished Service Award.

15-07-380 Motion made to approve the  
Commissioner's Court minutes of the  
June 23, 2015, regular meeting as  
presented.

15-07-381 Motion made declaring office  
furniture from County Judge's office  
as surplus property.

Agenda item 1.5-Administration –  
discuss and consider Texas  
Compensation Group Advisors  
Agreement-**tabled.**

15-07-382 Motion made to accept the Chambers  
County, Texas Comprehensive  
Annual Financial Report for the year  
ending December 31, 2014.

Public comment made by Darla Deere, outside Auditor, Belt Harris Pechacek, LLLP.

Agenda item 2.8-Financial- discuss and consider Chambers County, Texas Single Audit Reports for the year ended in December 31, 2014 –**no action.**

Public hearing agenda item 3.1-Road and Bridge-discussing Land Use Assumptions and Capital Improvements Plan, Kilgore Regional Drainage Plan.

Public comment made by Paul Lippke.

- 15-07-383 Motion made to adopt the Resolution for Land Use Assumptions and Capital Improvements Plan, Kilgore Regional Drainage Play.
- 15-07-384 Motion made to adopt a resolution establishing a Public Hearing on August 28, 2015, at 9:30 a.m. for the adoption of impact fees, Kilgore Regional Drainage Plan.
- 15-07-385 Motion made to accept the proposal from Berg-Oliver Associates, Inc. for environmental services for the Regional Drainage System, not to exceed \$27,400.00.

15-07-386 Motion made to approve the review fees for Environmental Health as presented.

15-07-387 Motion made to approve the Temporary Park Use Agreement between Chambers County and the Beach City Fire Department, for a fundraiser to be held at McCollum Park on July 18, 2015, and consider a temporary waiver of park rules for a one-time event with the approval from the Chambers County Sheriff.

Public Hearing agenda item 1.6- Administration-discussing the annual written plan for the preservation and restoration of the district and county court records archive

Public comment was made by Patti Henry, District Clerk, and Heather H. Hawthorne, County Clerk.

Agenda item 1.13-Administration-discuss and consider update on the Arboretum Nursing Home and status on upcoming IGT payments-**no action.**

Public comment was made by Michael Whitley, Byron Burris, Nathan Brandimarte.

Agenda item 1.19-Administration- discuss and consider authorizing the County Judge to execute the proposed settlement agreement and any other necessary documents relating to the County's claim against British Petroleum, PLC for damages resulting from the Deepwater Horizon oil spill-**executive session.**

15-07-388 Motion made to have Nathan Brandimarte amend the settlement agreement to include Mark Huddleston, County Judge Pro Tem, to execute the settlement agreement.

15-07-389 Motion made to authorize payment for Parcel 71 (Forrest & Tina McDaniel) for the Lake Anahuac East Levee project for the appraised value of \$213.00.

15-07-390 Motion made to approve HOT Funds agreement for Texas Gatorfest 2015.

Agenda item 4.3-Road and Bridge- discuss and consider request of Chambers Wild for \$25,000 sponsorship-**tabled.**

Public comment made by Clay Jacobs, Sarah Cerrone, and Aaron Thomas.



Agenda item 5.1- Parks and Recreation- discuss and consider the purchase of 2 mowers for the Parks Department-**Tabled.**

- 15-07-391 Motion made to authorize construction of restrooms in Granny Nelson Park in Smith Point, Texas, not to exceed \$70,573.00
- 15-07-392 Motion made to approve change order to install one Add-A-Phase converter for mosquito control shop not to exceed \$4,000.00
- 15-07-393 Motion made to approve the purchase of 2 power stretchers for Anahuac EMS not to exceed \$39,400.00  
Subsidiary motion made to rescind motion no. 15-07-393 and will revisit later in Court.-**no action.**

Agenda item 1.14- Administration- discuss and consider establishing White's Park Community Building as an auxiliary county seat-**tabled.**

- 15-07-394 Motion made to accept surety bonds for Heather Lanferman in District Clerk's office and a blanket surety bond for all other employees in the District Clerk's office.

At this time, Court recessed for a short break at 12:35 p.m. and reconvened at 12:50 p.m.

Agenda item 1.20-Administration-discuss and consider approving the County Judge to sign waiver letter relating to the 8<sup>th</sup> Galveston Bay Energy (GBE) pipeline for the Kilgore Regional Drainage Plan-**tabled.**

- 15-07-395 Motion made to adopt the resolution honoring Sylvia Lamb for her service to the community of Wallisville and Wallisville Heritage Park in Chambers County, Texas.

Agenda item 1.9-Administration-discuss and consider selling old Task Force building property in the City of Mont Belvieu – 1210 Winfree Rd.-**tabled.**

- 15-07-396 Motion made to approve Tyler Technology Contract amendment reducing contract by \$5,750.00.
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15-07-399 Motion made to add a new member position designated as “User Company Representative #3” to the Chambers County Heavy Haul Advisory Committee, appointing David Price for this position.

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Agenda item 1.12-Administration-discuss and consider office space for County Auditor Staff-**tabled**.

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ending with check #93467, as presented.

Commissioner George not present at this time, out at 1:55 p.m.

- 15-07-403 Motion made to approve travel reimbursements and miscellaneous expenditures in the amount of \$4,356.27

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- 15-07-404 Motion made to approve the budget amendments as presented.

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- 15-07-405 Motion made to approve bid from DerryBerry's L.P. for repairs and additions to the Engineering conference room air conditioner, not to exceed \$16,000.00.

- 15-07-406 Motion made to adopt new fees for Engineering Department.

- 15-07-407 Motion made to deny request by William O. Wallace, Jr. for the abandonment and sale of a tract of land purchase in conjunction with the

purchase of the right-of-way for the extension of FM 1409-**denied.**

Agenda item 3.8-Road and Bridge-discuss and consider Interlocal Agreement with the City of Baytown for Fire Marshal-**tabled.**

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17.2-Vacation carryover – none

15-07-414 Motion made to extend the medical leave of Kenneth Whittington by 30 days.

Citizen comment made by Rusty Senac.

Court adjourned at 3:29 p.m.