

On this the 8th day of November, A. D., 2011, the Commissioners' Court of Chambers County, with the following members present, to-wit:

Mark Huddleston	Commissioner, Precinct No. 1
David A. "Bubba" Abernathy	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 at 9:30 a.m. opened Court into Open Session.

Bobby Scherer offered prayer and then Judge Sylvia led the audience in the Pledge of Allegiance to the American flag and to the Texas flag.

Citizen comments will be made when the Agenda items are brought before the Court for consideration.

Receive into the Record, 4th Quarter Senior Citizen bus reports; Golf reports for the month of September and October; and survey permit for Chambers County School Land in Crockett County.

Insert.

11-11-535 Motion made by Senac and seconded by Huddleston to approve the Minutes of Called Meeting of October 25, 2011.

Passed.

11-11-536 Motion made by Huddleston and seconded by Nelson to approve the Official Bond and Oath of Michael Manders and Sharon Kubik in the Auditor's office.

Insert.

Passed.

11-11-537 Motion made by Senac and seconded by Nelson to approve the delinquent tax roll for tax year 2010.

Insert.

Passed.

11-11-538 Motion made by Nelson and seconded by Senac to approve the errors in assessment for tax year 2010.

Insert.

Passed.

11-11-539 Motion made by Huddleston and seconded by Abernathy to approve the tax roll for 2011.

Insert.

Passed.

11-11-540 Motion made by Huddleston and seconded by Abernathy to approve the collections for tax year 2010.

Insert.

Passed.

11-11-541 Motion made by Huddleston and seconded by Abernathy to enter into a Service Provider Agreement with Certified Payments for credit/debit card processing for the Tax Office with the stipulation that they meet with financial departments (Treasurer and Auditor).

Subsidiary motion made that the card readers will be purchased out of non-departmental funds.

Insert.

Passed.

Agenda item 1.10 regarding Chambers County Appraisal District is **tabled** until next Court.

Judge Sylvia skipped down to Agenda 1.12 regarding election equipment fees.

11-11-542 Motion made by Huddleston and seconded by Senac to approve the election equipment rental fees for 2012 as recommended by Heather H. Hawthorne, County Clerk.

Insert.

Passed.

Justin Bower, representative of Houston-Galveston Area Council, made a presentation to the Court regarding the Cedar Bayou Watershed Protection Plan.

11-11-543 Motion made by Huddleston and seconded by Abernathy to support the development of Cedar Bayou Watershed Protection Plan and appoint Commissioner Nelson as representative and Commissioner Senac as alternate to represent Chambers County on the steering committee.

Passed.

Agenda item 1.13 regarding jury donation forms is discussed briefly then **tabled** for later Court meeting.

11-11-544 Motion made by Huddleston and seconded by Senac to allow the County Judge to sign off on seismic permit after Commissioner Abernathy and County Attorney Scott Peal negotiate terms with Petrohawk regarding Chambers County School Land in Crockett County.

Insert.

Passed.

Judge Sylvia skipped down to Agenda items 4 under Economic Development.

11-11-545 Motion made by Huddleston and seconded by Senac to accept and award the bid to the low bidder, Forde Construction Co. for the Chambers-Liberty Counties Navigation District Double Bayou Flume replacement under the Hurricane Ike/Dolly Round 1 critical infrastructure projects.

Insert.

Passed.

11-11-546 Motion made by Abernathy and seconded by Huddleston to accept and award the bid for Community Development Block Grant (CDBG) Round 1 Hurricane Ike Recovery Housing Group 5 to SWMJ Construction.

Insert.

Passed.

Court recessed at 10:19 a.m. for a short break. Court reconvened at 10:33 a.m. into Open Session.

Judge Sylvia returned back to Agenda item 3.8 regarding parking lots located at Winnie Hospital with a short discussion and **tabled** in order to take to Executive Session to consult with attorney under Section 551.071, Government Code, V.T.C.S.

11-11-547 Motion made by Huddleston and seconded by Abernathy to grant a utility construction permit to Trinity Bay Conservation District to install a waterline in the right-of-way of Bauer Road.

Insert.

Passed.

Judge Sylvia skipped down to Agenda item 13.1 regarding health insurance.

11-11-548 Motion made by Nelson and seconded by Abernathy to go with the recommendations of the health care committee on the Wellness Clinic and the medical benefits for county employees.

Insert.

Passed.

Judge Sylvia returned back to Agenda item 3.1 regarding the settlement offer made by I-10 Mission, Inc. in the condemnation lawsuit regarding the weigh station.

11-11-549 Motion made by Nelson and seconded by Huddleston to accept and approve the award of \$45,000.00 by the Special Commissioners in the condemnation lawsuit styled: Cause No. CV25997 State of Texas & Chambers County, Texas VS. I-10 Mission, Inc. regarding the weigh station.

Insert.

Passed.

Judge Sylvia skipped down to Agenda item 14 regarding the mosquito control department. Lawrence Lewis, Mosquito Control Director, discussed briefly with the members of Court the spraying of mosquitoes. The Record reflects that at 11:31 a.m. Commissioner Huddleston left the Courtroom and then returned at 11:35 a.m. during the continued discussion with Marcus Rutgers, Airport Manager.

Insert.

11-11-550 Motion made by Nelson and seconded by Abernathy to approve the 2012 grant for the Routine Airport Maintenance Program (RAMP).

Insert.

Passed.

Court recessed at 11:47 a.m. for lunch. Court reconvened at 1:55 p.m. into Open Session.

Judge Sylvia skipped down to Agenda item 15.1 regarding the Historical Commission.

11-11-551 Motion made by Huddleston and seconded by Abernathy to authorize the change in hours for the Historical Commission to be open to the public Tuesday through Saturday, effective January 2012.

Insert.

Passed.

11-11-552 Motion made by Huddleston and seconded by Abernathy to authorize the Solid Waste Department truck scales to be moved and permanently installed for \$34,258.00.

Subsidiary motion made to accept the bid of Advanced Weight Technologies, Inc. in the amount of \$34,258.00.

Insert.

Passed.

11-11-553 Motion made by Huddleston and seconded by Senac to authorize advertising for bids for four (4) roll-off trucks for 2012.

Insert.

Passed.

Judge Sylvia returned to Agenda item 5.1 regarding Parks & Recreation.

11-11-554 Motion made by Abernathy and seconded by Huddleston to grant a velocity zone (V Zone) variance below the hill in Fort Anahuac Park to Chambers County.

Subsidiary motion made that the variance is due to being in a county park.

Insert.

Passed.

Judge Sylvia skipped down to Agenda item 11.1 regarding the billboard contract.

11-11-555 Motion made by Huddleston and seconded by Senac to enter into a billboard contract but, the contract will not start until the billboard is repaired.

Passed.

Judge Sylvia returned back to Agenda item 9.1 regarding extension of Disaster Declaration.

11-11-556 Motion made by Huddleston and seconded by Abernathy to extend the Disaster Declaration regarding the drought related Red Tide.

Insert.

Passed.

11-11-557 Motion made by Abernathy and seconded by Huddleston to approve claim docket beginning with check 65155 and ending with 65543.

Insert.

Passed.

11-11-558 Motion made by Abernathy and seconded by Nelson to approve the travel reimbursements and miscellaneous expenditures in the amount of \$4,946.50.

Insert.

Passed.

11-11-559 Motion made by Huddleston and seconded by Senac to approve the budget amendments with increases to some departments.

Insert.

Passed.

Agenda item 2.4 - Treasurer Report - none

Agenda item 2.5 - Auditor Report - none

11-11-560 Motion made by Abernathy and seconded by Nelson to grant a utility construction permit to Verizon in the right-of-way of West Greenwood Street.

Insert.

Passed.

Agenda item 3.3 regarding evaluation of County Engineer will be taken to Executive Session to discuss under Section 551.074, Government Code, V.T.C.S.

11-11-561 Motion made by Senac and seconded by Huddleston to approve additional parking at the West Courthouse Annex.

Insert.

Passed.

11-11-562 Motion made by Senac and seconded by Abernathy to authorize advertising for bids for repair to a section of Bayer Road.

Insert.

Passed.

11-11-563 Motion made by Senac and seconded by Nelson to employ Berg♦Oliver Associates, Inc. to obtain USACE Nationwide Permit 14 for the remainder of Kilgore Parkway for SH 99 to FM 3180.

Insert.

Passed.

11-11-564 Motion made by Senac and seconded by Huddleston to approve the reclassification and job description of Konna McKey (R&B); reclassification and job description of Derek Parish (IT); reclassification and job description of Sherry Rundzieher (Purch); wage increase for Nita Kirkham (Purch); two (2) part employment (no names) (SW); reclassification for Tommy Speights (R&B) will be taken to Executive Session; reclassification of John Mulryan (SO); employment of Amy E. Bettis (SO); part time employment (relief clerk) of Rose Houghton (Comm); and wage increases for Robin E. Edmonds, Sheri L. Hemphill, Christy P. Gobert, Lauren N. Van Deventer, Doris M. Nelson, Melinda S. Rhame, Bess C. Woody, Marisa S. Henry, and Yvonne R. deGraffenried (CoClk).

Insert.

Passed.

Agenda item 17.2 - Vacation carryover - none

11-11-565 Motion made by Huddleston and seconded by Nelson to grant a thirty (30) day medical extension to Jeff Hoffpauir.

Insert.

Passed.

Court recessed at 3:00 p.m. into Executive Session to discuss personnel under Section 551.074, Government Code, V.T.C.S. and to consult with attorney under Section 551.071, Government Code, V.T.C.S.

Court reconvened at 4:23 p.m. into Open Session after having recessed for Executive Session.

11-11-566 Motion made by Senac and seconded by Nelson to approve the reclassification of Tommy Speights (R&B).

Insert.

Passed.

11-11-567 Motion made by Nelson and seconded by Huddleston to continue the employment of Bobby Hall in his present status as County Engineer.

Passed.

11-11-568 Motion made by Huddleston and seconded by Nelson to allow the Winnie Hospital Foundation's attorney to prepare a contract and present to the County Attorney for review; then submit the contract back to Commissioners' Court for approval to exercise the contract with Winnie Hospital Foundation using \$30,000.00 in materials and the County to provide labor for \$36,000.00.

The Judge called for a voice vote:

Commissioner Huddleston voting aye

Commissioners Senac, Nelson and Abernathy voting nay

Judge Sylvia declared the motion **failed 3 to 1.**

Failed.

The following visitors attended Court today:

Tony Sims	County Treasurer
Jimmy Kahla	Solid Waste
Geri Weaver	County Judge's Office
Jerry Sparks	County Auditor
Darlene McPherson-Pagels	The Progress/MDP Technical
Ryan Holzaepfel	Emg. Mgt./Safety
Sarah Cerrone	Graphic Arts/Eco. Dev.
Bobby Hall	County Engineer
Marc Rutgers	Airport Manager
David Baker	Public Management
Tommy Henry	Courthouse Security
Lynn Hughes	

Justin Bower	HGAC
Derk Harmson	Winnie Medical Foundation
James Stratton	Winnie Medical Foundation
Bob Scherer	Historical Commission
Scott Peal	County Attorney
Jerry Bonesteel	SWMJ Construction
Lance Nauman	City of Anahuac
Dave Palmer	
Guido Persiani	Cedar Bayou Navigation
Patrick Wiltshire	Public Management
Mary Beth Stengler	CLCND
Jerry Shadden	TBCD
Luis Alvarez	Carroll & Blackman
Nathan Brandimarte	Orgain Bell & Tucker
Denise Hutter	Tax Office
Lawrence Lewis	Mosquito Control
Mary Beth Bess	Wellness Center
Yvonne R. deGraffenried	Chief Deputy Co. Clerk

There being no further business, Court adjourned at 4:34 p.m.

ATTEST:

APPROVED:

Heather H. Hawthorne, County Clerk

Jimmy Sylvia, County Judge

COMMISSIONERS' COURT MINUTES
REGULAR MEETING
November 8, 2011

Receive into Record 4th Quarter
Senior Citizen bus reports; Golf
Report for September & October; and
survey permit for Chambers County
School Land

- 11-11-535 Motion to approve Minutes of
October 25, 2011
- 536 Motion to approve Official Bond &
Oath of Michael Manders & Sharon
Kubik
- 537 Motion to approve delinquent tax roll
for 2010
- 538 Motion to approve errors in
assessment for tax year 2010
- 539 Motion to approve tax roll for 2011
- 540 Motion to approve collections for tax
year 2010

11-11-541 Motion to enter into Service Provider Agreement for credit/debit card processing for Tax Office with stipulation that they meet with financial departments

Subsidiary motion made that the card readers will be purchased out of non-departmental funds

Agenda item 1.10 - Chambers County Appraisal District - **tabled**

542 Motion to approve election equipment rental fees for 2012

Presentation regarding Cedar Bayou Watershed Protection Plan

543 Motion to support development of Cedar Bayou Watershed Protection Plan & appoint Commissioner Nelson as representative & Commissioner Senac as alternate on steering committee

Agenda item 1.13 - Jury donation forms discussed briefly - **tabled**

- 11-11-544 Motion to allow County Judge to sign off on seismic permit after Commissioner Abernathy & County Attorney negotiate terms with Petrohawk regarding Chambers County School Land
- 545 Motion to accept & award bid for CLCND Double Bayou Flume replacement
- 546 Motion to accept & award bid for CDBG Round 1 Hurricane Ike Recovery Housing Group 5
- Agenda item 3.8 - Parking lots at Winnie Hospital discussed briefly then **tabled** to Executive Session
- 547 Motion to grant utility construction permit to TBCD on Bauer Road
- 548 Motion to go with recommendations of health care committee on Wellness Clinic and medical benefits for county employees
- 549 Motion to accept & approve award by Special Commissioners in condemnation suit styled: Cause No. CV25997 State of Texas & Chambers County VS I-10 Mission Inc regarding the weigh station

Agenda item 14 - Mosquito Control department was discussed briefly

- 11-11-550 Motion to approve 2012 grant for Routine Airport Maintenance Program (RAMP)
- 551 Motion to authorize change in hours for Historical Commission
- 552 Motion to authorize Solid Waste Department truck scales to be moved & permanently installed
Subsidiary motion to accept bid of Advanced Weight Technologies, Inc.
- 553 Motion to authorize advertising for bids for 4 roll-off trucks for 2012
- 554 Motion to grant velocity zone (V Zone) variance below the hill in Fort Anahuac Park to Chambers County
Subsidiary motion that the variance is due to being in county park
- 555 Motion to enter into billboard contract but, contract will not start until billboard is repaired

11-11-556 Motion to extend Disaster Declaration regarding drought related Red Tide

557 Motion to approve claim docket 65155-65543

558 Motion to approve travel reimbursements & miscellaneous expenditures

559 Motion to approve budget amendments with increases to some

Agenda item 2.4 - Treasurer's Report - none

Agenda item 2.5 - Auditor's Report - none

560 Motion to grant utility construction permit to Verizon on West Greenwood Street

Agenda item 3.3 - Evaluation of County Engineer - Executive Session

561 Motion to approve additional parking at West Courthouse Annex

562 Motion to authorize advertising for bids for repair to section of Bayer Road

- 11-11-563 Motion to employ Berg♦Oliver Associates to obtain USACE Nationwide Permit 14 for remainder of Kilgore Parkway for SH 99 to FM 3180
- 564 Motion to approve payroll changes & job descriptions
- Agenda item 17.2 -Vacation carryover
- 565 Motion to grant extended medical leave to Jeff Hoffpauir
- Executive Session held
- 566 Motion to approve reclassification of Tommy Speights
- 567 Motion to continue employment of Bobby Hall in present status
- 568 Motion **failed** to allow Winnie Hospital Foundation's attorney to prepare contract & present to County Attorney for review; submit contract back to Court for approval to exercise contract with Foundation using \$30,000.00 in materials & County provide labor for \$36,000.00