

COMMISSIONERS' COURT MINUTES
REGULAR MEETING
November 27, 2018

- 18-11-573 Motion to approve Proclamation proclaiming November 27, 2018, as Giving Tuesday in Chambers County (Bridgehaven Children's Advocacy Center).
- 18-11-574 Motion to approve 90 day moratorium on new construction along Hackberry Gully and Cotton Bayou until February 11, 2019.
- Amended motion and second to approve 90 day moratorium on a new construction along Hackberry Gully excluding Cotton Bayou until February 11, 2019.
- Amended motion and second to approve 90 day moratorium on new construction along Hackberry Gully excluding Cotton Bayou until February 11, 2019.
- Amended amended motion and second to approve 90 day moratorium on new construction along Hackberry Gully excluding Cotton Bayou North of Hwy 565 South and South of I-10 until February 11, 2019.
- 18-11-575 Motion to accept Delinquent Tax Collection Report by Mike Darlow of

Perdue, Brandon, Fielder, Collins, & Mott, LLP.

Agenda item 4.4-Discuss and consider the status report on FM 1409 from PAS and from Dannenbaum Engineering-**No Action.**

- 18-11-576 Motion to approve release of budgeted funds to Bridgehaven Children's Advocacy Center for fiscal year 2018 in the amount of \$15,000.00.
- 18-11-577 Motion to approve Service Provider Agreement with CASA of Liberty & Chambers Counties (Court Appointed Special Advocates of Liberty & Chambers Counties) pending approval and corrections by County Attorney.
- 18-11-578 Motion to approve Resolution authorizing County Grant Program Year 2019, Texas Department of Agriculture Texans Feeding Texans; Home Delivered Meal Grant Program (\$16,320.00 January 1, 2019-December 31, 2019).
- 18-11-579 Motion to approve 2019 appointments for Houston-Galveston Area Council to the Transportation Policy Council (TPC), Billy Combs, primary voting member and Cory Taylor, alternate voting member and the Technical Advisory Committee (TAC), Cory Taylor, primary voting member and

Billy Combs, alternate voting member.

- 18-11-580 Motion to approve release of budgeted funds to CASA of Liberty/Chambers Counties for fiscal year 2018 in the amount of \$10,000.00.

Agenda item 1.10-Presentation on “Re:Search” statewide website, resource, and proposed contracts as affecting local governments and offices therein-**Tabled.**

- 18-11-581 Motion to approve moving forward with both applications for 2 projects for CDBG-DR Harvey-Round 1.
- 18-11-582 Motion to approve to award LJA Engineering to perform Engineering, Architectural, and Surveying services pertaining to Hurricane Harvey CDBG-DR and Hazard Mitigation Grant Program.
- 18-11-583 Motion to approve proposed signage for all Chambers County buildings and send out list for prioritization of buildings to Commissioners.
- 18-11-584 Motion to approve four (4) year contract renewal with Pitney Bowes for the postage machine in the amount of \$26,009.28 located at the Courthouse.

Agenda item 1.1-Discuss and consider amendment to the Chambers County Purchasing Policy, to include, but not limited to, the timing and initiation of capital projects and other budgeted expenditures for an upcoming fiscal year-**Tabled**.

- 18-11-585 Motion to award Phase I of Safari Run playground replacement to Kraftsman Commercial Playgrounds for the Buyboard price of \$299,558.06 (2019 Budget, delivery after January 1, 2019).
- 18-11-586 Motion to approve the purchase of a 2019 Ford Super Duty F-350 from BJ Ford in the amount of \$39,164.10 (2019 Budget, delivery after January 1, 2019).
- 18-11-587 Motion to approve the purchase of a 2019 Ford Super Duty F-450 from BJ Ford in the amount of \$43,992.10 (2019 Budget, delivery after January 1, 2019)
- 18-11-588 Motion to approve Park Use Agreement for Job Beason Park for the Christmas on the Bay Festival, and associated requests for County assistance through personnel and/or equipment pending proof of insurance verification and signature by Darlene McPherson.

- 18-11-589 Motion to approve all other Consent agenda items including item 19.6 with date correction for Chambers County Day, February 13, 2019.
- 18-11-590 Motion to approve accepting lower quote for the labor only to construct two (2) 35ft. towers at Anahuac and Trinity Bay EMS stations for the capital project station alerting notification.
- 18-11-591 Motion to approve job descriptions as presented.
- 18-11-592 Motion to approve payroll changes as presented for Austin Owens, Sheriff's Office, Unclassified and Nicholas Rollins, Sheriff's Office, Unclassified.
- 18-11-593 Motion to approve Change Order No. 5 in the amount of \$46,350.00 for additional cost to construct needed back slope swales and interceptor structures, final project acceptance and final project billing.
- 18-11-594 Motion to approve Change Order No. 1 in the amount of \$9,351.50 for contract with Angel Brothers Enterprises, Inc., for Outfall No. 4 for FM 1409 to remove cost for the Storm Water Prevention Plan from the original contract.

18-11-595 Motion to approve Independent Contractor agreement between Gary Struzick and Chambers County, Texas for professional services on a as needed basis with a rate of \$100.00 per hour plus standard mileage rate and serve as Interim County Engineer from December 1, 2018 until December 31, 2018.

Agenda item 4.10-Discuss and consider accepting minor plat for TR 2-13-1 Ranches at Turtle Bayou-**Tabled.**

Agenda item 4.12-Discuss and consider accepting plat for Legends Bay Section 7-**Tabled.**

Agenda item 4.13-Discuss and consider accepting plat for Cunningham Family minor plat-**Tabled.**

Agenda item 4.11-Discuss and consider construction phase costs for LCR associated with the extended construction time associated with Kilgore Segment 1-**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 FM consider FM 1409 agreement

issues 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 costs associated with property and rights of way acquisition or selling of property associated with the Kilgore Drainage Project-**No Action.**

Agenda item 4.6- Discuss and consider other construction activities on Jonathan Groves property and connecting a new channel to Kilgore Segment 1 without plans, approval, or coordination-**No Action.**

Agenda item 4.7- Discuss and consider the status of construction of Kilgore Regional Drainage Segment 2 with SER-**No Action.**

On this the 27th day of November, A. D., 2018, the Commissioners' Court of Chambers County, with the following members present, to-wit:

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
with the following members absent, to-wit:	
Jimmy Gore	Commissioner, Precinct No. 1

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. Let the record reflect Judge Sylvia stepped out of court at 9:36 a.m.

Judge Sylvia went to agenda item 1.7 under Administration.

18-11-573 Motion made by Senac and seconded by Nelson to approve Proclamation proclaiming November 27, 2018, as Giving Tuesday in Chambers County (Bridgehaven Children's Advocacy Center). Comment by Paula Torres, Bridgehaven.

Passed; Insert.

Judge Sylvia went to agenda item 4.14 under Engineering/Project Management.

18-11-574 Motion made by George and seconded by Sylvia to approve 90 day moratorium on new construction along Hackberry Gully and Cotton Bayou until February 11, 2019.

Amended motion and second to approve 90 day moratorium on new construction along Hackberry Gully excluding Cotton Bayou until February 11, 2019.

Amended amended motion and second to approve 90 day moratorium on new construction along Hackberry Gully excluding Cotton Bayou North of

Hwy 565 South and South of I-10 until February 11, 2019.

Passed; Insert.

Judge Sylvia went to agenda item 1.8 under Administration.

18-11-575 Motion made by Senac and seconded by Nelson to accept Delinquent Tax Collection Report by Mike Darlow of Perdue, Brandon, Fielder, Collins, & Mott, LLP. Comment by Mike Darlow, Perdue, Brandon, Fielder, Collins, & Mott, LLP.

Passed; Insert.

At this time, Judge Sylvia went to agenda item 4.4 under Engineering/Project Management.

Agenda item 4.4-Discuss and consider the status report on FM 1409 from PAS and from Dannenbaum Engineering. Comment by Larry Marr, Dannenbaum Engineering; Gary Struzick, County Engineer; and Bobby Hall, Engineer.

No Action.

Judge Sylvia went to several agenda items under Administration.

18-11-576 Motion made by Senac and seconded by Nelson to approve release of budgeted funds to Bridgehaven Children's Advocacy Center for fiscal year 2018 in the amount of \$15,000.00.

Passed; Insert.

18-11-577 Motion made by Nelson and seconded by George to approve Service Provider Agreement with CASA of Liberty/Chambers Counties (Court Appointed Special Advocates of Liberty & Chambers Counties) pending approval and corrections by County Attorney.

Passed; insert.

18-11-578 Motion made by Nelson and seconded by Senac to approve Resolution authorizing County Grant Program Year 2019, Texas Department of Agriculture Texans Feeding Texans; Home Delivered Meal Grant Program (\$16,320.00 January 1, 2019-December 31, 2019).

Passed; Insert.

18-11-579 Motion made by Senac and seconded by George to approve 2019 appointments for Houston-Galveston Area Council to the Transportation Policy Council (TPC), Billy Combs, primary voting member and Cory Taylor, alternate voting member and the Technical Advisory Committee (TAC), Cory Taylor, primary voting member and Billy Combs, alternate voting member.

Passed; Insert.

18-11-580 Motion made by Nelson and seconded by Senac to approve release of budgeted funds to CASA of Liberty/Chambers Counties for fiscal year 2018 in the amount of \$10,000.00.

Passed; Insert.

Agenda item 1.10-Presentation on “Re:Search” statewide website, resource, and proposed contracts as affecting local governments and offices therein.

Tabled.

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

18-11-581 Motion made by Senac and seconded by George to approve moving forward with both applications for 2 projects for CDBG-DR Harvey-Round 1. Comment by Patrick Wiltshire, Public Management, Inc.; Gary Struzick, County Engineer; Bobby Hall, Engineer; Allen Sims, LJA Engineering; Sarah Cerrone, Economic Development; and Jerry Shadden, TBCD.

Passed.

18-11-582 Motion made by Senac and seconded by George to award LJA Engineering to perform Engineering, Architectural, and Surveying services pertaining to Hurricane Harvey CDBG-DR and Hazard Mitigation Grant Program. Comment by George Barrera, Purchasing Agent.

Passed; Insert.

Judge Sylvia went to agenda item 7.1 under Maintenance & Buildings.

18-11-583 Motion made by George and seconded by Nelson to approve proposed signage for all Chambers County buildings and send out list for

prioritization of buildings to Commissioners. Comment by Mike Lessley, Project Manager and Sarah Cerrone, Economic Development.

Passed; Insert.

The court took a short recess at 11:11 a.m. and reconvened at 11:30 a.m. Judge Sylvia went to agenda items 1.2 & 1.1 under Administration.

18-11-584 Motion made by Senac and seconded by George to approve four (4) year contract renewal with Pitney Bowes for the postage machine in the amount of \$26,009.28 located at the Courthouse. Comment by George Barrera, Purchasing Agent.

Passed; Insert.

Agenda item 1.1-Discuss and consider amendment to the Chambers County Purchasing Policy, to include, but not limited to, the timing and initiation of capital projects and other budgeted expenditures for an upcoming fiscal year.

Tabled.

At this time, Judge Sylvia went to several agenda items under Parks & Recreation.

18-11-585 Motion made by Nelson and seconded by George to award Phase I of Safari Run playground replacement to Kraftsman Commercial Playgrounds for the Buyboard price of \$299,558.06 (2019 Budget, delivery after January 1, 2019). Comment by Grant Smith, Parks & Recreation.

Passed; Insert.

18-11-586 Motion made by Nelson and seconded by George to approve the purchase of a 2019 Ford Super Duty F-350 from BJ Ford in the amount of \$39,164.10 (2019 Budget, delivery after January 1, 2019). Comment by Grant Smith, Parks & Recreation.

Passed; Insert.

18-11-587 Motion made by Senac and seconded by George to approve the purchase of a 2019 Ford Super Duty F-450 from BJ Ford in the amount of \$43,992.10 (2019 Budget, delivery after January 1, 2019). Comment by Grant Smith, Parks & Recreation.

Passed; Insert.

Judge Sylvia went to the Consent agenda.

Let the record reflect that Judge Sylvia stepped out at 11:47 a.m. and Judge Pro Tem Nelson continued. Consent agenda items 1, 6, 7, & 9 were pulled for discussion.

18-11-588 Motion made by George and seconded by Senac to approve Park Use Agreement for Job Beason Park for the Christmas on the Bay Festival, and associated requests for County assistance through personnel and/or equipment pending proof of insurance verification and signature by Darlene McPherson.

Passed; Insert.

Let the record reflect Judge Sylvia returned to court at 11:53 a.m.

18-11-589 Motion made by George and seconded by Senac to approve all other Consent agenda items including item 19.6 with date correction for Chambers County Day, February 13, 2019.

Passed; Insert.

Judge Sylvia went to agenda item 11.1 under Communications/Technology.

18-11-590 Motion made by Senac and seconded by Nelson to approve accepting lower quote for the labor only to construct two (2) 35ft. towers at Anahuac and Trinity Bay EMS stations for the capital project station alerting notification. Comment by Glenn Innerarity, Communications.

Passed; Insert.

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

18-11-591 Motion made by Senac and seconded by George to approve job descriptions as presented. Comment by Nikki Whittington, Treasurer.

Passed; Insert.

18-11-592 Motion made by George and seconded by Senac to approve payroll changes as presented for Austin Owens, Sheriff's Office, Unclassified and Nicholas Rollins, Sheriff's Office, Unclassified. Comment by Nikki Whittington, Treasurer.

Passed; Insert.

Passed; Insert.

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

18-11-593 Motion made by Senac and seconded by Nelson to approve Change Order No. 5 in the amount of \$46,350.00 for additional cost to construct needed back slope swales and interceptor structures, final project acceptance and final project billing. Comment by Gary Struzick, County Engineer.

Passed; Insert.

18-11-594 Motion made by Senac and seconded by Nelson to approve Change Order No. 1 in the amount of \$9,351.50 for contract with Angel Brothers Enterprises, Inc., for Outfall No. 4 for FM 1409 to remove cost for the Storm Water Prevention Plan from the original contract.

Passed; Insert.

18-11-595 Motion made by Senac and seconded by Nelson to approve Independent Contractor agreement between Gary Struzick and Chambers County, Texas for professional services on a as needed basis with a rate of \$100.00 per hour plus standard mileage rate and serve as Interim County Engineer from December 1, 2018 until December 31, 2018. Comment by Bobby Hall, Engineer.

Passed.

Agenda item 4.10-Discuss and consider accepting minor plat for TR 2-13-1 Ranches at Turtle Bayou.

Tabled.

Agenda item 4.12-Discuss and consider accepting plat for Legends Bay Section 7.

Tabled.

Agenda item 4.13-Discuss and consider accepting plat for Cunningham Family minor plat.

Tabled.

Agenda item 4.11-Discuss and consider construction phase costs for LCR

associated with the extended construction time associated with Kilgore Segment 1.

Tabled.

Court recessed at 12:45 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, 4.6 & 4.7. Court reconvened at 1:42 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 FM 1409 agreement issues 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 costs associated with property and rights of way acquisition or selling of property associated with the Kilgore Drainage Project.

No Action.

Agenda item 4.6-Discuss and consider other construction activities on Jonathan Groves property and connecting a new channel to Kilgore Segment 1 without plans, approval, or coordination.

No Action.

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


No Action.

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	Project Manager
Brian Hawthorne	Sheriff
Gilbert Phillips	Sheriff's Office
Bobby Hall	Engineering
Lyndsey Davis	Auditor's Office
Michael Manders	Auditor's Office
Tony Sims	Auditor
Tammy Yarter	Technology
Nathan Brandimarte	OBT
Sarah Cerrone	Economic Development
Darla Branch	Environmental Health
Grant Smith	Parks & Recreation
Ryan Holzaepfel	Fire Marshall
Brad Wilber	Road & Bridge
Aaron Thomas	County Judge's Office
Valerie Jensen	CC Librarian
Billy Combs	Mayor of Beach City
Patrick Wiltshire	Public Management, Inc.
David Kadjar	Kilgore Park, LLC
Sue Hawthorne	The Progress
Wade Thibodeaux	Hometown Press
Gloria Roemer	The Seabreeze Beacon
Ignacio Ramirez	City of Baytown
Larry Marr	Dannenbaum Engineering
Jim Roberts	LCR Engineers
Glenn Innerarity	Communications
Bobbi Jo Chapman	Citizen
Paula Torres	Bridgehaven
Allen Sims	LJA Engineering.

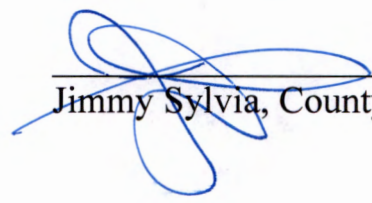
There being no further business, Court adjourned at 1:44 p.m.

ATTEST:



Heather H. Hawthorne, County Clerk

APPROVED:



Jimmy Sylvia, County Judge