

On this the 17th day of September, A. D., 2021, the Commissioners' Court of Chambers County, with the following members present, to-wit:

Jimmy Gore	Commissioner, Precinct No. 1
Mark Tice	Commissioner, Precinct No. 2
Tommy Hammond	Commissioner, Precinct No. 3
Billy Combs	Commissioner, Precinct No. 4
Heather H. Hawthorne	County Clerk

With 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:

Judge Pro Tem Gore, according to law, opened Court at 9:32 a.m. into Open Session. Donald Gibson of MercyGate Church offered. Judge Pro Tem Gore led in the Pledge of Allegiance to the American flag and the Pledge of Allegiance to the Texas flag.

Judge Pro Tem Gore read a citizen's comment submitted by Assistant District Attorney Eric Carcerano. Mr. Carcerano suggested naming the kitchen at White's Park in honor of longtime county employee Sarah Cerrone. "Of all the good she did for Chambers County that is where she was the happiest and I feel like that would be the most fitting tribute to her," Mr. Carcerano wrote.

Commissioner Hammond then added a public comment on recognizing the Chambers County Golf Course and staff. The Dayton Memorial American Legion Post 512 hosted its annual Patriot's Day Golf Fundraiser at the County course and were complementary of both the course and staff.

Judge Pro Tem Gore then complimented the county staff for their work during Tropical Storm Nicholas.

Following the public comments, the Court turned to Agenda Item 1.4, discuss and consider Delinquent Tax Collection Report submitted by Perdue, Brandon, Fielder, Collins & Mott, LLP. Otilia Gonzales of Perdue, Brandon, Fielder, Collins & Mott, LLP presented the report.

21-09-237 Motion made by Tice and seconded by Combs to accept the Delinquent Tax Collection Report. Comments by Otilia Gonzales of Perdue, Brandon, Fielder, Collins & Mott, LLP.

Passed; Insert.

21-09-238 Motion made by Hammond and seconded by Tice to accept the Resale Offer submitted by Kavyu Enterprise, LLC for \$6,234.00, Parcel 6607, East Chambers Independent School District vs. Willie Mae Guillory (Cause No. 18DCV0216). Comments by Otilia Gonzales of Perdue, Brandon, Fielder, Collins & Mott, LLP.

Passed; Insert.

21-09-239 Motion made by Combs and seconded by Hammond to approve Resale Offer submitted by Canelo Investments, LLC for \$30,000.00, Parcel 25523, 25524, 25529, 25530, 19217, 25521, 25522 and 25528, Chambers County vs. Zimmer, J. H., et al (Cause No. CV27724). Comments by Otilia Gonzales of Perdue, Brandon, Fielder, Collins & Mott, LLP.

Passed; Insert.

21-09-240 Motion made by Tice and seconded by Hammond to approve Resale Offer submitted by Jimmy W. Smith and Shirley A. Smith for \$10,000.00, Parcel 3059, Chambers County et al vs. Unknown heirs to the Estate of Elba Webb, Sr., Dec'd. et al (Cause No. CV21544). Comments by Otilia Gonzales of Perdue, Brandon, Fielder, Collins & Mott, LLP.

Passed; Insert.

The Court then turned to Agenda Item 10.1, discuss and consider Mass Gathering Permits for the following events to be held at Houston Raceway Park: Real Deal Campout and Trail Ride (9/24-9/25/21); Cleetus and Cars Texas (10/2/21); Michelada Fest (10/3/21); Import Face Off (10/10/21); October Truck Madness (10/16/21); Freak Deaky Music Festival (10/28-10/30/ 21) and Magical Winter Lights Holiday Festival (11/19/21-01/05/22).

21-09-241 Motion made by Hammond and seconded by Tice to approve Mass Gathering Permits for the following events to be held at Houston Raceway Park: Real Deal Campout and Trail Ride (9/24-9/25/21); Cleetus and Cars Texas (10/2/21); Michelada Fest (10/3/21); Import Face Off (10/10/21); October Truck Madness (10/16/21); Freak Deaky Music Festival

(10/28-10/30/21) and Magical Winter Lights Holiday Festival (11/19/21-01/05/22). Comments by Seth Angel of Houston Raceway Park.

Passed; Insert.

21-09-242 Motion made by Hammond and seconded by Combs to approve payment and release agreement between Old River Winfree Volunteer Fire Department and Chambers County with the County making check payable to Texas Forest Services in the amount of \$8,876.00. Comments by Commissioner Hammond and County Attorney Ashley Cain Land.

Passed; Insert.

After the vote, the Court turned to Agenda Item 1.8, discuss and consider approving a Cooperative Agreement between Texas A&M AgriLife Extension Service and Chambers County.

21-09-243 Motion made by Combs and seconded by Tice to approve a Cooperative Agreement between Texas A&M AgriLife Extension Service and Chambers County. Comments by Chambers County Extension Agent Megan Carter.

Passed; Insert.

21-09-244 Motion made by Tice and seconded by Hammond to name the new Westside Complex and baseball fields in honor of D.W. "Don" McLeod, Gordon Speer, Andrew Lannie, A.N. "Boots" Nelson, Jr., and Paul Williams, respectively. Comments by Director of Economic Development and Grant Administrator Samantha Humphrey.

Passed; Insert.

21-09-245 Motion made by Combs and seconded by Hammond to name the new Westside Community Building in honor of the late Commissioner H.H. "Mac" McCollum Community Building. Comments by Director of Economic Development and Grant Administrator Samantha Humphrey.

Passed; Insert.

21-09-246 Motion made by Tice and seconded by Hammond to name the new Fort Anahuac Park Sports Complex and baseball fields in honor of Jim Silva, David "Bubba" Abernathy, Ben Nelson, Sarah Cerrone and Eric

Humphrey, respectively. Comments by Director of Economic Development and Grant Administrator Samantha Humphrey.

Passed; Insert.

21-09-247 Motion made by Combs and seconded by Tice to designate Commissioner Hammond as a representative of the general assembly of the Houston-Galveston Area Council's General Assembly and Board of Directors for 2022 and to designate Commissioner Tice as the alternate representative of the general assembly of the Houston-Galveston Area Council's General Assembly and Board of Directors for 2022. Commissioner Gore and Judge Sylvia were named alternates to the General Assembly.

Passed; Insert.

21-09-248 Motion made by Combs and seconded by Hammond to set the 2022 Elected Officials' salaries. Comments by Assistant Budget Officer Aaron Thomas.

Passed; Insert.

The Court then turned to Agenda Item 1.1, discuss and consider setting the proposed 2021 tax rate at \$0.539490/100.

21-09-249 Motion made by Hammond and seconded by Tice to set the proposed 2021 tax rate at \$0.539490/100. Comments by Assistant Budget Officer Aaron Thomas.

Passed.

21-09-250 Motion made by Hammond and seconded by Combs to set a public hearing for the 2021 tax rate on September 28, 2021, at 10:30 a.m.

Passed; Insert.

Assistant Budget Officer Aaron Thomas then gave an update on the status and deadline for closing out the Hurricane Ike projects. This was Agenda Item 2.1. Thomas told the Court eight projects were still open and FEMA wanted the County to close out the projects.

The Court then took up Agenda Item 3.1, discuss and consider acknowledgement of Texas Materials' acquisition of Angel Brothers and

providing consent for Angel Brothers to assign certain projects to Texas Materials based on that acquisition.

21-09-251 Motion made by Hammond and seconded by Combs to acknowledge Texas Materials' acquisition of Angel Brothers and provide consent for Angel Brothers to assign certain projects to Texas Materials based on that acquisition. Comments by County Attorney Ashley Cain Land.

Passed; Insert.

After this vote, the Court took up several items under Economic Development & Tourism, beginning with Agenda Item 5.1.

21-09-252 Motion made by Tice and seconded by Hammond to authorize amending the FY21 TxDot RAMP Grant contract for the Winnie Airport from \$50,000 to \$68,000 to cover additional cost incurred. Comments by Director of Economic Development and Grant Administrator Samantha Humphrey.

Passed; Insert.

21-09-253 Motion made by Hammond and seconded by Combs to approve FY22 TxDot RAMP Grant contract for Anahuac Airport in the amount of \$100,000 (50/50 match). Comments by Director of Economic Development and Grant Administrator Samantha Humphrey.

Passed.

21-09-254 Motion made by Tice and seconded by Hammond to approve FY22 TxDot RAMP Grant contract for Winnie Airport in the amount of \$100,000.00 (50/50 match). Comments by Director of Economic Development and Grant Administrator Samantha Humphrey.

Passed.

21-09-255 Motion made by Combs and seconded by Tice to allow Texas A&M Corpus Christi to install a sea level monitoring well at McCollum Park in Beach City, Texas.

Passed; Insert.

Agenda Item 5.5, discuss and consider approving request for \$3,000.00 in HOT (Hotel Occupancy) funds from the Winnie-Stowell Positive Action

Committee for a Mural Project at Gregory Park was tabled as the group had not submitted an official quote or selected an artist for the project. Comments by Director of Economic Development and Grant Administrator Samantha Humphrey.

Agenda Items 5.6, discuss and consider Resolution adopting Civil Rights & Fair Housing Policies in connection with the County's participation in federally funded projects associated with the American Rescue Plan Acts-Coronavirus Local Fiscal Recovery Fund (ARPA-CLFRF) was placed on the agenda in error and subsequently pulled.

Agenda Item 5.7, discuss and consider Resolution authorizing the acceptance of American Rescue Plan Act-Coronavirus Local Fiscal Recovery Funds (ARPA-CLFRF) and authorizing the County Judge to act as the County's Chief Executive Officer and Authorized Representative in all matters pertaining to implementation, was also placed on the agenda in error and thus pulled.

21-09-256 Motion made by Hammond and seconded by Combs to approve the Chambers County Recovery Plan associated with the American Rescue Plan Act-Coronavirus Local Fiscal Recovery Fund. Comments by Director of Economic Development and Grant Administrator Samantha Humphrey.

Passed; Insert.

21-09-257 Motion made by Combs and seconded by Hammond to approve a Resolution authorizing the approval of the Chambers County Recovery Plan. Comments by Michael Migaud of Public Management, Inc.

Passed; Insert.

The Court then moved to Agenda Item 5.15, discuss and consider rejecting all bids received for GLO CDBG-DR Hankamer Wastewater Treatment Plant contract 20-065-007-C010 for construction of .3 MGD wastewater treatment plant.

21-09-258 Motion made by Hammond and seconded by Combs to reject all bids received for GLO CDBG-DR Hankamer Wastewater Treatment Plant contract 20-065-007-C010 for construction of .3 MGD wastewater treatment plant. Comments by Director of Economic Development and Grant Administrator Samantha Humphrey.

Passed.

The Court took a break at 10:54 a.m. and returned to Regular Session at 11:03 a.m.

The Court then took up Agenda Item 6.1, discuss and consider options for collection of delinquent 2020 Online Auction Youth Livestock Show buyer invoices in the amount of \$365.00.

County Attorney Ashely Cain Land said that letters had already been sent out to those who had not paid, but that she could send out additional letters if necessary. The item was pulled.

Following this discussion, the Court moved to Agenda Item 3.2, discuss and consider the sale and/or abandonment of a portion of the unimproved right-of-way of Shady Glen Drive in Oak Island as requested by Jeff Lummus.

21-09-259 Motion made by Tice and seconded by Hammond to sell or abandon a portion of the unimproved right-of-way of Shady Glen Drive in Oak Island as requested by Jeff Lummus. Comments by Cory Taylor, former Chambers County Engineer.

Passed; Insert.

21-09-260 Motion made by Hammond and seconded by Combs to set a public hearing on September 28, 2021, for the sale and/or abandonment of a portion of the unimproved right of way of Shady Glen Drive in Oak Island as requested by Jeff Lummus. Comments by Cory Taylor, former Chambers County Engineer.

Passed.

At this point, former Chambers County Engineer Cory Taylor gave an update on the FM 1409 project (Agenda Item 3.4). Taylor told the Court that the South side of FM 1409 was open, which should relieve congestion issues for residents of the Lanai subdivision. He said the bridge construction had begun, and the Northern portion of FM 1409 could be opened by mid-November, pending inspections by TxDot.

21-09-261 Motion made by Combs and seconded by Tice to approve the Needlepoint Road overlay change order in the amount of \$7,600.00 under the Cowboy Asphalt current contract.

Passed.

The Court then returned to Economic Development and Tourism, starting with Agenda Item 5.10, discuss and consider the Ravago Americas, LLC-Project Redfish Chapter 381 Economic Development Program Agreement.

21-09-262 Motion made by Combs and seconded by Tice to approve the Ravago Americas, LLC-Project Redfish Chapter 381 Economic Development Program Agreement. Comments by B.J. Simon, Economic Development Foundation.

Passed.

21-09-263 Motion made by Hammond and seconded by Combs to approve the Chambers County Foreign Trade Zone (FTZ) Policy. Comments by B.J. Simon, Economic Development Foundation.

Passed.

21-09-264 Motion made by Combs and seconded by Tice to accept the Floor and Décor Outlets of America, Inc. FTZ non-Objection Letter application. Comments by B.J. Simon, Economic Development Foundation.

Passed; Insert.

21-09-265 Motion made by Tice and seconded by Hammond to approve the Floor and Décor Outlets of America, Inc. FTZ Pilot Agreement. Comments by B.J. Simon, Economic Development Foundation.

Passed.

21-09-266 Motion made by Hammond and seconded by Combs to approve the TGSCP 7575 Sutton Road, LLC-Tax Abatement application. Comments by B.J. Simon, Economic Development Foundation.

Passed; Insert.

After completing the agenda items under Economic Development and Tourism, the Court moved on to Law Enforcement, Agenda Item 17.1.

21-09-267 Motion made by Combs and seconded by Tice to approve Agreement for Consulting Services with Griffith, Moseley, Johnson &

Associates (GMJ) to proposed a scope of work to assist Chambers County in developing a temporary solution for the jail.

Passed; Insert.

The Court then took up Agenda Item 9.1, discuss and consider nuisance abatement for 17114 Choctaw, Baytown, TX; 333 6th Street, Stowell, TX; and 8031 FM 565, Baytown, TX.

21-09-268 Motion made by Combs and seconded by Tice to authorize abatements for mowing, removal of debris and to ask the Sheriff's Office to tag vehicles at 17114 Choctaw, Baytown, TX; 333 6th Street, Stowell, TX; and 8031 FM 565, Baytown, TX. Comments by Compliance and Enforcement Coordinator Victoria Figueroa.

Passed; Insert.

Agenda Items 19.5, approve job descriptions, and Agenda Item 19.6, approve payroll changes, were pulled from the Consent Agenda and were to be considered in Executive Session.

21-09-269 Motion made by Tice and seconded by Combs to approve the Consent Agenda, with the exception of Agenda Item 19.5 and Agenda Item 19.6.

Passed; Insert.

At noon, the Court entered into Executive Session, Consultation with Attorney, Section 551.071, Gov. Code, V.T.C.S.; Deliberation Regarding Real Property – Section 551.072, Gov. Code, V.T.C.S; Personnel Section 551.074, Gov. Code, V.T.C.S.; Deliberation regarding security devices or security audits.

The Court returned to Open Session at 12:40 p.m.

21-09-270 Motion made by Combs and seconded by Tice to approve Agenda Items 19.5 and 19.6, but to change the job description on medical office manager to read, "day to day direction."

Passed; Insert.

No action was taken on Agenda Item 20.1, discuss and consider personnel issues.

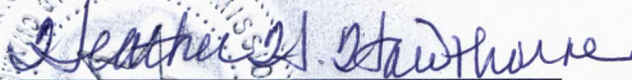
No action was taken on Agenda Item 20.3, discuss and consider the sale of real property.

No action was taken on Agenda Item 20.4, discuss and consider contract negotiating pertaining to Indigent Healthcare.

Agenda Item 20.2, discuss and consider engineering and contractual matters on the Kilgore Regional Drainage Project, was pulled from the agenda.

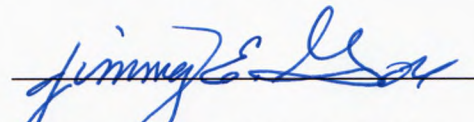
There being no further business, Court adjourned at 1:41 p.m.

ATTEST:



Heather H. Hawthorne, County Clerk

APPROVED:



~~Jimmy Sylvia~~, County Judge, *pro-tem*
Jimmy E. Gore

COMMISSIONERS' COURT MINUTES
REGULAR MEETING
September 17, 2021

- 21-09-237 Motion to accept the Delinquent Tax Collection Report.
- 21-09-238 Motion to accept the Resale Offer submitted by Kavyu Enterprise, LLC for \$6,234.00, Parcel 6607, East Chambers Independent School District vs. Willie Mae Guillory (Cause No. 18DCV0216).
- 21-09-239 Motion to approve Resale Offer submitted by Canelo Investments, LLC for \$30,000.00, Parcel 25523, 25524, 25529, 25530, 19217, 25521, 25522 and 25528, Chambers County vs. Zimmer, J. H., ET al (Cause No. CV27724).
- 21-09-240 Motion to approve Resale Offer submitted by Jimmy W. Smith and Shirley A. Smith for \$10,000.00, Parcel 3059, Chambers County et al vs. Unknown heirs to the Estate of Elba Webb, Sr., Dec'd. et al (Cause No. CV21544).
- 21-09-241 Motion to approve Mass Gathering Permits for the following events to be held at Houston Raceway Park: Real Deal Campout and Trail Ride (9/24-9/25/21); Cleetus and Cars Texas (10/2/21); Michelada Fest (10/3/21); Import Face Off (10/10/21); October Truck Madness (10/16/21); Freak Deaky Music Festival (10/28-

10/30/21) and Magical Winter Lights Holiday Festival (11/19/21-01/05/22).

- 21-09-242 Motion to approve payment and release agreement between Old River Winfree Volunteer Fire Department and Chambers County with the County making check payable to Texas Forest Services in the amount of \$8,876.00.
- 21-09-243 Motion to approve a Cooperative Agreement between Texas A&M AgriLife Extension Service and Chambers County.
- 21-09-244 Motion made by Tice and seconded by Hammond to name the new Westside Complex and baseball fields in honor of D.W. "Don" McLeod, Gordon Speer, Andrew Lannie, A.N. "Boots" Nelson, Jr. and Paul Williams, respectively.
- 21-09-245 Motion to name the new Westside Community Building in honor of the late Commissioner H.H. "Mac" McCollum Community Building.
- 21-09-246 Motion to name the new Fort Anahuac Park Sports Complex and baseball fields in honor of Jim Silva, David "Bubba" Abernathy, Ben Nelson, Sarah Cerrone and Eric Humphrey, respectively.
- 21-09-247 Motion to designate Commissioner Hammond as a representative of the general assembly of the Houston-

Galveston Area Council's General Assembly and Board of Directors for 2022 and to designate Commissioner Tice as the alternate representative of the general assembly of the Houston-Galveston Area Council's General Assembly and Board of Directors for 2022. Commissioner Gore and Judge Sylvia were named alternates to the General Assembly.

- 21-09-248 Motion to set the 2022 Elected Officials' salaries.
- 21-09-249 Motion to set the proposed 2021 tax rate at \$0.539490/100.
- 21-09-250 Motion to set a public hearing for the 2021 tax rate on September 28, 2021, at 10:30 a.m.

Agenda Item 2.1 -- Assistant Budget Officer Aaron Thomas gave an update on status and deadline for closing out the Hurricane Ike projects. No action taken.

- 21-09-251 Motion to acknowledge Texas Materials' acquisition of Angel Brothers and provide consent for Angel Brothers to assign certain projects to Texas Materials based on that acquisition.
- 21-09-252 Motion to authorize amending the FY21 TxDot RAMP Grant contract for the Winnie Airport from \$50,000 to \$68,000 to cover additional cost incurred.

- 21-09-253 Motion to approve FY22 TxDot RAMP Grant contract for Anahuac Airport in the amount of \$100,000 (50/50 match).
- 21-09-254 Motion to approve FY22 TxDot RAMP Grant contract for Winnie Airport in the amount of \$100,000.00 (50/50 match).
- 21-09-255 Motion to allow Texas A&M Corpus Christi to install a sea level monitoring well at McCollum Park in Beach City, Texas.

Agenda Item 5.5, discuss and consider approving request for \$3,000.00 in HOT (Hotel Occupancy) funds from the Winnie-Stowell Positive Action Committee for a Mural Project at Gregory Park. Item was tabled.

Agenda Items 5.6, discuss and consider Resolution adopting Civil Rights & Fair Housing Policies in connection with the County's participation in Federally Funded Projects associated with the American Rescue Plan Acts-Coronavirus Local Fiscal Recovery Fund (ARPA-CLFRF) was placed on the agenda in error and pulled.

Agenda Item 5.7, discuss and consider Resolution authorizing the acceptance of American Rescue Plan Act-Coronavirus Local Fiscal Recovery Funds (ARPA-CLFRF) and

authorizing the County Judge to act as the County's Chief Executive Officer and Authorized Representative in all matters pertaining to implementation, was also placed on the agenda in error and pulled.

21-09-256 Motion to approve the Chambers County Recovery Plan associated with the American Rescue Plan Act-Coronavirus Local Fiscal Recovery Fund.

21-09-257 Motion to approve Resolution authorizing the approval of the Chambers County Recovery Plan.

21-09-258 Motion to reject all bids received for GLO CDBG-DR Hankamer Wastewater Treatment Plant contract 20-065-007-C010 for construction of .3 MGD wastewater treatment plant.

Agenda Item 6.1, discuss and consider options for collection of delinquent 2020 Online Auction Youth Livestock Show buyer invoices in the amount of \$365.00. The item was pulled. **No action taken.**

21-09-259 Motion to sell or abandon a portion of the unimproved right-of-way of Shady Glen Drive in Oak Island as requested by Jeff Lummus.

21-09-260 Motion to set a public hearing on September 28, 2021, for the sale and/or abandonment of a portion of the unimproved right of way of Shady

Glen Drive in Oak Island as requested by Jeff Lummus.

Agenda Item 3.4 -- Former Chambers County Engineer Cory Taylor gave an update on the FM 1409 project. **No action taken.**

- 21-09-261 Motion to approve the Needlepoint Road overlay change order in the amount of \$7,600.00 under the Cowboy Asphalt current contract.
- 21-09-262 Motion to approve the Ravago Americas, LLC-Project Redfish Chapter 381 Economic Development Program Agreement.
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- 21-09-265 Motion to approve the Floor and Décor Outlets of America, Inc. FTZ Pilot Agreement.
- 21-09-266 Motion to approve the TGSCP 7575 Sutton Road, LLC-Tax Abatement application.
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assist Chambers County in developing a temporary solution for the jail.

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21-09-269 Motion to approve the Consent Agenda, with the exception of Agenda Item 19.5 and Agenda Item 19.6.

At noon, the Court entered into Executive Session. The Court returned to Open Session at 12:40 p.m.

21-09-270 Motion to approve Agenda Items 19.5 and 19.6, but to change the job description on medical office manager to read, "day to day direction."

No action was taken on Agenda Item 20.1, discuss and consider personnel issues.

No action was taken on Agenda Item 20.3, discuss and consider the sale of real property.

No action was taken on Agenda Item 20.4, discuss and consider contract negotiating pertaining to Indigent Healthcare.

Agenda Item 20.2, discuss and consider engineering and contractual matters on the Kilgore Regional Drainage Project, was pulled from the agenda.