

On this the 8th day of March, A. D., 2022, the Commissioners' Court of Chambers County, with the following members present, to-wit:

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
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 Pro Tem Combs, according to law, opened Court at 9:32 a.m. into Open Session. Bobby Hall offered prayer. Commissioner Tice led in the Pledge of Allegiance to the American flag and the Pledge of Allegiance to the Texas flag.

Court opened with Citizens' Comments. County Clerk Heather Hawthorne updated the Court on the March 1, 2022, Primary Election. She stated voter turnout was at 24 percent.

Republican Chair-Elect Austin Tice followed with a Citizen's Comment on Agenda Item 3.4, discuss and consider approving Memorandum of Understanding between Chambers County and Montgomery Estates, LLC regarding the creation of Chambers County MUD 4, the Montgomery Estate's subdivision development standards, utilities, drainage, subdivision amenities and other related subdivision development matters. Mr. Tice urged caution and told the Court that citizens needed time review the MOU.

He also advised the Court not to give a tax abatement to Oleon Americans, Inc (Agenda Item 5.6, discuss and consider Oleon Americas, Inc. Tax Abatement applications).

Beach City Mayor and Commissioner Precinct 4-Elect Ryan Dagley also gave a Citizen's Comment. On Agenda Item 5.6, he also urged the Court not to grant an abatement. On Agenda Item 3.4, he suggested a second route was needed before the MOU should be considered.

Larry Marr of Dannenbaum Engineering also gave a Citizen's Comment regarding upcoming lane closures for Interstate 10 and FM 1409.

Chuck Russell also gave a Citizen's Comment on Agenda Item 3.4. Mr. Russell agreed with Chairman Elect Tice and Mayor Dagley.

22-03-61 Motion made by Tice and seconded by Hammond to approve the Park Use Agreement application from First Baptist Church of Anahuac for use of Fort Anahuac Park on April 16, 2022, for their Community Easter Event. Comments by Julia Hall and Director of Economic Development and Grant Administrator Samantha Humphrey.

Passed; Insert.

Agenda Item 3.1, discuss and consider the sale of County property, a 0.3053-acre tract of vacant land in the unimproved right-of-way of Shady Glen Drive in Oak Island, through the sealed bid process, was pulled.

22-03-62 Motion made by Hammond and seconded by Tice to approve Change Order No. 12 to Sterling Delaware Holding Co., Inc for Chambers County FM 1409 project in the amount of \$19,462.17. Comments by County Engineer Cory Taylor, Commissioner Hammond and Larry Marr of Dannenbaum Engineering.

Passed; Insert.

Road Administrator Brian Dodge then gave an update on Road & Bridge.

At 10:02 a.m., the Court recessed out of Regular Session into a public hearing regarding the renewal/re-designation of the Borusan Mannesmann Pipe U.S., Inc. 2013 Reinvestment Zone (Agenda Item 5.2). Comments by B.J. Simon, Economic Development Foundation. Darlene McPherson gave a public comment opposing a tax abatement. At 10:05 a.m. the Court adjourned out of the Public Hearing and back into Regular Session.

22-03-63 Motion made by Tice and seconded by Hammond to renew the Borusan Mannesmann Pipe U.S., Inc. 2013 Reinvestment Zone. Comments by B.J. Simon, Economic Development Foundation and Commissioner Combs.

Passed; Insert.

At 10:08 a.m. the Court recessed out of Regular Session and into a Public Hearing regarding adoption of the Chambers Parkway Transportation

Reinvestment Zone (Agenda Item 5.5). Comments by B.J. Simon, Economic Development Foundation. Darlene McPherson gave a public comment, expressing concern for industrial development encroaching on residential areas. At 10:11 a.m. the Court adjourned out of Public Hearing and back into Open Session.

22-03-64 Motion made by Hammond and seconded by Tice to set a public hearing for May 8, 2022, at 10:00 a.m., regarding the adoption of the Chambers Parkway Transportation Reinvestment Zone.

B.J. Simon with Economic Development Foundation informed the Court that there was no need to debate Agenda Item 5.6, discuss and consider Oleon Americans, Inc. Tax Abatement application, as Oleon Americans, Inc. retracted its application.

22-03-65 Motion made by Hammond and seconded by Tice to approve P8/CPL 1 Propco, LLC Tax Abatement Agreement assignment to NNN OPP IV OWNER II, LLC. Comments by B.J. Simon, Economic Development Foundation.

Passed; Insert.

22-03-66 Motion made by Tice and seconded by Hammond to approve Houston Transloading Partners I, LLC (NFI) Tax Abatement application. Comments by B.J. Simon, Economic Development Foundation, and Commissioners Tice and Hammond.

After a lengthy discussion that included more Citizens' Comments, Agenda Item 3.4, discuss and consider approving Memorandum of Understanding between Chambers County and Montgomery Estates, LLC regarding the creation of Chambers County MUD 4, the Montgomery Estate's subdivision development standards, utilities, drainage, subdivision amenities and other related subdivision development matters, was tabled.

After the Agenda Item was read, Commissioner Tice said there was misinformation swirling around the Agenda Item. In her Citizen's Comment, Rachal Hisler asked the Court to elaborate more on the misinformation and to explain to the citizens why the Court originally opposed the creation of the MUD 4, then rescinded their opposition.

Brent Nicholas, who lived in the neighborhood, gave a Citizen's Comment. He expressed concerns about safety issues and doubt that the developers would live up to their promises.

Outside Counsel Nathan Brandimart explained that the developer did not initially have a lot of meetings with the County about creating the MUD 4. The County's objection to its creation was an attempt to bring them to the table to discuss the issue. Brandimart said that the County has limited authority with what people do with their own property, but that the County was also concerned about safety and drainage.

Commissioner Combs reminded citizens that a final plat has not been submitted. Brandimart said that once a final plat is submitted, it has to be approved by the County Engineer.

Citizen Chuck Russell gave a Citizen's Comment asking who would hold the developers to their promises. Combs told Mr. Russell that certain guidelines have to be met. Tice assured Mr. Russell that he would not approve it if there was no dual access.

22-03-67 Motion made by Tice and seconded by Hammond to approve Change Order No. 1 in the amount of \$19,834.00 for the Hankamer Wastewater Treatment Plant, GLO CDBG-DR Contract 20-065-007-C010 (paid for by TBCD). Comments by Director of Economic Development and Grant Administrator Samantha Humphrey.

Passed; Insert.

At 10:58 a.m. the Court took a break. They returned to Open Session at 11:15 a.m.

Agenda Item 8.1, discuss and consider approving the Professional Service Agreement renewal with Hydrex Environmental Inc. for the year 2022-2023, was pulled.

Agenda Item 19.20, approve Bay Ten Business Park, Tracts 4 & 5 final plat, was tabled.

22-03-68 Motion made by Tice and seconded by Hammond to approve the Consent Agenda, with the exception of Agenda Item 19.20.

Passed; Insert.

At 11:17 a.m. 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.

Court returned to Regular Session at 12:42 p.m.

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

The Court took action on Agenda Item 20.2, discuss and consider the sale/purchase of real property.

22-03-69 Motion made by Hammond and seconded by Tice to approve the purchase of Parcel A.

Passed.

No action was taken on Agenda Item 20.3, discuss and consider Professional Service Contract with Johnson, Mirmiran & Thompson, Inc.

The Court acted on Agenda Item 20.4, discuss and consider approving Chambers County Cybersecurity Incident Response Plan.

22-03-70 Motion made by Tice and seconded by Hammond to approve the Chambers County Cybersecurity Incident Response Plan.

There being no further business, Court adjourned at 12:44 p.m.



ATTEST:

Heather H. Hawthorne

Heather H. Hawthorne, County Clerk

APPROVED:

Jimmy Sylvia

Jimmy Sylvia, County Judge

COMMISSIONERS' COURT MINUTES
REGULAR MEETING
March 8, 2022

County Clerk Heather Hawthorne gave a Citizen's Comment, updated the Court on the March 1, 2022, primary election. She stated voter turnout was at 24 percent.

Republican Chair-Elect Austin Tice and Commissioner and Beach City Mayor and Commissioner Precinct 4 Elect Ryan Dagley spoke against Agenda Items 3.4 and 5.6. Chuck Russell also gave a Citizen's Comment on Agenda Item 3.4.

Larry Marr of Dannenbaum Engineering also gave a Citizen's Comment regarding upcoming lane closures for Interstate 10 and FM 1409.

- 22-03-61 Motion to approve the Park Use Agreement application from First Baptist Church of Anahuac for use of Fort Anahuac Park on April 16, 2022, for their Community Easter Event.

Agenda Item 3.1 was pulled.

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22-03-63 Motion to renew the Borusan Mannesmann Pipe U.S., Inc. 2013 Reinvestment Zone.

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22-03-70 Motion to approve the Chambers County Cybersecurity Incident Response Plan. (Agenda Item 20.4).