

On this the 9th day of August, A. D., 2022, the Commissioners' Court of Chambers County, with the following members present, to-wit:

Jimmy Sylvia	County Judge
Jimmy Gore	Commissioner, Precinct No. 1
Mark Tice	Commissioner, Precinct No. 2
Tommy Hammond	Commissioner, Precinct No. 3
Billy Combs	Commissioner, Precinct No. 4

With the following members absent, to-wit:

Heather H. Hawthorne	County Clerk
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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 9:34 a.m. into Open Session. Cory Taylor offered prayer. Judge Sylvia led in the Pledge of Allegiance to the American flag and the Pledge of Allegiance to the Texas flag.

22-08-264 Motion made by Gore and seconded by Combs to approve the Proclamation declaring August 7-13, 2022, to be "Health Center Week" in Chambers County.

Passed; Insert.

22-08-265 Motion made by Gore and seconded by Hammond to approve the appointment of Nick Spell to the SETH Board (South East Texas Housing). Before the vote, Commissioner Tice left the Courtroom. Comments by Judge Sylvia.

Passed; Insert.

22-08-266 Motion made by Gore and seconded by Hammond to approve the proposal in the amount of \$11,527 to implement contract management software for the County through Outlaw. Comments by County Purchasing Agent George Barrera, Gore, Combs and Judge Sylvia. Commissioner Tice returned to the Courtroom prior to the vote.

Passed; Insert.

22-08-267 Motion made by Combs and seconded by Hammond to accept the Justice of the Peace, Pct. 2 2021 Audit. Comments by Assistant Auditor Lyndsey Davis, Gore and County Auditor Aaron Thomas.

Passed; Insert.

22-08-268 Motion made by Tice and seconded by Combs to accept the 1st and 2nd Quarter 2022 Investment Reports. Comments by County Auditor Aaron Thomas.

Passed; Insert.

Following the vote, the Court moved to Agenda Item 3.8, discuss and consider approval of permit changes as requested by the Cognatas.

Louis Cognata gave a Citizen's Comment regarding the ongoing issue of cleaning out the ditch on Lawrence Road. Mr. Cognata asked if subdivision laws applied to the ditch or not. Assistant County Engineer Cory Taylor said he did not think so. Mr. Taylor said it was more than a matter of cleaning out the ditch, as it needed to be deeper in order to meet the Cognatas' drainage calculations for a subdivision. After discussing the possibility of the County doing the work for a donation of \$21,500.00, the item was tabled for more discussion.

The Court then moved to agenda items under Library & Historical. Sheryl Shaw, president of the Chambers County Historical Commission, gave the Court an update on the group's projects and upcoming events.

22-08-269 Motion made by Combs and seconded by Gore to approve prospective new appointee to Chambers County Historical Commission, Chuck Chandler. Comments by Chambers County Historical Commission President Sheryl Shaw.

Passed; Insert.

22-08-270 Motion made by Commissioners' Court and seconded by Commissioners' Court to present and accept into the record the 2021 Distinguished Service Award to the Chambers County Historical Commission, on behalf of the Texas Historical Commission.

Passed; Insert.

Following the vote, the Court turned to the Supplemental Agenda, public hearing at 10:00 a.m. regarding the SBR Cedar Port 2 Owner, L.P. Tax Abatement Agreement. (Agenda Item 5.6, public hearing regarding the SBR Cedar Port 2 Owner, L.P. Tax Abatement Agreement, was pulled because the time was not included, hence the need for the Supplemental Agenda).

At 10:08 a.m. the Court recessed out of Regular Session and into a Public Hearing. There were no public comments. Court returned to Regular Session at 10:09 a.m.

Following the public hearing, the Court turned to Agenda Item 5.7, discuss and consider the SBR Cedar Port 2 Owner, L.P. Tax Abatement Agreement.

22-08-271 Motion made by Combs and seconded by Gore to approve the SBR Cedar Port 2 Owner, L.P. Tax Abatement Agreement. Comments by B.J. Simon, Economic Development Foundation.

Passed; Insert.

22-08-272 Motion made by Combs and seconded by Tice to accept the application submitted by Fulcrum Trinity Fuels, LLC Chapter 381 Economic Development Proposal for review. Comments by B.J. Simon, Economic Development Foundation, and Gore.

Passed; Insert.

The Court turned to Agenda Item 5.1, discuss and consider selection of Acacia Heritage Consulting to evaluate discovery of potential feature at Fort Anahuac Park.

22-08-273 Motion made by Gore and seconded by Tice to approve the selection of Acacia Heritage Consulting to evaluate discovery of potential feature at Fort Anahuac Park. Comments by Director of Economic Development and Grant Administration Samantha Humphrey, County Auditor Aaron Thomas, Gore, Combs and Parks Superintendent Kirk Sherman.

Passed; Insert.

Agenda Item 5.2, discuss and consider budget amendment in the amount of \$23,438 to cover the cost of archaeological investigation at Fort Anahuac Park, was pulled.

22-08-274 Motion made by Gore and seconded by Tice to authorize procurement process for Landfill Communications Tower to begin. (Project to be funded by ARPA). Comments by Director of Economic Development and Grant Administration Samantha Humphrey, Combs and Project Manager Mike Lessley. Mr. Combs requested an update on all ARPA funds and projects.

Passed; Insert.

22-08-275 Motion made by Gore and seconded by Tice to authorize the installation of a Pilots Lounge/FBO at the Winnie Airport, paid for by TxDOT Ramp Grant. Comments by Director of Economic Development and Grant Administration Samantha Humphrey. Combs opposed the motion. Judge Sylvia declared it passed.

Passed; Insert.

22-08-276 Motion made by Gore and seconded by Tice to authorize Chambers County Construction Management Department to work with the Purchasing Department to seek appropriate bids for installation of Pilots Lounge/FBO at the Winnie Airport. Comments by Director of Economic Development and Grant Administration Samantha Humphrey. Combs opposed the motion. Judge Sylvia declared it passed.

Passed.

The Court took a break at 10:30 a.m. and returned to Open Session at 11:07 a.m.

After further discussion outside the Courtroom, Assistant County Engineer Cory Taylor told the Court an agreement between the County and the Cognatas had been reached and would be on the next Court's agenda.

Following this announcement, the Court continued with items under Road & Bridge, beginning with Agenda Item 3.1, discuss and consider awarding Full Depth Repair and Driveway in various locations to the lowest best qualified bidder.

22-08-277 Motion made by Gore and seconded by Combs to award Full Depth Repair and Driveway in various locations to the lowest best qualified bidder. Comments by Assistant County Engineer Cory Taylor, Gore, County Purchasing Agent George Barrera, Hammond and Engineer in Training Natalie Lopez.

Passed; Insert.

22-08-278 Motion made by Combs and seconded by Hammond to deny Kilgore Parkway Change Order No. 1 from Texas Material Group, Inc., DBA Gulf Coast in the amount of \$709,438.07 for concrete pavement to be CRCP slip-form. Comments by Assistant County Engineer Cory Taylor.

Passed; Insert.

22-08-279 Motion made by Hammond and seconded by Tice to approve the FM 1409 force account Change Order No. 4 from Texas Material Group, Inc., DBA Gulf Coast in the amount of \$38,341.77 from Fall 2021 for additional traffic control to improve visibility and reduce accidents on IH 10 during bridge work for FM 1409 minus approximately \$80.00 in tax that was charged in error. Comments by Assistant County Engineer Cory Taylor and Hammond.

Passed; Insert.

Agenda Item 3.4, discuss and consider update of LGI subdivision, was moved into Executive Session.

Agenda Item 3.5, discuss and consider pavement repair options to FM 1409, was tabled. Assistant County Engineer Cory Taylor told the Court the bridge would not be ready by the time school at Barbers Hill Independent School District began. He said it would probably be open by the end of the month. The cracking along the shoulders of FM1409 also was discussed.

Agenda Item 3.6, update on potential SER change order to remove additional silt from phase one Kilgore drainage system downstream of railroad tracks, was tabled.

Agenda Item 3.7, discuss and consider action on Kilgore Drainage Project, was moved into Executive Session.

Agenda Item 3.9, discuss and consider surplus ROW from FM 3180, was moved into Executive Session.

22-08-280 Motion made by Gore and seconded by Combs to use speed humps throughout the county to control speed. Placement will be at the discretion of the commissioner in each precinct. Comments by Assistant County Engineer Cory Taylor, Gore, Combs and Tice.

Passed.

Following the vote, the Court moved to the agenda Items under Parks & Recreation.

22-08-281 Motion made by Gore and seconded by Hammond to approve the request to use HOT funds toward the purchase of County parks playground. Comments by Parks Supervisor Kirk Sherman, County Purchasing Agent George Barrera, Hammond, Gore and Combs.

Passed.

22-08-282 Motion made by Hammond and seconded by Tice to approve the purchase of playground equipment for the Old River Community Building from Kraftsman in the amount of \$73,696.04.

Passed; Insert.

22-08-283 Motion made by Gore and seconded by Hammond to approve the purchase of playground equipment for M.Q. Bradford Park from Kraftsman in the amount of \$76,303.40. Comments by Combs and Gore.

Passed; Insert.

22-08-284 Motion made by Gore and seconded by Tice to use Science Engineering for material testing for the Cook Fields Sports Complex (Winnie Ballfields) in the amount of \$28,000.00. Comments by Project Manager Mike Lessley, County Purchasing Agent George Barrera, Combs, Assistant Auditor Lyndsey Davis and County Auditor Aaron Thomas.

Passed; Insert.

22-08-285 Motion made by Combs and seconded by Gore to transfer \$250,000 in unused money from the Maintenance 2022-007 Capital Budget account to new essential projects. Comments by Project Manager Mike Lessley.

Passed.

22-08-286 Motion made by Tice and seconded by Hammond to install a new awning over the book drop at Juanita Hargraves Library from Texas Awnings for \$5,864.22. Comments by Project Manager Mike Lessley and Gore.

Passed; Insert.

22-08-287 Motion made by Hammond and seconded by Combs to install Building Maintenance Systems/Controls to HVAC units at Goss Library to control moisture and humidity in the building. Comments by Project Manager Mike Lessley.

Passed; Insert.

22-08-288 Motion made by Combs and seconded by Tice to approve the purchase of three license plate recognition cameras for collection stations for a total of \$8,550.00. Comments by County Purchasing Agent George

Barrera.

Passed; Insert.

22-08-289 Motion made by Gore and seconded by Tice to approve the request from Director of Golf Course Operations James Williamson to use 2022 allocated budget funds for capital equipment purchase for 2023 for this year. Comments by County Purchasing Agent George Barrera.

Passed; Insert.

22-08-290 Motion made by Tice and seconded by Hammond to approve the purchase of a 45 horsepower tractor from WOWCO EQUIP. CO. in the amount of \$29,602.89.

Passed; Insert.

22-08-291 Motion made by Tice and seconded by Hammond to approve the purchase of a greens mower from Kansas Gold & Turf in the amount of \$37,566.50.

Passed; Insert.

22-08-292 Motion made by Combs and seconded by Gore to reinstate years of service as well as vacation leave time for John Duhon. Comments by Combs, Gore and Hammond.

Passed; Insert.

Agenda Item 19.10, discuss and consider extending the County Judge's proclamation prohibiting outdoor burning, was pulled.

22-08-293 Motion made by Gore and seconded by Tice to approve the Consent Agenda, with the exception of Agenda Item 19.10.

Passed; Insert.

At 12:07 p.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 2:03 p.m.

No action was taken on Agenda Item 3.4, discuss and consider update of LGI subdivision.

No action was taken on Agenda Item 3.7, discuss and consider action on Kilgore Drainage Project.

No action was taken on Agenda Item 3.9, discuss and consider surplus ROW from FM 3180.

There being no further business, Court adjourned at 2:03 p.m.

ATTEST:



Heather H. Hawthorne, County Clerk

APPROVED:



Jimmy Sylvia, County Judge

COMMISSIONERS' COURT MINUTES
REGULAR MEETING
August 9, 2022

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- 22-08-265 Motion to approve the appointment of Nick Spell to the SETH Board (South East Texas Housing). Before the vote, Commissioner Tice, left the Courtroom.
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Agenda Item 3.8, discuss and consider approval of permit changes as requested by the Cognatas, was pulled.

Agenda Item 3.9, discuss and consider surplus ROW from FM 1380, was moved into Executive Session.

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