

On this the 8th day of November, 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
Heather H. Hawthorne	County Clerk

With the following members absent, to-wit:

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. County Engineer Robert Hall offered prayer. Sgt. Gordon Andrews led in the Pledge of Allegiance to the American flag and the Pledge of Allegiance to the Texas flag.

The Court began with Agenda Item 1.2, discuss and consider Resolution expressing great appreciation for the participation in the 2022 "The Wall That Heals" Vietnam Veterans Memorial.

22-11-419 Motion made and seconded by Commissioners' Court to approve the Resolution expressing great appreciation for the participation in the 2022 "The Wall That Heals" Vietnam Veterans Memorial. Event co-chairmen Heather Hawthorne and Loretta Emmons and volunteer coordinator Sheri Phelps were present. Judge Sylvia congratulated the group on the event's success.

Passed.

22-11-420 Motion made by Commissioners' Court and seconded by Commissioners' Court to approve the Resolution honoring Sgt. Gordon Andrews for his accomplishments in receiving the Navy and Marine Corps Achievement Medal, with "Combat V" (Valor) while serving in the USMC 9th Marine Amphibious Brigade in a "Combat Zone" from 1968 through 1969 in the Republic of Vietnam. Comments by Judge Sylvia, who read the resolution, and pinned the medal to Sgt. Andrews' uniform. Sgt. Andrews was given a standing ovation by those in attendance.

Passed.

County Clerk Heather Hawthorne then gave a Citizen's Comment. She reminded the Court that it was Election Day and said so far, no major issues or problems had been reported and that the new equipment to scan in ballots was working fine.

Judge Sylvia read a Citizen's Comment sent in by David Glowczwski. He suggested that future concerts and events at Houston Raceway Park end at 10:30 p.m. on weeknights and Saturday nights and 10:00 p.m. on Sunday nights.

Darlene McPherson gave a Citizen's Comment on area sports accomplishments.

The Court then turned to the agenda items under Road & Bridge.

22-11-421 Motion made by Gore and seconded by Tice to request proposals for a two-year term contract for concrete pavement rehabilitation. Comments by County Engineer Robert Hall, Gore and Combs.

Passed; Insert.

22-11-422 Motion made by Hammond and seconded by Combs to approve Chambers County FM 1409 Change Order No. 14 revision to Sterling Delaware Holding CO., Inc., DBA: Texas Sterling Construction in the amount of \$176,504.77 to address the cracking and pavement separation due to soil shrinkage on FM 1409. Comments by Assistant County Engineer Cory Taylor, Gore, Combs, Judge Sylvia, Hammond and Larry Marr of Dannenbaum Engineering.

Passed; Insert.

22-11-423 Motion made by Gore and seconded by Hammond to approve Anahuac Transport pumped detention variance request from 50 percent pumped to 75 percent pumped contingent upon an automatic transfer switch being added to the generator so that it comes on automatically in the event of power failure. Comments by County Engineer Robert Hall, Gore, Combs and Justin Schrader and Steve Hobbs of Pro E Consulting.

Passed; Insert.

22-11-424 Motion made by Combs and seconded by Hammond to approve the signing of SH 99 (Grand Parkway) MVWA (Market Value Waiver

Agreement). Comments by Assistant County Engineer Cory Taylor, Combs and Gore.

Passed; Insert.

The Court then moved to Agenda Item 5.1, discuss and consider authorizing payment of \$4,333 to HVS for hotel feasibility study in partnership with City of Mont Belvieu.

22-11-425 Motion made by Gore and seconded by Hammond to authorize payment of \$4,333 to HVS for hotel feasibility study in partnership with City of Mont Belvieu. Comments by Director of Economic Development and Grant Administrator Samantha Humphrey, Judge Sylvia and Gore.

Passed; Insert.

At 10:23 a.m. the Court recessed into a public hearing regarding Go Live Winter Carnival Mass Gathering Permit (Agenda Item 10.1) and Magical Winter Lights Event Mass Gathering Permit (Agenda Item 10.3).

County Clerk Heather Hawthorne voiced concern about potential traffic issues southbound on Highway 3180 as the lanes narrow. The possible traffic build up combined with the ending of Daylight Savings Time could lead to safety issues, she said. Assistant County Engineer Cory Taylor echoed her concerns and said he would work with TxDot on a possible remedy. Sheriff Brian Hawthorne suggested utilizing a second entrance.

At 10:32 a.m., the Court recessed out of the public hearing and back into Regular Session.

22-11-426 Motion by Combs and seconded by Tice to approve the Mass Gathering Permit for the Go Live Winter Carnival to be held on December 10, 2022. Comments by EMS Director Ron Nichols.

Passed; Insert.

22-11-427 Motion made by Combs and seconded by Gore to approve the Mass Gathering Permit for the Magical Winter Lights Event to be held November 18, 2022, through January 7, 2023, at Houston Raceway Park. Comments by EMS Director Ron Nichols and Combs.

Passed; Insert.

Following the vote, the Court returned to the items under Economic Development & Tourism, beginning with Agenda Item 5.2, discuss and consider the Fulcrum BioEnergy, Inc. Chapter 381 Economic Development proposal.

22-11-428 Motion made by Combs and seconded by Tice to extend on a month-by-month basis the Fulcrum BioEnergy, Inc. Chapter 381 Economic Development proposal. Comments by B.J. Simon, Economic Development Foundation, Gore, Hammond and Jami Navarre of BHISD, who reminded the Court that the proposal was expected to bring in millions of dollars to BHISD and that Chapter 313 will be coming to a close in December.

Passed.

22-11-429 Motion made by Combs and seconded by Tice to accept the Avera Companies –P9/Kilgore Grand Parkway PropCo, LP application for tax abatement. Comments by Combs, Hammond, B.J. Simon, Economic Development Foundation, and County Engineer Robert Hall.

Passed; Insert.

22-11-430 Motion made by Combs and seconded by Tice to enter into a Chapter 381 Agreement with Clay Partners-Cedar Port Phase III #1, LP and Clay Partners-Cedar Port Phase III #2 LP in lieu of amending the amendment to the tax abatement agreement that was agreed upon at the last court (Motion 22-10-409). Comments by B.J. Simon, Economic Development Foundation and Judge Sylvia.

Passed.

22-11-431 Motion made by Gore and seconded by Tice to go out for bids to install a new roof at White's Park Community Building. Comments by Project Manager Mike Lessley and Tice.

Passed; Insert.

The Court pulled Agenda Item 19.35, approve the installation of a new awning for the Winnie Pilot lounge from Texas Carports and Patios, Inc. in the amount of \$19,640.00, and Agenda Item 19.36, approve the installation of fencing for the Winnie Pilot lounge from RUS Industrial in the amount of \$10,900.00, for individual consideration.

22-11-432 Motion made by Hammond and seconded by Gore to approve the installation of a new awning for the Winnie Pilot lounge from Texas

Carports and Patios, Inc. in the amount of \$19,068.15 (amount corrected) and approve the installation of fencing for the Winnie Pilot lounge, with the contract on both projects going to the second-lowest bidder, HKR. Comments by Project Manager Mike Lessley and Hammond.

Passed; Insert.

The Court then pulled Agenda Item 19.20, approve the addition of a shower to the Winnie Pilots lounge from Palomar Modular Buildings, LLC in the amount of \$64,338.00, for individual consideration.

Project Manager Mike Lessley clarified that the funds for the building were already approved, but an additional \$2,950.00, was needed for the addition of the shower.

22-11-433 Motion made by Gore and seconded by Tice to approve the addition of a shower to the Winnie Pilots lounge from Palomar Modular Buildings, LLC in the amount of \$2,950.00. Combs voted nay.

Passed; Insert.

22-11-434 Motion made by Tice and seconded by Gore to approve the remaining items on the Consent Agenda.

Passed; Insert.

At 11:06 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.

The Court returned from Executive Session at 11:45 a.m.

22-11-435 Motion made by Gore and seconded by Hammond to purchase real property Parcel O.

Passed.

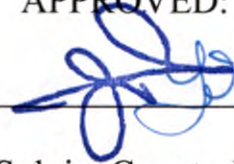
There being no further business, Court adjourned at 11:45 a.m.

ATTEST:



Heather H. Hawthorne, County Clerk

APPROVED:



Jimmy Sylvia, County Judge

COMMISSIONERS' COURT MINUTES
REGULAR MEETING
November 8, 2022

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generator so that it comes on automatically in the event of power failure.

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