

On this the 28th day of February, A. D., 2023, the Commissioners' Court of Chambers County, with the following members present, to-wit:

Commissioner, Pct. 2 Mark Tice
 Commissioner, Pct. 4 Ryan Dagley
 Commissioner, Pct. 3 Thomas Hammond
 Commissioner, Pct. 1 Jimmy Gore
 County Clerk Heather H. Hawthorne

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 9:37 a.m. into Open Session. County Engineer Robert Hall offered prayer. Judge Sylvia led the Pledge of Allegiance to the American flag and the Pledge of Allegiance to the Texas flag.

ADMINISTRATION

1.1 Citizen's comments

Chambers County Clerk Heather Hawthorne told the Court that Chambers County Day at the State Capitol in Austin had been a success. It was held Feb. 23, 2023.

County Engineer Robert Hall said that due to supply chain issues, the Road and Bridge Department is having a difficult time getting rock. He said trap rock and chip-seal rock were needed. He said private companies are struggling too.

SAFETY/EMERGENCY MANAGEMENT/EMS

10.3 Discuss and consider approving annual continuing education contract with IAMED in the amount of \$10,000

23-2-256 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 1 Gore to approve the annual continuing education contract with IAMED in the amount of \$10,000. Comments by EMS Director Ron Nichols.

Passed; Insert.

FINANCIAL2.3

Discuss and consider recoupment of funds related to DR-1791 (Hurricane Ike)

23-2-264 Motion made by Commissioner, Pct. 2 Tice and seconded by Commissioner, Pct. 1 Gore to approve repayment of \$394,959.21 related to DR-1791 (Hurricane Ike).

Comments by County Auditor Aaron Thomas and Judge Sylvia.
Passed; Insert.

ADMINISTRATION

1.2 Discuss and consider Resolution recommending Appointment of Directors to the Board of Directors of the Cedar Port Navigation and Improvement District (formerly known as Chambers County Improvement District No. 1) effective May 1, 2023 and expiring May 1, 2027

23-2-232 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 4 Dagley to approve a resolution recommending Appointment of Directors to the Board of Directors of the Cedar Port Navigation and Improvement District (formerly known as Chambers County Improvement District No. 1) effective May 1, 2023 and expiring May 1, 2027.

Passed; Insert.

FINANCIAL

2.1 Discuss and consider Chambers County Sheriff's Office Imprest Fund 2022 Audit

23-2-250 Motion made by Commissioner, Pct. 4 Dagley and seconded by Commissioner, Pct. 1 Gore to accept the Chambers County Sheriff's Office Imprest Fund 2022 Audit. Comments by Assistant County Auditor Lyndsey Davis and Chief Deputy John Leger.

Passed; Insert.

ADMINISTRATION

1.3 Discuss and consider presentation from Mitch McCullough, Chief Appraiser regarding the upcoming 2023 Chambers County Appraisal District reappraisal effort

Chief Appraiser Mitch McCullough addressed the Court regarding the upcoming 2023 Chambers County Appraisal District's reappraisal effort. He said the reappraisal is necessary due to a report from the State Comptroller's Office of Public Accounts that asserts that properties in Chambers County, particularly single-family residential properties, are being under appraised. All three school districts in Chambers County are filing a formal appeal of this report.

FINANCIAL

2.2 Discuss and consider Justice of the Peace, Pct. 1 2021 Audit Report

23-2-251 Motion made by Commissioner, Pct. 4 Dagley and seconded by Commissioner, Pct. 1 Gore to Approve Discuss and consider Justice of the Peace, Pct. 1

2021 Audit Report. Comments by Assistant County Auditor Lyndsey Davis and Chief Deputy John Leger.

Passed; Insert.

ROAD & BRIDGE

3.1 Public hearing at 10:00 a.m. regarding the partial abandonment of Fitzgerald Road

At 10:00 a.m. the Court recessed out of Regular Session and into a Public Hearing regarding the partial abandonment of Fitzgerald Road. There were no public comments. Court recessed out of the public hearing and back into Regular Session at 10:01 am.

ROAD & BRIDGE

3.2 Discuss and consider abandoning a portion of Fitzgerald Road

23-2-248 Motion made by Commissioner, Pct. 4 Dagley and seconded by Commissioner, Pct. 3 Hammond to approve the abandonment of a portion of Fitzgerald Road contingent upon the County receiving \$142,623.00 in compensation as indicated by the appraisal, either in cash or other items. Comments by Hammond and Dagley.

Passed; Insert.

ROAD & BRIDGE

3.3 Discuss and consider authorizing Chambers Surveying and Mapping to survey the proposed Gordon Speer Chambers Parkway right of way and generate right of way maps in the amount of \$57,920.00

23-2-257 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 4 Dagley to authorize Chambers Surveying and Mapping to survey the proposed Gordon Speer Chambers Parkway right of way and generate right of way maps in the amount of \$57,920.00. Comments by County Engineer Robert Hall, Assistant County Engineer Cory Taylor, Dagley, Hammond, Tice, Judge Sylvia and Engineer in Training Natalie Lopez.

Passed; Insert.

ROAD & BRIDGE

3.4 Discuss and consider approving TNP Scope of right of way services for the Winnie Road and Bridge Yard in the amount of \$10,500

23-2-258 Motion made by Commissioner, Pct. 3 Hammond and seconded by

Commissioner, Pct. 1 Gore to approve TNP scope of right of way services for the Winnie Road and Bridge Yard in the amount of \$10,500.00. Comments by County Engineer Robert Hall. Dagley abstained.

Passed; Insert.

ROAD & BRIDGE

3.5 Discuss and consider approving TNP Scope of right of way services for the Anahuac Library Relocation in the amount of \$30,000

23-2-259 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 1 Gore to approve TNP Scope of right of way services for the Anahuac Library Relocation in the amount of \$30,000. Comments by County Engineer Robert Hall. Dagley abstained.

Passed; Insert.

ROAD & BRIDGE

3.6 Discuss and consider approving TNP Scope of right of way services for the Kilgore Parkway Road Expansion and Drainage Improvement Project in the amount of \$43,750

23-2-260 Motion made by Commissioner, Pct. 1 Gore and seconded by Commissioner, Pct. 2 Tice to approve TNP Scope of right of way services for the Kilgore Parkway Road Expansion and Drainage Improvement Project in the amount of \$43,750. Comments by County Engineer Robert Hall, Hammond, Engineer in Training Natalie Lopez, Dagley and outside counsel Nathan Brandimart. Dagley abstained.

Passed; Insert.

ROAD & BRIDGE

3.7 Discuss and consider entering into a Reimbursement Agreement with HSC Pipeline Partnership, LLC (Enterprise) for Kilgore Parkway construction

23-2-261 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 1 Gore to enter into a Reimbursement Agreement with HSC Pipeline Partnership, LLC (Enterprise) for Kilgore Parkway construction. Comments by County Engineer Robert Hall, Assistant County Engineer Cory Taylor, outside counsel Nathan Brandimart, Dagley and Hammond.

23-2-261 Amended motion by Commissioner Pct 3 Hammond and amended second by Commissioner Pct. 1 Gore to enter into a Reimbursement Agreement with HSC Pipeline Partnership, LLC (Enterprise) for Kilgore Parkway construction and give Judge Sylvia the authority to sign the agreement after the corrections pointed out by outside counsel are made.

Passed; Insert.

ROAD & BRIDGE

3.8 Discuss and consider giving the Engineering Department permission to authorize survey requests for people wanting to survey across County properties

23-2-262 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 4 Dagley to give the Engineering Department permission to authorize survey requests for people wanting to survey across County properties pending approval of the County Attorney's Office. Comments by County Engineer Robert Hall, Gore, Judge Sylvia, County Attorney Ashley Cain Land, Dagley and Hammond.

Passed; Insert.

ROAD & BRIDGE

3.9 Discuss and Consider allowing Air Liquide Large Industries U.S. LP to conduct a feasibility survey on County property for a potential pipeline easement

23-2-263 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 2 Tice to allow Air Liquide Large Industries U.S. LP to conduct a feasibility survey on County property for a potential pipeline easement. Comments by County Engineer Robert Hall, Engineer in Training Natalie Lopez and Judge Sylvia.

Passed; Insert.

ROAD & BRIDGE

3.10 Discuss and consider going out for RFQ's (Request for Qualifications) for civil plan review and TIA review

23-2-268 Motion made by Commissioner, Pct. 1 Gore and seconded by Commissioner, Pct. 2 Tice to approve going out for RFQs (Request for Qualifications) for civil plan review and TIA review. Comments by Engineer in Training Natalie Lopez, Hammond, County Engineer Robert Hall, County Purchasing Agent George Barrera, Dagley, Assistant County Engineer Cory Taylor and Judge Sylvia.

Passed; Insert.

ECONOMIC DEVELOPMENT & TOURISM

5.1 Public hearing at 10:00 a.m. regarding Sumika Semiconductor Materials Texas Reinvestment Zone #1

At 10:08 a.m., the Court adjourned out of Regular Session into a Public Hearing regarding Sumika Semiconductor Materials Texas Reinvestment Zone #1. There were no public comments. At 10:09 a.m., the Court adjourned out of the Public Hearing back into Regular Session.

ECONOMIC DEVELOPMENT & TOURISM

5.2 Discuss and consider Order establishing the Sumika Semiconductor Materials Texas Reinvestment Zone #1

23-2-272 Motion made by Commissioner, Pct. 4 Dagley and seconded by Commissioner, Pct. 2 Tice to approve the Order establishing the Sumika Semiconductor Materials Texas Reinvestment Zone #1. Comments by B.J. Simon, Economic Development Foundation, and Dagley.

Passed; Insert.

ECONOMIC DEVELOPMENT & TOURISM

5.3 Discuss and consider approving Samson Controls, Inc. tax abatement application

23-2-273 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 1 Gore to accept the Samson Controls, Inc. Tax Abatement Application. Dagley voted nay. Comments by B.J. Simon, Economic Development Foundation, Judge Sylvia and Hammond.

Passed; Insert.

ECONOMIC DEVELOPMENT & TOURISM

5.4 Discuss and consider Order rescinding the Black Creek Group-BCIF Cedar Port Logistics Center, LLC 2020 Reinvestment Zone

23-2-274 Motion made by Commissioner, Pct. 4 Dagley and seconded by Commissioner, Pct. 2 Tice to approve the Order rescinding the Black Creek Group-BCIF Cedar Port Logistics Center, LLC 2020 Reinvestment Zone. Comments by B.J. Simon, Economic Development Foundation.

Passed; Insert.

ECONOMIC DEVELOPMENT & TOURISM

5.5 Discuss and consider Resolution terminating the Black Creek Group-BCIF Cedar Port Logistics Center, LLC Tax Abatement Agreement

23-2-275 Motion made by Commissioner, Pct. 4 Dagley and seconded by Commissioner, Pct. 3 Hammond to approve the Resolution terminating the Black Creek Group-BCIF Cedar Port Logistics Center, LLC Tax Abatement Agreement. Comments by B.J. Simon, Economic Development Foundation.

Passed; Insert.

ECONOMIC DEVELOPMENT & TOURISM

5.6 Public hearing at 10:00 a.m. regarding the abandonment of McLeod Park

At 10:17 a.m. the Court recessed out of Regular Session into a public hearing regarding the abandonment of McLeod Park. There were no public comments. At 10:19 a.m., the court recessed out of the public hearing and returned to Regular Session.

ECONOMIC DEVELOPMENT & TOURISM

5.7 Discuss and consider approving the abandonment of McLeod Park

23-2-278 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 1 Gore to approve the abandonment of McLeod Park. Comments by Judge Sylvia, Dagley, County Clerk Heather Hawthorne, outside counsel Nathan Brandimart.

23-2-278 Motion amended by Commissioner, Pct. 3 Hammond and second amended by Commissioner, Pct. 1 Gore to approve the abandonment of McLeod Park, which the Court determined would be in the public's best interest, as it would allow for additional ballfields and a new community building on Chambers Parkway. Comments by Dagley.

Passed; Insert.

SAFETY/EMERGENCY MANAGEMENT/EMS

10.1 Discuss and consider approving agreement with Texas Division of Emergency Management for CLO (County Liaison Office) office space

23-2-254 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 4 Dagley to approve the agreement with Texas Division of Emergency Management for CLO (County Liaison Office) office space. Comments by Fire Marshall/Emergency Management Coordinator Ryan Holzaepfel.

Passed; Insert.

SAFETY/EMERGENCY MANAGEMENT/EMS

10.2 Discuss and consider approving annual continuing education contract with IAMED in the amount of \$10,000

Item pulled from Agenda.

COMMUNICATIONS/TECHNOLOGY

11.1 Discuss and Consider subscribing to Adobe Acrobat Pro

23-2-269 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 1 Gore to subscribe to Adobe Acrobat Pro. Comments by Information Technology Director Derek Parish, County Engineer Robert Hall, County Purchasing Agent George Barrera and Dagley.

Passed; Insert.

CONSENT**19.1 Monthly reports**

23-1-119 Motion made by Tice and seconded by Gore to approve the Monthly reports.
Passed; Insert.

CONSENT**19.1.a Justice of the Peace, Pct. 4 monthly report****CONSENT****19.1.b January 2023 Financials/Reports for JP1****CONSENT****19.2 Claim Docket/Check Register**

23-1-120 Motion made by Tice and seconded by Gore to approve the Claim Docket/Check Register.

Passed; Insert.

CONSENT**19.2.a Payroll Check Register****CONSENT****19.3 Travel reimbursements and misc. expenditures**

23-1-121 Motion made by Tice and seconded by Gore to approve the Travel reimbursements and misc. expenditures.

Passed; Insert.

CONSENT**19.4 Budget amendments/transfers****CONSENT****19.5 Approve job descriptions****CONSENT****19.6 Approve payroll changes****CONSENT**

19.7 Approve minutes of _____, Regular Meeting

Pulled from Agenda as no minutes were submitted.

CONSENT**19.8 Approve the lease of a new Dell PowerEdge R350 Server - Technology**

23-2-234 Motion made by Tice and seconded by Gore to approve the lease of a new Dell PowerEdge R350 Server - **Technology**.

Passed; Insert.

CONSENT**19.9 Accept Governor's proclamation renewal for COVID-19**

23-2-246 Motion made by Tice and seconded by Gore to accept Governor's proclamation renewal for COVID-19.

Passed; Insert.

CONSENT**19.10 Approve purchase of RocketIoT in-car video system from Utility Associates in the amount of \$9,500.00- Technology**

23-2-249 Motion made by Tice and seconded by Gore to approve purchase of RocketIoT in-car video system from Utility Associates in the amount of \$9,500.00- **Technology**.

Passed; Insert.

CONSENT**19.11 Discuss and consider approving to pay SPOKE Professional Services for annual 2023 maintenance in the amount of \$10,709.40-Communications**

23-2-252 Motion made by Tice and seconded by Gore to discuss and consider approving to pay SPOKE Professional Services for annual 2023 maintenance in the amount of \$10,709.40-**Communications**.

Passed; Insert.

CONSENT**19.12 Approve Treasurer's Report - January 31, 2023**

23-2-253 Motion made by Tice and seconded by Gore to approve Treasurer's Report - January 31, 2023.

Passed; Insert.

CONSENT**19.13 Accept into record the Chambers County Community Supervision &**

Corrections Department FY 2022 Annual Financial Report-Auditor

23-2-265 Motion made by Tice and seconded by Gore to accept into record the Chambers County Community Supervision & Corrections Department FY 2022 Annual Financial Report-Auditor.

Insert; Insert.

CONSENT

19.14 Approve payment to Sonice Automotive for engine repair on equipment #104 in the amount of \$5,708.63-R&B

23-2-266 Motion made by Tice and seconded by Gore to approve payment to Sonice Automotive for engine repair on equipment #104 in the amount of \$5,708.63-R&B.

Insert; Insert.

CONSENT

19.15 Approve payment to Texas Underground, Inc. for repairs for a culvert cleaner in the amount of \$9,684.24-R&B

23-2-267 Motion made by Tice and seconded by Gore to approve payment to Texas Underground, Inc. for repairs for a culvert cleaner in the amount of \$9,684.24-R&B.

Insert; Insert.

At 11:31 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 1:48 p.m.

EXECUTIVE SESSION

20.1 Discuss and consider personnel issues-Executive Session

No action was taken on Agenda Item 20.1.

EXECUTIVE SESSION

20.2 Discuss and consider the sale/purchase of real property-Executive Session

23-1-127 Motion made by Commissioner, Pct. 4 Dagley and seconded by Commissioner, Pct. 2 Tice to approve the TNP- recommended housing replacement supplement request for the Anahuac Library, parcel 1 and parcel 2.

Passed.

There being no further business, Court adjourned at 1:49 p.m.

ATTEST:

APPROVED:

Heather H. Hawthorne

Heather H. Hawthorne, County Clerk

Jimmy Sylvia

Jimmy Sylvia (Apr 26, 2023 09:35 CDT)

County Judge, Jimmy Sylvia

Minutes

Final Audit Report

2023-04-28

Created:	2023-04-27 (Central Daylight Time)
By:	Lauren Van Deventer (lvandeventer@chamberstx.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAAGcryc02wHnbpsU-EU7U_9z4vclXKGEga

"Minutes" History

 Document created by Lauren Van Deventer (lvandeventer@chamberstx.gov)
2023-04-27 - 4:02:48 PM CDT

 Document emailed to jsylvia@chamberstx.gov for signature
2023-04-27 - 4:03:27 PM CDT

 Email viewed by jsylvia@chamberstx.gov
2023-04-28 - 9:34:52 AM CDT

 Signer jsylvia@chamberstx.gov entered name at signing as Jimmy Sylvia
2023-04-28 - 9:35:04 AM CDT

 Document e-signed by Jimmy Sylvia (jsylvia@chamberstx.gov)
Signature Date: 2023-04-28 - 9:35:06 AM CDT - Time Source: server

 Agreement completed.
2023-04-28 - 9:35:06 AM CDT



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