

On this the 14th day of March, A. D., 2023, the Commissioners' Court of Chambers County, with the following members present, to-wit:

Commissioner, Pct. 4 Ryan Dagley
Commissioner, Pct. 3 Thomas Hammond
Commissioner, Pct. 2 Mark Tice

With the following members absent, to-wit:
County Clerk Heather H. Hawthorne
Commissioner, Pct. 1 Jimmy Gore

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. Judge Sylvia led in the Pledge of Allegiance to the American flag and the Pledge of Allegiance to the Texas flag.

ADMINISTRATION

1.1 Citizen's comments

Leonard J. Wilson of Anahuac gave a Citizen's Comment encouraging the Court to improve drainage in Anahuac north of the canal.

ADMINISTRATION

1.2 Discuss and consider approval of proposal from Cobb Fendley & Associates to develop a 10-year Capital Improvement Plan for Chambers County

Tabled until next court.

FINANCIAL

2.1 Discuss and consider Justice Center Complex Financial Analysis

Tabled until next court.

ECONOMIC DEVELOPMENT & TOURISM

5.3 Discuss and consider approving IAH Transload I, LLC Tax Abatement Agreement

23-3-350 Motion made by Commissioner, Pct. 4 Dagley and seconded by Commissioner, Pct. 2 Tice to approve IAH Transload I, LLC Tax Abatement Agreement.

Comments by B.J. Simon, Economic Development Foundation.
Passed; Insert.

ECONOMIC DEVELOPMENT & TOURISM

5.4 Discuss and consider Order rescinding the NPH Market Street, LLC-Project Quartz 2020

23-3-351 Motion made by Commissioner, Pct. 4 Dagley and seconded by Commissioner, Pct. 3 Hammond to approve Order rescinding the NPH Market Street, LLC-Project Quartz 2020. Comments by B.J. Simon, Economic Development Foundation.

Passed; Insert.

ECONOMIC DEVELOPMENT & TOURISM

5.5 Discuss and consider Enterprise Products Operating, LLC Economic Development Agreement and the Economic Development and Transfer Agreement (EDTA) with Baytown Area/West Chambers County Economic Development Foundation

23-3-352 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 4 Dagley to approve Enterprise Products Operating, LLC Economic Development Agreement and the Economic Development and Transfer Agreement (EDTA) with Baytown Area/West Chambers County Economic Development Foundation. Comments by B.J. Simon, Economic Development Foundation.

Passed; Insert.

ECONOMIC DEVELOPMENT & TOURISM

5.6 Discuss and consider scheduling a public hearing on April 25, 2023 at 10:00 a.m. regarding the Frac. 14/DIB III Ch. 312 Tax Abatement Agreement

23-3-353 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 4 Dagley to schedule a public hearing on April 25, 2023 at 10:00 a.m. regarding the Frac. 14/DIB III Ch. 312 Tax Abatement Agreement. Comments by B.J. Simon, Economic Development Foundation.

Passed.

ECONOMIC DEVELOPMENT & TOURISM

5.7 Discuss and consider Resolution terminating the Enterprise Products Operating, LLC PDH 3 Tax Abatement Agreement

23-3-354 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 2 Tice to approve the Resolution terminating the Enterprise Products Operating, LLC PDH 3 Tax Abatement Agreement. Comments by B.J. Simon,

Economic Development Foundation.

Passed; Insert.

ECONOMIC DEVELOPMENT & TOURISM

5.8 Discuss and consider Resolution terminating the Enterprise Products Operating, LLC ISOM Tax Abatement Agreement

23-3-355 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 2 Tice to approve the Resolution terminating the Enterprise Products Operating, LLC ISOM Tax Abatement Agreement. Comments by B.J. Simon, Economic Development Foundation.

Passed; Insert.

ECONOMIC DEVELOPMENT & TOURISM

5.1 Discuss and consider procurement of professional services for the GLO CDBG Hazard Mitigation Planning Program

23-3-306 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 2 Tice to approve procurement of professional services for the GLO CDBG Hazard Mitigation Planning Program. Comments by Economic Development Assistant Robbie King and Dagley.

Passed.

ROAD & BRIDGE

3.1 Discuss and consider approving Amendment #5 with TNP for Right of Way services in the amount of \$2,750.00

23-3-329 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 2 Tice to approve Amendment #5 with TNP for Right of Way services in the amount of \$2,750.00. Comments by Engineer in Training Natalie Lopez.

Passed; Insert.

ROAD & BRIDGE

3.2 Discuss and Consider entering into a Memorandum of Understanding with CenterPoint Energy Houston Electric, LLC for the relocation of existing power poles on County land that will be used for public right of way.

23-3-330 Motion made by Commissioner, Pct. 2 Tice and seconded by Commissioner, Pct. 4 Dagley to approve entering into a Memorandum of Understanding with CenterPoint Energy Houston Electric, LLC for the relocation of existing power poles on County land that will be used for public right of way. Comments by Engineer in Training Natalie Lopez, County Engineer Robert Hall and Dagley.

Passed; Insert.

ROAD & BRIDGE**3.3 Discuss and consider Legends Bay Section 8 variance request from Legends Bay, LLC**

23-3-331 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 2 Tice to Discuss and consider Legends Bay Section 8 variance request from Legends Bay, LLC. Comments by former Commissioner Billy Combs gave a Citizen's Comment in favor of the variance. Comments by Engineer in Training Natalie Lopez, County Engineer Robert Hall, Hammond, Dagley and Fire Marshal Ryan Holzaepfel.

Passed; Insert.

ROAD & BRIDGE**3.4 Discuss and consider using Scott Stephens & Associates, Inc. appraisal services for Washington Avenue in the amount of \$2,500.00**

23-3-336 Motion made by Commissioner, Pct. 2 Tice and seconded by Commissioner, Pct. 3 Hammond to approve using Scott Stephens & Associates, Inc. appraisal services for Washington Avenue in the amount of \$2,500.00. Comments by Engineer in Training Natalie Lopez and County Engineer Robert Hall.

Passed; Insert.

SAFETY/EMERGENCY MANAGEMENT/EMS**10.1 Discuss and consider the purchase of a Ford F-150 from Caldwell Country Ford in the amount of \$66,574.00**

23-3-312 Motion made by Commissioner, Pct. 2 Tice and seconded by Commissioner, Pct. 3 Hammond to approve the purchase of a Ford F-150 from Caldwell Country Ford in the amount of \$66,574.00. Comments by Fire Marshall/Emergency Management Coordinator Ryal Holzaepfel and Tice.

Passed; Insert.

COMMUNICATIONS/TECHNOLOGY**11.1 Discuss and consider approving the City of Mont Belvieu to extend their MB Link fiber network to the Chambers County West Annex in the amount of \$6,513.50**

23-3-337 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 4 Dagley to approve the City of Mont Belvieu to extend their MB Link fiber network to the Chambers County West Annex in the amount of \$6,513.50.

Comments by Communications Director Quinten Adams and Information Technology Director Derek Parish.

Passed; Insert.

PARKS & RECREATION

6.1 Discuss and consider going out for RFP's (Request for Proposals) for managing all county baseball fields for select rentals

23-3-318 Motion made by Commissioner, Pct. 2 Tice and seconded by Commissioner, Pct. 4 Dagley to go out for RFPs (Request for Proposals) for managing all county baseball fields for select rentals. Comments by Brandy Hutchins of the Parks Department, Judge Sylvia, Tice, Dagley and County Purchasing Agent George Barrera.

Passed.

PARKS & RECREATION

6.2 Discuss and consider going out for RFP's to resurface and paint the tennis courts located on FM 3180 to create a pickleball court

23-3-319 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 4 Dagley to go out for RFPs to resurface and paint the tennis courts located on FM 3180 to create a pickleball court. Comments by Project Manager Mike Leslie, Tice, Hammond, Dagley and Judge Sylvia.

Passed.

PARKS & RECREATION

6.3 Discuss and consider approving Park Use Agreement with First Baptist Church of Anahuac for an Easter Egg Hunt with road closures in the park on April 8, 2023 at Fort Anahuac Park (8:00 a.m.-4:00 p.m.)

23-3-347 Motion made by Commissioner, Pct. 2 Tice and seconded by Commissioner, Pct. 3 Hammond to approve the Park Use Agreement with First Baptist Church of Anahuac for an Easter Egg Hunt with road closures in the park on April 8, 2023 at Fort Anahuac Park (8:00 a.m.-4:00 p.m.). Comments by County Engineer Robert Hall.

Passed; Insert.

MAINTENANCE & BUILDINGS

7.1 Discuss and consider hiring Tippett Construction for repair of roof on County Court at Law building in the amount of \$16,500.00

23-3-324 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 2 Tice to hire Tippett Construction for repair of roof on County Court at Law building in the amount of \$16,500.00. Comments by Project Manager Mike Gafford.

Passed; Insert.

MAINTENANCE & BUILDINGS**7.2 Discuss and consider partial payment of retainage for Chambers County Westside Complex Pkgs. 1 & 5, Application #18 in the amount \$499,383.45**

23-3-326 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 4 Dagley to approve the partial payment of retainage for Chambers County Westside Complex Pkgs. 1 & 5, Application #18 in the amount \$499,383.45. Comments by Project Manager Mike Lessley, Judge Sylvia, Project Manager Mike Gafford and Hammond.

Passed; Insert.

MAINTENANCE & BUILDINGS**7.3 Discuss and consider partial payment of retainage for Chambers County Westside Complex Pkgs. 2, 3 & 4, Application #21 in the amount of \$357,953.61**

23-3-327 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 2 Tice to approve the partial payment of retainage for Chambers County Westside Complex Pkgs. 2, 3 & 4, Application #21 in the amount of \$357,953.61.

Passed; Insert.

HEALTH & WELFARE**14.1 Discuss and consider approving the Memorandum of Understanding (MOU) between Coastal Gateway Health Center, Inc. and Chambers County for citizen transportation services**

Item was tabled.

ECONOMIC DEVELOPMENT & TOURISM**5.2 Discuss and consider modifying ARPA Budget to allow for payment of invoice for additional CCSO Body Cameras and Equipment (\$100,287.65)**

Pulled from the Agenda.

LAW ENFORCEMENT**17.1 Discuss and consider the purchase of a dual purpose K9 from Alpha Pack K9 in the amount of \$13,000 from forfeiture funds for use by the Chambers County Sheriff's Office**

23-3-328 Motion made by Commissioner, Pct. 4 Dagley and seconded by Commissioner, Pct. 3 Hammond to approve the purchase of a dual purpose K9 from

Alpha Pack K9 in the amount of \$13,000 from forfeiture funds for use by the Chambers County Sheriff's Office. Comments by Chief Deputy John Leger, Assistant District Attorney Eric Carcerano and District Attorney Cheryl Swope Lieck.

Passed; Insert.

LAW ENFORCEMENT

17.2 Discuss and consider acceptance of NRA grant award in the amount of \$4,534.56 for procurement of nine (9) handguns for Chambers County deputies

23-3-339 Motion made by Commissioner, Pct. 2 Tice and seconded by Commissioner, Pct. 3 Hammond to accept the NRA grant award in the amount of \$4,534.56 for procurement of nine (9) handguns for Chambers County deputies. Comments by Chief Deputy John Leger.

Passed; Insert.

LAW ENFORCEMENT

17.3 Discuss and consider approving Interlocal Cooperation Agreement for Jail Services between Chambers County Sheriff's Office and Beauregard Parish, LA

23-3-340 Motion made by Commissioner, Pct. 2 Tice and seconded by Commissioner, Pct. 3 Hammond to approve the Interlocal Cooperation Agreement for Jail Services between Chambers County Sheriff's Office and Beauregard Parish, LA. Comments by Chief Deputy John Leger, Judge Sylvia, Dagley and Hammond.

Passed; Insert.

CONSENT

19.1 Monthly reports

23-3-280 Motion made by Dagley and seconded by Tice to approve the monthly reports.

Passed; Insert.

CONSENT

19.1.a Continuing education credits - Kathy Fielding

CONSENT

19.1.b Justice of the Peace, Pct. 2-monthly report

CONSENT

19.2 Claim Docket/Check Register

23-3-281 Motion made by Dagley and seconded by Tice to accept the Claim Docket/Check Register.

Passed; Insert.

CONSENT

19.2.a Payroll Check Register

23-3-348 Motion made by Dagley and seconded by Tice to approve the Payroll Check Register.

Passed; Insert.

CONSENT

19.3 Travel reimbursements and misc. expenditures

23-3-282 Motion made by Dagley and seconded by Tice to approve the travel reimbursements and misc. expenditures.

Passed; Insert.

CONSENT

19.4 Budget amendments/transfers

23-3-283 Motion made by Dagley and seconded by Tice to approve the budget amendments/transfers.

Passed; Insert.

CONSENT

19.5 Approve job descriptions

23-3-343 Motion made by Dagley and seconded by Tice to approve the job descriptions.

Passed; Insert.

CONSENT

19.6 Payroll Changes

23-3-345 Motion made by Commissioner, Pct. 4 Dagley and seconded by Commissioner, Pct. 2 Tice to approve the Payroll Changes.

Passed; Insert.

CONSENT

19.7 Approve Commissioners Court minutes

CONSENT**19.7.a January 24, 2023- Regular Meeting**

23-3-314 Motion made by Dagley and seconded by Tice to approve the minutes from the January 24, 2023- Regular Meeting.

Passed; Insert.

CONSENT**19.7.b February 1, 2023- Special Called Meeting**

23-3-317 Motion made by Dagley and seconded by Tice to approve the minutes from the February 1, 2023- Special Called Meeting .

Passed; Insert.

CONSENT**19.8 Discuss and consider appointment to the Chambers County Historical Commission**

23-3-303 Motion made by Dagley and seconded by Tice to approve the appointment to the Chambers County Historical Commission.

Passed; Insert.

CONSENT**19.9 Approve execution of Agreement Number CDB21-0074 with Texas Department of Agriculture for TxCDBG funded Oak Street Bridge replacement in Anahuac-Economic Development**

23-3-304 Motion made by Dagley and seconded by Tice to approve the execution of Agreement Number CDB21-0074 with Texas Department of Agriculture for TxCDBG funded Oak Street Bridge replacement in Anahuac-**Economic Development**.

Passed; Insert.

CONSENT**19.10 Approve Tyler Odyssey Case Management Annual Maintenance Renewal in the amount of \$201,310.68 (April 1, 2023-March 31, 2024)-Technology**

23-3-305 Motion made by Dagley and seconded by Tice to approve the Tyler Odyssey Case Management Annual Maintenance Renewal in the amount of \$201,310.68 (April 1, 2023-March 31, 2024)-**Technology**.

Passed; Insert.

CONSENT**19.11 Approve No Cost Change Order for CDBG-DR Hankamer Wastewater Treatment Plant allowing extra time in contract for MK Constructors-Economic Development**

23-3-307 Motion made by Dagley and seconded by Tice to approve No Cost Change Order for CDBG-DR Hankamer Wastewater Treatment Plant allowing extra time in on contract for MK Constructors- **Economic Development.**

Passed; Insert.

CONSENT**19.12 Accept into record bi-monthly project update provided by Department of Economic Development and Grant Management-Economic Development**

23-3-309 Motion made by Dagley and seconded by Tice to accept into record bi-monthly project update provided by Department of Economic Development and Grant Management-**Economic Development.**

Passed; Insert.

CONSENT**19.13 Approve Bergeron Estates Minor Plat-R&B**

23-3-313 Motion made by Dagley and seconded by Tice to approve Bergeron Estates Minor Plat-**R&B.**

Passed; Insert.

CONSENT**19.14 Approve Replat of Gerald Addition-R&B**

23-3-315 Motion made by Dagley and seconded by Tice to approve Replat of Gerald Addition-**R&B.**

Passed; Insert.

CONSENT**19.15 Approve various fiber optic utility applications from Frontier Communications within Country Meadows Subdivision-R&B**

23-3-316 Motion made by Dagley and seconded by Tice to approve various fiber optic utility applications from Frontier Communications within Country Meadows Subdivision-**R&B.**

Passed; Insert.

CONSENT**19.16 Treasurer's Report on the status of the Quality Incentive Payment**

Program (QIPP) with respect to Chambers County DBA Arboretum Nursing and Rehabilitation Center of Winnie. (September 2020 - August 2021, September 2021 - August 2022, and September 2022 - August 2023)-Treasurer

23-3-325 Motion made by Dagley and seconded by Tice to accept the Treasurer's Report on the status of the Quality Incentive Payment Program (QIPP) with respect to Chambers County DBA Arboretum Nursing and Rehabilitation Center of Winnie. (September 2020 - August 2021, September 2021 - August 2022, and September 2022 - August 2023)-**Treasurer**.

Passed; Insert.

CONSENT

19.17 Approve payment to Dannenbaum Engineering Corporation for professional services in the amount of \$6,193.00-Solid Waste

23-3-333 Motion made by Dagley and seconded by Tice to approve payment to Dannenbaum Engineering Corporation for professional services in the amount of \$6,193.00-**Solid Waste**.

Passed; Insert.

CONSENT

19.18 Approve the purchase of five (5) Ford F-250's from Alpha One La Grange in the amount of \$208,882.52-R&B

23-3-335 Motion made by Dagley and seconded by Tice to approve the purchase of five (5) Ford F-250's from Alpha One La Grange in the amount of \$208,882.52-**R&B**.

Passed; Insert.

CONSENT

19.19 Approve 2nd quarter payment to the Chambers County Appraisal District for School Equalization in the amount of \$11,747.25-Tax Office

23-3-338 Motion made by Dagley and seconded by Tice to approve 2nd quarter payment to the Chambers County Appraisal District for School Equalization in the amount of \$11,747.25-**Tax Office**

Passed; Insert.

CONSENT

19.20 Discuss and consider payment of yearly contract fees for Utility BodyWorn cameras (approved at CC-9/28/21) in the amount of \$100,287.65-CCSO

23-3-342 Motion made by Dagley and seconded by Tice to approve payment of yearly

contract fees for Utility BodyWorn cameras (approved at CC-9/28/21) in the amount of \$100,287.65-**CCSO**.

Passed; Insert.

CONSENT

19.21 Approve payment to Bridgehaven Children's Advocacy Center for FY2023 in the amount of \$15,000.00-Co. Judge

23-3-344 Motion made by Dagley and seconded by Tice to approve payment to Bridgehaven Children's Advocacy Center for FY2023 in the amount of \$15,000.00-**Co. Judge**.

Passed; Insert.

At 10:32 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 from Executive Session at 12:29 p.m.

EXECUTIVE SESSION

20.1 Discuss and consider FMLA extension request-Executive Session

23-3-289 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 2 Tice to approve the FMLA extension requests-**Executive Session**.

Passed.

EXECUTIVE SESSION

20.3 Discuss and consider personnel issues-Executive Session

23-3-287 Motion made by Dagley and seconded by Tice to change the salary on the payroll change form for Lauren VanDeventer to the max posted pay scale that was presented on the HR Director payroll change form.-**Executive Session**.

Passed.

EXECUTIVE SESSION

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

23-3-288 (a) Motion made by Commissioner, Pct. 2 Tice and seconded by Commissioner, Pct. 3 Hammond to approve the purchase of Parcel 1 for the Anahuac

Library -**Executive Session.**

Passed.

23-3-288 (b) Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 2 Tice to approve the purchase of property from Edwin and Susan Bailey for the Kilgore Parkway extension.-**Executive Session.**

Passed.

There being no other business, Court adjourned at 12:31 p.m.

ATTEST:

APPROVED:

A handwritten signature in blue ink, reading "Heather H. Hawthorne", is written over a faint circular official seal of Tarrant County, Texas.

Heather H. Hawthorne, County Clerk

DocuSigned by:

Jimmy Sylvia

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County Judge, Jimmy Sylvia