

On this the 11th day of July, A. D., 2023, the Commissioners' Court of Chambers County, with the following members present, to-wit:

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

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 9:35 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

ROAD & BRIDGE

3.1 Discuss and consider increasing the allocated funds for FM 1409 signal from \$300,000 to a not to exceed amount of \$508,344 due to price escalations

Item tabled.

ROAD & BRIDGE

3.3 Discuss and consider Task Authorization Amendment #2 to Freese and Nichols in the amount of \$35,912.00 for Kilgore Parkway

23-7-892 Motion made by Tice and seconded by Hammond to approve Task Authorization Amendment #2 to Freese and Nichols in the amount of \$35,912.00 for Kilgore Parkway. Comments by Engineer in Training Natalie Lopez.

Passed; Insert.

ECONOMIC DEVELOPMENT & TOURISM

5.4 Discuss and consider Tinci, Inc. Reinvestment Zone designation

23-7-895 Motion made by Commissioner, Pct. 4 Dagley and seconded by

Commissioner, Pct. 2 Tice to approve the Tinci, Inc. Reinvestment Zone designation. Comments by B.J. Simon, Economic Development Foundation, and Dagley.

Passed; Insert.

ECONOMIC DEVELOPMENT & TOURISM

5.5 Discuss and consider Systems International Global, Inc. Development Proposal

23-7-896 Motion made by Commissioner, Pct. 1 Gore and seconded by Commissioner, Pct. 2 Tice to acknowledge Systems International Global, Inc. Development Proposal regarding the disposal of Forever Chemicals. Comments by Steve Clark of Systems International, B.J. Simon, Economic Development Foundation, Hammond, Dagley, Gore and Judge Sylvia. Hammond voted Nay.

Passed; Insert.

ECONOMIC DEVELOPMENT & TOURISM

5.6 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

23-7-897 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 1 Gore to approve the 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, outside counsel Nathan Brandimart and Hammond.

Passed; Insert.

ECONOMIC DEVELOPMENT & TOURISM

5.1 Discuss and consider Southeast Texas Housing Finance Corporation grant-funded Emergency Home Repair grant update

No action taken. Brittany Theiler of Economic Development gave the Court an update on the Southeast Texas Housing Finance Corporation grant-funded Emergency Home Repair Grant. She said that 12 applications have been completed, nine of which were approved. She said most applicants were seeking repairs for water leaks, mold and holes in flooring.

ECONOMIC DEVELOPMENT & TOURISM

5.2 Discuss and consider ARPA Small Business/Non-Profit grant update

No action taken. Deputy Director of Economic Development Robbie King updated the Court on the ARPA Small Business/Non-Profit Grant. She said 38 applications have been

requested with 12 submitted with complete information. Two grants in the amount of \$5,000 have been awarded and one grant in the amount of \$15,000 was awarded.

ECONOMIC DEVELOPMENT & TOURISM

5.3 Discuss and consider approving 2024 HOT (Hotel Occupancy Tax) fund applications as recommended by the HOT Fund grant review committee (Old River Winfree Founders Day, TLC Memorial Marsh Fest, Texas Gatorfest, Johnny Ackel Memorial Rodeo, Texas Rice Festival and NERD CON)

23-7-880 Motion made by Commissioner, Pct. 1 Gore and seconded by Commissioner, Pct. 3 Hammond to approve the 2024 HOT (Hotel Occupancy Tax) fund applications as recommended by the HOT Fund grant review committee (Old River Winfree Founders Day, TLC Memorial Marsh Fest, Texas Gatorfest, Johnny Ackel Memorial Rodeo, Texas Rice Festival and NERD CON). Comments by Deputy Director of Economic Development Robbie King.

Passed; Insert.

PARKS & RECREATION

6.1 Discuss and consider a loan in the amount of \$515,000.00 for payments to YPS exhibitors with repayment to Chambers County

23-6-850 Motion made by Commissioner, Pct. 3 Hammond and seconded by Commissioner, Pct. 1 Gore to approve a loan in the amount of \$515,000.00 for payments to YPS exhibitors with repayment to Chambers County. Comments by Parks Supervisor Kirk Sherman, County Clerk Heather Hawthorne, Gore, Dagley, Judge Sylvia and County Attorney Ashley Cain Land.

Passed; Insert.

PARKS & RECREATION

6.2 Discuss and consider entering into coastal easement with the Chambers Liberty Counties Navigation District for T-Head Dock and Bird Walk located at Fort Anahuac Park

23-7-865 Motion made by Commissioner, Pct. 1 Gore and seconded by Commissioner, Pct. 3 Hammond to enter into coastal easement with the Chambers Liberty Counties Navigation District for T-Head Dock and Bird Walk located at Fort Anahuac Park. Comments by Director of Economic Development and Grant Administrator Samantha Humphrey.

Passed; Insert.

MAINTENANCE & BUILDINGS

7.1 Discuss and consider approving reworking overhead doors at Wallisville VFD Station to include chain hoist and electric openers in the amount of \$12,500.00

23-7-887 Motion made by Commissioner, Pct. 1 Gore and seconded by Commissioner, Pct. 3 Hammond to approve reworking overhead doors at Wallisville VFD Station to include chain hoist and electric openers in the amount of \$12,500.00. Comments by Project Manager Mike Lessley, County Clerk Heather Hawtorne and Fire Marshall/ Emergency Management Coordinator Ryan Holzaepfel

Passed; Insert.

MAINTENANCE & BUILDINGS

7.2 Discuss and consider approving contractor and additional cost for FF&E and material testing for the new Commissioner Offices that will be in the West Annex No. 2 building

23-7-894 Motion made by Commissioner, Pct. 2 Tice and seconded by Commissioner, Pct. 1 Gore to approve contractor (Formative Structures) and additional costs for FF&E and material testing for the new Commissioners' Offices that will be in the West Annex No. 2 building. Comments by Project Manager Mike Lessley, County Purchasing Agent George Barrera, County Auditor Aaron Thomas, Dagley, Judge Sylvia, Gore, Project Manager Mike Gafford and Hammond.

Passed; Insert.

SAFETY/EMERGENCY MANAGEMENT/EMS

10.1 Discuss and consider Anahuac VFD driveway repair from Cowboy Asphalt in the amount of \$9,982.00

23-7-871 Motion made by Commissioner, Pct. 1 Gore and seconded by Commissioner, Pct. 2 Tice to approve Anahuac VFD driveway repair from Cowboy Asphalt in the amount of \$9,982.00 . Comments by Fire Marshall /Emergency Management Coordinator Ryan Holzaepfel, Project Manager Mike Lessley and Gore.

Passed; Insert.

SAFETY/EMERGENCY MANAGEMENT/EMS

10.2 Discuss and consider Commissioners Court Order prohibiting outdoor burning

23-7-888 Motion made by Commissioner, Pct. 1 Gore and seconded by Commissioner, Pct. 3 Hammond to approve Commissioners' Court Order prohibiting outdoor burning. Comments by Fire Marshall / Emergency Management Coordinator Ryan Holzaepfel.

Passed; Insert.

SAFETY/EMERGENCY MANAGEMENT/EMS

10.3 Discuss and consider purchase of a Ford Explorer from Caldwell Country Ford in the amount of \$50,254.90

23-7-891 Motion made by Commissioner, Pct. 2 Tice and seconded by Commissioner,

Pct. 3 Hammond to approve the purchase of a Ford Explorer from Caldwell Country Ford in the amount of \$50,254.90. Comments by Fire Marshall / Emergency Management Coordinator Ryan Holzaepfel, Gore, County Auditor Aaron Thomas, Judge Sylvia and County Purchasing Agent George Barrera.

Passed; Insert.

CONSENT

19.1 Monthly reports

23-6-793 Motion made by Gore and seconded by Tice to approve the Monthly reports.

Passed; Insert.

CONSENT

19.1.a Monthly report-Justice of the Peace, Pct. 5

23-6-825 Motion made by Gore and seconded by Tice to approve the Monthly report-Justice of the Peace, Pct. 5.

Passed; Insert.

CONSENT

19.1.b Accept into record FEMA Certificate of Achievement for IS-841.A, IS-842.B, IS-843.A, IS-844.A, IS-845.A and IS-1002 for Samantha Humphrey-Economic Development

23-7-867 Motion made by Gore and seconded by Tice to accept into record FEMA Certificate of Achievement for IS-841.A, IS-842.B, IS-843.A, IS-844.A, IS-845.A and IS-1002 for Samantha Humphrey-**Economic Development**.

Passed ; Insert.

CONSENT

19.1.c Tax Office monthly reports

23-7-893 Motion made by Gore and seconded by Tice to approve the Tax Office monthly reports.

Passed; Insert.

CONSENT

19.2 Claim Docket/Check Register

23-6-794 Motion made by Gore and seconded by Tice to approve the Claim

Docket/Check Register.

Passed; Insert.

CONSENT

19.2.a Payroll Check Register

23-7-881 Motion made by Gore and seconded by Tice to approve the Payroll Check Register.

Passed; Insert.

CONSENT

19.3 Travel reimbursements and misc. expenditures

23-6-795 Motion made by Hammond and seconded by Tice to approve the travel reimbursements and misc. expenditures.

Passed; Insert.

CONSENT

19.4 Budget amendments/transfers

23-6-796 Motion made by Hammond and seconded by Tice to approve the budget amendments/transfers.

Passed; Insert.

CONSENT

19.5 Approve job descriptions

23-6-797 Motion made by Gore and seconded by Tice to approve the job descriptions.

Passed; Insert.

CONSENT

19.6 Approve payroll changes

23-6-798 Motion made by Gore and seconded by Tice to approve payroll changes.

Passed; Insert.

CONSENT

19.7 Approve Commissioners Court minutes

CONSENT

19.7.a Commissioners' Court minutes from March 28, 2023

23-7-869 Motion made by Gore and seconded by Tice to approve Commissioners' Court minutes from March 28, 2023.

Passed; Insert.

CONSENT

19.7.b Commissioners' Court minutes from June 27, 2023

23-7-870 Motion made by Gore and seconded by Tice to approve the Commissioners' Court minutes from June 27, 2023.

Passed; Insert.

CONSENT

19.7.c Commissioners' Court minutes from February 14, 2023

23-7-872 Motion made by Gore and seconded by Tice to approve the Commissioners' Court minutes from February 14, 2023.

Passed; Insert.

CONSENT

19.8 Approve application for utility construction from Comcast to install fiber optic cable along Barge Dock Road-R&B

23-6-848 Motion made by Gore and seconded by Tice to approve the application for utility construction from Comcast to install fiber optic cable along Barge Dock Road-R&B.

Passed; Insert.

CONSENT

19.9 Approve CivicClerk Agenda Management 2023 Annual Renewal in the amount of \$14,826.00-Technology

23-6-849 Motion made by Gore and seconded by Tice to approve CivicClerk Agenda Management 2023 Annual Renewal in the amount of \$14,826.00-**Technology**.

Passed; Insert.

CONSENT

19.10 Approve Ameriport Business Park South, Section 3-R&B

23-7-863 Motion made by Gore and seconded by Tice to approve Ameriport Business Park South, Section 3-**R&B**.

Passed; Insert.

CONSENT

19.11 Approve using Chapter 19 funds to purchase 22 replacement iPads in the amount of \$6,600.00 for in-person voting-County Clerk

23-7-864 Motion made by Gore and seconded by Tice to approve using Chapter 19 funds to purchase 22 replacement iPads in the amount of \$6,600.00 for in-person voting-**County Clerk.**

Passed; Insert.

CONSENT

19.12 Approve appointment of Patti Long to the Library Advisory Board-Library

23-7-866 Motion made by Gore and seconded by Tice to approve the appointment of Patti Long to the Library Advisory Board-**Library.**

Passed; Insert.

CONSENT

19.13 Approve TDA (Texas Department of Agriculture) Civil Rights Resolution-Economic Development

23-7-875 Motion made by Gore and seconded by Tice to approve the TDA (Texas Department of Agriculture) Civil Rights Resolution-**Economic Development.**

Passed; Insert.

CONSENT

19.14 Approve contract with Jeffery S Ward & Associates to provide services for the GLO CDBG-Local Hazard Mitigations Plan Program-Economic Development

23-7-876 Motion made by Gore and seconded by Tice to approve contract with Jeffery S Ward & Associates to provide services for the GLO CDBG-Local Hazard Mitigations Plan Program-**Economic Development.**

Passed; Insert.

CONSENT

19.15 Approve 3-year renewal of I AM RESPONDING application used for EMS and Fire department calls in the amount of \$17,649.00-Emerg. Mgmt.

23-7-877 Motion made by Gore and seconded by Tice to approve a three-year renewal of I AM RESPONDING application used for EMS and Fire department calls in the amount of \$17,649.00-**Emerg. Mgmt.**

Passed; Insert.

CONSENT

19.16 Accept into record the bi-monthly project report developed by the Department of Economic Development and Grant Management-Economic Development

23-7-878 Motion made by Gore and seconded by Tice to accept into record the bi-monthly project report developed by the Department of Economic Development and Grant Management-**Economic Development**.

Passed; Insert.

CONSENT

19.17 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 2022 - August 2023) (September 2023 - August 2024)

23-7-882 Motion made by Gore 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 2022 - August 2023) (September 2023 - August 2024).

Passed; Insert.

CONSENT

19.18 Approve Digiovanni Estates minor plat-R&B

23-7-884 Motion made by Gore and seconded by Tice to approve Digiovanni Estates minor plat-**R&B**.

Passed; Insert.

CONSENT

19.19 Approve to extend time on task authorization 3 & 4 for Johnson, Miriam & Thompson through the end of December 2023-R&B

23-7-885 Motion made by Gore and seconded by Tice to approve to extend time on task authorization 3 & 4 for Johnson, Miriam & Thompson through the end of December 2023-**R&B**.

Passed.

CONSENT

19.20 Approve the purchase of One (1) 2023 Chevrolet Silverado 1500 - \$46,122.25 and one (1) 2023 Chevrolet Silverado 2500HD - \$56,082.46-Building Maintenance

23-7-886 Motion made by Gore and seconded by Tice to approve the purchase of one (1) 2023 Chevrolet Silverado 1500 - \$46,122.25 and one (1) 2023 Chevrolet Silverado 2500HD - \$56,082.46-**Building Maintenance**.

Passed; Insert.

ROAD & BRIDGE**3.2 Discuss and consider reorganizing the structure of Road and Bridge Department.**

No action taken.

FINANCIAL**2.1 Discuss and consider approving projects for 2023 Certificate of Obligation**

23-7-883 Motion made by Commissioner, Pct. 2 Tice and seconded by Commissioner, Pct. 3 Hammond to approve projects for 2023 Certificate of Obligation. Comments by Judge Sylvia, Project Manager Mike Lessley, County Engineer Robert Hall, Dagley, Hammond, Tice, Gore, County Auditor Aaron Thomas and County Clerk Heather Hawthorne.

Passed; Insert.

Court recessed out of Regular Session and into Executive Session at 12:02 p.m. Court returned to Regular Session at 1:37 p.m.

EXECUTIVE SESSION**20.1 Discuss and consider personnel issues-Executive Session**

No action taken.

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

23-6-801 Motion made by Commissioner, Pct. 1 Gore and seconded by Commissioner, Pct. 2 Tice to approve the purchase of Parcel H for the Justice Center.-**Executive Session.**Dagley abstained

Passed.

23-6-801 (b) Motion made by Commissioner, Pct. Tice and seconded by Commissioner, Pct. 1 Gore to approve the purchase of a five foot strip on the north side of the proposed Kilgore Right of Way known as Parcel 3, located in the R.A. West Survey Abstract No. 314 and ABJ Winfree Survey Abstract 306 in Chambers County, Texas. Dagley abstained.

Passed.

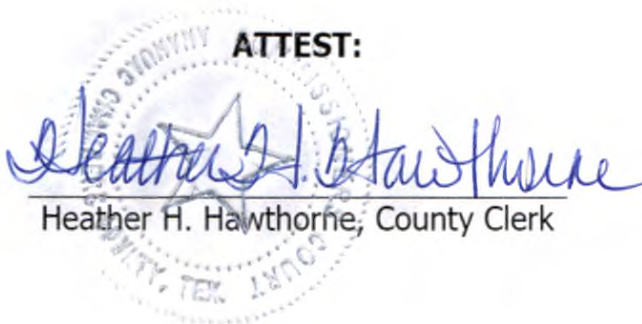
EXECUTIVE SESSION

20.3 Discuss and consider FMLA extension request-Executive Session

No action taken.

There being no further business, Court adjourned at 1:39 p.m.

ATTEST:



Heather H. Hawthorne, County Clerk

APPROVED:

DocuSigned by:

Jimmy Sylvia
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County Judge, Jimmy Sylvia