

THE STATE OF TEXAS
COUNTY OF SAN JACINTO

IN THE COMMISSIONERS COURT
OF SAN JACINTO COUNTY, TEXAS

Be it remembered that **Commissioners Court** met in a **REGULAR MEETING** on the **11th** day of **SEPTEMBER 2019** at **9:00 AM** in the County Courtroom.

Those present to wit:

Honorable Judge Fritz Faulkner, presiding

Honorable Commissioners:

Donny Marrs	Precinct 2
David Brandon	Precinct 3
Mark Nettuno	Precinct 4

Judge Faulkner noted that a quorum was present and called the meeting to order at 9:04 AM. The following motions and orders were acted upon by the Court.

3. PLEDGE OF ALLEGIANCE & PRAYER

Prayer led by Judge Faulkner.

4. PUBLIC COMMENTS

Kimberly Larkin: Buy out. Camilla Twin Harbor, Pct. 1.

*Commissioner McAnally present at 9:11 AM.

OLD BUSINESS:

NONE

NEW BUSINESS:

*Agenda 10 & 11 done together.

10. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE THE ROADS TO BE USED FOR ONEOK ARBUCKLE II PIPELINE, LLC, IN PRECINCT 1, PRECINCT 2 AND PRECINCT 4, CLEVELAND CEMETERY ROAD, RAVEN HILL ROAD, RAVEN HILL CEMETERY ROAD, JENKINS ROAD, WILLOW SPRINGS ROAD, WINFREY ROAD, WHITON ROAD, PRESTON ROAD, PELICAN ROAD AND THOMAS WINDT ROAD.....LADDIE MCANALLY

11. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE THE ADDENDUM TO THE ADOPTED ROAD USE AGREEMENT.....DAVID BRANDON

No action taken.

CLOSED FOR EXECUTIVE SESSION AT 9:55 AM

DISCUSSION ITEM – EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE, SECTIONS 551.071, 551.072, 551.0725, 551.074 AND 551.076 TO DISCUSS ANY OF THE FOLLOWING:

SECTION 551.071 – CONSULTATION WITH ATTORNEY REGARDING PENDING OR CONTEMPLATED LITIGATION OR ABOUT SETTLEMENT OFFERS.

SECTION 551.072 – DELIBERATIONS REGARDING REAL PROPERTY.

SECTION 551.0725 - DELIBERATIONS REGARDING CONTRACT BEING NEGOTIATED.

SECTION 551.074 – PERSONNEL MATTERS; TO DELIBERATE THE APPOINTMENT, EMPLOYMENT EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE; OR TO HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE.

SECTION 551.076 – DELIBERATIONS REGARDING SECURITY DEVICES AND AUDITS.

22. ADJOURN EXECUTIVE SESSION AT 10:18 AM AND RECONVENE IN REGULAR SESSION FOR CONSIDERATION, DISCUSSION AND POSSIBLE VOTE ON ITEMS DISCUSSED IN EXECUTIVE SESSION.....JUDGE FRITZ FAULKNER

No action taken. All members present.

NEW BUSINESS:

*Agenda 10 & 11 done together.

10. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE THE ROADS TO BE USED FOR ONEOK ARBUCKLE II PIPELINE, LLC, IN PRECINCT 1, PRECINCT 2 AND PRECINCT 4, CLEVELAND CEMETERY ROAD, RAVEN HILL ROAD, RAVEN HILL CEMETERY ROAD, JENKINS ROAD, WILLOW SPRINGS ROAD, WINFREY ROAD, WHITON ROAD, PRESTON ROAD, PELICAN ROAD AND THOMAS WINDT ROAD.....LADDIE MCANALLY

11. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE THE ADDENDUM TO THE ADOPTED ROAD USE AGREEMENT.....DAVID BRANDON

Have a motion by Commissioner Nettuno, a second by Commissioner McAnally to approve 10 and 11, approve the road use agreement addendum as amended, with changes at the bottom paragraph that says until the first party has finished final cleanup of the pipeline in the applicable precinct that applicable precinct roads are being used. Motion passes 5/0.

12. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE THE INTERLOCAL AGREEMENT BETWEEN SAN JACINTO COUNTY PRECINCT 2 AND SHEPHERD ISDDONNY MARRS

Have a motion by Commissioner MARRS, a second by Commissioner McAnally (to approve). Motion passes 5/0.

13. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVING AMENDMENT MODIFYING THE DFPS IV-E LEGAL CONTRACT.....DAWN JOHNSON

*Commissioner MARRS stepped out at 11:05 AM. Back in at 11:07 AM.

*Commissioner Brandon stepped out at 11:08 AM. Back in at 11:11 AM.

Pass until next meeting. No action.

14. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE THE RESOLUTION FOR TEXAS DEPARTMENT OF AGRICULTURE GRANT.....MAXINE MORRIS

Have a motion by Commissioner Nettuno, a second by Commissioner Brandon (to approve). Motion passes 5/0.

Resolution read aloud by Judge Faulkner.

15. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE THE COMMUNITY DONATION TO MOUNTED POSSE FOR \$300.00.....CAPTAIN HARLEY LOVINGS

Have a motion by Commissioner Brandon, a second by Commissioner Marrs (to approve). Motion passes 5/0.

16. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO ADVERTISE FOR THE SAN JACINTO COUNTY 2019-2020 ANNUAL MATERIAL AND CONTRACTED SERVICES BIDS FOR THE FOLLOWING ITEMS:

BID #2086-09-19	AGGREGATE ROCK
BID #2087-09-19	ROAD REPAIR MIX – HOT & COLD MIX
BID #2088-09-19	PREMIX
BID #2089-09-19	ROAD MATERIALS (ASPHALT)
BID #2090-09-19	UNGRADED POST OAK OR IRON ORE
BID #2091-09-19	MINED/UNMINED CALICHE
BID #2092-09-19	CULVERTS
BID #2093-09-19	GASOLINE
BID #2094-09-19	DIESEL
BID #2095-09-19	LUBRICANTS
BID #2096-09-19	LAY DOWN WORK.....KIMBERLY WOOLEY

*Commissioner Nettuno stepped out at 11:22 AM.

Have a motion by Commissioner Brandon, a second by Commissioner McAnally (to approve). Motion passes 4/0.

17. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE THE PURCHASE OF A STRIPING MACHINE FOR THE MAINTENANCE DEPARTMENT IN THE AMOUNT OF \$3,925.00.....D.P. WARD

*Commissioner Nettuno back in at 11:24 AM.

Have a motion by Commissioner McAnally, a second by Commissioner Brandon (to approve). Motion passes 5/0.

18. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE AUTHORIZING THE AUDITOR TO SOLICIT FOR ADMINISTRATOR FOR THE GLO DR4332 HARVEY, BUYOUT PROJECT.....DAVID BRANDON

Have a motion by Commissioner Brandon, a second by Commissioner McAnally (to approve). Motion passes 5/0.

19. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE ACCEPTING THE ROAD USE BOND FROM GULF SOUTH PIPELINE COMPANY, NUMBER 015207058 IN THE AMOUNT OF \$2,899,000.00. USE TO REPAIR DAMAGES, IF ANY, DURING THE COURSE OF CONSTRUCTION LEE TURNER ROAD.....
.....**DAVID BRANDON**

Have a motion by Commissioner McAnally, a second by Commissioner Marris (to approve). Motion passes 5/0.

20. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE PROPOSED COMMISSIONERS COURT SCHEDULE FOR THE YEAR 2020.....**FRITZ FAULKNER**

Have a motion by Commissioner McAnally, a second by Commissioner Brandon (to approve the court schedule for 2020). Motion passes 5/0.

21. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE PROPOSED HOLIDAYS FOR THE YEAR 2020.....**FRITZ FAULKNER**

Have a motion by Commissioner McAnally, a second by Commissioner Marris (to approve the holidays). Motion passes 5/0.

5. ANNOUNCEMENT AND POSSIBLE DISCUSSION ON ITEMS OF PUBLIC OR COMMUNITY INTEREST FOR WHICH NO ACTION WILL BE TAKEN.....**JUDGE FRITZ FAULKNER**

None.

6. CONSIDER APPROVAL OF CLAIMS.....**KIMBERLY WOOLEY**

* Pg 4 of 9 (Paid Weekly) Exxon bill (\$136.11) has been removed per Kimberly Wooley, Auditor.

Have a motion by Commissioner Marris, a second by Commissioner Brandon to pay the bills. Motion passes 5/0.

7. CONSIDER APPROVAL OF BUDGET AMENDMENTS & REVENUE CERTIFICATIONS..**KIMBERLY WOOLEY**

*Commissioner Marris stepped out at 11:57 AM.

Have a motion by Commissioner Nettuno, a second by Commissioner Brandon to approve budget amendments and revenue certification, with clarification on the DR4332. Motion passes 4/0.

8. CONSIDER APPROVAL OF MINUTES OF MEETING OF:

DAWN WRIGHT, SAN JACINTO COUNTY CLERK

- A. AUGUST 08, 2019 SPECIAL MEETING – (BUDGET)**
- B. AUGUST 14, 2019 REGULAR MEETING**
- C. AUGUST 26, 2019 PUBLIC HEARING**
- D. AUGUST 26, 2019 SPECIAL MEETING (BUDGET WORKSHOP)**
- E. AUGUST 28, 2019 REGULAR MEETING**
- F. AUGUST 30, 2019 PUBLIC HEARING**

Have a motion by Commissioner Nettuno, a second by Commissioner Brandon (to approve). Motion passes 4/0.

*Commissioner Marrs back in at 12:04 PM.

9. RECEIVE AND CONSIDER APPROVAL OF REPORT(S):

NONE

MEETING RECESSED FOR LUNCH AT 12:06 PM.

MEETING RECONVENED AT 2:59 PM. Commissioner Nettuno not present.

CLOSED FOR EXECUTIVE SESSION AT 2:59 PM

DISCUSSION ITEM – EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE, SECTIONS 551.071, 551.072, 551.0725, 551.074 AND 551.076 TO DISCUSS ANY OF THE FOLLOWING:

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SECTION 551.076 – DELIBERATIONS REGARDING SECURITY DEVICES AND AUDITS.

22. ADJOURN EXECUTIVE SESSION AT 3:50 PM AND RECONVENE IN REGULAR SESSION FOR CONSIDERATION, DISCUSSION AND POSSIBLE VOTE ON ITEMS DISCUSSED IN EXECUTIVE SESSION.....JUDGE FRITZ FAULKNER

Commissioner Nettuno not present. No action taken.

ADJOURN

Have a motion by Commissioner Marrs, a second by Commissioner Brandon to adjourn. Motion passes 4/0. San Jacinto County Commissioners Court for 09-11-2019 adjourned at 3:50 PM.

Fritz Faulkner, County Judge

ATTEST:



Dawn Wright, County Clerk

