

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 **24<sup>th</sup>** day of **OCTOBER 2018** at **9:00 AM** in the Commissioners Courtroom.

Those present to wit:

Honorable Judge Fritz Faulkner, presiding

Honorable Commissioners:

Laddie McAnally	Precinct 1
Donny Marrs	Precinct 2
Mark Nettuno	Precinct 4

Judge Faulkner noted that a quorum was present and called the meeting to order at 9:00 AM. The following motions and orders were acted upon by the Court.

**3. PLEDGE OF ALLEGIANCE & PRAYER**

Prayer by Commissioner McAnally.

**4. PUBLIC COMMENTS**

None.

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

Commissioner Marrs: Early voting started.

(Agenda 5 cont.)

Judge Faulkner: voted on getting an appraisal done and a survey done on what I think is about 2 acres next to the shelter. Last week we had a lot of water coming down the river, got up to about 86,000ft per second below the dam. A lot of water across roads, opened the shelter for community. Thanks to David and D.P. Ward and all those guys for their hard work, taking care of the people.

**NEW BUSINESS:**

**12. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE A VARIANCE FOR DIVISION OF PROPERTY FROM A 4.614 AC. TRACT IN THE BERRY BEASLEY SURVEY, SAN JACINTO COUNTY, TO A 2.419 ACRE TRACT FOR A HOMESITE FOR LISA AND THOMAS WALSH.....LISA & THOMAS WALSH**

Have a motion by Commissioner Nettuno, a second by Commissioner McAnally (to grant the variance). Motion passes 4/0.

**20. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE EMERGENCY SERVICES DISTRICT’S REQUEST FOR THE USE OF A COUNTY BUILDING FOR TEMPORARY EMERGENCY MEDICAL SERVICES (EMS) HOUSING DURING THE REMODEL OF THE COLDSRING VOLUNTEER FIRE DEPARTMENT BUILDING.....DENISE LEWIS**

Have a motion by Commissioner McAnally, a second by Commissioner Nettuno (to let EMS use the election’s office for at least 1 week starting after Nov. 15<sup>th</sup>). Motion passes 4/0.

**OLD BUSINESS:**

**10. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO REVIEW BIDS AND APPROVE THE PURCHASE OF AN EXCHANGE LICENSE AND SERVER BY INFORMATION TECHNOLOGY DEPARTMENT FOR COUNTY E-MAILS.....MARK WILLIS**

Have a motion by Commissioner McAnally, a second by Commissioner Nettuno (to go with the 500 licenses versus the 250 at \$1448.00). Motion passes 4/0.

**NEW BUSINESS:**

**11. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE ON PRESENTATION BY LEVEL 5 DESIGN GROUP AND TO POSSIBLY RETAIN LEVEL 5 DESIGN GROUP FOR THE PURPOSE OF THE EDA GRANT.....JUSTIN GILMORE**

(Agenda 11 cont.)

Presentation given by Justin Gilmore.

Have a motion by Commissioner Nettuno, a second by Commissioner McAnally (for Level 5 to help with grant application at no cost). Motion passes 4/0.

**15. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE ACCEPTING TOY DONATIONS AND HANDING OUT AND ACCEPTING APPLICATIONS FOR SAN JACINTO COUNTY TOYS FOR TOTS PROGRAM AT THE SHERIFF'S OFFICE, COUNTY JUDGE'S OFFICE AND ALL FOUR PRECINCT BARNS IN SAN JACINTO COUNTY.....DENISE LEWIS AND ROBERT PAYNE**

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

**16. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE APPLICATION TO REVISE SUBDIVISION PLAT TO REVISE IN PART THE SUBDIVISION PLAT IN WATERWOOD, SAN JACINTO COUNTY, BY COMBINING LOTS THIRTEEN (13) AND FOURTEEN (14), BLOCK 8, UNIT XI-A, GREENTREE VILLAGE OF WATERWOOD FOR TAMMY JOHNSON.....GREG MAGEE**

Have a motion by Commissioner McAnally, a second by Commissioner Marrs (to combine the lots). Motion passes 4/0.

**17. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPLICATION TO REVISE SUBDIVISION PLAT TO REVISE IN PART THE SUBDIVISION PLAT OF PARADISE COVE, SAN JACINTO COUNTY, BY COMBINING LOTS FOUR (4), FIVE (5), AND SIX (6), BLOCK TWO (2), PARADISE COVE SUBDIVISION FOR TROY BROWN.....GREG MAGEE**

Have a motion by Commissioner McAnally, a second by Commissioner Nettuno (to approve combining lots 5 and 6). Motion passes 4/0.

\*Commissioner McAnally stepped out at 10:12 AM.

**18. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE APPLICATION TO REVISE SUBDIVISION PLAT TO REVISE IN PART THE SUBDIVISION PLAT IN WATERWOOD, SAN JACINTO COUNTY, BY COMBINING LOTS NINETEEN (19) AND TWENTY (20), BLOCK FOUR (4), WATERWOOD COUNTRY CLUB ESTATES, UNIT III AS RECORDED IN VOLUME 4, PAGE 24 OF THE PLAT RECORDS OF SAN JACINTO COUNTY, TEXAS FOR TRAVIS PRESLEY.....GREG MAGEE**

(Agenda 18 cont.)

\*Commissioner McAnally returned at 10:14 AM.

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

**13. DISCUSSION ITEM- ACCESS TO AND STORAGE OF THE COMMISSIONERS COURT MINUTES.....  
.....STEVE WATSON**

No action.

**14. DISCUSSION ITEM- THE PROVENZANO CLAIM.....LAURA PRIGMORE**

Will speak about during executive session.

\*Commissioner Marris stepped out at 10:26AM.

**19. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE OFFICIAL BOND AND OATH OF OFFICE FOR TODD DILLON, ASSISTANT CRIMINAL DISTRICT ATTORNEY.....ROBERT TRAPP**

\*Commissioner Nettuno stepped out at 10:27 AM.

\*Commissioner Marris returned at 10:30 AM.

Have a motion by Commissioner McAnally, a second by Commissioner Marris (to approve).

\* Commissioner Nettuno returned at 10:30 AM.

Motion passes 3/0/1. Commissioner Nettuno abstains.

**21. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO ACCEPT BIDS AND SELECT VENDOR FOR THE H & H STUDY OF THE AREA’S KNOWN AS LAKE TEJAS (CHIPMONK TRAIL) AND LAKE RUNAMUCK (WRIGHT BLVD.).....KIMBERLY WOOLEY**

Have a motion by Commissioner Nettuno, a second by Commissioner Marris (to select the vendor of LJA Engineering for H & H study). Motion passes 4/0.

**22. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE AUTHORIZING THE AUDITOR'S OFFICE TO GO OUT FOR BIDS ON AN APPRAISER FOR THE PROPERTY LOCATED AT THE CORNER OF LIVE OAK AND HWY. 150 (CURRENT IMPUOND YARD) FOR AN ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) PROJECT.....KIMBERLY WOOLEY**

Have a motion by Commissioner Nettuno, a second by Commissioner McAnally (Alliance Realty Advisors to do it for \$1,750.00). Motion passes 4/0.

**23. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE ADDITIONAL COPIERS FOR DEPARTMENTS NOT ON ORIGINAL BID LIST (OFFICE OF EMERGENCY MANAGEMENT, CONSTABLE PRECINCT 3, AND CAPTAIN LOVINGS OFFICE IN DETENTION CENTER).....KIMBERLY WOOLEY**

Have a motion by Commissioner McAnally, a second by Commissioner Marrs (to buy 3 of the Ricoh printers back for \$377.82 each). Motion passes 4/0.

**24. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE NEW FEDERAL FISCAL YEAR (FFY) 2019 COUNTY TITLE IV-E LEGAL SERVICES CONTRACT BETWEEN SAN JACINTO COUNTY AND THE DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES.....JUDGE FRITZ FAULKNER**

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

**25. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE RECEIVED ANNUAL MATERIAL AND CONTRACTED SERVICE BIDS FOR 2018-2019 FOR THE FOLLOWING ITEMS:....KIMBERLY WOOLEY**

<b>BID# 2073-09-18</b>	<b>AGGREGATE ROCK</b>
<b>BID# 2074-09-18</b>	<b>ROAD REPAIR MIX- HOT &amp; COLD MIX</b>
<b>BID# 2075-09-18</b>	<b>PREMIX</b>
<b>BID# 2076-09-18</b>	<b>ROAD MATERIALS (ASPHALT)</b>
<b>BID# 2077-09-18</b>	<b>UNGRADED POST OAK OR IRON ORE</b>
<b>BID# 2078-09-18</b>	<b>MINED/UNMINED CALICHE</b>
<b>BID# 2079-09-18</b>	<b>CULVERTS</b>
<b>BID# 2080-09-18</b>	<b>GASOLINE</b>
<b>BID# 2081-09-18</b>	<b>DIESEL</b>
<b>BID# 2082-09-18</b>	<b>LUBRICANTS</b>
<b>BID# 2083-09-18</b>	<b>LAY DOWN WORK</b>

Have a motion by Commissioner Nettuno, a second by Commissioner McAnally (to approve the BIDS we received, including Thomas Supply that was late). Motion passes 4/0.

**26. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE PUTTING STORAGE AND OFFICE IN THE ELECTION BUILDING.....DONNY MARRS**

Have a motion by Commissioner MARRS, a second by Commissioner McAnally (moving JP to the courthouse, where the Treasurer is, put Treasurer in Community Action, knock out one divider and put a door up, move 911 to JP 1's Office with sliding windows, build petition wall in Elections Office, all the way down East side to the men's restroom leaving enough space for ADA access, move Community Action to basement). Motion passes 4/0.

**27. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO REVIEW AND APPROVE PURCHASING QUOTE FOR THE 9-1-1 ADDRESSING AND PERMITS PICKUP TRUCK.....LADDIE MCANALLY**

Have a motion by Commissioner McAnally, a second by Commissioner MARRS (to buy pickup for Permit department/911 for the county at \$24,259.00 from Martin Chevrolet). Motion passes 4/0.

**CLOSED FOR EXECUTIVE SESSION AT 11:37 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 12:02 PM AND RECONVENE IN REGULAR SESSION FOR CONSIDERATION, DISCUSSION AND POSSIBLE VOTE ON ITEMS DISCUSSED IN EXECUTIVE SESSION.....JUDGE FRITZ FAULKNER**

No action.

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

Have a motion by Commissioner Nettuno, a second by Commissioner Marrs (to pay the bills). Motion passes 4/0.

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

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

**8. CONSIDER APPROVAL OF MINUTES OF MEETING OF:**

- SEPTEMBER 04, 2018 2<sup>ND</sup> PUBLIC BUDGET HEARING
- SEPTEMBER 10, 2018 SPECIAL MEETING
- SEPTEMBER 12, 2018 SPECIAL MEETING
- SEPTEMBER 17, 2018 BUDGET MEETING
- SEPTEMBER 26, 2018 REGULAR MEETING
- SEPTEMBER 27, 2018 BUDGET MEETING
- SEPTEMBER 28, 2018 BUDGET MEETING

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

**9. RECEIVE AND CONSIDER APPROVAL OF SEPTEMBER 2018 DEPARTMENTAL REPORTS.....**

- A. TREASURER    B. TAX ASSESSOR-COLLECTOR    C. AUDITOR
- D. SHERIFF       E. COUNTY CLERK                            F. DISTRICT CLERK
- G. JUSTICE COURT REPORTS:
- PRECINCT 1, PRECINCT 2, PRECINCT 3 AND PRECINCT 4.
- H. CONSTABLE REPORTS:
- PRECINCT 1, PRECINCT 2, PRECINCT 3 AND PRECINCT 4.
- I. EMERGENCY MANAGEMENT    J. AGRILIFE EXTENSION    K. INDIGENT HEALTHCARE
- L. 911 ADDRESSING & PERMITS    M. FIRE MARSHALL        N. VETERAN’S OFFICER

Have a motion by Commissioner Nettuno to approve the reports except Tax Assessor, Constable Pct. 2 and Agri-life Extension.

Commissioner Nettuno amends his motion to approve reports except Constable Pct.2 and Agri-life extension. Seconded by Commissioner McAnally. Motion passes 4/0.

**ADJOURN**

Have a motion by Commissioner McAnally, a second by Commissioner Nettuno to adjourn. Motion passes 4/0. San Jacinto County Commissioners Court for 10-24-2018 adjourned at 12:07 PM.

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Fritz Faulkner, County Judge

ATTEST:

*Dawn Wright*

Dawn Wright, County Clerk

