

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 **MONTHLY MEETING** on the **15<sup>th</sup>** day of **DECEMBER 2021** at **9:00 AM** in the Community Shelter.

Those present to wit:

Honorable Judge Fritz Faulkner, presiding

Honorable Commissioners:

Laddie McAnally	Precinct 1
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 9:01 AM. The following motions and orders were acted upon by the Court.

### **3. PLEDGE OF ALLEGIANCE & PRAYER**

Prayer led by Commissioner McAnally.

### **4. PUBLIC COMMENTS**

Grant Goodwin: deputies.

Tim Kean: email system / comp time.

James Larimore: TX Dot project.

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

Mark Wood: City of Point Blank having food distribution tomorrow 10 AM.

(Agenda 5 cont.)

Commissioner Brandon: Trinity Food Bank turning old Dr. Office into a hub.

Lonnie Thomas: Maintenance projects.

**OLD BUSINESS:**

NONE

**NEW BUSINESS:**

**22. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE A RESOLUTION DECLARING 12/31/2021 AS DONNIE MURRY DAY IN RECOGNITION OF 38 YEARS OF SERVICE TO SAN JACINTO COUNTY R&B UPON HIS RETIREMENT DAY.....DAVID S. BRANDON**

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

Resolution read out loud by Judge Faulkner.

**17. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE USING THE SHELTER FOR THE WOMEN’S LEAGUE STYLE SHOW ON MARCH 10, 2022, AND WAIVE ALL FEES.....CHARLINE SMITH**

Have a motion by Commissioner McAnally, a second by Commissioner Marrs to let use the shelter for \$100, to be put toward clean-up fee.

Motion amended by Commissioner McAnally to let them use the shelter for their style show, waive the clean-up fee and insurance fee, provided Auditor checks on the insurance for rental on the shelter. Seconded by Commissioner Nettuno. Motion passes 5/0.

**15. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE THE VARIANCE FOR LOT ON 314 EMMA ROAD IN ORDER TO ADDRESS ISSUE WITH COUNTY ROAD EASEMENT AFTER BEING CORRECTED ON SURVEY AS REQUESTED PREVIOUSLY BY COMMISSIONERS COURT.....CHRISTY CONSTANTIN**

\*Commissioner McAnally stepped out at 10:29 AM.

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

\*Commissioner McAnally back in at 10:32 AM.

**16. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE VARIANCE FOR MATTHEW AND ROBIN JACOBS ON A 2 ACRE TRACT OUT OF A 10.69 ACRE TRACT ON KELLY ROAD, OFF 3081.....MATTHEW & ROBIN JACOBS**

(Agenda 16 cont.)

\*Commissioner Marris stepped out at 10:37 AM. Back in at 10:43 AM.

Have a motion by Commissioner Brandon, a second by Commissioner McAnally (to approve variance pending the validation by the Permit Department on the water and sewer). Motion passes 5/0.

**13. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE TO TAKE ACTION TO APPROVE A CONTINGENT FEE CONTRACT WITH PERDUE, BRANDON, FIELDER, COLLINS & MOTT, LLP PURSUANT TO SECTION 6.30 OF THE TAX CODE, SAID CONTRACT BEING FOR THE COLLECTION OF DELINQUENT GOVERNMENTAL RECEIVABLES OWED TO SAN JACINTO COUNTY AND THE TAXING JURISDICTION FOR WHICH THEY COLLECT AND NOTICE OF SAID CONTRACT IS POSTED WITH THE AGENDA IN ACCORDANCE WITH SECTION 2254 OF THE GOVERNMENT CODE.....E. STEPHEN LEE**

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

**23. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE SELECTION OF A HAZ MAT RESPONSE COMPANY THAT RESPONDED TO THE RFP AND SUBMITTED TO THE COUNTY CLERK BY THE NOV 29 DUE DATE.....DAVID S. BRANDON**

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

**10. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE THE AMENDED ORDER APPROVING THE RECONFIGURATION OF COUNTY ELECTION PRECINCTS; PROVIDING FOR AN EFFECTIVE DATE; AND DIRECTING THAT REQUIRED NOTICES BE GIVEN.....FRITZ FAULKNER**

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

\*Commissioner Marris stepped out at 11:18 AM. Back in at 11:19 AM.

**11. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE TO SEND OUT REQUEST FOR PROPOSAL FOR PROFESSIONAL SERVICES FOR THE 2021 AUDIT AND SINGLE AUDIT....FRITZ FAULKNER**

\*Commissioner Marris stepped out at 11:21 AM. Back in at 11:24 AM.

Have a motion by Commissioner Nettuno, a second by Commissioner Marris (to go out for bids / proposals). Motion passes 4/1, Commissioner McAnally against.

**12. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE THE INTERLOCAL AGREEMENT FOR PERFORMANCE OF POSTMORTEM EXAMINATIONS BY HARRIS COUNTY INSTITUTE OF FORENSIC SCIENCES BY AND BETWEEN HARRIS ACOUNTY AND SAN JACINTO COUNTY.....FRITZ FAULKNER**

(Agenda 12 cont.)

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

**20. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE FOR APPROVAL TO ACCEPT THE QUOTES ON 1/40 YD., RECEIVER CONTAINER, HEAVY DUTY AND 3/30 YD BATHTUB OPEN TOP DUMPSTER, HEAVY DUTY.....DONNY MARRS**

\*Clarification by Commissioner MARRS: supposed to been 2/40 yd and 1/30 yd dumpster.

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 THE INTERLOCAL AGREEMENT WITH ANIMAL CONTROL FOR THE CITY OF POINT BLANK.....MARK NETTUNO**

\*Commissioner MARRS left meeting at 11:33 AM.

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

**19. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE FOR APPROVAL TO ACCEPT THE INTERLOCAL AGREEMENT WITH THE CITY OF POINT BLANK.....MARK NETTUNO**

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

**14. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE THE BOND RENEWAL(S) FOR: JANICE CHAMBLEE – EXTENSION SERVICE; AND SONNY ATCHLEY – CONSTABLE (PAID ANNUALLY).... KIMBERLY WOOLEY**

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

**21. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE THE FOREST SERVICE COOP AGREEMENT NO: 22-RO-11081300-003 AND THE ATTACHED SCHEDULE A – LIST OF ROADS FROM 10/19/2021 BY AND BETWEEN SAN JACINTO COUNTY (R&B) AND THE USDA FOREST SERVICE, NATIONAL FOREST AND GRASSLANDS IN TEXAS AN SAM HOUSTON NATIONAL FOREST.....DAVID BRANDON**

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

**24. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE THE NECESSARY ACTION REGARDING THE AMERICAN RESCUE / RECOVERY PLAN ACT.....**

(Agenda 24 cont.)

\*Commissioner Nettuno stepped out at 11:54 AM. Back in at 11:58 AM.

No action.

**25. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE THE NECESSARY ACTION FOR THE ANIMAL CONTROL BUILDING.....**

No action.

**26. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE THE NECESSARY ACTION FOR THE IMPOUND YARD / LAW ENFORCEMENT CENTER.....**

No action.

**27. CONSIDERATION, DISCUSSION AND POSSIBLE VOTE TO APPROVE THE NECESSARY ACTION FOR THE INNOVATION CENTER.....**

No action.

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

Denise Maddox: discussion on a car sold on Rene Bates.

**CLOSED FOR EXECUTIVE SESSION AT 12:13 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:**

**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.**

RECONVENED IN REGULAR SESSION AT 12:17 PM. Commissioner Marrs not present.

**28. ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION FOR CONSIDERATION, DISCUSSION AND POSSIBLE VOTE ON ITEMS DISCUSSED IN EXECUTIVE SESSION.....**

.....**JUDGE FRITZ FAULKNER**

Have a motion by Commissioner McAnally, a second by Commissioner Brandon to give gentleman \$1000 back and a release letter. Motion passes 4/0.

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

\*Correction by Kimberly Wooley: Unpays, pg 26 of 29; Pct.3 \$15.99 (Potetz home center) put in twice, remove one.

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

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

Have a motion by Commissioner Nettuno, a second by Commissioner Brandon (approve budget amendments and revenue certifications). Motion passes 4/0.

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

- REGULAR MEETING      NOVEMBER 03, 2021**
- SPECIAL MEETING    NOVEMBER 10, 2021**
- MONTHLY MEETING    NOVEMBER 17, 2021**
- WORKSHOP            NOVEMBER 19, 2021**

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

**9. RECEIVE AND CONSIDER APPROVAL OF NOVEMBER 2021 DEPARTMENTAL REPORT(S):**

- 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**
- O. PRECINCT SANITATION REPORTS    P. ANIMAL CONTROL                Q. ENVIRONMENTAL**
- R. DPS REPORT                            S. HISTORICAL**

(Agenda 9 cont.)

Have a motion by Commissioner McAnally, a second by Commissioner Brandon (to approve reports except Emergency Management, Agrilife, Fire Marshal, DPS, Historical and Animal Control). Motion passes 4/0.

**ADJOURN**

Have a motion by Commissioner Nettuno, a second by Commissioner Brandon to adjourn. Motion passes 4/0. San Jacinto County Commissioners Court for 12-15-2021 adjourned at 12:25 PM.



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Fritz Faulkner, County Judge

ATTEST:



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Dawn Wright, County Clerk

