

THE STATE OF TEXAS

COUNTY OF ORANGE

BE IT REMEMBERED that a Special Court Session was held on Tuesday, January 3, 2017, at 2:00 P.M. in the Commissioners' Courtroom of the Orange County Administration Building with the following in attendance:

Stephen Brint Carlton,	County Judge
Johnny A. Trahan,	Commissioner, Precinct No. 1
Barry M. Burton,	Commissioner, Precinct No. 2
John H. Gothia,	Commissioner, Precinct No. 3
Jody E. Crump,	Commissioner, Precinct No. 4

The meeting was called to order at 2:00 P.M., Jody Crump gave the invocation, Stephen Brint Carlton led in the Pledge of Allegiance and the following business was transacted, to-wit:

Agenda items are in the order they were taken in the meeting.

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| RECOGNIZE
GUESTS | The Court recognized newly elected Johnny A. Trahan, Commissioner, Precinct No. 1 and John H. Gothia, Commissioner, Precinct No. 3 with special welcome to the Court. |
| NO ACTION | No action taken on approving minutes of the Special Court Session held on December 20, 2016 at 2:00 P.M., as circulated. |
| 1. TREASURER'S
MONTHLY
FINANCIAL
REPORT | <p>Motion made by Jody Crump, seconded by Barry Burton accepting the following monthly reports from the County Treasurer for the month ending November 30, 2016 and recording in the Minutes of the Court:</p> <ol style="list-style-type: none">Approval of Investment in Super Investments-General Fund, TexPool and Texas Class in the amount of \$3,901.83.Approval of Interest Earned to date in the amount of \$10,115.56.Treasurer's Report of revenues received and disbursed in accordance with the Local Government Code 114.026(d) and affidavit of approval by Court. This report will be available on the County's website for viewing. |

d. Pledged Security Collateral for a total of \$68,003,119.15, summary as follows:

- Wells Fargo Bank \$54,343,022.87
- 1st Financial Bank \$13,660,096.28

Voted AYE: Stephen Brint Carlton, Johnny Trahan, Barry Burton, John Gothia and Jody Crump

Motion Carried.

(See Exhibits for this date.)

2. REVENUE RECEIVED

Motion made by Jody Crump, seconded by Stephen Brint Carlton accepting in the minutes of the Court revenue received from Orangefield ISD, check #87174, for \$5,251.40. These funds are reimbursement for road materials.

Voted AYE: Stephen Brint Carlton, Johnny Trahan, Barry Burton, John Gothia and Jody Crump

Motion Carried.

3. RESOLUTION

Motion made by Johnny Trahan, seconded by John Gothia approving a resolution the 2017 Investment Policy as required by Government Code Chapter 2256.005(e), which is required to be reviewed and adopted by the Court annually.

Voted AYE: Stephen Brint Carlton, Johnny Trahan, Barry Burton, John Gothia and Jody Crump

Motion Carried.

4. BILLS PAID

Motion made by Johnny Trahan, seconded by John Gothia authorizing payment of bills approved by the County Auditor as per attested listings and also specifically as follows:

- a. \$404,645.51 to Texas Association of Counties Health & Employees Benefits Pool from the General Fund (001-101-51270) for Group Medical, Dental, Life and Retiree Insurance under the age of 65 years for January 2017.
- b. \$47,144.00 to Texas Association of Counties Risk Management Pool from the General Fund (001-101-52345) for 1st Quarter Workers compensation payment due January 2017.
- c. \$21,652.83 to U.T.M.B. from the General Fund (001-111-54235) for contract payment due January 2017.
- d. \$66,394.31 to United Health Care from the General Fund (001-101-51270) for Retiree Group Health Insurance for 65 years of age and older for the month of January 2017.

For the week of January 3, 2017

GENERAL FUND	\$683,282.93
ROAD AND BRIDGE	54,487.73
MOSQUITO	1007.17
ADULT PROBATION	2,075.84
OTHER FUNDS	24,442.51

TOTAL FOR PAYMENT	\$765,296.18

For the week of December 27, 2016

GENERAL FUND	\$13,841.16
ROAD AND BRIDGE	809.08
OTHER FUNDS	214.12

TOTAL FOR PAYMENT	\$14,864.36

Voted AYE: Stephen Brint Carlton, Johnny Trahan, Barry Burton, John Gothia
and Jody Crump

Motion Carried.

(See Exhibits for this date.)

5. TRAVEL
ALLOWANCE

Motion made by Barry Burton, seconded by Jody Crump authorizing approval for the two new Commissioners to go over the travel policy hotel daily limit for the Newly Elected Commissioner's Conference being held on January 10, 2017 in Austin, Texas. The room cost is \$154.00 plus tax per night for three nights.

Voted AYE: Stephen Brint Carlton, Johnny Trahan, Barry Burton, John Gothia
and Jody Crump

Motion Carried.

7. BOND ACCEPTANCE Motion made by Jody Crump, seconded by Barry Burton approving the bonds for the following elected officials:

County Commissioner, Precinct No. 1 Johnny Trahan
County Commissioner, Precinct No. 3 John Gothia
County Court at Law No. 2 Judge Troy Johnson
County Attorney John Kimbrough
Sheriff Keith Merritt
County Clerk Brandy Robertson
Tax Assessor-Collector Karen Fisher
Constable, Precinct No. 2 David Cagle
Constable, Precinct No. 3 Mark Philpott
Constable, Precinct No. 4 Lane Mooney

Voted AYE: Stephen Brint Carlton, Johnny Trahan, Barry Burton, John Gothia
and Jody Crump
Motion Carried.

8. LINE ITEM TRANSFER Motion made by Stephen Brint Carlton, seconded by Jody Crump authorizing the following line item transfer:

SHERIFF

From: 001-740-52900 (Motor Vehicle Repairs)..... (\$1,000.00)
To: 001-740-57590 (General Machinery & Equipment)..... \$1,000.00

Purpose: To purchase a Tensco Card and media storage filing cabinet for dispatch.

Voted AYE: Stephen Brint Carlton, Johnny Trahan, Barry Burton, John Gothia
and Jody Crump
Motion Carried.

9. APPLY FOR GRANT Motion made by Jody Crump, seconded by John Gothia authorizing the Orange County Sheriff's Office to apply for the Body Worn Camera Grant program through the Office of the Governor in the Criminal Justice Division. The deadline for the grant to be submitted is January 15, 2017. This grant is an 80%/20% match with the County paying the 20%. The Sheriff's Office will fund the 20% match for this grant either out of in kind or drug forfeiture funds.

Voted AYE: Stephen Brint Carlton, Johnny Trahan, Barry Burton, John Gothia
and Jody Crump
Motion Carried.

10. EMPLOYEE PAY MATRIX Motion made by Barry Burton, seconded by Jody Crump to continue on current pay matrix from November 30, 2016 until Department of Labor's new proposed rule is put into effect or resolution on the injunction to dictate whether or not we will have to implement the new Department of Labor mandated minimum salary for exempt employees.
- Voted AYE: Johnny Trahan, Barry Burton and Jody Crump
Voted NAY: Stephen Brint Carlton and John Gothia
Motion Carried.

ADDENDUM NUMBER ONE:

1. DISCUSSION ONLY Discussion on closing one or more County buildings for scheduled maintenance and/or facility improvements in 2017. Offices will be notified there is planned construction on March 24 through 27, 2016 and there will be no air conditioning or heating in the building. No work being done inside the building. Work will be done outside with a crane.

11. COMMENTS Stephen Brint Carlton and Jody Crump-Extended a welcome to new Commissioners, Johnny Trahan and John Gothia and wished everyone a happy new year. Judge introduced Jody Crump as the new Judge Pro Tem.

Barry Burton-welcomed new members of Court and elected officials. He also congratulated Joseph Ceasar of Road and Bridge who is retiring after 31 years of service to the County. Road and Bridge has been working on the drainage to Greenwood Acres and they are seeing progress there.

Johnny Trahan and John Gothia-Both expressed looking forward to new year and working as Commissioners the next four years.

Jimmy Burnitt-stated West Bluff Road annexed to City in 1968 but County has maintained road until a few years ago. City is refusing to maintain road. Mr. Burnitt asked the Court to consider taking this road back.

Brandon Barchus-Lead Attorney for citizens of the preservation of Bessie Heights Marsh wanted to express appreciation to Court for their leadership on this issue.

12. CLOSED MEETING Closed meeting, held pursuant to Tex. Gov't Code §551.071 to discuss, with Assistant County Attorney anticipated litigation (arbitration hearing) involving Kevin Tate.

The Court recessed to go into a Closed Meeting and this meeting was not recorded.

13. RETURN TO OPEN MEETING Return to open meeting. Take any action deemed necessary based upon discussion in closed meeting.

ACTION TAKEN Motion made by Stephen Brint Carlton, seconded by Jody Crump to reject the settlement offer.

Voted AYE: Stephen Brint Carlton, Johnny Trahan, Barry Burton, John Gothia and Jody Crump

Motion Carried.

14. CLOSED MEETING Closed meeting, held pursuant to Tex. Gov. Code §551.071(1) and (2) to discuss, with Assistant County Attorney pending litigation styled Cause No. 1:13 CV 00611-RC; *Montano v. Orange County, Texas*, In the United States District Court For The Eastern District Of Texas – Beaumont Division.

The Court recessed to go into a Closed Meeting and this meeting was not recorded.

15. RETURN TO OPEN MEETING Return to open meeting. Take any action deemed necessary based upon discussion in closed meeting.

ACTION TAKEN Motion made by Stephen Brint Carlton, seconded by John Gothia for Court to tender the amount \$3,175,674.79 in satisfaction of the judgment to be issued in the Montano case on or before February 15, 2017.

Voted AYE: Stephen Brint Carlton, Johnny Trahan, Barry Burton, John Gothia and Jody Crump

Motion Carried.

6. REGULATE SALE OF FIREWORKS ORDER Motion made by Johnny Trahan, seconded by John Gothia approving an order to regulate the sale of retail fireworks in Orange County.

Voted AYE: Stephen Brint Carlton, Johnny Trahan, Barry Burton, John Gothia and Jody Crump

Motion Carried.

(See Exhibits for this date.)

16. ADJOURN
MEETING

There being no further business, a motion was made by Jody Crump, seconded by Barry Burton to adjourn.

Voted AYE: Stephen Brint Carlton, Johnny Trahan, Barry Burton, John Gothia and Jody Crump

Motion Carried.

Stephen Brint Carlton adjourned the Commissioners' Court meeting.

Stephen Brint Carlton, County Judge

Brandy Robertson, County Clerk
and Ex-Officio Clerk of the
Commissioners' Court

By: Stacy Wells, Deputy

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