

Texas Board of Criminal Justice
163rd Meeting



Minutes

November 30, 2012
Austin, Texas

TEXAS BOARD OF CRIMINAL JUSTICE

**Crowne Plaza Austin – Salons E-H
6121 North IH-35
Austin, Texas 78752**

**November 30, 2012
2:15 PM**

ORDER OF BUSINESS

Call to Order

Reconvene Texas Board of Criminal Justice (TBCJ)

I. Regular Session

A. Recognitions

B. Consideration of Approval of Consent Items

1. Hazardous Duty Pay Authorization Requests
2. Personal Property Donations
3. Sale or Disposal of Surplus Agricultural Goods and Agricultural Personal Property
4. 162nd TBCJ Meeting Minutes
5. Excused Absences

C. Report from the Presiding Officer, Texas Board of Pardons and Paroles – Overview of the Texas Board of Pardons and Paroles FY 2012 Annual Report

D. Report from the Executive Director, Texas Department of Criminal Justice (TDCJ)

E. Report from the Chairman, TBCJ

1. Message to Employees Providing Public Safety during the Holidays
2. Upcoming 83rd Legislative Session
3. FY 2013 Chairman's Fitness Challenge Update

F. Internal Audit Status Report for Fiscal Years 2011 – 2013

G. Discussion, Consideration, and Possible Action Regarding Purchases and Contracts Over \$1 Million

H. Discussion, Consideration, and Possible Action Regarding Annual Review of Board Policy 14.01, "Investment Policy," and Resolution Adopting the Investment Policy

- I. Discussion, Consideration, and Possible Action Regarding Readoption of Board Rules Title 37 Texas Administrative Code
 - 1. 151.6, Petition for the Adoption of a Rule
 - 2. 151.71, Marking of State Vehicles of the Department of Criminal Justice
 - 3. 151.73, Texas Department of Criminal Justice Vehicle Assignments
 - 4. 155.21, Naming of a Texas Department of Criminal Justice Owned Facility
 - 5. 163.5, Waiver to Standards

- J. Discussion, Consideration, and Possible Action Regarding Adoption of Amendments to Board Rule Title 37 Texas Administrative Code Section 151.55, Disposal of Surplus Agricultural Goods and Agricultural Personal Property

- K. Discussion, Consideration, and Possible Action Regarding Proposed Amendments to Board Rules Title 37 Texas Administrative Code
 - 1. 151.8, Advisory Committees
 - 2. 152.51, Authorized Witnesses to the Execution of an Offender Sentenced to Death
 - 3. 152.61, Emergency Response to Municipal, County, State or Federal Law Enforcement Agencies and Non-Agent Private Prisons/Jails
 - 4. 163.33, Community Supervision Officers
 - 5. 163.35, Supervision
 - 6. 163.38, Sex Offender Supervision

- L. Discussion, Consideration, and Possible Action Regarding Land Transactions
 - 1. Request for Renewal of Pipeline Easement at the Clemens Unit in Brazoria County, Brazoria, Texas
 - 2. Request for Renewal of Pipeline Easement at the Beto Unit in Anderson County, Palestine, Texas
 - 3. Request for Pipeline Easements at the Clemens Unit in Brazoria County, Brazoria, Texas, and the Scott Unit, in Brazoria County, Angleton, Texas

Adjourn TBCJ

The TBCJ may discuss and/or take action on any of the items posted on this meeting agenda. The TBCJ may also convene into Executive Session on any of these matters when attorney-client privilege is warranted.

MINUTES OF THE TEXAS BOARD OF CRIMINAL JUSTICE

Meeting No. 163

The Texas Board of Criminal Justice (TBCJ or board) convened in regular session on Friday, November 30, 2012, at 1:11 p.m. at the Crowne Plaza Hotel in Austin, Texas. The board met in executive session, reconvened in regular session at 2:46 p.m., and adjourned at 4:08 p.m.

TBCJ MEMBERS PRESENT:

Oliver Bell, Chairman
Tom Mechler, Vice Chairman
Leopoldo (Leo) Vasquez, III, Secretary
Eric Gambrell
Janice Harris Lord
J. David Nelson
Carmen Villanueva-Hiles

TBCJ MEMBERS ABSENT:

Judge Larry Gist
Terrell McCombs

TEXAS DEPARTMENT OF CRIMINAL JUSTICE STAFF PRESENT:

Brad Livingston, Executive Director
Bryan Collier, Deputy Executive Director
Jeff Baldwin
Rudolph Brothers
Matt Demny
Jackie Edwards
Scott Hornung
Sharon Felfe Howell
John Hurt
Frank Inmon
Stuart Jenkins
Sherry Koenig
Angie McCown
Jerry McGinty
Susan McHenry
Madeline Ortiz
Ron Steffa
Rick Thaler
Jan Thornton
Carey Welebob
April Zamora

OTHERS PRESENT:

Jared Staples, Office of the Governor; Heather Hill, Office of the Governor; John Newton, Legislative Budget Board; the Honorable Dale Spurgin, Jones County Judge; Rissie Owens, Presiding Officer, Board of Pardons and Paroles; Debbie Roberts, WSD Superintendent; and members of the media.

Call to Order

Chairman Oliver Bell convened the 163rd meeting of the Texas Board of Criminal Justice (TBCJ or board) on Friday, November 30, 2012, at 1:11 p.m., noted that a quorum was present, and declared the meeting open in accordance with Texas Government Code Chapter 551, the *Open Meetings Act*. The board conducted executive session, which is closed to the public in accordance with Texas Government Code Sections 551.074 and 551.076, the *Open Meetings Act*.

Reconvene Texas Board of Criminal Justice

Chairman Bell reconvened the regular session of the 163rd meeting of the TBCJ on Friday, November 30, 2012, at 2:46 p.m., noted that a quorum was present, and declared the meeting open in accordance with Texas Government Code Chapter 551, the *Open Meetings Act*. He stated the board would be conducting business from the agenda posted in the Texas Register.

Chairman Bell recognized the Honorable Dale Spurgin, Jones County Judge; Heather Hill and Jared Staples, Office of the Governor; and John Newton, Legislative Budget Board.

Chairman Bell stated that the TBCJ is committed to providing the opportunity for public presentations on topics posted on the meeting agenda in accordance with Board Rule 151.4, "Public Presentations and Comments to the Texas Board of Criminal Justice." He noted that since no speaker registration cards were received, there would be no public comments.

Recognitions

Chairman Bell recognized Melinda Hoyle Bozarth on her retirement after 29 years of service to the state of Texas. He read a resolution of commendation highlighting Ms. Bozarth's career and achievements while serving the state. Brad Livingston, Executive Director, Texas Department of Criminal Justice (TDCJ or agency), commented that Ms. Bozarth was the epitome of what a general counsel should be. Chairman Bell presented Ms. Bozarth with her resolution of commendation. Ms. Bozarth thanked the board and Mr. Livingston for their gracious comments. She stated that it had been her honor and privilege to serve them as general counsel. A standing ovation followed.

Chairman Bell recognized Dee Wilson on her retirement after 27 years of service to the state of Texas. He read a resolution of commendation highlighting Ms. Wilson's career and achievements in state government. Mr. Livingston thanked Ms. Wilson for her tireless energy, dedication, and loyalty to the TDCJ. Chairman Bell presented Ms. Wilson with her resolution of commendation. Ms. Wilson thanked Chairman Bell, the board and Mr. Livingston for their kind words, noting her achievements were the accumulated hours of many individuals with whom it had been her honor and pleasure to work. A standing ovation followed.

Chairman Bell yielded the floor to Christina Melton Crain, former TBCJ chairman, who recognized Ms. Bozarth and Ms. Wilson as dedicated professionals making a lasting impression upon the Texas criminal justice system. Ms. Crain wished them well in their future endeavors.

Mr. Livingston recognized Madeline Ortiz, Rehabilitation Programs Division Director, on receiving her 20 year service award with the state of Texas. Chairman Bell and Mr. Livingston presented Ms. Ortiz with her service award. Applause followed.

Mr. Livingston recognized Sharon Felfe Howell as the TDCJ general counsel. He welcomed Ms. Howell to her new position. Ms. Howell thanked Mr. Livingston for the opportunity to serve as general counsel.

Mr. Livingston recognized April Zamora as the Reentry and Integration Division director. Ms. Zamora thanked Mr. Livingston and the board for the opportunity to serve in this position.

Mr. Livingston recognized John Hurt as the Public Information director. He also presented Mr. Hurt with his 20 year service award with the state of Texas. Applause followed.

Jan Thornton, Human Resources director, recognized Eve Shelly as the Employee Relations Section manager.

Chairman Bell recognized the TDCJ employees who have achieved 25, 30, 35, and 40 or more years of service with the state of Texas during the months of August, September, and October 2012. The TBCJ, along with Mr. Livingston, expressed their deepest gratitude for the continued service of these employees who represent the commitment of the TDCJ's staff. To each of these employees, the TBCJ offered congratulations and thanks for their unwavering loyalty and dedication to the citizens of Texas.

(Attachment A – Employee Names)

Consideration of Approval of Consent Items

- 1. Hazardous Duty Pay Authorization Requests**
- 2. Personal Property Donations**
- 3. Sale or Disposal of Surplus Agricultural Goods and Agricultural Personal Property**
- 4. 162nd TBCJ Meeting Minutes**
- 5. Excused Absences**

Chairman Bell asked if there were any amendments or objections to the consent items as presented. Eric Gambrell stated that as his firm represented Wal-Mart and the San Antonio Food Bank and both entities provided personal property donations for approval, he would abstain from taking action on the consent items. Seeing no other objections or abstentions, Chairman Bell stated the consent items stand approved as presented. Chairman Bell requested that Mr. Gambrell's abstention be noted for the record.

Report from the Presiding Officer, Texas Board of Pardons and Paroles
Overview of the Texas Board of Pardons and Paroles (BPP)
FY 2012 Annual Report

Rissie Owens, BPP Presiding Officer, provided an overview of the BPP's FY 2012 Annual Report. She reviewed the BPP's structure, its role and function, and highlighted certain key statistics, to include the number of parole and discretionary mandatory supervision cases, revocation cases, and clemency recommendation decisions handled by the BPP during FY 2012. Ms. Owens also reviewed the parole approval rates from FY 2003 through FY 2012. Ms. Owens discussed the revocations occurring during FY 2012, and pointed out that there were only 639 technical revocations. There were no questions.

Ms. Owens recognized Timothy McDonnell, BPP Administrator, and Harry Baskin, BPP Public Information Officer.

(Attachment B – Overview of the BPP - FY 2012 Annual Report)

Report from the Executive Director,
Texas Department of Criminal Justice (TDCJ)

Mr. Livingston had no report.

Report from the Chairman, TBCJ

- 1. Message to Employees Providing Public Safety during the Holidays**
- 2. Upcoming 83rd Legislative Session**
- 3. FY 2013 Chairman's Fitness Challenge Update**

Chairman Bell delivered his holiday message to TDCJ employees. He thanked the dedicated TDCJ employees for their public service throughout the year, and especially those whose jobs require them to work while many of others enjoy time off with family and friends. He also requested that all others give thanks for their blessings, and join with the board in expressing appreciation to the thousands of dedicated TDCJ employees who help ensure public safety.

Chairman Bell acknowledged that not only are TDCJ employees dedicated public servants, they are also generous individuals whose compassion for those less fortunate is evident all year long. He thanked TDCJ employees for their contributions to the State Employee Charitable Campaign and for their participation in many other charitable efforts.

Noting that the holidays can also be a time of stress and other challenges to personal health, Chairman Bell urged all employees to maintain their personal well being by continuing to participate in an active wellness program throughout the season, and encouraged employees to

contact the agency's Employee Assistance Program if stress or other issues are of particular concern during the holidays.

Chairman Bell stated he looked forward to working with TDCJ staff to meet challenges in the coming year. He advised that the 83rd Texas Legislature will convene on Tuesday, January 8, 2013. He noted several actions the board has already taken relative to the legislative session, to include approving a fiscally responsible Legislative Appropriations Request (LAR) participating in the Sunset Review process. Citing these actions and an experienced and highly respected executive director prepared to lead the agency, he said the TDCJ is well poised to provide accurate and timely information to facilitate the decision-making process. Chairman Bell expressed the board's confidence in Mr. Livingston and his senior staff, as well as the board's appreciation for their service. Chairman Bell expressed his personal gratitude and appreciation to his fellow board members, who are sometimes asked to rearrange their busy schedules to attend a particular committee meeting.

Chairman Bell noted that the first quarter of the FY 2013 Chairman's Fitness Challenge ended this past Sunday. As results are still being collected, the top participating teams will be announced in the near future. He thanked all those who participated in the challenge and congratulated those who made or exceeded the goal of 225 points per week. He also acknowledged the individuals who participated in the Chairman's Special Platinum Challenge. This year's second quarter challenge will begin December 17th and run through January 13th. Chairman Bell thanked the employees for their continued support of this fitness endeavor.

Internal Audit Status Report for Fiscal Years 2011 – 2013

Scott Hornung, Director for Internal Audit, provided the following revisions to the handout of the Internal Audit Status Report for the FY 2011 - 2013:

- **1122 – Rehabilitation Programs Division, Substance Abuse Treatment Programs:** The final report is being prepared.
- **1210 – Information Technology Division, Offender Telephone System:** The draft report has been issued.
- **1218 – Rehabilitation Programs Division, Volunteer Services:** The final report has been released.
- **1305 – Manufacturing and Logistic Division, Warehousing and Supply, Reliability of the Inventory Management System:** The audit has been assigned.
- **1311 – Business and Finance Division, Cashier Services' Processing of Receipts:** The audit has been assigned.

Chairman Bell asked if there were any questions. There were none.

**Discussion, Consideration, and Possible Action Regarding
Purchases and Contracts Over \$1 Million**

As no action was required, this item was passed.

**Discussion, Consideration, and Possible Action Regarding
Annual Review of Board Policy 14.01, “Investment Policy,”
and Resolution Adopting the Investment Policy**

Jerry McGinty, Chief Financial Officer, noted that there were no changes to Board Policy 14.01, “Investment Policy.” He stated that the statute requires that the board review the policy annually. Mr. McGinty further noted that the board was provided a handout to replace one of the informational items, the Investment Report, which had a printing error in the agenda booklet.

Chairman Bell asked if there were any questions or comments. Seeing none he called for a motion and a second.

After completing the annual review of Board Policy 14.01, Tom Mechler moved that the Texas Board of Criminal Justice approve the resolution adopting the investment policy, as presented and that the chairman and secretary sign the resolution adopting the policy.

Leo Vasquez seconded the motion, which prevailed unanimously when called to a vote.

**Discussion, Consideration, and Possible Action Regarding
Readoption of Board Rules Title 37 Texas Administrative Code**

1. 151.6, Petition for the Adoption of a Rule

Ms. Howell reviewed 151.6, Petition for the Adoption of a Rule, pursuant to the statute that rules be reviewed every four years. There were no proposed amendments to the rule. The proposed rule was published in the July 27, 2012, issue of the Texas Register for public comment. The 30 day comment period has passed with no comments received. Ms. Howell recommended that the board move forward with the final adoption.

Chairman Bell asked if there were any questions or comments. Seeing none he called for a motion and a second.

Janice Harris Lord moved that the Texas Board of Criminal Justice readopt Board Rule Title 37 Texas Administrative Code section 151.6 regarding petitions for the adoption of a rule, and that the chairman sign the order to this effect.

Carmen Villanueva-Hiles seconded the motion which prevailed unanimously when called to a vote.

2. 151.71, Marking of State Vehicles of the Department of Criminal Justice

Ms. Howell remarked that the TDCJ had no proposed amendments to 151.71, Marking of State Vehicles of the Department of Criminal Justice. The proposed rule was published in the July 27, 2012, issue of the Texas Register for public comment. The 30 day comment period has passed with no comments received. Ms. Howell recommended that the board move forward with the final adoption.

Chairman Bell asked if there were any questions or comments. Seeing none he called for a motion and a second.

Mr. Gambrell moved that the Texas Board of Criminal Justice readopt Board Rule Title 37 Texas Administrative Code section 151.71 regarding marking of state vehicles of the Department of Criminal Justice, and that the chairman sign the order to this effect.

Ms. Lord seconded the motion, which prevailed unanimously when called to a vote.

3. 151.73, Texas Department of Criminal Justice Vehicle Assignments

Ms. Howell noted that the TDCJ had no proposed amendments to 151.73, Texas Department of Criminal Justice Vehicle Assignments. The proposed rule was published in the August 24, 2012, issue of the Texas Register for public comment. The 30 day comment period has passed with no comments received. Ms. Howell recommended that the board move forward with the final adoption.

Chairman Bell asked if there were any questions or comments. Seeing none he called for a motion and a second.

Ms. Villanueva-Hiles moved that the Texas Board of Criminal Justice readopt Board Rule Title 37 Texas Administrative Code section 151.73 regarding Texas Department of Criminal Justice vehicle assignments, and that the chairman sign the order to this effect.

Mr. Mechler seconded the motion which prevailed unanimously when called to a vote.

4. 155.21, Naming of a Texas Department of Criminal Justice Owned Facility

Ms. Howell advised that the TDCJ staff had no proposed amendments to 155.21, Naming of a Texas Department of Criminal Justice Owned Facility. The proposed rule was published in the August 31, 2012, issue of the Texas Register for public comment. The 30 day comment period has passed with no comments received. Ms. Howell recommended that the board move forward with the final adoption.

Chairman Bell asked if there were any questions or comments. Seeing none he called for a motion and a second.

Ms. Lord moved that the Texas Board of Criminal Justice readopt Board Rule Title 37 Texas Administrative Code section 155.21 regarding the naming of a Texas Department of Criminal Justice owned facility, and that the chairman sign the order to this effect.

Mr. Vasquez seconded the motion, which prevailed unanimously when called to a vote.

5. 163.5, Waiver to Standards

Ms. Howell stated that the TDCJ staff had no proposed amendments to 163.5, Waiver to Standards. The proposed rule was published in the July 27, 2012, issue of the Texas Register for public comment. The 30 day comment period has passed with no comments received. Ms. Howell recommended that the board move forward with the final adoption.

Chairman Bell asked if there were any questions or comments. Seeing none he called for a motion and a second.

Mr. Vasquez moved that the Texas Board of Criminal Justice readopt Board Rule Title 37 Texas Administrative Code section 163.5 regarding waivers to standards, and that the chairman sign the order to this effect.

Mr. Mechler seconded the motion which prevailed unanimously when called to a vote.

Discussion, Consideration, and Possible Action Regarding Adoption of Amendments to Board Rule Title 37 Texas Administrative Code Section 151.55, Disposal of Surplus Agricultural Goods and Agricultural Personal Property

Ms. Howell advised that the proposed amendments to 151.55, Disposal of Surplus Agricultural Goods and Agricultural Personal Property were published in the September 14, 2012, issue of the Texas Register for public comment. The 30 day comment period has passed with no comments received. Ms. Howell recommended that the board move forward with the final adoption.

Chairman Bell asked if there were any questions or comments. Seeing none he called for a motion and a second.

Mr. Mechler moved that the Texas Board of Criminal Justice adopt Title 37 Texas Administrative Code section 151.55, regarding the disposal of surplus agricultural goods

and agricultural personal property, as published in the Texas Register, and that the chairman sign the order to this effect.

Ms. Lord seconded the motion which prevailed unanimously when called to a vote.

Discussion, Consideration, and Possible Action Regarding Proposed Amendments to Board Rules Title 37 Texas Administrative Code

1. 151.8, Advisory Committees

Ms. Howell stated the proposed amendments to 151.8, Advisory Committees, are to provide more opportunities for a committee to report to the board and to extend the abolishment dates for advisory committees.

Chairman Bell asked if there were any questions or comments. Seeing none he called for a motion and a second.

Mr. Vasquez moved that the Texas Board of Criminal Justice approve for publication in the Texas Register, the proposed amendments to Title 37 Texas Administrative Code section 151.8, regarding advisory committees, to receive public comment, as presented.

Ms. Lord seconded the motion, which prevailed unanimously when called to a vote.

2. 152.51, Authorized Witnesses to the Execution of an Offender Sentenced to Death

Ms. Howell noted that the proposed amendments to 152.51, Authorized Witnesses to the Execution of an Offender Sentenced to Death, are necessary to establish that a witness must be 18 years of age or older. The amendments increase the number of victim witnesses and permit surviving victim witnesses under certain circumstances.

Chairman Bell asked if there were any questions or comments. Seeing none he called for a motion and a second.

Mr. Gambrell moved that the Texas Board of Criminal Justice approve for publication in the Texas Register, the proposed amendments to Title 37 Texas Administrative Code section 152.51, regarding authorized witnesses to the execution of an offender sentenced to death, to receive public comment, as presented.

Ms. Villanueva-Hiles seconded the motion, which prevailed unanimously when called to a vote.

3. 152.61, Emergency Response to Municipal, County, State or Federal Law Enforcement Agencies and Non-Agent Private Prisons/Jails

Ms. Howell stated that the proposed amendments to 152.61, Emergency Response to Municipal, County, State or Federal Law Enforcement Agencies and Non-Agent Private Prisons and Jails, are necessary to include university, campus, and school district police departments in the group of law enforcement agencies to whom TDCJ can provide emergency response assistance.

Chairman Bell asked if there were any questions or comments. Seeing none he called for a motion and a second.

Ms. Villanueva-Hiles moved that the Texas Board of Criminal Justice approve for publication in the Texas Register, the proposed amendments to Title 37 Texas Administrative Code section 152.61, regarding emergency response to municipal, county, state or federal law enforcement agencies and non-agent private prisons/jails, to receive public comment, as presented.

Ms. Lord seconded the motion which prevailed unanimously when called to a vote.

4. 163.33, Community Supervision Officers

Ms. Howell stated that amendments to 163.33, Community Supervision Officers, are to update the requirements for and training of community supervision officers.

Chairman Bell asked if there were any questions or comments. Seeing none he called for a motion and a second.

Ms. Lord moved that the Texas Board of Criminal Justice approve for publication in the Texas Register, the proposed amendments to Title 37 Texas Administrative Code section 163.33, regarding community supervision officers, to receive public comment, as presented.

Mr. Mechler seconded the motion, which prevailed unanimously when called to a vote.

5. 163.35, Supervision

Ms. Howell reviewed the amendments to 163.35, Supervision, noting they were necessary to revise the intrastate transfer process and to provide a specific definition of absconder.

Chairman Bell asked if there were any questions or comments. Seeing none he called for a motion and a second.

Mr. Gambrell moved that the Texas Board of Criminal Justice approve for publication in the Texas Register, the proposed amendments to Title 37 Texas Administrative Code

section 163.35, regarding the supervision of probationers, to receive public comment, as presented.

Ms. Villanueva-Hiles seconded the motion, which prevailed unanimously when called to a vote.

6. 163.38, Sex Offender Supervision

Ms. Howell stated that the amendments to 163.38, Sex Offender Supervision, were necessary to add clarity and conform to state law.

Chairman Bell asked if there were any questions or comments. Seeing none he called for a motion and a second.

Mr. Mechler moved that the Texas Board of Criminal Justice approve for publication in the Texas Register, the proposed amendments to Title 37 Texas Administrative Code section 163.38, regarding sex offender supervision, to receive public comment, as presented.

Mr. Vasquez seconded the motion which prevailed unanimously when called to a vote.

Discussion, Consideration, and Possible Action Regarding Land Transactions

1. Request for Renewal of Pipeline Easement at the Clemens Unit in Brazoria County, Brazoria, Texas

Matt Demny, Agribusiness, Land and Minerals Department Director, stated at the Business and Financial Operations Committee meeting, the board received a report on a request to renew one waste water pipeline easement and to acquire two new easements for the installation of two petroleum pipelines at the Clemens Unit in Brazoria County, Brazoria, Texas. Phillips 66 Company has agreed to pay \$622,470 for the three easements, each with a ten year term.

Chairman Bell asked if there were any questions or comments. Seeing none he called for a motion and a second. Mr. Gambrell noted that as his firm represents Phillips 66 Company, he would be abstaining from voting on this item.

Mr. Vasquez moved that the Texas Board of Criminal Justice approve the renewal of a pipeline valve site easement at the Clemens Unit in Brazoria County, Brazoria, Texas, as presented.

Mr. Mechler seconded the motion, which prevailed unanimously when called to a vote (Mr. Gambrell abstained).

2. Request for Renewal of Pipeline Easement at the Beto Unit in Anderson County, Palestine, Texas

Mr. Demny noted that this item was also discussed at the Business and Financial Operations Committee. Anadarko Petroleum Corporation is requesting to renew an existing natural gas pipeline easement at the Beto Unit in Anderson County, Palestine Texas. They have agreed to pay \$7,636 for the easement with a ten year term.

Chairman Bell asked if there were any questions or comments. Seeing none he called for a motion and a second. Mr. Gambrell noted that as his firm represents Anadarko Petroleum Company, he would be abstaining from voting on this item.

Ms. Villanueva-Hiles moved that the Texas Board of Criminal Justice approve the renewal of a pipeline easement at the Beto Unit in Anderson County, Palestine, Texas, as presented.

Ms. Lord seconded the motion, which prevailed unanimously when called to a vote (Mr. Gambrell abstained).

3. Request for Pipeline Easements at the Clemens Unit in Brazoria County, Brazoria, Texas, and the Scott Unit, in Brazoria County, Angleton, Texas

Mr. Demny advised the board the Business and Financial Operations Committee received a briefing on the request from Seaway Crude Pipeline Company LLC for two easements at the Clemens and Scott units for the installation of two petroleum pipelines. The company has agreed to pay \$1,734,672 for the two easements, each with a ten year term.

Chairman Bell asked if there were any questions or comments. Seeing none he called for a motion and a second.

Mr. Mechler moved that the Texas Board of Criminal Justice approve the request for pipeline easements at the Clemens Unit in Brazoria County, Brazoria, Texas, and the Scott Unit, in Brazoria County, Angleton, Texas, as presented.

Ms. Lord seconded the motion, which prevailed unanimously when called to a vote.

Chairman Bell thanked everyone for attending the meeting and announced that the next meeting of the TBCJ will be January 11, 2013, at the Radisson Hotel and Suites, in Austin, Texas.

Adjournment

There being no further business, Chairman Bell adjourned the 163rd meeting of the Texas Board of Criminal Justice at 4:08 p.m.

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Chairman

Secretary

* Signature on File

Note: Attachments to the minutes can be obtained by contacting the Office of Record, Executive Services.