

L. W. "Nubbin" Cooper Jr.  
County Commissioner, Precinct 1



Amanda Young  
County Commissioner, Precinct 3

Alvin Roberts  
County Commissioner, Precinct 4

Chris Kirkendall  
County Commissioner, Precinct 2

Wayne McDaniel  
County Judge

**COMMISSIONERS COURT OF HARDIN COUNTY, TEXAS**  
HARDIN COUNTY COURTHOUSE ▪ COMMISSIONERS COURTROOM (A-131)

**NOTICE OF REGULAR MEETING AND AGENDA**  
**TUESDAY | DECEMBER 28, 2021 | 10:00 A.M.**

**AGENDA AND MINUTES**

BE IT REMEMBERED THAT ON DECEMBER 14, 2021, THERE WAS BEGUN AND HOLDEN A REGULAR MEETING OF THE COMMISSIONERS' COURT OF HARDIN COUNTY, TEXAS, WITH THE FOLLOWING MEMBERS OF THE COURT PRESENT:

HONORABLE WAYNE MCDANIEL  
HONORABLE CHRIS KIRKENDALL  
HONORABLE AMANDA YOUNG  
HONORABLE ALVIN ROBERTS  
CONNIE BECTON

HARDIN COUNTY JUDGE  
COMMISSIONER PCT. 2  
COMMISSIONER PCT. 3  
COMMISSIONER PCT. 4  
DEPUTY COUNTY CLERK

COMMISSIONER COOPER, PCT. 1, WAS ABSENT WHEN THE FOLLOWING PROCEEDINGS WERE HAD AND ORDERS MADE TO-WIT, THEREBY CONSTITUTING A QUORUM; IN ADDITION TO THE ROUTINE BUSINESS OF THE COUNTY, THE SUBJECT OF SAID MEETING WILL BE THE FOLLOWING:

- 1) Call meeting to order. Judge Wayne McDaniel
- 2) Invocation and Pledge of Allegiance. *Commissioner Chris Kirkendall*
- 3) Approve Minutes of the December 14, 2021 Regular Meeting. *Glenda Alston, County Clerk*  
MOTION BY: COMMISSIONER KIRKENDALL  
SECOND BY: COMMISSIONER YOUNG  
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.  
ACTION: APPROVED AS PRESENTED

- 4) Consider approval of request to cancel all Registered Claims from December 14, 2021; and Approval of Cash Statement as presented. *Deborah McWilliams, County Treasurer (SEE ATTACHED)*  
**MOTION BY: COMMISSIONER YOUNG**  
**SECOND BY: COMMISSIONER KIRKENDALL**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**  
**ACTION: APPROVED AS PRESENTED**
  
- 5) Authorization to pay County bills as presented. *Candice McKinney, Assistant County Auditor (SEE ATTACHED)*  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER ROBERTS**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**  
**ACTION: APPROVED AS PRESENTED**
  
- 6) Recognize Linda Kellum, Court Coordinator for 88<sup>th</sup> Judicial District Court, for 28 years of dedicated service to Hardin County, and wish her well on her retirement. **(SEE ATTACHED)**  
**MOTION BY: JUDGE MCDANIEL**  
**SECOND BY: COMMISSIONER KIRKENDALL**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**  
**ACTION: TABLED UNTIL JANUARY 4, 2022.**
  
- 7) Consider request by the County Judge to recognize the appointment of Mr. Brian Guillory as the new Maintenance Supervisor for Hardin County.  
**MOTION BY: COMMISSIONER YOUNG**  
**SECOND BY: COMMISSIONER KIRKENDALL**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**  
**ACTION: APPROVED**
  
- 8) Consider request by the County Judge to recognize the appointment of Mrs. Melinda Herrington as the new Human Resources Director for Hardin County.  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER ROBERTS**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**  
**ACTION: APPROVED**

- 9) Consider acceptance of resignation of Mr. Paul Enderle as a Commissioner for Emergency Services District #1; and Appointment of Mr. David Smallwood to fill vacancy. **(SEE ATTACHED)**  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER ROBERTS**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**  
**ACTION: APPROVED DAVID SMALLWOOD TO FILL VACANCY**
- 10) Discussion and possible action concerning appointments of Commissioners to the Hardin County Emergency Services Districts to serve new two (2) year term, effective January 1, 2022 (term will end December 31, 2023). (See attached list).  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER ROBERTS**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**  
**ACTION: APPROVED**
- 11) Consider and possibly authorize the County Judge to execute The Austin Building Commercial Lease Agreement between Margaret J. Underhill and Hardin County for leased office space located at 295 Highway 327 East, Suite 295, Silsbee, Texas. This additional space is needed to house WIC and Immunizations, and will be 100% paid for utilizing grant funds. *Sharon Whitley, Health Director* **(SEE ATTACHED)**  
**MOTION BY: COMMISSIONER YOUNG**  
**SECOND BY: COMMISSIONER ROBERTS**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**  
**ACTION: APPROVED**
- 12) Consider and possibly authorize the County Judge to execute an Interlocal Agreement with Harris County for the purpose of the Health Inspector attaining access to Harris County's software for electronic management of food safety programs. The cost for use of this software is \$20,000.00, and will be 100% paid for utilizing FDA/AFDO grant funds. *ReJena Bolton, Health Inspector.* **(SEE ATTACHED)**  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER ROBERTS**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**  
**ACTION: APPROVED**
- 13) Discussion regarding plans for servicing Precinct 2. *Commissioner Chris Kirkendall* **(SEE ATTACHED)**

- 14) Permission to transfer \$107,072.06 from the R&B Fund Balance to pay off equipment note on Gradall (VIN...0545) in this amount. *Commissioner Chris Kirkendall (SEE ATTACHED)*  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER YOUNG**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**  
**ACTION: APPROVED TO TABLE UNTIL JANUARY 4, 2022**
- 15) Consider approval of request to purchase a 2019 Gradall D152 (VIN...6659) in the amount of \$282,139.64 (this purchase will be financed for a term not to exceed eight years); and a 2023 Ford F750 Medium Duty Dump Truck in the amount of \$93,321.86 for the R&B 2 Department, to be purchased utilizing a cooperative purchasing agreement. *Commissioner Chris Kirkendall (SEE ATTACHED)*  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER YOUNG**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**  
**ACTION: APPROVED TO TABLE UNTIL JANUARY 4, 2022**
- 16) Consider request to hire a new Light Equipment Operator at a rate of \$16.00 per hour; and a new Heavy Equipment Operator at a rate of \$18.00 per Hour for the R&B 2 Department. *Commissioner Chris Kirkendall (SEE ATTACHED)*  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER YOUNG**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**  
**ACTION: APPROVED TO TABLE UNTIL JANUARY 4, 2022**
- 17) Consider and possibly approve request to sell the following equipment: 2 Ea. 1997 81DJ Dura Patchers (S/N...1306 and ...1534); a 2019 F750 Dura Patcher (VIN ...6438); a 2008 Ford F650 Dump Truck (VIN...2427); a 2007 Ford F150 (VIN...3065); and a 2007 AZ-300 Asphalt Zipper (S/N...0186) utilizing Rene' Bates Auctioneers, Inc. (ReneBates.com). *Commissioner Amanda Young, Precinct 3 (SEE ATTACHED)*  
**MOTION BY: COMMISSIONER YOUNG**  
**SECOND BY: COMMISSIONER ROBERTS**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**  
**ACTION: APPROVED**
- 18) Consider and possibly approve request to increase the pay rate for R&B 3 Light Equipment Operator from \$18.45 per hour to \$19.48 per hour. *Commissioner Amanda Young (SEE ATTACHED)*  
**MOTION BY: COMMISSIONER YOUNG**  
**SECOND BY: COMMISSIONER ROBERTS**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**  
**ACTION: APPROVED**

- 19) Consider approval of request to authorize the Purchasing Agent to solicit proposals from qualified firms to upgrade the control system in the Hardin County Jail, appoint a committee to evaluate the proposals received, and recommend a firm to Commissioners Court. *Misty Sims, Purchasing Agent (SEE ATTACHED)*  
**MOTION BY: COMMISSIONER YOUNG**  
**SECOND BY: COMMISSIONER ROBERTS**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**  
**ACTION: APPROVED WITH COMMITTEE OF: SHERIFF DAVIS, AARON TUPPER AND SCOTT DELACERDA**
- 20) Consider approval of request to authorize the Purchasing Agent to solicit proposals from qualified vendors to repair or replace the fire alarm panel in the Hardin County Jail, appoint a committee to evaluate the proposals received, and recommend a vendor to Commissioners Court. *Misty Sims, Purchasing Agent (SEE ATTACHED)*  
**MOTION BY: COMMISSIONER YOUNG**  
**SECOND BY: COMMISSIONER ROBERTS**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**  
**ACTION: APPROVED WITH COMMITTEE OF: SHERIFF DAVIS, AARON TUPPER AND SCOTT DELACERDA**
- 21) Present recommendation from the evaluation committee concerning Qualification Statements received for professional services (architect/engineer) to build shelter for WIC vehicles, supplies, and storage; and possibly award to successful firm. *Misty Sims, Purchasing Agent (SEE ATTACHED)*  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER ROBERTS**  
**ACTION: APPROVED THE RECOMMENDATION FROM THE EVALUATION COMMITTEE WHICH WAS WHITELEY, OLIVER ENGINEERING, LLC.**
- 22) Present results of bids received for replacement of approximately 1,340 feet of concrete roadway on Travis Street, located in Precinct 1, and possibly award to successful vendor. *Misty Sims, Purchasing Agent (SEE ATTACHED)*  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER YOUNG**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**  
**ACTION: APPROVED LOW BIDDER OF FNT CONSTRUCTION**
- 23) Announcement of Executive (Closed) Session pursuant to Texas Government Code 551.071 (1)(A) for consultation with the County Attorney, Matthew Minick, to seek advice about pending or contemplated litigation.  
**WILL NOT NEED TO GO INTO EXECUTIVE SESSION AT THIS TIME.**

**-Return to Open Meeting and resume agenda-**

24) Consider and possibly approve the Final Plat and Construction Plans of LongLeaf SEC 1B, a subdivision of 48.62 acres of land being a portion of a called 2,095 acre tract, Hardin County Clerk File No. 2016-66227 in the Hardin County Deed Records, being situated in the Eduardo Ariola League, Abstract No. 1, Hardin County, Texas. This phase of the subdivision will consist of 75 lots, 2 reserves, 6 Blocks and is located south of FM 421, Lumberton, Hardin County, in Precinct 3, within the ETJ of Beaumont, Jefferson County, Texas. Additionally, SEC 1A of the subdivision is located wholly within the City of Lumberton, Hardin County; Lumberton has approved the same for SEC 1A. This Final Plat and Construction Plans meet all County subdivision regulations as well as the proposed Development Agreement. *Alex Parker, Floodplain Administrator (SEE ATTACHED)*

**MOTION BY: JUDGE MCDANIEL**

**SECOND BY: COMMISSIONER KIRKENDALL**

**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**

**ACTION: APPROVED TO TABLE UNTIL JANUARY 4, 2022**

25) Consider and possibly authorize the County Judge to execute a Development Agreement with Brampton Essential, L.P. and B-E Development, Inc. concerning the LongLeaf subdivision development project on FM 421 in Lumberton. *Matthew Minick, County Attorney*

**MOTION BY: JUDGE MCDANIEL**

**SECOND BY: COMMISSIONER KIRKENDALL**

**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**

**ACTION: APPROVED TO TABLE UNTIL JANUARY 4, 2022**

26) Consider and possibly accept replat of Lot 12 and remainder of Lot 13 of Gray Colony, being 9.758 acres, lying in the G&BN Co. Survey Section No. 6, Abstract 245, located in Hardin County, Precinct 3. *Alex Parker, Floodplain Administrator (SEE ATTACHED)*

**MOTION BY: COMMISSIONER YOUNG**

**SECOND BY: COMMISSIONER KIRKENDALL**

**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**

**ACTION: APPROVED**

27) Discussion only of any item not on the Agenda without taking any action. *Any County Official*

28) Adjourn.

**MOTION BY: COMMISSIONER KIRKENDALL**

**SECOND BY: COMMISSIONER ROBERTS**

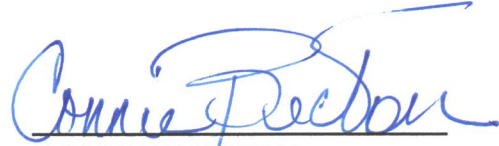
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**

**ACTION: APPROVED**

RESPECTFULLY SUBMITTED,

A handwritten signature in blue ink, appearing to be 'W. McDaniel', written over a horizontal line.

WAYNE MCDANIEL  
HARDIN COUNTY JUDGE

A handwritten signature in blue ink, appearing to be 'Connie Becton', written over a horizontal line.

CONNIE BECTON  
DEPUTY COUNTY CLERK