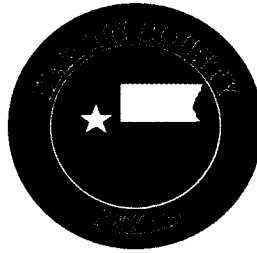


L. W. "Nubbin" Cooper Jr.
County Commissioner, Precinct 1



Amanda Young
County Commissioner, Precinct 3

Chris Kirkendall
County Commissioner, Precinct 2

Alvin Roberts
County Commissioner, Precinct 4

Wayne McDaniel
County Judge

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

NOTICE OF REGULAR MEETING AND AGENDA
TUESDAY | AUGUST 9, 2022 | 10:00 A.M.

AGENDA AND MINUTES

BE IT REMEMBERED THAT ON AUGUST 9, 2022, 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 L.W. COOPER, JR.
HONORABLE CHRIS KIRKENDALL
HONORABLE ALVIN ROBERTS
HONORABLE CONNIE BECTON

HARDIN COUNTY JUDGE
COMMISSIONER PCT. 1
COMMISSIONER PCT. 2
COMMISSIONER PCT. 4
HARDIN COUNTY CLERK

COMMISSIONER AMANDA YOUNG, PCT. 3, 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 July 26, 2022 Regular Meeting and July 28, 2022 Special Meeting as presented by *Connie Becton, County Clerk*
MOTION BY: COMMISSIONER ROBERTS
SECOND BY: COMMISSIONER KIRKENDALL
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.
ACTION: APPROVED AS PRESENTED

COMMISSIONERS COURT AGENDA AND MINUTES

AUGUST 9, 2022

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- 4) Consider approval of request to cancel all Registered Claims from July 26, 2022; and Approval of Cash Statement as presented by *Deborah McWilliams, County Treasurer* (SEE ATTACHED)
MOTION BY: COMMISSIONER COOPER
SECOND BY: COMMISSIONER ROBERTS
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.
ACTION: APPROVED AS PRESENTED
- 5) Authorization for County Treasurer to close existing bank account ...0718 titled 'Hardin County Consolidated Non-Interest' as requested by *Deborah McWilliams, County Treasurer*. (SEE ATTACHED)
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER COOPER
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.
ACTION: APPROVED
- 6) Consider request by *Deborah McWilliams, County Treasurer*, to approve amendment to the Bank Depository Contract with PNC Bank due to change of interest rate from 0.12% to 0.50% effective July 27, 2022. (SEE ATTACHED)
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER ROBERTS
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.
ACTION: APPROVED
- 7) Authorization to pay County bills as presented by *Angela Gore, County Auditor* (SEE ATTACHED)
MOTION BY: COMMISSIONER COOPER
SECOND BY: COMMISSIONER ROBERTS
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.
ACTION: APPROVED AS PRESENTED
- 8) Consider request by *Angela Gore, County Auditor*, to approve the following FY2022 Budget Amendment regarding the FY2021 surplus carryover of funds for R&B1 and R&B4 Departments:

From:	R&B Fund Balance	\$ 280,115.74
To:	017-621-395 R&B1 Contingency	\$ 168,975.83
	017-624-395 R&B4 Contingency	\$ 111,139.91

MOTION BY: JUDGE MCDANIEL
SECOND BY: COMMISSIONER KIRKENDALL
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.
ACTION: APPROVED

COMMISSIONERS COURT AGENDA AND MINUTES

AUGUST 9, 2022

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- 9) Consider and possibly approve request by *Sheriff Mark Davis* to set the Sheriff's and Constables' Fees to become effective January 1, 2023. (SEE ATTACHED)

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER ROBERTS

IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.

ACTION: APPROVED AS PRESENTED

- 10) Consider approval of request by *Sheriff Mark Davis* to accept a donation from Westrock Corporation in the amount of \$4,000.00 to be used for technology upgrades within the Sheriff's Office. If approved, consider approval of the following FY22 budget amendment:

Increase Revenue	010-367-104 Donations-Sheriff Dept.	\$ 4,000.00
Increase Expenditures	010-560-395 Donated Funds	\$ 4,000.00

MOTION BY: COMMISSIONER COOPER

SECOND BY: COMMISSIONER ROBERTS

IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.

ACTION: APPROVED

- 11) Consider acceptance of resignation of Mr. Joe Tumbleson as a Commissioner for Emergency Services District № 2; and approve appointment of James Philp to fill vacancy effective August 8, 2022 (term will end December 31, 2022), as presented by *Commissioners Alvin Roberts and Amanda Young*. (SEE ATTACHED)

MOTION BY: COMMISSIONER ROBERTS

SECOND BY: COMMISSIONER KIRKENDALL

IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.

ACTION: APPROVED

- 12) Consider appointment of Marisol Gutierrez to the Sexual Assault Response Team (SART) to fill a vacancy on the response team pursuant to § 351.255 Local Government Code (SEE ATTACHED)

MOTION BY: COMMISSIONER ROBERTS

SECOND BY: COMMISSIONER COOPER

IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.

ACTION: APPROVED

- 13) Consider request by *Connie Becton, County Clerk*, to approve an Order of appointment for election judges and alternate election judges for Hardin County, to serve for a period of 2 years, beginning August 2022 through July 2024. (SEE ATTACHED)

MOTION BY: COMMISSIONER COOPER

SECOND BY: COMMISSIONER ROBERTS

IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.

ACTION: APPROVED AS PRESENTED

COMMISSIONERS COURT AGENDA AND MINUTES

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- 14) Consider request by *Connie Becton, County Clerk*, to approve an Order calling for November 8, 2022 General Election, including Early Voting locations and hours.(SEE ATTACHED)
MOTION BY: COMMISSIONER COOPER
SECOND BY: COMMISSIONER KIRKENDALL
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.
ACTION: APPROVED
- 15) Consider approval of request by *Melinda Herrington, Human Resources Director*, to pay Texas Association of Counties (TAC) Invoice #DP-2021-4-1000 in the amount of \$40,782.20 for the one-year reserve balance required to be maintained in Hardin County's Unemployment Compensation Account Fund.(SEE ATTACHED)
MOTION BY: COMMISSIONER ROBERTS
SECOND BY: COMMISSIONER COOPER
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.
ACTION: APPROVED
- 16) Consider and possibly approve revised Hardin County Floodplain Order as requested by *Alex Parker, Floodplain Administrator*. (SEE ATTACHED)
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER COOPER
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.
ACTION: APPROVED
- 17) Consider and possibly approve preliminary plat of Evergreen Heights Subdivision, out of Lot 8, Deer Park, Volume 3, Page 112 PRHC, Francisco Arriola League, Abstract No. 2, Lumberton, Hardin County, Texas, located in Precinct 1, as requested by *Alex Parker, Floodplain Administrator*. (SEE ATTACHED)
MOTION BY: COMMISSIONER COOPER
SECOND BY: COMMISSIONER KIRKENDALL
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.
ACTION: APPROVED
- 18) Consider request by *Alex Parker, Floodplain Administrator*, to approve Amended replat of Lot 35, Block 27, Pinewood Section 4, Volume 3, Page 173 Plat Records of Hardin County, Texas into Lots 35A and 35B, Block 27, Pinewood Section 4, J.M. Boyer Survey, A-595, located in Precinct 3. (This is a correction to the action taken by Commissioners Court on July 12, 2022 due to missing information on plat). (SEE ATTACHED)
MOTION BY: COMMISSIONER COOPER
SECOND BY: COMMISSIONER ROBERTS
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.
ACTION: APPROVED

COMMISSIONERS COURT AGENDA AND MINUTES

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19) Discussion and possible action regarding Discretionary Exemption for professional services - Independent Auditing Services - pursuant to LGC 262.024. If approved, consider authorization for County Judge to sign engagement letter with Belt, Harris and Pechacek for Outside Audit for the year ending September 30, 2022, with option for two subsequent fiscal years, as requested by *Misty Sims, Purchasing Agent*. (SEE ATTACHED)

MOTION BY: COMMISSIONER ROBERTS

SECOND BY: COMMISSIONER COOPER

IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.

ACTION: APPROVED

20) Consider and possibly authorize Purchasing Agent to sell seized items from the Sheriff's office utilizing Rene' Bates Auctioneers, Inc. (ReneBates.com). (SEE ATTACHED)

MOTION BY: COMMISSIONER COOPER

SECOND BY: COMMISSIONER ROBERTS

IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.

ACTION: APPROVED

21) Consider approval of request by *Misty Sims, Purchasing Agent*, for the County Judge to execute a Professional Services Agreement with Thompson Consulting Services, LLC, previously awarded 2nd for Debris Monitoring Services in Commissioners Court on August 24, 2021. A notice to proceed will only be sent to Thompson Consulting Services, LLC if the 1st awarded vendor, Tetra Tech, Inc. is unable to provide services as required under their contract. (SEE ATTACHED)

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER COOPER

IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.

ACTION: APPROVED

22) Consider approval of request by *Misty Sims, Purchasing Agent*, to authorize the County Judge to sign Amendment to Fee Agreement between Hardin County and Jordan Services for Appraisal Services relating to Community Development Block Grant for Disaster Recovery (CDBG-DR) Texas General Land Office (GLO) - Hurricane Harvey. (SEE ATTACHED)

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER ROBERTS

IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.

ACTION: APPROVED

COMMISSIONERS COURT AGENDA AND MINUTES

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- 23) Consider approval to pay off equipment note on Case Loader (S/N...3360) in the amount of \$168,916.05 from R&B 2 Department line item '017-622-649 Equipment Notes', as requested by *Commissioner Chris Kirkendall*. If approved, consider approval of the following FY22 budget transfer: (SEE ATTACHED)

From:	017-622-334 Materials & Supplies	\$168,917.00
To:	017-622-649 Equipment Notes	\$168,917.00

MOTION BY: COMMISSIONER COOPER

SECOND BY: COMMISSIONER ROBERTS

IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.

ACTION: APPROVED

- 24) Consider approval of request by *Commissioner Chris Kirkendall*, to authorize the Purchasing Agent to solicit bids for overlaying on the following County Roads located in Precinct 2: Approximately 1,056 Ft. X 18 Ft. on B and C Lane; approximately 1,056 Ft. X 18 Ft. on Possum Hollow Road; approximately 1,584 Ft. X 15 Ft. on Lacy Lane; and approximately 1,500 Ft. X 18 Ft. on Caneyhead Church Road. (SEE ATTACHED)

MOTION BY: COMMISSIONER COOPER

SECOND BY: COMMISSIONER ROBERTS

IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.

ACTION: APPROVED

- 25) Consider and possibly authorize the Purchasing Agent to solicit proposals for a grant manager/administrator pertaining to Community Development Block Grant - Mitigation funding. If approved, appoint evaluation committee to make a recommendation to Commissioners Court.

MOTION BY: COMMISSIONER COOPER

SECOND BY: COMMISSIONER ROBERTS

IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.

ACTION: APPROVED AND APPOINTED THE COMMITTEE OF COMMISSIONER YOUNG, CLAY WOODWARD AND AMANDA HOLLAND.

- 26) Consider and possibly authorize the County Judge to execute the Funding Acknowledgment Letter from South East Texas Regional Planning Commission to acknowledge and accept funding through the Regional Mitigation Program in the amount of \$23,894,500.00 (subject to change after completion of public participation process and final MOD approval by Texas General Land Office). (SEE ATTACHED)

MOTION BY: COMMISSIONER ROBERTS

SECOND BY: COMMISSIONER COOPER

IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS

ACTION: APPROVED

27) Consider approval to publish increases of salaries and expenses of Elected County and Precinct Officers. (SEE ATTACHED)

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER ROBERTS

IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.

ACTION: APPROVED

28) Setting of Public Hearing to receive comments from citizens of Hardin County concerning the Fiscal Year 2023 Hardin County Budget (October 1, 2022 - September 30, 2023); and publish notice of same pursuant to § 111.007(c) Local Government Code. (SEE ATTACHED)

MOTION BY: JUDGE MCDANIEL

SECOND BY: COMMISSIONER COOPER

IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.

ACTION: APPROVED TO SET PUBLIC HEARING FOR AUGUST 23, 2022 AT 9:00 A.M.

29) Setting of Public Hearing to receive comments from citizens of Hardin County concerning the proposed Tax Rate of \$0.540835 per \$100 valuation for the 2022 tax year; and publish notice of same pursuant to § 26.06 Tax Code. (SEE ATTACHED)

MOTION BY: JUDGE MCDANIEL

SECOND BY: COMMISSIONER ROBERTS

IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.

ACTION: APPROVED TO SET PUBLIC HEARING FOR AUGUST 23, 2022 AT 9:00 A.M.

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

31) Adjourn.

MOTION BY: COMMISSIONER COOPER

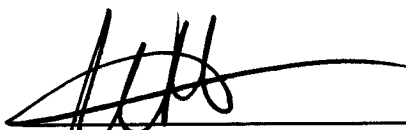
SECOND BY: COMMISSIONER KIRKENDALL

IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.

ACTION: APPROVED

**Any attendee of this Open Meeting may be permitted to comment on an Agenda item by raising their hand, and being recognized by the Presiding Member prior to the Court acting on any item. Anyone who addresses Commissioners Court must do so from the podium.*

RESPECTFULLY SUBMITTED,



Wayne McDaniel
HARDIN COUNTY JUDGE



Connie Becton
HARDIN COUNTY CLERK