

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**  
**MONDAY | FEBRUARY 28, 2022 | 10:00 A.M.**

**AGENDA AND MINUTES**

BE IT REMEMBERED THAT ON FEBRUARY 28, 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 AMANDA YOUNG  
HONORABLE ALVIN ROBERTS  
HONORABLE CONNIE BECTON

HARDIN COUNTY CLERK  
COMMISSIONER PCT. 1  
COMMISSIONER PCT. 2  
COMMISSIONER PCT. 3  
COMMISSIONER PCT. 4  
HARDIN COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD AND ORDERS MADE TO-WIT; 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 February 8, 2022 Regular Meeting as presented by *Connie Becton, County Clerk*

**MOTION BY: COMMISSIONER ROBERTS**

**SECOND BY: COMMISSIONER YOUNG**

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

**ACTION: APPROVED AS PRESENTED**

4. Consider approval of request to cancel all Registered Claims from February 8, 2022; and Approval of Cash Statement as presented by *Deborah McWilliams, County Treasurer* (SEE ATTACHED)  
MOTION BY: COMMISSIONER YOUNG  
SECOND BY: COMMISSIONER ROBERTS  
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.  
ACTION: APPROVED AS PRESENTED
5. 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, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.  
ACTION: APPROVED AS PRESENTED
6. Consider request by *Mr. Paul Henderson, Henderson Law Firm*, to adopt Resolution 13-22 authorizing Approval of Proposed Texas Statewide Opioid Settlement Agreements. (SEE ATTACHED)  
MOTION BY: COMMISSIONER KIRKENDALL  
SECOND BY: COMMISSIONER YOUNG  
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.  
ACTION: APPROVED
7. Consider request by *Chester Jourdan, Executive Director, American Red Cross of Southeast and Deep East Texas*, to adopt Resolution 14-22 proclaiming March 2022 as American Red Cross Month. (SEE ATTACHED)  
MOTION BY: COMMISSIONER ROBERTS  
SECOND BY: COMMISSIONER COOPER  
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.  
ACTION: APPROVED
8. Consider and possibly accept the Governor's Proclamation ordering the May 7, 2022 Constitutional Amendment Election. (SEE ATTACHED)  
MOTION BY: COMMISSIONER COOPER  
SECOND BY: COMMISSIONER ROBERTS  
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.  
ACTION: APPROVED

COMMISSIONERS COURT AGENDA AND MINUTES

FEBRUARY 28, 2022

PAGE 3 OF 8

9. Consider request by *Chief Kevin Cummings, Adult Probation Department*, to accept for filing in the Minutes of the Court: Copy of Texas Department of Criminal Justice Community Justice Assistance Division Financial Management Manual (TDCJ-CJAD FMM) FY21 4<sup>th</sup> Quarter Financial Report (QFR); FY21 Statement of Financial Position; and FY22/23 Budget; all in accordance with LGC 140.004. **(SEE ATTACHED)**

**MOTION BY: COMMISSIONER YOUNG**

**SECOND BY: COMMISSIONER ROBERTS**

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

**ACTION: APPROVED**

10. Consider acceptance of resignation of Mr. Daniel Payne as a Commissioner for Emergency Services District 4; and Appointment of Mr. Carl Price to fill vacancy. **(SEE ATTACHED)**

**MOTION BY: COMMISSIONER YOUNG**

**SECOND BY: COMMISSIONER ROBERTS**

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

**ACTION: APPROVED TO APPOINT CARL PRICE.**

11. Consider acceptance of the audited financial statements for Hardin County ESD 4 for the year ending September 30, 2021; and ESD 3 for the year ending December 31, 2021. **(SEE ATTACHED)**

**MOTION BY: COMMISSIONER ROBERTS**

**SECOND BY: COMMISSIONER YOUNG**

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

**ACTION: APPROVED**

12. Consider approval of request by *Melinda Herrington, Human Resources Director*, to enroll all Hardin County employees and Elected and Appointed Officials who have access to a government computer system or database, and use a computer to perform at least 25% of the employee's or official's required duties into the free Cybersecurity Training Course for 2022 provided by Texas Association of Counties, pursuant to § 2054.5191 of the Government Code. **(SEE ATTACHED)**

**MOTION BY: COMMISSIONER ROBERTS**

**SECOND BY: COMMISSIONER YOUNG**

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

**ACTION: APPROVED**

13. Consider request by *Melinda Herrington, Human Resources Director*, to approve updated Equal Employment Opportunity/Affirmative Action Plan. **(SEE ATTACHED)**

**MOTION BY: COMMISSIONER YOUNG**

**SECOND BY: COMMISSIONER ROBERTS**

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

**OPPOSED: COMMISSIONER COOPER**

**ACTION: APPROVED**

14. Consider request by *Melinda Herrington, Human Resources Director*, to authorize the County Judge to sign Affordable Care Act Reporting and Tracking Service (ARTS) Program Agreement offered by Texas Association of Counties Health and Employees Benefits Pool (TAC HEBP). **(SEE ATTACHED)**

**MOTION BY: COMMISSIONER YOUNG**

**SECOND BY: COMMISSIONER COOPER**

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

**ACTION: APPROVED**

15. Consider request by *Commissioner Alvin Roberts* and *Commissioner Amanda Young* to transfer Heavy Equipment Operator employee from R&B4 to R&B3 effective March 7, 2022. If approved, consider approval of the following FY22 budget transfer: **(SEE ATTACHED)**

From:	017-624-106	Salaries - Precinct Employees	\$ 26,219.00
	017-624-201	FICA Taxes	\$ 2,032.00
	017-624-202	Health Insurance	\$ 6,532.00
	017-624-203	Retirement	\$ 4,014.00
	017-624-204	Workers Comp Insurance	\$ 597.00
	017-624-206	State Unemployment Tax	\$ 35.00
	017-624-207	Dental Insurance	\$ 161.00
	017-624-208	Life Insurance	\$ 38.00
	017-624-209	Supplemental Death	\$ 51.00

To:	017-623-106	Salaries - Precinct Employees	\$ 26,219.00
	017-623-201	FICA Taxes	\$ 2,032.00
	017-623-202	Health Insurance	\$ 6,532.00
	017-623-203	Retirement	\$ 4,014.00
	017-623-204	Workers Comp Insurance	\$ 597.00
	017-623-206	State Unemployment Tax	\$ 35.00
	017-623-207	Dental Insurance	\$ 161.00
	017-623-208	Life Insurance	\$ 38.00
	017-623-209	Supplemental Death	\$ 51.00

**MOTION BY: COMMISSIONER ROBERTS**

**SECOND BY: COMMISSIONER YOUNG**

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

**ACTION: APPROVED**

16. Consider approval of request by *Commissioner Amanda Young* to purchase a 2020 CASE DV45CE Asphalt Roller (SN...3639) in the amount of \$54,598.30 for the R&B 3 Department, utilizing a cooperative purchasing agreement. If approved, also consider approval of request to transfer \$20,000.00 from 017-623-334 'Materials & Supplies' to 017-623-570 'Equipment Purchase'. (SEE ATTACHED)

**MOTION BY: COMMISSIONER ROBERTS**

**SECOND BY: COMMISSIONER COOPER**

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

**ACTION: APPROVED**

17. Consider request by *Sharon Whitley, Health Director*, to authorize the County Judge to sign Hardin County Indigent Health Care Fraud Policy and Procedures. (SEE ATTACHED)

**MOTION BY: COMMISSIONER COOPER**

**SECOND BY: COMMISSIONER ROBERTS**

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

**ACTION: APPROVED**

18. Consider request by *Shirley Cook, Tax Assessor-Collector*, to authorize a Tax Refund for Account Number 000002-002431 for tax year 2021 which exceeds the \$1,000.00 limit. (SEE ATTACHED)

**MOTION BY: COMMISSIONER COOPER**

**SECOND BY: COMMISSIONER ROBERTS**

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

**ACTION: APPROVED**

19. Consider and possibly appoint the members to, and call the first meeting of, the Hardin County Adult Sexual Assault Response Team (SART) in accordance with Subchapter J, Chapter 351, Local Government Code. (SEE ATTACHED)

**MOTION BY: COMMISSIONER YOUNG**

**SECOND BY: COMMISSIONER COOPER**

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

**ACTION: APPROVED AND APPOINTED SHERIFF DAVIS, CHIEF SULLINS, REBECCA WALTON, GLENDA JACKS, BRENDA GARRISON AND ASHLEY PENA' TO SERVE ON THE COMMITTEE.**

20. Consider request by *Commissioner L.W. Cooper Jr.* to authorize the Purchasing Agent to solicit bids to replace approximately 1,440 feet of concrete roadway on Westchase Loop, located in Precinct 1. (SEE ATTACHED)

**MOTION BY: COMMISSIONER YOUNG**

**SECOND BY: COMMISSIONER ROBERTS**

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

**ACTION: APPROVED**

21. Consider approval of request by *Commissioner Alvin Roberts* to authorize the Purchasing Agent to sell a 2003 John Deere Tractor 6220 (SN...2086) with Boom Mower utilizing Rene' Bates Auctioneers, Inc. (ReneBates.com). **(SEE ATTACHED)**  
**MOTION BY: COMMISSIONER COOPER**  
**SECOND BY: COMMISSIONER YOUNG**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**  
**ACTION: APPROVED**
22. Consider request by *Letasha Jones, Assistant Health Director*, to authorize the Purchasing Agent to solicit qualification statements for International Board Certified Lactation Consultant for the WIC Department. If approved, appoint a committee to evaluate submittals received and make a recommendation to Commissioners Court. **(SEE ATTACHED)**  
**MOTION BY: COMMISSIONER YOUNG**  
**SECOND BY: COMMISSIONER ROBERTS**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**  
**ACTION: APPROVED AND APPOINTED LETASHA JONES, SABRINA JEANISE AND OMETRA MCCRAY TO SERVE ON THE COMMITTEE.**
23. Consider request by *Misty Sims, Purchasing Agent*, to approve appointment of evaluation committee concerning grant administrator and engineer for application related to DR-4485 HMGP application. **(SEE ATTACHED)**  
**MOTION BY: COMMISSIONER COOPER**  
**SECOND BY: COMMISSIONER ROBERTS**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**  
**ACTION: APPROVED AND APPOINTED COMMISSIONER YOUNG, JUDGE MINTON AND AARON TUPPER TO SERVE ON THE COMMITTEE.**
24. Consider and possibly authorize the Purchasing Agent to solicit bids for materials and emulsions for all Road and Bridge precincts.  
**MOTION BY: COMMISSIONER COOPER**  
**SECOND BY: COMMISSIONER ROBERTS**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**  
**ACTION: APPROVED**
25. Consider request by *Misty Sims, Purchasing Agent*, to present results of bids received for overlaying on the following County Roads located in Precinct 3: Approximately 6,360 feet on Atlantic Road; approximately 3,775 feet on Old Batson Saratoga Road; and approximately 5,520 feet on Fregia Drive / Willow Lane; and possibly award to successful vendor. **(SEE ATTACHED)**  
**MOTION BY: COMMISSIONER COOPER**  
**SECOND BY: COMMISSIONER YOUNG**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.**  
**ACTION: APPROVED CMM CONSTRUCTION WHO WAS LOW BIDDER.**

26. Consider request by *Misty Sims, Purchasing Agent*, to present recommendation from evaluation committee concerning Qualification Statements received for design and construction of a free-standing emergency communication radio tower for Hardin County CDBG-DR Infrastructure Radio Tower project; and possibly award to successful firm. **(SEE ATTACHED)**

**MOTION BY: COMMISSIONER YOUNG**

**SECOND BY: COMMISSIONER COOPER**

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

**ACTION: APPROVED MOTOROLA AS RECOMMENDED BY THE COMMITTEE**

27. Consider request by *Misty Sims, Purchasing Agent*, to present recommendation from evaluation committee concerning proposals received for permanently mounted, multi-band, two-way radios for Hardin County CDBG-DR Infrastructure Radio Project; and possibly award to successful vendor. **(SEE ATTACHED)**

**MOTION BY: COMMISSIONER ROBERTS**

**SECOND BY: COMMISSIONER COOPER**

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

**ACTION: APPROVED MOTOROLA AS RECOMMENDED BY THE COMMITTEE**

28. Consider request by *Connie Becton, County Clerk*, to approve consolidation of County election precincts for the May 7, 2022 Constitutional Amendment Election. **(SEE ATTACHED)**

**MOTION BY: COMMISSIONER KIRKENDALL**

**SECOND BY: COMMISSIONER COOPER**

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

**ACTION: APPROVED**

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

30. Adjourn.

**MOTION BY: COMMISSIONER KIRKENDALL**

**SECOND BY: COMMISSIONER COOPER**

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

**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,



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Wayne McDaniel  
**HARDIN COUNTY JUDGE**



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Connie Beeton  
**HARDIN COUNTY CLERK**