

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 SPECIAL MEETING AND AGENDA
TUESDAY | JANUARY 4, 2022 | 9:00 A.M.

AGENDA AND MINUTES

BE IT REMEMBERED THAT ON JANUARY 4, 2022, THERE WAS BEGUN AND HOLDEN, A SPECIAL 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 CONNIE BECTON

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

COMMISSIONER ALVIN ROBERTS, PCT. 4, 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.
- 2) Invocation and Pledge of Allegiance led by Commissioner Kirkendall.
- 3) Swearing-in of The Honorable Connie Becton as Hardin County Clerk; and Receive and File Mrs. Becton's Public Official Bond, and Official Oath of Office. *Judge Wayne McDaniel (SEE ATTACHED)*

COMMISSIONERS COURT AGENDA AND MINUTES

JANUARY 4, 2022

PAGE 2 OF 5

- 4) Consider adoption of Resolution 1-22 recognizing Linda Kellum for 28 years of dedicated service to the citizens of Hardin County and wishing her well in her retirement as Court Coordinator for the 88th Judicial District Court. *Judge Earl B. Stover III* (SEE ATTACHED)
MOTION BY: COMMISSIONER COOPER
SECOND BY: COMMISSIONER KIRKENDALL
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER YOUNG.
ACTION: APPROVED

- 5) Consider taking formal action to change the effective date of redistricting concerning changes for road mileage and other administrative matters. Pursuant to Section 81.021, Local Government Code, the effective date of redistricting concerning road mileage and other administrative matters is January 1, 2023, unless formal action is taken by the Commissioners Court to change this date. (SEE ATTACHED)
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER COOPER
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER YOUNG.
ACTION: APPROVE AND ADOPT TO CHANGE THE DATE TO JANUARY 1, 2022 FOR ALL ROAD MILEAGE AND OTHER MATTERS CONCERNING REDISTRICTING.

- 6) Consider approval of request by *Commissioner Chris Kirkendall* for permission to transfer an amount not to exceed \$107,250.00 from the R&B Fund Balance to 017-622-649 'Equipment Notes' and 017-622-670 'Equipment Note Interest', accordingly, for the purpose of paying off the current equipment note on a 2016 Gradall (VIN...0545). (SEE ATTACHED)
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER YOUNG
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER YOUNG.
ACTION: APPROVED

- 7) Consider approval of request by *Commissioner Chris Kirkendall* to purchase a 2019 Gradall D152 (VIN...6659) in the amount of \$282,139.64 for the R&B 2 Department, utilizing a cooperative purchasing agreement. If approved, this purchase will be financed for a term not to exceed eight years. (SEE ATTACHED)
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER YOUNG
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER YOUNG.
ACTION: APPROVED

COMMISSIONERS COURT AGENDA AND MINUTES

JANUARY 4, 2022

PAGE 3 OF 5

- 8) Consider approval of request by *Commissioner Chris Kirkendall* to purchase a 2023 Ford F750 Medium Duty Dump Truck in the amount of \$93,321.86 for the R&B 2 Department utilizing a cooperative purchasing program. If approved, also consider approval of request by Commissioner Kirkendall to transfer \$93,321.86 from the R&B Fund Balance to 017-622-570 'Equipment Purchase'. **(SEE ATTACHED)**
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER YOUNG
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL AND COMMISSIONER YOUNG.
OPPOSED: COMMISSIONER COOPER
ACTION: APPROVED WITH THE COUNTY SENDING A LETTER OF INTENT TO SILSBEE FLEET UNDER THE COOPERATIVE PURCHASING PROGRAM TO ORDER THIS VEHICLE AND THE COUNTY WILL NOT BE COMMITTED TO PURCHASING VEHICLE UNTIL THE NEXT BUDGET IS REVIEWED.
- 9) Consider approval of request by *Commissioner Chris Kirkendall* 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. **(SEE ATTACHED)**
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER YOUNG
IN FAVOR: COMMISSIONER KIRKENDALL AND COMMISSIONER YOUNG
OPPOSED: JUDGE MCDANIEL AND COMMISSIONER COOPER
ACTION: MOTION FAILED, MAY BE PLACED ON A FUTURE AGENDA WHEN ALL COMMISSIONERS ARE PRESENT.
- 10) Consider and possibly approve Memorandum of Understanding (MOU) between Hardin County Commissioner, Precinct 3 and Hardin County Commissioner, Precinct 4 for the purpose of maintaining the Hardin County Veterans Memorial Park as requested by *Commissioner Amanda Young and Commissioner Alvin Roberts*. **(SEE ATTACHED)**
MOTION BY: COMMISSIONER COOPER
SECOND BY: COMMISSIONER YOUNG
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER YOUNG.
ACTION: APPROVED
- 11) Consider and possibly authorize request by *Commissioner Amanda Young* to make retroactive to December 1, 2021, the increase in pay rate for a R&B 3 Light Equipment Operator from \$18.45 per hour to \$19.48 per hour, which was approved by Commissioners Court on December 28, 2021. **(SEE ATTACHED)**
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER COOPER
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER YOUNG.
ACTION: APPROVED
- 12) Discussion concerning Hardin County Property Tax report submitted by *Shirley Cook, Tax Assessor-Collector*, for fiscal year 2021 (October 1, 2020 through September 30, 2021). **(SEE ATTACHED)**
DISCUSSION ONLY

COMMISSIONERS COURT AGENDA AND MINUTES

JANUARY 4, 2022

PAGE 4 OF 5

- 13) 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.

PASSED

-Return to Open Meeting and resume agenda-

- 14) 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 COOPER AND COMMISSIONER YOUNG.

ACTION: TABLED

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

MOTION BY: JUDGE MCDANIEL

SECOND BY: COMMISSIONER KIRKENDALL

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

ACTION: TABLED

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

- 17) Adjourn

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER COOPER

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

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

WAYNE MCDANIEL
HARDIN COUNTY JUDGE

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

CONNIE BECTON
HARDIN COUNTY CLERK