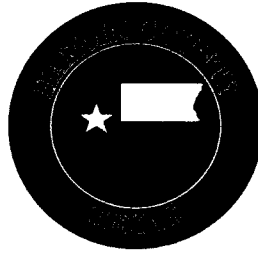


L. W. "Nubbin" Cooper Jr.
County Commissioner, Precinct 1



Amanda Young
County Commissioner, Precinct 3

Chris Kirkendall
County Commissioner, Precinct 2

Ernie Koch
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 | DECEMBER 12, 2023 | 10:00 A.M.

Any attendee of this Open Meeting may be permitted to comment on an Agenda Item for a period of three (3) minutes 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 lectern.

AGENDA AND MINUTES

BE IT REMEMBERED THAT ON DECEMBER 12, 2023, 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 ERNIE KOCH
HONORABLE CONNIE BECTON

HARDIN COUNTY JUDGE
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) Establish Quorum and Call Meeting to Order | *Hon. Wayne McDaniel*
- 2) Invocation and Pledge of Allegiance | *Hon. Amanda Young*

COMMISSIONERS COURT AGENDA AND MINUTES

DECEMBER 12, 2023

PAGE 2 OF 8

- 3) Consider and possibly approve the November 28, 2023 Regular Meeting Minutes as presented by *Hon. Connie Becton, County Clerk*.
MOTION BY: COMMISSIONER YOUNG
SECOND BY: COMMISSIONER KOCH
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED AS PRESENTED

- 4) Consider approval of request to cancel all Registered Claims from November 28, 2023; and Approval of Cash Statement as presented by *Hon. Deborah McWilliams, County Treasurer*.
(SEE ATTACHED)
MOTION BY: COMMISSIONER YOUNG
SECOND BY: COMMISSIONER KOCH
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED AS PRESENTED

- 5) Authorization to pay County bills as presented by *Mrs. Angela Gore, County Auditor*. **(SEE ATTACHED)**
MOTION BY: COMMISSIONER COOPER
SECOND BY: COMMISSIONER YOUNG
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED AS PRESENTED

- 6) Consider adoption of Amended Resolution 33-23 to cast votes in the Election of the Board of Directors of the Hardin County Appraisal District. **(SEE ATTACHED)**
MOTION BY: COMMISSIONER COOPER
SECOND BY: COMMISSIONER KOCH
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED WITH AMENDMENTS

- 7) Consider adoption of Resolution 34-23 approving an amendment to contract #CL7220189 with the Texas Department of Agriculture (TDA). **(SEE ATTACHED)**
MOTION BY: COMMISSIONER YOUNG
SECOND BY: COMMISSIONER COOPER
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED

COMMISSIONERS COURT AGENDA AND MINUTES

DECEMBER 12, 2023

PAGE 3 OF 8

- 8) Consider and possibly authorize the County Judge to execute an Interlocal Cooperation Agreement between South East Texas Regional Planning Commission (SETRPC) and Jefferson County, Hardin County, Orange County, and Jasper County for the purpose of conducting and participating in a Multi-County Broadband Feasibility Study; and consider approval to pay Invoice #011 to SETRPC in the amount of \$29,325.00. **(SEE ATTACHED)**
MOTION BY: COMMISSIONER YOUNG
SECOND BY: COMMISSIONER KOCH
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED
- 9) Consider approval of request by *Mr. Alex Parker, Floodplain Administrator*, to approve replat of Tract 16B of Beaumont Colony-North, a Subdivision of Record in Volume 3, Page 81, Plat Records of Hardin County, Texas into Lots B1 and B2, Joel Lewis Survey, Abstract No. 365, located in Precinct 1. **(SEE ATTACHED)**
MOTION BY: COMMISSIONER COOPER
SECOND BY: COMMISSIONER YOUNG
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED
- 10) Consider approval of request by *Mr. Alex Parker, Floodplain Administrator*, to name an unnamed private road "Carter Ranch Road", located in Precinct 2, for 9-1-1 addressing purposes. **(SEE ATTACHED)**
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER COOPER
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED
- 11) Consider approval of request by *Mr. Aaron Tupper, Emergency Management Coordinator*, for the County Judge to execute the H-GAC Communications System and Service agreement with Motorola Solutions Inc., to design, engineer, and construct a 450 Ft. self-supported tower in the amount of \$1,730,161.61 for the purpose of providing communications coverage for all first responders throughout Hardin County. This project will be funded by allocations through CDBG-DR 4332 - Infrastructure in the amount of \$1,466,178.24 and ARPA funding in the amount of \$263,983.37 as previously approved by Commissioners Court. **(SEE ATTACHED)**
MOTION BY: COMMISSIONER YOUNG
SECOND BY: COMMISSIONER COOPER
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED

COMMISSIONERS COURT AGENDA AND MINUTES

DECEMBER 12, 2023

PAGE 4 OF 8

- 12) Consider request by *Hon. Mark Davis, Sheriff*, to amend the FY24 Budget by transferring \$8,275.24 from General Fund Balance to '010-561-453 Equipment Expense'. Expenses were encumbered during FY23, but the purchases were not completed until after September 30, 2023, due to supply chain issues. **(SEE ATTACHED)**
MOTION BY: COMMISSIONER KOCH
SECOND BY: COMMISSIONER COOPER
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED
- 13) Discussion concerning the appointment of an Elections Administrator by the Hardin County Election Commission on December 6, 2023. **(SEE ATTACHED)**
DISCUSSION ONLY AND THE ANNOUNCEMENT OF ALYSA FREEMAN AS THE FIRST APPOINTED ELECTION ADMINISTRATOR FOR HARDIN COUNTY.
- 14) Consider and possibly authorize necessary amendments and transfers to the FY24 Budget as prepared and submitted by Assistant County Auditor Candice McKinney to accommodate for a new Elections Department, utilizing Fund 010-490 (formerly called Election Expenses) by creating the positions of Elections Administrator and Elections Clerk, transferring funds from 010-499 (Tax Assessor-Collector) and 010-403 (County Clerk) to the Elections Department Budget that are currently associated with Voter Registration and Elections expenses; and transferring \$22,845.00 from '010-401-800 Contingency - General' to make up the difference. **(SEE ATTACHED)**
MOTION BY: COMMISSIONER YOUNG
SECOND BY: COMMISSIONER KOCH
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED AS PRESENTED
- 15) Discussion and possible action to set the amount of the Public Official Bond for the Elections Administrator not to exceed \$20,000.00, pursuant to § 31.040 Texas Election Code. **(SEE ATTACHED)**
MOTION BY: JUDGE MCDANIEL
SECOND BY: COMMISSIONER COOPER
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED TO SET BOND AT \$5,000.00
- 16) Consider and possibly approve new job descriptions for the Elections Administrator and Elections Clerk positions in the Elections Department, as requested by *Mrs. Melinda Herrington, Human Resources Director*. **(SEE ATTACHED)**
MOTION BY: COMMISSIONER COOPER
SECOND BY: COMMISSIONER YOUNG
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED

COMMISSIONERS COURT AGENDA AND MINUTES

DECEMBER 12, 2023

PAGE 5 OF 8

17) Consider and possibly approve updated job description for the Victims Advocate position in the Hardin County Crime Victims Assistance Center (HCCVAC), as requested by *Mrs. Melinda Herrington, Human Resources Director*. (SEE ATTACHED)

MOTION BY: COMMISSIONER YOUNG

SECOND BY: COMMISSIONER COOPER

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

ACTION: APPROVED

18) Consider approval of request by *Ms. Sharon Whitley, Health Director*, for approval to add a Nutritionist position in the Health Services Department at a pay rate of \$23.65 per hour. If the position is approved, consider approval of updated job description for Nutritionist. This position will be grant funded at 100%. (SEE ATTACHED)

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER YOUNG

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

ACTION: APPROVED

19) Consider approval of request by *Ms. Sharon Whitley, Health Director*, for approval to reapply for a \$5,000 National Environmental Assessment Reporting System (NEARS) program that will support state food safety programs. This grant will support the Health Services Department with conducting environmental assessments during food outbreak investigations and report the assessment data to CDC. (\$0 local match). (SEE ATTACHED)

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER COOPER

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

ACTION: APPROVED

20) Consider approval of request by *Ms. Sharon Whitley, Health Director*, to pay HSI Emergency Care Solutions, Inc. Invoice #1917757 in the amount of \$1,442.11 for CPR equipment utilizing grant funds. (SEE ATTACHED)

MOTION BY: COMMISSIONER YOUNG

SECOND BY: COMMISSIONER KOCH

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

ACTION: APPROVED

COMMISSIONERS COURT AGENDA AND MINUTES

DECEMBER 12, 2023

PAGE 6 OF 8

21) Consider approval of request by *Ms. Sharon Whitley, Health Director*, for approval to apply for an \$80,000.00 Infection Prevention and Control (IPC) Learning Collaborative with the National Association of County and City Health Officials (NACCHO), with support from the Centers for Disease Control and Prevention (CDC). This funding will provide the Health Services Department the opportunity to build capacity to train staff on infection prevention and control basics and best practices. (\$0 local match). (SEE ATTACHED)

MOTION BY: COMMISSIONER YOUNG

SECOND BY: COMMISSIONER KOCH

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

ACTION: APPROVED

22) Consider approval of request by *Ms. Sharon Whitley, Health Director*, to authorize the County Judge to sign an Affiliation Agreement and Associate of Applied Science in Nursing Program Preceptor Agreement between Lamar Institute of Technology and Hardin County Health Services Department. This will allow students enrolled in the program to use the Health Services facility, equipment, and supplies within the guidelines and restrictions established so students may obtain practical clinical education experiences in patient care as a part of their educational studies. (SEE ATTACHED)

MOTION BY: COMMISSIONER COOPER

SECOND BY: COMMISSIONER YOUNG

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

ACTION: APPROVED

23) Consider approval of request by *Mrs. Misty Sims, Purchasing Agent*, to present recommendation from the evaluation committee concerning Qualification Statements received for FEMA Hazard Mitigation Grant Program (HMGP) - Severe Winter Storm DR 4705; 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 YOUNG AND COMMISSIONER KOCH.

ACTION: APPROVED LEAVINS ENGINEERING & DESIGN, LLC AS THE NUMBER ONE AND SHAUMBURG & POLK, INC AS THE NUMBER TWO AS RECOMMENDED BY THE COMMITTEE.

24) Consider and possibly authorize the Purchasing Agent to solicit bids for additional climate controlled storage and a metal building for warehouse storage on the property located at 104 Monroe Street, Kountze, TX. If approved, this project will be paid for using American Rescue Plan Act (ARPA) funds. (SEE ATTACHED)

MOTION BY: COMMISSIONER COOPER

SECOND BY: COMMISSIONER YOUNG

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

ACTION: APPROVED

25) Consider approval of request by Cody Croley, LJA Engineering, to present results of bids received for Beaver Brook Road Crossing Improvement Project; and possibly award to successful vendor or take other action as the Court deems necessary. (SEE ATTACHED)

MOTION BY: COMMISSIONER YOUNG

SECOND BY: COMMISSIONER KIRKENDALL

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

ACTION: APPROVED TO GO OUT FOR BIDS AGAIN AFTER THE FIRST OF THE YEAR WHEN COMMISSIONER YOUNG, PURCHASING AGENT AND THE ENGINEER WILL DECIDE WHEN.

26) Consider request by *Mrs. Misty Sims, Purchasing Agent*, to authorize County Judge to execute Amendment to Professional Services Agreement with The Labiche Architectural Group, Inc., related to ARPA Courthouse and jail renovations, possible expansion of the Courthouse Annex Building and/or other eligible activities. (SEE ATTACHED)

MOTION BY: COMMISSIONER COOPER

SECOND BY: COMMISSIONER KIRKENDALL

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

ACTION: APPROVED AS RECOMMENDED BY THE PURCHASING AGENT, MISTY SIMS.

27) Consider and possibly authorize the Purchasing Agent to solicit proposals for the lease of property located at 125 Farmer Street, Silsbee, TX for the purpose of storing vehicles and related equipment. If approved, appoint an evaluation committee to make recommendation to Commissioners Court. (SEE ATTACHED)

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER COOPER

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

ACTION: APPROVED WITH THE COMMITTEE CONSISTING OF COMMISSIONER KIRKENDALL, CLAY WOODWARD AND KEVIN CUMMINGS.

28) Consider and possibly authorize the Purchasing Agent to sell portable buildings, furniture, computers, electrical supplies, and other miscellaneous items utilizing Rene' Bates Auctioneers, Inc. (ReneBates.com). (SEE ATTACHED)

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER COOPER

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

ACTION: APPROVED

COMMISSIONERS COURT AGENDA AND MINUTES

DECEMBER 12, 2023

PAGE 8 OF 8

29) Consider approval of request by *Mrs. Jennifer Walters, HCCVAC Director*, for approval to apply for a \$100,000.00 Sexual Assault Prevention and Crisis Services (SAPCS) - State: Advocacy Enhancement and Counseling Waitlist Reduction Grant Application with the Office of the Attorney General (OAG). This funding will provide the Crime Victims Assistance Center the opportunity to increase advocacy capacity and access to counseling and therapy services. (\$0 local match). (SEE ATTACHED)

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER YOUNG

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

ACTION: APPROVED

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

31) Adjourn.

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER COOPER

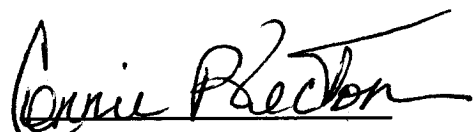
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.

ACTION: APPROVED

RESPECTFULLY SUBMITTED,



Wayne McDaniel
HARDIN COUNTY JUDGE



Connie Becton
HARDIN COUNTY CLERK