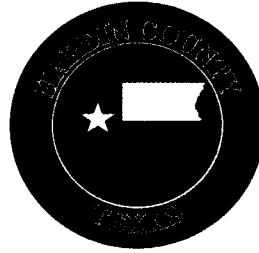


L. W. "Nubbin" Cooper Jr.
County Commissioner, Precinct 1



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 | NOVEMBER 22, 2022 | 10:00 A.M.

AGENDA AND MINUTES

BE IT REMEMBERED THAT ON NOVEMBER 22, 2022, THERE WAS BEGUN AND HOLDEN A REGULAR MEETING OF THE COMMISSIONERS' COURT OF HARDIN COUNTY, 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 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) Call meeting to order. *Judge Wayne McDaniel*
- 2) Invocation and Pledge of Allegiance. *Commissioner Chris Kirkendall*
- 3) Approve Minutes of the November 8, 2022 Regular Meeting and November 14, 2022 Special 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 November 8, 2022; and Approval of Cash Statement as presented by *Deborah McWilliams, County Treasurer*. (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 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 *Deborah McWilliams, County Treasurer*, to approve amendment to the Bank Depository Contract with PNC Bank due to change of interest rate effective August 2022. (SEE ATTACHED)
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER ROBERTS
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.
ACTION: APPROVED

- 7) Consider adoption of Resolution 30-22 in support of project safety for our local communities and protections to the Big Thicket National Preserve with the retention of native vegetation on US Highway 69 Gateway to the Big Thicket Parkway, as requested by *Ellen Buchanan and Mary Bernard, Big Thicket Association*. (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 TO TABLE

- 8) Presentation of a draft version of the 2023 Hardin County Atlas, as requested by *Carl Marshall, South East Texas Regional Planning Commission*. (SEE ATTACHED)
DISCUSSION ONLY

COMMISSIONERS COURT AGENDA AND MINUTES

NOVEMBER 22, 2022

PAGE 3 OF 8

- 9) Discuss, consider, and possibly authorize the County's Administration & Engineering consultants to proceed on the development of the proposed projects associated with the Community Development Block Grant - Mitigation (CDBG-MIT) Regional Method of Distribution (MOD) Application pursuant to input provided by Commissioners Court, City Officials, and other stakeholders during project development workshops held on November 8th and 14th, 2022. (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

- 10) Acceptance of Vehicle Allowance Declination Affidavit from Commissioner L.W. Cooper, Jr, Precinct 1. (SEE ATTACHED)

MOTION BY: JUDGE MCDANIEL

SECOND BY: COMMISSIONER ROBERTS

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

ACTION: APPROVED

- 11) Consider request by *Alex Parker, Floodplain Administrator*, to approve Final Plat of Golden Trails, a subdivision out of and part of M. Peveto Survey, Abstract No. 419 of Hardin County, Texas, into 21 Lots along the West side of Golden Lane, located in Precinct 4. (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

- 12) Consider request by *Aaron Tupper, Emergency Management Coordinator*, to approve acquisition of all or some of the following properties utilizing Community Development Block Grant - Disaster Recovery - Local Buyout and Acquisition Program (CDBG-DR LBAP): (SEE ATTACHED)

- a. 9436 Cooks Lake Road, Lumberton, Texas (located in floodway)
Appraisers' opinion of value is \$1,000,000

MOTION BY: COMMISSIONER ROBERTS

SECOND BY: COMMISSIONER COOPER

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

ACTION: APPROVED

- b. 1115 East Pine Shadows Drive, Sour Lake, Texas (located in Flood Zone AE)
Appraisers' opinion of value is \$116,000

MOTION BY: COMMISSIONER YOUNG

SECOND BY: COMMISSIONER KIRKENDALL

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

ACTION: APPROVED

- c. 454 Piney Point Drive, Sour Lake, Texas (located in Flood Zone AE)

Appraisers' opinion of values is \$149,000

MOTION BY: COMMISSIONER YOUNG

SECOND BY: COMMISSIONER ROBERTS

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

ACTION: APPROVED

- d. 467 West Pine Shadows Drive, Sour Lake, Texas (located in Flood Zone AE)

Appraisers' opinion of value is \$318,000

MOTION BY: COMMISSIONER YOUNG

SECOND BY: COMMISSIONER COOPER

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

OPPOSED: JUDGE MCDANIEL

- 13) Consider approval of request by *Aaron Tupper, Emergency Management Coordinator*, to allocate \$30,000.00 of American Rescue Plan Act of 2021 (ARPA) funding toward the replacement of two (2) AC Units in the Hardin County Correctional Facility. (SEE ATTACHED)

MOTION BY: COMMISSIONER COOPER

SECOND BY: COMMISSIONER KIRKENDALL

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

ACTION: APPROVED

- 14) Consider approval of request by *Aaron Tupper, Emergency Management Coordinator*, for the County Judge to execute the amended H-GAC Communications System and Service Agreement with Motorola, to purchase, install, and program a MCC 7500 dispatch console (\$64,475.00), Subscriber Radios (\$1,520,081.96), APX 8500 Consolettes in dispatch (\$55,026.05), and APX 8000 Radios (\$90,480.60). Total Agreement price is \$1,730,063.61 which will utilize ARPA funds as approved by Commissioners Court on May 24, 2022. This amendment decreases the total of the previously approved amount by \$99.00 and cleans up some cost discrepancies in the agreement. (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

- 15) Consider approval of request by *Aaron Tupper, Director of Technology*, to purchase a Dell PowerVault ME5012 storage array to assist in further virtualization of the County's data, in the amount of \$19,379.89, utilizing TXDIR contract, which will be funded by the allocation of American Rescue Plan Act of 2021 (ARPA) funds. (SEE ATTACHED)

MOTION BY: COMMISSIONER COOPER

SECOND BY: COMMISSIONER KIRKENDALL

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

ACTION: APPROVED

- 16) Consider approval of request by *Aaron Tupper, Director of Technology*, to replace the 9-1-1 recording system in the amount of \$25,271.00. The Southeast Texas Regional Planning Commission 9-1-1 Program will reimburse the amount of \$25,000.00. The remaining amount will be covered by budgeted funds. (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

- 17) Consider approval of request by *Aaron Tupper, Director of Technology*, to authorize the County Judge to sign Copier Lease Agreement with NOVATECH, Inc. for replacement of the copier in the County Courtroom; and blanket authorization for County Judge to execute all future Copier Lease Agreements with NOVATECH, Inc. to meet Departments' needs. (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

- 18) Consider approval of request by *Commissioner Kirkendall*, to pay Texas Materials Group, Inc. Invoice #201133054 in the amount of \$14,190.12 for limestone base for the R&B 2 Department. (SEE ATTACHED)
MOTION BY: COMMISSIONER COOPER
SECOND BY: COMMISSIONER KIRKENDALL
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.
ACTION: APPROVED
- 19) Consider request by *Shirley Cook, Tax Assessor-Collector*, to approve and accept for filing in the minutes of the Court the transcript for the 2022 Tax Assessor-Collector Continuing Education hours as required by SB546 for Shirley Cook, TAC, and Lisa Finn, Chief Deputy TAC. (SEE ATTACHED)
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER ROBERTS
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.
ACTION: APPROVED
- 20) Consider request by *Melinda Herrington, Human Resources Director*, to present recommendation from the Healthy County Committee regarding County Specific Incentive Program, and possibly approve recommendation made by the committee. (SEE ATTACHED)
MOTION BY: JUDGE MCDANIEL
SECOND BY: COMMISSIONER ROBERTS
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER ROBERTS, COMMISSIONER YOUNG.
ACTION: APPROVED
- 21) Consider request by *Melinda Herrington, Human Resources Director*, to approve revised Health Insurance Dependent Coverage Policy. (SEE ATTACHED)
MOTION BY: COMMISSIONER ROBERTS
SECOND BY: COMMISSIONER KIRKENDALL
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.
ACTION: APPROVED
- 22) Consider approval of request by *Misty Sims, Purchasing Agent*, to present results of bids received for overlaying approximately 5,280 Ft. X 18 Ft. on Hayes Road, located in Precinct 2; and possibly award to successful vendor. (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 CMM CONSTRUCTION WHO WAS LOW BIDDER

- 23) Consider and possibly modify award for motor fuel, oil, and lubricants for all Road and Bridge Departments and emergency generators, previously awarded in Commissioners Court on November 8, 2022, as requested by *Misty Sims, Purchasing Agent*. **(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 CHANGES
- 24) Consider approval of request by *Misty Sims, Purchasing Agent*, to authorize the County Judge to sign Fee Agreement between Hardin County and Lark Group, Inc. for Demolition Services relating to TWDB Flood Mitigation Assistance Program (FMA-2018). **(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
- 25) Consider request by *Connie Becton, County Clerk*, to pay Hart InterCivic Invoice #090866 in the amount of \$21,783.14 for ballots for the November 8, 2022 General Election. **(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
- 26) Canvassing the results of the November 8, 2022 General Election in accordance with § 67.007, Texas Election Code as presented by *Connie Becton, County Clerk*. **(SEE ATTACHED)**
MOTION BY: COMMISSIONER COOPER
SECOND BY: COMMISSIONER KIRKENDALL
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER ROBERTS AND COMMISSIONER YOUNG.
ACTION: APPROVED
- 27) Consider request by *Commissioner Alvin Roberts, Precinct 4*, to set Workshop with Commissioners Court, County Auditor, and Purchasing Agent to review and make possible changes to the Purchasing Policy and Procedures Section VI, Sub-section C. **(SEE ATTACHED)**
WORKSHOP SET DECEMBER 5, 2022 AT 10:00 A.M.
- 28) Discussion only by *Any County Official* of any item not on the Agenda without taking action.

29)Adjourn.

MOTION BY: COMMISSIONER KIRKENDALL

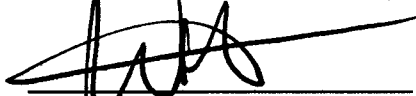
SECOND BY: COMMISSIONER COOPER

**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 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 podium.*

RESPECTFULLY SUBMITTED,



Wayne McDaniel
HARDIN COUNTY JUDGE



Connie Becton
HARDIN COUNTY CLERK