

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 | APRIL 23, 2024 | 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 podium.

AGENDA AND MINUTES

BE IR REMEMBERED THAT ON APRIL 23, 2024, 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
TRACI TURNER

HARDIN COUNTY JUDGE
COMMISSIONER PCT. 1
COMMISSIONER PCT. 2
COMMISSIONER PCT. 3
COMMISSIONER PCT. 4
CHIEF DEPUTY 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*
- 3) **Public Hearing:** Conduct Public Hearing to receive comments from Hardin County citizens on the consideration of request by Mr. Kevin Borque and Mr. Edward Snelling to abandon a 50-foot undeveloped roadway between Lot 10, Block 6 and Lot 1, Block 3 in the Nevada Addition, Sour Lake, Texas, called Weiss Boulevard, located in Precinct 3.

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- 4) Consider and possibly approve the April 9, 2024 Regular Meeting [Minutes](#) as presented by *Hon. Connie Becton, County Clerk.*

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER COOPER

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

ACTION: APPROVED AS PRESENTED

- 5) Consider approval of request to cancel all [Registered Claims](#) from April 9, 2024; and Approval of [Cash Statement](#) as presented by *Hon. Deborah McWilliams, County Treasurer.* (SEE ATTACHED)

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER KOCH

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

ACTION: APPROVED AS PRESENTED

- 6) Authorization to pay [County bills](#) as presented by *Mrs. Candice McKinney, Assistant County Auditor.* (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

- 7) Consider and possibly approve [amendments/transfers](#) to the FY 2023 Budget as presented by *Mrs. Candice McKinney, Assistant County Auditor.* (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 AS PRESENTED

- 8) Consider and possibly approve an [Order](#) abandoning a 50-foot undeveloped roadway between Lot 10, Block 6 and Lot 1, Block 3 in the Nevada Addition, Sour Lake, Texas, called Weiss Boulevard, located in Precinct 3, and divide the abandoned roadway equally between Mr. Kevin Borque and Mr. Edward Snelling, as requested by both parties.

MOTION BY: COMMISSIONER YOUNG

SECOND BY: COMMISSIONER KIRKENDALL

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

ACTION: APPROVED

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- 9) Consider and possibly approve request by *Hon. Wayne McDaniel, County Judge*, to reappoint Dr. Jana M. Winberg to the position of Local Health Authority for a two (2) year term.
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER YOUNG
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
OPPOSED: COMMISSIONER COOPER
ACTION: APPROVED
- 10) Consider adoption of [Resolution 15-24](#) proclaiming May 2024 as Older Americans Month; and Nutrition and Services for Seniors will host the thirteenth annual “*Deliver the Difference benefiting Meals on Wheels*” to honor Mr. Michael Lindsay and wife Cindy, Thursday, May 2, 2024, as requested by *Natalie Thompson, Vice President of Operations*.
MOTION BY: COMMISSIONER COOPER
SECOND BY: COMMISSIONER YOUNG
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED
- 11) Consider approval of [request](#) by *Hon. Deborah McWilliams, County Treasurer*, to amend the FY24 Budget by transferring \$411.98 from the General Fund Balance to line item ‘010-497-310 Office Supplies’. This expense was encumbered during FY23, but the purchases were not complete until after September 30, 2023, due to supply chain issues.
MOTION BY: COMMISSIONER KOCH
SECOND BY: COMMISSIONER KIRKENDALL
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED AS PRESENTED
- 12) Consider [request](#) by *Mrs. Melinda Herrington, Human Resources Director*, to approve updated Equal Employment Opportunity/Affirmative Action Plan.
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER YOUNG
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
OPPOSED: COMMISSIONER COOPER
ACTION: APPROVED
- 13) Consider approval of [request](#) by *Assistant Juvenile Probation Officer Jarrod Fountain, Juvenile Probation Department*, to pay Enterprise Invoice #3CMVZ1 in the amount of \$1,845.69 for vehicle rental, to be paid out of line item ‘605-502-334 State Aid Budget’.
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER COOPER
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED

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- 14) Consider approval of request by *Ms. Alysa Freeman, Elections Administrator*, to pay KNOWiNK, LLC Invoice #15519 in the amount of \$5,100.00 and Hart InterCivic Invoice #096594 in the amount of \$24,024.00 for the purchase of new election equipment previously approved by Commissioners Court on January 9, 2024, to be paid as follows:

FROM	010-490-594 Software License/Support	\$12,325.00
	010-490-352 Minor Equipment	\$16,320.00
	010-490-310 Supplies	\$479.00

MOTION BY: COMMISSIONER COOPER

SECOND BY: COMMISSIONER YOUNG

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

ACTION: APPROVED

- 15) Consider approval of request by *Hon. Mark Davis, Sheriff*, to amend the Rural Law Enforcement Grants Senate Bill (SB-22) FY24 Budget as follows:

FROM	034-560-574 Auto Purchase	\$1,500.00
TO	034-560-390 Dues and Subscriptions	\$1,500.00

*Create New Line Item

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER YOUNG

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

ACTION: APPROVED

- 16) Consider approval of request by *Hon. Mark Davis, Sheriff*, to trade a 2017 Chevy Tahoe (VIN...3659); a 2017 Chevy Tahoe (VIN...9169); a 2018 Chevy Tahoe (VIN...9853); a 2019 Chevy Tahoe (VIN...1479) to Donaldson Dodge-Jeep-Ram toward the purchase of a 2024 Dodge Durango PPV utilizing the buy board cooperative purchasing program 601-19. Total purchase price, less trade-ins, being \$25,539.51, to be paid as follows:

FROM	034-560-574 Auto Purchase	\$25,139.51
	034-560-390 Dues and Subscriptions	\$400.00

MOTION BY: COMMISSIONER KOCH

SECOND BY: COMMISSIONER KIRKENDALL

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

ACTION: APPROVED

- 17) Consider approval of request by *Hon. Mark Davis, Sheriff*, to fund the up fitting of six (6) new Sheriff's Office patrol vehicles utilizing Lake Country Chevrolet under a good buy cooperative purchasing program in the amount of \$157,973.78. This provides for all essential police equipment that will be permanently affixed to the patrol vehicles, to be paid as follows:

FROM	034-560-574 Auto Purchase	\$157,473.78
	034-560-390 Dues and Subscriptions	\$500.00

MOTION BY: COMMISSIONER KIRKENDALL

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 *Hon. Mark Davis, Sheriff*, to donate a Yamaha brand 25 horsepower Outboard Motor (No VIN available), identified as Sheriff's Office surplus equipment, to the Hardin County Emergency Services District No. 6 for utilization in waterway search and rescue operations.

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER KOCH

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

ACTION: APPROVED

- 19) Consider approval of an Order Authorizing Memorial Day Fireworks Sales beginning May 22, 2024 and ending at midnight May 27, 2024.

MOTION BY: COMMISSIONER YOUNG

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 *Mrs. Misty Sims, Purchasing Agent*, to present results of bids received for overlaying approximately 1,200' on Hickory Hollow Drive, located in Precinct 1; and possibly award to successful vendor.

MOTION BY: COMMISSIONER YOUNG

SECOND BY: COMMISSIONER COOPER

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

ACTION: APPROVED

- 21) **Acceptance** of the 2023 Racial Profiling Reports for filing in the Minutes of the Court as submitted by *Hon. Kenny Davenport, Constable, Precinct 1 and Hon. Ross Jordan, Constable, Precinct 6.*
MOTION BY: COMMISSIONER COOPER
SECOND BY: COMMISSIONER YOUNG
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED
- 22) Discussion and possible action as **requested** by *Mr. Aaron Tupper, Emergency Management Coordinator* to identify an alternate project for the Community Development Block Grant - Disaster Recovery (CDBG-DR), possibly among the previously approved LMI projects, to utilize the remaining \$1,230,161.61 resulting from removal of the Silsbee Tower Project from CDBG-DR during the April 9, 2024, Commissioner Court, subject to approval by the Texas General Land Office (TX GLO).
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER YOUNG
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED FOR GORE STORE ROAD, FRESENIUS ROAD AND SARATOGA ROADS PROJECT.
- 23) Discussion and possible action to de-allocate \$408,701.00 in American Rescue Plan Act (ARPA) funding from one or more projects to accommodate the \$1,230,161.61 allocated for the Silsbee Tower Project allocation approved by Commissioners Court on April 9, 2024, as **requested** by *Mr. Aaron Tupper, Emergency Management Coordinator.*
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER COOPER
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED TO DE-ALLOCATE THE COURTHOUSE, ANNEX & FLOODPLAIN OFFICE REMODEL/UPDATES.
- 24) Consider approval of **request** by *Mrs. Jennifer Walters, HCCVAC Director*, to pay a yearly subscription to DialPad in the amount of \$1,546.82 to be used for 24/7 hotline services as required by the Office of Attorney General (OAG) Grant, to be paid out of Fund 213 VOCA-Juror Donations.
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER KOCH
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED
- 25) Discussion on any other non-agenda item without taking action, including reports from Elected Officials / Department Heads; or announcements which may be of interest to the public.

26)Adjourn.

MOTION BY: COMMISSIONER YOUNG

SECOND BY: COMMISSIONER KIRKENDALL

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

ACTION: APPROVED

RESPECTFULLY SUBMITTED,



Wayne McDaniel
HARDIN COUNTY JUDGE



Traci Turner
**CHIEF DEPUTY
HARDIN COUNTY CLERK**