

**REGULAR MEETING OF THE COMMISSIONERS' COURT
HELD IN THE HISTORIC HARRISON COUNTY COURTHOUSE
MARSHALL, TEXAS
THIS THE 3TH DAY OF DECEMBER, 2024**

BE IT REMEMBERED that at 9:00 a.m. on the 3th of December 2024, Regular Session in the Commissioners' Courtroom in the Historic Harrison County Courthouse in Marshall, Texas, for the purpose of transacting any and all business that may lawfully be brought before the same. The meeting was open to the public and notices of said meeting were posted as required by law.

Invocation was led by County Judge Chad Sims

Pledge of Allegiance:

American Flag

Texas Flag: "Honor the Texas Flag; I Pledge Allegiance to Thee, Texas, One State under God, One and Indivisible"

The following were present:

| | |
|--------------------|---------------------------|
| Chad Sims, | County Judge |
| William Hatfield, | Commissioner, Precinct #1 |
| Zephaniah Timmins, | Commissioner, Precinct #2 |
| Phillip Mauldin, | Commissioner, Precinct #3 |
| Jay Ebarb, | Commissioner, Precinct #4 |
| Heather Henigan, | County Clerk |
| Becky Haynes, | County Auditor |

**ANNOUNCEMENTS: PRESENTATION BY RONALD HOLLOMON REGARDING
"NO WAKE SONE" AT BIG PINES LODGE**

PUBLIC COMMENTS – AGENDA ITEMS ONLY

DECLARE A QUORUM PRESENT:

When the following were heard and the following Orders passed:

Call to Order by the County Judge, Chad Sims, At 9:11 a.m.

Item A: County Auditor: Administrative Report given by Becky Haynes. No action to be taken submission of financial reports. Exhibit A

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Motioned by Comm. Mauldin
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-550

Item #1. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve Line Item Transfers in the amount of \$3,399.00 for FY2024. Exhibit A-1

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Motioned by Comm. Timmins
Seconded by Comm. Mauldin
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-551

Item #2. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the payment for Regular Bills in the amount of \$487,819.61. Exhibit A-2

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Motioned by Comm. Hatfield
Seconded by Comm. Ebarb
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-552

Item #3. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve Payroll for November 17, 2024. Exhibit A-3

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Motioned by Comm. Hatfield
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-553

Item #4. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve Budget Amendment per LGC 111.011 CHANGES TO BUDGET FOR COUNTY PURPOSES. Exhibit A-4

Item B: Road and Bridge Department Luke Davis gave Administrative Report. No action to be taken concerning status of construction, maintenance and repairs of county roads, bridges and right of ways: also concerning condition of equipment. Exhibit B

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Motioned by Comm. Hatfield
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-554

Item #1. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the personnel changes for October 8, 2024 through October 30, 2024 for the Harrison County Road & Bridge Department. Exhibit B-1

NEW HIRES: None

RANGE/STEP CHANGES: 1

RESIGNATIONS: None

TERMINATIONS: None

RETIREMENTS: None

TRANSFER: None

| | |
|--------------------------|--------------------------------------|
| Full Time Employees (53) | 49 (Includes the Road Administrator) |
| F/T Vacancies: | 4 |
| Part Time Employees (4) | 4 |
| Part Time Vacancy: | 0 |
| Temporary (6) | 0 |
| Temp. Vacancies: | 6 |

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Motioned by Comm. Hatfield
Seconded by Comm. Ebarb
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-555

Item #2. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the utility applications submitted to the Harrison County Road & Bridge Departments as follows:
Exhibit B-2

| | |
|--------------------------------------|------------------------------|
| Etex Telephone Cooperative | Law Rd-CR 4010 |
| Etex Telephone Cooperative | Peteet Rd-CR 4136 |
| Etex Telephone Cooperative | Ora Asa Johnson Rd-CR 4711 |
| Etex Telephone Cooperative | W Mobley Rd-CR 4134 |
| Etex Telephone Cooperative | Ferguson Rd-CR 4312 |
| Etex Telephone Cooperative | Gus Craver Rd-CR 4314 |
| Comcast | State Line Rd-CR 2730 |
| Comcast | Ellis Rd-CR 2716 |
| Comcast | Restland Cemetery Rd-CR 2217 |
| Talley Water Supply | James Marshall RD-CR 4109 |
| Gum Springs Water Supply Corporation | Smelley Rd-CR 3601 |

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Motioned by Comm. Hatfield
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-556

Item #3. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to accept a donation of Rip Rap from East Texas Baptist University (ETBU) located at 2 parking lots on the corner of Lafayette and Houston Streets in downtown Marshall Texas, in accordance with ETBU's terms and agreement (attached). Exhibit B-3

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Motioned by Comm. Ebarb
Seconded by Comm. Mauldin
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-557

Item #4. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve Private Road Issuance Order #86 for PR #4012, running west off of Sue Belle Lake Road (CR4000), approximately 635 feet south of the intersection of Sue Belle Lake Road(4000) and FM 1997, located in PCT4. Exhibit B-4

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Motioned by Comm. Mauldin
Seconded by Comm. Ebarb
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-558

Item #5. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the preliminary plat for "Buchanan Addition" subdivision at the intersection of Buchanan Road and Collins Creek Road in PCT3. Exhibit B-5

Item #6. IT IS ORDERED DISCUSSION ONLY REGARDING THE "Order of Commissioner's Court establishing load limit and permit to operate overweight vehicles on the Harrison County Road System", original order dates June 15, 1987, revised April 30, 1990, and the draft proposed changes to such order/resolution. **No action taken**

Item C: Sheriff's Department: Administrative Report by Sheriff Fletcher: No action to be taken concerning statistics reflecting law enforcement activity, execution of civil responsibilities, jail population, also location of and turnover in prisoners. Exhibit C

DATES 10-29-2024-TO 11-26-2024

SHERIFF'S OFFICE ACTIVITY SUMMARY

Total Calls for Service: 2591

Criminal Reports Taken 230

Assigned Cases: 70

Arrest HCSO: 68 (Figure: Arresting Deputy & Booking Jailer)

Traffic Contacts: 507

Mental: 9

Transports/Warrants Office: 50 Transports 7,329 Mileage

Civil Process: Legal Documents Received 174

Served: 66 Personal Service

25 Indictment Precepts Served In Jail

5 Tax Postings
18 Postings: County & District
1 Harrison Central Appraisal District Tax Sales

Total Served: 115

Juror Notices: 820

12-2-24 @ 3:55pm Jail Population: 246

10-30-24 to 11-26-24 Contract Inmates

Marion County (0) Us Marshall (27) Total 27

DATES 10-1-2024 TO 10-29-2024

FIRE MARSHALL DIVISION

| | |
|-------------------------------|-------|
| Citation/Warrants | 0 |
| Fire Inspections | 06 |
| Illegal Dumping Cases | 09 |
| Loads | 10 |
| Litter picked up (cubic feet) | 5,400 |
| Structure Fires | 04 |

ENVIRONMENTAL HEALTH DIVISION

| | |
|--|----|
| Complaints | 06 |
| Notice of Violations | 05 |
| Citations | 0 |
| Inspections | 21 |
| Utility Hookups- Upshur Rural Electric | 09 |

| | |
|---|-------------------|
| Utility Hookups- Panola-Harrison Electric | 14 |
| 1-Single Family permits Fee: \$360.00 | 13=\$4,680.00 |
| Commercial: \$360.00 | 01=\$560.00 |
| Multifamily Permit Fee: \$560.00 | 0=\$0.00 |
| Subdivision Review: \$50.00 | 01=\$50.00 |
| Re-Inspection Fee: ½ of permit Fee | 0=\$0.00 |
| Total Money Collected | \$5,290.00 |

Item D: Treasurer:

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Motioned by Comm. Hatfield
 Seconded by Comm. Ebarb
 All members voting in favor
 Motion carried unanimously (5-0)
 Order #2024-559

Item #1. IT IS ORDERED by the Commissioners’ Court of Harrison County, Texas to approve of Treasurer’s Monthly Report for October 2024 and the authorization to publish to the county website pursuant to the LGC Section 114.026. Exhibit D-1

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Motioned by Comm. Ebarb
 Seconded by Comm. Mauldin
 All members voting in favor
 Motion carried unanimously (5-0)
 Order #2024-560

ITEM #2. IT IS ORDERED by the Commissioners’ Court of Harrison County, Texas to approve of the Harrison County Treasurer’s Investment Report for the month of October 2024 Exhibit D-2

Item E: Purchasing:

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Motioned by Comm. Timmins
Seconded by Comm. Ebarb
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-561

ITEM #1. IT IS ORDERED by the Commissioners' Court of Harrison County, to approve the revised and updated Records Management Policy including submission of RMO contact for non-elected offices. Exhibit E-1

Item F: New Business:

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Motioned by Comm. Timmins
Seconded by Comm. Hatfield
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-562

Item #1. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the re-appointment of HCIDA Board members Ms. Amanda Wynn, Commissioner Jay Ebarb and Dr. Blair Blackburn whose terms expire December 31, 2024 and have agreed to serve another six (6) year term effective January 1, 2025. Exhibit F-1

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Motioned by Comm. Hatfield
Seconded by Comm. Ebarb
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-563

Item #2. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to appoint Brad Thomas to fill the vacant unexpired term (4 years) on the HCIDA Board created by the death of Veronica King to be effective January 1, 2024- December 31, 2028. Exhibit F-2

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Motioned by Comm. Timmins
Seconded by Comm. Ebarb
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-564

Item #3. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to renew lease agreement #0040903643, account #0016928415 with Pitney Bowes regarding the replacement of the mail machine meter which is not compliant with the upcoming USPS replacement. The replacement is a 60 month lease agreement at quarterly payments of \$1,156.59. Exhibit F-3

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Motioned by Comm. Hatfield
Seconded by Comm. Mauldin
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-565

Item #4. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve of the Amended Resolution and order of the Commissioners Court in support of the establishment of a civil court alternative dispute resolution system. Exhibit F-4

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Motioned by Comm. Ebarb
Seconded by Comm. Hatfield
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-566

Item #5. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the local Emergency Planning Committee (LEPC) membership updated TDEM 151 Forms as proposed by Fire Marshall, James McConnell. Exhibit F-5

Item #6. ITEM DEFERRED by the Commissioners' Court of Harrison County, Texas to approve the Order (Resolution) Authorizing Approval of Proposed Texas statewide opioid Settlement Agreement, The Kroger Company. **To be placed on next agenda for clarification.**

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Motioned by Comm. Timmins
Seconded by Comm. Ebarb
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-567

Item #7. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve of authorization to effectuate any/all documents in support of the DR 4798 Removal of Debris-Hurricane Beryl regarding said Disaster Declaration. Exhibit F-7

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Motioned by Comm. Hatfield
Seconded by Comm. Ebarb
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-568

Item #8. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the bond for Heather Henigan, appointed County clerk in the amount of \$180,000.00 to be effective December 2, 2024- December 31, 2026. Exhibit F-8

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Motioned by Comm. Timmins
Seconded by Comm. Mauldin
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-569

Item #9. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve of the following 2024-2025 annual Contracts and authorization of payment in the amount allotted in the FY 2024-2025 Budget: Exhibit F-9

- Children's Advocacy-Martin House
- Harrison County CASA
- Literacy Council
- Waskom Public library
- Women's Center Of East Texas
- American Red Cross
- Boys & Girls Club
- East Texas Open Door
- Twelve Way Foundation
- Longview Public Library

- Marshall Depot
- ESD#9
- East Texas Council on Alcoholism and Drug Abuse (ETCADA)

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Motioned by Comm. Mauldin
 Seconded by Comm. Ebarb
 All members voting in favor
 Motion carried unanimously (5-0)
 Order #2024-570

Item #10. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas the approval of the appointment of Dwight Mays to serve on the Texas Eastern 911 Board of Managers for a term of two (2) years effective January 1, 2025-December 31, 2026 to fill the position that is now held by James Greer whose term expires December 31, 2024.. Exhibit F-10

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Motioned by Comm. Ebarb
 Seconded by Comm. Timmins
 All members voting in favor
 Motion carried unanimously (5-0)
 Order #2024-571

Item #11. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approval of the 2025 Texas County & District retirement System (TCDRS) plan. Exhibit F-11

Item #12. Presentation by Chip Arledge regarding an update on the America 250 Celebration.
NO PRESENTATION

ADJOURNMENT:

With no further business to come before the Court for consideration and action, the motion was made by Commissioner Mauldin and seconded by Commissioner Timmins to adjourn the meeting. Motion carried unanimously (5-0). Meeting adjourned at 10:16 a.m.

ATTEST:



Heather Henigan, County Clerk
 Harrison County, Texas

Date: 12.4.2024



**County Judge
Harrison County**

#1 Peter Whetstone Square, Room 314
Marshall, Texas 75670
903-935-8401
903-935-4853 Fax
Charlene Graff, Judicial Admin. Assist.

FILED FOR RECORD
2024 NOV 26 PM 1:10

ELIWA LITTLE JAMES
CLERK HARRISON CO

BY CMG DEPUTY

Pursuant to Chapter 551 of the Texas Government Code requiring governmental bodies to give notice of their meetings, this is to advise that a **REGULAR meeting of the Harrison County Commissioner's Court will be held at 9:00 a.m. on the 3rd day of December, 2024 in the Commissioners' Courtroom at the Harrison County Historic Courthouse in Marshall, Texas**, at which time the Commissioners' Court will consider all matters pertaining to Harrison County business and grant authorization for the County Judge to execute any and all documents as may come before said Commissioner's Court for approval, including by way of information but not limitation, the following matters:

INVOCATION

PLEDGE OF ALLEGIANCE:

AMERICAN FLAG

TEXAS FLAG: "Honor the Texas Flag; I Pledge Allegiance to Thee, Texas, One State Under God, One and Indivisible"

ANNOUNCEMENTS: PRESENTATION BY RONALD HOLLOWOM REGARDING "NO WAKE ZONE" AT BIG PINES LODGE

PUBLIC COMMENTS – AGENDA ITEMS ONLY

DECLARE A QUORUM PRESENT:

CALL TO ORDER:

AGENDA

A. AUDITOR:

Administrative Report: No action to be taken – Submission of financial reports

1. Consideration and approval regarding Line Item Transfers.
2. Consideration and approval of payment of Regular Bills.
3. Consideration and approval of Payroll for November 17, 2024.
4. Consideration and approval for Budget Amendment per LGC 111.011 CHANGES TO BUDGET FOR COUNTY PURPOSES.

B. ROAD AND BRIDGE DEPARTMENT:

Administrative Report: No action to be taken – Concerning status of construction, maintenance and repairs of county roads, bridges, and right of ways; also concerning condition of equipment.

1. Consideration and approval of personnel changes for the Harrison County Road & Bridge Department.
2. Consideration and approval of the utility applications submitted to the Harrison County Road & Bridge Department as follows:

| | |
|--------------------------------------|--------------------------------|
| Etex Telephone Cooperative | Law Rd – CR 4010 |
| Etex Telephone Cooperative | Peteet Rd – CR 4136 |
| Etex Telephone Cooperative | Ora Asa Johnson Rd – CR 4711 |
| Etex Telephone Cooperative | W Mobley Rd – CR 4134 |
| Etex Telephone Cooperative | Ferguson Rd – CR 4312 |
| Etex Telephone Cooperative | Gus Craver Rd – CR 4314 |
| Comcast | State Line Rd - CR 2730 |
| Comcast | Ellis Rd – CR 2716 |
| Comcast | Restland Cemetery Rd – CR 2717 |
| Talley Water Supply | James Marshall Rd - CR 4109 |
| Gum Springs Water Supply Corporation | Smelley Rd - CR 3601 |

3. Consideration and action to accept a donation of Rip Rap from East Texas Baptist University (ETBU) located at 2 parking lots on the corner of Lafayette and Houston Streets in downtown Marshall, Texas, in accordance with ETBU’s terms and agreement (attached).
4. Consideration and approval of Private Road Issuance Order #86 for PR #4012, running west off of Sue Belle Lake Road (CR 4000), approximately 635 feet south of the intersection of Sue Belle Lake Road (CR 4000) and FM 1997, located in PCT 4.
5. Consideration and action to approve the preliminary plat for “Buchanan Addition” subdivision at the intersection of Buchanan Road and Collins Creek Road in PCT 3.
6. Consideration and discussion of the “Order of Commissioner’s Court establishing load limit and permit to operate overweight vehicles on the Harrison County Road System”,

original order dated June 15, 1987, revised April 30, 1990, and the draft proposed changes to such order/resolution.

C. SHERIFF'S DEPARTMENT:

Administrative Report: No action to be taken – Concerning statistics reflecting law enforcement activity; execution of civil responsibilities; jail population and location of and turnover in prisoners.

D. TREASURER:

1. Consideration and action regarding the approval of Treasurer's Monthly Report for October 2024 and the authorization to publish to the county website pursuant to the LGC Section 114.026.
2. Consideration and approval of the Harrison County Treasurer's Investment Report for the month of October 2024.

E. PURCHASING:

1. Consideration and approval of the revised and updated Records Management Policy including submission of RMO contact for non-elected offices.

F. NEW BUSINESS:

1. Consideration and action regarding the approval of the re-appointment of HCIDA Board Members Ms. Amanda Wynn, Commissioner Jay Ebarb and Dr. Blair Blackburn whose terms expire December 31, 2024 and have agreed to serve another six (6) year term effective January 1, 2025.
2. Consideration and action regarding the approval to appoint Brad Thomas to fill the vacant unexpired term (4 years) on the HCIDA Board created by the death of Veronica King to be effective January 1, 2024 – December 31, 2028.
3. Consideration and approval of the ratification for the renewal lease agreement #0040903643, account #0016928415 with Pitney Bowes regarding the replacement of the mail machine meter which is not compliant with the upcoming USPS requirements. The replacement is a 60 month lease agreement at quarterly payments of \$1,156.59.
4. Consideration and approval of the Amended Resolution and Order of the Commissioners Court in support of the establishment of a civil court alternative dispute resolution system.
5. Consideration and approval of the Local Emergency Planning Committee (LEPC) membership updated TDEM 151 Forms as proposed by Fire Marshal, James McConnell.
6. Consideration and approval of the Order (Resolution) Authorizing Approval of Proposed Texas Statewide Opioid Settlement Agreements, The Kroger Company.
7. Consideration and approval of authorization to effectuate any/all documents in support of the DR 4798 Removal of Debris- Hurricane Beryl regarding said Disaster Declaration.
8. Consideration and approval of the bond for Heather Henigan, Appointed County Clerk, in the amount of \$180,000.00 to be effective December 2, 2024 – December 31, 2026.
9. Consideration and approval of the following 2024-2025 Annual Contracts and authorization of payment in the amount allotted in the FY 2024-2025 Budget:

- Children's Advocacy-Martin House
- Harrison County CASA
- Literacy Council
- Waskom Public Library
- Women's Center Of East Texas
- American Red Cross
- Boys & Girls Club
- East Texas Open Door
- Twelve Way Foundation
- Longview Public Library
- Marshall Depot
- ESD #9
- East Texas Council on Alcoholism and Drug Abuse (ETCADA)

10. Consideration and action regarding the approval of the appointment of Dwight Mays to serve on the Texas Eastern 911 Board of Managers for a term of two (2) years effective January 1, 2025 – December 31, 2026 to fill the position that is now held by James Greer whose term expires December 31, 2024.

11. Consideration and approval of the 2025 Texas County & District Retirement System (TCDRS) plan.

12. Presentation by Chip Arledge regarding an update on the America 250 Celebration.

ADJOURN



CHAD SIMS, COUNTY JUDGE

This is to certify that at the time and date stamped hereon, the notice of a meeting, a copy of which is attached hereto, has been filed in my office, and posted on my official bulletin board in the Courthouse, as is required by Texas Government Code, Chapter 551.

Executed on: November 26, 2024

COUNTY CLERK
HARRISON COUNTY, TEXAS

(In accordance with Title III of the Americans with Disabilities Act, we invite all attendees to advise us of any special accommodations due to disability. Please submit your request as far as possible in advance of the program you wish to attend.)

