



**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 AUG -9 AM 10:12

CLERK OF DISTRICT COURT
HARRISON COUNTY TEXAS

BY: *JB* 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 13th day of August, 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:

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 August 2, 2024.
4. Consideration and action, subject to ratification, in Open Court, the approval of the transfer of funds to Group Health Insurance for medical claims.

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:

Marion Pipeline Company, LLC

Smyrna Rd – County Road 4604

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.

1. Consideration and action regarding the approval of Amendment to the Tobacco Grant, dated 09/12/2023, between Harrison County and Texas State College and authorization for the County Judge to execute said document.
2. Consideration and approval to allow investigator Kaylee Wallace to travel to Rogers, Arkansas to attend Bloodstain Pattern Analysis from 11-03-2024 – 11-08-2024.
3. Consideration and approval of the 2023-2024 Fire Investigation Case Management Software Service Agreement between Blazestack and Harrison County and payment of annual fee of \$2,600.00.

D. NEW BUSINESS:

1. Consideration and approval of Assignment of Lease from James Prince to William Prince, dated January 27, 2020.
2. Consideration and approval of Assignment of Lease from William Prince to ET Properties, LLC – Bill Ledger, dated, March 17, 2022.
3. Consideration and approval of the application for the submission of the 2025 TCEQ – ETCOG Solid Waste Disposal Grant.
4. Consideration and approval of the application for submission for the 2024-2025 Sheriff's and D.A.'s Offices S.B.22 Grant.

5. Consideration and action to approve the order calling an election to be held in Harrison County, Texas, to authorize the creation of the Harrison County Assistance District and the imposition of a sales and use tax for the purpose of financing the operations of the district; making provision for the conduct of the election and resolving other matters incident and related to such election.
6. Consideration and action of the approval by Judge Brad Morin and Judge Chad Sims of the Appointment of Darla Haynes as Purchasing Agent for Harrison County effective August 13, 2024 – September 30, 2026 and approval of salary of \$47,491.60 and approval of a Bond in the amount of \$5,000.
7. Consideration and approval of a Permanent Easement from FM 449, across lands belonging to Jason and Amy Wheat and Harrison County to the new TxDot Iron Ore Hill Tower Sit, Grantors being Jason and Amy Wheat and Harrison County and Grantee being TxDot.
8. Consideration and approval of a warranty deed from Harrison County to TxDot for a 60' x 60' tract of land to be used as a site for the new Iron Ore Hill Radio Tower Project.
9. Consideration and approval of a warranty deed from Harrison County to Jason and Amy Wheat for the remainder of a 5-acre tract of land, less the 60' x 60' Tower Site tract.
10. Consideration and approval of the economic development agreement between Harrison County and ETEX Communication, LLC for the construction and installation of a fiber optics network.
11. Consideration and approval of the payment of Invoice #6000739906 for Unit 1 elevator for \$24,469.89 and Invoice #6000739908 for Unit 2 for \$24,344.89 for a total of \$48,814.78 for repairs for each elevator per the proposals from TK Elevators.

E. BUDGET HEARINGS

1. Maintenance – Brad Thomas
2. District Clerk - Sherry Griffis

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: August 9, 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.)



**REGULAR MEETING OF THE COMMISSIONERS' COURT
HELD IN THE HISTORIC HARRISON COUNTY COURTHOUSE
MARSHALL, TEXAS
THIS THE 13TH DAY OF AUGUST, 2024**

BE IT REMEMBERED that at 9:00 a.m. on the 13th of August 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
Liz James,	County Clerk
Becky Haynes,	County Auditor

ANNOUNCEMENTS: Declare A Quorum Present:

When the following were heard and the following Orders passed:

Call to Order by the County Judge, Chad Sims, at 9:01 a.m.

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

Motioned by Comm. Timmins
Seconded by Comm. Ebarb
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-363

Item #1. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve Line Item Transfers in the amount of \$1,602,269.78. Exhibit A-1

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Motioned by Comm. Hatfield
Seconded by Comm. Mauldin
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-364

Item #2. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the payment for Regular Bills in the amount of \$573,975.06. Exhibit A-2

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Motioned by Comm. Mauldin
Seconded by Comm. Ebarb
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-365

Item #3. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve Payroll for August 2, 2024. Exhibit A-3

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Motioned by Comm. Ebarb
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-366

Item #4. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the ratification, in Open Court, the approval of the transfer of funds to Group Health Insurance for medical claims. Exhibit A-4

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Item B: Road and Bridge Department Administrative Report: Luke Davis gave report on 2024 Construction Completed & in Progress—. Exhibit B

For the record: R&B are currently working on Davidson Rd on the west side. Due to the heat some equipment keeps faltering. The reclaimer is in the shop so they are down to the rental reclaimer only. When the reclaimer is up and going they will move to Jones and Everett Road. R&B have completed seven and half miles. Being 1.6 on Davidson and 4/10's on Pierson Rd. They are still picking up trees from storm.

Motioned by Comm. Timmins
Seconded by Comm. Hatfield
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-367

Item #1. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the personnel changes for July 25, 2024, through August 7, 2024 for the Harrison County Road & Bridge Department. Exhibit B-1

NEW HIRES: None

RESIGNATIONS: 1

TERMINATIONS: None

RETIREMENTS: None

TRANSFER: None

Full Time Employees (53)	48 (the Road Administrator)
F/T Vacancies:	5
Part Time Employees (3)	3
Part Time Vacancy:	0
Temporary (6)	6
Temp. Vacancies:	0

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Motioned by Comm. Hatfield
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-368

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

Marion Pipeline Company, LLC

Smyrna Rd –County Road 4604

Item C: Sheriff's Department: Administrative Report given 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: 6-26-2024 TO 07-16-2024

Total Calls for Service **1878** Criminal Reports Taken **181**

Criminal Investigation Assigned Cases **41**

Arrest HCSO **56** (figure includes Deputies & booking Jailers)

Traffic Citations Issued **392** Mental **3**

Transport/Warrants Office **30** Transports

3338 Mileage

Civil Process: Legal Documents Received **71**

Citations:	0	Inspections:	09
Illegal Dumping Cases	12		

Litter picked up 5,670 (cubic feet)

Structure Fires 03

Complaints 02

Notice of Violations 00

Citations 00

Inspections 27

Utility Hookups 14

1-Single Family Permits Fee \$360.00 22 = \$ 7,920.00

Commercial/ \$360.00 03 = \$ 1,680.00

Multifamily Permit Fee \$560.00 1 = \$ 560.00

Subdivision Review \$ 50.00 1= \$ \$50.00

Re-Inspection Fee: 0= \$00.00

Total Money Collected \$10,160.00

Motioned by Comm. Mauldin

Seconded by Comm. Hatfield

All members voting in favor

Motion carried unanimously (5-0)

Order #2024-369

Item #1. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the Amendment to the Tobacco Grant, dated 09-12-2023, between Harrison County and Texas State College and authorization for the County Judge to execute said document.

Exhibit C-1

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Motioned by Comm. Ebarb
Seconded by Comm. Mauldin
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-370

Item #2. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve to allow investigator Kaylee Wallace to travel to Rogers, Arkansas to attend Bloodstain Pattern Analysis from 11-03-2024 – 11-08-2024. Exhibit C-2

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Motioned by Comm. Timmins
Seconded by Comm. Hatfield
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-371

ITEM #3. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the 2023-2024 Fire Investigation Case Management Software Service Agreement between Blazestack and Harrison County and payment of annual fee of \$2,600.00.
Exhibit D-3

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Item D: New Business:

Motioned by Comm. Timmins
Seconded by Comm. Hatfield
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-372

Item #1. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the Assignment of Lease from James Prince to William Prince, dated January 27, 2020.
Exhibit D-1

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Motioned by Comm. Timmins
Seconded by Comm. Hatfield
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-373

Item #2. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the Assignment of Lease from William Prince to ET Properties, LLC – Bill Ledger, dated March 17, 2022. Exhibit D-2

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Motioned by Comm. Ebarb
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-374

Item #3. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the application for the submission of the 2025 TCEQ-ETCOG Solid Waste Disposal Grant.
Exhibit D-3

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Motioned by Comm. Ebarb
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-375

Item #4. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the application for submission for the 2024-2025 Sheriff's and D.A.'s Offices S.B. 22 Grant.
Exhibit D-4

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Motioned by Comm. Hatfield
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-376

Item #5. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the order calling an election to be held in Harrison County, Texas, to authorize the creation of the Harrison County Assistance District and the imposition of a sales and use tax for the purpose of financing the operations of the district; making provision for the conduct of the election and resolving other matters incident and related to such election..
Exhibit D-5

For the record:

* Judge Sims commented that this is the Counties assistant District that this election is calling for. This would raise funds for unincorporated areas of the County through a sales tax that would increase the current sales tax is 6.25%. That whole 6.25% goes to the State, the County gets 0%. If this is approved the County will receive that additional 2% and Judge Sims would ask the court to committing 100% of those funds to repairs for County Roads. This item is about calling for the election.

* Commissioner Ebarb commented that he would like to see at the next Commissioners Court meeting to pass a resolution that the County spend 100% on road construction and a paragraph stating that it's not with intentions of cutting present funding for R&B, so it's clear that money is not being exchanged from one to the other. The court is committed to leave the R&B budget funded like it has been and this additional money will be spent 100% on roads.

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Motioned by Comm. Hatfield
Seconded by Comm. Ebarb
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-377

Item #6. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the by Judge Brad Morin and Judge Chad Sims of the Appointment of Darla Haynes as Purchasing Agent for Harrison County effective August 13, 2024 – September 30, 2026 and approval of salary of \$47,491.60 and approval of a Bond in the amount of \$5,000. Exhibit D-6

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Motioned by Comm. Ebarb
Seconded by Comm. Mauldin
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-378

Item #7. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the Permanent Easement from FM 449, across lands belonging to Jason and Amy Wheat and Harrison County to the new Tx Dot Iron Ore Hill Tower Site. Grantors being Jason and Amy Wheat and Harrison County and Grantee being Tx Dot. Exhibit D-7

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Motioned by Comm. Hatfield
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-379

Item #8. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the warranty deed from Harrison County to Tx Dot for a 60' x 60' tract of land to be used as a site for the new Iron Ore Hill Radio Tower Project. Exhibit D-8

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Motioned by Comm. Hatfield
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-380

Item #9. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the warranty deed from Harrison County to Jason and Amy Wheat for the remainder of a 5-acre tract of land, less the 60' x 60' Tower Site Tract.
Exhibit D-9

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Motioned by Comm. Ebarb
Seconded by Comm. Mauldin
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-381

Item #10. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the economic development agreement between Harrison County and ETEX Communication, LLC for the construction and installation of a fiber optic network. Exhibit D-10

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Motioned by Comm. Ebarb
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-382

Item #11. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the payment of Invoice #6000739906 for Unit 1 elevator for \$24,469.89 and Invoice #6000739908 for Unit 2 for \$24,344.89 for a total of \$48,814.78 for repairs for each elevator per the proposals from TK Elevators.
Exhibit D-11

Court recessed at 9:40 a.m.
Court reconvened at 9:53 a.m.

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E. Budget Hearings

1. Maintenance – Brad Thomas

2. District Clerk – Sherry Griffis

ADJOURNMENT:

With no further business to come before the Court for consideration and action, the motion was made by Commissioner Hatfield and seconded by Commissioner Mauldin to adjourn the meeting. Motion carried unanimously (5-0). Meeting adjourned at 10:37 a.m.

ATTEST:


Elizabeth James, County Clerk
Harrison County, Texas

Date: 8/20/2024