



County Judge

CHAD SIMS

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

2023 FEB 10 AM 10:31

ELIZABETH JAMES
CO. CLERK HARRISON CO

BY J. Black 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 14th day of February, 2023, 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 February 3, 2023.
4. Consideration and approval for Budget Amendment per LGC 111.011 CHANGES TO BUDGET FOR COUNTY PURPOSES: this subchapter does not prevent the commissioners court from making changes in the 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:

Rockcliff Energy Management LLC

Akin Road, CR 2703

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 approval of the Harrison County Sheriff's Office Chapter 59 Forfeiture Budget.

D. MAINTENANCE DEPARTMENT:

Administrative Report: No action to be taken — concerning repairs and maintenance performed upon county owned premises and equipment; status of ongoing projects, and information concerning planned projects.

E. INFORMATION TECHNOLOGY:

Administrative Report: No action to be taken — concerning the status of all existing/required communication and information services and equipment, including phones, computers, audio/visual aids and security equipment.

F. PURCHASING:

1. Consideration to approve the fixed asset which is unnumbered and labeled as IT Software with a purchase date of January 15th, 2004 as surplus and to be disposed of by the Purchasing Agent, IT Director and County Auditor.
2. Consideration and action to approve Change Order #1 for Five Notch Road North Reconstruction Bid #2023-01 to change bidder responses form by adding approximately 3,100 gallons - furnish, deliver, and apply Type CSS-1H (70/30) fog seal per plans and specifications.
3. Consideration and action to approve Change Order #1 for Old Town Rd Reconstruction Bid #2023-02 to change bidder responses form by adding approximately 9,900 gallons – furnish, deliver, and apply Type CSS-1H (70/30) fog seal per plans and specifications.
4. Consideration and action to approve Change Order #1 for Mt. Pleasant Cutoff Reconstruction Bid #2023-03 to change bidder responses form by adding approximately 1300 gallons – furnish, deliver, and apply Type CSS-1H (70/30) fog seal per plans and specifications.
5. Consideration and action to approve Change Order #1 for Page Road Reconstruction Bid #2023-04 to change bidder responses form by adding approximately 1300 gallons – furnish, deliver, and apply Type CSS-1H (70/30) fog seal per plans and specifications.

6. Consideration and action to approve Change Order #1 for Airlite Road Reconstruction Bid #2023-05 to change bidder responses form by adding approximately 2900 gallons – furnish, deliver, and apply Type CSS-1H (70/30) fog seal per plans and specifications.

7. Consideration and action to approve Change Order #1 for Macedonia Road Reconstruction Bid #2023-06 to change bidder responses form by adding approximately 2800 gallons – furnish, deliver, and apply Type CSS-1H (70/30) fog seal per plans and specifications.

8. Consideration and action to approve Change Order #2 to the Page Road Reconstruction Bid #2023-04 changing the completion dates to be completed between May 1, 2023 and November 1, 2023.

G. HUMAN RESOURCES:

H. TREASURER:

I. ELECTIONS:

J. NEW BUSINESS:

1. Consideration and approval of request for out of state travel for Louraiseal McDonald, Harrison CEA-FCH who was recently elected State Epsilon Sigma Phi Secretary to attend the 2023 Public Issues Leadership Development Conference in Arlington, VA., April 16-19, 2023 with a scholarship received to pay for part of the travel expenses and the county to cover the other expenses.

2. Consideration and approval of the Chapter 381 Agreement between Harrison County and Eastman Circular Ventures, LLC.

3. Consideration and action regarding the approval of the Harrison County Airport Ground Lease - Tenant Constructed Hangar No. 1-B between Harrison County and WOLF PUPS, LLC commencing on January 1, 2023 and ending on December 31, 2057 and Aircraft Registration for said hangar.

4. Consideration and action regarding the approval of the Harrison County Airport Ground Lease - Tenant Constructed Hangar No. 12 between Harrison County and PONDER VICTORY ENTERPRISES, LLC commencing on January 1, 2023 and ending on December 31, 2057 and Aircraft Registration for said hangar.

5. Consideration and approval of the resolution authorizing the private resale of a property bid in trust to Harrison County.

6. Consideration and approval to receive and discuss delinquent tax collection report.

7. Consideration and action regarding the approval of the Resolution and Amended Contract between Harrison County and McCreary, Veselka, Braff, and Allen P.C. for the collection of delinquent property taxes and legal representation to be effective February 15, 2023 and ending February 14, 2027 with annual one year automatic rollover provision after the expiration of the initial term and pursuant to Texas Government Code Section 2254.1036 if entering into a contingent fee contract a Public Notice (Exhibit "A") must be included with the agenda item.

8. Consideration and action to approve the Resolution at the recommendation of Gum Springs WSC Selection Committee for the selection of Traylor & Associates, Inc. as the Grant Administrator pertaining to the application and implementation of the WSC 2023-2024 Texas Department of Agriculture TxCDBG grant, if awarded with said contract to be approved and

executed at a future commissioner's court meeting upon award of said TxCDBG grant to Gum Springs WSC.

9. Consideration and action to approve the Resolution at the recommendation of Gum Springs WSC Selection Committee for the selection of Stephens Engineering as the engineering firm pertaining to the application preparation and project implementation of the WSC 2023 -2024 Texas Department of Agriculture TxCDBG grant, if awarded, with said contract to be approved and executed at a future commissioner's court meeting upon award of TxCDBG grant to Gum Springs WSC.

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: February 10, 2023

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 14TH DAY OF FEBRUARY, 2023**

BE IT REMEMBERED that at 9:00 a.m. on the 14th of February, 2023, 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:

Invocation was led by County Judge

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 9:04 a.m.

ITEM A: County Auditor: Administrative Report: No action to be taken concerning Submission of financial reports. Exhibit A

Motioned by Comm. Ebarb
Seconded by Comm. Mauldin
All members voting in favor
Motion carried unanimously (5-0)
Order #2023-51

Item #1. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve Line Item Transfers. No Line Item Transfers Submitted. Exhibit. A-1

Motioned by Comm. Timmins
Seconded by Comm. Ebarb
All members voting in favor
Motion carried unanimously (5-0)
Order #2023-52

Item #2. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the payment of Regular Bills. Exhibit A-2

Motioned by Comm. Hatfield
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2023-53

Item #3. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the Payroll for February 3, 2023. Exhibit A-3.

Motioned by Comm. Ebarb
Seconded by Comm. Mauldin
All members voting in favor
Motion carried unanimously (5-0)
Order #2023-54

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: this subchapter does not prevent the Commissioners court from making changes in the budget for county purposes. Exhibit A-4

ITEM B: Road and Bridge Department: Administrative Report: -- concerning status of construction, maintenance and repairs of county roads, bridges and right-of-ways also concerning condition of equipment. Exhibit-B

Motioned by Comm. Timmins
Seconded by Comm. Ebarb
All members voting in favor
Motion carried unanimously (5-0)
Order #2023-55

Item #1. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the personnel changes for January 6, 2023 through February 8, 2023, for the Harrison County Road & Bridge Department. Exhibit B-1.

Motioned by Comm. Timmins
Seconded by Comm. Hatfield
All members voting in favor
Motion carried unanimously (5-0)
Order #2023-56

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.

Rockcliff Energy Management LLC

Akin Road, CR 2703

ITEM C: Sheriff's Department: Sheriff B.J. Fletcher gave Administrative Report: No action to be taken --- concerning statistics reflecting **December 28, 2022 to February 7, 2023** law

enforcement activity, execution of civil responsibilities, jail population, also location of and turnover in prisoners. Exhibit C

Total Calls: 3535 **Criminal Reports: (CID) 94 (Assigned Cases)**

Reports Taken: 377 **(Incident/Investigation/Arrest)**

Arrest HCSO 134 **(figure includes Deputies & booking Jailers)**

Traffic Citations Issued: 44

Mental 6

Transport/Warrants Office 53 Transports

10,581 Mileage

Civil Process: Legal Documents Received 197

Served: 112 Personal Service

13 Indictment Precepts served in Jail

20 Tax Postings

23 CCL/DC Postings

1 Harrison Central Appraisal District Tax Sales

Total Served: 169

JUROR NOTICES: 2600

2-8-2023 @ 11:48 A.M. JAIL POPULATION: 223

12-28-2022 TO 2-7-2023 CONTRACT INMATES

Marion County (1) US MARSHALL (26) TOTAL: 27

Motioned by Comm. Hatfield
Seconded by Comm. Mauldin
All members voting in favor
Motion carried unanimously (5-0)
Order #2023- 57

Item #1. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the Harrison County Sheriff's Office Chapter 59 Forfeiture Budget Exhibit C-1

ITEM D: Maintenance Department: Administrative Report: No action to be taken-- concerning repairs and maintenance performed upon county owned premises and equipment; status of ongoing projects, and information concerning planned projects. No Report Submitted

ITEM E: Information Technology: Administrative Report: No action to be taken-- - concerning the status of all existing/required communication and information services and equipment, including phones, computers, audio/visual aids and security equipment. No Report Submitted

ITEM F: PURCHASING

Motioned by Comm. Ebarb
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2023-58

Item #1. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the fixed asset which is unnumbered and labeled as IT Software with a purchase date of January 15th, 2004, as surplus to be disposed of by the Purchasing Agent, IT Director and County Auditor. Exhibit F-1

Motioned by Comm. Ebarb
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2023-59

Item #2. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the Change Order #1 for Five Notch Road North Reconstruction Bid # 2023-01 to change bidder responses form by adding approximately 3,100 gallons- furnish, deliver, and apply Type CSS-1H (70/30) for seal per plans and specifications. Exhibit F-2

Motioned by Comm. Hatfield
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2023-60

Item #3. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve Change Order #1 for Old Town Rd Reconstruction Bid #2023-02 to change bidder responses form by adding approximately 9,900 gallons – furnish deliver, and apply Type CSS-1H (70/30) fog seal per plans and specifications. Exhibit F-3

Motioned by Comm. Mauldin
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2023- 61

Item #4. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve Change Order #1 for Mt. Pleasant Cutoff Reconstruction Bid #2023-03 to change bidder responses form by adding approximately 1300 gallons – furnish, deliver, and apply Type CSS-1H (70/30) for seal per plans and specifications. Exhibit F-4

Motioned by Comm. Mauldin
Seconded by Comm. Ebarb
All members voting in favor
Motion carried unanimously (5-0)
Order #2023-62

Item #5. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve Change Order #1 for Page Road Reconstruction Bid #2023-04 to change bidder responses form by adding approximately 1300 gallons – furnish, Deliver, and apply Type CSS-1H (70/30) fog seal per plans and specifications.. Exhibit F-5

Motioned by Comm. Ebarb
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2023-63

Item #6. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve Order #1 for Airlite Road Reconstruction Bid #2023-05 to change bidder responses form by adding approximately 2900 gallons – furnish, deliver, and apply Type CSS-1H (70/30) fog seal per plans and specifications.. Exhibit F-6

Motioned by Comm. Ebarb
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2023-64

Item #7. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve Change Order #1 for Macedonia Road Reconstruction Bid #2023-06 to change bidder responses form by adding approximately 2,800 gallons - furnish, deliver, and apply Type CSS-1H (70/30) fog seal per plans and specifications. Exhibit F-7

Motioned by Comm. Mauldin
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2023-65

Item #8. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve Change Order #2 to the Page Road Reconstruction Bid #2023-04 changing the completion dates to be completed between May 1, 2023 and November 1, 2023. Exhibit F-8

ITEM G: Human Resources: No Administrative Report Submitted - No Items submitted

ITEM H: Treasurer: No Report Submitted

ITEM I: Elections: Administrative Report: concerning the status relating to election activities. No Action to be taken. No Administrative submitted

ITEM J: New Business:

Motioned by Comm. Timmins
Seconded by Comm. Hatfield
All members voting in favor
Motion carried unanimously (5-0)
Order #2023-66

Item #1. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the request for out-of- state travel for Louraiseal McDonald, Harrison CEA-FCH who was recently elected State Epsilon Sigma Phi Secretary, to attend the 2023 Public Issues Leadership Development Conference in Arlington, VA April 16-19, 2023 with a scholarship received to pay for part of the travel expenses and the county to cover the other expenses.. Exhibit J-1

Item #2. Consideration and approval of the Chapter 381 Agreement between Harrison County and Eastman Circular Ventures, LLC. No Exhibit

No formal action at this time

Motioned by Comm. Timmins
Seconded by Comm. Mauldin
All members voting in favor
Motion carried unanimously (4-0)
Order #2023- 67

Item #3. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the Harrison County Airport Ground Lease – Tenant Constructed Hangar No. 1-B between Harrison County and WOLF PUPS, LLC commencing on January1, 2023 and ending on December 31, 2057, and Aircraft Registration for said Hangar. Exhibit J-3

Motioned by Comm. Timmins
Seconded by Comm. Hatfield
All members voting in favor
Motion carried unanimously (5-0)
Order #2023- 68

Item #4. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the Harrison County Airport Ground Lease Tenant Constructed Hangar No. 12 between Harrison County and PONDER VICTORY ENTERPRISES< LLC commencing on January 1, 2023 and ending on December 31, 2057, and Aircraft Registration for said hangar. Exhibit J-4

Motioned by Comm. Ebarb
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2023- 69

Item #5. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the resolution authorizing the private resale of a property bid in trust to Harrison County.
Exhibit J-5

Motioned by Comm. Ebarb
Seconded by Comm. Mauldin
All members voting in favor
Motion carried unanimously (5-0)
Order #2023-70

Item #6. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve to receive and discuss delinquent tax collection report. J-6

Motioned by Comm. Timmins
Seconded by Comm. Hatfield
All members voting in favor
Motion carried unanimously (5-0)
Order #2023-71

Item #7. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the Resolution and Amended Contract between Harrison County and McCreary, Veselka, Braff, and Allen P.C, for the collection of delinquent property taxes and legal representation to be effective February 15, 2023 and ending February 14, 2027, with annual one year automatic rollover provision after the expiration of the initial term and pursuant to Texas Government Code Section 2254.1036. If entering into a contingent fee contract a Public Notice (Exhibit "A") must be included with the agenda item. Exhibit F-7

Motioned by Comm. Mauldin
Seconded by Comm. Ebarb
All members voting in favor
Motion carried unanimously (5-0)
Order #2023-72

Item #8. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the Resolution at the recommendation of Gum Springs WSC Selection Committee, for the selection of Traylor & Associates, Inc. as the Grant Administrator pertaining to the application, and implementation of the WSC 2023-2024 Texas Department of Agriculture TxCDBG grant, **if awarded**, with said contract to be approved and executed at a future commissioner's court meeting upon award of said TxCDBG grant to Gum Springs WSC. Exhibit F-8

Motioned by Comm. Mauldin
Seconded by Comm. Ebarb
All members voting in favor
Motion carried unanimously (5-0)
Order #2023-73

Item #9. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the Resolution at the recommendation of Gum Springs WSC Selection Committee for the selection of Stephens Engineering as the engineering firm pertaining to the application preparation and project implementation of the WSC 2023-2024 Texas Department of Agriculture TxCDBG grant, **if awarded**, with said contract to be approved and executed at a future commissioner's court meeting, upon award of TxCDBG grant to Gum Springs WSC. Exhibit J-9

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 Timmins to adjourn the meeting. Motion carried unanimously (5-0). Meeting adjourned at 9:56 A.M.

ATTEST:


Elizabeth James, County Clerk
Harrison County, Texas

Date: 3/10/23

-

Charlene Graff

From: Gayle Keys <artsalliance@yahoo.com>
Sent: Friday, March 10, 2023 1:51 PM
To: Charlene Graff
Subject: Re: APPLICATION COURTHOUSE USE PARKING LOT
Attachments: Pg.1CtyPermit.pdf; Pg.2CtyPermit.pdf; TAACountyAppAttachmt.docx

Caution! This message was sent from outside your organization.

Here it is Charlene. If there's anything else need please just let me know. Thanks again!

Sincerely,
Gayle Keys,
The Arts Alliance, LLC.
www.artsalliancellc.org

On Friday, March 10, 2023 at 12:26:15 PM CST, Charlene Graff <charlene@co.harrison.tx.us> wrote:

Perfect!!

From: Gayle Keys [mailto:artsalliance@yahoo.com]
Sent: Friday, March 10, 2023 12:24 PM
To: Charlene Graff <Charlene@co.harrison.tx.us>
Subject: Re: APPLICATION COURTHOUSE USE PARKING LOT

Caution! This message was sent from outside your organization.

Thank you. Scanning it in to you in the next email.

Sincerely,
Gayle Keys,

The Arts Alliance, LLC.

www.artsalliancellc.org

On Friday, March 10, 2023 at 11:54:47 AM CST, Charlene Graff <charlene@co.harrison.tx.us> wrote:

You are welcome

From: Gayle Keys [<mailto:artsalliance@yahoo.com>]
Sent: Thursday, March 9, 2023 6:53 PM
To: Charlene Graff <Charlene@co.harrison.tx.us>
Subject: Re: APPLICATION COURTHOUSE USE PARKING LOT

Caution! This message was sent from outside your organization.

Thank you Charlene. Will send ASAP

Sincerely,

Gayle Keys,
The Arts Alliance, LLC.

On Thursday, March 9, 2023, 3:09 PM, Charlene Graff <Charlene@co.harrison.tx.us> wrote: