



**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 MAY -5 AM 11:34

ELIZABETH JAMES  
CLERK HARRISON CO

BY Bleach 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 9<sup>th</sup> day of May, 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:**

**"PROCLAMATION DECLARING THE MONTH OF MAY 2023  
AS MENTAL HEALTH AWARENESS MONTH IN HARRISON  
COUNTY"**

**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 April 28, 2023.

**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:

Select Energy Services, LLC	Taylor Road, CR 1324
ETEX Telephone Coop	Cooper Road, CR 4714
ETEX Telephone Coop	Jackson Road, CR 4128
ETEX Telephone Coop	Mae Oney Road, CR 4127
ETEX Telephone Coop	Asa Johnson Road, CR 4711
ETEX Telephone Coop	Sid Craver Road, CR 4132
ETEX Telephone Coop	Hillside Drive, CR 4141
ETEX Telephone Coop	Blocker Road, CR 1319
Upshur Rural Electric Coop	Country Club Road W, CR 3429
Gum Springs Water Supply Corp	Maple Springs Road, CR 3405
Etex Telephone Cooperative	Dehart Road, CR 4507
Leigh Water Supply Corporation	Harkins Lane, CR 2213
Leigh Water Supply Corporation	Tolivar Road, CR 4011

3. Consideration and action to approve the pre-bid lease purchase of three (3) 2024 Mack GR64F w/OX Body dump trucks from East Texas Mack for a total purchase cost of \$521,633.86 which includes the initial cost plus interest for a lease term of 13 months through Texas Interlocal Purchasing System which includes buy back of each dump truck at \$149,000.00 each after 13 month purchase that meets trade terms and to authorize the County Judge to execute any and all documents related to said lease/purchase agreement with Cadence Bank Equipment Finance for the Road & Bridge Department subject to acceptance of necessary financial agreement.

**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 to accept a donation from David M. Thomas in the amount of \$200 to be used for the Harrison County Sheriff's Office K-9 program.

**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 and action regarding the approval of the Award of Bid #2023-09 Corrugated Steel Pipe with the letter of recommendation from the Purchasing Agent.
2. Consideration and action regarding the approval of the Award of Bid 2023-10 Plant Mixed Asphalt & Aggregate with the letter of recommendation from the Purchasing Agent.
3. Consideration and action regarding the approval of the Award of Bid 2023-11 Refined Road Oil & Emulsified Asphalt with the letter of recommendation from the Purchasing Agent.
4. Consideration and action regarding the approval of the Award of Bid 2023-12 Corrugated Polyethylene Pipe with the letter of recommendation from the Purchasing Agent.

**G. HUMAN RESOURCES:**

1. Consideration and approval to enter into service agreement with GovOS for annual renewal for GovOS/SeamlessDocs Forms Management Application in the amount of \$5,490.00 for Human Resources.

**H. TREASURER:**

**I. ELECTIONS:**

**J. NEW BUSINESS:**

1. Consideration and action subject to ratification in Open Court the approval of the Specifications for BID 2023-13, Seal Coat Projects for the Road and Bridge Department and authorization for publication in the Marshall News Messenger, Longview News Journal and Harrison County Purchasing website.
2. Consideration and action regarding the approval of the Harrison County Airport Ground Lease - Tenant Constructed Hangar 11 between Harrison County and Piney Branch, LP and ENS Aviation, LLC commencing on January 1, 2023 and ending on December 31, 2057 and Aircraft Registration.
3. Consideration and action to approve the submission of the Unclaimed Property Capital Credits for Counties request to the Texas Comptroller of Public Accounts for Harrison County pursuant to Section 74.602 of the Texas Property Code.
4. Consideration and action regarding the approval of the Facility Use Agreement between Harrison County and United States District Court for the Eastern District of Texas for use of the Historic Courtroom, Jury Room and Judge's Chambers as stated in the agreement.
5. Consideration and action regarding the approval of the Correctional Communications Services Agreement between Harrison County and City Tele-Coin Company to install, service and maintain inmate telephone, video visitation and messaging services pursuant to agreement attached.

6. Consideration and action regarding the request by Ryan for the 2023 Business Personal Property Rendition – Extension Request for General Cable Industries and acceptance of the 2023 General Cable Industries, Inc. Tax Abatement Compliance Certification.

7. Consideration and action regarding the payment to B&D Healthcare Solutions, PLLC/WPA in the amount of \$86,000 to provide Harrison County Members with “Medical Services” that B&D Healthcare are permitted to perform under the laws of the State of Texas and that are within the scope of their training and licensure.

**ADJOURN**

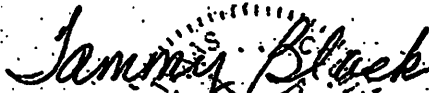
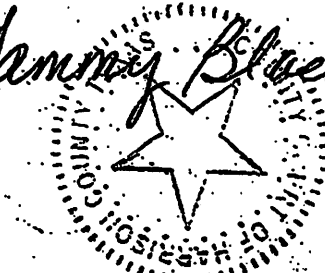
  
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CHAD SIMS, COUNTY JUDGE

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: May 5, 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 9TH DAY OF MAY, 2023**

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**BE IT REMEMBERED** that at 9:00 a.m. on the 9<sup>th</sup> of May, 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: "PROCLAMATION DECLARING MAY 2023 AS MENTAL HEALTH AWARENESS MONTH IN HARRISON COUNTY"**

**Declare A Quorum Present:**

When the following were heard and the following Orders passed:

Call to Order by the County Judge, Chad Sims, at 9:06 a.m.

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**ITEM A: County Auditor: Administrative Report Submitted: Becky Haynes gave administrative report. No action to be taken concerning Submission of financial reports. Exhibit A**

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Motioned by Comm. Ebarb  
Seconded by Comm. Mauldin  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-166

**Item #1. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve Line Item Transfers. Exhibit A-1

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Motioned by Comm. Hatfield  
Seconded by Comm. Ebarb  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-167

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

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Motioned by Comm. Hatfield  
Seconded by Comm. Mauldin  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-168

**Item #3. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Payroll for April 28, 2023. Exhibit A-3.

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**Item B: Road and Bridge Department: Administrative Report submitted: Luke Davis gave administrative report-- 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. Ebarb  
Seconded by Comm. Mauldin  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-169

**Item #1. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the personnel changes for April 5, 2023 through May 2, 2023, for the Harrison County Road & Bridge Department. Exhibit B-1.

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Motioned by Comm. Hatfield  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-170

**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.

Select Energy Services, LLC	Taylor Road, CR 1324
ETEX Telephone Coop	Cooper Road, CR 4714
ETEX Telephone Coop	Jackson Road, CR 4128
ETEX Telephone Coop	Mae Oney Road, CR 4127
ETEX Telephone Coop	Asa Johnson Road, CR 4711
ETEX Telephone	Sid Craver Road, CR 4132
ETEX Telephone	Hillside Drive, CR 4141
ETEX Telephone	Blocker Road, CR 1319
Upshur Rural Electric Coop	Country Club Road W, CR 3429
Gum Supply Corp	Maple Springs Road, CR 3405
ETEX Telephone Cooperative	Dehart Road, CR 4507
Leigh Water Supply Corporation	Harkins Lane, CR 2213
Leigh Water Supply	Tolivar Road, CR 4011

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Motioned by Comm. Ebarb  
Seconded by Comm. Mauldin  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-171

**Item #3. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the pre-bid lease purchase of three (3) 2024 Mack GR64F w/OX Body dump trucks from East Texas Mack for a total purchase cost of \$521,633.86 which includes the initial cost plus interest for a lease term of 13 months through Texas Interlocal Purchasing System which includes buy back of each dump truck at 149,000.00 each after 13 month purchase that meets trade terms and to authorize the County Judge to execute any and all documents related to said lease/purchase agreement with Cadence Bank Equipment Finance for the Road & Bridge Department subject to acceptance of necessary financial agreement.  
Exhibit B-3

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**ITEM C: SHERIFF'S DEPARTMENT:**

Administrative Report submitted: Sheriff B. J. Fletcher gave report for 04-05-2023 to 05-02-2023. 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

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Total Calls **2376**      Criminal Reports (CID) **45** (Assigned Cases)

Reports Taken: **227**      (Incident/Investigation/Arrest)

Arrest HCSO **85**      (figure includes Deputies & booking Jailers)

Traffic Citations Issued **36**      Mental **6**

Transport/Warrants Office **41** Transports  
**6179** Mileage

Civil Process: Legal Documents Received **124**

Served: **86** Personal Service  
    **7** Indictment Precepts served in Jail  
    **24** Tax Postings  
    **23** CCL/DC Postings  
    **0** Harrison Central Appraisal District Tax Sales

Total Served      **140**

Juror Notices      **2650**  
Grand Juror Notices      **0**

**05-03-2023 @ 11:43 AM @ Jail Population: 233**  
**04-05 to 05-02-2023 Contract Inmates**  
**Marion County (3) US Marshall (27) Total 30**

Citations:	00	Inspections:	28
Fire reports requested	0	Fire cases recorded	
Illegal Dumping Cases	38	Pickup order tickets for litter	

Litter picked up (cubic feet)

Fire Marshal	7,200
Adult Probation	1,250
Willoughby	1,750
Sheriff	<u>1,250</u>
Team Total CF	10,450



**Harrison County Sheriff Fire Marshal & OSSF Division: No action to be taken.**

Concerning on-site sewer facilities activity summary. 02-01-2023 to 02-28-2023 Exhibit C

Citations:	00		
Inspections:	28		
Fire reports requested			
Fire cases recorded		Illegal Dumping Cases	38
Pickup order tickets for litter			

Litter picked up (cubic feet)

Fire Marshal	7,200
Adult Probation	1,250
Willoughby	750
Sheriff	<u>1,250</u>
Team Total CF	10,450

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Motioned by Comm. Hatfield  
Seconded by Comm. Ebarb  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-172

**Item #1. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve to accept a donation from David M. Thomas in the amount of \$200 to be used for the Harrison County Sheriff's Office K-9 Program. Exhibit C-1

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**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

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**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

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**ITEM F: Purchasing**

Motioned by Comm. Ebarb  
Seconded by Comm. Mauldin  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-173

**ITEM #1. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the BID 2023-09 Corrugated Steel Pipe with the letter of recommendation from the Purchasing Agent. Exhibit F-1

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Motioned by Comm. Ebarb  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-174

**ITEM #2. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Award of Bid 2023-10 Plant Mixed Asphalt & Aggregate with the letter of recommendation from the Purchasing Agent. Exhibit F-2

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Motioned by Comm. Mauldin  
Seconded by Comm. Ebarb  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-175

**ITEM #3. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to the Award of Bid 2023-11 Refined Road Oil & Emulsified Asphalt with the letter of recommendation from the Purchasing Agent. Exhibit F-3

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Motioned by Comm. Hatfield  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-176

**ITEM #4. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Award of Bid 2023-12 Corrugated Polyethylene Pipe with the letter of recommendation from the Purchasing Agent. Exhibit F-4

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**ITEM G: Human Resources:**

Motioned by Comm. Hatfield  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-177

**Item #1. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve, to enter into service agreement with GovOS for annual renewal for GovOS/SeamlessDocs Forms Management Application in the amount of \$5,490.00. Exhibit G-1

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**ITEM H: Treasurer: No Items Submitted**

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**ITEM I: Elections: No Items Submitted**

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**ITEM J: New Business:**

Motioned by Comm. Ebarb  
Seconded by Comm. Hatfield  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-178

**ITEM #1. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the ratification in Open Court the approval of the Specifications for BID 2023-13, Seal Coat Projects for the Road and Bridge Department and authorization for publication in the Marshall News Messenger, Longview News Journal and Harrison County Purchasing website. Exhibit J-1

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Motioned by Comm. Timmins  
Seconded by Comm. Mauldin  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-179

**ITEM #2. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Harrison County Airport Ground Lease Tenant Constructed Hangar 11 between Harrison, County and Piney Branch, LP and ENS Aviation, LLC commencing of January 1, 2023 and ending on December 31, 2057 and Aircraft Registration.. Exhibit J-2

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Motioned by Comm. Hatfield  
Seconded by Comm. Ebarb  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-180

**ITEM #3. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the submission of the Unclaimed Property Capital Credits for Counties request to the Texas Comptroller of Public Accounts for Harrison County pursuant to Section 74.602 of the Texas Property Code. Exhibit J-3

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Motioned by Comm. Mauldin  
Seconded by Comm. Hatfield  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-181

**ITEM #4. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Facility Use Agreement between Harrison County and United States District Court for the Eastern District of Texas for use of the Historic Courtroom, Jury Room and Judge's Chambers as stated on the agreement. Exhibit J-4

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Motioned by Comm. Hatfield  
Seconded by Comm. Ebarb  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-182

**ITEM #5. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Correctional Communications Services Agreement between Harrison County and City Tele-Coin Company to install, service and maintain inmate telephone video visitation and messaging services pursuant to agreement attached. J-5

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Motioned by Comm. Timmins  
Seconded by Comm. Ebarb  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-183

**ITEM #6. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the request by Ryan for the 2023 Business personal Property Rendition- Extension

Request for General Cable Industries and acceptance of the 2023 General Cable Industries, Inc. Tax Abatement Compliance Certification. Exhibit J-6

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Motioned by Comm. Hatfield  
Seconded by Comm. Ebarb  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-184

**ITEM #7. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the payment to B&D Healthcare Solutions, PLLC/WPA in the amount of \$86,000 to provide Harrison County Members with "Medical Services" that B&D Healthcare are permitted to perform under the laws of the State of Texas and that are within the scope of their training and licensure. Exhibit J-7

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**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 Ebarb to adjourn the meeting. Motion carried unanimously (5-0). Meeting adjourned at 9:41 a.m.

ATTEST:

  
Elizabeth James, County Clerk  
Harrison County, Texas

Date: 5/18/2023