

**REGULAR MEETING OF THE COMMISSIONERS' COURT  
HELD IN THE HISTORIC HARRISON COUNTY COURTHOUSE  
MARSHALL, TEXAS  
THIS THE 29TH DAY OF AUGUST, 2023**

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**BE IT REMEMBERED** that at 9:00 a.m. on the 29th of August, 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. The meeting was open to the public and notices of said meeting were posted as required by law.

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 <b>Not Present</b>
Becky Haynes,	County Auditor

**ANNOUNCEMENTS: Judge Sims made Announcement that Budget was posted last week and is online if anyone would like to take a look at it.**

**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:** No Administrative Report submitted: No action to be taken concerning Submission of financial reports. Exhibit A

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Motioned by Comm. Timmins  
Seconded by Comm. Ebarb  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-304

**Item #1. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve Line Item Transfers as submitted by County Auditor Becky Haynes \$116,406.64

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Motioned by Comm. Hatfield  
Seconded by Comm. Mauldin  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-305

**Item #2. IT IS ORDERED** by the Commissioners Court of Harrison County, Texas to approve the payment of Regular Bills in the amount of \$1,586,429.20. Over \$800,000.00 is related to road Construction Projects County has in progress. Exhibit A-2

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Motioned by Comm. Hatfield  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-306

**Item #3. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Payroll for August 18, 2023. Exhibit A-3.

\*County Auditor updated the Court with progress on the new payroll system implemented. County has gone live with the system.

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Motioned by Comm. Ebarb  
Seconded by Comm. Mauldin  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-307

**Item #4. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve a budget amendment pursuant to LGC 111.0108 for Supplement Reimbursement received by Harrison County Juvenile Services in the amount of \$217,558 and approve the associated expenditure line items. Exhibit A-4.

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**Item B: Road and Bridge Department:** 2023 Construction Completed & in Progress:  
Luke Davis gave report on construction completed & In Progress, maintenance and repairs of county roads, bridges and right-of-ways also concerning condition of equipment. Exhibit B

Road and bridge has issued 54 road permits. Road and Bridge continues to move forward on summer construction. Since last report crews have completed 28.815 miles of seal coat. Rayford's should complete seal coat projects this week or mid-week next week. They will move to Macedonia Rd to chip seal and move to Mount Pleasant Cutoff. Rayford's Chip sealed Black Jack Rd from Hwy 59 to Pope City Rd. Mr. Davis stated the other end of Black Jack Rd is too dry to lay chip seal and will have to redo before chip seal can be laid. Commissioner Hatfield asked if any action has been taken on the water leak on Old Town Rd. The water leak near the church at Four Corners. Mr. Davis has spoken with Contractor and instead of digging the road up, they are going to do a road bore going to the church and will leave old line there. Road and Bridge will dig out to get a solid base. Rayford will fix it and go back over it with a chip seal.

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Motioned by Comm. Ebarb  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-308

**Item #1. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the personnel changes for August 10, 2023 through August 23, 2023, for the Harrison County Road & Bridge Department. Exhibit B-1.

NEW HIRES: None

TERMINATIONS: None

RETIREMENTS: None

Full Time Employees (53)	46 (Includes the Road Administrator)
F/T Vacancies:	7
Part Time Employees (3)	2 (Including one floating slot)
Part Time Vacancy:	1
Temporary (6)	4
Temp. Vacancies:	2

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Motioned by Comm. Ebarb  
 Seconded by Comm. Hatfield  
 All members voting in favor  
 Motion carried unanimously (5-0)  
 Order #2023-309

**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.

Eastex Telephone Cooperative	Edmondson Road, CR 4600
Eastex Telephone Cooperative	Riley Road, CR 1144
Gum Springs WSC	Lawrence Road, CR 3520
Eastex Telephone Cooperative	American Plant Road, CR 1104
Etex Telephone Cooperative	Davidson Road, CR 4501

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Motioned by Comm. Hatfield  
 Seconded by Comm. Timmins  
 All members voting in favor  
 Motion carried unanimously (5-0)  
 Order #2023-310

**Item #3. IT IS ORDERED** by the Commissioners’ Court of Harrison County, Texas to approve the Final Plat for “Oram Slough” Subdivision off of Shelley Road, CR 2406, and Pct 1. Exhibit B-3

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**ITEM C: SHERIFF’S DEPARTMENT:** No Administrative submitted: No action taken

Motioned by Comm. Ebarb  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-311

**Item #1. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Resolution indicating a desire for Harrison County to enter into an interlocal Agreement with TxDOT regarding the transfer of a 60'X 60' tract of land, hereinafter known as the FM 449 Iron Ore Hill Tower Site, the construction of a 350' tower and purchase of radio equipment intended to connect to the TXWARN System. Exhibit C-1

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Motioned by Comm. Hatfield  
Seconded by Comm. Mauldin  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-312

**Item #2. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Enterprise Fleet management Quote 7428735, 2023 Ford F-150 XLT 4x4 Super Crew Cab for the Sherriff's Office Chief's Truck. Exhibit C-2

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**ITEM E: Information Technology: No Administrative Report Submitted:**

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**ITEM G: Human Resources: No Items Submitted**

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**ITEM H: Treasurer:**

Motioned by Comm. Hatfield  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-313

**1. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Treasurer's Monthly Report for July 1, 2023 and ending July 31, 2023 and authorization to publish on the county website pursuant to LGC Section 114.026. Exhibit H-1

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Motioned by Comm. Hatfield  
Seconded by Comm. Mauldin  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-314

**2. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Treasure's Investment Report for July 2023. Exhibit H-2

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Motioned by Comm. Timmins  
Seconded by Comm. Ebarb  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-315

**3. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Treasure's Quarterly Fees paid to the State Comptroller by County Treasurer for April-June 2023. Exhibit H-3

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**ITEM I: Elections: No Report Submitted**

**ITEM J: New Business:**

Motioned by Comm. Hatfield  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-316

**ITEM #1. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to discuss proposed 2023-2024 tax rate for Harrison County, take record vote (if needed) and schedule Public Hearing on Tax Increase to be held on September 5, 2023 at 9:00 a.m. and authorize publication of Public Notice. Exhibit J-1

Voting in favor: Commissioner: Hatfield, Commissioner: Timmins, Commissioner: Mauldin, Commissioner: Ebarb and Judge Sims

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Motioned by Comm. Timmins  
Seconded by Comm. Ebarb  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-317

**ITEM #2. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve Public Hearings to be held on September 12, 2023 at 9:00 a.m. and authorize publication of said Public Notices as Follows:. Exhibit J-2

- a. Public Hearing to consider Proposed 2023-2024 Budget.
- b. Public Hearing to consider County Clerk's 2023-2024 Proposed Technology Fund Plan.
- c. Public Hearing to consider District Clerk's 2023-2024 Proposed Salaries, Expenses and Other Allowances for Elected Officials.

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Motioned by Comm. Mauldin  
Seconded by Comm. Timmins  
Motion carried unanimously (5-0)  
All members voting in favor  
Order #2023-318

**ITEM #3. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve to set September 12, 2023 at 9:00 a.m. for the approval of Adoption of County Budget for Harrison County for FY 2023-2024. Exhibit J-3

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Motioned by Comm. Timmins  
Seconded by Comm. Ebarb  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-319

**ITEM #4. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas approve the Harrison County Employee Benefit Plan Document Amendment #1. Exhibit J-4

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Motioned by Comm. Hatfield  
Seconded by Comm. Timmins  
Motion carried unanimously (5-0)  
All members voting in favor  
Order #2023-320

**ITEM #5. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve a Resolution authorizing the mayor of the City of Waskom and the Emergency management Coordinator to Amend the Harrison County 2019 Mitigation Action Plan to add the following: Hazard's Addressed Flooding to mitigate damages during future storm events by installing new gravity sewer lines and manholes to prevent repeated Inflow and Infiltration (I&I) during flooding events. Exhibit J-5

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Motioned by Comm. Timmins  
Seconded by Comm. Hatfield  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-321

**ITEM #6. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Ratification in Open Court, the approval of the request by Willoughby Juvenile Center to send two employees to Little Rock, Arkansas to handle with Care Instructor Re-certification Program. Exhibit J-6

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Motioned by Comm. Mauldin  
Seconded by Comm. Ebarb  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-322

**ITEM #7. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Ratification in Open Court, the request by the Auditor's Office for the transfer of funds in the amount of \$200,000 for payment of medical claims. Exhibit J-7

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Motioned by Comm. Ebarb  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-323

**ITEM #8. IT IS ORDERED** by the Commissioners' Court, of Harrison County, Texas to approve the Ratification in Open Court the Resolution authorizing Harrison County to settle its pending claims against Volkswagen in the amount of \$50,000 and authorizing the County judge to execute any/all documents necessary to participate in the settlement to the Clean Diesel Litigation case. Exhibit J-8

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Motioned by Comm. Mauldin  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-324

**ITEM #9. IT IS ORDERED** by the Commissioners' Court, of Harrison County, Texas to approve the Ratification in Open Court of the payment to Reynolds & Kay per Change Order #2 Five Notch Road North CR 1030 in the amount of \$33,022 and Change Order #3, Page Road, in the amount of \$800.30. Exhibit J-9

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Motioned by Comm. Hatfield  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2023-325

**ITEM #10. IT IS ORDERED** by the Commissioners' Court, of Harrison County, Texas to approve the Ratification in Open Court, the approval of the purchase of Five (5) M500 ICV System, V300 Wi-Fi Docs SPS (\$30,075), Five (5) Video manager M500 Annual Device License SI. (\$975.00), and Five (5) CBL, Wi-Fi\_\_33 WHCL ANT MNT NMO, 17'L (\$300.00) Quote – 2287886 from Motorola Solutions, Inc. for a total amount \$31,350.00 by the Sheriff's Department. Exhibit J-10

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**ADJOURNMENT:**

**With no further business to come before the Court for consideration and action, the motion was made by Commissioner Timmins and seconded by Commissioner Mauldin to adjourn the meeting. Motion carried unanimously (5-0). Meeting adjourned at 10:00 a.m.**

**ATTEST:**

*Elizabeth James*  
**Elizabeth James, County Clerk  
Harrison County, Texas**

**Date:** 9/22/2023



**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 AUG 25 AM 10:41

CLERK OF COURTS  
HARRISON COUNTY

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 29<sup>th</sup> day of August, 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 August 18, 2023. •
4. Consideration and action to accept, certify new revenue and approve a budget amendment pursuant to LGC 111.0108 for Supplement Reimbursement received by Harrison County Juvenile Services in the amount of \$217,558 and approve the associated expenditure line items.

**B. ROAD AND BRIDGE DEPARTMENT:**

2023 CONSTRUCTION COMPLETED & IN PROGRESS REPORT

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	Edmondson Road, CR 4600
Eastex Telephone Cooperative	Riley Road, CR 1144
Gum Springs WSC	Lawrence Road, CR 3520
Eastex Telephone Cooperative	American Plant Road, CR 1104
Etex Telephone Cooperative	Davidson Road, CR 4501

3. Consideration and action to approve the Final Plat for “Oram Slough” Subdivision off of Shelley Road, CR 2406, Pct. 1.

**C. SHERIFF’S DEPARTMENT:**

1. Consideration and approval of a Resolution indicating a desire for Harrison County to enter into an Interlocal Agreement with TxDOT regarding the transfer of a 60’ X 60’ tract of land, hereinafter known as the FM 449 Iron Ore Hill Tower Site, the construction of a 350’ tower and purchase of radio equipment intended to connect to the TXWARN System.

2. Consideration and approval of the Enterprise Fleet Management Quote 7428735, 2023 Ford F-150 XLT 4x4 SuperCrew Cab for the Sheriff’s Office Chief’s truck. •

**D. MAINTENANCE DEPARTMENT:**

**E. INFORMATION TECHNOLOGY:**

**F. PURCHASING:**

**G. HUMAN RESOURCES:**

**H. TREASURER:**

1. Consideration and action regarding the approval of Treasurer’s Monthly Report for July and authorization to publish on the county website pursuant to LGG Section 114.026. •

2. Consideration and approval of the Harrison County Treasurer's Investment Report for July, 2023.

3. Consideration and approval of Quarterly Fees paid to the State Comptroller by the County Treasurer for April-June 2023.

**I. ELECTIONS:**

**J. NEW BUSINESS:**

1. Consideration and action to discuss proposed 2023-2024 tax rate for Harrison County, take record vote (if needed) and schedule Public Hearing on Tax Increase to be held on September 5, 2023 at 9:00 a.m. and authorize publication of Public Notice.

2. Consideration and action to approve Public Hearings to be held on September 12, 2023 at 9:00 a.m. and authorize publication of said Public Notices as follows:

a. Public Hearing to consider Proposed 2023-2024 Budget.

b. Public Hearing to consider County Clerk's 2023-2024 Proposed Archive Fee Plan.

c. Public Hearing to consider District Clerk's 2023-2024 Proposed Technology Fund Plan.

d. Public Hearing regarding the FY 2023-2024 Proposed Salaries, Expenses and other Allowances for Elected Officials.

3. Consideration and action to set September 12, 2023 at 9:00 a.m. for the approval of Adoption of County Budget for Harrison County for FY 2023-2024.

4. Consideration and action regarding the approval of the Harrison County Employee Benefit Plan Document Amendment #1.

5. Consideration and action regarding the approval of a Resolution authorizing the Mayor of the City of Waskom and the Emergency Management Coordinator to Amend the Harrison County 2019 Mitigation Action Plan to add the following: Hazard/s Addressed – Flooding to mitigate damages during future storm events by installing new gravity sewer lines and manholes to prevent repeated Inflow and Infiltration (I&I) during flooding events.

6. Subject to Ratification in Open Court, the approval of the request by Willoughby Juvenile Center to send two employees to Little Rock, Arkansas to Handle with Care Instructor Re-certification Program.

7. Subject to Ratification in Open Court, the approval of the request by the Auditor's Office for the transfer of funds in the amount of \$200,000 for payment of medical claims.

8. Subject to Ratification in Open Court, the approval of Resolution authorizing Harrison County to settle its pending claims against Volkswagen in the amount of \$50,000 and authorizing the County Judge to execute any/all documents necessary to participate in the settlement of the Clean Diesel Litigation case.

9. Subject to Ratification in Open Court, the approval of the payment to Reynolds & Kay per Change Order #2, Five Notch Road North, CR 1030 in the amount of \$33,022 and Change Order #3, Page Road, in the amount of \$800.30.

10. Subject to Ratification in Open Court, the approval of the purchase of Five (5) M500 ICV System, V300 WiFi Docs SPS (\$30,075), Five (5) Videomanager, M500 Annual Device License SL (\$975.00), and Five (5) CBL, WiFi WHCL ANT MNT NMO, 17"L (\$300.00) Quote – 2287886 from Motorola Solutions, Inc. for a total amount of \$31,350.00 by the Sheriff's Department.

**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 25, 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.)

**ADJOURNMENT:**

**With no further business to come before the Court for consideration and action, the motion was made by Commissioner Timmins and seconded by Commissioner Mauldin to adjourn the meeting. Motion carried unanimously (5-0). Meeting adjourned at 10:00 a.m.**

**ATTEST:**

  
**Elizabeth James, County Clerk**  
**Harrison County, Texas**

**Date:** 9/20/23