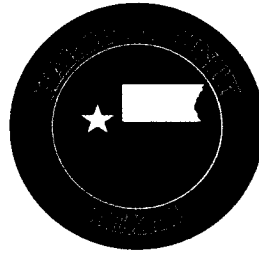


**L. W. "Nubbin" Cooper Jr.**  
County Commissioner, Precinct 1



**Amanda Young**  
County Commissioner, Precinct 3

**Chris Kirkendall**  
County Commissioner, Precinct 2

**Ernie Koch**  
County Commissioner, Precinct 4

**Wayne McDaniel**  
County Judge

**COMMISSIONERS COURT OF HARDIN COUNTY, TEXAS**  
**HARDIN COUNTY COURTHOUSE - COMMISSIONERS COURTROOM (A-131)**

**NOTICE OF REGULAR MEETING AND AGENDA**  
**TUESDAY | AUGUST 22, 2023 | 10:00 A.M.**

**AGENDA AND MINUTES**

**BE IT REMEMBERED THAT ON AUGUST 22, 2023, THERE WAS BEGUN AND HOLDEN A REGULAR MEETING OF THE COMMISSIONERS' COURT OF HARDIN COUNTY, TEXAS, WITH THE FOLLOWING MEMBERS OF THE COURT PRESENT:**

**HONORABLE WAYNE MCDANIEL**  
**HONORABLE L.W. COOPER, JR.**  
**HONORABLE CHRIS KIRKENDALL**  
**HONORABLE AMANDA YOUNG**  
**HONORABLE ERNIE KOCH**  
**HONORABLE CONNIE BECTON**

**HARDIN COUNTY JUDGE**  
**COMMISSIONER PCT. 1**  
**COMMISSIONER PCT. 2**  
**COMMISSIONER PCT. 3**  
**COMMISSIONER PCT. 4**  
**HARDIN COUNTY CLERK**

**WHEN THE FOLLOWING PROCEEDINGS WERE HAD AND ORDERS MADE TO-WIT; IN ADDITION TO THE ROUTINE BUSINESS OF THE COUNTY, THE SUBJECT OF SAID MEETING WILL BE THE FOLLOWING:**

- 1) Call meeting to order.
- 2) Invocation and Pledge of Allegiance. *Commissioner Ernie Koch*
- 3) Approve Minutes of the August 8, 2023 Regular Meeting as presented by *Connie Becton, County Clerk*.

**MOTION BY: COMMISSIONER KIRKENDALL**

**SECOND BY: COMMISSIONER YOUNG**

**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**

**ACTION: APPROVED AS PRESENTED**

COMMISSIONERS COURT AGENDA AND MINUTES

AUGUST 22, 2023

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- 4) Consider approval of request to cancel all Registered Claims from August 8, 2023; and Approval of Cash Statement as presented by *Deborah McWilliams, County Treasurer*. (SEE ATTACHED)  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER COOPER**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED AS PRESENTED**
  
- 5) Authorization to pay County bills as presented by *Angela Gore, County Auditor*. (SEE ATTACHED)  
**MOTION BY: COMMISSIONER COOPER**  
**SECOND BY: COMMISSIONER KOCH**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED AS PRESENTED**
  
- 6) Consider request for approval of the following FY2022 budget amendments and transfers as presented by Angela Gore, County Auditor. (See attached list). (SEE ATTACHED)  
**MOTION BY: COMMISSIONER COOPER**  
**SECOND BY: COMMISSIONER YOUNG**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**
  
- 7) Presentation of the Independent audit for FY22 by Belt Harris Pechacek, LLLP and acceptance by the Court. (SEE ATTACHED)  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER YOUNG**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: ACCEPTED AND APPROVED AS PRESENTED BY BELT HARRIS PECHACEK, LLLP**
  
- 8) Discussion and possible action to approve and accept for filing in the Minutes of the Court the District Court Orders setting salaries of the County Auditor, Assistant County Auditors and Official Court Reporters of the 88<sup>th</sup> and 356<sup>th</sup> Judicial District Courts for the fiscal year 2024. (SEE ATTACHED)  
**MOTION BY: JUDGE MCDANIEL**  
**SECOND BY: COMMISSIONER KIRKENDALL**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**

COMMISSIONERS COURT AGENDA AND MINUTES

AUGUST 22, 2023

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- 9) Discussion and possible action to set salaries, expenses and other allowances of all Elected County and Precinct Officers. (SEE ATTACHED)  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER COOPER**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**
- 10) Discussion and possible action to ratify the property tax revenue increase reflected in the Fiscal Year 2024 Hardin County Budget. (SEE ATTACHED)  
**MOTION BY: COMMISSIONER COOPER**  
**SECOND BY: COMMISSIONER KIRKENDALL**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**
- 11) Discussion and possible action to adopt the Fiscal Year 2024 Hardin County Budget. (SEE ATTACHED)  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER COOPER**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED AND ADOPTED BY A UNANIMOUS VOTE OF THE COURT**
- 12) Consider and possibly approve Order to adopt tax rate of \$0.540835 per \$100.00 valuation (The debt service tax rate is \$0.006573 per \$100 valuation and the maintenance and operations tax rate is \$0.534262 per \$100 valuation). (SEE ATTACHED)  
**MOTION BY: COMMISSIONER COOPER**  
**SECOND BY: COMMISSIONER KOCH**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED AND ADOPTED BY A UNANIMOUS VOTE OF THE COURT**
- 13) Discussion and possible action to approve an Order designating CLR Silsbee Property Owner, LLC, property located at 735 FM 92, Silsbee, Texas a Reinvestment Zone for the purpose of possible Tax Abatement of proposed improvements. (SEE ATTACHED)  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER COOPER**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**

COMMISSIONERS COURT AGENDA AND MINUTES

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14) Consider request by the County Judge to authorize a 30 day Continuation of the Declaration of Disaster and Order Restricting Outdoor Burning issued on July 27, 2023 and continued by Commissioners Court on August 1, 2023, as a result of current and forecasted extreme drought conditions in Hardin County. (SEE ATTACHED)

**MOTION BY: COMMISSIONER COOPER**

**SECOND BY: COMMISSIONER KOCH**

**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**

**ACTION: APPROVED**

15) Consider and possibly approve request by *Sheriff Mark Davis* to set the Sheriff's and Constables' Fees to become effective January 1, 2024. (SEE ATTACHED)

**MOTION BY: COMMISSIONER KIRKENDALL**

**SECOND BY: COMMISSIONER YOUNG**

**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**

**ACTION: APPROVED**

16) Consider and possibly authorize increasing the amount paid to persons reporting for jury service effective September 1, 2023. Pursuant to HB 3474 (88<sup>th</sup> Legislature), a person who reports for jury service in response to the process of a court is entitled to receive as reimbursement for travel and other expenses an amount not less than \$20 for the first day or fraction of the first day the person is in attendance in court, and not less than \$58 for each day or fraction of each day the person is in attendance in court after the first day. (SEE ATTACHED)

**MOTION BY: COMMISSIONER KIRKENDALL**

**SECOND BY: COMMISSIONER YOUNG**

**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**

**ACTION: APPROVED FIRST DAY OF JURY SERVICE IN THE AMOUNT OF \$20.00 AND EACH DAY THEREAFTER IN THE AMOUNT OF \$60.00.**

17) Consider request by *Sharon Whitley, Health Services Director*, for approval to apply for two new immunization grants with the National Association of County and City Health Officials (NACCHO): (SEE ATTACHED)

a. \$75,000 Strengthening Vaccine Confidence and Uptake among Adolescents and their Families through Community Partnerships. (\$0 local match).

b. \$100,000 Improving Vaccine Access, Education, and Outreach through Faith-Based Partnerships. (\$0 local match).

**MOTION BY: COMMISSIONER KIRKENDALL**

**SECOND BY: COMMISSIONER YOUNG**

**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**

**OPPOSED: COMMISSIONER COOPER**

**ACTION: APPROVED FOUR TO ONE**

COMMISSIONERS COURT AGENDA AND MINUTES

AUGUST 22, 2023

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- 18) Consider request by *Sharon Whitley, Health Services Director*, for approval to apply for a \$75,000 Infectious Disease Outbreaks: Enhancing Forecasting and Analytics Capabilities Grant for Local Health Departments with the National Association of County and City Health Officials (NACCHO), with support from the Centers for Disease Control and Prevention (CDC). This grant will support local health departments in strengthening readiness to respond to existing or emerging infectious disease that will impact the community. (\$0 local match). (SEE ATTACHED)  
**MOTION BY: COMMISSIONER YOUNG**  
**SECOND BY: COMMISSIONER KIRKENDALL**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**OPPOSED: COMMISSIONER COOPER**  
**ACTION: APPROVED FOUR TO ONE**
- 19) Consider request by *Sharon Whitley, Health Services Director*, to authorize the County Judge to sign a one-year Service Agreement beginning September 1, 2023 between Allied Holdings Group, LLC and Hardin County Health Services to exclusively collect, transport, treat, store and dispose of all medical waste. (SEE ATTACHED)  
**MOTION BY: COMMISSIONER YOUNG**  
**SECOND BY: COMMISSIONER KOCH**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**
- 20) Consider and possibly authorize Hardin County Health Services to increase the fees for Food Establishment Permits, as requested by *Sharon Whitley, Health Services Director*. (SEE ATTACHED)  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER COOPER**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**
- 21) Consider and possibly approve updated job description for Public Health Specialist position in Health Services as requested by *Melinda Herrington, Human Resources Director*. (SEE ATTACHED)  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER COOPER**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**

- 22) Consider request by *Melinda Herrington, Human Resources Director*, to authorize the County Judge to sign the 2023 - 2024 Renewal Notice and Benefit Confirmation for Health, Dental, & Life Insurance Rates offered by the Texas Association of Counties Health and Employee Benefits Pool (TAC HEBP); and the 2023 - 2024 Healthy County: County Specific Incentive (CSI) Program Participation Agreement. (SEE ATTACHED)  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER KOCH**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**
- 23) Consider and possibly approve recommendation by the Health Insurance Committee to enroll in the Texas Association of Counties Health and Employee Benefits Pool (TAC HEBP) Vision Plan. If approved, this plan will become effective December 1, 2023 and the current contract with Kansas City Life/Davis Vision will not be renewed for plan year 2024. (SEE ATTACHED)  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER COOPER**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED AS RECOMMENDED BY THE INSURANCE COMMITTEE.**
- 24) Consider request by *ReJena Bolton, Heath Inspections Manager*, to adopt Resolution 26-23 proclaiming September 2023 as Food Safety Month. (SEE ATTACHED)  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER COOPER**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**
- 25) Consider approval of request by *Misty Sims, Purchasing Agent*, to present results of bids received for Demolition Services related to the Community Development Block Grant for Disaster Recovery (CDBG-DR) and possibly award to successful vendor. (SEE ATTACHED)  
**MOTION BY: JUDGE MCDANIEL**  
**SECOND BY: COMMISSIONER KIRKENDALL**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED AND AWARDED TO LARK WHO WAS THE LOW BIDDER**
- 26) Discussion regarding Disaster/Emergency Debris Removal Services previously awarded in Commissioners Court on August 8, 2023 and possibly modify award to successful bidder(s) as requested by *Misty Sims, Purchasing Agent*. (SEE ATTACHED)  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER YOUNG**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: RESCIND THE AWARD TO DRC WHICH WAS GIVEN IN COURT ON AUGUST 8, 2023**

COMMISSIONERS COURT AGENDA AND MINUTES

AUGUST 22, 2023

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27) Consider approval of request by *Misty Sims, Purchasing Agent*, to present results of bids received for materials and emulsions for all Road and Bridge Departments; and possibly award to successful vendor. (SEE ATTACHED)

**MOTION BY: COMMISSIONER KIRKENDALL**

**SECOND BY: COMMISSIONER YOUNG**

**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**

**ACTION: APPROVED AS PRESENTED**

28) Consider and possibly authorize the Purchasing Agent to solicit bids related to asbestos abatement of the former Hardin County Hospital (Annex) utilizing American Rescue Plan Act Funding. (SEE ATTACHED)

**MOTION BY: COMMISSIONER COOPER**

**SECOND BY: COMMISSIONER KOCH**

**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**

**ACTION: APPROVED**

29) Consider and possibly authorize Purchasing Agent to solicit bids for demolition of the former Hardin County Hospital (Annex) utilizing American Rescue Plan Act Funding. (SEE ATTACHED)

**MOTION BY: COMMISSIONER YOUNG**

**SECOND BY: COMMISSIONER KOCH**

**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**

**ACTION: APPROVED**

30) Discussion only by Any County Official of any item not on the Agenda without taking any action.

31) Adjourn.

**MOTION BY: COMMISSIONER KIRKENDALL**

**SECOND BY: COMMISSIONER COOPER**

**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**

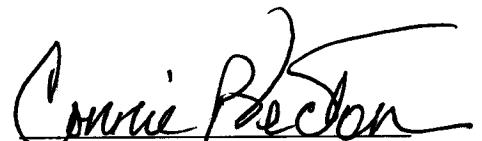
**ACTION: APPROVED**

*\*Any attendee of this Open Meeting may be permitted to comment on an Agenda item for a period of three (3) minutes by raising their hand and being recognized by the Presiding Member prior to the Court acting on any item. Anyone who addresses Commissioners Court must do so from the podium.*

RESPECTFULLY SUBMITTED,



Wayne McDaniel  
HARDIN COUNTY JUDGE



Connie Becton  
HARDIN COUNTY CLERK