

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

Chris Kirkendall
County Commissioner, Precinct 2



Amanda Young
County Commissioner, Precinct 3

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 | DECEMBER 10, 2024 | 10:00 A.M.

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.

AGENDA AND MINUTES

BE IT REMEMBERED THAT ON DECEMBER 10, 2024, 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) Establish Quorum and Call Meeting to Order | *Hon. Wayne McDaniel*
- 2) Invocation and Pledge of Allegiance | *Hon. Chris Kirkendall*

- 3) Consider and possibly approve the November 26, 2024 Regular Meeting Minutes as presented by *Hon. Connie Becton, County Clerk*.
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

- 4) Consider approval of request by *Hon. Deborah McWilliams, County Treasurer* to cancel all Registered Claims from November 26, 2024; and Approval of Cash Statement. (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 AS PRESENTED

- 5) Authorization to pay County bills as presented by *Mrs. Candice McKinney, Assistant County Auditor*. (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

- 6) Consider adoption of Resolution 33-24 recognizing Ms. Shirley McIntyre Cook for 20 years of dedicated service to the citizens of Hardin County, and wishing her well in her retirement as Tax Assessor-Collector for Hardin County. (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

- 7) Presentation of a draft version of the 2025 Hardin County Atlas by *Mr. Carl Marshall, South East Texas Regional Planning Commission*.
PRESENTATION ONLY

- 8) Discussion and possible action concerning reappointments/appointments of Emergency Services Commissioners to all Hardin County Emergency Services Districts and Village Mills Emergency Services District № 8 to serve a two (2) year term, effective January 1, 2025 thru December 31, 2026. (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

9) Consider approval of request by *Mrs. Melinda Herrington, Human Resources Director*, to amend a Job Title in the Health Services Department from Epidemiology Surveillance Specialist MA to Immunization/Epi, MA. (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

10) Consider approval of request to amend the FY25 Budget for additional revenue received by the R&B2 Department as follows: (SEE ATTACHED)

INCREASE REVENUE	017-372-002 Miscellaneous Revenue R&B2	\$2,000.00
INCREASE EXPENDITURES	017-622-334 Materials & Supplies	\$2,000.00

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER COOPER

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

ACTION: APPROVED

11) Consider and possibly authorize *Hon. Shirley Cook, Tax Assessor-Collector*, to issue Tax Refunds as follows: (SEE ATTACHED)

TAXPAYER	AMOUNT	YEAR	REASON FOR REFUND
Jeffrey Voth	\$1,087.47	2023	Homestead / Disabled Veteran
Doyce Cartrett	\$1,028.16	2023	Homestead / Over 65
TOTAL REFUNDS	\$2,115.63		

MOTION BY: COMMISSIONER COOPER

SECOND BY: COMMISSIONER KIRKENDALL

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

ACTION: APPROVED

12) Consider approval of request by *Mrs. Misty Sims, Purchasing Agent*, to authorize the County Judge to execute Standard Form of Agreement with Construction Managers of Southeast Texas, LLC, related to renovations of Hardin County Jail and Courthouse approved by Commissioners Court on November 12, 2024. (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

COMMISSIONERS COURT AGENDA AND MINUTES

DECEMBER 10, 2024

PAGE 4 OF 6

- 13) Consider approval of request by *Mrs. Misty Sims, Purchasing Agent*, to authorize the County Judge to execute Amendment 2 between Hardin County and The LaBiche Architectural Group, Inc., regarding Architectural Services under the Hazard Mitigation Program (HMGP) Contract DR-4332-0233 Hurricane Safe Room. (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
- 14) Consider approval of request by *Mrs. Misty Sims, Purchasing Agent*, to authorize County Judge to sign Standard Form of Agreement with N&T Construction, Inc., related to construction of Hardin County Hurricane Safe Room approved by Commissioners Court on November 12, 2024. (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
- 15) Consider approval of request by *Mrs. Misty Sims, Purchasing Agent*, to order the following equipment be destroyed or otherwise disposed of as worthless after being unable to sell the equipment because no bids were made pursuant to § 263.152 Local Government Code: 1999 Gradall G3WD (SN ...3375); and 2000 Gradall G3WD (SN ...6384). (SEE ATTACHED)
MOTION BY: COMMISSIONER YOUNG
SECOND BY: COMMISSIONER COOPER
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED
- 16) Consider approval of request by *Mrs. Misty Sims, Purchasing Agent*, to authorize repairs to the Hardin County Jail, Courthouse, and Floodplain buildings as a result of damages received during the Spring Storms and Floods 2024 event caused by large hail, damaging winds and heavy rainfall. All repairs will be funded through insurance proceeds from a property damage claim filed with Texas Association of Counties, less the County's out of pocket deductible in the amount of \$25,000.00. (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

COMMISSIONERS COURT AGENDA AND MINUTES

DECEMBER 10, 2024

PAGE 5 OF 6

17) *Mrs. Misty Sims, Purchasing Agent*, to present recommendation concerning proposals received for lease of County-owned property described as Lot 16 and Lot 17, Block 5, Diana Marie D. Choate, Lumberton, Texas. If approved, consider authorizing County Judge to sign lease agreement. (SEE ATTACHED)

MOTION BY: COMMISSIONER KOCH

SECOND BY: COMMISSIONER YOUNG

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

ACTION: APPROVED

18) Consider, discuss, and possibly approve the creation of an Enterprise Fund for the purpose of establishing an in-house Courthouse Café and authorize the County Judge to order food, beverages, supplies, and equipment as necessary to operate the café, and to employ part-time staff to prepare and serve food to the public and to Hardin County employees. If approved, consider approval of the Enterprise Fund Budget submitted, and amend the General Fund Budget as follows: (SEE ATTACHED)

FROM	010-401-800 General Fund Contingency	\$15,000.00
TO	010-700-080 Transfers to Enterprise Fund	\$15,000.00

*Create new line item

MOTION BY: COMMISSIONER KOCH

SECOND BY: COMMISSIONER YOUNG

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

ACTION: APPROVED

19) Consider, discuss, and possibly direct the County Judge to negotiate with Perry Andersen Properties LP for the purchase of the current leased space located at 445 West Monroe Street where the AgriLife Extension Office is located; and/or to explore the purchase of approximately 20 acres of vacant land currently listed for sale adjacent to the County-owned property at 440 West Monroe Street where the former Hardin County Hospital/Courthouse Annex is located. (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

20) Discuss, consider, and possibly approve utilizing the remaining balance of unallocated ARPA funds in the amount of \$97,065.79 on one or more additional eligible project(s).

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER KOCH

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

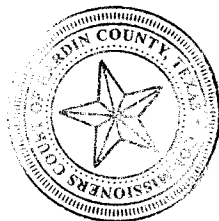
ACTION: APPROVED TO REIMBURSE THE COUNTY FOR \$44,707.86 FOR THE JANUARY STORM AND EMERGENCY MANAGEMENT (AARON TUPPER) WILL COME BACK TO COURT WITH A FIRM AMOUNT TO BE REIMBURSED BACK TO THE COUNTY FOR THE EVENT IN APRIL AND ANY AMOUNT LEFT OVER WILL GO TO CONTROL ACCESS. THIS WILL ALL BE FINALIZED AT THE NEXT COMMISSIONERS' COURT.

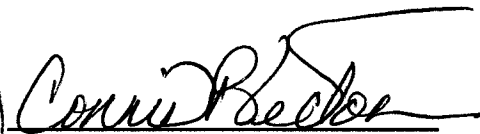
- 21) Setting of Public Hearing to consider requests by Mr. Adam Kruttlin and by Access Surveyors, LLC for a setback variance for Tracts 1 – 4 of the Wilson and Ariola Addition, Francisco Ariola Survey, Abstract No. 2, located in Precinct 1, Lumberton, Texas. (SEE ATTACHED)
MOTION BY: COMMISSIONER COOPER
SECOND BY: COMMISSIONER YOUNG
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED AND PUBLIC HEARING SET FOR DECEMBER 23, 2024 AT 9:45 AM
- 22) Setting of Public Hearing to consider a request by J.D. Knight Construction, LLC for a setback variance for Utility Easement from 10 ft. to 5 ft. on Lot 20 of Madison Park, Phase II, called 3.513 acres, Andover Properties, LLC, Series Keith West Instrument No. 2018-82790, located in Precinct 3. (SEE ATTACHED)
MOTION BY: JUDGE MCDANIEL
SECOND BY: COMMISSIONER YOUNG
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED AND PUBLIC HEARING SET FOR DECEMBER 23, 2024 AT 9:45 AM
- 23) Discussion of any other non-agenda item without taking action, including reports from Elected Officials / Department Heads; or announcements which may be of interest to the public.
- 24) Adjourn.
MOTION BY: COMMISSIONER COOPER
SECOND BY: COMMISSIONER KIRKENDALL
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED

RESPECTFULLY SUBMITTED,



Wayne McDaniel
HARDIN COUNTY JUDGE





Connie Becton
HARDIN COUNTY CLERK