

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 | NOVEMBER 12, 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 NOVEMBER 12, 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. Ernie Koch*

- 3) WORKSHOP: Conduct workshop to discuss future use of the County property located at 440 West Monroe Street and the request from Hardin Count Appraisal District to utilize a portion of this or possibly other County-owned property for a new office building.
DISCUSSION ONLY

- 4) Consider and possibly approve the October 22, 2024 Regular Meeting and October 28, 2024 Special Meeting [Minutes](#) as presented by *Hon. Connie Becton, County Clerk*.
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) Consider and possibly approve: Request to cancel all [Registered Claims](#) from October 22, 2024; [Cash Statement](#); and [Quarterly Report](#) for quarter ending September 30, 2024, as requested by *Hon. Deborah McWilliams, County Treasurer*. **(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) Authorization to pay [County bills](#) as presented by *Mrs. Candice Mckinney, Assistant County Auditor*. **(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

- 7) [Discussion](#) concerning a possible amendment to the FY25 County Budget to create a new Department / Enterprise Fund for the purpose of re-opening the Courthouse Café to be operated in-house, as proposed by Judge McDaniell. **(SEE ATTACHED)**
DISCUSSION ONLY

- 8) Consider and possibly authorize the County Judge to execute the Southeast Texas Auto Theft Task Force [Interlocal Agreement 2025 Grant Year](#) by and between City of Beaumont, City of Port Arthur, Jefferson County, Hardin County, Jasper County, and Orange County as a Covered Area Party of the combined task force. **(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

- 9) Consider and possibly authorize the County Judge to execute the Southeast Texas Auto Theft Task Force [Interlocal Agreement FY2024 Senate Bill 224 Grant](#) by and between City of Beaumont, City of Port Arthur, Jefferson County, Hardin County, Jasper County, and Orange County as a Covered Area Party of the combined task force. (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
- 10) Consider approval of [request](#) by *Mr. Alex Parker, Floodplain Administrator*, to approve Longleaf, a subdivision of 48.62 acres, out of a called 2,095-acre tract in the Edwardo Arriola League, Abstract No. 1 of Hardin County, Texas, located in Precinct 3, to enter into the 2-year 50% build warranty period and accept Security Bond in the amount of \$218,855.20. (SEE ATTACHED)
MOTION BY: COMMISSIONER YOUNG
SECOND BY: JUDGE MCDANIEL
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
OPPOSED: COMMISSIONER COOPER
ACTION: APPROVED FOUR TO ONE
- 11) Consider approval of request by *Hon. Shirley Cook, Tax Assessor-Collector*, to authorize the County Judge to execute [Software License Agreement and Addendum No. 001](#) with Capitol Appraisal Group, LLC for computer software in the Tax Office, effective January 1, 2025. (SEE ATTACHED)
MOTION BY: COMMISSIONER KOCH
SECOND BY: COMMISSIONER COOPER
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED
- 12) Consider request by *Hon. Chris Kirkendall, County Commissioner*, to adopt [Resolution 30-24](#) authorizing and approving execution of an agreement with Cadence Equipment Finance, a division of Cadence Bank, to finance 2024 Kubota M6S-111SHDC (SN...3649), 4WD Tractor equipped with a Terrain King KB22 22' Boom Mower (SN...0807) for the R&B 2 Department, as approved by Commissioners Court October 22, 2024. (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

- 13) Consider approval of request by *Hon. Chris Kirkendall, County Commissioner*, to authorize the Purchasing Agent to sell a 2007 Ford-150 (VIN...4209); 2004 Ford-150 (VIN...3546); 1999 Gradall G3WD (SN...3375); 2000 Gradall G3WD (SN...6384); 2004 John Deere 6220 Tractor (SN...4086); and a 2014 John Deere 6105M Tractor (SN...0472) with Tiger Boom Mower utilizing Rene' Bates Auctioneers, Inc. (ReneBates.com). **(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
- 14) Consider approval of request by *Ms. Sharon Whitley, Health Director*, to approve Amended Court Ordinance No. 1999-19.3 regarding the Regulation of Food Establishments including Food Service Establishments, Retail Food Stores, Mobile Food Units, Temporary Food Establishments, and Roadside Food Vendors. **(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
- 15) Consider approval of request by *Ms. Sharon Whitley, Health Director*, to apply for a \$10,000.00 Funding Opportunity: Delivering Customized Performance and Systems Improvement Training and Technical Assistance to Local Health Departments grant, with the National Association of County and City Health Officials (NACCHO), with support from the National Center for State, Tribal, Local and Territorial Public Health Infrastructure and Workforce at the Centers for Disease Control and Prevention (CDC PHIC). (\$0 local match). **(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
- 16) Consider approval of request by *Ms. Sharon Whitley, Health Director*, to apply for a \$40,000.00 Strengthening Immunization Program and Communications and Outreach Capacity grant, with the National Association of County and City Health Officials (NACCHO), with support from the Centers for Disease Control and Prevention (CDC). This will provide resources to strengthen communications on the importance of immunizations and increase community trust and uptake of vaccinations. (\$0 local match). **(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

COMMISSIONERS COURT AGENDA AND MINUTES

NOVEMBER 12, 2024

PAGE 5 OF 8

17) Consider approval of request by *Ms. Sharon Whitley, Health Director*, to reapply for four (4) Health Inspection Grants with the National Environmental Health Association (NEHA) and U.S. Food and Drug Administration (FDA): **(SEE ATTACHED)**

- a. \$18,000 Mentorship grant to build collaborative relationships with similar food retail program standards. (\$0 local match).
- b. \$7,500 Training grant. Funds will be provided for participants to attend various NEHA meetings and trainings. (\$0 local match).
- c. \$20,000 Collaborative grant to start a network with local jurisdictions. (\$0 local match).
- d. Up to \$150,000 grant over a three (3) year cycle for improvements and a handwashing initiative working with preschool children including Hardin, Jefferson, Orange and Jasper-Newton Counties. (\$0 local match).

MOTION BY: COMMISSIONER YOUNG

SECOND BY: COMMISSIONER KOCH

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

ACTION: APPROVED

18) Consider adoption of Resolution 31-24 requesting a public sale of properties acquired by Hardin County at a delinquent tax sale, as requested by *Mrs. Sheena Moore, McCreary, Veselka, Bragg & Allen, P.C.* **(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

19) Consider approval of request by *Mr. Aaron Tupper, Emergency Management Coordinator*, to authorize the County Judge to execute a Memorandum of Understanding (MOU) with Texas Division of Emergency Management (TDEM) outlining the terms of the Texas Emergency Management Assistance Teams Program (TEMAT) in regards to Hardin County allowing employees/members to serve as part of the Disaster Recovery Task Force (DRTF). **(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 the status of approved ARPA projects as requested by *Mr. Aaron Tupper, Emergency Management Coordinator*, with a presentation by the Grant Administrator, Traylor & Associates, on the actual costs of completed projects and projects that are nearing completion; and possible action concerning reassignment of remaining ARPA funds. (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 TO TABLE UNTIL A FUTURE MEETING.

21) *Mrs. Misty Sims, Purchasing Agent*, to present results of bids received and the recommendation of Labiche Architectural Group, Inc., for Courthouse and Jail Renovation / Construction projects; and award to successful vendor or take other action as the Court deems appropriate. If awarded, the project is to be funded utilizing ARPA funds. (SEE ATTACHED)

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER COOPER

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

ACTION: AWARD TO LOW BIDDER OF CMOST CONSTRUCTION WITH A 10% CONTINGENCY.

22) *Mrs. Misty Sims, Purchasing Agent*, to present results of bids received and the recommendation of Labiche Architectural Group, Inc., for 'Phase A Construction' and 'Phase B Construction' of the Hardin County Hurricane Safe Room as follows: (SEE ATTACHED)

a. Phase A Construction – If awarded, the project is to be funded utilizing ARPA funds.

b. Phase B Construction – If awarded, the project is to be funded utilizing TDEM Hazard Mitigation Grant Program HMGP-DR4332-0233 grant funds.

MOTION BY: COMMISSIONER COOPER

SECOND BY: COMMISSIONER YOUNG

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

ACTION: AWARD TO N&T WHO WAS OVER ALL LOW BIDDER AND AS RECOMMENDED BY GREG WALL WITH LABICHE ARCHITECTURAL GROUP

23) *Mrs. Misty Sims, Purchasing Agent*, to present results of bids received for Six (6) Permanent LED Public Information Digital Signs and possibly award to successful vendor or take other action as the Court deems appropriate. If awarded, the project is to be funded utilizing ARPA funds. (SEE ATTACHED)

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER YOUNG

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

ACTION: REJECT ALL BIDS DUE TO VIABILITY AND FUNDING

24) Discussion concerning possible projects to be approved by November 26, 2024, utilizing any remaining ARPA funds, as requested by *Mr. Aaron Tupper, Emergency Management Coordinator*.

DISCUSSION ONLY

25) *Mrs. Misty Sims, Purchasing Agent*, to present recommendation from evaluation committee concerning proposals received for Grant Administration and Project Management for the Disaster Recovery Reallocation Program (DRRP) and possibly award to successful firm. (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 TRAYLOR & ASSOCIATES AND PUBLIC MANAGEMENT AS A SECOND AS RECOMMENDED BY THE EVALUATION COMMITTEE

26) *Mrs. Misty Sims, Purchasing Agent*, to present recommendation from evaluation committee concerning proposals received for Engineering Services for the Disaster Recovery Reallocation Program (DRRP) and possibly award to successful firm. (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 LEAVINS ENGINEERING AND DESIGN, LLC AND SHAUMBURG & POLK AS SECOND AS RECOMMENDED BY THE EVALUATION COMMITTEE

27) *Mrs. Misty Sims, Purchasing Agent*, to present results of bids received for motor fuel for all Road & Bridge Departments and all emergency generators, and possibly award to successful vendor(s). (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 AS PRESENTED

28) Consider and possibly authorize the Purchasing Agent to solicit bids for purchase and installation of two (2) generators and all associated equipment related to DR 4485-0405 COVID-19 project, Lumberton ISD Generators. (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

29) Consider approval of request by *Mrs. Misty Sims, Purchasing Agent*, to authorize the County Judge to execute Professional Services Agreement with Shaumburg & Polk for engineering services related to HMGP DR-4485 grant for LISD generators. (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

30) Consider request by *Misty Sims, Purchasing Agent*, to approve correction to the agenda item previously approved by Commissioners Court on October 22, 2024 to solicit proposals for the lease of County owned property located at 12045 Charlotte Drive Lumberton, Texas 77657 which was acquired through a buyout program. (The correct property location is Lot 16 and Lot 17, Block 5, Diana Marie D. Choate, Lumberton, TX). (SEE ATTACHED)

MOTION BY: COMMISSIONER YOUNG

SECOND BY: COMMISSIONER KIRKENDALL

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

ACTION: APPROVED

31) Discussion on 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.

32) Adjourn.

MOTION BY: COMMISSIONER KOCH

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