

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 SPECIAL MEETING AND AGENDA
TUESDAY | OCTOBER 1, 2024 | 9:00 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 OCTOBER 1, 2024, THERE WAS BEGUN AND HOLDEN A SPECIAL 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. Wayne McDaniel*

- 3) Consider approval of request by *Hon. Matthew Minick, County Attorney*, to extend the current Temporary position, Pre-Trial Diversion Administrator, working full time for the period October 1, 2024, through March 31, 2025, utilizing Pre-Trial Diversion Funds in the County Attorney's Office at a pay rate of \$19.23 per hour with any additional health insurance (if elected) and retirement benefits. **(SEE ATTACHED)**

If approved, amend the FY2025 County Attorney Pre-Trial Diversion Budget as follows:

FROM	CA PTD Fund Balance	\$33,674.00	
TO	020-475-107 Salaries – Temporary	\$20,000.00	*Create New Line Item
	020-475-201 FICA Taxes	\$1,530.00	
	020-475-202 Health Insurance	\$9,005.00	
	020-475-203 Retirement	\$3,062.00	
	020-475-204 Workers Comp Insurance	\$10.00	
	020-475-206 State Unemployment Insurance	\$37.00	
	020-475-209 Supplemental Death	\$30.00	

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER COOPER

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

ACTION: APPROVED

- 4) Consider approval of request by *Mrs. Melinda Herrington, Human Resources Director*, to approve amended job description for the Health Inspector position in the Health Services Department. **(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

5) Consider approval of request to amend the FY25 Budget as follows: **(SEE ATTACHED)**

	Account	Account Description	Amount	
FROM	010-401-800	Contingency-General	\$5,522.00	
TO	010-630-152	Longevity Pay	\$1,255.00	**Create Line Item
	010-630-201	FICA Taxes	\$97.00	
	010-630-202	Health Insurance	\$3,544.00	
	010-630-203	Retirement	\$525.00	
	010-630-204	Workers Comp Insurance	\$2.00	
	010-630-206	State Unemployment Tax	\$7.00	
	010-630-207	Dental Insurance	\$75.00	
	010-630-208	Life Insurance	\$11.00	
	010-630-209	Supplemental Death	\$6.00	
*Health Director & Inspector longevity pay and associated fringes along with a percentage of the Health Director's insurance not originally budgeted in General Fund				
FROM	010-665-421	Cable/Internet	\$456.00	
TO	010-665-423	Wireless Services	\$456.00	**Create Line Item
*Reclassification of expenses not captured in budget adoption				
FROM	010-645-310	Office Supplies	\$1,000.00	
TO	010-645-311	Postage	\$1,000.00	**Create Line Item
*Reclassification of expenses not captured in budget adoption				
FROM	010-631-426	Travel and Training Expense	\$1,500.00	
TO	010-631-330	Fuel & Oil	\$1,500.00	**Create Line Item
*Reclassification of expenses not captured in budget adoption				

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER YOUNG

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

ACTION: APPROVED

6) Consider approval of request by *Hon. Mark Davis, Sheriff*, to amend the FY2025 General Fund budget to rollover the unspent FY2024 funds associated with the proceeds from the sale of the Mobile Command Center as follows: **(SEE ATTACHED)**

FROM	General Fund Balance	\$42,500.00	*Create New Line Item
INCREASE EXPENDITURES	010-560-578 Equipment from Sale of Asset	\$42,500.00	
**Rollover expense for purchase of new asset associated with the sale of the Mobile Command Center			

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER YOUNG

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

ACTION: APPROVED

7) Consider and possibly authorize the County Judge to execute amendments to the Memorandum of Understanding (MOU) with Hardin Jefferson Independent School District approved by Commissioners Court on August 13, 2024, as follows: **(SEE ATTACHED)**

- a. "Exhibit A" amendment to increase the base salary of the Deputy Constables from \$2,114.00 bi-weekly (\$54,964.00 annually) to \$2,242.77 bi-weekly (approximately \$58,312.00 annually), requested by Constable Cory Jeffcoat, Precinct 4.

MOTION BY: COMMISSIONER YOUNG

SECOND BY: JUDGE MCDANIEL

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

ACTION: APPROVED

- b. "Exhibit B" amendment to terminate the MOU with Hardin Jefferson Independent School District effective August 31, 2025, requested by Judge Wayne McDaniel.

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 TO TABLE UNTIL THE FIRST COMMISSIONERS' COURT MEETING OF JANUARY 2025.

8) Consider and possibly authorize the County Judge to execute a Contract between Public Management, Inc. and Hardin County for the purpose of retaining Consultant to render Application Preparation and Administration Services for Texas Community Development Block Grant Program (TxCDBG) – Community Development Fund (CD Fund), administered by the Texas Department of Agriculture (TDA). **(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

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- 9) Consider approval of request to create new fund, 071, 'Facility Improvement Project' for the FY2024 and FY2025 Budget by transferring funds from General Fund and creating additional revenue and expenditure accounts as follows to accommodate expenses related to the parking lot improvement project: **(SEE ATTACHED)**

FY2024				
**Create Fund 071, 'Facility Improvement Project'				
REVENUE	071-300-000	Capital Projects		
	071-390-010	Transfers In-General Fund	\$13,753.00	
EXPENSE	071-510-000	Facility Improvement-Parking		
	071-510-402	Engineering Services	\$13,753.00	
FROM	010-401-800	Contingency - General	\$13,753.00	
TO	010-700-071	Transfer to Facility Improvement	\$13,753.00	**Create Line Item
FY2025				
**Create Fund 071, 'Facility Improvement Project'				
REVENUE	071-390-010	Transfers In-General Fund	\$16,247.00	
EXPENSE	071-510-000	Facility Improvement-Parking		
	071-510-402	Engineering Services	\$16,247.00	
FROM	010-401-800	Contingency - General	\$16,247.00	
TO	010-700-071	Transfer to Facility Improvement	\$16,247.00	**Create Line Item

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER COOPER

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

ACTION: APPROVED

- 10) Consider approval to pay Leavins Engineering & Design Inc. Invoice #2408032 in the amount of \$2,253.00 for professional services rendered through August 31, 2024, related to Hardin County Courthouse Site Improvements (parking lot repairs/installation), requested by Judge Wayne McDaniel. **(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

- 11) Consider approval of request by *Hon. L.W. (Nubbin) Cooper, Jr, County Commissioner*, to amend the FY25 Budget by transferring \$66,805.95 from R&B Fund Balance to '017-621-570 Equipment Purchase'. This is for the purchase of a 2024 Ford-350 Truck from Silsbee Ford. This expense was encumbered during FY24, but the equipment was not delivered by September 30, 2024. **(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

12) Consider and possibly **authorize** the Purchasing Agent to solicit bids for the Hazard Mitigation Project (HMGP) DR-4332-0232 Construction of the Hardin County Lumberton Detention Pond Project. (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

13) Consider approval of **request** by *Mrs. Misty Sims, Purchasing Agent*, to remove 2005 Ford F750 Dump Truck (VIN...8201) from inventory due to a total loss. Insurance proceeds were received in the amount of \$47,236.88. (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

14) Consider approval of **request** to amend the FY24 Budget for additional insurance proceeds received and reclassify the first insurance payment associated with the Dump Truck loss for the R&B 4 Department as follows: (SEE ATTACHED)

INCREASE REVENUE	017-361-100 Insurance Proceeds	\$28,526.00
INCREASE EXPENDITURES	017-624-570 Equipment Purchase	\$28,526.00

FROM	017-624-351 Vehicle / Equipment Expense	\$18,712.00
TO	017-624-570 Equipment Purchase	\$18,712.00

MOTION BY: COMMISSIONER YOUNG

SECOND BY: COMMISSIONER KOCH

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

ACTION: APPROVED

15) Consider approval of **request** by *Hon. Ernie Koch, County Commissioner*, to amend the FY25 Budget by transferring \$47,237.00 from Road & Bridge Fund Balance to '017-624-570 Equipment Purchase' for insurance proceeds received on the loss of the Dump Truck not yet utilized. (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

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- 16) Consider approval of [request](#) by *Hon. Ernie Koch, County Commissioner*, to amend the FY25 Budget by transferring \$79,359.00 from Road & Bridge Fund Balance to '017-624-570 Equipment Purchase' to accommodate the purchase of a new Dump Truck. (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
- 17) Consider approval of [request](#) by *Mrs. Misty Sims, Purchasing Agent*, to authorize the purchase of a 2025 Freightliner M2 106 Dump Truck (VIN ...4984) from Beaumont Freightliner in the amount of \$126,595.00 utilizing a cooperative purchasing agreement, to be paid out line item '017-624-570 Equipment Purchase'. (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
- 18) Consider and possibly authorize the County Judge to sign [Change Order No. 1](#) with Elite Contractors and Equipment, LTD in the amount of \$145,000.00 concerning Saratoga Road Project for additional work on Brown Road, located in Precinct 3. (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
- 19) Consider and possibly authorize the County Judge to sign [Change Order No. 1](#) with McInnis Construction in the amount of \$69,274.83 concerning climate-controlled metal building on the property located at 104 Monroe Street, Kountze, Texas, an ARPA-funded project. (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

20) Consider approval of request by *Mr. Aaron Tupper, Emergency Management Coordinator*, to possibly authorize an additional allocation of American Rescue Plan Act of 2021 (ARPA) funding to the Storage Facility Project, in the amount of \$69,274.83, to cover the overage from the above change order. The funding for this project was allocated May 14, 2024. (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

21) Adjourn.

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER YOUNG

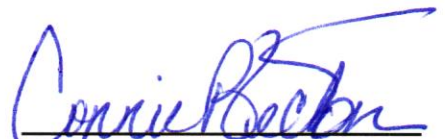
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.

ACTION: APPROVED

RESPECTFULLY SUBMITTED,



Wayne McDaniel
HARDIN COUNTY JUDGE



Connie Becton
HARDIN COUNTY CLERK