

**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 | JANUARY 28, 2025 | 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 JANUARY 28, 2025, 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 ERNIE KOCH**  
**HONORABLE CONNIE BECTON**

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

**COMMISSIONER AMANDA YOUNG, PCT. 3. WAS ABSENT WHEN THE FOLLOWING PROCEEDINGS WERE HAD AND ORDERS MADE TO-WIT; THEREBY CONSTITUTING A QUORAM, 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

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- 3) Consider and possibly approve the January 14, 2025 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, AND COMMISSIONER KOCH.**  
**ACTION: APPROVED AS PRESENTED**
  
- 4) Consider approval of request by Hon. Deborah McWilliams, County Treasurer to cancel all Registered Claims from January 14, 2025; and Approval of Cash Statement. (SEE ATTACHED)  
**MOTION BY: COMMISSIONER COOPER**  
**SECOND BY: COMMISSIONER KOCH**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER KOCH.**  
**ACTION: APPROVED AS PRESENTED**
  
- 5) Authorization to pay County bills as presented by Mrs. Angela Gore, County Auditor. (SEE ATTACHED)  
**MOTION BY: COMMISSIONER KOCH**  
**SECOND BY: COMMISSIONER COOPER**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER KOCH.**  
**ACTION: APPROVED AS PRESENTED**
  
- 6) WORKSHOP to discuss particulars concerning the development of a Community Wildfire Defense Grant (CWDG) application and the associated Community Wildfire Protection Plan (CWPP) with James Moore / SETRPC. (SEE ATTACHED)  
**DISCUSSION ONLY**
  
- 7) Consider approval of request by Hon. Deborah McWilliams, County Treasurer to open a new interest-bearing bank account titled 'Hardin County Courthouse Cafe' at First Financial Bank. (SEE ATTACHED)  
**MOTION BY: COMMISSIONER COOPER**  
**SECOND BY: COMMISSIONER KOCH**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**

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- 8) Consider, discuss, and possibly approve request by Hon. Wayne McDaniel to establish a Courthouse Cafe' Change Fund not to exceed \$200.00 in order to make change in connection with Café cash sales. (SEE ATTACHED)

**MOTION BY: COMMISSIONER COOPER**

**SECOND BY: COMMISSIONER KOCH**

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

**ACTION: APPROVED**

- 9) Consider and possibly authorize the following budget transfer and amendment requested by Hon. Wayne McDaniel for the purpose of ensuring the Courthouse Café has necessary startup funding for payroll, food, goods, supplies and equipment: (SEE ATTACHED)

FROM	010-401-800 General Fund Contingency	\$10,000.00
TO	010-700-080 Transfers to Enterprise Fund	\$10,000.00

Increase Revenue	080-390-010 Transfers from General Fund	\$10,000.00
Decrease Revenue	080-374-000 Sales	-\$10,000.00

**MOTION BY: COMMISSIONER KOCH**

**SECOND BY: COMMISSIONER COOPER**

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

**ACTION: APPROVED**

- 10) Consider and possibly authorize the County Judge to sign a Merchant Processing Agreement with Shift 4 for the purpose of providing a SkyTab Point of Sale (POS) system and software for use at the Courthouse Café. (SEE ATTACHED)

**MOTION BY: COMMISSIONER COOPER**

**SECOND BY: COMMISSIONER KOCH**

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

**ACTION: APPROVED**

- 11) Discuss, consider, and possibly authorize request by Hon. L.W. (Nubbin) Cooper, Jr, County Commissioner, to amend the Hardin County Personnel Policy and the Equal Employment Opportunity / Affirmative Action Plan for Hardin County by reverting to former language concerning discrimination. (SEE ATTACHED)

**MOTION BY: COMMISSIONER COOPER**

**SECOND BY:**

**IN FAVOR:**

**ACTION: MOTION DIES FOR LACK OF A SECOND**

- 12) Consider approval of request by Ms. ReJena Bolton, Health Inspector, to submit application for the [Walmart Community Grant](#) in the amount of \$4,000.00. If awarded, these grant funds will be utilized for the annual Courthouse Christmas Tree Lighting Event on December 2, 2025. (SEE ATTACHED)  
**MOTION BY: COMMISSIONER KOCH**  
**SECOND BY: COMMISSIONER COOPER**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**
- 13) Consider approval of request by Ms. ReJena Bolton, Health Inspector, to submit application to the [Entergy Grants Foundation](#) in the amount of \$1,000.00. If awarded, these grant funds will be utilized for the annual Courthouse Christmas Tree Lighting Event on December 2, 2025. (SEE ATTACHED)  
**MOTION BY: COMMISSIONER COOPER**  
**SECOND BY: COMMISSIONER KOCH**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**
- 14) Consider request by Mr. Aaron Tupper, Emergency Management Coordinator, to adopt two (2) Resolutions authorizing grant submissions, each of which do not require any local match: (SEE ATTACHED)
- a. [Resolution 3-25](#) authorizing submission of the Edward Byrne Memorial Justice Assistance Grant (JAG) Funding Application to the Office of Governor (OOG), Criminal Justice Division (CJD).
  - b. [Resolution 4-25](#) authorizing submission of the State Homeland Security Program (SHSP) Funding Application to the OOG, Homeland Security Grant Division (HSGD).
- MOTION BY: COMMISSIONER COOPER**  
**SECOND BY: COMMISSIONER KOCH**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**
- 15) Consider approval of request by Mr. Aaron Tupper, Emergency Management Coordinator, to authorize the County Judge to execute [DR-4485 Texas Covid-19 Pandemic Sub-Grant Award Contract](#) with Texas Division of Emergency Management (TDEM) outlining the terms of the Hazard Mitigation Grant Program (HMGP) DR-4485, Project 0523, Hardin County Black Creek Drainage Study, in the amount of \$1,113,000.00 including the local cost share of \$106,000.00 to be paid by Hardin County. (SEE ATTACHED)  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER COOPER**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**

- 16) Consider adoption of [Resolution 5-25](#) authorizing submission of the FY26 Law Enforcement Terrorism Prevention Activities (LETPA) Sustaining Tactical Response Team Project Grant Funding application in the amount not to exceed \$25,000.00 to the Office of the Governor (OOG), Criminal Justice Division (CJD), as requested by Mr. Clay Woodward, Grants Coordinator. **(SEE ATTACHED)**  
**MOTION BY: COMMISSIONER KOCH**  
**SECOND BY: COMMISSIONER COOPER**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**
- 17) Consider adoption of [Resolution 6-25](#) authorizing submission of the FY26 Project Safe Neighborhoods Grant Program Funding application in the amount not to exceed \$50,000.00 to the Office of Governor (OOG), Criminal Justice Division (CJD) as requested by Mr. Clay Woodward, Grants Coordinator. **(SEE ATTACHED)**  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER KOCH**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**
- 18) Consider approval of request by Mrs. Misty Sims, Purchasing Agent, to authorize the County Judge to execute [Engagement Letter](#) with CapRisk Consulting Group for actuarial services to Hardin County from FY2024 – FY2029. **(SEE ATTACHED)**  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER KOCH**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**
- 19) Consider approval of [request](#) by Mrs. Misty Sims, Purchasing Agent, to present results of bids received for overlaying approximately 4,400 sq. yards (2,200' x 18' x 2") on Barrows Drive, Kountze, Texas, located in Precinct 1 and possibly award to successful vendor. **(SEE ATTACHED)**  
**MOTION BY: COMMISSIONER COOPER**  
**SECOND BY: COMMISSIONER KIRKENDALL**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER KOCH.**  
**ACTION: APPROVED CMM CONSTRUCTION WHICH WAS THE LOW BIDDER**

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20) Consider approval of request by Mrs. Misty Sims, Purchasing Agent, to present results of bids received for overlaying approximately 2,444 sq. yards (1,100' x 20' x 2") on Bryan Lane, Kountze, Texas, located in Precinct 1 and possibly award to successful vendor. (SEE ATTACHED)

**MOTION BY: COMMISSIONER COOPER**

**SECOND BY: COMMISSIONER KIRKENDALL**

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

**ACTION: APPROVED CMM CONSTRUCTION WHO WAS LOW BIDDER**

21) Consider and possibly authorize the Purchasing Agent to solicit bids for materials and emulsions for all Road & Bridge Departments. (SEE ATTACHED)

**MOTION BY: COMMISSIONER KIRKENDALL**

**SECOND BY: COMMISSIONER COOPER**

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

**ACTION: APPROVED**

22) Consider and possibly authorize the Purchasing Agent to solicit bids for Emergency/Disaster Debris Removal and Debris Monitoring. (SEE ATTACHED)

**MOTION BY: COMMISSIONER KOCH**

**SECOND BY: COMMISSIONER COOPER**

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

**ACTION: APPROVED**

23) Consider and possibly approve request by Assistant Chief Juvenile Probation Officer Jarrod Fountain, for approval of outside detention contracts with Anderson, Angelina, Austin, Chambers, Cherokee, Coryell, Ellis, 33<sup>rd</sup> and 424<sup>th</sup> Judicial District and Gillespie, Grimes, Houston, 1<sup>st</sup> Judicial District in Jasper, Newton, Sabine, and San Augustine, Johnson, Kleberg-Kenedy, Leon, Liberty, Limestone/Freestone, Madison, Navarro, Orange, Polk, San Jacinto and Trinity, Shelby, Tyler, Walker, Waller, Wharton and Wood Counties, effective January 31, 2025. (SEE ATTACHED)

**MOTION BY: COMMISSIONER KIRKENDALL**

**SECOND BY: COMMISSIONER COOPER**

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

**ACTION: APPROVED**

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24) Consider approval of request by Ms. Sharon Whitley, Health Director, to authorize the County Judge to execute [Interlocal Cooperation Agreement](#) between the City of Lumberton and Hardin County for a Satellite Clinic. This agreement will allow Hardin County Health Services to house the Health Inspector Program and provide Immunization and WIC Services at the designated office space provided by the City of Lumberton at 826 N. Main Street, Lumberton, Texas. (SEE ATTACHED)

**MOTION BY: COMMISSIONER KOCH**

**SECOND BY: COMMISSIONER COOPER**

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

**ACTION: APPROVED**

25) Consider approval of request by Ms. Sharon Whitley, Health Director, to authorize the County Judge to execute [Memorandum of Understanding \(MOU\)](#) between Hardin County Health Services and different social services organizations. This will allow Hardin County Health Services to assist eligible clients by connecting them to the appropriate resources and services through referrals. (SEE ATTACHED)

**MOTION BY: COMMISSIONER KIRKENDALL**

**SECOND BY: COMMISSIONER KOCH**

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

**ACTION: APPROVED**

26) Consider, discuss, and possibly direct the County Judge to explore the purchase of approximately 15 acres of [real property](#) located on the Courthouse Square, behind 445 W. Monroe Street, Kountze, Texas. (SEE ATTACHED)

**MOTION BY: COMMISSIONER KIRKENDALL**

**SECOND BY: COMMISSIONER COOPER**

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

**ACTION: APPROVED**

27) Consider, discuss and accept application for [Property Tax Abatement Exemption](#) on property taxes associated with personal property investments in machinery and equipment submitted by Ace Green Recycling, Inc. into the Minutes of the Court; and possible setting of Public Hearing on the consideration of a Tax Abatement Agreement. (SEE ATTACHED)

**MOTION BY: COMMISSIONER COOPER**

**SECOND BY: COMMISSIONER KIRKENDALL**

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

**ACTION: APPROVED THE APPLICATION FOR PROPERTY TAX ABATEMENT EXEMPTION AND SET A PUBLIC HEARING FOR MARCH 11, 2025 AT 9:30 AM.**

28) Acceptance of retirement notice submitted by Hon. Jacqueline Werner, Justice of the Peace, Precinct 6, effective February 28, 2025. (SEE ATTACHED)

**MOTION BY: COMMISSIONER KIRKENDALL**

**SECOND BY: COMMISSIONER KOCH**

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

**ACTION: ACCEPTED**

29) 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.

30) Adjourn.

**MOTION BY: COMMISSIONER KIRKENDALL**

**SECOND BY: COMMISSIONER COOPER**

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

**ACTION: APPROVED**

RESPECTFULLY SUBMITTED,



Wayne McDaniel  
HARDIN COUNTY JUDGE



Connie Becton  
HARDIN COUNTY CLERK