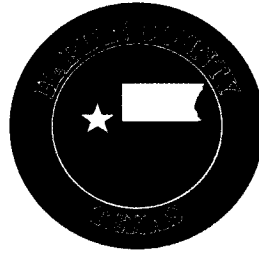


L. W. "Nubbin" Cooper Jr.
County Commissioner, Precinct 1



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 | OCTOBER 10, 2023 | 10:00 A.M.

AGENDA AND MINUTES

BE IT REMEMBERED THAT ON OCTOBER 10, 2023, THERE WAS BEGUN AND HOLDEN A REGULAR MEETING OF THE COMMISSIONERS' COURT OF HARDIN COUNTY, TEXAS, WITH THE FOLLOWING MEMBERS OF THE COURT:

HONORABLE WAYNE MCDANIEL
HONORABLE CHRIS KIRKENDALL
HONORABLE AMANDA YOUNG
HONORABLE ERNIE KOCH
HONORABLE CONNIE BECTON

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

COMMISSIONER L.W. COOPER, JR., PCT. 1 WAS ABSENT WHEN THE FOLLOWING PROCEEDINGS WERE HAD AND ORDERS MADE TO-WIT; THEREBY CONSTITUTING A QUORUM, 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 Amanda Young*
- 3) **Public Hearing**: Conduct Public hearing to receive comments from Hardin County citizens on the consideration of a Tax Abatement Agreement for CLR Silsbee Property Owner, LLC located at 735 FM 92, Silsbee, Texas. (SEE ATTACHED)
ELLEN BUCHANAN COMMENTED
- 4) **Public Hearing**: Conduct Public hearing to receive comments from Hardin County citizens on the consideration of a request by Whiteley Infrastructure Group for variance on the replat of Lots 71, 72 and 73 of Rolling Hills Estates into Lots 72A and 73A regarding utility and drainage easements, as required in the Hardin County Subdivision Rules and Regulations. (SEE ATTACHED)
COMMISSIONER YOUNG AND ALEX PARKER COMMENTED

COMMISSIONERS COURT AGENDA AND MINUTES

OCTOBER 10, 2023

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- 5) Approve Minutes of the September 26, 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 YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED AS PRESENTED

- 6) Consider approval of request to cancel all Registered Claims from September 26, 2023; and Approval of Cash Statement as presented by *Deborah McWilliams, County Treasurer*. (SEE ATTACHED)
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER KOCH
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED AS PRESENTED

- 7) Authorization to pay County bills as presented by *Candice McKinney, Assistant County Auditor*. (SEE ATTACHED)
MOTION BY: COMMISSIONER KOCH
SECOND BY: COMMISSIONER YOUNG
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED AS PRESENTED

- 8) Consider approval of request to authorize the County Judge to execute a Tax Abatement Agreement between Hardin County and CLR Silsbee Property Owner, LLC located at 735 FM 92, Silsbee, Texas.
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER YOUNG
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED THE ABATEMENT AT 1ST YEAR WILL BE 100 PERCENT, 2ND YEAR AT 80 PERCENT, 3RD YEAR AT 60 PERCENT, 4TH YEAR AT 40 PERCENT AND THE 5TH YEAR AT 20 PERCENT.

- 9) Consider approval of request by Whiteley Infrastructure Group for variance on the replat of Lots 71, 72 and 73 of Rolling Hills Estates into Lots 72A and 73A regarding utility and drainage easements, as required in the Hardin County Subdivision Rules and Regulations.
MOTION BY: COMMISSIONER YOUNG
SECOND BY: COMMISSIONER KOCH
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED

COMMISSIONERS COURT AGENDA AND MINUTES

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- 10) Discussion and possible action concerning the process for appointment/re-appointment of Emergency Services Commissioners. (SEE ATTACHED)
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER YOUNG
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED FORM AS PRESENTED

- 11) Consider request by *Commissioner Amanda Young*, to amend the FY2024 Budget by creating revenue line item 017-370-100 'Rent' in the amount of \$600.00 and increasing R&B 3 expenditure line item 017-623-334 'Materials & Supplies' in the amount of \$600.00.
MOTION BY: COMMISSIONER YOUNG
SECOND BY: COMMISSIONER KOCH
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED

- 12) Consider acceptance of the Audited Financial Statements for the year ending December 31, 2022, for Hardin County Emergency Services District № 5. (SEE ATTACHED)
MOTION BY: JUDGE MCDANIEL
SECOND BY: COMMISSIONER YOUNG
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED

- 13) Consider adoption of Resolution 29-23 in support of application for Indigent Defense Formula Grant for FY24 as requested by *Angela Gore, County Auditor*. (SEE ATTACHED)
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER KOCH
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED

- 14) Consider adoption of Resolution 30-23 nominating individuals to serve on Hardin County Appraisal District Board of Directors. (SEE ATTACHED)
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER YOUNG
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED

COMMISSIONERS COURT AGENDA AND MINUTES

OCTOBER 10, 2023

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- 15) Consider request by *Aaron Tupper, Emergency Management Coordinator*, to authorize the County Judge to execute a contract renewal with Appriss Insights, LLC to provide Statewide Automated Victim Notification Service (SAVNS). (SEE ATTACHED)
MOTION BY: COMMISSIONER YOUNG
SECOND BY: COMMISSIONER KOCH
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED
- 16) Consider request by *Aaron Tupper, Emergency Management Coordinator*, to authorize the County Judge to sign Parkway Church Drainage Ditch Concrete Lining Project Change Order No. 1, a project being funded by American Rescue Plan Act (ARPA) funds. (SEE ATTACHED)
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER YOUNG
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED
- 17) Consider request by *Alex Parker, Floodplain Administrator*, to approve replat of Lots 93, 94, 95 and 96 of the Amended Final Plat of Rock Creek Ridge Phase Five, a subdivision situated in the Ignacio Villegas League, Abstract No. 54, recorded in Volume 4, Page 260 of the plat records of Hardin County, Texas, located in Precinct 3. (SEE ATTACHED)
MOTION BY: COMMISSIONER YOUNG
SECOND BY: COMMISSIONER KOCH
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED
- 18) Consider and possibly authorize the Purchasing Agent to solicit bids for overlaying approximately 18' x 1,450' on South Williford Road, located in Precinct 2, as requested by *Commissioner Chris Kirkendall*. (SEE ATTACHED)
MOTION BY: COMMISSIONER YOUNG
SECOND BY: JUDGE MCDANIEL
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED
- 19) Consider approval of request by *Misty Sims, Purchasing Agent*, to present results of bids received for Rye Base material for all Road and Bridge Departments; and possibly award to successful vendor. (SEE ATTACHED)
NO BIDS WERE RECEIVED, SO ON THE RECOMMENDATION OF PURCHASING AGENT MISTY SIMS NO ACTION WILL BE TAKEN.

COMMISSIONERS COURT AGENDA AND MINUTES

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20) Consider and possibly authorize the Purchasing Agent to solicit bids for motor fuel, oil and lubricants for all Road & Bridge Departments. (SEE ATTACHED)

MOTION BY: COMMISSIONER YOUNG

SECOND BY: COMMISSIONER KOCH

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

ACTION: APPROVED

21) Consider request by *Misty Sims, Purchasing Agent*, to authorize the County Judge to execute an Interlocal Agreement with PACE Purchasing Cooperative. (SEE ATTACHED)

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER YOUNG

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

ACTION: APPROVED

22) Consider and possibly authorize the Purchasing Agent to solicit Qualification Statements for engineering services for general Hardin County projects. If approved, appoint evaluation committee to make recommendation to Commissioners Court. (SEE ATTACHED)

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER KOCH

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

ACTION: APPROVED WITH THE COMMITTEE OF: COMMISSIONER YOUNG, AARON TUPPER AND AMANDA HOLLAND.

23) Consider request by *Connie Becton, County Clerk*, to pay Hart InterCivic Invoice #093908 in the amount of \$15,875.81 for ballots for the November 7, 2023 Constitutional Amendment Special Election. (SEE ATTACHED)

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER YOUNG

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

ACTION: APPROVED

24) Consider request by *Sharon Whitley, Health Director*, to authorize the County Judge to execute Memorandum of Understanding between Hardin County WIC and Region 5 Education Service Center, Adult Education and Literacy (Region 5 ESC-AEL) to increase the level of services for clients with multiple needs. (SEE ATTACHED)

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER YOUNG

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

ACTION: APPROVED

COMMISSIONERS COURT AGENDA AND MINUTES

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25) Consider approval of request by *Sheriff Mark Davis* to accept a donation from Westrock Corporation in the amount of \$3,000.00 to be used for replacement of fire extinguishers and equipment in all Sheriff's Office vehicles. If approved, amend the FY24 Budget by creating and increasing revenue line item 010-367-104 'Donations-Sheriff Dept' in the amount of \$3,000.00 and increasing expenditure line item 010-560-352 'Minor Equipment & Supplies' in the amount of \$3,000.00. (SEE ATTACHED)

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER KOCH

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

ACTION: APPROVED

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

27) Adjourn.

MOTION BY: COMMISSIONER KOCH

SECOND BY: COMMISSIONER YOUNG

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

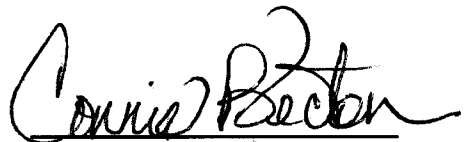
ACTION: APPROVED

**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