

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

Chris Kirkendall  
County Commissioner, Precinct 2



Ken Pelt  
County Commissioner, Precinct 3

Alvin Roberts  
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 | FEBRUARY 25, 2020 | 10:00 A.M.**

**AGENDA AND MINUTES**

BE IT REMEMBERED THAT ON FEBRUARY 25, 2020, 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 KEN PELT  
HONORABLE ALVIN ROBERTS  
CONNIE BECTON

HARDIN COUNTY JUDGE  
COMMISSIONER PCT. 1  
COMMISSIONER PCT. 2  
COMMISSIONER PCT. 3  
COMMISSIONER PCT. 4  
DEPUTY 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) Call meeting to order. *Judge Wayne McDaniel*
- 2) Invocation and Pledge of Allegiance. *Commissioner Ken Pelt*
- 3) Approve Minutes of the February 6, 2020 Special Meeting and February 11, 2020 Regular Meeting. *Glenda Alston, County Clerk*  
MOTION BY: COMMISSIONER ROBERTS  
SECOND BY: COMMISSIONER COOPER  
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL,  
COMMISSIONER COOPER AND COMMISSIONER ROBERTS.  
ACTION: APPROVED AS PRESENTED

- 4) Consider approval of request to cancel all Registered Claims from February 11, 2020; and Approval of Cash Statement as presented. *Deborah McWilliams, County Treasurer* (SEE ATTACHED)  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER COOPER**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.**  
**ACTION: APPROVED AS PRESENTED**
- 5) Authorization to pay County bills as presented. *Angela Gore, County Auditor* (SEE ATTACHED)  
**MOTION BY: COMMISSIONER PELT**  
**SECOND BY: COMMISSIONER KIRKENDALL**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.**  
**ACTION: APPROVED AS PRESENTED**
- 6) Permission to loan funds from '010-401-800 Contingency-General' to Grant Fund 437, HMGP-DR-4332-052 Property Acquisitions, in the amount of \$41,087.00; and if approved, consider approval to pay outstanding invoice to MPTX Associates in the amount of \$41,087.00. (SEE ATTACHED)  
**MOTION BY: COMMISSIONER PELT**  
**SECOND BY: COMMISSIONER ROBERTS**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.**  
**ACTION: APPROVED**
- 7) Consider approval of FY20 Budget Transfer requested by *Commissioner Ken Pelt* as follows: (SEE ATTACHED)  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER COOPER**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.**  
**ACTION: APPROVED**

ACCOUNT	DESCRIPTION	FROM	TO
017-623-334	Materials & Supplies	\$11,007.00	
017-623-107	Salaries-Temporary		\$10,000.00
017-623-201	FICA Taxes		\$765.00
017-623-204	Workers Comp Insurance		\$226.00
017-623-206	State Unemployment Tax		\$16.00

- 8) Consider and possibly approve the following FY20 Budget Amendment: Create new line item in the Road & Bridge Fund '017-621-338 Supplies-Donated Funds'; and transfer \$460.04 from the Road & Bridge Surplus Fund Balance to this newly created line item (017-621-338). *Commissioner L.W. Cooper, Jr. (SEE ATTACHED)*  
**MOTION BY: COMMISSIONER PELT**  
**SECOND BY: COMMISSIONER KIRKENDALL**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.**  
**ACTION: APPROVED**
  
- 9) Consider and possibly approve the following FY20 Budget Amendment: Create new line item in the General Fund '010-560-394 Donated Funds-Equipment'; and transfer \$250.20 from the General Surplus Fund Balance to this newly created line item (010-560-394). *Sheriff Mark Davis*  
**MOTION BY: COMMISSIONER ROBERTS**  
**SECOND BY: COMMISSIONER KIRKENDALL**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.**  
**ACTION: APPROVED**
  
- 10) Presentation of Hardin County Historical Commission annual report for Fiscal Year 2019. *J.A. McKim, III, Chairman, Historical Commission*  
**PRESENTATION ONLY.**
  
- 11) Presentation of departmental report from Texas A&M Hardin County AgriLife Extension Office. *Katie Pace, Extension Agent*  
**PRESENTATION ONLY.**
  
- 12) Authorization for County Judge to sign Agreement between Hardin County and Regional Emergency and Hospital Preparedness Council (RHPC) for coordination of Health Care Services during periods of natural and man-made disasters and other public health emergencies. *Aaron Tupper, Emergency Management Coordinator (SEE ATTACHED)*  
**MOTION BY: COMMISSIONER COOPER**  
**SECOND BY: COMMISSIONER ROBERTS**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.**  
**ACTION: APPROVED**
  
- 13) Authorization for County Judge to sign Texas Division of Emergency Management Sub-Grant Award Letter for the Hazard Mitigation Grant Program; Project Number: DR-4332-052; Project Name: Hardin County Acquisitions; Total Subgrant Amount: \$2,365,167.00; Local Cost Share Amount: \$591,291.75 (to be paid in-kind by property owners).  
**MOTION BY: COMMISSIONER PELT**  
**SECOND BY: COMMISSIONER ROBERTS**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.**  
**ACTION: APPROVED**

- 14) Consider adoption of Resolution 4-20 authorizing submission of the Edward Byrne Memorial Justice Assistance Grant (JAG) funding application to the Office of the Governor, Criminal Justice Division. *Aaron Tupper, Emergency Management Coordinator (SEE ATTACHED)*  
**MOTION BY: COMMISSIONER ROBERTS**  
**SECOND BY: COMMISSIONER PELT**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.**  
**ACTION: APPROVED**
- 15) Consider adoption of Resolution 5-20 authorizing submission of the State Homeland Security Program (SHSP) funding application to the Office of the Governor, Homeland Security Grant Division. *Aaron Tupper, Emergency Management Coordinator (SEE ATTACHED)*  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER ROBERTS**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.**  
**ACTION: APPROVED**
- 16) Consider adoption of Resolution 6-20 approving Articles of Incorporation for a Local Government Corporation to engage in planning concerning disaster mitigation and other projects or programs to protect the residents of our community, infrastructure, industry, businesses and housing against flooding; to design, develop, construct, operate, manage, repair, maintain, finance, equip, enlarge, extend, acquire and improve integrated flood damage reduction systems; and to conduct any and all other related function or operation. **(SEE ATTACHED)**  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER COOPER**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.**  
**ACTION: APPROVED**
- 17) Consider and possibly approve, as a sponsor, Articles of Incorporation of the Southeast Texas Flood Control District LGC, and appointing Directors for that Local Government Corporation. **(SEE ATTACHED)**  
**MOTION BY: COMMISSIONER COOPER**  
**SECOND BY: COMMISSIONER PELT**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.**  
**ACTION: APPROVED**

- 18) Consider adoption of Resolution 7-20 recognizing March 2020 as National IDD Awareness Month. *Lane Fortenberry, Public Relations and Marketing Administrator, Spindletop Center (SEE ATTACHED)*  
**MOTION BY: COMMISSIONER COOPER**  
**SECOND BY: COMMISSIONER KIRKENDALL**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.**  
**ACTION: APPROVED**
- 19) Acceptance of the 2019 Racial Profiling Reporting for filing in the Minutes of the Court. *Constable Ben Hawthorne, Precinct 2; Constable Cory Jeffcoat, Precinct 4; and Constable Danny Sullins, Precinct 5 (SEE ATTACHED)*  
**MOTION BY: COMMISSIONER COOPER**  
**SECOND BY: COMMISSIONER KIRKENDALL**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.**  
**ACTION: APPROVED**
- 20) Discussion and possible action regarding approval of updated Equal Employment Opportunity/Affirmative Action Plan. *Debbie Mendisabal, Human Resources Director (SEE ATTACHED)*  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER PELT**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER KIRKENDALL**  
**ACTION: APPROVED**
- 21) Discussion and possible action to approve and accept Re-plat of Lot 11 Block D of Beaumont Colony South, into Lots 11A, 11B, and 11C; and Re-Plat of Lot 11 of Beaumont Colony North, into Lots 11A, 11B, and 11C, located in Precinct 1. *Amanda Young, Floodplain Administrator (SEE ATTACHED)*  
**MOTION BY: COMMISSIONER COOPER**  
**SECOND BY: COMMISSIONER PELT**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.**  
**ACTION: APPROVED**
- 22) Consider request for approval for the Health Department to apply for an FDA Retail Cooperative Agreement Grant for a retail food regulator program that focuses on foodborne illness. No match required. *Sharon Whitley, Health Director. (SEE ATTACHED)*  
**MOTION BY: COMMISSIONER COOPER**  
**SECOND BY: COMMISSIONER KIRKENDALL**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.**  
**ACTION: APPROVED**

COMMISSIONERS COURT AGENDA AND MINUTES

FEBRUARY 25, 2020

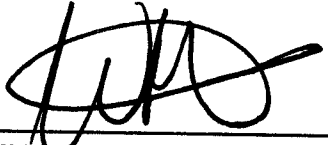
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- 23) Consider and possibly authorize Hardin County Health Department to enter into a Contractual Agreement with National Environmental Health Association (NEHA) and to receive funds in the amount of \$2,500.00. This funding will support state and local health department food safety program initiatives related to environmental assessments and will allow the health department the opportunity to learn more about the National Environmental Assessment Report System (NEARS). *Sharon Whitley, Health Director (SEE ATTACHED)*  
**MOTION BY: COMMISSIONER PELT**  
**SECOND BY: COMMISSIONER ROBERTS**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.**  
**ACTION: APPROVED**
- 24) Permission to purchase a 2019 Ford F750 Dump Truck, to be purchased utilizing a cooperative purchasing program; and if approved, consider approval to transfer \$59,990.24 from 017-622-395 R&B 2 Contingency to 017-622-570 Equipment Purchase. *Commissioner Chris Kirkendall*  
**MOTION BY: COMMISSIONER COOPER**  
**SECOND BY: COMMISSIONER ROBERTS**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.**  
**ACTION: APPROVED**
- 25) Permission to solicit bids for overlaying approximately 740 feet on Thomas Rd, 6,624 feet on Biscamp Rd, and 2,944 Feet on Old Kountze Rd, located in Precinct 2. *Commissioner Chris Kirkendall*  
**MOTION BY: COMMISSIONER COOPER**  
**SECOND BY: COMMISSIONER PELT**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.**  
**ACTION: APPROVED**
- 26) Permission to auction Ingersoll - Rand Compressor (SN...2640) utilizing Rene' Bates Auctioneers, Inc. (ReneBates.com). *Commissioner Alvin Roberts, Precinct 4*  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER COOPER**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.**  
**ACTION: APPROVED**
- 27) Permission to auction surplus election bags (approximately 21) utilizing Rene' Bates Auctioneers, Inc. (ReneBates.com). *Misty Sims, Purchasing Agent*  
**MOTION BY: COMMISSIONER PELT**  
**SECOND BY: COMMISSIONER KIRKENDALL**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.**  
**ACTION: APPROVED**

- 28) Present results of bids submitted for overlaying approximately 0.3 mile on French Road; and approximately 0.3 mile on Rolling Hills Drive, both located in Precinct 4, and possibly award to successful bidder. *Misty Sims, Purchasing Agent (SEE ATTACHED)*  
**MOTION BY: COMMISSIONER ROBERTS**  
**SECOND BY: COMMISSIONER PELT**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.**  
**ACTION: APPROVED CMM CONSTRUCTION WHO HAD THE LOWEST BID**
- 29) Present results of bids submitted for Road and Bridge Materials and Emulsions for all R&B Departments, and possibly award to successful bidder. *Misty Sims, Purchasing Agent (SEE ATTACHED)*  
**MOTION BY: JUDGE MCDANIEL**  
**SECOND BY: COMMISSIONER KIRKENDALL**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.**  
**ACTION: AWARDED BIDS AS DISCUSSED DURING THE PRESENTATION MADE BY THE PURCHASING AGENT ON ROAD AND BRIDGE MATERIALS AS WELL AS EMULSIONS.**
- 30) Permission to solicit proposals for Demolition Services related to the Flood Mitigation Assistance Program FY2017 (FMA17) and the TDEM Hazard Mitigation Grant Program for property acquisitions (HMGP-4332-052). If approved, appoint committee to make a recommendation to Commissioners Court. *Misty Sims, Purchasing Agent*  
**MOTION BY: COMMISSIONER PELT**  
**SECOND BY: COMMISSIONER COOPER**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.**  
**ACTION: APPROVED AND APPOINTED COMMISSIONER KIRKENDALL, JUDGE INGRAM AND MICHELLE BREWER TO THE COMMITTEE**
- 31) Discussion only of any item not on the Agenda without taking any action. *Any County Official*
- 32) Adjourn  
**MOTION BY: COMMISSIONER PELT**  
**SECOND BY: COMMISSIONER KIRKENDALL**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER PELT, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER ROBERTS.**  
**ACTION: APPROVED**

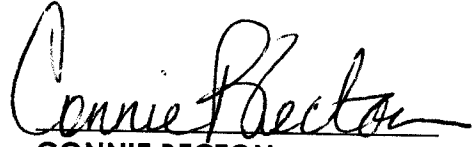
*\*Any attendee of this Commissioners Court Meeting may be permitted to comment on an Agenda item by raising their hand and being recognized by the County Judge prior to the Court taking action. Anyone who wishes to address Commissioners Court must do so from the podium.*

RESPECTFULLY SUBMITTED,



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WAYNE MCDANIEL  
HARDIN COUNTY JUDGE



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CONNIE BECTON  
DEPUTY COUNTY CLERK