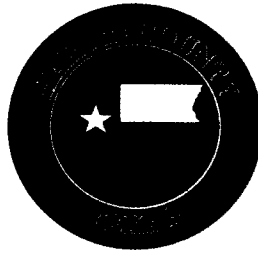


L. W. "Nubbin" Cooper Jr.
County Commissioner, Precinct 1



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 | MARCH 28, 2023 | 10:00 A.M.

AGENDA & MINUTES

BE IT REMEMBERED THAT ON MARCH 28, 2023, 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) Call meeting to order.
- 2) Invocation and Pledge of Allegiance. *Commissioner Amanda Young.*
- 3) Approve Minutes of the March 14, 2023 Regular Meeting and March 21, 2023 Special Meeting as presented by *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

COMMISSIONERS COURT AGENDA AND MINUTES

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- 4) Consider and possibly approve the following: Request to cancel all Registered Claims from March 14, 2023; Cash Statement; Amended Quarterly Report for quarter ending September 30, 2022; and Quarterly Report for quarter ending December 31, 2022 as presented by *Deborah McWilliams, County Treasurer*. (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 AS PRESENTED

- 5) Authorization to pay County bills as presented by *Angela Gore, County Auditor*. (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) Presentation of Office and Departmental Reports by Elected Officials and Department Heads.
KRISTEN WHITE WITH THE VETERANS OFFICE REPORTED TO THE COURT.

- 7) Consider approval of request by *Manuel D. Mendoza, LJA Engineering*, to present results of bids received for construction related to TXCDBG On-Site Sewer Facilities Installation Project, Contract 7220189, generally described as the installation of 20 On-Site Sewer Facilities for existing households and the demolition of existing septic tanks, contingent upon approval by TCEQ as requested by Manuel D. Mendoza, LJA Engineering; and possibly award to successful vendor or take other action as the Court deems necessary. (SEE ATTACHED)
MOTION BY: JUDGE MCDANIEL
SECOND BY: COMMISSIONER COOPER
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: ACCEPT THE RECOMMENDATION FROM LJA ENGINEERING TO AWARD THE BID TO JET AERATION, HOWEVER THE AMOUNT WILL BE REDUCED TO THE AMOUNT THAT IS IN THE BUDGET, WHICH IS \$210,750.00 AND TAKE THE TWO ALTERNATES OFF AND THIS IS WHAT WILL BE AWARDED.

- 8) Consider approval of an Order Authorizing San Jacinto Day Fireworks Sales beginning April 16, 2023 and ending at midnight April 21, 2023. (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

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- 9) Consider acceptance of resignation of Mr. Russell D. Bales as Emergency Services Commissioner for Village Mills Emergency Services District № 8 effective March 10, 2023; and consider appointment of Mr. K. Scott Miller to fill vacancy (term will end December 31, 2024).

(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

- 10) Consider and possibly authorize the allocation of American Rescue Plan Act of 2021 (ARPA) funding for the following projects as discussed during the March 21, 2023 Workshop: **(SEE ATTACHED)**

Matching Funds for Phase II of HMGP-4332-0233 Project (Hurricane Safe Room)	\$ 2,000,000.00
County Jail Updates / Remodel (includes HVAC, Water Conservation / Control)	\$ 1,100,000.00
County Courthouse, Courthouse Annex, Floodplain Office Updates / Remodel	\$ 1,000,000.00
Records Management Software Implementation and Support (District and County Courts)	\$ 960,000.00
Demolition of Old Hospital / Annex Building (includes asbestos abatement)	\$ 750,000.00
Digital Scanning of Records for Preservation and Shredding of Files - All Departments	\$ 265,791.62
Matching Funds for Multiple HMGP-4485 Grant Projects (Drainage Studies)	\$ 244,000.00
Increase Storage Facility Capacity for PPE and Other Equipment (includes HVAC)	\$ 90,000.00
Increase Funding for County Grant Coordinator Position	\$ 75,000.00
Advanced Technology Courtroom Upgrades for 3 Courtrooms in Courthouse	\$ 75,000.00
Regional Broadband Infrastructure Planning / Design / Professional Services	\$ 60,000.00
Hardin County ESD 5 Cardiac Monitor and Lucas CPR Device	\$ 50,000.00
TOTAL AMOUNT OF PROJECTS	\$ 6,669,791.62

MOTION BY: COMMISSIONER COOPER

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 *Rebecca Walton, District Attorney*, to amend the FY23 Budget due to reduction of VAWA Grant funding as follows:

Transfer From:	010-476-104 Salaries - Investigators	\$ 20,339.00
Transfer To:	010-401-295 D.A. VAWA Matching	\$ 20,339.00

MOTION BY: COMMISSIONER YOUNG

SECOND BY: COMMISSIONER COOPER

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

ACTION: APPROVED

12) Consider approval of request by *Rebecca Walton, District Attorney*, to add a new position for an Assistant District Attorney effective September 1, 2023 and remove the grant funded VAWA Prosecutor position by utilizing funds from Salaries-Investigators. If approved, amend the FY23 Budget as follows:

Transfer From:	010-476-104 Salaries - Investigators	\$ 7,937.00
Transfer To:	010-476-102 Salaries - Assistants	\$ 7,937.00

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 *Rebecca Walton, District Attorney*, to add a temporary position from April 1, 2023 through September 30, 2023 at a rate of \$15/hour. If approved, amend the FY23 Budget as follows: **(SEE ATTACHED)**

Transfer From:	010-476-104 Salaries - Investigators	\$ 11,310.00
Create and Transfer To:	010-476-107 Salaries - Temporary	\$ 11,310.00

MOTION BY: COMMISSIONER COOPER

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 *Rebecca Walton, District Attorney*, to increase the hourly rate for the Victim Assistant Coordinator from \$14.58 to \$16.72 per hour effective April 1, 2023 to align pay with that of the other Crime Victim Advocates funded by other grants. This position is fully funded by the VOCA Grant. **(SEE ATTACHED)**

MOTION BY: JUDGE MCDANIEL

SECOND BY: COMMISSIONER YOUNG

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

ACTION: TABLE THIS AGENDA ITEM UNTIL NEXT BUDGET WORKSHOP FOR FISCAL YEAR 2024.

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- 15) Discuss funding in the amount of \$119,227.23 associated with the Texas Opioid Litigation; in the 152nd District Court of Harris County, Texas; MDL Master Cause No. 2018-63587 Direct Share Allocation monies deposited into the General Checking account on March 14, 2023. **(SEE ATTACHED)**
DISCUSSION ONLY.
- 16) Consider approval of request by *ReJena Bolton, Health Inspector*, to accept grant funds from Walmart Community Grants Foundation in the amount of \$4,000.00 for the annual Hardin County Courthouse Christmas Tree Lighting. If approved, this amount will be deposited into line item '010-367-101 Donations - CH Tree Lighting'. **(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 *Melinda Herrington, Human Resources Director*, to enroll all Hardin County Elected Officials, Appointed Officials, and all employees with access to a government computer system or database into the free Cybersecurity Training Course for 2023 provided by Texas Association of Counties. This is applicable to all who use a computer to perform at least 25% of the Official's or employee's required duties, pursuant to § 2054.5191 of the Government Code. **(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
- 18) Consider and possibly authorize request by Jasper County to join the Interlocal Agreement with Chambers, Hardin, Jefferson and Orange Counties designating Spindletop Center as Jasper County's designated Local Mental Health Authority (LMHA) and Local Intellectual and Developmental Disability Authority (LIDDA), thus allowing Spindletop Center to begin providing services to Jasper County residents. **(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

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- 19) Consider approval of request by *Sheriff Mark Davis* to accept a pallet jack donated by the U.S. Department of Justice, FBI Project Safe Neighborhoods Task Force - Beaumont, to be used by Hardin County for moving and handling of palletized equipment and inventory. (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
- 20) Consider approval of request by *Commissioner Amanda Young, Precinct 3*, to pay Gulf Coast Invoice #201173641 in the amount of \$10,593.72 for flex limestone base material, to be paid out of line item 017-623-334 'Materials & Supplies'. (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
- 21) Consider adoption of Resolution 14-23 authorizing submission of the Sexual Assault Prevention and Crisis Services (SAPCS) State (2 year) Grant Funding for 2024-2025 application to the Office of Attorney General (OAG), as request by *Marisol Gutierrez, HCCVAC Director*. (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
- 22) Consider adoption of Resolution 15-23 proclaiming April as National Child Abuse Awareness Month and Sexual Assault Awareness Month and April 23, 2023 thru April 29, 2023 as National Crime Victims' Rights Week, as request by *Marisol Gutierrez, HCCVAC Director*. (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
- 23) Consider adoption of Resolution 16-23 proclaiming the first Wednesday of April 2023 to be Start by Believing Day, as request by *Marisol Gutierrez, HCCVAC Director*. (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

24) Consider and possibly authorize the Purchasing Agent to solicit bids for overlaying of the following County Roads: **(SEE ATTACHED)**

COMMISSIONER PRECINCT	OVERLAY MEASUREMENT	COUNTY ROAD
Precinct 1	Approximately 20' x 2,050' Approximately 16' x 600'	North Fawn Drive Spiller Drive
Precinct 2	Approximately 14' x 810' Approximately 18' x 3,372' Approximately 20' x 115' Approximately 18' x 55' Approximately 40' x 60' Approximately 38' x 104' Approximately 18' x 2,700'	Cherry Lane South Williford Road Gore Store Road Entrance Bean Road Cravens Camp Road Entrance Dubury Road Cul De Sac Sunflower Drive
Precinct 3	Approximately 8,439' x 18'	Bell Road
Precinct 4	Approximately 16' x 447' Approximately 18' x 591'	Smith Drive Longleaf Drive

MOTION BY: COMMISSIONER YOUNG
SECOND BY: COMMISSIONER KOCH
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER,
COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED

25) Consider and possibly approve the reappointment of Commissioner L.W. Cooper, Jr., Primary Voting Member, and appointment of Commissioner Ernie Koch, Alternate Member, to the Jefferson-Orange-Hardin Regional Transportation Study (JOHRTS) Planning Committee. **(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

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

27) Adjourn
MOTION BY: COMMISSIONER YOUNG
SECOND BY: COMMISSIONER COOPER
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER,
COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED

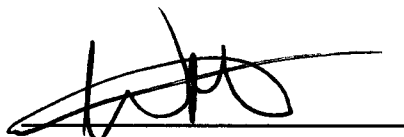
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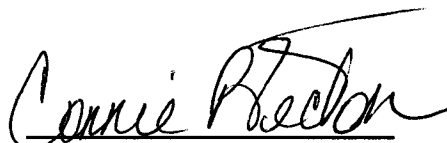
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**Any attendee of this Open Meeting may be permitted to comment on an Agenda item for a period of three (3) minutes by raising their hand and being recognized by the Presiding Member prior to the Court acting on any item. Anyone who addresses Commissioners Court must do so from the podium.*

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink, appearing to read 'Wayne McDaniel', written over a horizontal line.

**Wayne McDaniel
HARDIN COUNTY JUDGE**

A handwritten signature in black ink, appearing to read 'Connie Becton', written over a horizontal line.

**Connie Becton
HARDIN COUNTY CLERK**