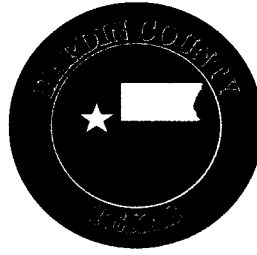


**L. W. "Nubbin" Cooper Jr.**  
County Commissioner, Precinct 1



**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 | APRIL 9, 2024 | 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 APRIL 9, 2024, 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 QUORUM, IN ADDITION TO THE ROUTINE BUSINESS OF THE COUNTY, THE SUBJECT OF SAID MEETING WILL BE THE FOLOWING:**

- 1) Establish Quorum and Call Meeting to Order | *Hon. Wayne McDaniel*
- 2) Invocation and Pledge of Allegiance | *Hon. Amanda Young*
- 3) Consider and possibly approve the March 26, 2024 Regular Meeting Minutes as presented by *Hon. Connie Becton, County Clerk.*  
**MOTION BY: COMMISSIONER KIRKENDALL**  
**SECOND BY: COMMISSIONER KOCH**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER AND COMMISSIONER KOCH.**  
**ACTION: APPROVED AS PRESENTED**

COMMISSIONERS COURT AGENDA

APRIL 9, 2024

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- 4) Consider approval of request to cancel all Registered Claims from March 26, 2024; and Approval of Cash Statement as presented by *Hon. Deborah McWilliams, County Treasurer.* (SEE ATTACHED)

**MOTION BY: COMMISSIONER KIRKENDALL**

**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) Consider and possibly approve amendments/transfers to the FY 2023 Budget as presented by *Mrs. Angela Gore, County Auditor.* (SEE ATTACHED)

**MOTION BY: COMMISSIONER KIRKENDALL**

**SECOND BY: COMMISSIONER COOPER**

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

**ACTION: APPROVED AS PRESENTED**

- 7) Consider approval of request by *Hon. Cory Jeffcoat, Constable,* to appoint Mr. Charles Gilley as a Deputy Constable for Hardin County Constable's Office, Precinct 4, pursuant to § 86.011 LGC, for assignment to Hardin-Jefferson ISD as a School Resource Officer per our current MOU with HJISD. (SEE ATTACHED)

**MOTION BY: JUDGE MCDANIEL**

**SECOND BY: COMMISSIONER KIRKENDALL**

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

**OPPOSED: COMMISSIONER COOPER**

**ACTION: APPROVED**

COMMISSIONERS COURT AGENDA

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- 8) Consider approval of request by *Ms. Alysa Freeman, Elections Administrator*, to set new rate for the lease of election equipment and further consider authorizing the Elections Administrator to negotiate lower rates with entities as may be required on an Election by Election basis. (SEE ATTACHED)

**MOTION BY: COMMISSIONER KIRKENDALL**

**SECOND BY: COMMISSIONER COOPER**

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

**ACTION: APPROVED**

- 9) Consider adoption of Resolution 14-24 authorizing submission of the FY25 Indigent Defense Improvement Grant with the Texas Indigent Defense Commission, as requested by *Mr. Clay Woodward, Grant Coordinator*. (SEE ATTACHED)

**MOTION BY: COMMISSIONER KIRKENDALL**

**SECOND BY: COMMISSIONER COOPER**

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

**ACTION: APPROVED**

- 10) Consider approval of request by *Mr. Aaron Tupper, Emergency Management Coordinator*, to fulfill a request from Jasper County to provide them with 43 Motorola XTS 2500 portable radios and 53 Motorola XTL 2500 mobile radios from surplus inventory. This equipment was purchased utilizing various grants between 2007-2009 and will assist Jasper County in their efforts to transition to the Southeast Texas Regional Radio System for all operable and interoperable radio communications. (SEE ATTACHED)

**MOTION BY: COMMISSIONER KIRKENDALL**

**SECOND BY: COMMISSIONER COOPER**

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

**ACTION: APPROVED**

- 11) Consider approval of request by *Mr. Aaron Tupper, Emergency Management Coordinator*, to allocate an additional \$1,230,161.61 from American Rescue Plan Act (ARPA) funds to the Silsbee Tower project currently slated to be funded by Community Development Block Grant - Disaster Recovery (CDBG-DR) and ARPA funding. The complexities of the CDBG-DR program and ever-changing rules of ARPA have made the completion of this project nearly impossible utilizing both grants. If approved, ARPA funds would be solely utilized to complete this project in the amount of \$1,730,161.61; and this will result in \$1,230,161.61 of CDBG-DR funding to be utilized on another project, subject to approval by the Texas GLO. (SEE ATTACHED)

**MOTION BY: COMMISSIONER KIRKENDALL**

**SECOND BY: COMMISSIONER COOPER**

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

**ACTION: APPROVED**

COMMISSIONERS COURT AGENDA

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- 12) Consider approval of request by *Hon. Rebecca Walton, District Attorney*, to increase wages of a Paralegal Secretary for an additional \$2,600.04 annually (\$216.67) monthly from the District Attorney's Pre-Trial Diversion Fund effective April 15, 2024. If approved, amend the FY24 DA Pre-Trial Diversion Budget by transferring \$1,301 from '021-476-103 Salaries-Assistants' to '021-476-105 Salaries-Clerical'. (SEE ATTACHED)

**MOTION BY: COMMISSIONER KIRKENDALL**

**SECOND BY: COMMISSIONER KOCH**

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

**ACTION: APPROVED**

- 13) Consider approval of request by *Hon. Rebecca Walton, District Attorney*, to adjust wages for Rural Law Enforcement Grants (SB-22) positions previously approved by Commissioners Court February 27, 2024 as follows: (SEE ATTACHED)

a. Increase wages of temporary District Attorney Investigator by \$3.75/hour (from \$29.83/hour to \$33.58/hour) effective April 9, 2024.

b. Increase wages of Trial Coordinator/Evidence Tech by \$6.67/hour (from \$26.91/hour to \$33.58/hour) effective April 15, 2024.

If approved, amend the FY24 Rural Law Enforcement Grants (SB-22) Budget for the District Attorney's Office by transferring \$7,524.00 from '034-476-107 Salaries-Temporary' to '034-476-150 Salaries-Other' and \$384.00 from '034-476-203 Retirement' to '034-476-204 Workers Comp Insurance'.

**MOTION BY: COMMISSIONER KOCH**

**SECOND BY: COMMISSIONER COOPER**

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

**ACTION: APPROVED**

- 14) Consider request by *Hon. Chris Kirkendall, County Commissioner, Precinct 2*, to adopt Resolution 13-24 authorizing and approving execution of an Agreement with Cadence Equipment Finance, a division of Cadence Bank, to finance a 2024 Kubota M6S-111SHDC 4WD Tractor (SN...3541) equipped with a Terrain King KB22 22' Boom Mower (SN...1102) for the R&B 2 Department, as approved by Commissioners Court March 26, 2024. (SEE ATTACHED)

**MOTION BY: COMMISSIONER COOPER**

**SECOND BY: COMMISSIONER KOCH**

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

**ACTION: APPROVED**

COMMISSIONERS COURT AGENDA

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15) Consider approval of request by *Hon. Amanda Young, County Commissioner, Precinct 3*, to pay Martin Asphalt Company Invoice #1410251 in the amount of \$11,331.44 for MC-800 Asphalt, to be paid out of line item '017-623-334 Materials and Supplies'. (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 approval of request by *Hon. Amanda Young, County Commissioner, Precinct 3*, to sell a 2019 Ford F750 Truck with a 2017 DuraPatcher P3 Trunk Mounted Patcher (VIN...6438) utilizing Rene' Bates Auctioneers, Inc. (ReneBates.com). (SEE ATTACHED)

**MOTION BY: COMMISSIONER KOCH**

**SECOND BY: COMMISSIONER KIRKENDALL**

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

**ACTION: APPROVED**

17) Consider approval of request by *Hon. Amanda Young, County Commissioner, Precinct 3*, to amend the FY24 Budget as follows: (SEE ATTACHED)

REVENUE	017-367-103 Road & Bridge Repair Reimbursement	\$131,800.00	*Create New Line Item
EXPENDITURE	017-623-396 Road Repairs Reimbursement Expense	\$131,800.00	*Create New Line Item

**MOTION BY: COMMISSIONER KIRKENDALL**

**SECOND BY: COMMISSIONER COOPER**

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

**ACTION: APPROVED**

18) Consider approval of request by *Mrs. 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 KIRKENDALL**

**SECOND BY: COMMISSIONER KOCH**

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

**ACTION: APPROVED**

COMMISSIONERS COURT AGENDA

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19) Consider approval of request by *Mrs. 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 3, 2024. (SEE ATTACHED)

**MOTION BY: COMMISSIONER COOPER**

**SECOND BY: COMMISSIONER KOCH**

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

**ACTION: APPROVED**

20) Consider and possibly authorize the County Judge to execute Easement and Right of Way agreement in the amount of \$100,000.00 between Hardin County and Blackfin Pipeline, LLC described as a 50' wide permanent easement and right of way situated in the Hardin County School Land Survey, Abstract 535, located in Volume 22, Page 465, Volume 900, Page 750, and Volume 893, Page 779 of the Deed Records of Hardin County, Texas. (SEE ATTACHED)

**MOTION BY: COMMISSIONER KIRKENDALL**

**SECOND BY: COMMISSIONER KOCH**

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

**ACTION: APPROVED**

21) Setting of Public Hearing to receive comments from citizens of Hardin County to discuss abandoning a 50 foot undeveloped roadway between Lot 10, Block 6 and Lot 1, Block 3 in the Nevada Addition, Sour Lake, Texas, called Weiss Boulevard, located in Precinct 3, as requested by Mr. Kevin Borque and Mr. Edward Snelling. If it is approved to abandon the roadway, it will be divided equally between Mr. Borque and Mr. Snelling. (SEE ATTACHED)

**MOTION BY: COMMISSIONER KIRKENDALL**

**SECOND BY: COMMISSIONER COOPER**

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

**ACTION: APPROVED AND SET PUBLIC HEARING FOR APRIL 23, 2024 AT 10:00 A.M.**

22) Discussion only concerning the April 1, 2024, Public Notice that was published by Judge Wayne McDaniel regarding a 'Draft Order Adopting Residential Building Code Standards Applicable to Unincorporated Areas of Hardin County, Texas'. \*No action will be taken.

**DISCUSSION ONLY.**

23) 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.

24)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