

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

Chris Kirkendall
County Commissioner, Precinct 2



Amanda Young
County Commissioner, Precinct 3

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 | MAY 13, 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 MAY 13, 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 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) Establish Quorum and Call Meeting to Order | Hon. Wayne McDaniel**
- 2) Invocation and Pledge of Allegiance | Hon. L.W. (Nubbin) Cooper, Jr.**

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- 3) Consider and possibly approve the April 22, 2025 Regular Meeting Minutes as presented by Hon. Connie Becton, County Clerk.
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER YOUNG
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED AS PRESENTED
- 4) Consider and possibly approve: Request to cancel all Registered Claims from April 22, 2025; Cash Statement; and Quarterly Report for quarter ending March 31, 2025, as presented by Hon. Deborah McWilliams, County Treasurer. (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 AS PRESENTED
- 5) Authorization to pay County bills as presented by Mrs. Candice McKinney, County Auditor. (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 AS PRESENTED
- 6) Consider approval of request by Mr. Arthur Yarbough for a variance from elevation requirements concerning property located at 3495 Highway 327, Silsbee, Texas, located in Precinct 1. (SEE ATTACHED)
MOTION BY: COMMISSIONER COOPER
SECOND BY: COMMISSIONER KIRKENDALL
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED
- 7) Consider approval of an Order Authorizing Memorial Day Fireworks Sales beginning May 21, 2025 and ending at midnight May 26, 2025. (SEE ATTACHED)
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER COOPER
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED

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- 8) Discuss, consider, and possibly approve request by Mr. Aaron Tupper, Emergency Management Coordinator, to issue a notice to proceed on the executed contract with N&T Construction for construction of the Hurricane Safe Room. (SEE ATTACHED)

MOTION BY: JUDGE MCDANIEL

SECOND BY: COMMISSIONER KIRKENDALL

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

ACTION: TABLE UNTIL JUNE 10, 2025, UNLESS ANY INSIGNIFICANT INFORMATION BECOMES AVAILABLE BEFORE THAT TIME.

- 9) Consider authorization for the County Judge to execute the Unclaimed Property Credits for Counties form and submit to the Texas Comptroller of Public Accounts pursuant to § 381.004 Texas Local Government Code. (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 acceptance of resignation of Mr. Harvey Zernial as Emergency Services Commissioner for Emergency Services District No 2 effective April 21, 2025; and consider appointment to fill vacancy (Term ends December 31, 2026). (SEE ATTACHED)

MOTION BY: COMMISSIONER KOCH

SECOND BY: COMMISSIONER COOPER

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

ACTION: ACCEPT THE RESIGNATION OF HARVEY ZERNIAL AND APPOINT BRADY DICKERSON TO SERVE THE REST OF THE TERM ENDING DECEMBER 31, 2026.

- 11) Consider approval of request by Hon. Rebecca Walton, District Attorney, to amend the FY25 District Attorney's budget as follows:

FROM	010-476-490 Miscellaneous	\$70.00
TO	010-476-450 Building Maintenance, Repairs, Renovations	\$70.00

*Create New Line Item

MOTION BY: COMMISSIONER COOPER

SECOND BY: COMMISSIONER YOUNG

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

ACTION: APPROVED

- 12) Consider approval of request by Hon. Rebecca Walton, District Attorney, to pay FNT Construction Services Invoice #041725-1 in the amount of \$2,470.00 for office improvements in the District Attorney's Office, to be paid as follows: **(SEE ATTACHED)**

FROM	010-476-450 Building Maintenance, Repairs, Renovations	\$70.00
	088-476-450 Building Maintenance, Repairs, Renovations	\$2,400.00

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER YOUNG

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

ACTION: APPROVED

- 13) Consider adoption of Resolution 21-25 authorizing submission of the Sexual Assault Prevention and Crisis Services (SAPCS) - State: Rural and Border County Service Enhancement (2 year) Grant Funding for 2026-2027 application with the Office of the Attorney General (OAG), no local match required, as requested by Ms. Lisa Nix, HCCVAC Director **(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

- 14) Consider adoption of Resolution 22-25 proclaiming June 2025 as Men's Health Month and Tuesday, May 13, 2025 as Gift of Life Men's Health Awareness Day in Hardin County, as requested by Norma Sampson, Gift of Life Executive Director. **(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

- 15) Consider approval of request by Hon. Mark Davis, Sheriff, to authorize the County Judge to execute an Agreement renewal with Texas Law Enforcement Support Office (LESO) for participation in the law enforcement surplus property program. **(SEE ATTACHED)**

MOTION BY: COMMISSIONER KOCH

SECOND BY: COMMISSIONER KIRKENDALL

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

ACTION: APPROVED

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- 16) Consider request by Hon. Mark Davis, Sheriff, for approval to purchase services from Sydaptic, Inc. for repairs and upgrades to the jail door control system utilizing a cooperative purchasing agreement, totaling \$148,945.00. If approved, this expenditure will be funded with \$75,000.00 from 184-504-570 Jail Commissary – Jail Equipment and \$73,945 from General Funds, requiring an amendment to the FY25 Budget as follows: **(SEE ATTACHED)**

FROM	010-401-800 Contingency - General	\$73,945.00	*Create New Line Item
	010-561-570 Jail Equipment	\$73,945.00	

MOTION BY: COMMISSIONER KOCH

SECOND BY: COMMISSIONER YOUNG

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

ACTION: APPROVED AS PRESENTED

- 17) Consider approval of request by Ms. Lisa Nix, HCCVAC Director, to pay a yearly subscription to DialPad in the amount of \$1,475.52 to be used for hotline services as required by the Office of Attorney General (OAG) Grant, to be paid out of Fund 213 VOCA-Juror Donations. **(SEE ATTACHED)**

MOTION BY: COMMISSIONER YOUNG

SECOND BY: COMMISSIONER KIRKENDALL

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

ACTION: APPROVED

- 18) Consider acceptance of the 2025 Annual Road Report as submitted by Hon. L.W. (Nubbin) Cooper, Jr, County Commissioner, for the R&B 1 Department. **(SEE ATTACHED)**

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER YOUNG

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

ACTION: APPROVED

- 19) Consider approval of request by Ms. Sharon Whitley, Health Director, to authorize the County Judge to execute a Lease Agreement renewal between Baptist Hospitals of Southeast Texas and Hardin County for leased office space located at 603 FM 418 West, Suite G4, Silsbee, Texas. This will be funded 100% utilizing grant funds. **(SEE ATTACHED)**

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER COOPER

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

ACTION: APPROVED

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- 20) Consider approval of request by Mrs. Misty Sims, Purchasing Agent, to authorize the County Judge to execute Professional Services Agreement with Shaumburg & Polk, Inc. related to Hazard Mitigation Grant Program (HMGP) DR 4485 Black Creek Drainage Study. (SEE ATTACHED)
MOTION BY: COMMISSIONER YOUNG
SECOND BY: COMMISSIONER KIRKENDALL
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED
- 21) Consider approval of request by Mrs. Misty Sims, Purchasing Agent, to authorize the County Judge to execute Contract with Texas Materials, a CRH Company related to Hurricane Harvey Round 1 Saratoga Road Improvements GLO Contract No. 20-065-145-C857 construction. (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
- 22) Consider approval of request by Mrs. Misty Sims, Purchasing Agent, to authorize the County Judge to execute Grant Administration Services Agreement with Traylor & Associates, Inc. related to Community Development Block Grant Program (CDBG) Contract No. 20-065-145-C857, Saratoga Road Improvements Project. (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
- 23) Consider approval of request by Mrs. Misty Sims, Purchasing Agent, to authorize the County Judge to execute Administration/Professional Services Agreement with Traylor & Associates, Inc. related to Hazard Mitigation Grant Program (HMGP) DR 4485-0405/DR4485-0523, LHS Generators (4485-0405) and Black Creek Drainage Study (4485-0523). (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
- 24) Consider approval of request by Mrs. Misty Sims, Purchasing Agent, to authorize the County Judge to execute Contract with DRC Emergency Services, LLC, awarded #1 for Emergency/Disaster Debris Removal Services. (SEE ATTACHED)
MOTION BY: COMMISSIONER KIRKENDALL
SECOND BY: COMMISSIONER KOCH
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.
ACTION: APPROVED

- 25) Consider approval of request by Mrs. Misty Sims, Purchasing Agent, to authorize the County Judge to execute Contract/Agreement with CTC Disaster Response, Inc., awarded #2 for Emergency/Disaster Debris Removal Services. (SEE ATTACHED)

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER KOCH

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

ACTION: APPROVED

- 26) Consider approval of request by Mrs. Misty Sims, Purchasing Agent, to authorize the County Judge to execute Master Services Agreement with Tetra Tech, Inc., awarded #1 for Emergency/Disaster Debris Monitoring Services. (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

- 27) Consider approval of request by Mrs. Misty Sims, Purchasing Agent, to authorize the County Judge to execute Professional Services Agreement with Thompson Consulting Services, LLC, awarded #2 for Emergency/Disaster Debris Monitoring Services. (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

- 28) Announcement of Executive (Closed) Session pursuant to Texas Government Code 551.071 (1)(A) for consultation with the Hardin County Attorney, Matthew Minick, to seek advice concerning pending or contemplated litigation.

-Return to Open Meeting and resume agenda- COURT RECESSED AT 10:39 A.M.

COURT RESUMED AT 10:57 A.M.

- 29) Consider and possibly authorize the following FY25 Budget Amendment to account for overpayments made to MPTX Associates for FEMA Hazard Mitigation Project DR-4332-0052 related to Hurricane Harvey. Hardin County is seeking to have this amount returned to the County by the Grant Administrator since October 21, 2024, but has not been paid back to date. (SEE ATTACHED)

FROM	010-401-800 Contingency General	\$73,879.00
TO	010-700-437 Transfer to HMGP-DR4332 Prop Acquisitions	\$73,879.00

MOTION BY: COMMISSIONER KIRKENDALL

SECOND BY: COMMISSIONER KOCH

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

ACTION: APPROVED

- 30) Consider, discuss, and possibly authorize payment to Texas Division of Emergency Management (TDEM) in the amount of \$151,863.66 pursuant to the request received from Assistant Chief Michael Bradberry on April 22, 2025, to return the unused advance payment received from TDEM for FEMA Hazard Mitigation Project DR-4332-0052 related to Hurricane Harvey. (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

- 31) Discussion on any other non-agenda item without taking action including announcements which may be of interest to the public.

- 32) Adjourn.

MOTION BY: COMMISSIONER YOUNG

SECOND BY: COMMISSIONER KOCH

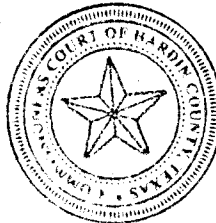
IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.

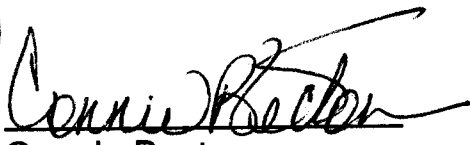
ACTION: APPROVED

RESPECTFULLY SUBMITTED,



Wayne McDaniel
HARDIN COUNTY JUDGE





Connie Becton
HARDIN COUNTY CLERK