



**County Judge**

**CHAD SIMS**

**Harrison County**

#1 Peter Whetstone Square, Room 314  
Marshall, Texas 75670  
903-935-8401  
903-935-4853 Fax  
Charlene Graff, Judicial Admin. Assist.

FILED OCT 22 2021  
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BY: A.T. DEPUTY

Pursuant to Chapter 551 of the Texas Government Code requiring governmental bodies to give notice of their meetings, this is to advise that a **REGULAR** meeting of the **Harrison County Commissioner's Court** will be held at 9:00 a.m. on the 26<sup>th</sup> day of October, 2021, in the Commissioners' Courtroom at the **Harrison County Historic Courthouse in Marshall, Texas**, at which time the Commissioners' Court will consider all matters pertaining to Harrison County business and grant authorization for the County Judge to execute any and all documents as may come before said Commissioner's Court for approval, including by way of information but not limitation, the following matters:

**INVOCATION**

**PLEDGE OF ALLEGIANCE:**

**AMERICAN FLAG**

**TEXAS FLAG:** "Honor the Texas Flag; I Pledge Allegiance to Thee, Texas, One State Under God, One and Indivisible"

**ANNOUNCEMENTS:**

**PUBLIC COMMENTS – AGENDA ITEMS ONLY**

**DECLARE A QUORUM PRESENT:**

**CALL TO ORDER:**

**AGENDA**

**A. AUDITOR: Administrative Report: No action to be taken ----- Submission of financial reports**

1. Consideration and approval regarding Line Item Transfers.
2. Consideration and approval of payment of Regular Bills.
3. Consideration and approval of for October 15, 2021 Payroll

**B. COUNTY CLERK:**

1. Consideration and approval of transcribed minutes of Commissioner's Court Meetings of  
**NO MINUTES FOR APPROVAL**

2. Consideration and action regarding the approval of the Professional Services Agreement with Tyler Technologies and the Harrison County Clerk to provide certain professional services as set forth in the Agreement.

**C. ROAD AND BRIDGE DEPARTMENT:**

1. Consideration and approval of personnel changes for the Harrison County Road & Bridge Department.

2. Consideration and approval of the utility applications submitted to the Harrison County Road & Bridge Department as follows:

Etex Telephone Cooperative  
Leigh WSC

Ragon Road, CR 4601  
Walker Road, CR 2201

3. Consideration and action to rescind change order 21-106 for STOP Sign Placement on Pine Tree Terrace, CR 4023 at the intersection with Memory LN N, Cr 4020.

4. Consideration and authorization to set a Public Hearing for the purpose of a STOP Sign Placement on Pine Tree Terrace, CR 4023 at the intersection with CR 4019, Memory Lane, Pct. 4 as required by Texas Transportation Code.

5. Consideration and action to accept a donation of a 29 cubic yard dumpster from Sabine Oil and Gas to be used at the Road and Bridge Yard at 3800 Five Notch Road.

6. Consideration and action regarding the approval of the Open-End Lease Rate Quote No. 5950042, 2022 Chevrolet Silverado 6500HD 1WT 4x2 Crew Cab DRW and Estimate #948 with Texas Truck Outfitters in the amount of \$6,692.50 for the Road & Bridge Department

**D. SHERIFF'S DEPARTMENT:**

1. Consideration and action subject to ratification in Open Court the lease purchase of a 2022 Ford F-150, Quote No. 5953025 for the Sheriff's Department.

**E. MAINTENANCE DEPARTMENT:**

**F. INFORMATION TECHNOLOGY:**

1. Consideration and approval to expend JP Technology funds for the purchase of the "Configuration and Consulting (JP – Single Node)" services from Tyler Technologies for all the JP Offices with expenditure not to exceed \$2625.00 to comply with SB41 changes effective 01.01.2022.

**G. FIRE MARSHAL:**

1. Consideration and action regarding the re-appointment of Duana Couch as the Harrison County Fire Marshal effective October 1, 2021 and terminating September 30, 2022 at a salary of \$49,909.00 and approval of Bond in the amount of \$4,000.

#### **H. PURCHASING:**

1. Consideration and action regarding the approval of the Amendment to Route Manager GPS (by WORKWAVE) Agreement to add 17 additional units at a monthly cost of \$29.95 per unit with a 3 month auto renewal for the Road & Bridge Department.

2. Consideration and approval to declare listed fixed assets as surplus and or salvage to appropriately dispose of said items utilizing the following methods: online auction, recycling, trade in, TAC pickup and or destroying, and to authorize the Purchasing Agent to publish the same.

#### **I. HUMAN RESOURCES:**

1. Consideration and approval of the Sick Leave Pool Board of Directors as of 1/1/2022 with only changes in term dates as indicated.

#### **J. TREASURER:**

#### **K. ELECTIONS:**

#### **L. NEW BUSINESS:**

1. Consideration and action regarding the Resolution Requesting a Public Sale of Property acquired by the County of Harrison, Texas at a Delinquent Tax Sale.

2. Consideration and action regarding the approval of the Interlocal Agreements between the City of Marshall and Harrison County to include said agreements for Ambulance Service, Public Library, Animal Shelter and Inmate Labor.

3. Consideration and action regarding the Resolution and Hazard Mitigation Grant Program Application Certification. for Harrison County to sponsor the application for Diana SUD at the request by Gary Traylor & Associates to TDEM regarding the Hazard Mitigation Grant Program (HMGP) February Winter Storm.

4. Consideration and action Subject to Ratification in Open Court, the approval of the request by the Purchasing Department to issue a check in the amount of \$493.47 for mileage and per diem for Debra Deen, Indigent Health Care Supervisor to attend the TIHCA Conference in Georgetown, Texas October 20-22, 2021.

5. Consideration and action Subject to Ratification in Open Court to approve the authorization for William Hatfield, Harrison County Commissioner, Precinct 1 to serve as Judge Pro Tem for the Commissioner's Court Meeting on October 26, 2021 due to absence of County Judge Chad Sims.

6. Consideration and action regarding the approval to set a Public Hearing on November 9, 2021 regarding the 2020 Redistricting Maps/Plans for Commissioners Precinct boundaries and authorization for publication of said hearing.

7. Consideration and action regarding the approval of the Interlocal Agreement by and between Harrison County and Texas A&M Agrilife Extension Service to implement feral hog abatement technologies program.

8. Consideration and action regarding the approval of the Second Amendment to Airport Hangar Lease No. 12A Westchester Assets Company, Ltd. for the extension of lease for an additional year.

9. Discussion and appropriate action on Order regarding a settlement offer in the matter of Texas opioid multi-district litigation in the matter of *County of Harrison v. Purdue Pharma, Inc., et al.*, MDL PRETRIAL CAUSE NO. 2018-63587, currently pending in the 152d District Court of Harris County, Texas.

EXECUTIVE SESSION:

1. Call of Court to Executive Session pursuant to Government Code Section 551.071 (consultation with attorney) relating to Harrison County.
2. Consideration and action relating to items discussed in executive session.

WORKSHOP SESSION: REDISTRICTING FOR HARRISON COUNTY.

ADJOURN

  
CHAD SIMS, COUNTY JUDGE

This is to certify that at the time and date stamped hereon, the notice of a meeting, a copy of which is attached hereto, has been filed in my office, and posted on my official bulletin board in the Courthouse, as is required by Texas Government Code, Chapter 551.

Executed on: October 22, 2021

COUNTY CLERK  
HARRISON COUNTY, TEXAS

(In accordance with Title III of the Americans with Disabilities Act, we invite all attendees to advise us of any special accommodations due to disability. Please submit your request as far as possible in advance of the program you wish to attend.)

  
Ann Turner  
Senior Deputy



**REGULAR MEETING OF THE COMMISSIONERS' COURT  
HELD IN THE HISTORIC HARRISON COUNTY COURTHOUSE  
MARSHALL, TEXAS  
THIS THE 26TH DAY OF OCTOBER, 2021**

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**BE IT REMEMBERED** that at 9:00 a.m. on the 26<sup>th</sup> of October, 2021 Regular Session in the Commissioners' Courtroom in the Historic Harrison County Courthouse in Marshall, Texas, for the purpose of transacting any and all business that may lawfully be brought before the same:

Invocation was led by Comm. Hatfield

Pledge of Allegiance:

American Flag

Texas Flag: "Honor the Texas Flag; I Pledge Allegiance to Thee, Texas, One State under God, One and Indivisible"

The following were present:

Chad Sims,	County Judge/ Not Present
William Hatfield,	Commissioner, Precinct #1
Zephaniah Timmins,	Commissioner, Precinct #2
Phillip Mauldin,	Commissioner, Precinct #3
Jay Ebarb,	Commissioner, Precinct #4
Liz James,	County Clerk
Becky Haynes,	County Auditor

**ANNOUNCEMENTS:**

**Declare A Quorum Present:**

When the following were heard and the following Orders passed:

Call to Order by the County Comm. Hatfield, at 9:03 a.m.

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**ITEM L: New Business**

Motioned by Comm. Timmins  
Seconded by Comm. Mauldin  
All members voting in favor  
Motion carried unanimously (4-0)  
Order #2021-370

**5. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve ratification in Open Court to approve the authorization for William Hatfield, Harrison County Commissioner, Precinct 1 to serve as Judge Pro Tem for the Commissioner's Court Meeting on October 26, 2021 due to absence of County Judge Chad Sims.

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**ITEM A: County Auditor Administrative Report**

Motioned by Comm. Ebarb  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (4-0)  
Order #2021-371

Exhibit A

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Motioned by Comm. Mauldin  
Seconded by Comm. Ebarb  
All members voting in favor  
Motion carried unanimously (4-0)  
Order #2021-372

**1. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve Line Item Transfers. Exhibit A-1

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Motioned by Comm. Timmins  
Seconded by Comm. Mauldin  
All members voting in favor  
Motion carried unanimously (4-0)  
Order #2021-373

**2. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve Payment of Regular Bills. Exhibit A-2

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Motioned by Comm. Timmins  
Seconded by Comm. Ebarb  
All members voting in favor  
Motion carried unanimously (4-0)  
Order #2021-374

**3. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the October 15, 2021 County Payroll as submitted. Exhibit A-3

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**ITEM B: County Clerk: No minutes for Approval**

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Motioned by Comm. Ebarb  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (4-0)  
Order #2021-375

**1. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Professional Services Agreement with Tyler Technologies and the Harrison County Clerk to provide certain professional services as set forth in the Agreement. Exhibit B-1

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**ITEM C: Road and Bridge Department: No Administrative Report Submitted:**

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Motioned by Comm. Mauldin  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (4-0)  
Order #2021-376

**1. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the personnel changes for the Harrison County Road & Bridge Department. Exhibit C-1

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Motioned by Comm. Timmins  
Seconded by Comm. Ebarb  
All members voting in favor  
Motion carried unanimously (4-0)  
Order #2021-377

**2. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the utility applications submitted to the Harrison County Road & Bridge Departments as follows:  
Exhibit C-2

Etex Telephone Cooperative  
Leigh WSC

Ragon Road, CR 4601  
Walker Road, CR 2201

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Motioned by Comm. Ebarb  
Seconded by Comm. Hatfield  
All members voting in favor  
Motion carried unanimously (4-0)  
Order #2021-378

**3. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve rescinding change order 21-106 for STOP Sign Placement on Pine Tree Terrace, CR 4023 at the intersection with Memory LN N, Cr 4020. Exhibit C-3

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Motioned by Comm. Ebarb  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (4-0)  
Order #2021-379

**4. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to authorize setting a public hearing & publishing notice for a Stop Sign Placement on Pine Tree Terrace, CR 4023 at the intersection with CR. 4019, Memory Lane, Pct. 4 as required by Texas Transportation Code. Exhibit C-4  
**Public hearing set for November 9, 2021.**

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Motioned by Comm. Mauldin  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (4-0)  
Order #2021-380

**5. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve donation of a 29 cubic yard dumpster from Sabine Oil and Gas to be used at the Road and Bridge Yard at 3800 Five Notch Road. No Exhibit

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Motioned by Comm. Timmins  
Seconded by Comm. Ebarb  
All members voting in favor  
Motion carried unanimously (4-0)  
Order #2021-381

**6. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Open-End Lease Rate Quote No. 5950042, 2022 Chevrolet Silverado 6500 HD 1WT 4x2 Crew Cab DRW and Estimate #948 with Texas Truck Outfitters in the amount of \$6,692.50 for the Road & Bridge Department.. Exhibit C-6.

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**ITEM D: Sheriff Department:**

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Motioned by Comm. Ebarb  
Seconded by Comm. Mauldin  
All members voting in favor  
Motion carried unanimously (4-0)  
Order #2021-382



**1. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the ratification in Open Court the lease purchase of a 2022 Ford F-150, Quote No. 5953025 for the Sheriff's Department. Exhibit D-1

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**ITEM E: Maintenance Department: No Report Submitted**

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**ITEM F: Information Technology:**

Motioned by Comm. Ebarb  
Seconded by Comm. Mauldin  
All members voting in favor  
Motion carried unanimously (4-0)  
Order #2021-383

**1. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the to expend JP Technology funds for the purchase of the Configuration and Consulting (JP- Single Node)" services from Tyler Technologies for all the JP Offices with expenditure not to exceed \$2625.00 to comply with SB41 changes effective 01.01.2022. Exhibit F-1

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**ITEM G: Fire Marshal: Duana Couch**

Motioned by Comm. Ebarb  
Seconded by Comm. Timmins  
Abstained by Comm. Hatfield  
Motion carried unanimously (3-0)  
Order #2021-384

**1. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the re-appointment of Duana Couch as the Harrison County Fire Marshal effective October 1, 2021 and terminating September 30, 2022 at the salary of \$49,909.00 and approval of Bond in the amount of \$4000. Ebarb amended motion to go from a one year contract to a two year contract. Exhibit to be attached at a later date.

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**ITEM H: Purchasing:**

Motioned by Comm. Timmins  
Seconded by Comm. Ebarb  
All members voting in favor  
Motion carried unanimously (4-0)  
Order #2021-385

**1. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Amendment to Route Manager GPS (by WORKWAVE) Agreement to add 17 additional units at a monthly cost of \$29.95 per unit with a 3 month auto renewal for the Road & Bridge Department. Exhibit H-1

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Motioned by Comm. Mauldin  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (4-0)  
Order #2021-386

**2. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve and declare listed fixed assets as surplus and or salvage. This appropriately disposes of said items utilizing the following methods: online auction, recycling, trade in, TAC pickup and or destroying, and authorizes the Purchasing Agent to publish the same. Exhibit H-2

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**ITEM I: Human Resources:**

1. Consideration and approval of the Sick leave Pool Board of Directors as of 1-1-2022 with only changes in term dates as indicated. Exhibit I-1

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**ITEM J: Treasurer: No Report Submitted**

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**ITEM K: Elections: No Items Submitted**

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**ITEM L: New Business**

Motioned by Comm. Timmins  
Seconded by Comm. Mauldin  
All members voting in favor  
Motion carried unanimously (4-0)  
Order #2021-387

**1. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Resolution Requesting Public Sale of Property acquired by the County of Harrison, Texas at a Delinquent Tax Sale. Exhibit L-1

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Motioned by Comm. Mauldin  
Seconded by Comm. Hatfield  
All members voting in favor  
Motion carried unanimously (4-0)  
Order #2021-388

**2. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Interlocal Agreements between the City of Marshall and Harrison County to include said agreements for Ambulance Service, Public Library, Animal Shelter and Inmate Labor. **Comm, Mauldin Amended Order to pass on Animal Shelter until the Regular Commissioner's Court Meeting which will be held on 11-9-2021. Exhibit L-2**

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Motioned by Comm. Ebarb  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (4-0)  
Order #2021-389

**3. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Resolution and Hazard Mitigation Grant Program Application Certification for Harrison County, and to sponsor the application for Diana SUD at the request by Gary Traylor & Associates to TDEM regarding the Hazard Mitigation Grant Program (HMGP0 February Winter Storm. Exhibit L-3

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Motioned by Comm. Timmins  
Seconded by Comm. Ebarb  
All members voting in favor  
Motion carried unanimously (4-0)  
Order #2021-390

**4. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the ratification in open court, and the request by the Purchasing Department to issue a check in the amount of \$493.47 for mileage and per diem for Debra Deen, Indigent Health Care Supervisor, to attend the TIHCA Conference in Georgetown, Texas October 20-22, 2021. Exhibit L-4

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Motioned by Comm. Mauldin  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (4-0)  
Order #2021-391

**6. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve setting a public Hearing on November 9, 2021 regarding the 2020 Redistricting Maps/Plans for Commissioners Precinct boundaries and authorization for publication of said hearing. Exhibit L-6

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Motioned by Comm. Ebarb  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (4-0)  
Order #2021-392

**7. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve setting Interlocal Agreement by and between Harrison County and Texas A&M Agrilife Extension Service to implement feral hog abatement technologies program. Exhibit L-7

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Motioned by Comm. Timmins  
Seconded by Comm. Hatfield  
All members voting in favor  
Motion carried unanimously (4-0)  
Order #2021-393

**8. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Second Amendment to Airport Hagar Lease No. 12A Westchester Assets Company, Ltd, for the extension of lease for an additional year. Exhibit L-8

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Motioned by Comm. Ebarb  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (4-0)  
Order #2021-394

**9. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve order regarding a settlement offer in the matter of Texas opioid multi-district litigation in the matter of County of Harrison v. Purdue Pharma, Inc., et l., MDL PRETAIAL CAUSE NO. 2018-63587, CURRENTLY PENDING IN THE 263D District Court of Harris County, Texas. Exhibit L-9

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**PUBLIC MEEETING – NO PUBLIC MEETING HELD**

**WORKSHOP SESSION –REDISTRICTING FOR HARRISON COUNTY**

**ADJOURNMENT:**

**With no further business to come before the Court for consideration and action, the motion was made by Commissioner Mauldin and seconded by Commissioner Timmins to adjourn the meeting. Motion carried unanimously (4-0). Meeting adjourned at 9:41 a.m.**

**ATTEST:**

*Elizabeth James*

**Elizabeth James, County Clerk  
Harrison County, Texas**

**APPROVED:**

*Chad Sims*

**Chad Sims, County Judge  
Harrison County, Texas**

**Minutes approved on 11-9-21.**