



**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 FOR RECORD

2022 DEC 16 AM 11:33

ELIZABETH JAMES  
CO. CLERK HARRISON CO

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 20<sup>th</sup> day of **December, 2022**, 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:**

1. Consideration and approval regarding Line Item Transfers.
2. Consideration and approval of payment of Regular Bills.
3. Consideration and approval of Payroll for December 9, 2022.

**B. ROAD AND BRIDGE DEPARTMENT:** 2022 Construction Completed & in Progress Report

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:

Sabine Oil & Gas

Boards Ferry Road, CR 3026

3. Consideration and action regarding the approval of the Road Construction and Maintenance Bond for Sweet Pea Lane, (0.194 miles of roadway) located in the Noonday Estates Subdivision the amount of \$29, 010.00 with said Bond to be effective for two (2) years beginning December 20, 2022 and ending December 20, 2024.

4. Consideration and action regarding the approval of the Amended Restrictions and Covenants for Noonday Estates Subdivision effective December 20, 2022 to be filed with the recording of said Noonday Estates Subdivision Plat.

5. Consideration and action regarding the approval to amend Order No. 2022-236 approved on June 21, 2022 for clarification for the recording of the Re-plat for Robin's Trail to include re-plat of Lots 2,3,5, and 6 and to abandon lot 4 and re-plat as lot 4A and abandon lot 8 to be re-plat as 7A effective December 20, 2022.

**C. SHERIFF'S DEPARTMENT:**

1. Consideration and action regarding the approval the Enterprise Lease of one (1) Chevrolet Silverado 1500 LT w/1 LT 4x4 Crew Cab 5.75 ft. box 147.4 in. WB, Quote No. 3684888 for the Sheriff's Department.

2. Consideration and action regarding the approval of the Resolution to accompany application to the Office of the Governor for the Bullet Resistant Shield Grant #4305601-2022-23 and authorization for the County Judge to execute said Resolution.

3. Consideration and action for the approval to accept a donation from an anonymous donor in the amount of \$25,000.00, which will be used solely, per the donor's instructions,(attached) for the Harrison County Sheriff's Office Emergency Response Team equipment and/or training of the Emergency Response Team.

**D. MAINTENANCE DEPARTMENT:**

1. Consideration and action subject to ratification in Open Court, the approval of the Quote ID 38913 from Rudd Safety Co. Inc. to furnish material, labor and monitoring alarm system located at the ARC Building in the yearly amount of \$540.00 with said contract to be effective December 6, 2022 through December 6, 2023.

**E. INFORMATION TECHNOLOGY:**

**F. FIRE MARSHAL: Administrative Report: No action to be taken** ---- concerning status of OSSF permits; emergency management; solid waste site investigations.

1, Consideration and action to place the Harrison County Fire Marshal's office, including On Site Sewage, under the direction of the Harrison County Sheriff's Department effective January 1, 2023.

**G. PURCHASING:**

**H. HUMAN RESOURCES:**

**I. TREASURER:**

1. Consideration and action regarding the approval of Treasurer's Monthly Report for November 2022 and authorization to publish on the county website pursuant to LGC Section 114.026.
2. Consideration and approval of the Harrison County Treasurer's Investment Report for the month of November 2022.

**J. ELECTIONS:**

**K. NEW BUSINESS:**

1. Consideration action regarding the approval of the District Office Lease Amendment- 118<sup>th</sup> Congress between the U.S. House of Representatives and Harrison County for the lease of office space located at the Harrison County Courthouse annex with said lease to be effective 1/1/2023 through 1/2/25 with monthly rent to be \$85.00.
2. Consideration and action regarding the approval of the Resolution Supporting Our Texas County Partners.
3. Consideration and action regarding the approval of the Enterprise Lease of a 2022 Ford Escape SE 4dr Front-Wheel Drive, Quote No. 6899067 for the Juvenile Department and to include the proposal from Bobcat Communications and Technologies, Inc. for front and rear cages.
4. Consideration and action regarding the approval of the Harrison County Airport Ground Lease - Tenant Constructed Hangar & Fuel System Agreement between Harrison County and Westchester Air Company, LTD commencing on January 1, 2023 and ending on December 31, 2057.
5. Consideration and action to approve the contract, AIA Document and the TIPS Proposal from PMR Roofing in the amount of \$155,914.00 for the replacement of the roof on the historic courthouse with alternate options to include:
  - (1) damaged wood decking repaired at unit cost of \$15.00 per sq. ft.,
  - (2) damaged wood fascia replace at unit cost of \$13.00 per linear ft.,
  - (3) price to prep, prime and paint metal roof dome(3.1) Deduct \$5,600.00 initial if accepted.
6. Consideration and action regarding the approval of the 2023 Cybersecurity Course Enrollment Form for Harrison County's participation in the TAX's cybersecurity training program.
7. PUBLIC HEARING - EASTMAN CIRCULAR VENTURES, LLC TAX ABATEMENT APPLICATION
8. Consideration and action regarding the approval of the Tax Abatement Agreement between Harrison County and Eastman Circular Ventures, LLC.

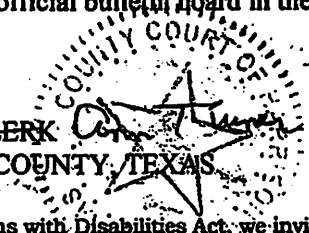
**ADJOURN**

  
\_\_\_\_\_  
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 December 16, 2022

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.)

**REGULAR MEETING OF THE COMMISSIONERS' COURT  
HELD IN THE HISTORIC HARRISON COUNTY COURTHOUSE  
MARSHALL, TEXAS  
THIS THE 20TH DAY OF DECEMBER, 2022**

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**BE IT REMEMBERED** that at 9:00 a.m. on the 20th of December, 2022, 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 County Judge

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
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 Judge, Chad Sims, at 9:06 a.m.

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**ITEM A: County Auditor: Administrative Report: No action to be taken concerning Submission of financial reports. No Administrative Report Submitted.**

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Motioned by Comm. Ebarb  
Seconded by Comm. Mauldin  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2022- 505

**Item #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. Hatfield  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2022- 506

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

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Motioned by Comm. Ebarb  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2022- 507

**Item #3. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Payroll for December 9, 2022. Exhibit A-3.

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**ITEM B: Road and Bridge Department: Luke Davis gave Administrative Report: -- concerning status of construction, maintenance and repairs of county roads, bridges and right-of-ways; also concerning condition of equipment. No Exhibit Submitted**

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Motioned by Comm. Timmins  
Seconded by Comm. Hatfield  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2022- 508

**Item #1. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the personnel changes for December 1, 2022 through December 14, 2022, for the Harrison County Road & Bridge Department. Exhibit B-1.

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Motioned by Comm. Timmins  
Seconded by Comm. Ebarb  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2022- 509

**Item #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 B-2.

Sabine Oil & Gas

Boards Ferry Road, CR 3026

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**Item #3.** Consideration and action regarding the approval of the Road Construction and maintenance Bond for Sweet Pea Lane, (0.194 mile of roadway) located in the Noonday Estates Subdivision, the amount of \$29,010.00 with said Bond to be effective for two (2) years beginning December 20, 2022 and ending December 20, 2024. No Exhibit

No formal action at this time

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**Item #4.** Consideration and action regarding the approval of the Amended Restrictions and Covenants for Noonday Estates Subdivision, effective December 20, 2022 to be filed with the recording of said Noonday Estates Subdivision Plat. No Exhibit

No formal action at this time

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Motioned by Comm. Mauldin  
Seconded by Comm. Ebarb  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2022- 510

**Item #5. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve to amend Order No. 2022-236, approved on June 21, 2022, for clarification for the recording of the Re-plat for Robin's Trail to include re-plat of Lots 2,3,5, and 6 and to abandon lot 4 and re-plat as lot 4A, and abandon lot 8 to re-plat as 7A effective December 20, 2022. Exhibit B-5

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**ITEM C: Sheriff's Department: No Administrative Report Submitted: No action to be taken ---** concerning statistics reflecting law enforcement activity, execution of civil responsibilities, jail population, also location of and turnover in prisoners.

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Motioned by Comm. Hatfield  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2022- 511

**Item #1. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Enterprise Lease of one (1) Chevrolet Silverado 1500 LT w/1 LT 4x4 Crew Cab 5.75 ft. box 147.4 in. WB, Quote No. 3684888. Exhibit C-1

Correction made in open Court to correct Quote No. 6384888

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Motioned by Comm. Hatfield  
Seconded by Comm. Ebarb  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2022- 512

**Item #2. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Resolution to accompany application to the Office of the Governor for the Bullet Resistant Shield Grant #4305601-2022-23 and authorization for the County Judge to execute said Resolution. Exhibit C-2

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Motioned by Comm. Ebarb  
Seconded by Comm. Mauldin  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2022- 513

**Item #3. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve anonymous donor in the amount of \$25,000.00, which will be used solely, per the donor's instructions, (attached) for the Harrison County Sheriff's Office Emergency Response Team equipment and/or training of the Emergency Response Team. Exhibit C-3

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**ITEM D: Maintenance Department: Administrative Report: No action to be taken—concerning repairs and maintenance performed upon county owned premises and equipment; status of ongoing projects, and information concerning planned projects. No Report Submitted**

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Motioned by Comm. Timmins  
Seconded by Comm. Ebarb  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2022- 514

**Item #1. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the ratification in Open Court, the approval of the Quote ID 38913 from Rudd Safety Co. Inc. to furnish material, labor and monitoring alarm system located at the ARC Building in the yearly amount of \$540.00, with said contract to be effective December 6, 2022 through December 6, 2023. Exhibit D-1

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**ITEM E: Information Technology: Administrative Report: No action to be taken—concerning the status of all existing/required communication and information services and equipment, including phones, computers, audio/visual aids and security equipment. No Report Submitted**

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**ITEM F: Fire Marshal: Administrative Report: No action to be taken.**  
Concerning on-site sewer facilities activity summary. 11-01-2022 to 11-30-2022. Exhibit F

Dispatched Calls:	122	Office Calls	139
Citations:	01	Inspections:	18
Fire reports requested	0	Fire cases recorded	26
Illegal Dumping Cases	22	Pickup order tickets for litter	10

Litter picked up (cubic feet)

Fire Marshal 1,250  
Adult Probation 0  
Willoughby 625  
Sheriff 1,250  
Team Total CF 3,125

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Motioned by Comm. Mauldin  
Seconded by Comm. Hatfield  
Comm. Hatfield, Judge Sims & Comm. Mauldin voted in favor  
Comm. Timmins Comm. Ebarb voted against  
Motion carried (3-2)  
Order #2022- 515

**Item #1. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve to place the Harrison County Fire Marshal's office, including On Site Sewage, under the direction of the Harrison County Sheriff's Department, effective January 1, 2023. Exhibit F-1

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**ITEM G: Purchasing:**

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**ITEM H: Human Resources: No Administrative Report Submitted - No Items submitted**

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**ITEM I: Treasurer:**

Motioned by Comm. Timmins  
Seconded by Comm. Ebarb  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2022-516

**1. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Treasurer's Monthly Report for November 2022, and authorization to publish on the county website pursuant to LGC Section 114.026. Exhibit I-1.

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Motioned by Comm. Ebarb  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2022-517

**2. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Harrison County Treasurer's Investment Report for November 2022. Exhibit I-2.

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**Elections: Administrative Report:** concerning the status relating to election activities. No Action to be taken. No Administrative submitted

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**ITEM K: New Business:**

Motioned by Comm. Timmins  
Seconded by Comm. Mauldin  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2022- 518

**Item #1. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the District Office Lease Amendment- 118<sup>th</sup> Congress between the U.S. House of Representatives and Harrison County for the lease of office space located at the Harrison County Courthouse annex with said lease to be effective 1-1-2023 through 1-2-2025, with monthly rent to be \$85.00. Exhibit K-1

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Motioned by Comm. Hatfield  
Seconded by Comm. Ebarb  
Motion carried (4-0)  
Comm. Timmins Abstained  
Order #2022- 519

**Item #2. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the approval of the Resolution Supporting Our Texas County Partners. Exhibit K-2

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Motioned by Comm. Mauldin  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2022- 520

**Item #3. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve The Enterprise Lease of a 2022 Ford Escape SE 4dr Front-Wheel Drive, Quote No. 6899067 for the Juvenile Department, and to include the proposal from Bobcat Communications and Technologies, Inc. for front and rear cages. Exhibit K-3

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Motioned by Comm. Timmins  
Seconded by Comm. Ebarb  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2022- 521

**Item #4. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve of the Harrison County Airport Ground Lease Tenant Constructed Hangar & Fuel System Agreement between Harrison County and Westchester Air Company, LTD commencing on January 1, 2023 and ending on December 31, 2057. Exhibit K-4

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Motioned by Comm. Ebarb  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2022- 522

**Item #5. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the contract, AIA Document and the TIPS Proposal from PMR Roofing in the amount of \$155,914.00 for the replacement of the roof on the historic courthouse, with alternate options to include: Exhibit K-5

- (1) Damaged wood decking repaired at unit cost of \$15.00 per sq. ft.
  - (2) Damaged wood fascia replace at unit cost of \$13.00 per linear ft.
  - (3) Price to prep, prime and paint metal roof dome
    - (3.1) Deduct \$5,600.00 initial if accepted. .
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Motioned by Comm. Timmins  
Seconded by Comm. Mauldin  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2022- 523

**Item #6. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the 2023 Cybersecurity Course Enrollment Form for Harrison County's participation in the TAX's cybersecurity training program. No Exhibit

**Correction made in open court by Judge Sims TAC's cybersecurity training program.**

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**Item #7. PUBLIC HEARING – EASTMAN CIRCULAR VENWTURES, LLC TAX ABATEMENT APPLICATION. Exhibit K-7**

Public Hearing Opened @ 10:01 A.M.

Public Hearing Closed @ 10:02 A.M.

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Motioned by Comm. Ebarb  
Seconded by Comm. Timmins  
All members voting in favor  
Motion carried unanimously (5-0)  
Order #2022-524

**Item #8. IT IS ORDERED** by the Commissioners' Court of Harrison County, Texas to approve the Tax Abatement Agreement between Harrison County and Eastman Circular Ventures, LLC. No Exhibit


**\*\*Adjusted motion in open court that this is a vote of support for the terms and abatement percentages of the proposed 381 agreement that Rush Harris has provided.**

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**ADJOURNMENT:**

**With no further business to come before the Court for consideration and action, the motion was made by Commissioner Timmins and seconded by Commissioner Ebarb to adjourn the meeting. Motion carried unanimously (5-0). Meeting adjourned at 10:10 A.M.**

**ATTEST:**

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