

**REGULAR MEETING OF THE COMMISSIONERS' COURT
HELD IN THE HISTORIC HARRISON COUNTY COURTHOUSE
MARSHALL, TEXAS
THIS THE 13TH DAY OF FEBRUARY, 2024**

BE IT REMEMBERED that at 9:00 a.m. on the 13th of February 2024, 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. The meeting was open to the public and notices of said meeting were posted as required by law.

Invocation was led by County Judge Chad Sims

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 9:06a.m.

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ITEM A: County Auditor: Becky Haynes gave Administrative Report: No action to be taken concerning Submission of financial reports. Exhibit A

Motioned by Comm. Hatfield
Seconded by Comm. Ebarb
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-45

Item #1. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve Line Item Transfers in the amount of \$34,744.80 Exhibit A-1

For the record: Note that most of these are non-department which is where a lot of overhead is carried and this is related to insurance. County insurance continues to increase each year. Almost 32,000, is related to that one line item.

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Motioned by Comm. Mauldin
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-46

Item #2. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the payment for Regular Bills in the amount of \$284,328.90 Exhibit A-2

For the record: 73,558.80 is related to grant for detention and confinement grant that will be reimbursing the County. Once the County is reimbursed County will only be spending 210,770.10.

Judge Sims inquired when County would receive funds from grant. Miss Haynes said this is the second court meeting that bills were paid with these funds. She believes this is quarterly reporting but not 100% sure. If it's quarterly reporting the County should receive reimbursement sometime in April. Keep in mind this grant is 1.7 million dollars for the jail and 93,000 for Willoughby Juvenile Center. County is looking at 1.8 million that has to be spent by July 2024. Judge Sims made a comment that he supposed Sergeant Mayes is behind the County receiving this big grant. Miss Haynes reply as yes. Judge Sims asked Sheriff Fletcher to pass on the courts thanks for getting the County this big grant.

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Motioned by Comm. Timmins
Seconded by Comm. Hatfield
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-47

Item #3. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve Payroll for February 2, 2024. Exhibit A-3.

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

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Motioned by Comm. Timmins
Seconded by Comm. Hatfield
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-48

Item #1. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the personnel changes for January 25, 2024 through February 7, 2024, for the Harrison County Road & Bridge Department. Exhibit B-1.

NEW HIRES: None

RESIGNATIONS: None

TERMINATIONS: None

RETIREMENTS: None

TRANSFER: None

Full Time Employees (53)	49 (Includes the Road Administrator)
F/T Vacancies:	4
Part Time Employees (3)	3
Part Time Vacancy:	0
Temporary (6)	0
Temp. Vacancies:	6

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Motioned by Comm. Hatfield
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-49

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

Gemini Carthage Pipeline, LLC
Bois D/Arc Midstream, LLC
Eastex Telephone Cooperative
Eastex Telephone Cooperative

CR No 1206/Grimes Rd
2401 Moxley Grocery Rd
1214 Waskom-Elysian Fields Rd
1213 Fox Hunting Rd

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Motioned by Comm. Ebarb
Seconded by Comm. Mauldin
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-50

Item #3. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve Private Road Issuance Order #77 for PR #4441, Walker Lane located in Precinct 4, approximately 2090 feet north of the intersection of PR 4432 and FM 450, running west of 450, the Walker Subdivision. Exhibit B-3

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ITEM C: SHERIFF'S DEPARTMENT: Administrative Report given by Sheriff Fletcher:
No action to be taken --- concerning statistics reflecting law enforcement activity, execution of civil responsibilities, jail population, also location of and turnover in prisoners.

DATES: 12-27-2023 TO 02-06-2024

Total Calls for Service **3240** Criminal Reports Taken **75**

Criminal Investigation Assigned Cases **284**

Arrest HCSO **99** (**figure includes Deputies & booking Jailers**)

Traffic Citations Issued **438** Mental **3**

Transport/Warrants Office **42** Transports

6159 Mileage

Civil Process: Legal Documents Received **344**

Served: **87** Personal Service
10 Indictment Precepts served in Jail
10 Tax Postings
19 CCL/DC Postings
1 Harrison Central Appraisal District Tax Sales

Total Served **127**

Juror Notices **1000**
Grand Juror Notices **0**

Item #2. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the donation from David M. Thomas, in the amount of \$200.00 to be used for the Harrison County Sheriff's Office K9 program. Exhibit C-2.

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Item D: Purchasing:

Motioned by Comm. Hatfield
Seconded by Comm. Ebarb
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-53

Item #1. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve to declare listed fixed assets as salvage and or surplus and to appropriately dispose of said items. Exhibit D-1

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ITEM E: New Business:

Item A. PUBLIC HEARING- Regarding the approval of the Resolution with Report to Establish the PACE Program in Harrison County.

Public Hearing Opened @ 9:29A.M.

Public Hearing Closed @ 9:31 A.M.

For the record: Rush Harris from Marshall Economic Develop spoke. Harris said this is another excellent tool. This gives existing companies a chance to take savings and to take advantage of some federal dollars that are out there. We are fortunate that the state has approved this and the County moving forward to help in this ordinance. Judge Sims gave a quick summary, this is approved by the State. It allows a businesses to borrow money for energy savings upgrades. The companies have to repay.

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Motioned by Comm. Hatfield
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-54

ITEM #1. IT IS ORDERED by the Commissioners' Court of Harrison County, to approve the Resolution with Report to Establish the PACE Program, in Harrison County. Exhibit E-1

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Motioned by Comm. Ebarb
Seconded by Comm. Mauldin
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-55

ITEM #2. IT IS ORDERED by the Commissioners' Court of Harrison County, to approve the Professional Service Agreement by and between Harrison County, Texas and Texas Property Assessed Clean Energy (PACE) Authority. Exhibit E-2

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Motioned by Comm. Mauldin
Seconded by Comm. Ebarb
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-56

ITEM #3. IT IS ORDERED by the Commissioners' Court of Harrison County, to approve the CORE Services Agreement Amendment No. 3 between Harrison County and ELAP Services to effective January 1, 2023. Exhibit E-3

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Motioned by Comm. Timmins
Seconded by Comm. Hatfield
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-57

ITEM #4. IT IS ORDERED by the Commissioners' Court of Harrison County, to approve the CORE Services Agreement Amendment No. 4 and Cost Containment and Guide Services Agreement Amendment No. 2 between Harrison County and ELAP Services to effective January 1, 2024. Exhibit E-4

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Motioned by Comm. Timmins
Seconded by Comm. Mauldin
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-58

ITEM #5. IT IS ORDERED by the Commissioners' Court of Harrison County, to approve Wendy Herigon and James McConnell, Fire Marshal's Office as the designated representatives

with the responsibility of submitting monthly activity report information to TCEQ's On-site Activity Reporting System (OARS) program. Exhibit E-5

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Motioned by Comm. Hatfield
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-59

ITEM #6. IT IS ORDERED by the Commissioners' Court of Harrison County, to approve the new revenue and approve a request for three (3) additional Change Fund Drawers in the amount of \$75.00 in each drawer for a total of \$225.00 for operation in the District Clerk's office.
No Exhibit

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Motioned by Comm. Ebarb
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-60

ITEM #7. IT IS ORDERED by the Commissioners' Court of Harrison County, to approve new revenue and approve a budget amendment in the amount of \$2,640 in the District Clerk's Records Preservation and Automation Fund 514.451.4439 to be increased for Case Binders for 2024. Exhibit E-7

For the record: Item amended in open court to strike new revenue and the word and. Item should read as follows. Consideration and action to accept and approve a budget amendment in the amount of \$2,640 in the District Clerk's Records Preservation and Automation Fund 514.451.4439 to be increased for Case Binders for 2024.

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Motioned by Comm. Timmins
Seconded by Comm. Mauldin
All members voting in favor
Motion carried unanimously (5-0)
Order #2024-61

ITEM #8. IT IS ORDERED by the Commissioners' Court of Harrison County, to approve new revenue and approve a budget amendment in the amount of \$3,188.89 in the District Clerk's Records Preservation and Automation Fund 514.451.4439 to purchase a new copier. Exhibit E-8


For the record: Item amended in open court to strike new revenue and the word and. Item should read as follows. Consideration and action to accept and approve a budget amendment in the amount of \$3,188.89 in the District Clerk's Records Preservation and Automation Fund 514.451.4439 to purchase a new copier.

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ADJOURNMENT:

With no further business to come before the Court for consideration and action, the motion was made by Commissioner Hatfield and seconded by Commissioner Timmins to adjourn the meeting. Motion carried unanimously (5-0). Meeting adjourned at 9:42 a.m.

ATTEST:


Elizabeth James, County Clerk
Harrison County, Texas

Date: 2/26/2024



County Judge
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
2024 FEB -9 AM 11:01
S. J. L. JAMES
TO CLERK OF COURTS
BY: *J. Black* 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 13th day of February, 2024 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 Payroll for February 2, 2024.

B. ROAD AND BRIDGE DEPARTMENT:

Administrative Report: No action to be taken – Concerning status of construction, maintenance and repairs of county roads, bridges, and right of ways; also concerning condition of equipment.

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:

Gemini Carthage Pipeline, LLC	CR No 1206/Grimes Rd
Bois D/Arc Midstream, LLC	2401 – Moxley Grocery Rd
Eastex Telephone Cooperative	1214 Waskom-Elysian Fields Rd
Eastex Telephone Cooperative	1213 Fox Hunting Rd
Eastex Telephone Cooperative	1218 Boiling Ln
Etex Telephone Cooperative	Smyrna Rd/County Road 4604

3. Consideration and approval of Private Road Issuance Order #77 for PR #4441, Walker Lane, located in Precinct 4, approximately 2090 feet north of the intersection of PR 4432 and FM 450, running west of 450, the Walker Subdivision.

C. SHERIFF'S DEPARTMENT:

Administrative Report: No action to be taken – Concerning statistics reflecting law enforcement activity; execution of civil responsibilities; jail population and location of and turnover in prisoners.

1. Consideration and approval to accept a donation from a donor who wishes to remain anonymous in the amount of \$3,175.28. This donation is to be used for Sniper Rifle ammunition.
2. Consideration and approval to accept a donation from David M. Thomas, in the amount of 200.00 to be used for the Harrison County Sheriff's Office K9 program.

D. PURCHASING:

1. Consideration and approval to declare listed fixed assets as salvage and or surplus and to appropriately dispose of said items.

E. NEW BUSINESS:

1. Consideration and action regarding the approval of the Resolution with Report to Establish the PACE Program in Harrison County.

2. Consideration and action regarding the approval of the Professional Service Agreement by and between Harrison County, Texas and Texas Property Assessed Clean Energy (PACE) Authority.
3. Consideration and action regarding the approval of the CORE Services Agreement Amendment No. 3 between Harrison County and ELAP Services to be effective January 1, 2023.
4. Consideration and action regarding the approval of the CORE Services Agreement Amendment No. 4 and Cost Containment and Guide Services Agreement Amendment No. 2 between Harrison County and ELAP Services to be effective January 1, 2024
5. Consideration and action regarding the approval of Wendy Herigon and James McConnell, Fire Marshal's Office as the designated representatives with the responsibility of submitting monthly activity report information to TCEQ's On-site Activity Reporting System (OARS) program.
6. Consideration and action to accept new revenue and approve a request for three (3) additional Change Fund Drawers in the amount of \$75.00 in each drawer for a total of \$225.00 for operation in the District Clerk's office.
7. Consideration and action to accept new revenue and approve a budget amendment in the amount of \$2640.00 in the District Clerk's Records Preservation and Automation Fund 514.451.4439 to be increased for Case Binders for 2024.
8. Consideration and action to accept new revenue and approve a budget amendment in the amount of \$3188.89 in the District Clerk's Records Preservation and Automation Fund 514.451.4439 to purchase a new copier.

ADJOURN

Chad Sims

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: February 9, 2024

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.)

Jammy Black
HARRISON COUNTY TEXAS
COUNTY CLERK