



**County Judge
CHAD SIMS
Harrison County**

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

FILED FOR RECORD

2020 DEC 18 AM 11:14

ELIZABETH JAMES
CO. CLERK HARRISON CO.

BY AC 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 22nd day of December, 2020, 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:

**PRESENTATION/DISCUSSION BY REPRESENTATIVE CHRIS
PADDIE REGARDING A PRE-SESSION LEGISLATIVE
UPDATE**

**PRESENTATION OF DELINQUENT TAX COLLECTION
REPORT BY LIZ VAUGHN, MCCREARY VESELKA BRAGG &
ALLEN PC**

PUBLIC COMMENTS – AGENDA ITEMS ONLY

DECLARE A QUORUM PRESENT:

CALL TO ORDER:

AGENDA

A. AUDITOR:

1. Consideration and approval regarding Line Item Transfers. (NO LINE ITEM TRANSFERS)

2. Consideration and approval of payment of Regular Bills.
3. Consideration and approval of Payroll.

B. COUNTY CLERK:

- 1.-Consideration and approval of transcribed minutes of Commissioner's Court Meeting(s) for November 12, 2020..

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: NO UTILITY APPLICATIONS FOR APPROVAL

D. SHERIFF'S DEPARTMENT:

1. Consideration and action subject to approval of ratification in Open Court, the following requests from the Sheriff's Department for the purchase and payment of the items listed below to be paid from CESF COVID-19 Support Grant #4146101 subject to the Exiting Elected Official Expenditure Order for the Sheriff's Department:

- a) PPE Supplies from Bound Tree in the amount of \$14,116.92.
- b) Two Commercial Washing Machines from CKL – Quote #100496 in the amount of \$21,172.02.
- c) Three Replacement Dryers from CKL – Quote 100496 in the amount of \$12, 623.90.

2. Consideration and action subject to approval of ratification in Open Court a request by the Sheriff's Office for the purchase and payment to AeroClave Disinfecting Equipment, Quote 1491633000012311307 in the amount of \$73,596.97 for 13 disinfecting units to be paid from TDEM Cares Act Coronavirus Relief Funds #2075908 subject to the Exiting Official's Expenditure Order for the Sheriff's Office.

3. Consideration and action subject to approval of ratification in Open Court a request by the Sheriff's Office for the purchase and payment as listed below to be paid from Investigative Equipment Upgrade Project Grant #4093901 subject to the Exiting Official's Expenditure Order for the Sheriff's Office:

- a) 21 Nikon B500 Digital Camera Kit from Adorama.com in the amount of \$6,425.00.
- b) 10 Garmin Drive Smart 65 GPS Units with Garmin Tandem Dash Cam and Accessories in the amount of \$6,599.60.

4. Consideration and action subject to approval of ratification in Open Court a request by the Sheriff's Office to submit payment to Smart Vending Services for E-Cigarettes for Invoice #1855 in the amount of \$1,073.18 to be paid from the Jail Commissary Fund subject to the Exiting Official's Expenditure Order for the Sheriff's Office

5. Consideration and action subject to approval of ratification in Open Court a request by the Sheriff's Dept. for the purchase and payment to Watch Guard for a \$RE Interview Room Camera System in the amount of \$5,780.00 to be paid from line item 100.561.4417.45 subject to the Exiting Official's Expenditure Order for the Sheriff's Office.

E. MAINTENANCE DEPARTMENT: NO ITEMS FOR APPROVAL

F. INFORMATION TECHNOLOGY: NO ITEMS FOR APPROVAL

G. FIRE MARSHAL: NO ITEMS FOR APPROVAL

H. PURCHASING: NO ITEMS FOR APPROVAL

I. HUMAN RESOURCES: NO ITEMS FOR APPROVAL,

J. TREASURER:

1. Consideration and action regarding the approval of Treasurer's Monthly Report for November, 2020 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 November, 2020.

K. ELECTIONS: NO ITEMS FOR APPROVAL

L. NEW BUSINESS:

1. Consideration and action regarding the re-appointment of Zephaniah Timmins, Eric Neal and Christina Anderson to serve on the Harrison County Industrial Development Authority (HCIDA) Board of Directors to serve an additional 6 year term as a volunteer.
2. Consideration and action regarding the approval of the District Office Lease Amendment - 117th Congress between the U.S. House of Representatives and Harrison County for the extended lease of office space located at the Harrison County Courthouse Annex with said extension to be effective 1/1/2020 through 1/2/2023 with monthly rent to remain at \$85.00.
3. Consideration and action regarding the approval of the Interlocal Agreements between Harrison County and the City of Marshall for Inmate Services and Ambulance/Rescue Service for Certain Areas in Harrison County.
4. Consideration and action regarding the approval of the Mutual Settlement and Release Agreement between Harrison County and Allied Waste Services, Inc. ("Republic Services") in the total sum of Twenty-Four Thousand Nine Hundred Fifty-Four Dollars and 01/100 (\$24,954.01) for the recovery of the overpayments from Republic Services.
5. Consideration and action to accept the resignation of Gary Heard as a member of the Cypress Valley Navigation District Board and to appoint Adam Watson as his replacement and to re-appoint Kenny Hill for each to serve a two (2) year term effective January 1, 2021.
6. Consideration and action on the re-appointment of Travis Fuller and Patricia Long as Fire Commissioners for Harrison County Emergency Services District No. 1 for a term of two years.
7. Consideration and action on the re-appointment of Jack Redmon, Tommy Crowell, Randall Jeans, Jim McNatt for a term of two years and the acceptance of the resignation of Gerald Hampton and the appointment of Texas Ruegg for a term of one year as to serve as Fire Commissioners for Harrison County Emergency Services District No. 2.
8. Consideration and action on the re-appointment of Stuart Agnor, Charlene Graff, Keith Purvis, Shirley Shivers for a term of two years and the acceptance of the resignation of Ricky Paul and the appointment of Keith Hill for a term of one year to serve as Fire Commissioners for Harrison County Emergency Services District No. 3.

9. Consideration and action on the re-appointment of Gary Curbey and John Morton as Fire Commissioners for Harrison County Emergency Services District No. 4 for a term of two years.

10. Consideration and action on the re-appointment of Faron Cain, Gary Wellburn, Tommy Pool, Mark McElory and Jerry Pierce as Fire Commissioners for Harrison County Emergency Services District No. 5 for a term of two years.

11. Consideration and action on the re-appointment of Harry Thorton as Fire Commissioner for Harrison County Emergency Services District No. 6 for a term of two years.

12. Consideration and action on the re-appointment of Jimmy Ponder, Tim Culpepper, and Billie Jean Collins for a term of two years and the acceptance of the resignation of Glynn Tompkins and the appointment of Josh Maness for a term of one year to serve as Fire Commissioners for Harrison County Emergency Services District No. 7.

13. Consideration and action on the re-appointment of Yancy Murray, Glen Ivey, Kenneth Wright and Brodie Morrison as Fire Commissioners for Harrison County Emergency Services District No. 8 for a term of two years.

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 18, 2020

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.)

By *Aylin Small*
Deputy County Clerk



**REGULAR MEETING OF THE COMMISSIONERS' COURT
HELD IN THE HISTORIC HARRISON COUNTY COURTHOUSE
MARSHALL, TEXAS
THIS THE 22ND DAY OF DECEMBER, 2020**

BE IT REMEMBERED that at 9:00 a.m. on the 22nd day of December, 2020, the Honorable Commissioners' Court of Harrison County, Texas met in 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 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: PRESENTATION/DISCUSSION BY REPRESENTATIVE CHRIS PADDIE REGARDING A PRE-SESSION LEGISLATIVE UPDATE.

PRESENTATION OF DELINQUENT TAX COLLECTION REPORT BY LIZ VAUGHN, MCCREARY VESELKA BRAGG & ALLEN, PC.

PUBLIC COMMENTS – AGENDA ITEMS ONLY

Declare A Quorum Present:

When the following were heard and the following Orders passed:

Call to Order by Judge Chad Sims at 10:08 a.m.

II

PUBLIC COMMENT BY: Judge Sims

Harrison County was notified by The Department of Safe Health Services that Harrison County exceeded the 15% hospitalization rate which triggered the executive order # 32 from Governor Abbott for Region G, covering 19 counties, that stretches from just past Smith County and all up and down the state line. These counties will have the restrictions as of today the 22nd of December, 2020. Reducing the occupancy from 75% down to 50%. Also closing any bars. elective surgeries will no longer be allowed while we are under this executive order. For the executive order to be lifted we have to remain below 15% for seven consecutive days, with no hospitalizations. We are certainly encouraging our community to take every precaution to stop the spread of the virus so we can get back to as normal as soon as possible.

ITEM A: County Auditor:

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

1. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve Line Item Transfers. (NO LINE ITEM TRANSFERS)

Motioned by Comm. Ebarb
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2020-459

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

Motioned by Comm. Timmins
Seconded by Comm. Mauldin
All members voting in favor
Motion carried unanimously (5-0)
Order #2020-460

3. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve County Payroll as submitted. No Exhibit

ITEM B: County Clerk:

Motioned by Comm. Timmins
Seconded by Comm. Ebarb
All members voting in favor
Motion carried unanimously (5-0)
Order #2020-461

1. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the minutes of Commissioner's Court Meeting(s) for November 12, 2020. Exhibit B-1

ITEM C: Road and Bridge Department:

Administrative Report: —Luke Davis, Harrison County Road Administrator, presented a report concerning the status of construction, maintenance and repairs of county roads, bridges and right of ways; also concerning condition of equipment. Exhibit C

Motioned by Comm. Mauldin
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2020-462

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

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 follows:
NO UTILITY APPLICATIONS FOR APPROVAL

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. Exhibit D

Motioned by Comm. Timmins
Seconded by Comm. Hatfield
All members voting in favor
Motion carried unanimously (5-0)
Order #2020-463

1. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the ratification in Open Court, the following request from the Sheriff's Department for the purchase and payment of the items listed below to be paid from CESF COVID-19 Support Grant #4146101 subject to the Existing Elected Official Expenditure Order for the Sheriff's Department. Exhibit D-1

a. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the PPE Supplies from Bound Tree in the amount of \$14,116.92.
Exhibit 1- a

b. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the two Commercial Washing Machines from CKL + Quote #100496 in the amount of \$21,172.02.
Exhibit 1-b

c. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve Three Replacement Dryers from CKL-Quote 100496 in the amount of \$12,623.90.
Exhibit 1-c

Motioned by Comm. Timmins
Seconded by Comm. Hatfield
All members voting in favor
Motion carried unanimously (5-0)
Order #2020-464

2. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the ratification in Open Court a request by the Sheriff's Office for the purchase and payment to Aero Clave LLC Disinfecting Equipment, Quote 149163300001211307, in the amount of \$73,596.97, for 13 disinfecting units to be paid from TDEM Cares Act Coronavirus Relief Funds #2075908 subject to the Existing Official's Expenditure Order for the Sheriff's Office. Exhibit D-2

Motioned by Comm. Timmins
Seconded by Comm. Hatfield
All members voting in favor
Motion carried unanimously (5-0)
Order #2020-465

3. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the ratification in Open Court a request by the Sheriff's Office for the purchase and payment as listed below to be paid from Investigative Equipment Upgrade Project Grant #4093901 subject to the exiting Official's Expenditure Order for the Sheriff's Office... Exhibit D-3

a. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the 21 Nikon B500 Digital Camera Kit from Adorama.com in the amount of \$6,425.00.
Exhibit 3-a

b. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the 10 Garmin Drive Smart 65 GPS Units with Garmin Tandem Dash Cam and Accessories in the amount of \$6,599.60.
Exhibit 3-b

Motioned by Comm. Timmins
Seconded by Comm. Mauldin
All members voting in favor
Motion carried unanimously (5-0)
Order #2020-466

4. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the ratification in Open Court a request by the Sheriff's Office to submit payment to Smart Vending Services for E-Cigarettes for Invoice #1855 in the amount of \$1,073.18 to be paid from the Jail Commissary Fund subject to the Exiting Official's Expenditure Order for the Sheriff's Office.
Exhibit D-4

Motioned by Comm. Hatfield
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2020-467

5. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the ratification in Open Court a request by the Sheriff's Department for the purchase and payment to Watch Guard for Interview Room Camera System in the amount of \$5,780.00, to be paid from line item 100.561.4417.45 subject to the Exiting Official's Expenditure Order for the Sheriff's Office. Exhibit D-5

ITEM E: Maintenance Department: No Items for Approval

ITEM F: Information Technology: No Items for Approval

ITEM G: Fire Marshal: No Items for Approval

ITEM H: Purchasing: No Items for Approval

ITEM I: Human Resources: No Items for Approval

ITEM J: Treasurer:

Motioned by Comm. Timmins
Seconded by Comm. Mauldin
All members voting in favor
Motion carried unanimously (4-1)
Order #2020-468

1. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the Treasurer's Monthly Report for November 2020 and authorization to publish on the county website pursuant to LGG Section 114.026. Exhibit J-1

Motion by Comm. Timmins
Seconded by Comm. Ebarb
All members voting in favor
Motion carried unanimously (4-1)
Order #2020-469

2. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the County Treasurer's Investment report for the month of November 2020.
Exhibit J-2

ITEM K: Elections: No Items for Approval

ITEM L: New Business

Motioned by Comm. Ebarb
Seconded by Comm. Mauldin
Commissioner Hatfield Abstained
Motion carried unanimously (4-1)
Order #2020-470

1. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the re-appointment of Zephaniah Timmins, Eric Neal and Christina Anderson to serve on the Harrison County Industrial Development Authority (HCIDA) Board of Directors to serve an additional 6 year term as a volunteer. Exhibit L-1

Motioned by Comm. Timmins
Seconded by Comm. Hatfield
All members voting in favor
Motion carried unanimously (5-0)
Order #2020-471

2. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the District Office Lease Amendment – 117th Congress between the U.S. House of Representatives and Harrison County for the extended lease of office space located at the Harrison County Courthouse Annex with said extension to be effective 1/1/2020 through 1/2/2023, with monthly rent to remain at \$85.00. Exhibit L-2

Motioned by Comm. Hatfield
Seconded by Comm. Mauldin
All members voting in favor
Motion carried unanimously (5-0)
Order #2020-472

3. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the Interlocal Agreements between Harrison County and the City of Marshall for Inmate Services and Ambulance/Rescue Service and Ambulance/Rescue Service for certain areas in Harrison County. Exhibit L-3

Motioned by Comm. Timmins
Seconded by Comm. Hatfield
Commissioner Hatfield Abstained
Motion carried unanimously (4-1)
Order #2020-473

4. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the Mutual Settlement and Release Agreement between Harrison County and Allied Waste Services, Inc. ("Republic Services") in the total sum of Twenty-Four Thousand Nine Hundred Fifty-Four Dollars and 01/100 (\$24,954.01) for the recovery of the overpayments from Republic Services. Exhibit L-4

Motioned by Comm. Hatfield
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2020-474

5. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the resignation of Gary Heard as a member of the Cypress Valley Navigation District Broad and to appoint Adam Wayson as his replacement and to reappoint Kenny Hill for each to serve a two (2) year term effective January 1, 2021. Exhibit L-5

Motioned by Comm. Ebarb
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2020-475

6. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the re-appointment of Travis Fuller and Patricia Long as Fire Commissioners for Harrison County Emergency Services District o. 1 for a term of two years. No Exhibit

Motioned by Comm. Ebarb
Seconded by Comm. Timmins
All members voting in favor
Motion carried unanimously (5-0)
Order #2020-476

7. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the re-appointment of Jack Redmon, Tommy Crowell, Randall Jeans, and Jim McNatt for a term of two years and the acceptance of the resignation of Gerald Hampton and the appointment of Texas Ruegg for a term of one year as to serve as Fire Commissioners for Harrison County Emergency Services District No. 1. No Exhibit

Motioned by Comm. Hatfield
Seconded by Comm. Ebarb
All members voting in favor
Motion carried unanimously (5-0)
Order #2020-477

8. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the re-appointment of Stuart Agnor, Charlene Graff, Keith Purvis, and Shirley Shivers for a term of two years and the acceptance of the resignation of Ricky Paul and the appointment of Keith ill for a term of one year to serve as Fire Commissioners for Harrison County Emergency Services District No. 3 No Exhibit

Motioned by Comm. Ebarb
Seconded by Comm. Mauldin
All members voting in favor
Motion carried unanimously (5-0)
Order #2020-478

9. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the re-appointment of Gary Curbey and John Morton as Fire Commissioners for Harrison County Emergency Services District No. 4 for a term of two years. No Exhibit

Motioned by Comm. Mauldin
Seconded by Comm. Ebarb
All members voting in favor
Motion carried unanimously (5-0)
Order #2020-479

10. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the re-appointment of Faron Cain, Gary Wellburn, Tommy Pool, Mark McElory and Jerry Pierce as Fire Commissioners for Harrison County Emergency Services District No. 5 for a term of two years. No Exhibit

Motioned by Comm. Ebarb
Seconded by Comm. Mauldin
All members voting in favor
Motion carried unanimously (5-0)
Order #2020-480

11. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the re-appointment of Harry Thorton as Fire Commissioner for Harrison County Emergency Services District No. 6 for a term of two years. No Exhibit

Motioned by Comm. Hatfield
Seconded by Comm. Ebarb
All members voting in favor
Motion carried unanimously (5-0)
Order #2020-481

12. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the re-appointment of Jimmy Ponder, Tim Culpepper, and Billie Jean Collins for a term of two years and the acceptance of the resignation of Glynn Tompkins and the appointment of Josh Maness for a term of one year to serve as Fire Commissioners for Harrison County Emergency Services District No.7. No Exhibit

Motioned by Comm. Ebarb
Seconded by Comm. Mauldin
All members voting in favor
Motion carried unanimously (5-0)
Order #2020-481

13. IT IS ORDERED by the Commissioners' Court of Harrison County, Texas to approve the re-appointment of Yancy Murray, Glen Ivey, Kenneth Wright and Brodie Morrison as Fire Commissioners for Harrison County Emergency Services District No.8 for a term of two years. No Exhibit

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 10:32 a.m.

ATTEST:



Elizabeth James, County Clerk
Harrison County, Texas

APPROVED:



Chad Sims, County Judge
Harrison County, Texas

Minutes approved on 1-19-21.