

STATE OF TEXAS §

COUNTY OF HENDERSON §

BE IT REMEMBERED, that the Commissioner's Court met in **Regular Session on May 9th, 2023 @ 9:00 A.M.** with the following members present, to-wit:

Wade McKinney	County Judge
Wendy Spivey	Comm. Pct. # 1
Scott Tuley	Comm. Pct. # 2
Charles McHam	Comm. Pct. # 3
Mark Richardson	Comm. Pct. # 4

And transacted the following business, to-wit:

Judge McKinney called the meeting to order @ 9:02 A.M.

There were no citizens' comments.

Motion made by Comm. Tuley and seconded by Comm. Spivey to approve the minutes as amended from the previously held meeting of Commissioners Court on May 2nd, 2023. Voted unanimously by the court.

Motion made by Comm. Richardson and seconded by Comm. McHam to approve the request for a refund of overpayment of taxes in the amount of \$11,354.07 from the Henderson County Tax Assessor/Collector. Voted unanimously by the court.

Motion made by Comm. Spivey and seconded by Comm. Richardson to approve a request to sell Twenty (20) Old Voting Machine Carts in the amount of \$25.00 each to the Houston County Election Department. Voted unanimously by the court.

Motion made by Comm. Tuley and seconded by Comm. McHam to approve to select Kitchell as First and Green Star as Second for Third Party Engineering Review of Investment Grade Energy Audit (IGA) provided by McKinstry as related to the Justice Center. Voted unanimously by the court.

Motion made by Comm. McHam and seconded by Comm. Richardson to approve to select Brightspeed followed by Spectrum and NextLink and begin negotiations with service provider in response to ARPA Request for Proposal No. 003 (RFP) for Broadband ISP Fiber Optic services. Voted unanimously by the court.

Motion made by Comm. McHam and seconded by Comm. Richardson to approve supporting the proposed closing of Prairieville Street on May 26th, 2023 in conjunction with Athens Old Fiddlers Reunion. Voted unanimously by the court.

Motion made by Comm. Spivey and seconded by Comm. Tuley to approve accepting funds in the amount of \$3,069.36 from the City of Tool to Precinct #1, for road materials in accordance with the InterLocal Agreement approved March 14th, 2023. Voted unanimously by the court.

Financial Reports were received from JP1 – JP5, County and District Clerk and all courts.

There were no Payroll Distributions or Account Cash Sheets submitted.

There were no contracts submitted.

Motion made by Comm. Spivey and seconded by Comm. Richardson to approve the right-of-way permit with Charter-Spectrum to place fiber optic cable, one Class 5 - 30 ft pole E/W Power Supply Cabinet and Trench 20 ft of ½" HDPE conduit within the right-of-way on Ennis Davis Dr., located in Precinct #1, giving Comm. Spivey authorization to sign. Voted unanimously by the court.

Motion made by Comm. Spivey and seconded by Comm. McHam to approve the right-of-way permit with Spectrum to install conduit and fiber optics on CR 1219 South of TX 31, located in Precinct #1, giving Comm. Spivey authorization to sign. Voted unanimously by the court.

Motion made by Comm. Tuley and seconded by Comm. Spivey to approve right-of-way permit with Oncor Electric to place a utility facility within the right-of-way on Cedar Drive, located in Precinct #2, giving Comm. Tuley authorization to sign. Voted unanimously by the court.

Motion made by Comm. Tuley and seconded by Comm. McHam to approve right-of-way permit with Brightspeed (CenturyLink) to place a buried fiber optic cable within the right-of-way on Double Bridge Rd, Fargo Rd., located in Precinct #2, giving Comm. Tuley authorization to sign. Voted unanimously by the court.

There were no Budget Amendments submitted.

Motion made by Comm. Richardson and seconded by Comm. McHam to approve the payment of bills for **FY2023** in the amount of \$223,782.96. Voted unanimously by the court.

Motion made by Comm. Spivey and seconded by Comm. Tuley to approve the proposed final plat of a new subdivision named Barnwood Farms on CR 1404 and CR 1405, located in Precinct #1 for filing purposes only. Voted unanimously by the court.

There were no Bids submitted.

Motion made by Comm. Tuley and seconded by Comm. Spivey to approve to adjourn the meeting at 9:52 A.M. Voted unanimously by the court.

Read and Approved:


County Judge, Wade McKimney