

STATE OF TEXAS  
COMMISSIONERS COURT  
COUNTY OF HOOD

BE IT KNOWN THAT ON THIS THE 23<sup>RD</sup> DAY OF FEBRUARY, 2010, THE HONORABLE COMMISSIONERS COURT OF HOOD COUNTY WAS DULY CONVENED IN REGULAR SESSION IN THE CENTRAL JURY ROOM OF THE JUSTICE CENTER, 1200 W PEARL ST., GRANBURY, TEXAS, FOR THE FOLLOWING PURPOSES, TO WIT:

Pursuant to the Texas Open Meetings Act, notice is hereby given that a regular meeting of the Commissioners' Court of Hood County, Texas will be held on **Tuesday, February 23, 2010 at 7:00 PM** in the **JURY SELECTION ROOM OF THE HOOD COUNTY JUSTICE CENTER** 1200 W. Pearl St, Granbury, Texas 76048. At which meeting the following subjects will be discussed and the following matters acted upon.

**AGENDA:**

- I. Call to order
- II. Invocation
- II. Pledge of Allegiance
- II. Pledge to Texas  
"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible"
- II. Special presentations
  - A. Poison Prevention Week
- II. Citizens' Comments pertaining to AGENDA ITEMS only.
- II. CONSENT AGENDA
  - A. Minutes:
    - 1. Regular commissioners' court meeting minutes on Tuesday, Feb. 9 2010, at 9 AM.
    - 2. Special called Commissioners Court meeting minutes Feb. 16, 2010.
  - B. Treasurer:
    - 1. Ratify payroll for the period 2/1/10-2/14/10 paid 2/19/10
    - 2. Ratify jury paid through 02/17/10
    - 3. Treasurer's collateral reports for
      - a) First Financial Bank/January 2010
      - b) Town & Country Bank/January 2010
    - 4. Treasurer's interest income report for January 2010
    - 5. Treasurer's monthly report for January 2010
  - C. personnel changes, new hires, and terminations
  - D. Monthly activity and financial reports of county officials.
    - 1. Constable 1 & 2 Jan. 10 amended
    - 2. Constable 3 Jan. 10
    - 3. Constable 4 Dec.09, Jan. 10
    - 4. County Clerk Jan. 10
    - 5. County Attorney Jan. 10
    - 6. Development and Compliance Jan. 10
    - 7. District Clerk Jan. 10
    - 8. Elections Administrator Jan. 10
    - 9. Environmental Health Jan. 10
    - 10. Extension Agent Jan. 10
    - 11. Fire Marshall Jan. 10
    - 12. Justice of the Peace 1 & 2 Jan. 10
    - 13. Justice of the Peace 3 Jan. 10
    - 14. Justice of Peace 4 Jan. 10
    - 15. Library Jan. 10
    - 16. Sheriff
      - Animal Control Jan 10
      - Civil & Warrants Dec 09, Jan 10

Escrow	Dec 09, Jan 10
Pay Phone (T-Netix)	Nov 09, Dec 09
17. Tax Assessor	Jan. 10

- E. Approve increase in bond for Tax Assessor Collector.
- F. Approve cell phone stipend not to exceed \$40 per month:
  - 1. Andrew Honecker, Sheriff's Office Deputy.
- G. Approve cell phone stipend not to exceed \$90 per month for Jackie Solomon, Director, Information Systems.
- H. Approve Police contact Data Annual Report, Jan. 1, 2009 – Dec. 31, 2009, for:
  - 1. Constable, Pct. 1 & 2.
  - 2. Constable, Pct. 4.
- I. Approve interlocal agreements for Animal control with the cities of DeCordova, Lipan, and Tolar. (SO)
- J. Approve Audit Report for Constable Pct. 3 Office. **(AUD)**

VIII. Business to be discussed and considered for approval:

A. **SUBDIVISIONS, ROADS AND PLATS**

**1 Road Operations**

- a) Public Hearing to discuss and consider approval of the following proposed traffic regulations:
  - 1) Establish a 30 MPH speed limit on Nelson Court.
  - 2) Establish a 45 MPH speed limit on Star Hollow Road from Bluff Dale Road to the 7200 Block and from the 7300 Block to the 8600 Block.
  - 3) Establish a 30 MPH speed limit on XA Meyer Road from Meander Road to FM 167 North.

**2. Development and Compliance**

- a) Public Hearing to discuss and consider approval of a Site Development Plan submitted by Headliner Holdings LLC, regarding the construction of The Rio Brazos Festival Park, to be located at 6611 Glen Rose Highway, Granbury, Texas 76048.
- b) Public Hearing to discuss and consider approval of a Site Development Plan submitted by Gibson Oilfield Services, regarding the construction of a metal building at 5810 Acton Circle, Granbury, Texas 76049.
- c) Set a Public Hearing for the re-plat of Lots 4R-1 & 4R-2, Block 2, River Country Acres.

B. **BUDGET AND FINANCE (AUD)(TR)**

- 1. Consider budget line item amendments for the period January 29, 2010 through February 11, 2009, and take appropriate action. **(AUD)**
- 2. Consider payment of bills for the period January 29, 2010 through February 11, 2009, and take appropriate action. **(AUD)**
- 3. Consider and take appropriate action on Annual review and approval of Hood County Investment Policy and Investment Strategies in accordance with Chapter 2256, Public Funds Investment Act to include authorizing County Judge to sign adoption/approval of same. **(TR)**
- 4. Consider and take appropriate action on Annual review and approval of Hood County Resolution Designating Investment Officer and allow County Judge to sign resolution. **(TR)**
- 5. Consider and take appropriate action on Annual review and approval of Hood County Resolution Adoption of Hood County's Authorized Brokers and allow County Judge to sign resolution. **(TR)**
- 6. Consider and take appropriate action on Accepting County Treasurer's Certification of Compliance regarding County Investment Officer status and completion of

C. MISCELLANEOUS:

1. Consider and take appropriate action on the following items for the AMUD first-time sewer
  - a. Resolution to amend Texas CDBG contract 728509 to reflect project location and quantity changes made during engineering design and authorize County Judge to sign.
  - b. Inter-Local Agreement between AMUD and Hood County.
2. Discuss and take appropriate action on petitions submitted by the Hood County Citizens for Economic Growth for the following issues to be placed on the ballot, May 8, 2010 for Justice of the Peace Precinct 4.
  - a. The legal sale of beer and wine for off-premise consumption only.
  - b. The legal sale of mixed beverages in restaurants by food and beverage certificate holders only.
3. Consider request from Tax Assessor-Collector to transfer current balance in VIT Interest line account (098-370-370) to Tax Assessor-Collector and take appropriate action. (TAC)
4. Convene in Executive Session for Personnel Matters pursuant to Section 551.074(a)(1) to deliberate the appointment, employment, duties, discipline, dismissal regarding position of Constable Pct. 1 & 2.
5. Reconvene and take appropriate action.

ADJOURN

THE FOLLOWING MEMBERS WERE PRESENT:

- ANDY RASH, COUNTY JUDGE
- MIKE SYMPSON, COMMISSIONER PRECINCT 1
- DICK ROAN, COMMISSIONER PRECINCT 2
- LEONARD HEATHINGTON, COMMISSIONER PRECINCT 3
- STEVE BERRY, COMMISSIONER PRECINCT 4
- MARY BURNETT, CHIEF DEPUTY CLERK

REGARDING ITEM I: JUDGE RASH CALLED THE MEETING TO ORDER AT APPROXIMATELY 7:00 P.M. ON THE AFORESAID DATE OF FEBRUARY 23, 2010.

REGARDING ITEM II: THE INVOCATION WAS GIVEN BY J.C. CAMPBELL

REGARDING ITEM III: PLEDGE OF ALLEGIANCE LEAD BY COMMISSIONER SYMPSON

REGARDING ITEM IV: PLEDGE TO TEXAS LEAD BY COMMISSIONER HEATHINGTON

REGARDING ITEM V: SPECIAL PRESENTATIONS – PROCLAMATION FOR POISON PREVENTION WEEK. SEE ATTACHED

REGARDING ITEM VI: CITIZENS COMMENTS. NONE

REGARDING ITEM VII.A-E: MOTION MADE BY COMMISSIONER SYMPSON TO APPROVE THE CONSENT AGENDA. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII.A.1.a.1-3: JUDGE RASH OPENED PUBLIC HEARING. NO COMMENTS FROM PUBLIC. JUDGE RASH CLOSED THE PUBLIC HEARING. MOTION MADE BY COMMISSIONER SYMPSON TO APPROVE ESTABLISHING A 30 MPH SPEED LIMIT ON NELSON COURT, 45 MPH SPEED LIMIT ON STAR HOLLOW ROAD FROM BLUFF DALE ROAD TO THE 7200 BLOCK AND FROM THE 7300 BLOCK TO THE 8600 BLOCK, AND 30 MPH SPEED LIMIT ON XA MEYER ROAD FROM MEANDER ROAD TO FM 167 NORTH. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.A.2.a: JUDGE RASH OPENED PUBLIC HEARING. NO COMMENTS FROM PUBLIC. JUDGE RASH CLOSED PUBLIC HEARING. MOTION MADE BY COMMISSIONER HEATHINGTON TO APPROVE THE SITE DEVELOPMENT PLAN SUBMITTED BY HEADLINER HOLDINGS LLC, REGARDING THE CONSTRUCTION OF THE RIO BRAZOS FESTIVAL PARK TO BE LOCATED AT 6611 GLEN ROSE HIGHWAY, GRANBURY TEXAS.76048, CONTINGENT ON STATE APPROVAL FOR ACCESS FROM MAMBRINO HIGHWAY. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.A.2.b: JUDGE RASH OPENED PUBLIC HEARING. NO COMMENTS FROM PUBLIC. JUDGE RASH CLOSED PUBLIC HEARING. MOTION MADE BY COMMISSIONER BERRY TO APPROVE SITE DEVELOPMENT PLAN SUBMITTED BY GIBSON OILFIELD SERVICES, REGARDING THE CONSTRUCTION OF A METAL BUILDING AT 5810 ACTON CIRCLE, GRANBURY, TEXAS 76049. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.A.2.c: REQUESTER ASKED TO WITHDRAW. MOTION MADE BY COMMISSIONER ROAN TO WITHDRAW RE-PLAT OF LOTS 4R-1 & 4R-2, BLOCK 2, RIVER COUNTRY ACRES. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.B.1: MOTION MADE BY COMMISSIONER SYMPSON TO APPROVE THE MONTHLY BUDGET LINE ITEM AMENDMENTS FOR THE PERIOD JANUARY 29, 2010 THROUGH FEBRUARY 11, 2010. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII.B.2: MOTION MADE BY COMMISSIONER HEATHINGTON TO APPROVE BILLS AS PRESENTED FOR THE PERIOD OF JANUARY 29, 2010 THRU FEBRUARY 11, 2010. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII.B.3: MOTION MADE BY COMMISSIONER HEATHINGTON TO APPROVE HOOD COUNTY INVESTMENT POLICY AND INVESTMENT STRATEGIES IN ACCORDANCE WITH GOVERNMENT CODE, TITLE 10 CHAPTER 2256, PUBLIC FUNDS INVESTMENT ACT AND AUTHORIZE COUNTY JUDGE TO SIGN RESOLUTION OF ADOPTION. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED

REGARDING ITEM VIII.B.4: MOTION MADE BY COMMISSIONER ROAN TO APPROVE HOOD COUNTY RESOLUTION DESIGNATING INVESTMENT OFFICER AND AUTHORIZE COUNTY JUDGE TO SIGN RESOLUTION. SECONDED BY COMMISSIONER BERRY. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED

REGARDING ITEM VIII.B.5: MOTION MADE BY COMMISSIONER BERRY TO APPROVE HOOD COUNTY RESOLUTION ADOPTION OF HOOD COUNTY'S AUTHORIZED BROKERS AND AUTHORIZE COUNTY JUDGE TO SIGN RESOLUTION. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED

REGARDING ITEM VIII.B.6: MOTION MADE BY COMMISSIONER ROAN TO ACCEPT COUNTY TREASURER'S CERTIFICATION OF COMPLIANCE REGARDING COUNTY INVESTMENT OFFICER STATUS AND COMPLETION OF EDUCATION CERTIFICATE FOR 2009. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.C.1.a: MOTION MADE BY COMMISSIONER HEATHINGTON TO APPROVE RESOLUTION TO AMEND TEXAS CDBG CONTRACT 728509 TO REFLECT PROJECT LOCATION AND

QUANTITY CHANGES MADE DURING ENGINEERING DESIGN AND AUTHORIZE COUNTY JUDGE TO SIGN. SECONDED BY COMMISSIONER BERRY. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED

REGARDING ITEM VIII.C.1.b: MOTION MADE BY COMMISSIONER HEATHINGTON TO APPROVE INTER-LOCAL AGREEMENT BETWEEN AMUD AND HOOD COUNTY. SECONDED BY COMMISSIONER BERRY. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED

REGARDING ITEM VIII.C.2.a-b: MOTION MADE BY COMMISSIONER BERRY TO APPROVE PETITIONS SUBMITTED BY THE HOOD COUNTY CITIZENS FOR ECONOMIC GROWTH TO PLACE ON THE MAY 8, 2010 FOR JUSTICE OF THE PEACE PRECINCT 4, PROPOSITION FOR THE LEGAL SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION ONLY AND PROPOSITION FOR THE LEGAL SALE OF MIXED BEVERAGES IN RESTAURANTS BY FOOD AND BEVERAGE CERTIFICATE HOLDERS ONLY. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII.C.3: MOTION MADE BY COMMISSIONER ROAN TO APPROVE REQUEST BY TAX ASSESSOR-COLLECTOR TO TRANSFER CURRENT BALANCE IN VIT INTEREST LINE ACCOUNT (098-370-370) TO TAX ASSESSOR-COLLECTOR. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.C.4: CONVENED INTO EXECUTIVE SESSION FOR PERSONNEL MATTERS PURSUANT TO SECTION 551.074(a)(1) TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, DUTIES, DISCIPLINE, DISMISSAL REGARDING POSITION OF CONSTABLE PCT. 1&2 AT 7:31 P.M.

REGARDING ITEM VIII.C.5: RECONVENED REGULAR SESSION AT 8:44 P.M. MOTION MADE BY COMMISSIONER ROAN TO ACCEPT CONSTABLE PCT 1&2, KELLY KISTNER'S RESIGNATION, AND TO ELEVATE EXISTING DEPUTY CONSTABLE, BILL HAYNES TO CONSTABLE PCT 1&2 WITH COMMENSURATE PAY ACCORDING TO THE CONSTABLE PAY SCHEDULE. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED.

COURT ADJOURNED AT 8:44 P.M.

APPROVED:

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ANDY RASH, COUNTY JUDGE

ATTEST:

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SALLY OUBRE, COUNTY CLERK