

STATE OF TEXAS

COMMISSIONERS COURT

COUNTY OF HOOD

BE IT KNOWN THAT ON THIS THE 27TH DAY OF JULY, 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, July 27, 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
- III. Pledge of Allegiance
- IV. Pledge to Texas
"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible"
- V. Special presentations
- VI. Citizens' Comments pertaining to AGENDA ITEMS only.
- VII. CONSENT AGENDA
 - A. Minutes:
 1. Regular Commissioners' Court minutes for Tuesday, July 13, 2010 at 9 AM.
 2. Special called Commissioners' Court minutes for Wednesday, July 7, 2010. (budget)
 3. Special called Commissioners' Court minutes for Thursday, July 8, 2010. (budget)
 4. Special called Commissioners' Court minutes for Friday, July 9, 2010. (budget)
 5. Special called Commissioners' Court minutes for Tuesday, July 20, 2010. (Courthouse)
 - B. Treasurer
 1. Ratify payroll from July 5 through July 18, 2010, paid on July 23, 2010.
 2. Ratify jury payroll paid through July 20, 2010.
 3. Treasurer's collateral reports.
 4. Treasurer's interest income report for June 2010.
 5. Treasurer's monthly report for June 2010.
 - C. personnel changes, new hires, and terminations
 - D. Monthly activity and financial reports of county officials.
 1. Constable 1 & 2 June
 2. Constable 3 June
 3. County Attorney June
 4. Development and Compliance June
 5. District Clerk June
 6. Elections Administrator May, June
 7. Environmental Health June
 8. Fire Marshall June
 9. Justice of the Peace 1 & 2 June
 10. Justice of the Peace 3 June
 11. Justice of Peace 4 June amended
 12. Library June amended
 13. Sheriff
 - Animal Control June
 - Civil & Warrants June
 - Escrow June
 - Pay Phone (T-Netix) May
 14. Tax Assessor June

- E. Ratify the transfer of Deputy Constable from Precinct 3 to Precinct 1 & 2. **(C1&2)**
- F. Review and approve the Renewal for County Health Coverage and authorize County Judge to sign same. **(PER)**
- G. Authorize County Judge to sign Cooperative Agreement between the Office of the Attorney General of the State of Texas and Hood County, Texas (Contract No. 11-C0037). **(DC)**
- H. Purchasing
 - 1. Approve request to bid the materials and application to accomplish Chip Seal Maintenance for portions of Acton Hwy and Contrary Creek Road.
- I. Approve and authorize Sheriff to sign training agreement with Tecluse and take appropriate action. **(SO)**
- J. Accept Brazos Bend \$1500 donation for the Sheriff's Office water rescue.

VIII. Business to be discussed and considered for approval:

A. **SUBDIVISIONS, ROADS AND PLATS**

- 1. Road Operations
 - a. Consider request from Robert Dozier, representing the Comanche Harbor HOA, concerning the closure of an un-named road that crosses the top of Comanche Harbor Lake Dam (TX 04489) Hood county has no title, claim or interest in the 413 ft. crossing. Take appropriate action on the request.
- 2. Development and Compliance
 - a. Public Hearing to consider and take appropriate action on the Land Use variance request located at 1606 Island Village Court, in Precinct 1 and submitted by Frank ODell.
 - b. Public Hearing to consider and take appropriate action for the revision of Section 3 to Subdivision Regulations of the Hood County Development Regulations.
 - c. Set a Public Hearing to consider and take appropriate action for the Re-Plat of lot 40R-1 of Decordova Hills located in Precinct 3 and submitted by Brazos Electric.
 - d. Consider and take appropriate action on the Site Development Plan at 3819 Tin Top Highway, submitted by Pro Equine and located in Precinct 3.

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

- 1. Consider budget line item amendments for the period July 30, 2010 through August 13, 2010, and take appropriate action.
- 2. Consider payment of bills for the period July 2, 2010 through July 15, 2010, and take appropriate action.
- 3. Consider policy to limit spending at the end of the budget and take appropriate action.

C. **MISCELLANEOUS:**

- 1. Discuss purchase of Electronic Poll book System and take appropriate action. **(EA)**
- 2. Convene into executive session with the attorney to receive legal advice about ongoing litigation, pursuant to TX government code, section 551.071.
- 3. Reconvene into open session to take appropriate action regarding ongoing litigation.

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
 MARLINA STUCKEY, CHIEF DEPUTY

REGARDING ITEM I: JUDGE RASH CALLED THE MEETING TO ORDER AT APPROXIMATELY 7:00 P.M. ON THE AFORESAID DATE OF JUNE 22, 2010.

REGARDING ITEM II: COMMISSIONER HEATHINGTON GAVE THE INVOCATION.

REGARDING ITEM III: COMMISSIONER SYMPSON LED THE PLEDGE OF ALLEGIANCE

REGARDING ITEM IV: COMMISSIONER BERRY LED THE PLEDGE TO TEXAS.

REGARDING ITEM V: SPECIAL PRESENTATIONS - NONE

REGARDING ITEM VI: CITIZENS COMMENTS. NONE

REGARDING ITEM VII: 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: MOTION MADE BY COMMISSIONER SYMPSON TO AFFIRM THAT HOOD COUNTY HAS NO TITLE, CLAIM OR INTEREST IN THE 413 FEET OF ROAD CROSSING THE TOP OF COMANCHE HARBOR LAKE DAM. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.A.2.a: MOTION MADE BY COMMISSIONER HEATHINGTON TO TABLE THIS ITEM AT THE REQUEST OF DEVELOPMENT AND COMPLIANCE. SECONDED BY COMMISSIONER BERRY. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.A.2.b: JUDGE RASH OPENED A PUBLIC HEARING ON THE REVISION OF SECTION 3 TO SUBDIVISION REGULATIONS OF HOOD COUNTY. NO PUBLIC COMMENT. JUDGE RASH CLOSED THE PUBLIC HEARING. MOTION MADE BY COMMISSIONER BERRY TO APPROVE THE REVISION. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII.A.2.c: MOTION MADE BY COMMISSIONER HEATHINGTON TO SET A PUBLIC HEARING FOR AUGUST 10, 2010 FOR THE RE-PLAT OF LOT 40R-1 OF DECORDOVA HILLS. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.A.2.d: MOTION MADE BY COMMISSIONER BERRY TO APPROVE THE SITE DEVELOPMENT PLAN AT 3819 TIN TOP HIGHWAY SUBMITTED BY PRO EQUINE AND LOCATED IN PRECINCT 4. SECONDED BY COMMISSIONER HEATHINGTON. 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 JULY 30, 2010 THROUGH AUGUST 13, 2010. SECONDED BY COMMISSIONER ROAN. COMMISSIONERS SYMPSON AND ROAN VOTED AYE. COMMISSIONERS BERRY AND HEATHINGTON AND JUDGE RASH VOTED NAY. MOTION DENIED. MOTION MADE BY COMMISSIONER BERRY TO APPROVE THE BUDGET LINE ITEM AMENDMENTS WITH THE EXCEPTION OF NUMBERS 4 & 5 WHICH PERTAIN TO CODE RED MONEY. SECONDED BY COMMISSIONER HEATHINGTON. 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 JULY 2, 2010 THRU JULY 15, 2010. SECONDED BY COMMISSIONER BERRY. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII.B.3: MOTION MADE BY COMMISSIONER BERRY TO APPROVE THE POLICY TO LIMIT SPENDING AT THE END OF THE BUDGET PERIOD. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII.C.1: MOTION MADE BY COMMISSIONER ROAN TO APPROVE THE ELECTION ADMINISTRATOR TO PURCHASE AN ELECTRONIC POLL BOOK SYSTEM. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII.C.2: JUDGE RASH ANNOUNCED THAT COURT WOULD GO INTO EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNEMENT CODE, SECTION 551.071.

EXECUTIVE SESSION BEGAN AT 7:40 P.M. AND ENDED AT 8:17 P.M.

REGARDING ITEM VIII.C.3: JUDGE RASH ANNOUNCED THAT COURT WOULD RECONVENE INTO OPEN SESSION AT 8:18 P.M.. ATTORNEYS WITH THE MCKAMIE & KRUEGER LLP LAW FIRM ADDRESSED THE COURT WITH THEIR RECOMMENDATIONS REGARDING THE COUNTY LAW SUIT VS MRS. GILMORE. MOTION MADE BY COMMISSIONER SYMPSON TO ACCEPT, AS AMENDED, THE OFFER TO SETTLE THE LAW SUIT IN EXCHANGE OF MRS.GILMORE DROPPING HER APPEALS. SECONDED BY COMMISSIONER BERRY. ALL VOTED AYE. MOTION CARRIED.

COURT ADJOURNED AT 8:25 P.M.

APPROVED:

ANDY RASH, COUNTY JUDGE

ATTEST:

SALLY OUBRE , COUNTY CLERK