

STATE OF TEXAS
COMMISSIONERS COURT
COUNTY OF HOOD

BE IT KNOWN THAT ON THIS THE 14TH DAY OF SEPTEMBER, 2009, THE HONORABLE COMMISSIONERS COURT OF HOOD COUNTY WAS DULY CONVENED IN REGULAR SESSION, IN THE CENTRAL JURY ROOM OF THE HOOD COUNTY 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 **MONDAY, September 14, 2009**, 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
 - 1. Texas Association of Counties presents the Healthy County Employer Rewards.
 - 2. Proclamation for Constitution Week
- II. Citizens' Comments pertaining to AGENDA ITEMS only.
- II. CONSENT AGENDA
 - A. Minutes
 - 1. Regular Commissioners' Court for August 24, 2009.
 - 2. Special called Commissioners' Court for September 4, 2009.
 - B. Ratify payroll paid 9/4/09 for the period 8/17/09 through 8/30/09.
 - C. Ratify jury paid through 9/10/09.
 - D. Personnel changes, new hires, and terminations
 - E. Elections Administrator:
 - 1. Approve the appointment of 2009-2010 Election Judges.
 - 2. Order the November 3, 2009 Constitutional Amendment Election.
 - F. Approve cell phone stipend not to exceed \$40 per month:
 - 1. Cari Davis, deputy in Sheriff's Office.
 - G. Approve Citizens' Petition to accept Bedford Court in Rolling Hills Shores to make passable, from Comanche Trail to Cul-de-sac, a total of 3,025 feet **(RO)**
 - H. Purchasing:
 - 1. Bid purchase of used tractor trucks.
 - 2. Bid purchase of used end-dump trailer.
 - 3. Accept renewal of land surveying services to Baird, Hampton & Brown, Inc.
 - 4. Accept Purchasing Department's recommendation re: veterinary services for Hood County.
 - 5. Accept renewal of liquid asphalt contract with Cleveland Asphalt.
 - I. Accept donation of \$2,000.00 for the Hood County Sheriff's Office from the City of Brazos Bend.
- VIII. Business to be discussed and considered for approval:
 - A. **SUBDIVISIONS, ROADS AND PLATS**
 - 1. **Road Operations**
 - 2. **Development and Compliance**
 - a. Discuss the withdrawal of an application for a re-plat of Lots 6R-1, 6R-2, 7BR-1, & 7CR-1, University Place and cancel a scheduled public hearing set for September 28, 2009.
 - b. Discuss and consider approval of a variance application by Shad & Charlotte Howell for property located at 10000 Richter Court, Tolar, Texas.

- c. Discuss and consider approval of a request by the Anthony Group to construct roads, utilities, and drainage structures in the “Landings Subdivision”, in accordance with Article IV, Section 4.6 of the Hood County Subdivision regulations.
- d. Set a Public Hearing for the re-plat of lots 938R & 939R, Phase XI - Indian Harbor
- e. Set a Public Hearing for the re-plat of Lots 10, 11, 12, 13, & 14 – Block 1, Section L, Whippoorwill Bay.

B. BUDGET AND FINANCE (AUD)

- 2, take 1. Consider budget line item amendments for the period August 14, 2009, through September 2009, and take appropriate action.
- 2. Consider payment of bills for the period August 14, 2009, through September 2, 2009, and take appropriate action.
- 3. Consider payoff of comp time liability and take appropriate action. **(TR)**

C. MISCELLANEOUS:

- 1. Discuss and consider Law Enforcement Memorial for Fallen Officers to be put at the Law Enforcement Center at 400 Deputy Larry Miller Dr. in the front yard by the west sidewalk and take appropriate action. **(SO)**
- 2. Treasurer’s items:
 - a. Consider extending timeframe usage for 2008-09 holiday accruals to October 31, 2009/or/ allow Treasurer to pay off holiday time using excess health insurance funds.
 - b. Consider and approve Expert Pay as provider of remittance of Child Support withheld through the County’s payroll process.
- 3. Discuss the dates for the 2009 – 2010 Commissioners’ Court schedule. **(Comp4)**
- 4. Discuss Verizon disaster recovery program and take appropriate action. **(FM)**
- 5. Consider and vote on whether to ratify the property tax increase reflected in the proposed budget that was the subject of a public hearing on Friday, September 4, 2009, containing this declaration, “This budget will raise more total property taxes than last year’s budget by \$1,784,020 (11.23%), and of that amount \$1,350,584 (8.50%) is tax revenue to be raised from new property added to the tax roll this year.” Take appropriate action. (LGC 111.008)**(AUD)**
- 6. Consider and vote on whether to adopt the proposed budget that was the subject of a public hearing on Friday, September 4, 2009, for the 2009-2010 Hood County fiscal year, including changes as agreed; take appropriate action. (LGC 111.008 and 111.009)**(AUD)**
- 7. Consider and vote on whether to adopt the order to set the Hood County property tax rate at the Effective Rate of \$0.331091 per \$100 valuation for the fiscal year 2009-2010, in accordance with the budget adopted for 2009-2010; take appropriate action. (LGC 111.010) **(AUD)**

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
 Sally Oubre, County Clerk

REGARDING ITEM I: JUDGE RASH CALLED THE MEETING TO ORDER AT APPROXIMATELY 7:00 P.M. ON THE AFORESAID DATE OF SEPTEMBER 14, 2009.

REGARDING ITEM II: INVOCATION WAS GIVEN BY COUNTY CLERK, SALLY OUBRE

REGARDING ITEM III: PLEDGE OF ALLEGIANCE

REGARDING ITEM IV: PLEDGE TO TEXAS

REGARDING ITEM V: SPECIAL PRESENTATION WAS GIVEN BY TEXAS ASSOCIATION OF COUNTIES REGARDING THE HEALTHY COUNTY EMPLOYER REWARDS. THE REPRESENTATIVE STATED THAT HOOD COUNTY WOULD BE RECEIVING A CHECK FOR \$1,950.00 TO BE USED FOR FLU SHOTS OR WHATEVER THE COUNTY WANTED TO DO WITH THE CHECK.

JUDGE RASH READ A PROCLAMATION FOR CONSTITUTION WEEK.

REGARDING ITEM VI: CITIZENS COMMENTS.

REGARDING ITEM VII: A. -I. MOTION MADE BY COMMISSIONER SYMPSON TO APPROVE THE CONSENT AGENDA EXCEPT FOR ITEMS E.2., G. AND I. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. SEE ATTACHED.

REGARDING ITEM VII: E.2. ELECTION ADMINISTRATOR, LOIS JOPLIN EXPLAINED TO THE COURT WHAT A BURSTING MACHINE WAS AND WHY SHE NEEDED IT. MOTION MADE BY COMMISSIONER ROAN TO APPROVE THE NOVEMBER 3, 2009 CONSTITUTIONAL AMENDMENT ELECTION AND THE PURCHASE OF THE BURSTING MACHINE. SECONDED BY COMMISSIONER BERRY. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VII: G. MOTION MADE BY COMMISSIONER BERRY TO APPROVE THE CITIZENS' PETITION TO ACCEPT BEDFORD COURT IN ROLLING HILLS SHORES TO MAKE PASSABLE FROM COMANCHE TRAIL TO CUL-DE-SAC, A TOTAL OF 3.025 FEET. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VII: I. MOTION MADE BY COMMISSIONER BERRY TO ACCEPT THE DONATION OF \$2,000.00 FOR THE HOOD COUNTY SHERIFF'S OFFICE FROM THE CITY OF BRAZOS BEND. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII. A.1. ROAD OPERATIONS

REGARDING ITEM VIII. A.2.A. MOTION MADE BY COMMISSIONER BERRY TO APPROVE THE WITHDRAWAL OF AN APPLICATION FOR A REPLAT OF LOTS 6R-1, 6R-2, 7BR-1 & 7CR-1, UNIVERSITY PLACE AND CANCEL A SCHEDULED PUBLIC HEARING SET FOR SEPTEMBER 28, 2009. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII. A.2.B. MOTION MADE BY COMMISSIONER ROAN TO APPROVE A VARIANCE APPLICATION BY SHAD AND CHARLOTTE HOWELL FOR PROPERTY LOCATED AT 10000 RICHTER COURT, TOLAR, TEXAS. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII. A.2.C. MOTION MADE BY COMMISSIONER ROAN TO APPROVE A REQUEST BY THE ANTHONY GROUP TO CONSTRUCT ROADS, UTILITIES AND TEMPORARY DRAINAGE STRUCTURES IN THE "LANDINGS SUBDIVISION", IN ACCORDANCE WITH ARTICLE IV, SECTION 4.6 OF THE HOOD COUNTY SUBDIVISION REGULATIONS. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII. A.2.D. MOTION MADE BY COMMISSIONER HEATHINGTON TO SET A PUBLIC HEARING FOR THE REPLAT OF LOTS 938R & 939R, PHASE XI – INDIAN HARBOR. SECONDED BY COMMISSIONER BERRY. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII. A.2.E. MOTION MADE BY COMMISSIONER HEATHINGTON TO SET A PUBLIC HEARING FOR THE REPLAT OF LOTS 10, 11, 12, 13 & 14 – BLOCK 1, SECTION L, WHIPPOORWILL BAY. SECONDED BY COMMISSIONER BERRY. 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 AUGUST 14, 2009 THROUGH

SEPTEMBER 2, 2009. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII: B.2. MOTION MADE BY COMMISSIONER HEATHINGTON TO APPROVE BILLS FOR THE PERIOD AUGUST 14, 2009 THROUGH SEPTEMBER 2, 2009. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII. B.3. MOTION MADE BY COMMISSIONER HEATHINGTON TO PAYOFF COMP TIME LIABILITY. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED. REGARDING ITEM VIII. C.1. LAURA FISHER, DAUGHTER OF THE FORMER DEPUTY LARRY MILLER MADE PRESENTATION TO THE COURT REGARDING THE MEMORIAL FOR FALLEN OFFICERS. MOTION MADE BY COMMISSIONER HEATHINGTON TO APPROVE THE LAW ENFORCEMENT MEMORIAL FOR FALLEN OFFICERS TO BE PUT AT THE LAW ENFORCEMENT CENTER AT 400 DEPUTY LARRY MILLER DRIVE IN THE FRONT YARD BY THE WEST SIDEWALK. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII. C.2.A. MOTION MADE BY COMMISSIONER ROAN TO APPROVE ALLOWING THE TREASURER TO PAY OFF HOLIDAY TIME USING EXCESS HEALTH INSURANCE FUNDS BY OCTOBER 2, 2009. THE APPROXIMATE COST IS \$21,000.00. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII. C.2.B. MOTION MADE BY COMMISSIONER SYMPSON TO APPROVE EXPERT PAY AS PROVIDER OF REMITTANCE OF CHILD SUPPORT DEDUCTIONS WITHHELD THROUGH THE COUNTY'S PAYROLL PROCESS. SECONDED BY COMMISSIONER BERRY. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII. C.3. MOTION MADE BY COMMISSIONER BERRY TO FORMALLY PUT THE DATES FOR THE 2009-2010 COMMISSIONER'S COURT SCHEDULE ON THE NEXT AGENDA. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII. C.4. MOTION MADE BY COMMISSIONER BERRY TO APPROVE THE VERIZON DISASTER RECOVERY PROGRAM. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII. C.5. MOTION MADE BY COMMISSIONER ROAN TO RATIFY THE PROPERTY TAX INCREASE REFLECTED IN THE PROPOSED BUDGET THAT WAS THE SUBJECT OF A PUBLIC HEARING ON FRIDAY SEPTEMBER 4, 2009, CONTAINING THE DECLARATION, "THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$1,784,020 (11/23%) AND OF THAT AMOUNT \$1,350,584 (8.50%) IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR." SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII. C.6. MOTION MADE BY COMMISSIONER ROAN TO ADOPT THE PROPOSED BUDGET THAT WAS THE SUBJECT OF A PUBLIC HEARING ON FRIDAY, SEPTEMBER 4, 2009, FOR THE 2009-2010 HOOD COUNTY FISCAL YEAR, INCLUDING CHANGES AS AGREED. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII. C.7. MOTION MADE BY COMMISSIONER ROAN TO ADOPT THE ORDER TO SET HOOD COUNTY PROPERTY TAX RATE AT THE EFFECTIVE RATE OF \$0.331091 PER \$100 VALUATION FOR THE FISCAL YEAR 2009-2010, IN ACCORDANCE WITH THE BUDGET ADOPTED FOR 2009-2010. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

COURT ADJOURNED AT 8:30 P.M.

SALLY OUBRE, COUNTY CLERK

APPROVED:

ANDY RASH, COUNTY JUDGE