

BE IT KNOWN THAT ON THIS THE 26TH DAY OF APRIL ,2011, 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, April 26, 2011** at **9:00 AM** 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 April 12, 2011.
 - 2. Special called Commissioners' Court minutes for April 18, 2011. (Redistricting)
 - B. Treasurer:
 - 1. Ratify payroll
 - 2. Ratify jury payroll
 - 3. Treasurer's collateral reports
 - a. First Financial Bank.
 - b. Town & Country Bank.
 - 4. Treasurer's interest income report March 2011
 - 5. Treasurer's monthly report March 2011.
 - 6. Treasurer's Quarterly Investment Report for Quarter Ending March 31, 2011.
 - C. personnel changes, new hires, and terminations
 - D. Monthly activity and financial reports of county officials.
 - 1. Constable 1 & 2 March
 - 2. Constable 3 March
 - 3. County Clerk March
 - 4. County Attorney March
 - 5. Development and Compliance March
 - 6. District Clerk March
 - 7. Elections Administrator March
 - 8. Environmental Health March
 - 9. Extension Agent March
 - 10. Fire Marshal March
 - 11. Justice of the Peace 1 & 2 March
 - 12. Justice of the Peace 3 March
 - 13. Justice of Peace 4 March
 - 14. Library March
 - 15. Sheriff
 - Animal Control March
 - Civil & Warrants March
 - Escrow March

- Pay Phone (T-Netix) Feb
- 16. Tax Assessor Collector March
- 17. Tax Assessor Collector V.I.T March
- E. Bobby Jefferson will give a status report on the fire boat.
- F. Approve proceeding with Tobacco Compliance Grant Application for Local Law Enforcement Agencies. **(SO)**
- G. Accept Ruckers Court to make passable, with a right of way width of 50 ft. and a length of 1,180 ft. from Vista Drive northward, in Lakewood Hills. **(COM P4)**

VIII. Business to be discussed and considered for approval:

A. **SUBDIVISIONS, ROADS AND PLATS**

- 1. Road Operations
 - a. Add Meander Road, from Old Granbury Road southward to the Granbury City Limits, a total of 1,805 feet, to the County Road System.
 - b. Public Hearing to discuss and consider the following proposed traffic regulation:
 - 1) Establish a 35 MPH Speed limit on Meander Road from Old Granbury Road southward to the Granbury City Limits.
- 2. Development and Compliance
 - a. Consider and take appropriate action on the Site Development Plan for a Warehouse / Shop at 3600 Sundown Trail, Granbury, Texas submitted by Global Bottomline and located in Precinct 3.
 - b. Consider and take appropriate action on the Site Development Plan for a Fabrication Facility submitted by Total E and S., Inc to be located at 4801 Glen Rose, Highway, Granbury, Texas in Precinct 1.
 - c. Consider and take appropriate action on changing the Hood County Sub Division Development Regulations, Article 6, Subdivision Design and Street Construction, Section 6.4.

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

- 1. Consider budget line item amendments for the period April 6, 2011 through April 19, 2011 and take appropriate action.
- 2. Consider payment of bills for the period April 6, 2011 through April 19, 2011 and take appropriate action.

C. **MISCELLANEOUS:**

- 1. Environmental Health:
 - a. Public hearing to discuss a proposed amended Hood County Order regulating on-site sewage disposal.
 - b. Consider for approval and take action on an amended Hood county Order regulating onsite sewage disposal.
- 2. Consider allowing payroll stuffer for Optimist Club of Granbury annual auction and take appropriate action. **(TR)**
- 3. Consider and take appropriate action to reappoint Mike Massey to the Upper Trinity Groundwater District. **(CJ)**
- 4. Consider request to post and fill a position of Officer Manager for Environmental Health and take appropriate action. **(EH)**
- 5. Consider and take appropriate action to award Road Operations Material Bids for the following: RFB2011-002 Rental Equipment; RFB2011-004 Hot Mix Cold Lay Asphaltic Concrete; RFB2011-008 Portland Cement Concrete; RB2011-009 Corrugated Steel Culverts. **(PUR)**

ADJOURN

THE FOLLOWING MEMBERS WERE PRESENT:

DARRELL COCKERHAM, 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 COCKERHAM CALLED THE MEETING TO ORDER AT APPROXIMATELY 9:00 A.M. ON THE AFORESAID DATE OF APRIL 26, 2011.

REGARDING ITEM II: THE INVOCATION WAS GIVEN BY JUDGE COCKERHAM.

REGARDING ITEM III: PLEDGE OF ALLEGIANCE WAS LED BY COMMISSIONER SYMPSON.

REGARDING ITEM IV: PLEDGE TO TEXAS WAS LED BY COMMISSIONER HEATHINGTON.

REGARDING ITEM V: BOB BLESSING OF HUMAN RESOURCE PRESENTED THE FOLLOWING SERVICE AWARDS:
WILLIAM DRAKE-SHERIFF DEPARTMENT-5YEARS
CASEY WEBB-SHERIFF DEPARTMENT-5 YEARS
JOHNNY C ROBERTSON-ROAD OPERATIONS-15 YEARS

REGARDING ITEM VI: CITIZENS COMMENTS. NONE

REGARDING ITEM VII: JUDGE COCKERHAM ANNOUNCED THAT ITEMS D.14 AND E WERE BEING PULLED FROM THE CONSENT AGENDA. MOTION MADE BY COMMISSIONER BERRY TO APPROVE THE CONSENT AGENDA WITHOUT THE ABOVE MENTIONED ITEMS. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VII.D.14: COURTNEY KINCAID, THE NEWLY APPOINTED LIBRARY DIRECTOR, ADDRESSED THE COURT ABOUT HER SUBMITTED RE-ORGANIZATION PLAN FOR THE LIBRARY. THE COURT CONGRATULATED COURTNEY ON HER APPOINTMENT AND HER JOB PERFORMANCE SO FAR. MOTION MADE BY COMMISSIONER SYMPSON TO APPROVE THE LIBRARY RE-ORGANIZATION PLAN. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VII.E: BOBBY JEFFERSON ADDRESSED THE COURT REGARDING THE STATUS ON THE FIRE BOAT. HE STATED THAT THERE HAS BEEN POSITIVE SUPPORT FROM THE COMMUNITY AND THAT THERE IS ABOUT \$40,000.00 IN THE BUDGET. HE HOPES TO HAVE THE BOAT IN THE 4TH OF JULY PARADE TO SHOW IT OFF TO THE PUBLIC.

REGARDING ITEM VIII.A.1: COMMISSIONER BERRY GAVE THE PRESENTATION FOR ROAD OPERATIONS IN DONALD LINNEY'S ABSENCE.

(a)MOTION MADE BY COMMISSIONER BERRY TO APPROVE ADDING MEANDER ROAD, FROM OLD GRANBURY ROAD SOUTHWARD TO THE GRANBURY CITY LIMITS TO THE COUNTY ROAD SYSTEM. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

(b)JUDGE COCKERHAM OPENED A PUBLIC HEARING ON ESTABLISHING A 35 MPH SPEED LIMIT ON MEANDER ROAD SOUTHWARD TO THE GRANBURY CITY LIMITS. NO PUBLIC COMMENT. JUDGE COCKERHAM CLOSED THE PUBLIC HEARING.

MOTION MADE BY COMMISSIONER BERRY TO APPROVE THE 35 MPH SPEED LIMIT ON MEANDER ROAD. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.A.2: (a) TOM ROMAN OF DEVELOPMENT AND COMPLIANCE ADDRESSED THE COURT REGARDING THE SITE DEVELOPMENT PLAN FOR 3600 SUNDOWN TRAIL SUBMITTED BY GLOBAL BOTTOMLINE. HE STATED THAT IT CONCERNED A 50'X25'METAL STORAGE BUILDING WITH NO UTILITIES CONNECTED.

MOTION MADE BY COMMISSIONER HEATHINGTON TO APPROVE THE SITE DEVELOPMENT PLAN FOR GLOBAL BOTTOMLINE. SECONDED BY COMMISSIONER BERRY. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.A.2: (b) TOM ROMAN STATED TO THE COURT THAT THE SITE DEVELOPMENT PLAN FOR A FABRICATION FACILITY SUBMITTED BY TOTAL E AND S, INC. CONSISTED OF A 100'X 225' METAL BUILDING THAT WOULD BE UTILIZING EXISTING WATER AND ROAD WAY.

THE FOLLOWING PEOPLE ADDRESSED THE COURT IN REGARDS TO THIS ITEM:

PATRICIA TOOMBS OF 3914 VIEW POINT DR. PRESENTED THE COURT WITH A PETITION SIGNED BY SURROUNDING NEIGHBORS OF THE FABRICATION FACILITY AND ALSO PRESENTED A LETETR FROM A LOCAL REALTOR. THEIR CONCERNS ARE FOR THE EXCESSIVE NOISE, DUST AND ENVIROMENTAL CONCERNS.

RICHARD BURLINGAME STATED THAT HE LIVES ON FRISCO COURT, 3 BLOCKS AWAY FROM THE FACILITY AND HE CAN HEAR THE NOISE FROM INSIDE HIS HOUSE AND THAT IT IS PRETTY MUCH ALL DAY AND ALL NIGHT.

J.D BOYD STATED THAT HE HAS HAD ISSUES WITH THE OWNER OF THE FACILITY, MR. BEADLE, IN THE PAST AND THAT THEY HAVE ALWAYS BEEN ABLE TO SOLVE THE PROBLEMS. HE SAID THAT HE THINKS MR. BEADLE HAS GOOD INTENTIONS TO WORK WITH THE NEIGHBORS.

MR. BARRY BEADLE ADDRESSED THE COURT STATING THAT THE PROPOSED METAL BUILDING WILL BOUNCE THE NOISE UP AND AWAY FROM THE NEIGHBORING HOMES AND THAT THE PROPOSED DIRT BERM WILL ALLOW THE WATER FLOW TO THE FRONT OF THE PROPERTY AWAY FROM THE HOMES. HE ALSO STATED HE IS WILLING TO TALK WITH THE NEIGHBORS ABOUT THEIR CONCERNS.

COMMISSIONER BERRY STATED THAT THE COURT IS BOUND BY THE LAWS OF THE STATE OF TEXAS AND HAS NO AUTHORITY TO ISSUE ORDINANCES AGAINST NOISE OR ANYTHING ELSE.

COMMISSIONER HEATHINGTON SUGGESTED THAT MR. BEADLE GO AHEAD AND PUT UP A SOUND BARRIER WALL IN GOOD FAITH TO THE NEIGHBORS. MR. BEADLE AGREED TO DO SO.

MOTION MADE BY COMMISSIONER SYMPSON TO APPROVE THE SITE DEVELOPMENT PLAN FOR TOTAL E AND S INC. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.A.2: (c) MOTION MADE BY COMMISSIONER HEATHINGTON TO TABLE THIS ITEM. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.B.1: COUNTY AUDITOR, STAN MCBROOM, STATED TO THE COURT THAT THERE WERE TWO LINE ITEM AMENDMENTS. ONE FROM THE COUNTY CLERK'S OFFICE TRANSFERRING MONEY INTO THE BOND ACCOUNT AND ONE FROM THE DISTRICT ATTORNEY TRANSFERRING MONEY INTO HIS INVESTIGATION LINE ITEM.

MOTION MADE BY COMMISSIONER BERRY TO APPROVE THE MONTHLY BUDGET LINE ITEM AMENDMENTS FOR THE PERIOD APRIL 6, 2011 THROUGH APRIL 19, 2011. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII.B.2: AUDITOR STAN MCBROOM PRESENTED THE BILLS FOR PAYMENT AND DISCUSSED THE FIRM OF GRAVES HUMPHRIES & STAHL LTD. IN REGARDS TO THE JUSTICE OF THE PEACE COLLECTION PROGRAM.

MOTION MADE BY COMMISSIONER HEATHINGTON TO APPROVE BILLS AS PRESENTED FOR THE PERIOD OF APRIL 6, 2001 THRU APRIL 19, 2011. SECONDED BY COMMISSIONER BERRY. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII.C.1: (a) (b) JAMES MCAUSLAND, DIRECTOR OF ENVIROMENTAL HEALTH, ADDRESSED THE COURT ABOUT A PROPOSED AMENDED HOOD COUNTY ORDER REGULATING ON-SITE SEWAGE DISPOSAL.

JUDGE COCKERHAM OPENED A PUBLIC HEARING CONCERING THE PROPOSED AMENDED ORDER. NO PUBLIC COMMENT. JUDGE CLOSED THE PUBLIC HEARING.

MOTION MADE BY COMMISSIONER BERRY TO APPROVE THE AMENDED ORDER REGULATING ON-SITE SEWAGE DISPOSAL. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII.C.2: COUNTY TREASURER KATHY DAVIS ASKED THE COURTS PERMISSION TO ALLOW PUTTING A PAYROLL STUFFER FOR THE OPTIMIST CLUB OF GRANBURY FOR THEIR AUCTION TAKING PLACE ON MAY 7TH AT THE GRANBURY RESORT CONFERENCE CENTER. THE AUCTION BENEFITS LOCAL HOOD COUNTY YOUTH ORGINAZATIONS AND PROVIDES SCHOLARSHIPS.

MOTION MADE BY COMMISSIONER BERRY TO APPROVE OPTIMIST CLUB PAYROLL STUFFER. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII.C.3: MOTION MADE BY COMMISSIONER HEATHINGTON TO APPROVE THE REAPPOINTMENT OF MIKE MASSEY TO THE UPPER TRINITY GROUNDWATER DISTRICT FOR A FOUR YEAR TERM. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII.C.4: JAMES MCAUSLAND OF ENVIROMENTAL HEALTH ASKED PERMISSION FROM THE COURT TO POST THE POSITION OF OFFICE MANAGER SINCE THE COUNTY HAS A FIRING FREEZE.

MOTION MADE BY COMMISSIONER BERRY TO APPROVE THE POSTING OF OFFICE MANAGER FOR ENVIROMENTAL HEALTH DEPARTMENT. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.C.5: PURCHASING AGENT NELDA WALTERS ADDRESSED THE COURT REGARDING AWARDDING ROAD OPERATIONS MATERIAL BIDS. RECOMMENDATIONS FROM ROAD OPERATIONS DEPARTMENT ARE AS FOLLOW:

RFB2011-002 RENTAL: PRIMARY AWARD-NEFF RENTAL ALTERNATE AWARD-RDO

RFB2011-004 HOT MIX COLD LAY ASPHALTIC CONCRETE: PRIMARY AWARD-VULCAN MATERIALS ALTERNATE AWARD-APAC-TX INC.

RFB2011-008 PORTLAND CEMENT CONCRETE: AWARD-COLORADO RIVER CONCRETE

RFB2011-009 CORRUGATED STEEL CULVERTS: PRIMARY AWARD-CONTECH CONSTRUCTION PRODUCTS ALTERNATE AWARD-WILSON CULVERTS, INC.

MOTION MADE BY COMMISSIONER HEATHINGTON TO APPROVE AWARDDING THE BIDS AS RECOMMENDED FOR ROAD OPERATIONS MATERIAL. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

COURT ADJOURNED AT 9:50 A.M.

APPROVED:

DARRELL COCKERHAM, COUNTY JUDGE

ATTEST:

MARY BURNETT, COUNTY CLERK