

BE IT KNOWN THAT ON THIS THE 24TH DAY OF MAY, 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, May 24, 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
Tim Bubel will speak regarding a possible Arts District.
- VI. Citizens' Comments pertaining to AGENDA ITEMS only.
- VII. CONSENT AGENDA
 - A. Minutes:
 - 1. Regular Commissioners' Court minutes for May 10, 2011 amended.
 - B. Treasurer:
 - 1. Ratify payroll paid May 13, 2011.
 - 2. Ratify jury payroll paid through May 18, 2011
 - 3. Treasurer's collateral reports
 - a. First Financial Bank
 - b. Town & Country Bank
 - 4. Treasurer's interest income report.
 - 5. Treasurer's monthly report.
 - C. Personnel changes, new hires, and terminations
 - D. Monthly activity and financial reports of county officials.
 - 1. Constable 1 & 2 April
 - 2. Constable 3 April
 - 3. Constable 4 March, April
 - 4. County Clerk April
 - 5. County Attorney April
 - 6. Development and Compliance April
 - 7. District Clerk April
 - 8. Elections Administrator April
 - 9. Environmental Health April
 - 10. Extension Agent April
 - 11. Fire Marshal April
 - 12. Justice of the Peace 1 & 2 April amended
 - 13. Justice of the Peace 3 April
 - 14. Justice of Peace 4 April
 - 15. Library April amended
 - 16. Sheriff
 - Animal Control April
 - Civil & Warrants April

Escrow	April
Pay Phone (T-Netix)	March
17. Tax Assessor Collector	April
18. Tax Assessor Collector V.I.T	April

VIII. Business to be discussed and considered for approval:

A. **SUBDIVISIONS, ROADS AND PLATS**

1. Road Operations
 - a. Discuss and consider County's participation in work to be done at Rough Creek Cemetery.
 - b. Discuss and consider County's participation in work to be done at Nubbin Ridge Cemetery.
2. Development and Compliance
 - a. Set a Public Hearing to consider and take appropriate action for the Re-Plat of Lot 1, Block 1, Heathington Addition, located in Precinct 3 and submitted by Leonard and Dorothy Heathington.
 - b. Consider and take appropriate action on the Site Development Plan for a Storage facility at 3501 McCreary Road, Granbury, Texas located in Precinct 3.
 - c. Consider and take appropriate action on the Site Development Plan for a Fabrication Facility presented by G Force, Inc, 5250 W. Highway 377, Granbury, Texas located in Precinct 1.

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

1. Consider budget line item amendments for the period May 4, 2011 through May 17, 2011 and take appropriate action.
2. Consider payment of bills for the period May 4, 2011 through May 17, 2011 and take appropriate action.

C. **MISCELLANEOUS:**

1. Consider and take appropriate action on the Tax Assessor Collector's request in regard to the Scofflaw Program.
2. Consider request to apply for a COPS grant for funding of 2 Patrol Deputies and take appropriate action. (SO)
3. Consider ratification of County Judge's signature on application for TABC Block grant for overtime for Deputies to enforce underage drinking laws and take appropriate action. (SO)
4. Consider and take appropriate action regarding Burn Ban.
5. Consider appointment of representative for Hood County to the Surface Transportation Technical Committee and take appropriate action. (CJ)
6. Purchasing:
 - a. Consider and take appropriate action to award RFP2011-010 Aggregates for Surface Treatment.
 - b. Consider and take appropriate action to award RFP2011-005 for Bank Depository Bid Services.
7. Consider amendment for the GTL Contract so that Prepaid Phone Cards can be sold through the Commissary and take appropriate action. (SO)
8. Discuss and take appropriate action on gates located at Cliffview and Pathfinder and confer with County Attorney Kelton Conner. (Com P4)
9. Convene into Executive Session for Personnel Matters pursuant to Section 551.074 (a)1 of the Texas Government Code regarding unpaid leave of absence for Development and Compliance director Tom Roman.
10. Reconvene into open session and take appropriate action regarding personnel matters.

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Addendum:

VIII. Special presentations
Announce Friends of Library Book Store Grand Opening, Wednesday, May 25th, at 4:30 PM, 222 Travis Street, Granbury, TX.

VIII. Business to be discussed and considered for approval:

C. **MISCELLANEOUS:**

11. Consider and take appropriate action to purchase arbitrator system for Sheriff's Department patrol cars from fund 55.

The following item has been removed from the agenda:

VIII. Business to be discussed and considered for approval:

A. **SUBDIVISIONS, ROADS AND PLATS**

2. **Development and Compliance**

- b. Consider and take appropriate action on the Site Development Plan for a Storage facility at 3501 McCreary Road, Granbury, Texas located in Precinct 3.

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Addendum 2:

VIII. Business to be discussed and considered for approval:

C. **MISCELLANEOUS:**

12. Consider and take appropriate action regarding request from Sheriff for permission to apply for US Department of Homeland Security grant. (SO)

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Addendum3:

VIII. Business to be discussed and considered for approval:

C. **MISCELLANEOUS:**

13. Consider and take appropriate action in reference to pouring concrete to replace/restore floors in historic courthouse construction. **(Com P1)**

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
MARY BURNETT, COUNTY CLERK

REGARDING ITEM I: JUDGE COCKERHAM CALLED THE MEETING TO ORDER AT APPROXIMATELY 9:00 A.M. ON THE AFORESAID DATE OF MAY 24, 2011.

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 BERRY

REGARDING ITEM V: SPECIAL PRESENTATIONS SERVICE AWARDS WERE PRESENTED TO SISSY CARDWELL 5 YEARS, KRISTIE JACKSON, 5 YEARS, KELLY NEAL, 10 YEARS, MARTY VALHLENKAMP, 10 YEARS, AND JERRY FRON, 25 YEARS.

ROGER HOWELL, OF FACILITY MAINTENANCE, PRESENTED A LETTER OF APPRECIATION FROM ROBERT J. DOSHIER, PRESIDENT, OF THE HOOD COUNTY BAR ASSOCIATION, TO GLORIA BIRD, EMMA CASTILLO AND BENNY DAVENPORT FOR THEIR HELP WITH THE 2ND COURT OF APPEALS VISIT AND LUNCHEON.

SCOTT YOUNG AND BRENDA HYDE OF THE MERCHANTS ASSOCIATION PRESENTED THE COMMISSIONERS COURT WITH AN AWARD RECOGNIZING HOOD COUNTY AS AN OUTSTANDING COUNTY.

TIM BUBEL, REQUESTED THE COMMISSIONERS COURT SUPPORT IN THE DEVELOPMENT OF THE DOWNTOWN ARTS DISTRICT. HE EXPLAINED THE IT IS THROUGH THE TEXAS COMMISSION ON THE ARTS AND THAT IT REQUIRES NO FINANCIAL COMMITMENT FROM THE COUNTY. HE ADVISED THAT THIS ARTS DISTRICT RAISES THE PROFILE OF THE DOWNTOWN AREA AND OPENS NEW OPPORTUNITIES FOR GRANTS AND FUNDING FROM GOVERNMENT AND PRIVATE FOUNDATION SOURCES. IT WOULD ALSO SERVE AS A ORGANIZATION THAT PROMOTES THE ARTS OFFERINGS OF THE DOWNTOWN AREA TO THE COMMUNITY AND BEYOND, OF WHICH THE COURTHOUSE WOULD PLAY AN IMPORTANT ROLE. IF THE COURT PASSES A RESOLUTION OF SUPPORT, THEY COULD RESOLVE TO APPOINT A COMMISSIONER OR OFFICIAL TO SIT ON THE STEERING COMMITTEE OF THE NEW DISTRICT. MR. BUBEL LEFT THE COURT WITH A SAMPLE RESOLUTION. JUDGE COCKERHAM, ACCEPTED THE SAMPLE RESOLUTION AND STATED IT WILL BE PUT ON THE NEXT COMMISSIONERS COURT AGENDA FOR CONSIDERATION.

COMMISSIONER BERRY ANNOUNCED THE FRIENDS OF LIBRARY BOOK STORE GRAND OPENING. WEDNESDAY, MAY 25TH, AT 4:30 PM, 222 TRAVIS STREET, GRANABURY, TX.

REGARDING ITEM VI: CITIZENS COMMENTS. RONNEY EVERETT, CRAIG MAYBERRY, LORALYN LACEY, AND MICHAEL LACY REQUESTED TO ADDRESS THE COURT ON VARIOUS AGENDA ITEMS AS NOTED WITH EACH ITEM.

REGARDING ITEM VII A-D: MOTION MADE BY COMMISSIONER SYMPSON TO APPROVE THE CONSENT AGENDA WITH NO EXCEPTIONS. SECONDED BY COMMISSIONER BERRY. ALL VOTED AYE. MOTION CARRIED SEE ATTACHED

REGARDING ITEM VIII A.1.a: DON LINNEY, DIRECTOR ROAD OPERATIONS, INFORMED THE COURT THERE HAD BEEN SOME RESEARCH DONE, BUT HE HAS BEEN UNABLE TO FIND ANYTHING ON RIGHT-OF- WAY AND THAT HE HAD THE ADDRESSES OF THE PROPERTY OWNERS ON EACH SIDE OF ROUGH CREEK CEMETERY AND WAS PLANNING TO CONTACT THEM. RONNEY EVERETT, SPOKE TO THE COURT ABOUT THE ACCESS TO THE CEMETERY AND SAID THE COUNTY HAS ALWAYS MAINTAINED THE ROAD.

MOTION MADE BY COMMISSIONER ROAN, TO EXPIDITE THE RESEARCH TO ESTABLISH THE ROADWAY. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII A.1.b: KELTON CONNER, COUNTY ATTORNEY, RECOMMENDED NO PARTICIPATION BY THE COUNTY.

MOTION MADE BY COMMISSIONER ROAN THAT THE COUNTY NOT PARTICIPATE IN THE WORK TO BE DONE AT NUBBIN RIDGE CEMETERY. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.A.2.a: MOTION MADE BY COMMISSIONER BERRY TO SET A PUBLIC HEARING FOR JUNE 6,2011 TO CONSIDER AND TAKE ACTION FOR THE RE-PLAT OF LOT 1, BLOCK 1 HEATHINGTON ADDITION LOCATED IN PRECINCT 3, SECONDED BY COMMISSIONER ROAN. 4 VOTED AYE. COMMISSIONER HEATHINGTON ABSTAINED. MOTION CARRIED. SEE ATTACHED

REGARDING ITEM VIII.A.2.b: REMOVED FROM AGENDA

REGARDING ITEM VIII.A.2.c: MOTION MADE BY COMMISSIONER SYMPSON TO APPROVE THE SITE DEVELOPMENT PLAN FOR A FABRICATION FACILITY PRESENTED BY G FOREC, INC, 5250 W HIGHWAY 377, GRANBURY TEXAS LOCATED IN PRECINCT 1. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED

REGARDING ITEM VIII.B.1: STAN MCBROOM, AUDITOR, ANNOUNCED THERE WERE NO LINE ITEM AMENDMENTS.

REGARDING ITEM VIII.B.2: STAN MCBROOM, AUDITOR, REVIEWED BILLS FOR THE COURT.

MOTION MADE BY COMMISSIONER HEATHINGTON TO APPROVE BILLS AS PRESENTED FOR THE PERIOD OF MAY 4, 2011 THRU MAY 17, 2011. SECONDED BY COMMISSIONER BERRY. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII.C.1: TERSA MCCOY, TAX ASSESSOR/COLLECTOR, SPOKE TO THE COURT ABOUT THE SCOFFLAW PROGRAM AND RECOMMENDED HAVING A WORKSHOP ON THE TOPIC.

MOTION MADE BY COMMISSIONER HEATHINGTON TO TABLE THIS ITEM. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.C.2: SHERIFF DEEDS, EXPLAINED TO THE COURT THE COPS GRANT WOULD PROVIDE FUNDING FOR 2 PATROL DEPUTIES. THE GRANT WOULD PAY FOR THE DEPUTIES SALARIES AND BENEFITS FOR 3 YEARS AND THE COUNTY WILL PAY THE 4TH YEAR.

MOTION MADE BY COMMISSIONER BERRY TO APPROVE APPLYING FOR THE COPS GRANT FOR FUNDING OF 2 PATROL DEPUTIES. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.C.3: SHERIFF DEEDS RECOMMENDED THE APPLICATION FOR TABC BLOCK GRANT.

MOTION MADE BY COMMISSIONER HEATHINGTON TO APPROVE THE COUNTY JUDGE'S SIGNATURE ON THE APPLICATION FOR TABC BLOCK GRANT FOR OVERTIME FOR DEPUTIES TO ENFORCE UNDERAGE DRINKING. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.C.4: BRIAN FINE, FIRE MARSHAL, RECOMMENDED NO BURN BAN AT THIS TIME.

MOTION MADE BY COMMISSIONER BERRY TO MOVE THIS ITEM TO THE NEXT COURT. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.C.5: JUDGE COCKERHAM, EXPLAINED THIS IS A SUBCOMMITTEE OF COG AND RECOMMENDED APPOINTING COMMISSIONER BERRY.

MOTION MADE BY COMMISSIONER HEATHINGTON TO APPOINT COMMISSIONER BERRY AS THE HOOD COUNTY REPRESENTATIVE TO THE SURFACE TRANSPORTATION TECHNICAL COMMITTEE. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.C.6.a: NELDA WALTERS, PURCHASING AGENT, RECOMMENDED AWARDING THE BID TO VULCAN MATERIALS CO.

MOTION MADE BY COMMISSIONER ROAN TO AWARD RFP2011-010 AGGREGATES FOR SURFACE TREATMENT TO VULCAN MATERIALS CO. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED

REGARDING ITEM VIII.C.6.b: NELDA WALTERS, PURCHASING AGENT, RECOMMENDED AWARDING THE BID TO FIRST FINANCIAL BANK.

MOTION MADE BY COMMISSIONER BERRY TO AWARD RFP20111-005 FOR BANK DEPOSITORY BID SERVICES TO FIRST FINANCIAL BANK. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII.C.7: SHERIFF DEEDS REQUESTED THE COURT TO ALLOW THE SALE OF PREPAID PHONE CARDS THROUGH THE COMMISSARY.

MOTION MADE BY COMMISSIONER ROAN TO APPROVE THE GTL CONTRACT SO THAT PREPAID PHONE CARDS CAN BE SOLD THROUGH THE COMMISSARY. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII.C.8: COMMISSIONER BERRY STATED THAT AFTER CONSULTING WITH THE COUNTY ATTORNEY IN THEIR VIEW CLIFFVIEW IS A PUBLIC ROAD AND THE GATE COULD NOT LAWFULLY BE CLOSED.

CRAIG MAYBERRY A RESIDENT STATED HE BELIEVED THE GATE SHOULD STAY OPEN AND PRESENTED THE COURT WITH A PETITION TO KEEP THE GATE OPEN.

MICHAEL AND LORALYN LACY RESIDENTS ALSO SPOKE TO THE COURT AND EXPLAINED THEIR UNDERSTANDING OF THE LAWS GOVERNING THE CLOSING OF THE GATE.

COMMISSIONER BERRY STATED THAT HE FELT THIS ISSUE WOULD END UP BEING DETERMINED IN A CIVIL COURT ACTION. HE ALSO SAID THE COUNTY NEEDS TO WORK ON PATHFINDER AND GET IT PASSABLE.

MOTION MADE BY COMMISSIONER BERRY NOT TO APPROVE CLOSING THE GATE LOCATED AT CLIFFVIEW AND PATHFINDER. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.C.9: JUDGE COCKERHAM, AND COMMISSIONERS RETIRED TO JURY SELECTION ROOM AND CONVENED INTO EXECUTIVE SESSION AT 10:20 A.M. FOR PERSONNEL MATTERS PURSUANT TO SECTION 551.074(a) OF THE TEXAS GOVERNMENT CODE, REGARDING UNPAID LEAVE OF ABSENCE FOR TOM ROMAN, DEVELOPMENT AND COMPLIANCE DIRECTOR.

REGARDING ITEM VIII.C.10: JUDGE COCKERHAM, RECONVENED INTO OPEN SESSION AT 11:00 A.M, AND REPORTED TOM ROMANS REQUEST HAD BEEN WITHDRAWN. NO ACTION NEEDED.

REGARDING ITEM VIII.C.11: SHERIFF DEEDS AND JACKIE SOLOMON, IT DIRECTOR, ADDRESSED THE ARBITRATOR SYSTEM FOR PATROL CARS AND RECOMMENDED THE PURCHASE OF THE SYSTEM. JUDGE COCKERHAM ASKED IF BY PURCHASING THE SYSTEM WOULD SAVE TIME FOR THE SHERIFF. JACKIE SAID THE SYSTEM WOULD IMPROVE EFFICIENCY. COMMISSIONER BERRY ASKED IF ALL COUNTY CARS WITH AN ARBITRATOR WOULD BE ABLE TO USE THE SYSTEM. JACKIE ANSWERED YES.

MOTION MADE BY COMMISSIONER SYMPSON TO APPROVE THE PURCHASE OF THE ARBITRATOR SYSTEM FOR SHERIFF'S PATROL CARS FROM FUND 55 NOT TO EXCEED \$16,000.00. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII.C.12: SHERRIF DEEDS REQUESTED PERMISSION TO APPLY FOR US DEPARTMENT OF HOMELAND SECURITY GRANT. HE STATED THAT THIS IS A GRANT FOR AN EMERGENCY OPERATIONS CENTER. SPACE IN THE LEC IS LIMITED. THIS GRANT COULD PROVIDE THE COUNTY TO DOUBLE THE SIZE OF THE EOC AND DISPATCH. THE GRANT WOULD BE A 75/25 SPLIT.

MOTION MADE BY JUDGE COCKERHAM TO APPROVE THE SHERIFF TO APPLY FOR THE US DEPARTMENT OF HOMELAND SECURITY GRANT. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.C.13: MOTION MADE BY COMMISSONER SYMPSON TO POUR THE CONCRETE AND REPLACE/RESTORE FLOORS IN THE HISTORIC COURTHOUSE CONSTRUCTION. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED.

COURT ADJOURNED AT 11:15 A.M.

APPROVED:

DARRELL COCKERHAM, COUNTY JUDGE

ATTEST:

MARY BURNETT , COUNTY CLERK