

BE IT KNOWN THAT ON THIS THE 28<sup>TH</sup> DAY OF JUNE, 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, June 28, 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 June 14, 2011.
    - 2. Special called Commissioners' Court minutes for June 21, 2011. (Courthouse)
  - B. Treasurer:
    - 1. Ratify payroll paid June 24, 2011.
    - 2. Ratify jury paid through June 22, 2011.
    - 3. Treasurer's collateral reports for
      - a. First Financial Bank.
      - b. Town & Country Bank.
    - 4. Treasurer's interest income report May 2011
    - 5. Treasurer's monthly report May 2011.
  - C. personnel changes, new hires, and terminations
  - D. Monthly activity and financial reports of county officials.
    - 1. Constable 1 & 2 May amended
    - 2. Constable 3 May
    - 3. Constable 4 May amended
    - 4. County Clerk May
    - 5. County Attorney May
    - 6. Development and Compliance May
    - 7. District Clerk May
    - 8. Elections Administrator May
    - 9. Environmental Health May amended
    - 10. Extension Agent May
    - 11. Fire Marshal May
    - 12. Justice of the Peace 1 & 2 May
    - 13. Justice of the Peace 3 May
    - 14. Justice of Peace 4 May
    - 15. Library May
    - 16. Sheriff
      - Animal Control May
      - Civil & Warrants May

	Escrow	May
	Pay Phone (T-Netix)	April
17a.	Tax Assessor Collector	May
17b.	Tax Assessor Collector V.I.T	May

- E. Approve appointment of Commissioner Dick Roan to the Bicycle and Pedestrian Advisory Committee (BPAC) of the Transportation Committee for NCTCOG.
- F. Release bond # 6338087 made on behalf of EOG Resources in favor of Hood County in regard to Black Ranch #4, plugged on March 10, 2010. (CJ)

VIII. Business to be discussed and considered for approval:

A. **SUBDIVISIONS, ROADS AND PLATS**

- 1. Road Operations – no agenda items
- 2. Development and Compliance
  - a. Public Hearing to discuss and consider approval of 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, located in Precinct 3 and submitted by Fulton Sublett.

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

- 1. Consider budget line item amendments for the period June 8, 2011 through June 21, 2011 and take appropriate action.
- 2. Consider payment of bills for the period June 8, 2011 through June 21, 2011 and take appropriate action.

C. **MISCELLANEOUS:**

- 1. Consider and take appropriate action on redistricting information from Robert Bass. (CJ)
- 2. Consider addition to existing Mitel Lease adding licenses to support new IP Phones and take appropriate action. (I/T)
- 3. Consider and take appropriate action to appoint a committee to evaluate new software to replace Net Data. (I/T & CJ)
- 4. Consider and take appropriate action on an update on Burn Ban conditions and possible need for further restrictions. (FM)
- 5. Consider and take appropriate action regarding City of Granbury's request for electrical addition to Historic Courthouse square lighting. (CJ)
- 6. Consider and take appropriate action on a resolution in support of Richard English to fill a vacancy in the Brazos G Water planning group.
- 7. Convene into Executive Session for Personnel Matters pursuant to Section 551.074 (a)1 of the Texas Government Code to discuss options regarding Rick Tidwell.(PUR)
- 8. Reconvene into open session and take appropriate action regarding personnel matters.

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**Agenda correction of language for item 8A2b:**

VIII. Business to be discussed and considered for approval:

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- 2. Development and Compliance
  - b. Public Hearing to consider and take appropriate action on the Site Development Plan for a storage facility at 3501 McCreary Road, located in Precinct 3 and submitted by Fulton Sublett.

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### **Addendums:**

#### VII. CONSENT AGENDA

- G. Approve renewal of RFP# 2009-123 Tree Removal contract to MGM Landscape Services, LLC. (PUR)

#### VIII. Business to be discussed and considered for approval:

##### C. MISCELLANEOUS:

- 9. Purchasing:
  - a. Consider and take appropriate action to amend the 2010 Purchasing Policy & Procedure Manual to include a Debarred Vendor Policy.
  - b. Consider and take appropriate action to approve donations of Hood County inventory items of deleted books, media, and other items from the Hood County Library to the Friends of the Library a non-profit 501 © 3 to sell in their store.

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### **2<sup>nd</sup> Addendum:**

#### VII. CONSENT AGENDA

- H. Approve Vacation Policy. (PER)

### **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 JUNE 28, 2011.

REGARDING ITEM II: THE INVOCATION WAS GIVEN BY JUDGE COCKERHAM

REGARDING ITEM III: PLEDGE OF ALLEGIANCE LED BY COMMISSIONER SYMPSON

REGARDING ITEM IV: PLEDGE TO TEXAS LED BY COMMISSIONER BERRY

REGARDING ITEM V: SPECIAL PRESENTATIONS - TERESA MCCOY, TAX ASSR/COLLECTOR, PRESENTED 5 YEAR SERVICE AWARD TO PATRICIA VICK. DON LINNEY, HOOD COUNTY ROAD ADMINISTRATOR, PRESENTED A 10 YEAR SERVICE AWARD TO SHANE BOLTON. ROBERT CHRISTIAN, DISTRICT ATTORNEY, PRESENTED A 5 YEAR SERVICE AWARD TO LORI KASPER, ASSISTANT DISTRICT ATTORNEY. SHERIFF DEEDS PRESENTED A PLAQUE OF APPRECIATION TO MIKE BROWN FOR ALL HIS HELP WITH THE DARE PROGRAM.

REGARDING ITEM VI: CITIZENS COMMENTS. CHASE CUMMINGS AND SHAN ENGLISH

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

REGARDING ITEM VII.H: MOTION MADE BY COMMISSIONER BERRY TO APPROVE THE VACATION POLICY CHANGE. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.A.1: NO AGENDA ITEMS

REGARDING ITEM VIII.A.2.a: DON LINNEY, HOOD COUNTY ROAD ADMINISTRATOR, FOR DEVELOPMENT AND COMPLIANCE: PRESENTED FOR CONSIDERATION A RE-PLAT OF L1 BLOCK 1 HEATHINGTON ADDITION IN PRECINCT 3.

JUDGE COCKERHAM OPENED THE PUBLIC HEARING AT 9:10 AM. THERE WAS NOT PUBLIC COMMENT. COMMISSIONER BERRY NOTED FOR THE RECORD THAT COMMISSIONER HEATHINGTON HAD LEFT THE MEETING FOR THE HEARING AND VOTE.

JUDGE COCKERHAM CLOSED THE PUBLIC HEARING AND RECONVENED IN REGULAR SESSION AT 9:15 AM.

MOTION MADE BY COMMISSIONER SYMPSON TO APPROVE THE RE-PLAT OF LOT 1, BLOCK 1 HEATHINGTON ADDITION, LOCATED IN PRECINCT 3, SUBMITTED BY LEONARD AND DOROTHY HEATHINGTON. SECONDED BY COMMISSIONER ROAN. 4 VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.2.b: COMMISSIONER HEATHINGTON RETURNED TO THE COURT.

DON LINNEY RECOMMENDED THE APPROVAL OF THE SITE DEVELOPMENT PLAN FOR A STORAGE FACILITY AT 3501 MCCREARY. THERE WAS NO DISCUSSION.

MOTION MADE BY COMMISSIONER HEATHINGTON TO APPROVE THE SITE DEVELOPMENT PLAN FOR A STORAGE FACILITY AT 3201 MCCREARY ROAD, LOCATED IN PRECINCT 3, SUBMITTED BY FULTON SUBLETT. SECONDED BY COMMISSIONER BERRY. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.B.1: SHERIFF DEEDS EXPLAINED HIS REQUEST FOR A CHANGE.

LINE ITEM CHANGE 1. MOTION MADE BY COMMISSIONER HEATHINGTON TO APPROVE THE SHERIFF'S REQUESTED CHANGE. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED.

JUDGE WALTON, DISTRICT JUDGE, EXPLAINED THE INCREASE IN CASE LOAD THAT REQUIRE COURT APPOINTED ATTORNEYS AND REQUESTED \$20,000.00 BE TAKEN FROM THE CONTINGENCY FUND AND PUT IN HIS ATTORNEY LINE ITEM.

LINE ITEM CHANGE 2. MOTION MADE BY COMMISSIONER BERRY TO APPROVE JUDGE WALTON'S REQUEST. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII.B.2: STAN MCBROOM, AUDITOR, REVIEWED SOME OF THE BILLS FOR CONSIDERATION.

MOTION MADE BY COMMISSIONER HEATHINGTON TO APPROVE BILLS AS PRESENTED FOR THE PERIOD OF JUNE 8, 2011 THRU JUNE 21, 2011. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII.C.1: ROBERT BASS OF ALLISON, BASS AND ASSOCIATES, PRESENTED 3 PLANS FOR REDISTRICTING FOR THE COURT TO CONSIDER. HE EXPLAINED THE REQUIREMENTS FOR DEVIATION PERCENTAGES AND SAID HOOD COUNTY IS AT 26.27% AND THAT IS ABOVE THE 10% ALLOWED BY THE CONSTITUTION. HE ALSO EXPLAINED THE NEED TO HAVE AN ETHNIC BALANCE IN COMMISSIONERS PRECINCTS AS REQUIRED BY THE VOTING RIGHTS ACT. SEVERAL PEOPLE ASKED QUESTIONS FOR CLARITY. JUDGE MARTIN CASTILLO, JP 1&2 AND DEWAYNE HART, CONSTABLE 1&2 BOTH RECOMMENDED PLAN 1. MR. BASS EXPLAINED THERE WOULD BE A PUBLIC HEARING AT 2:00 PM WITH THIS SAME INFORMATION PRESENTED. NO ACTION TAKEN.

REGARDING ITEM VIII.C.2: JAN POPE, IT, REQUESTED MORE LICENSES TO SUPPORT NEW IP PHONES.

MOTION MADE BY COMMISSIONER BERRY TO APPROVE THE ADDITION OF MITEL LEASE ADDING LICENSES TO SUPPORT NEW IP PHONES. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.C.3: JAN POPE, IT, REQUESTED A COMMITTEE OF 16 BE FORMED TO EVALUATE THE NEED FOR NEW SOFTWARE TO REPLACE NET DATA. SHE STATED THAT THE COMMITTEE WOULD BE PRESENTED WITH COSTS OF NET DATA UPGRADES AND NEW SOFTWARE. SUGGESTED MEMBERS:

MARY BURNETT - COUNTY CLERK  
ROB CHRISTIAN - DISTRICT ATTORNEY  
TONNA TRUMBLE HITT - DISTRICT CLERK  
PENNY WEISEND - DISTRICT COURT COORDINATOR  
MICKY SHEARON - COUNTY COURT AT LAW COORDINATOR  
JACKIE SOLOMON - INFORMATION TECHNOLOGY DIRECTOR  
JAN POPE - INFORMATION TECHNOLOGY  
MARTIN CASTILLO - JP 1&2 OR RACHEL REID  
DANNY TUGGLE - JP 4  
NELDA WALTERS - PURCHASING AGENT  
KATHY DAVIS - COUNTY TREASURER  
TWO COMMISSIONERS OR A COMMISSIONER AND THE JUDGE  
RHONDA MCLLVAIN - COUNTY COURT COORDINATOR  
DWAYNE HART OR CHAD JORDAN - CONSTABLE

MOTION MADE BY COMMISSIONER BERRY TO HAVE JUDGE COCKERHAM AND COMMISSIONER ROAN SERVE. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED.

DEWAYNE HART, CONSTABLE 1&2 SUGGESTED CHAD JORDAN, CONSTABLE 4 SHOULD SERVE BECAUSE HE HAS A BETTER KNOWLEDGE OF COMPUTERS.

MOTION MADE BY COMMISSIONER SYMPSON TO APPOINT THE RECOMMENDED LIST WITH CHAD JORDAN, CONSTABLE 4 AND JUDGE COCKERHAM AND COMMISSIONER ROAN TO SERVE. SECONDED BY COMMISSIONER BERRY. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.C.4: BRIAN FINE, FIRE MARSHAL, UPDATED THE COURT IN REFERENCE TO THE ONGOING DROUGHT, HE STATED WE ARE SEEING OUR DROUGHT INDEX NUMBERS RISE TO AN AVERAGE OF 631 AND IN THE COUNTY WITH PORTIONS AS HIGH AS 689. HE REPORTED THAT IN JUNE THE FIRE DEPARTMENTS RESPONDED TO 31 FIRES (NOT INCLUDING STRUCTURE FIRES) WHICH WAS AN INCREASE FROM THE MAY COUNT OF 20. BASED ON THE CONTINUING THREAT HE RECOMMENDED THE COURT IMPLEMENT WELDING RESTRICTIONS AND ASKED THE JUDGE TO CONSIDER A DISASTER DECLARATION, BANNING THE USE OF FIREWORKS AND SUBMIT A REQUEST TO THE GOVERNOR TO EXTEND THIS BAN THROUGH THE 4<sup>TH</sup> OF JULY. HE EXPLAINED THIS WOULD BAN FIREWORKS FOR 60 HOURS UNTIL APPROVAL IS RECEIVED FROM THE GOVERNORS OFFICE.

CHASE CUMMINGS, REPRESENTING THE FIREWORKS COMPANIES, ADDRESSED THE COURT AND SAID THAT THE FIREWORKS COMPANIES HAVE NOT STARTED TO SELL FIREWORKS IN HOOD COUNTY. THEY ARE TRYING TO BE PROACTIVE AND CONCIIOUS OF THE DANGER OF FIRES. THEY WILL ONLY BE SELLING FIREWORKS JULY 1ST THRU 4<sup>TH</sup>.

SHAN ENGLISH ADDRESSED THE COURT AND STATED THAT ALTHOUGH IT IS VERY DRY THE WIND IS THE BIGGEST PROBLEM WHEN IT COMES TO FIREWORKS AND THE WIND IS SUPPOSED TO BE LIGHT FOR THE 4<sup>TH</sup> OF JULY. HE STATED THAT 20% OF FIRES ARE STARTED DUE TO CONTROL BURNS AND ONLY .3% OF FIRES ARE CAUSED BY FIREWORKS. HE SAID HE DID NOT BELIEVE THAT WE SHOULD BE IN DISASTER MODE.

BOTH MR. CUMMINGS AND MR. ENGLISH SUGGESTED A WORKSHOP WITH THE COURT TO DISCUSS WORKING TOGETHER TO DEVELOP A PLAN BASED ON THE TEXAS FOREST SERVICE, KMDI SIMILAR TO WHAT HARRIS COUNTY HAS PUT IN PLACE.

NO ACTION TAKEN.

REGARDING ITEM VIII.C.5: TABLED

REGARDING ITEM VIII.C.6: RICHARD ENGLISH STATED HE WOULD BE PLEASED TO FILL THE VACANCY IN THE BRAZOS G WATER PLANNING GROUP.

MOTION MADE BY COMMISSIONER BERRY TO APPROVE THE APPOINTMENT OF RICHARD ENGLISH TO FILL A VACANCY IN THE BRAZOS G WATER PLANNING GROUP. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.C.7: JUDGE COCKERHAM AND COMMISSIONERS RETIRED TO EXECUTIVE SESSION AT 10:10 AM. COMMISSIONER BERRY STATED THIS SESSION WAS NOT TO DISCUSS DISCIPLINARY ACTION.

REGARDING ITEM VIII.C.8: JUDGE COCKERHAM RECONVENED INTO OPEN SESSION AT 10.25 AM AND STATED THERE WAS NO ACTION TAKEN.

REGARDING ITEM VIII.C.9.a: NELDA WALTERS, PURCHASING AGENT, REQUESTED AN AMENDMENT TO THE 2010 PURCHASING POLICY & PROCEDURES.

MOTION MADE BY COMMISSIONER HEATHINGTON TO APPROVE AN AMENDMENT TO INCLUDE A DEBARRED VENDOR POLICY IN THE PURCHASING POLICY & PROCEDURES MANUAL. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.9.b: NELDA WALTERS, REQUESTED THE APPROVAL TO DONATE ITEMS FROM THE LIBRARY TO THE FRIENDS OF THE LIBRARY TO SELL IN THEIR STORE.

MOTION MADE BY COMMISSIONER HEATHINGTON TO APPROVE DONATION OF HOOD COUNTY INVENTORY ITEMS OF DELETED BOOKS, MEDIA ETC FROM THE HOOD COUNTY LIBRARY TO THE FRIENDS OF THE LIBRARY TO SELL IN THEIR STORE. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

COURT ADJOURNED AT 10:35 A.M.

APPROVED:

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DARRELL COCKERHAM, COUNTY JUDGE

ATTEST:

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MARY BURNETT, COUNTY CLERK