

BE IT KNOWN THAT ON THIS THE 9TH DAY OF OCTOBER , 2012, THE HONORABLE COMMISSIONERS COURT OF HOOD COUNTY WAS DULY CONVENED IN REGULAR SESSION, IN THE CENTRAL JURY ROOM AT THE HOOD COUNTY JUSTICE CENTER, 1200 WEST 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, October 9, 2012**, 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
 - a. October is National Disability Employment Awareness Month (NDEAM), a Hood County Proclamation.
- VI. Citizens' Comments pertaining to AGENDA ITEMS only.
- VII. CONSENT AGENDA
 - A. Minutes:
 - 1. Regular Commissioners' Court minutes for September 25, 2012.
 - B. Treasurer:
 - 1. Ratify payroll paid 09/28/2012 for the period 09/10/12-09/23/12
 - 2. Ratify Jury paid through 10/02/12.
 - C. Personnel changes, new hires, and terminations.
 - D. Authorize CGI to have a link on the Hood County website to promote development of Hood County, pursuant to Local Government Code §263.251. (CJ)
 - E. Accept a \$1,000.00 anonymous donation to the library. (LIB)
 - F. Purchasing:
 - 1. Approve contract renewal of RFQ2008-121 for Land Survey Services to Baird, Hampton & Brown Inc. as primary vendor and Survey Services as alternate vendor.
 - 2. Approve request to exempt Kirby-Smith Machinery from the competitive bid process pursuant to LGC262.024 (a)(7) as "sole source" for Gradall equipment, parts, attachments and warranty repairs in the State of Texas.
 - 3. Approve list of vehicles, boats, cars, and miscellaneous items to be sold as surplus by online auction through Rene Bates Auctioneer, Inc.
- VIII. Business to be discussed and considered for approval:
 - A. **SUBDIVISIONS, ROADS AND PLATS**
 - 1. **Road Operations**
 - a. Discuss and consider request by Granbury ISD for an egress for Buses to alleviate traffic and ADA concerns at Acton Elementary School and take appropriate action.

2. Development and Compliance

- a. Public hearing to consider and take appropriate action for the variance request to Section V, Land Use District Standards of the Hood County Development Regulations, at 1822 Billings Road.

B. BUDGET AND FINANCE (AUD)

1. Consider budget line item amendments for the period September 18, 2012, through October 1, 2012, and take appropriate action.
2. Consider payment of bills for the period September 18, 2012, through October 1, 2012, and take appropriate action.

C. MISCELLANEOUS:

1. Consider and take appropriate action regarding the nomination of Richard Stannell to serve on the Board of the Hood County Child Welfare Board. (CJ)
2. Consider and take appropriate action regarding the contract for the Failure to Appear Program offered by the Driver License Division under Transportation Code 706. (CJ)
3. Consider and take appropriate action to authorize the County Judge to sign an Asset Forfeiture report for the District Attorney. (DA)
4. Treasurer:
 - a. Consider and take appropriate action for approval the pay off of comp time accrued through the end of the county's budget year ending 09/30/12. Comp time to be paid on 10/12/12 at the employees' base salary rate as of the last pay period of the 2011-2012 budget year and in accordance with the liability being reported to the External Auditors for the 2011-2012 budget year. (TR)
 - b. Consider and take appropriate action to authorize TCDRS plan provision changes for the Plan Year 2013 as approved in Hood County's budget on September 2011, 2012 and authorize county Judge to sign Plan Certification.(TR)
 - c. Consider and take appropriate action for approval allowing holiday time accruals as of the 09/30/12 budget year to be extended for use through the end of October, 2012.
5. Consider and take appropriate action to authorize County Judge to sign the Certification of Governmental Entity Participation for the Texas Healthcare Transformation and Quality Improvement Program 1115.(CJ)
6. Information Technology:
 - a. Consider and take appropriate action: Authorize County Judge to sign agreements with Charter Business Communications for site to site and internet bandwidth.
 - b. Consider and take appropriate action: Authorize county judge to sign Net Data maintenance agreement for iCON - Justice of the Peace Case Management software installation.
 - c. Consider and take appropriate action: Authorize County Judge to sign agreements with Charter Business to increase amount of direct dial telephone numbers.
7. Consider and take appropriate action to award contract for RFP2012-002 Preventative Maintenance and Related Services for Pumper/Tankers, Brush, and Brush/CAFS trucks. (PUR)

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Addendum:

VIII. Business to be discussed and considered for approval:

C. MISCELLANEOUS:

8. Consider, discuss, and take appropriate action regarding the Tyler Technologies Professional Service Agreement for the District Clerk's office. (DC)

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 Clerk

REGARDING ITEM I: JUDGE COCKERHAM CALLED THE MEETING TO ORDER AT APPROXIMATELY 9:00 A.M. ON THE AFORESAID DATE OF OCTOBER 9, 2012.

REGARDING ITEM II: COMMISSIONER HEATHINGTON GAVE THE INVOCATION.

REGARDING ITEM III: COMMISSIONER SYMPSON LED THE PLEDGE OF ALLEGIANCE.

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

REGARDING ITEM V: SPECIAL PRESENTATIONS: JUDGE COCKERHAM READ THE PROCLAMATION FOR NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH.

REGARDING ITEM VI: CITIZENS COMMENTS: NONE

JUDGE COCKERHAM ASKED IF A COMMISSIONER WANTED TO PULL ANY ITEM FROM THE CONSENT AGENDA. COMMISSIONER BERRY ASKED ABOUT THE DATE FOR THE ONLINE AUCTION FOR SURPLUS VEHICLES AND PURCHASING AGENT NELDA WALTERS SAID AROUND THE END OF THE MONTH.

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

DONALD LINNEY OF ROAD OPERATIONS ADVISED THE COURT ON THE REQUEST FROM GRANBURY ISD FOR AN EGRESS FOR BUSES AT ACTON ELEMENTARY SCHOOL.

REGARDING ITEM VIII.A.1: MOTION MADE BY COMMISSIONER HEATHINGTON TO APPROVE THE REQUEST FROM GRANBURY ISD. SECONDED BY COMMISSIONER BERRY. ALL VOTED AYE. MOTION CARRIED.

DONALD LINNEY ASKED THE COURT'S APPROVAL FOR THE VARIANCE REQUEST TO SECTION V, LAND USE DISTRICT STANDARDS OF THE HOOD COUNTY DEVELOPMENT REGULATIONS REQUESTED BY B.J. OLIVER AT 1822 BILLINGS ROAD.

JUDGE COCKERHAM OPENED A PUBLIC HEARING. THERE WAS NOT PUBLIC COMMENT. JUDGE COCKERHAM CLOSED THE PUBLIC HEARING.

REGARDING ITEM VIII.A.2: MOTION MADE BY COMMISSIONER ROAN TO APPROVE THE VARIANCE REQUEST. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED.

AUDITOR STAN MCBROOM ADVISED THE COURT ON ONE LINE ITEM AMENDMENT FROM THE SHERIFF'S OFFICE.

REGARDING ITEM VIII. B.1 MOTION MADE BY COMMISSIONER BERRY TO APPROVE THE MONTHLY BUDGET LINE ITEM AMENDMENTS FOR THE PERIOD SEPTEMBER 18, 2012 THROUGH OCTOBER 1, 2012. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

AUDITOR STAN MCBROOM REVIEWED THE LIST OF BILLS FOR PAYMENT FOR THE COURT.

REGARDING ITEM VIII. B.2: MOTION MADE BY COMMISSIONER HEATHINGTON TO APPROVE BILLS FOR PAYMENT FOR THE PERIOD SEPTEMBER 18, 2012 THROUGH OCTOBER 1, 2012. SECONDED BY COMMISSIONER BERRY. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII.C.1: MOTION MADE BY COMMISSIONER HEATHINGTON TO APPROVE THE NOMINATION OF RICHARD STANNELL TO SERVE ON THE HOOD COUNTY CHILD WELFARE BOARD. SECONDED BY COMMISSIONER BERRY. ALL VOTED AYE. MOTION CARRIED.

TREASURER KATHY DAVIS ADDRESSED THE COURT REGARDING THE CONTRACT FOR THE FAILURE TO APPEAR PROGRAM OFFERED BY THE DRIVER LICENSE DIVISION. SHE STATED THAT SHE AND JUSTICE OF PEACE TUGGLE HAVE DECIDED THAT THE PROBLEM IS A THIRD PARTY VENDOR AND THEY HAVE ASKED THE COUNTY ATTORNEY TO ADD AN ADDENDUM TO THE CONTRACT REGARDING THIS.

REGARDING ITEM VIII.C.2: MOTION MADE BY COMMISSIONER ROAN TO APPROVE THE CONTRACT OFFERED BY THE DRIVER LICENSE DIVISION SUBJECT TO THE ADDENDUM ADDED BY THE COUNTY ATTORNEY. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

DISTRICT ATTORNEY ROBERT CHRISTIAN ADVISED THE COURT ON HIS ASSET FORFEITURE REPORT.

REGARDING ITEM VIII.C.3: MOTION MADE BY COMMISSIONER BERRY TO APPROVE THE ASSET FORFEITURE REPORT FOR THE DISTRICT ATTORNEY AND AUTHORIZE JUDGE COCKERHAM TO SIGN. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

TREASURER KATHY DAVIS ASKED THE COURT'S PERMISSION TO PAY OFF COMP TIME ACCRUED THROUGH THE END OF THE COUNTY BUDGET YEAR ENDING 9/30/12.

REGARDING ITEM VIII.C.4:(a) MOTION MADE BY COMMISSIONER BERRY TO APPROVE THE PAY OFF OF ACCRUED COMP TIME. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED.

TREASURER KATHY DAVIS ASKED THE COURT TO APPROVE THE TCDRS PLAN PROVISION CHANGES FOR THE PLAN YEAR 2013 AND TO AUTHORIZE JUDGE COCKERHAM TO SIGN SAME.

REGARDING ITEM VIII.C.4: (b) MOTION MADE BY COMMISSIONER ROAN TO APPROVE THE TCDRS PLAN PROVISION CHANGES FOR THE PLAN YEAR 2013 AS APPROVED IN THE COUNTY BUDGET AND TO AUTHORIZE JUDGE COCKERHAM TO SIGN. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

TREASURER KATHY DAVIS ASKED THE COURT'S PERMISSION TO ALLOW HOLIDAY TIME ACCRUALS TO BE EXTENDED FOR USE THROUGH THE END OF OCTOBER 2012.

REGARDING ITEM VIII.C.4: (c) MOTION MADE BY COMMISSIONER BERRY TO APPROVE THE EXTENSION OF USE OF HOLIDAY TIME THROUGH THE END OF OCTOBER 2012. SECONDED BY COMMISSIONER HEATHINGTON. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.C.5: MOTION MADE BY COMMISSIONER HEATHINGTON TO TABLE THIS ITEM UNTIL REVIEWED BY THE COUNTY ATTORNEY. SECONDED BY COMMISSIONER BERRY. ALL VOTED AYE. MOTION CARRIED.

I.T. DIRECTOR JACKIE SOLOMON ADDRESSED THE COURT REGARDING AGREEMENTS WITH CHARTER BUSINESS COMMUNICATIONS FOR SITE TO SITE AND INTERNET BANDWIDTH.

REGARDING ITEM VIII.C.6: (a) MOTION MADE BY COMMISSIONER HEATHINGTON TO AUTHORIZE JUDGE COCKERHAM TO SIGN THE AGREEMENTS WITH CHARTER BUSINESS COMMUNICATIONS FOR SITE TO SITE AND INTERNET BANDWIDTH. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

JACKIE SOLOMON ADVISED THE COURT ON NETDATA MAINTENANCE AGREEMENT FOR ICON JUSTICE OF PEACE CASE MANAGEMENT SOFTWARE INSTALLATION. COMMISSIONER ROAN ASKED IF THIS SOFTWARE WOULD BE COMPATIBLE WITH TYLER OR OTHER SOFTWARE AND JACKIE SAID YES.

REGARDING ITEM VIII.C.6: (b) MOTION MADE BY COMMISSIONER BERRY TO AUTHORIZE JUDGE COCKERHAM TO SIGN THE NETDATA MAINTENANCE AGREEMENT FOR ICON. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

JACKIE SOLOMON OF I.T. REQUESTED THE COURT'S PERMISSION TO INCREASE THE AMOUNT OF DIRECT DIAL TELEPHONE NUMBERS WITH CHARTER BUSINESS. THE NUMBERS COME IN A BLOCK OF 100.

REGARDING ITEM VIII.C.6: (c) MOTION MADE BY COMMISSIONER ROAN TO AUTHORIZE JUDGE COCKERHAM TO SIGN AGREEMENTS WITH CHARTER BUSINESS TO INCREASE THE AMOUNT OF DIRECT DIAL TELEPHONE NUMBERS. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

PURCHASING AGENT NELDA WALTERS ADVISED THE COURT ON RFP2012-002 PREVENTATIVE MAINTENANCE AND RELATED SERVICES FOR PUMPER/TANKERS, BRUSH AND BRUSH/CAFS TRUCKS. SHE RECOMMENDED THE COURT AWARD THE CONTRACT TO FIRST VEHICLE SERVICES.

REGARDING ITEM VIII.C.7: MOTION MADE BY COMMISSIONER BERRY TO AWARD CONTRACT FOR RFP2012-002 TO FIRST VEHICLE SERVICES. SECONDED BY COMMISSIONER SYMPSON. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

DISTRICT CLERK TONNA HITT REQUESTED THE COURTS APPROVAL OF THE TYLER TECHNOLOGIES PROFESSIONAL SERVICE AGREEMENT FOR THE DISTRICT CLERK'S OFFICE. STEVE MURPHY WITH TYLER TECHNOLOGIES GAVE THE COURT A BRIEF STATEMENT ABOUT TYLER'S BACKGROUND IN COUNTY GOVERNMENT. THERE IS CLEAN-UP WORK THAT NEEDS TO BE DONE BY THE DISTRICT CLERK'S OFFICE BEFORE THE CONVERSION PROCESS CAN BEGIN AND THE CONVERSION SHOULD TAKE FROM 4 TO 6 MONTHS. THERE WERE QUESTIONS REGARDING COMPATIBILITY WITH SPILLMAN AND IF THERE WOULD BE CONFLICT WITH THE DISTRICT ATTORNEY'S OFFICE, COUNTY COURT AT LAW OR DISTRICT JUDGE AND THE ANSWERS WERE NO CONFLICT ON ANY ACCOUNTS. THE QUESTION WAS ASKED BY COMMISSIONER BERRY REGARDING INVOLVEMENT FROM THE I.T. DEPARTMENT IN REGARDS TO THE NETDATA INSTALLATION AND THERE WILL BE NO CONFLICT. COMMISSIONER SYMPSON ASKED IF THIS WOULD AFFECT THE INFRASTRUCTURE OF THE I.T. DEPARTMENT AND JACKIE STATED THAT IT WOULD NOT.

REGARDING ITEM VIII.C.8: MOTION MADE BY COMMISSIONER ROAN TO APPROVE THE PROFESSIONAL SERVICE AGREEMENT WITH TYLER TECHNOLOGIES FOR THE DISTRICT CLERK'S OFFICE. SECONDED BY COMMISSIONER BERRY WITH A COMMENT ABOUT THE I.T.DEPARTMENT BEING IN AN OLD BUILDING THAT NEEDED A NEW ROOF AND THE LACK OF SPACE AND THE FACT THAT PREVIOUS COURTS HAD NOT ADDRESSED THE PROBLEMS OF THE INFRASTRUCTURE OF THE I.T. DEPARTMENT. THERE WERE THREE AYE VOTES BY COMMISSIONERS ROAN AND BERRY AND JUDGE COCKERHAM AND TWO NAY VOTES BY COMMISSIONERS SYMPSON AND HEATHINGTON. MOTION CARRIED. SEE ATTACHED.

COURT ADJOURNED AT 9:50 A.M.

APPROVED:

DARRELL COCKERHAM, COUNTY JUDGE

ATTEST:

MARY BURNETT, COUNTY CLERK