

STATE OF TEXAS

COMMISSIONERS COURT

COUNTY OF HOOD

BE IT KNOWN THAT ON THIS THE 12, DAY OF MARCH, 2013, 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, March 12, 2013**, 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. American Red Cross Month
  - B. Poison Prevention Week March 17 - 23
- VI. Citizens' Comments pertaining to AGENDA ITEMS only.
- VII. CONSENT AGENDA
  - A. Minutes:
    1. Regular Commissioners' Court minutes for February 26, 2013.
  - B. Treasurer.
    1. Ratify payroll for the period 2/11 through 2/24/13 - paid 3/1/13
    2. Ratify jury paid through 03/05/13.
  - C. Personnel changes, new hires, and terminations
  - D. Approve the Payment in Lieu of Taxes (PILOT) Waiver for the Granbury Housing Authority. (COM P4).
  - E. Approve appointment of Lyndell Smith to replace Bill Lowe on the Hood County Development District #1 Board of Directors. (COM P3)
  - F. Approve donation to the Library for \$200.00 from the GFWC Woman's Wednesday Club of Granbury, Inc., to go to line item 558-370-375. (LIB)
  - G. Exempt purchasing from the competitive bidding process under LGC 262.024 (a)(11) Discretionary Exemptions for equipment repairs for Holt Cat, a caterpillar engine certified repair station.(PUR)
- VIII. Business to be discussed and considered for approval:
  - A. **SUBDIVISIONS, ROADS AND PLATS**
    1. **Road Operations**
      - a. Public hearing to discuss and consider establishing a "NO PARKING IN RIGHT OF WAY" in Mid-Haven Estates
    2. **Development and Compliance**
      - a. Public hearing to consider and take appropriate action for the replat of Lots 2R-1-A and 4R-1-A, Block 1, The Village at Lake Granbury.

- b. Public hearing to consider and take appropriate action on the site development plan for Scott Measurement Service, Inc., 5714 and 5718 Acton Circle, Granbury, Texas.
- c. Public hearing to consider and take appropriate action on the site development plan for MWS Properties, LLC, 3103 James Road, Granbury, Texas.
- d. Public hearing to consider and take appropriate action on the site development plan for Bootlegger RV Park, 4208 Fall Creek Highway, Acton, Texas.
- e. Public hearing to consider and take appropriate action on the addendum to Section 1 Development Permit Regulations, Article VII.

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

- 1. Consider budget line item amendments for the period February 16, 2013, through March 4, 2013, and take appropriate action.
- 2. Consider payment of bills for the period February 16, 2013, through March 4, 2013, and take appropriate action.
- 3. Receive preliminary financing proposal from First Southwest Company regarding \$10 million proposed debt for Recreation Center, and take appropriate action.

**C. MISCELLANEOUS:**

- 1. Consider request from Cancer Care Services (Teresa McCoy) to allow a fundraiser flyer to be inserted in the March 15th payroll envelopes and take appropriate action.(TAC)
- 2. Consider and take appropriate action regarding County Clerk's request for the expenditure of \$31,204.00 from Fund 68 for the preservation of one Historical Probate Book, and two boxes of loose historical case files. (CC)
- 3. Consider for approval allowing Treasurer to secure 2 credit card machines: one for Animal Control and one for the Sheriff's Office, and allow County Judge to sign applications for Merchant Card Processing. (TR)
- 4. Sheriff:
  - a. Discuss, consider and take appropriate action regarding Animal Control adoption fees of \$15 for altered animals and \$75 for unaltered animals, for a six month trial period.
  - b. Discuss, consider, and take appropriate action regarding moving forward on the EOC grant.
  - c. Discuss, consider and take appropriate action regarding the Animal Control Shelter the Preliminary Schedule from Magee Architects, LP
- 5. Discuss and take appropriate action regarding Election Administrator's request to increase budget for training. (EA)
- 6. Discuss and take appropriate action on budget line item 010-460-330 (supplies) for J.P. 1 (JP1)
- 7. Consider and take appropriate action to approve purchase of computer from fund 55 for the County Court a law. (CCL)
- 8. Consider and take appropriate action to approve Resolution for the John Graves Scenic Riverway. (COM P2)

**ADJOURN**

THE FOLLOWING MEMBERS WERE PRESENT  
 DARRELL COCKERHAM, COUNTY JUDGE  
 JAMES DEAVER, COMMISSIONER PRECINCT 1  
 DICK ROAN, COMMISSIONER PRECINCT 2  
 JEFF TOUT, COMMISSIONER PRECINCT 3  
 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 MARCH 12, 2013.

REGARDING ITEM II: INVOCATION GIVEN BY COMMISSIONER DEAVER

REGARDING ITEM III: PLEDGE OF ALLEGIANCE LEAD BY: COMMISSIONER DEAVER

REGARDING ITEM IV: PLEDGE TO TEXAS LEAD BY: COMMISSIONER TOUT

REGARDING ITEM V: SPECIAL PRESENTATIONS:

REGARDING ITEM V.A: COMMISSIONER ROAN READ THE DECLARATION PROCLAIMING MARCH AMERICAN RED CROSS MONTH.

MOTION MADE BY COMMISSIONER ROAN TO PROCLAIM MARCH AMERICAN RED CROSS MONTH. SECONDED BY COMMISSIONER DEEVER. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED

REGARDING ITEM V.B: COMMISSIONER TOUT READ THE PROCLAMATION DECLARING THE WEEK OF MARCH 17-23 POISON PREVENTION WEEK.

MOTION MADE BY COMMISSIONER TOUT DECLARING THE WEEK OF MARCH 17-23 POISON PREVENTION WEEK. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VI: CITIZENS COMMENTS WERE GIVEN DURING DISCUSSION OF ITEM.

REGARDING ITEM VII.A-G: JUDGE COCKERHAM ASKED IF ANY COMMISSIONER WISHED TO REMOVE ANY ITEM FROM THE CONCENT AGENDA. THERE WERE NONE.

MOTION MADE BY COMMISSIONER DEEVER TO APPROVE THE CONSENT AGENDA. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII.A.1.a: JUDGE COCKERHAM OPENED A PUBLIC HEARING. DON LINNEY, COUNTY ROAD ADMINISTRATOR, RECOMMENDED NO PARKING IN RIGHT OF WAY IN MID-HAVEN ESTATES. THERE WERE NO OTHER COMMENTS.

JUDGE COCKERHAM CLOSED THE PUBLIC HEARING.

MOTION MADE BY COMMISSIONER ROAN TO APPROVE ESTABLISHING A "NO PARKING IN RIGHT OF WAY" IN MID-HAVEN ESTATES. SECONDED BY COMMISSIONER DEEVER. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.A.2.a: JUDGE COCKERHAM OPENED A PUBLIC HEARING. DON LINNEY RECOMMENDED APPROVAL OF THE REPLAT. THERE WERE NO OTHER COMMENTS.

JUDGE COCKERHAM CLOSED THE PUBLIC HEARING.

MOTION MADE BY COMMISSIONER ROAN TO APPROVE THE REPLAT OF LOTS 2R-1-A AND 4R-1-A, BLOCK 1, THE VILLAGE AT LAKE GRANBURY. SECONDED BY COMMISSIONER TOUT. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED

REGARDING ITEM VIII.A.2.b: JUDGE COCKERHAM OPENED THE PUBLIC HEARING. DON LINNEY RECOMMENDED APPROVAL OF SITE DEVELOPMENT PLAN. THERE WERE NO OTHER COMMENTS

JUDGE COCKERHAM CLOSED THE PUBLIC HEARING.

MOTION MADE BY COMMISSIONER DEEVER TO APPROVE THE SITE DEVELOPMENT PLAN FOR SCOTT MEASUREMENT SERVICE, INC, 5714 AND 5718 ACTON CIRCLE, GRANBURY TEXAS. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED

REGARDING ITEM VIII.A.2.c: JUDGE COCKERHAM OPENED THE PUBLIC HEARING. DON LINNEY EXPLAINED THIS WAS A MULTI PHASED PLAN FOR DUPLEXES AND MULTI FAMILY UNITS. STEVEN WALT, JOHN HALL, CANDY WRIGHT, STEPHEN REINKE, AND BETTY JO MCPHERSON ALL ADDRESSED THE COURT WITH THEIR CONCERNS ABOUT DRAINAGE PROBLEMS WHICH CAUSE FLOODING IN THAT AREA. THEY REQUESTED HELP TO FIX THE DRAINAGE PROBLEM BEFORE ALLOWING ANY MORE DEVELOPMENTS.

JUDGE COCKERHAM CLOSED THE PUBLIC HEARING.

MOTION MADE BY COMMISSIONER TOUT TO APPROVE THE SITE DEVELOPMENT PLAN FOR MW PROPERTIES, LLC, FOR 3103 JAMES ROAD, GRANBURY TEXAS. SECONDED BY COMMISSIONER DEEVER. DISCUSSION OF COMMISSIONERS DREW COMMENTS FROM THE AUDIENCE. JUDGE COCKERHAM CALLED FOR THE VOTE. COMMISSIONER TOUT AND COMMISSIONER DEEVER VOTED AYE. JUDGE COCKERHAM AND COMMISSIONER ROAN VOTED NAY. MOTION FAILED. SEE ATTACHED

REGARDING VIII.A.2.d: DON LINNEY STATED THE PREPOSED PLAN REQUIRES A VARIANCE OF SECTION 5.4B OF THE DEVELOPMENT REGULATIONS, AND RECOMMENDED NOT TO APPROVE THE PROPOSED PLAN AS PRESENTED.

JUDGE COCKERHAM OPENED THE PUBLIC HEARING. RON CUMMINGS, OWNER OF BOOTLEGGER LIQUER STORE AND OWNS THE PROPERTY TO BE DEVELOPED, ADDRESSED THE COURT AND ASKED FOR APPROVAL OF THE SITE PLAN.

JUDGE COCKERHAM CLOSED THE PUBLIC HEARING.

MOTION MADE BY COMMISSIONER ROAN TO APPROVE SITE DEVELOPMENT PLAN FOR BOOTLEGGER RV PARK, 4208 FALL CREEK HIGHWAY , ACTON TEXAS. MOTION DIED FOR LACK OF SECOND.

REGARDING ITEM VIII.A.2.e: JUDGE COCKERHAM OPENED THE PUBLIC HEARING. JAMES MCAUSLAND ADDRESSED THE COURT WITH THE RECOMMENDATIONS HE RECEIVED FROM THE COUNTY ATTORNEY AND ASKED THIS ITEM BE TABLED. DON LINNEY RECOMMENDED THE DISAPPROVAL OF THIS ITEM.

JUDGE CLOSED THE PUBLIC HEARING.

MOTION MADE BY COMMISSIONER ROAN TO DISAPPROVE AN ADDENDUM TO SECTION 1 DEVELOPMENT PERMIT REGULATIONS, ARTICLE VII. SECONDED BY, COMMISSIONER TOUT. ALL VOTED AYE, MOTION CARRIED.

REGARDING ITEM VIII.B.1: STAN MCBROOM, AUDITOR, EXPLAINED THE LINE ITEM AMENDMENTS.

MOTION MADE BY COMMISSIONER TOUT, TO APPROVE THE MONTHLY BUDGET LINE ITEM AMENDMENTS FOR THE PERIOD FEBRUARY 16, 2013 THROUGH MARCH 4, 2013. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII.B.2: MOTION MADE BY COMMISSIONER DEAVER, TO APPROVE BILLS FOR THE PERIOD FEBRUARY 16, 2013 THROUGH MARCH 4, 2013. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII:B.3:STAN MCBROOM INTRODUCED JIM SABONIS, REPRESENTATIVE OF FIRST SOUTHWEST COMPANY. MR. SABONIS REVIEWED WITH THE COURT THE PRELIMINARY FINANCING PROPOSAL REGARDING \$10 MILLION PROPOSED DEBT FOR THE RECREATION CENTER. NO ACTION WAS REQUIRED. SEE ATTACHED

REGARDING ITEM VIII.C.1: TERESA MCCOY, TAX ASSESSOR/COLLECTOR, REQUESTED APPROVAL TO INSERT A FLYER IN THE MARCH 15<sup>TH</sup> PAYROLL ENVELOPES.

MOTION MADE BY COMMISSIONER ROAN, TO APPROVE ADDING THE CANCER CARE SERVICES FUNDRAISER FLYER TO THE MARCH 15<sup>TH</sup> PAYROLL ENVELOPES. SECONDED BY COMMISSIONER DEAVER. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.C.2: MARY BURNETT, COUNTY CLERK, REQUESTED APPROVAL TO SPEND \$31,254.40 FROM FUND 68 FOR HISTORICAL DOCUMENT RESTORATION.

MOTION MADE BY COMMISSIONER DEAVERS, TO APPROVE THE EXPENDITURE OF \$31,254.40 FROM FUND 68 FOR THE PRESERVATION OF ONE HISTORICAL PROBATE BOOK AND TWO BOXES OF LOOSE HISTORICAL CASE FILES. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.C.3: KATHY DAVIS, TREASURER, REQUESTED APPROVAL TO SECURE 2 CREDIT CARD MACHINES.

MOTION MADE BY COMMISSIONER ROAN TO APPROVE 2 CREDIT CARD MACHINES: ONE FOR ANIMAL CONTROL AND ONE FOR THE SHERIFF'S OFFICE, AND TO ALLOW COUNTY JUDGE TO SIGN APPLICATIONS FOR MERCHANT CARD PROCESSING. SECONDED BY COMMISSIONER TOUT. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.C.4.a: MOTION MADE BY COMMISSIONER DEAVER TO APPROVE ANIMAL CONTROL ADOPTION FEES OF \$15 FOR ALTERED ANIMALS AND \$75 FOR UNALTERED ANIMALS, FOR A SIX MONTH TRIAL PERIOD. SECONDED BY COMMISSIONER TOUT. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.4.b: MOTION MADE BY COMMISSIONER ROAN TO APPROVE MOVING FORWARD ON THE EOC GRANT. SECONDED BY COMMISSIONER DEAVER. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED

REGARDING ITEM VIII.C.4.c: MR. MAGEE OF MAGEE ARCHITECTS,LP, PRESENTED TO THE COURT AN UPDATE AND SCHEDULE FOR THE PROPOSED ANIMAL CONTROL SHELTER. JUDY HULL THANKED THE COURT FOR THEIR SUPPORT OF THE NEW ANIMAL SHELTER.

MOTION MADE BY COMMISSIONER TOUT TO ACCEPT THE PRELIMINARY SCHEDULE FOR THE ANIMAL CONTROL SHELTER FROM MAGEE ARCHITECTS, LP. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED. SEE ATTACHED.

REGARDING ITEM VIII.C.5: JANISE (CRICKETT) MILLER, ELECTIONS ADMINISTRATOR, REQUESTED APPROVAL FOR INCREASED BUDGET FOR TRAINING. SHE EXPLAINED THE REASONS FOR THE NEED FOR THE FUNDS AND INFORMED THE COURT THAT SOME OF THE EXPENSE WOULD BE REIMBURSED FROM CHAPTER 19 FUNDS.

MOTION MADE BY COMMISSIONER ROAN TO INCREASE THE ELECTIONS ADMINISTRATOR BUDGET FOR TRAINING. SECONDED BY COMMISSIONER TOUT. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.C.6: MOTION MADE BY COMMISSIONER DEAVER TO INCREASE BUDGET LINE ITEM 010-460-330 (SUPPLIES) NOT TO EXCEED \$2000 AND THE CLOCK WITH THE APPROVAL OF THE PURCHASING AGENT. SECONDED BY COMMISSIONER ROAN. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.C.7: JACKIE SOLOMON, IT DIRECTOR, EXPLAINED THAT THE COUNTY COURT AT LAW HAS SOME OLDER SYSTEMS THAT NEED TO BE REPLACED.

MOTION MADE BY COMMISSIONER ROAN TO APPROVE THE PURCHASE OF A COMPUTER FROM FUND 55 FOR THE COUNTY COURT AT LAW NOT TO EXCEED \$1200. SECONDED BY COMMISSIONER TOUT. ALL VOTED AYE. MOTION CARRIED.

REGARDING ITEM VIII.C.8: MOTION MADE BY COMMISSIONER ROAN TO APPROVE THE RESOLUTION FOR THE JOHN GRAVES SCENIC RIVERWAY. SECONDED BY COMMISSIONER DEAVER. ALL VOTED AYE. SEE ATTACHED

COURT ADJOURNED AT 10:40 A.M.

APPROVED:

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DARRELL COCKERHAM, COUNTY JUDGE

ATTEST:

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MARY BURNETT, COUNTY CLERK