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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 13, 2021**, at **9:00AM** in the **CENTRAL JURY ROOM OF THE HOOD COUNTY JUSTICE CENTER AT 1200 W. PEARL STREET** Granbury, Texas 76048. At which meeting the following subjects will be discussed and the following matters acted upon.

AGENDA

*** Watch live at <https://stream.lifefizecloud.com/extension/1242079/35ab6698-f11f-4a4b-b03b-41df1af47c1c> ***

I. CALL TO ORDER

II. INVOCATION

Pastor Lowell Ercanbrack – Hope Community Church

III. PLEDGE OF ALLEGIANCE

IV. PLEDGE OF TEXAS

“Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible”

V. SPECIAL PRESENTATIONS:

None

SERVICE AWARDS

None

VI. CITIZENS COMMENTS

A. CITIZENS COMMENTS AT LARGE.

B. CITIZENS COMMENTS PERTAINING TO AGENDA ITEMS ONLY.

VII. CONSENT AGENDA

A. MINUTES:

1. Approve Regular Commissioners Court Minutes from March 23, 2021.

B. TREASURER:

1. Review and accept payroll 03/15/21-03/28/21 - paid 04/02/21
2. Release pledge of security collateral CUSIP 208399XB6, 1,270,000.00 PAR, MAT 03/01/2028 and replace with CUSIP 79642GHT2, 1,250,000.00 PAR, MAT 05/15/2045

C. PERSONNEL CHANGES:

Approve personnel changes, new hires, and terminations.

D. AUDITOR:

LINE ITEM TRANSFERS/BUDGET AMENDMENTS:

None

E. SHERIFF DONATIONS:

1. Accept donation to Hood County Animal Control from Tractor Supply Co in the amount of \$125.00.

- Gift Card.
- 2. Accept donation to Hood County Animal Control from Tds Transmission & Automotive in the amount of \$200.00. Cash.
- 3. Accept donation to Hood County Animal Control from T. & B. Goodenough in the amount of \$100.00. Check #5188.
- 4. Accept the donation of a Champion 7500 watt generator to the Hood County Sheriff's Office from Home Depot. Valued at \$800.00.

F. PURCHASING:

- 1. Approve request of Purchasing and Road Ops to put out for re-bid RFB2021-006 Hot Mix Cold Lay.
- 2. Approve request of Purchasing and Sheriff's Office to reject and re-bid RFP2021-007 Jail Food.
- 3. Request approval for one month renewal RFB2016-010 Jail Food to Ben E. Keith and Bimbo Bakery.
- 4. Request approval for annual renewal RFB2017-002 Liquid Asphalts, Oils and Emulsions to Ergon Asphalt.
- 5. Request approval for annual renewal RFB2020-004 Non Spec Aggregate Alternate Vendor to Vulcan Construction Materials.
- 6. Request approval for two year renewal RFP2017-003 Hood County Bank Depository to First Financial Bank.

G. CERTIFICATES:

- 1. Approve Certificates of Completion (Public Information Act and Open Meetings Act) for Precinct One (1) Constable Chad Davis.
- 2. Approve Certificates of Completion (Public Information Act and Open Meetings Act) for Precinct Three (3) Constable Randy Ellis.

VIII. BUSINESS TO BE DISCUSSED AND CONSIDERED FOR APPROVAL:

A. SUBDIVISIONS, ROADS AND PLATS:

- 1. ROAD OPERATIONS – NO ITEMS
- 2. DEVELOPMENT
 - 1. Public Hearing to discuss and consider approval of the following Replat:
 - a. PECAN PLANTATION, UNIT 6, LOT 1159R (PCT 2)
 - b. HUNTERWOOD, LOT 4R, BLOCK 1 (PCT 2)
 - 2. Discuss and consider approval of the following Preliminary Plat:
 - a. ROLLED STONE ESTATES, PHASE 1 (PCT 1)
 - 3. Discuss and consider approval of the following Final Plat:
 - a. CHAPARRAL HEIGHTS, LOTS 1 - 8, BLOCK 1 (PCT 1)
 - 4. Discuss and consider an Interlocal Agreement with Parker County, Texas, in accordance with the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, and take appropriate action (PCT 1)

B. FINANCIAL:

- 1. Consider "Certification of Payment of Invoices" for the period March 17, 2021 through April 6, 2021, discuss payment over \$10,000 and take appropriate action.
Expenditures for April 13, 2021 Commissioner's Court: \$479,047.22

C. MISCELLANEOUS:

- 1. Discuss and take appropriate action to determine the authority of the County Elections Administrator under Texas Election Code § 52.002 (AUTHORITY PREPARING BALLOT) as applied to Texas Election Code § 52.062 (NUMBERING OF BALLOTS). (COM. P4)
- 2. Discuss and take appropriate action regarding the division of certain duties between the County Clerk and the County Election Administrator as promulgated by Texas Election Code § 31.044 (DIVISION OF CERTAIN DUTIES BETWEEN COUNTY CLERK AND ADMINISTRATOR) with respect to meetings of Commissioners' Court. (COM. P4)

3. Discuss and take appropriate action authorizing the County Judge to sign contracts with the Lake Granbury Conference Center for a period of up to six (6) months beginning May 3, 2021 for the purpose of allowing the 355th Judicial District Court and Hood County Court at Law to conduct jury selection. (DJ, CJ)
4. Discuss and take appropriate action to change Commissioners' Court date scheduled for Tuesday July 13, 2021 due to a lack of a quorum as there will be at least three (3) members of the court attending The North & East Texas County Judges and Commissioners Association Conference in Waco July 12 through July 15 2021. (COM. P2)
5. Discuss and take appropriate action to reduce the number of members on Library Advisory Board from 13 members to the original nine (9) members [two from each Commissioners' precinct and one "at large" for County Judge]. (COM. P4)
6. Discuss and take appropriate action to appoint seven (7) members to the Hood County Library Advisory Board. (COM. P2)
7. Discuss and consider request to purchase 44 AED's with a 5 year service agreement from AED123, and authorize the County Judge to sign the AED123 Customer Agreement. 18 will be placed in county buildings and 22 for patrol deputies and jail transport vans. Not to exceed \$152,180.00 (EM, PUR, CJ)
8. Discuss and consider request to purchase 10 Lucas v3.21 Chest Compression systems for the Fire Departments with a 3 year service and training agreement from Stryker, and authorize the County Judge to sign the NASPO ValuePoint Participating Addendum. Not to exceed \$164,106.70. (EM, PUR, CJ)
9. Discuss and take appropriate action to award RFB2021-004 Corrugated Steel Culverts contract to Wilson Culverts. (PUR, RO, CJ)
10. Discuss and take appropriate action to approve request of IT to exempt Purchasing from competitive bidding the purchase of proprietary software, pre-configured hardware, installation, testing, validation, and related services from Net Data (GHS) per county purchasing requirements, citing Local Government Code, discretionary exemption 262.024 (a) (7), an item that can be obtained from only one source. (COM.P4)
11. Discuss and take appropriate action regarding a request to purchase 23 Roll up Ballistic level IIIA Shields for the best quoted price of \$1,025.00 each for a total of \$23,655.00 including shipping. And a request for 2-24" wide by 48" tall hard Ballistic Shields for a cost of \$2,050.00 each and the total of \$4,165.00 including shipping. Grand Total of \$27,820.00 request from Capitol Fund 55. (SO, COM.P1)
12. Discuss and take appropriate action regarding approval of the liability waiver to be used for the Hood County Extension Livestock Trailer. (CO EXT, COM P2)
13. Discuss and take appropriate action regarding resolution adopting Opposition to SB234/HB749 Efforts to Silence County Officials. (COM. P2)
14. Discuss and take appropriate action regarding resolution adopting opposition to unfunded mandates. (COM. P2)
15. Discuss and take appropriate action for additional funding to repair or replace failing HVAC units in County buildings. (MAINT. COM P2)

ADJOURN

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 13, 2021, at 9:00AM** in the **CENTRAL JURY ROOM OF THE HOOD COUNTY JUSTICE CENTER AT 1200 W. PEARL STREET** Granbury, Texas 76048. At which meeting the following subjects will be discussed and the following matters acted upon.

AGENDA

*** Watch live at <https://stream.lifesizecloud.com/extension/1242079/35ab6698-f11f-4a4b-b03b-41df1af47c1c> ***

THE FOLLOWING MEMBERS WERE PRESENT

Ron Massingill, County Judge
Kevin Andrews, Commissioner Precinct 1
Ron Cotton, Commissioner Precinct 2
Jack Wilson, Commissioner Precinct 3
David Eagle, Commissioner Precinct 4

REGARDING ITEM I: CALL TO ORDER

Ron Massingill, County Judge called the meeting to order at approximately 9:00 A.M. on the aforesaid date of Tuesday, April 13th, 2021.

REGARDING ITEM II: INVOCATION

Pastor Lowell Ercanbrack – Hope Community Church

REGARDING ITEM III: PLEDGE OF ALLEGIANCE – Commissioner Cotton

REGARDING ITEM IV: PLEDGE OF TEXAS – Commissioner Eagle

“Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible”

REGARDING ITEM V: SPECIAL PRESENTATIONS:

I. SPECIAL PRESENTATIONS:

None

SERVICE AWARDS

None

REGARDING ITEM VI:

CITIZENS COMMENTS

1. Daniel Peters
2. Nannette Samuelson
3. Sharron Shelander
4. Steve Biggers
5. Barbara Brashear
6. Melody Graft
7. James Jarratt

B. CITIZENS COMMENTS PERTAINING TO AGENDA ITEMS ONLY.

REGARDING ITEM VII: CONSENT AGENDA

Motion Made by Commissioner Cotton to Approve the consent. Agenda. Seconded by Commissioner Eagle . All voted. Motion carries 5-0.

REGARDING ITEM VIII: BUSINESS TO BE DISCUSSED AND CONSIDERED FOR APPROVAL:

A. SUBDIVISIONS, ROADS AND PLATS:

1. ROAD OPERATIONS – NO ITEMS

REGARDING ITEM VIII:A.2. DEVELOPMENT

1. Public Hearing held at 9:35 and closed at 9:36 to discuss and consider approval of the following Replats:

- a. PECAN PLANTATION, UNIT 6, LOT 1159R (PCT 2).
- b. HUNTERWOOD, LOT 4R, BLOCK 1 (PCT 2)

Motion made by Commissioner Cotton To approve the replats discussed. Second by Commissioner Andrews. All voted, motion carries 5-0.

2. Motion made by Commissioner Andrews to approve the following Preliminary Plat: a. ROLLED STONE ESTATES, PHASE 1 (PCT 1). Second by Commissioner Wilson. All voted. Motion carries 5-0.

Citizen Comments:

- 1.) Chuck Stark

3. Motion made by Commissioner Andrews to approve the following Final Plat: a. CHAPARRAL HEIGHTS, LOTS 1 - 8, BLOCK 1 (PCT 1). Seconded by Commissioner Cotton. All voted, motion carries 5-0.

4. Motion made by Commissioner Andrews to approve the Interlocal Agreement with Parker County, Texas, in accordance with the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, and take appropriate action (PCT 1). Seconded by Commissioner Eagle .All voted, motion carries 5-0.

REGARDING ITEM VIII:B. FINANCIAL:

1. Motion made by Commissioner Cotton to approve the "Certification of Payment of Invoices" for the period March 17, 2021 through April 6, 2021, payments over \$10,000 and Expenditures for April 13, 2021 Commissioner's Court: \$479,047.22. Seconded by Commissioner Wilson .All voted, motion carries 5-0.

REGARDING ITEM VIII:C. MISCELLANEOUS:

REGARDING ITEM VIII:C.1.

Commissioner Eagle's Amended Motion: that we pass a resolution requesting that our EA abide by 52.062 and order pre-numbered ballots from now on and especially until we hear from the Texas Attorney General. Seconded by Commissioner Wilson. All voted, 3 yea, Commissioner Cotton and Judge Ron Massingill vote nay, motion carries 3-2.

Citizen Comments:

- 1. Harold Granek
- 2. Robert Vick
- 3. Daniel Peters
- 4. Shelley Weddel
- 5. Mac McClure
- 6. Dr. Victoria Calder
- 7. Tom Symons
- 8. Sharon Shelander
- 9. Kelly Van Buren
- 10. James Jarratt
- 11. Steve Biggers

REGARDING ITEM VIII:C.2. PULLED. Discuss and take appropriate action regarding the division of certain duties between the County Clerk and the County Election Administrator as promulgated by Texas Election Code § 31.044 (DIVISION OF CERTAIN DUTIES BETWEEN COUNTY CLERK AND ADMINISTRATOR)with respect to meetings of Commissioners' Court. (COM. P4)

REGARDING ITEM VIII:C.3. Motion made by Commissioner Cotton to allow the County Judge to sign contracts with the Lake Granbury Conference Center for a period of up to six (6) months beginning May 3, 2021 for the purpose of allowing the 355th Judicial District Court and Hood County Court at Law to conduct jury selection. (DJ, CJ) Seconded by Commissioner Andrews. All voted, motion carries 5-0.

REGARDING ITEM VIII:C.4. Motion made by Commissioner Cotton to change Commissioners' Court date scheduled for Tuesday July 13, to Friday July 9th 2021 due to a lack of a quorum as there will be at least three (3) members of the court

attending The North & East Texas County Judges and Commissioners Association Conference in Waco July 12 through July 15 2021. (COM. P2). Seconded by Commissioner Wilson. All voted, motion carries 5-0.

REGARDING ITEM VIII:C.5. Motion made by Commissioner Eagle to reduce the number of members on Library Advisory Board from current number of 13 members to the original nine (9) members [two from each Commissioners' precinct and one "at large" for County Judge]. (COM. P4) Seconded by Commissioner Andrews. All voted. Commissioner Cotton, Judge Massingill and Commissioner Wilson voted nay. Commissioner Eagle and Commissioner Andrews voted yea. Motion Fails 3-2.

Citizen Comments:

- 1.) Harold Granek
- 2.) Dr. Deborah E. Sagan
- 3.) Daniel Peters
- 4.) Nannette Samuelson
- 5.) Melanie Graft

Convened court for a 10 min. Break at 11:40a.m. Reconvened at 11:50 a.m.

REGARDING ITEM VIII:C.6. Discuss and take appropriate action to appoint seven (7) members to the Hood County Library Advisory Board. (COM. P2)

Citizen Comments:

- 1.) Harold Granek
- 2.) Daniel Peters

Nominations:

PCT. 1 Applicant **number 3 and 9.**

Motion made by Commissioner Andrews to approve nominations 3 and 9. Seconded by Commissioner Eagle. All voted, Motion carries 5-0.

PCT. 2 Applicant **number 4 and 7.**

Motion made by Commissioner Cotton to approve nominations 4 and 7. Seconded by Commissioner Wilson. All voted, Motion carries 4-1. Commissioner Eagle votes Nay.

PCT. 3 Applicant **number 6.**

Motion made by Commissioner Wilson to approve nomination 6. Seconded by Commissioner Eagle. All voted, Motion carries 5-0.

PCT. 4 Applicant **number 5 and 8.**

Motion made by Commissioner Eagle to approve nominations 5 and 8. Seconded by Commissioner Andrews. All voted, Motion carries 5-0

REGARDING ITEM VIII:C.7. Motion made by Commissioner Andrews to purchase 44 AED's with a 5 year service agreement from AED123, and authorize the County Judge to sign the AED123 Customer Agreement. 18 will be placed in county buildings and 22 for patrol deputies and jail transport vans. Not to exceed \$153,000.00 paid for out of fund 101 Cares Act. (EM, PUR, CJ). Seconded Commissioner Wilson. All voted, motion carries 5-0.

REGARDING ITEM VIII:C.8. Motion made by Commissioner Wilson to purchase 10 Lucas v3.21 Chest Compression systems for the Fire Departments with a 3 year service and training agreement from Stryker, and authorize the County Judge to sign the NASPO ValuePoint Participating Addendum. Not to exceed \$164,106.70 out fund 101 Cares Act. (EM, PUR, CJ). Seconded by Commissioner Andrews. All voted, motion carries 5-0.

REGARDING ITEM VIII:C.9. Motion made by Commissioner Cotton to award RFB2021-004 Corrugated Steel Culverts contract to Wilson Culverts. (PUR, RO, CJ) Seconded by Commissioner Andrews. All voted, motion carries 5-0

Citizen Comments:

- 1.) Nannette Samuelson

REGARDING ITEM VIII:C.10. Motion made by Commissioner Eagle to approve request of IT to exempt Purchasing from competitive bidding the purchase of proprietary software, pre-configured hardware, installation, testing, validation, and related services from Net Data (GHS) per county purchasing requirements, citing Local Government Code, discretionary exemption 262.024 (a) (7), an item that can be obtained from only one source. Out of fund 55. (COM.P4) Seconded by Commissioner Wilson. All voted, motion carries 5-0.

Citizen Comments:

- 1.) Sharon Shelander

REGARDING ITEM VIII:C.11. Motion made by Commissioner Cotton to approve purchase of 23 Roll up Ballistic level IIIA Shields for the best quoted price of \$1,025.00 each for a total of \$23,655.00 including shipping. And a request for 2-24" wide by 48" tall hard Ballistic Shields for a cost of \$2,050.00 each and the total of \$4,165.00 including shipping. Grand Total of \$27,820.00 request from Capitol Fund 55. (SO, COM.P1). Seconded by Commissioner Wilson. All voted, motion carries 5-0.

REGARDING ITEM VIII:C.12. Motion made by Commissioner Cotton to approve the liability waiver to be used for the Hood County Extension Livestock Trailer. (CO EXT, COM P2). Seconded by Commissioner Eagle. All voted, motion carries 5-0

REGARDING ITEM VIII:C.13. Commissioner Cotton to pull off the agenda item until we hear from CA about the approve resolution adopting Opposition to SB234/HB749 Efforts to Silence County Officials. (COM. P2).

Citizen Comments:

- 1.) Nannette Samuelson
- 2.) Jaci Lopez
- 3.) Sharon Shealander
- 4.) Christine Leftwich
- 5.) David Fischer

REGARDING ITEM VIII:C.14. Commissioner Cotton to pull the resolution adopting opposition to unfunded mandates. (COM. P2).

Citizen Comments:

- 1.) Nannette Samuelson
- 2.) Christine Leftwich
- 3.) Harold Granek
- 4.) Sharon Shelander

REGARDING ITEM VIII:C.15. Motion made by Commissioner Eagle to set aside an additional \$75,000 out of fund 55. to approve additional funding to repair or replace HVAC units in County buildings. (MAINT. COM P2). Seconded by County Judge Ron Massingill. All voted, motion carries 5-0.

ADJOURN: 1:40

APPROVED:

RON MASSINGILL, COUNTY JUDGE

ATTEST:

KATIE LANG, COUNTY CLERK