

BE IT REMEMBERED, That a Regular Hearing of Commissioners Court in and for Burleson County, Texas held in the Regular Meeting place of said Court in the County Courthouse in the City of Caldwell, Texas on the 23rd day of September, 2013 at 9:00 o'clock A. M. with Judge Mike Sutherland, Commissioners Dwayne Beran, Keith Schroeder, David Hildebrand and John B. Landolt, Jr. present and County Clerk-Anna L. Schielack in attendance when the following business came before Court:

- 1) Judge Mike Sutherland called the meeting to Order with the Pledge to the American and Texas Flags.
- 2) Prayer was given by Rev. Vickie Simons from First United Methodist Church in Somerville.
- 3) No Public Forum.
- 4) Department Reports-Sheriff Stroud reported they have 68 in Jail. Sgt. Adkins reported DPS has 4 officers. Three vehicle related fatalities for the year.
- 5) Motion made by Commissioner Landolt and seconded by Commissioner Schroeder to Approve and Act upon the following Consent Agenda Items: (See attachments).
 - a. Budget Amendments for:
 1. Road & Bridge, Pct. 1
 2. Sheriff
 3. Jail
 4. County Court
 5. District Court
 6. County Treasurer
 7. State Salary Supplement Fund
 8. Road & Bridge, General
 9. Miscellaneous Grants Fund
 - b. Tax Resale Deeds for:
 1. Jesus Gutierrez, Jr. \$2,400
Somerville Place, Lot 824 (R24162)
Lot 825, Somerville Place, Sec. 2 (R24163)
Somerville Place, Lot 826 (R24164)
 - c. Accept donations transferred for Health Partnership of the Brazos Valley on behalf of the Burleson County Child Protection Board (\$2,727.03) and the Burleson County Health Resource Commission (\$61.18)
 - d. Accept \$1,600 donation from Caldwell Rotary Club on behalf of Sheriff

All voted Aye. None voted No. It is so Ordered.

- 6) Motion made by Commissioner Beran and Seconded by Commissioner Hildebrand to go into Executive Session in accordance to Texas Government Code 551.071 to consult attorney about pending or contemplated litigation or a settlement offer at 9:17 a.m..
All voted Aye. None voted No. It is so Ordered.

Motion made by Commissioner Beran and seconded by Commissioner Landolt to reconvene court from executive session at 9:36 a.m.
All voted Aye. None voted No. It is so Ordered.

- 7) Motion made by Commissioner Schroeder and seconded by Commissioner Hildebrand to move that Tax Assessor is to accept settlement agreement discussed in Executive Session.
All voted Aye. None voted No. It is so Ordered.

- 8) Motion made by Commissioner Schroeder and seconded by Commissioner Landolt to Approve and Act upon Subdivision Exception Request from Frank Weisse, Jr. on property located on FM 60 E. (See attachments)
All voted Aye. None voted No. It is so Ordered.

- 9) Motion made by Commissioner Beran and seconded by Commissioner Hildebrand to Approve and Act upon awarding construction contract for the TxCDBG Project #712039 (Cade Lake WSC) presented by Jerry G. Shepherd, P. E. (Senior Engineer) and Larry Nichols, Board President for Cade Lakes Water Supply Corporation. (See attachments)
All voted Aye. None voted No. It is so Ordered.

- 10) Motion made by Commissioner Landolt and seconded by Commissioner Schroeder to Approve and Act upon Sam's Club membership offer for employees on October 10, 2013. (See attachment)
All voted Aye. None voted No. It is so Ordered.

- 12) Motion made by Commissioner Schroeder and seconded by Commissioner Beran to Approve and Act upon a Subcontract Agreement with the Heart of Texas Regional Advisory Council (HOTRAC). (See attachments)
All voted Aye. None voted No. It is so Ordered.

- 13) Motion made by Commissioner Beran and seconded by Commissioner Hildebrand to Approve and Act upon a donation of road material from Brian Chapman on County Road 151 to Road & Bridge, Precinct 1, valued at \$1,000.00.
All voted Aye. None voted No. It is so Ordered.

- 14) Motion made by Commissioner Schroder and seconded by Commissioner Landolt to Postpone Action upon recommendations by TAC regarding policy manual until next Commissioners' Court meeting.
All voted Aye. None voted No. It is so Ordered.

15) Motion made by Commissioner Landolt and seconded by Commissioner Beran to Approve and Act upon Application for Pipeline Public Road Crossing Permit with effective date today, September 23, 2013 for conveyance of natural gas, oil and/or other hydrocarbons across and under a public road of Burleson County, Texas. (See attachments)

All voted Aye. None voted No. It is so Ordered.

16) Motion made by Commissioner Beran and seconded by Commissioner Schroeder to Approve and Act upon regulations for Oil & Gas Development Permits and Revisions to the Floodplain Ordinance for Oil and Gas Development to be effective today, September 23, 2013. (See attachments)

All voted Aye. None voted No. It is so Ordered.

17) Motion made by Commissioner Hildebrand and seconded by Commissioner Beran to Approve and Act upon VFD contracts form.

All voted Aye. None voted No. It is so Ordered.

18) Motion made by Commissioner Hildebrand and seconded by Commissioner Beran to Approve and Act upon amending Records Management Preservation Archive Plan for County Clerk and Archive Fee effective date from 10-1-13 to 1-1-14. (See attachments)

All voted Aye. None voted No. It is so Ordered.

19) Motion made by Commissioner Beran and seconded by Commissioner Hildebrand to Approve and Act upon extending the Burn Ban until October 15, 2013.

All voted Aye. None voted No. It is so Ordered.

20) Motion made by Commissioner Hildebrand and seconded by Commissioner Landolt to Approve and Act upon accepting donation of gravel from Buffco Production Inc. for CR 315, valued at \$5,500.00.

All voted Aye. None voted No. It is so Ordered.

21) Motion made by Commissioner Hildebrand and seconded by Commissioner Schroeder to Approve and Act upon accepting donation of old concrete from Lonnie Graves, Jr., valued at \$1.00.

All voted Aye. None voted No. It is so Ordered.

22) Motion made by Commissioner Landolt and seconded by Commissioner Schroeder to Approve and Act upon awards of Request for Proposals #2013-02 for road materials, culverts, hauling, fuel and lubricants/fluids with proper paper work documented.

All voted Aye. None voted No. It is so Ordered.

23) Motion made by Commissioner Landolt and seconded by Commissioner Schroeder to Approve and Act upon Hayward Baker Change Order No. 4 in the amount of \$4,850. (See attachment)

All voted Aye. None voted No. It is so Ordered.

- 24) The Court discussed County Transportation Infrastructure Fund Grant Program for Financing and Construction of Transportation Projects for roads damaged due to oil and gas production. (See attachments)
- 25) Motion made by Commissioner Landolt and seconded by Commissioner Schroeder to Approve and Act upon annual order authorizing payment of certain claims. (See attachment)
All voted Aye. None voted No. It is so ordered.
- 26) Motion made by Commissioner Hildebrand and seconded by Commissioner Landolt to Approve and Act upon designating day of the week for Commissioners Court regular term to be the second and fourth Mondays of the month or the Tuesday following a Monday holiday.
All vote Aye. None voted No. It is so Ordered.
- 27) No Judge's Report on the following
a. County Updates.
- 28) Auditor's Report
a. Monthly Sales Tax Report up 2% calendar date.
b. Audit Reports and Reviews
- 29) No Commissioner's Report.
- 30) Motion made by Commissioner Hildebrand and seconded by Commissioner Landolt to Approve and Authorize Payment of Bills.
All voted Aye. None voted No. It is so Ordered.
- 31) Motion made by Commissioner Hildebrand and seconded by Commissioner Schroeder to Adjourn the Meeting.
All voted Aye. None voted No. It is so Ordered.

MIKE SUTHERLAND-Burleson County Judge

DWAYNE BERAN-Commissioner Precinct 1

KEITH SCHROEDER-Commissioner Precinct 2

DAVID HILDEBRAND-Commissioner Precinct 3

JOHN B. LANDOLT, JR.-Commissioner Precinct 4

ATTEST:

ANNA L. SCHIELACK-County Clerk and
Ex-Officio of the Commissioners' Court
in and for Burleson County, Texas. (09-23-2013 Meeting)