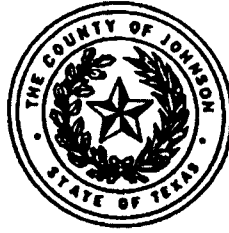


Filed For Record 2:10pm



MAR 22 2021

Bacley Ivey, County Clerk  
Johnson County Texas  
By: [Signature] Deputy

THE STATE OF TEXAS

§  
§  
§

ORDER #2021-11

COUNTY OF JOHNSON

**ORDER AUTHORIZING COUNTY ATTORNEY TO FILE  
LAWSUIT AND AUTHORIZING EXPENSES**

On this the 22<sup>nd</sup> day of March, 2021, the Commissioners Court of Johnson County, being duly convened at a regularly called meeting of the Commissioners Court, upon motion of Commissioner Woolley, Pct. #4, seconded by Commissioner White, Pct. #3, duly put and carried, adopted the following:

1.

Whereas, Johnson County, Texas is a political subdivision of the State of Texas, and through its Commissioners Court has the authority to bring suit to enforce the statutes enacted by the Texas Legislature that affect Johnson County; and

2.

Whereas, Chapter 751 of the Texas Health and Safety Code provides that a person who promotes a mass gathering as defined by Section 751.002, Texas Health and Safety Code, must obtain a permit for the mass gathering from the county judge of the county in which the mass gathering will be held; and

3.

Whereas, Section 751.0021 of the Health and Safety Code provides that Chapter 751 of the Health and Safety Code applies to a horse race that attracts or is expected to attract at least 100 persons; and

4.

Whereas, on February 24 and 25, 2021 and March 6 and 7, 2021, horse races were held at a venue located at 5224 CR 417, Cleburne, Johnson County, Texas 76031 without the promoter of the horse races obtaining a permit from the County Judge of Johnson County, Texas; and

5.

Whereas, according to the Johnson County Sheriff's Office, the venue located at 5224 CR 417, Cleburne, Johnson County, Texas 76031 routinely has horse racing events attracting at least 100 persons on the weekends and said venue consists of open fields for parking, and a track for horse racing; and

6.

Whereas, the promoters of the events located at 5224 CR 417, Cleburne, Johnson County, Texas 76031 are not obtaining a permit for a horse race from the County Judge of Johnson County to ensure that the guidelines of Chapter 265, Texas Administrative Code, are being followed to provide for the health, safety and welfare of the public who attend the horse races.

7.

IT IS THEREFORE ORDERED that the County Attorney of Johnson County, Texas is hereby authorized to file a lawsuit for a temporary injunction and a permanent injunction against the person or persons promoting the horse racing events located at 5224 CR 417, Cleburne, Johnson County, Texas 76031.

8.

IT IS FURTHER ORDERED that the County Attorney is authorized to expend the amount of \$4,000.00 as initial expenses in the case, which amount includes, but is not limited to, funds for court reporter fees, expert fees and expenses, discovery costs, and any other reasonable and necessary expenses.

9.

All funds necessary to accomplish the above are hereby ordered to be made.

10.

All such costs and fees should be charged to the general fund.

WITNESS OUR HAND THIS THE 22<sup>nd</sup> DAY OF MARCH, 2021.

*Roger Harmon*

**Roger Harmon, Johnson County Judge**

Voted:  yes,  no,  abstained

*Rick Bailey*

**Rick Bailey, Comm. Pct. #1**

Voted:  yes,  no,  abstained

*Kenny Howell*

**Kenny Howell, Comm. Pct. #2**

Voted:  yes,  no,  abstained

*Mike White*

**Mike White, Comm. Pct. #3**

Voted:  yes,  no,  abstained

*Larry Woolley*

**Larry Woolley, Comm. Pct. #4**

Voted:  yes,  no,  abstained

ATTEST:

*Becky Ivey*  
**Becky Ivey, County Clerk**

