

FEB 27 2023

April Long
County Clerk, Johnson County Texas

BY AK DEPUTY



JOHNSON COUNTY COMMISSIONERS COURT

Christopher Boedeker
County Judge

Rick Bailey
Commissioner
Precinct 1

Kenny Howell
Commissioner
Precinct 2

Mike White
Commissioner
Precinct 3

Larry Woolley
Commissioner
Precinct 4

THE STATE OF TEXAS

§
§
§

ORDER 2023-19

COUNTY OF JOHNSON

ORDER APPOINTING JOHNSON COUNTY'S REPRESENTATIVES TO THE CLEBURNE-JOHNSON COUNTY JOINT AIRPORT ZONING BOARD (JAZB)

BE IT REMEMBERED, at a regular meeting of the Commissioners Court of Johnson County, held on the 27th day of February, 2023, on a motion made by Woolley, Pct. 4, seconded by White, Pct. 3, the following Order was adopted:

WHEREAS, the City of Cleburne is home to the Cleburne Municipal Airport; and

WHEREAS, Cleburne adopted Ordinance No. OR07-1979-38 on or about July 10, 1979 creating the Cleburne-Johnson County Joint Airport Zoning Board (JAZB); and

WHEREAS, Johnson County adopted a Resolution on or about July 13, 1979 consenting to the creation of the JAZB; and

WHEREAS, Johnson County and the City of Cleburne are each entitled to appoint two representatives to the JAZB; and

WHEREAS, Johnson County currently does not have a representative on the JAZB;

NOW THEREFORE BE IT ORDERED, ADJUDGED, AND DECREED that the Commissioners Court of Johnson County appoints the following persons to serve as its representatives on the JAZB until further order of the Court:

- Director of Public Works (Jennifer VanderLaan); and
- Commissioner, Pct. 1 (Rick Bailey)

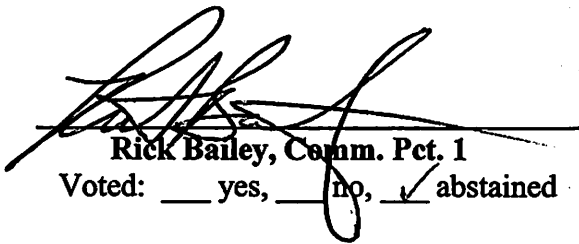
IT IS FURTHER ORDERED that Johnson County's representatives on the JAZB will provide periodic reports on the actions of the JAZB to the Commissioners Court as necessary.

DONE IN OPEN COURT THIS 27TH DAY OF FEBRUARY, 2023.



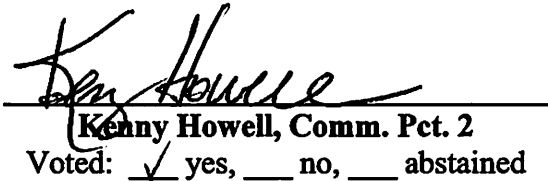
Christopher Boedeker, Johnson County Judge

Voted: yes, no, abstained



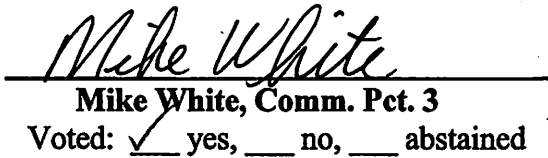
Rick Bailey, Comm. Pct. 1

Voted: yes, no, abstained



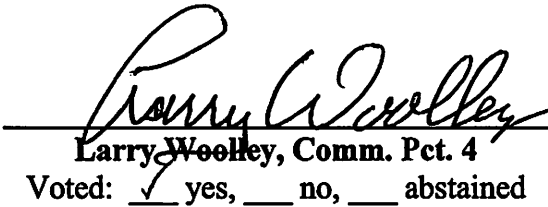
Kenny Howell, Comm. Pct. 2

Voted: yes, no, abstained



Mike White, Comm. Pct. 3

Voted: yes, no, abstained



Larry Woolley, Comm. Pct. 4

Voted: yes, no, abstained



ATTEST: April Long, County Clerk



AGENDA PLACEMENT FORM

(Submission Deadline – Tuesday, 12:00 PM before Regular Court Meetings)

Date: 02/20/2023

Meeting Date: 02/27/2023

Submitted By: CJO

Department/Office: CJO

Signature of Director/Official: _____

COMMISSIONERS COURT

FEB 27 2023

Approved

Agenda Title:

Consideration of Order 2023-19 – "Order Appointing Johnson County's Representatives to the Cleburne-Johnson County Joint Airport Zoning Board (JAZB)"

Public Description (Description should be 2-4 sentences explaining to the Court and the public what action is recommended and why it is necessary):

Consideration of Order and Appointees for the board

(May attach additional sheets if necessary)

Person to Present: Judge Boedeker

(Presenter must be present for the item unless the item is on the Consent Agenda)

Supporting Documentation: (check one) PUBLIC CONFIDENTIAL

(PUBLIC documentation may be made available to the public prior to the Meeting)

Estimated Length of Presentation: 10 minutes

Session Requested: Action (Action Item, Workshop, Consent, Executive)

Check All Departments Requiring Notification:

County Attorney IT Purchasing Auditor

Personnel Public Works Facilities Management

Other Department/Official (list) City of Cleburne - Ivy Peterson

AN AMENDMENT
TO AN ORDINANCE
CHAPTER 3, AIRPORTS, ARTICLE I.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLEBURNE:

SECTION I. It appearing to the City Council that Chapter 3, AIRPORTS, Article I, should be amended, as Johnson County is a political subdivision which will be affected by the airport hazard area and as such should participate in a joint airport zoning board, the same is amended and shall read henceforth as follows:

ARTICLE I. IN GENERAL

Sec. 3-1. Cleburne-Johnson County Airport Zoning Board - Created,

Subject to like provisions being made by the Commissioners' Court of Johnson County, Texas, by proper order, duly promulgated and entered on its minutes, and as authorized by the provisions of Chapter 391 of the Acts of the Regular Session of the 50th Legislature, 1947, as amended, being Articles 46e-1---46e-15 of Vernon's Annotated Civil Statutes, there is hereby created a joint airport zoning board, to be known as the Cleburne-Johnson County Joint Airport Zoning Board, which shall have the powers and exercise the duties set forth in Sections 2 and 3 of Chapter 391 of the Acts of the Regular Session of the 50th Legislature, 1947, as amended.

Sec 3-2. Same - Membership; appointment; election of chairman.

The Cleburne-Johnson County Joint Airport Zoning Board shall be composed of five (5) members, two (2) to be appointed by the City Council and two (2) members to be appointed by the Commissioners' Court of Johnson County. The fifth member shall be elected by a majority of the members so appointed and such fifth member shall serve as chairman of the joint airport zoning board.

All other Sections of said Ordinance shall remain in full force and effect are not waived, amended or changed in any manner.

SECTION II. This Ordinance shall be passed and it shall have affect and be in full force from and after its passage as provided by law, and it is so ordained.

PASSED AND APPROVED this the 10th day of July, 1979.

THE CITY OF CLEBURNE

BY

Roger Hart
MAYOR

ATTEST:

Francis Dillshaw
SECRETARY

RESOLUTION

On this the 13 day of July, 19 79, came on to be considered by the Commissioners' Court of Johnson County, Texas, at a regular term of such Court, the matter of the creation of a joint airport zoning board to exercise the powers authorized such boards by the provisions of Chapter 391 of the Acts of the Regular Session of the 50th Legislature, 1947, to adopt, administer and enforce airport zoning regulations applicable to airport hazard areas in this county and it appearing to the Court that on the 10th day of July, 1979, the City Council of the City of Cleburne, Texas, did enact its ordinance creating such a joint airport board, to be known as the Cleburne-Johnson County Joint Airport Zoning Board, and which ordinance was expressly made subject, for its effectiveness, to a like provision being made by the respective Commissioners' Court of Johnson County, Texas and it further appearing to the Court that the creation of such a joint airport zoning board is in the public interest of this county:

IT IS ACCORDINGLY ORDERED, AND there is hereby created the Cleburne-Johnson County Joint Airport Zoning Board which Board shall have the powers and exercise the duties set forth in Sections 2 and 3 of Chapter 391 of the Acts of the Regular Session of the 50th Legislature, 1947.

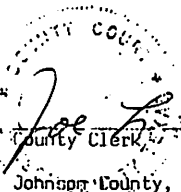
IT IS FURTHER ORDERED, that the Cleburne-Johnson County Joint Airport Zoning Board shall be composed of five (5) members, two (2) to be appointed by the City Council of the City of Cleburne, Texas and two (2) to be appointed by this Commissioners' Court. The fifth member shall be elected by a majority of the members so appointed and said Cleburne-Johnson County Joint Airport Zoning Board.

IT IS FURTHER ORDERED that Lee Denton and Alex Howard are hereby appointed as the County's members on said Cleburne-Johnson County Joint Airport Zoning Board.

Passed by the Commissioners' Court of Johnson County, Texas, this 13 day of July, 1979.

Tommy Allen
County Judge, Johnson County, Texas

W. D. Howard
Commissioner, Precinct #1

ATTEST:

Joe L. Townes
County Clerk,
Johnson County, Texas

W. D. Howard
Commissioner, Precinct #2

Scott Rice
Commissioner, Precinct #3

R. B. Aldridge
Commissioner, Precinct #4

All voted aye.

Kay Anderson

From: Kay Anderson
Sent: Monday, February 20, 2023 2:00 PM
To: Kay Anderson
Subject: RE: JAZB Board Appointments by the Johnson County Commissioner's Court

From: Ivy Peterson <Ivy.Peterson@cleburne.net>
Sent: Thursday, February 9, 2023 4:31 PM
To: Paula Reid <paular@johnsoncountytexas.org>; Christopher Boedeker <christopherb@johnsoncountytexas.org>
Cc: Ashley Dierker <adierker@toase.com>; Yessenia Rocha <yrocha@toase.com>
Subject: Board Appointments by the Johnson County Commissioner's Court

*** External sender - use caution with links or attachments ***

Good afternoon Paula,

Thank you and Judge Boedeker for taking my call the other day. As discussed, the City respectfully requests the following be placed on an upcoming Commissioner's Court agenda:

- 1) Consider appointment of two members to the Cleburne-Johnson County Joint Airport Zoning Board (JAZB or Board)

On December 13, 2022, the City Council approved an updated master plan for the Cleburne Regional Airport. To implement the new master plan, one of the procedural and legal actions required by the Texas Department of Transportation-Aviation Division's guidelines is the adoption of an amended Airport Zoning Ordinance (aka, height-hazard ordinance). The plan includes an airport airspace map that extends into Johnson County jurisdiction and the procedure requires a Joint Airport Zoning Board (JAZB) consider and recommend approval of the ordinance.

The Board is a five-member board consisting of two (2) members being appointed by City Council, two (2) members appointed by the Johnson County Commissioner's Court, and (1) member appointed by the existing four (4) members to serve as Chair. The Board's duty is to review the height & hazard zoning ordinance, hold a public hearing, and consider recommendation to the jurisdiction(s) with zoning authority. This procedure was done in 1979-1980 and both the City and County created a Cleburne-Johnson County Joint Airport Zoning Board, appointed their respective members, and the Board completed the assigned project. Although the creation of the board was some time ago, no record has been found of it being dissolved and therefore is still in effect. The City is to consider their respective appointments at the February 14th meeting.

Coffman Associates, the City's consultant for the Airport Master Plan has outlined the procedural actions required for the adoption of the Airport Zoning Ordinance:

1. City Ordinance creating a Joint Airport Zoning Board (JAZB) and appointing city's representatives to that board. **(City created JAZB by Ordinance on 07/10/1979 and is attached)**
2. County Order creating a JAZB and appointing county's representative to that board. **(County created JAZB by Order on 07/13/1979 and minutes are attached)**
3. Oaths of office administered to members of the JAZB.
4. Election of 5th member of the JAZB who shall serve as chairperson of that board.
5. Oath of office administered to chairperson of the JAZB.
6. JAZB sets date of public hearing.
7. Notice of public hearing published in local newspaper(s).

8. Proof of publication collected for each newspaper.
Note: The above steps 7 & 8 should be repeated for each political subdivision affected by the zoning.
9. Notice of public hearing posted in city hall and county courthouse for each jurisdiction participating in the zoning.
11. Conduct public hearing.
12. Adopt zoning ordinance.
13. Attorney's certification.
14. Adopted ordinance filed with County Clerk.
15. Copy of procedural forms and adopted ordinance provided to each political subdivision participating in the zoning process.

Feel free to contact me or I've copied Ashley Dierker, the City Attorney, should there be any questions as to the procedures outlined above regarding the joint board.

Respectfully,



Ivy Peterson, TRMC/CMC
City Secretary/Records Manager
10 N Robinson St / PO Box 677
Cleburne, Texas 76033
817-645-0909
ivy.peterson@cleburne.net

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