

STATE OF TEXAS

January 28, 2008

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 28th day of January 2008, the Honorable Commissioner's Court of Johnson County, Texas, met in Regular Session at the Guinn Justice Center thereof, in the City of Cleburne, Johnson County, Texas, for the purpose of transacting any and all business that may lawfully be brought before the same. The meeting was called to order at 9:02 A.M., with all members present, and following the Invocation led by Pastor Kevin Bentley and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on January 24, 2008 at 1:01 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

Judge Harmon requested a moment of silence in acknowledgement of the death of Walter Mize.

1. PRESENTATION OF LENGTH OF SERVICE PIN TO EMPLOYEE

Suzann Stone, an employee of Johnson County was recognized for her service to the Department of Public Safety and was given a 20 year Length of Service pin.

2. PRESENTATION TO EMPLOYEES OF JOHNSON COUNTY GOVERNMENT IN RECOGNITION OF THEIR GENEROUS SUPPORT AND OUTSTANDING SERVICE IN THE 2007 CAMPAIGN FOR THE UNITED WAY OF JOHNSON COUNTY

Diane Packwood of the United Way presented a plaque to Commissioner's Court in recognition of the Johnson County employees and their generous support and outstanding service in the 2007 Campaign for the United Way of Johnson County.

3. PROCLAMATION FOR "NATIONAL RED DRESS DAY" ON FEBRUARY 1, 2008 IN RECOGNITION OF WOMEN'S HEART HEALTH

The Commissioner's Court proclaimed "National Red Dress Day" on February 1, 2008 in recognition of Women's Heart Health.

4. PROCLAMATION FOR “FOOD CHECK OUT WEEK”, FEBRUARY 3, 2008 THROUGH FEBRUARY 9, 2008, IN RECOGNITION OF THE AGRIBUSINESS THAT PROVIDES HIGH QUALITY FOOD FOR OUR COUNTY AND NATION

The Commissioner’s Court proclaimed February 3, 2008 through February 9, 2008 as “Food Check Out Week” in recognition of the Agribusiness that provides high quality food for our County and Nation.

V. PUBLIC HEARINGS:

1. CONCERNING LEASE OF COUNTY OWNED LAND FOR MINERAL DEVELOPMENT-PRECINCT #1 “6.106 ACRES OUT OF THE S.M. FLETCHER SURVEY, A-290, THE J.R. CHAMBERS SURVEY, A-988 AND M.F. ROBERTS SURVEY, A-1058, JOHNSON COUNTY, TEXAS. BY WARRANTY DEED DATED OCTOBER 23, 1924 AND RECORDED IN VOLUME 245, PAGES 471 ET SEQ., DEED RECORDS, JOHNSON COUNTY, TEXAS. BEGINNING AT A STAKE IN THE EAST LINE OF THE SPRR CO. SURVEY NO. 3 AND IN THE WEST LINE OF THE SURVEY WHERE SAID LINE INTERSECTS THE NORTH LINE OF THE ROAD; THENCE NORTH WITH THE EAST LINE OF THE SPRR CO. SURVEY NO.3, THE EAST LINE OF THE A.N. WILBANKS SURVEY AND THE EAST LINE OF THE J.H. CARPER SURVEY A DISTANCE OF 3039 ¾ VARAS TO THE SOUTHEAST CORNER OF A 200 ACRE TRACT CONVEYED BY T.J. HONEA AND WIFE, TO A STAKE IN THE EAST LINE OF SAID CARPER SURVEY AND IN THE WEST LINE OF S.M. FLETCHER SURVEY; THENCE EAST 30 FEET TO THE STAKE; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID CARPER, WILBANKS AND SPRR CO. SURVEYS TO THE NORTH LINE OF SAID PUBLIC ROAD; THENCE WITH SAID NORTH LINE IN THE SOUTHWESTERLY DIRECTION ABOUT 33 FEET TO THE PLACE OF BEGINNING”

The Commissioner’s Court opened the Public Hearing at 9:17 A.M. and there being no one present to speak, the hearing was closed at 9:20 A.M.

2. CONCERNING ABANDONING STREETS AND ALLEYS IN LILLIAN, TEXAS-PRECINCT #3 “ABANDON A PORTION OF FRONT ST., FROM THE NORTH SIDE OF THE INTERSECTION OF FRONT AND MAIN AND PROCEEDING NORTHWARD TO THE END. ABANDON A PORTION OF SPRING ST., WEST OF THE INTERSECTION OF SPRING AND FRONT TO THE EAST SIDE OF THE ABANDONED PORTION OF SYCAMORE ST. ABANDON A PORTION OF LAKE ST., WEST OF THE INTERSECTION OF LAKE AND FRONT TO THE EAST SIDE OF THE ABANDONED PORTION OF SYCAMORE ST. ABANDON A PORTION OF WALNUT ST., FROM THE NORTH SIDE AT THE INTERSECTION OF WALNUT AND KRAMER AND

PROCEEDING NORTHWARD TO THE END. ABANDON A PORTION OF WALNUT ST., FROM THE SOUTH SIDE OF THE INTERSECTION OF WALNUT AND MILLER AND PROCEEDING SOUTHWARD TO THE END. ABANDON ALLEYS WITHIN BLOCKS 18, 19, 23, 24, 27, & 28. ABANDON A PORTION OF JESSEN ST., FROM THE WEST SIDE OF SYCAMORE ST. AND PROCEEDING WESTWARD TO THE 20 FOOT UTILITY EASEMENT. ABANDON A PORTION OF PEARL ST., FROM THE WEST SIDE OF SYCAMORE ST. AND PROCEEDING WESTWARD TO THE 20 FOOT UTILITY EASEMENT. ABANDON A PORTION OF KRAMER ST., FROM THE WEST SIDE OF SYCAMORE ST. AND PROCEEDING WESTWARD TO RENFRO'S RESERVE BOUNDARY . ABANDON A PORTION OF MARVIN ST., FROM THE EAST SIDE OF WALNUT ST., AND PROCEEDING EASTWARD TO THE WEST SIDE OF FRONT ST. ABANDON ALL OF CEDAR ST., FROM THE RENFRO'S RESERVE BOUNDARY AND PROCEEDING SOUTHWARD TO THE 20 FOOT UTILITY EASEMENT. ABANDON A PORTION OF FRONT ST., FROM THE SOUTH SIDE OF JESSEN ST. TO THE SOUTH SIDE OF MARVIN ST. ABANDON ENTERPRISE ST., FROM THE NORTH SIDE OF ROCK ST. AND PROCEEDING SOUTHWARD TO THE NORTH SIDE OF MAIN ST. ABANDON ENTERPRISE ST., FROM THE SOUTH SIDE OF MAIN ST. AND PROCEEDING SOUTHWARD TO THE END. ABANDON A PORTION OF JESSEN ST., FROM THE EAST SIDE OF ENTERPRISE ST. AND PROCEEDING EASTWARD TO THE END. ABANDON A PORTION OF PEARL ST., FROM THE EAST SIDE OF ENTERPRISE ST. AND PROCEEDING EASTWARD TO THE END. ABANDON A PORTION OF KRAMER ST., FROM THE EAST SIDE OF ENTERPRISE ST. AND PROCEEDING EASTWARD TO THE END. ABANDON A PORTION OF SPRING ST., FROM THE EAST SIDE OF ENTERPRISE ST. AND PROCEEDING EASTWARD TO THE END. ABANDON A PORTION OF LAKE ST., FROM THE EAST SIDE OF ENTERPRISE ST. AND PROCEEDING EASTWARD TO THE END. ABANDON ROCK ST., FROM THE EAST SIDE OF ENTERPRISE ST. AND PROCEEDING EASTWARD TO THE END. ABANDON ALL OF THE ALLEYS IN BLOCKS 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 25, 26, AND 32"

The Commissioner's Court opened the Public Hearing at 9:20 A.M.

James Pritchard spoke in favor of the closing of these streets and alleys. The public hearing was closed at 9:25 A.M.

## VI. PUBLIC PARTICIPATION

Commissioner Beeson spoke in reference to Senate Bill 3693 and the 2006 Annual kWh Consumption Total Expenditures report for Johnson County and the savings of \$149,739.40 to the Johnson County tax payers.

VII. PRECEDING BUSINESS

1. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. McFall, seconded by Comm. Matthews, made a motion to pay bills as presented by the County Auditor.

All voted aye; motion carried.

2. ACKNOWLEDGEMENT OF RECEIPT OF THE COUNTY AUDITOR'S REPORTS TO THE COMMISSIONER'S COURT

The Commissioner's Court acknowledged the receipt of the County Auditor's Reports.

3. CONSIDERATION OF THE MINUTES FOR THE COMMISSIONER'S COURT:

a. January 15, 2008-Special Session

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the Commissioner's Court Minutes for January 15, 2008 as submitted by the County Clerk.

All voted aye; motion carried.

4. CONSIDERATION TO AWARD BID:

a. **RFP #2008-151** to Lease County Owned Land for Mineral Development Being 6.106 Acres Out of the S.M. Fletcher Survey-Precinct #1

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve **RFP #2008-151** to lease County owned land for mineral development being 6.106 acres out of the S.M. Fletcher Survey with a Royalty of 25% at the well head and \$4,000.00 per acre in Precinct #1.

All voted aye; motion carried.

5. CONSIDERATION OF OIL, GAS AND MINERAL LEASE WITH DEVON ENERGY PRODUCTION COMPANY WITH NO SURFACE USE BEING 6.106 ACRES OUT OF THE S.M. FLETCHER SURVEY-PRECINCT #1

Comm. Beeson, seconded by Comm. McFall, made a motion to approve the oil, gas and mineral lease with Devon Energy Production Company with no surface use being 6.106 acres out of the S.M. Fletcher Survey with a Royalty of 25% at the well head and \$4,000.00 per acre in Precinct #1 and give the County Judge the authorization to sign.

All voted aye; motion carried.

6. CONSIDERATION TO ABANDON AND CLOSE STREETS AND ALLEYS IN LILLIAN, TEXAS ORDER #2008-02-PRECINCT #3 "ABANDON A PORTION OF FRONT ST., FROM THE NORTH SIDE OF THE INTERSECTION OF FRONT AND MAIN AND PROCEEDING NORTHWARD TO THE END. ABANDON A PORTION OF SPRING ST., WEST OF THE INTERSECTION OF SPRING AND FRONT TO THE EAST SIDE OF THE ABANDONED PORTION OF SYCAMORE ST. ABANDON A PORTION OF LAKE ST., WEST OF THE INTERSECTION OF LAKE AND FRONT TO THE EAST SIDE OF THE ABANDONED PORTION OF SYCAMORE ST. ABANDON A PORTION OF WALNUT ST., FROM THE NORTH SIDE AT THE INTERSECTION OF WALNUT AND KRAMER AND PROCEEDING NORTHWARD TO THE END. ABANDON A PORTION OF WALNUT ST., FROM THE SOUTH SIDE OF THE INTERSECTION OF WALNUT AND MILLER AND PROCEEDING SOUTHWARD TO THE END. ABANDON ALLEYS WITHIN BLOCKS 18, 19, 23, 24, 27, & 28. ABANDON A PORTION OF JESSEN ST., FROM THE WEST SIDE OF SYCAMORE ST. AND PROCEEDING WESTWARD TO THE 20 FOOT UTILITY EASEMENT. ABANDON A PORTION OF PEARL ST., FROM THE WEST SIDE OF SYCAMORE ST. AND PROCEEDING WESTWARD TO THE 20 FOOT UTILITY EASEMENT. ABANDON A PORTION OF KRAMER ST., FROM THE WEST SIDE OF SYCAMORE ST. AND PROCEEDING WESTWARD TO RENFRO'S RESERVE BOUNDARY . ABANDON A PORTION OF MARVIN ST., FROM THE EAST SIDE OF WALNUT ST., AND PROCEEDING EASTWARD TO THE WEST SIDE OF FRONT ST. ABANDON ALL OF CEDAR ST., FROM THE RENFRO'S RESERVE BOUNDARY AND PROCEEDING SOUTHWARD TO THE 20 FOOT UTILITY EASEMENT. ABANDON A PORTION OF FRONT ST., FROM THE SOUTH SIDE OF JESSEN ST. TO THE SOUTH SIDE OF MARVIN ST. ABANDON ENTERPRISE ST., FROM THE NORTH SIDE OF ROCK ST. AND PROCEEDING SOUTHWARD TO THE NORTH SIDE OF MAIN ST. ABANDON ENTERPRISE ST., FROM THE SOUTH SIDE OF MAIN ST. AND PROCEEDING SOUTHWARD TO THE END. ABANDON A PORTION OF JESSEN ST., FROM THE EAST SIDE OF ENTERPRISE ST. AND PROCEEDING EASTWARD TO THE END. ABANDON A PORTION OF PEARL ST., FROM THE EAST SIDE OF ENTERPRISE ST. AND PROCEEDING EASTWARD TO THE END. ABANDON A PORTION OF KRAMER ST., FROM THE EAST SIDE OF ENTERPRISE ST. AND

PROCEEDING EASTWARD TO THE END. ABANDON A PORTION OF SPRING ST., FROM THE EAST SIDE OF ENTERPRISE ST. AND PROCEEDING EASTWARD TO THE END. ABANDON A PORTION OF LAKE ST., FROM THE EAST SIDE OF ENTERPRISE ST. AND PROCEEDING EASTWARD TO THE END. ABANDON ROCK ST., FROM THE EAST SIDE OF ENTERPRISE ST. AND PROCEEDING EASTWARD TO THE END. ABANDON ALL OF THE ALLEYS IN BLOCKS 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 25, 26, AND 32”

Comm. Carpenter, seconded by Comm. McFall, made a motion to abandon and close streets and alleys in Lillian, Texas **Order #2008-02** in Precinct #3 “Abandon a portion of Front St., from the North side of the intersection of Front and Main and proceeding Northward to the end. Abandon a portion of Spring St., West of the intersection of Spring and Front to the East side of the abandoned portion of Sycamore St. Abandon a portion of Lake St., West of the intersection of Lake and Front to the East side of the abandoned portion of Sycamore St. Abandon a portion of Walnut St., from the North side at the intersection of Walnut and Kramer and proceeding Northward to the end. Abandon a portion of Walnut St., from the South side of the intersection of Walnut and Miller and proceeding Southward to the end. Abandon alleys within Blocks 18, 19, 23, 24, 27, & 28. Abandon a portion of Jessen St., from the West side of Sycamore St. and proceeding Westward to the 20 foot utility easement. Abandon a portion of Pearl St., from the West side of Sycamore St. and proceeding Westward to the 20 foot utility easement. Abandon a portion of Kramer St., from the West side of Sycamore St. and proceeding Westward to Renfro’s Reserve boundary. Abandon a portion of Marvin St., from the East side of Walnut St. and proceeding Eastward to the West side of Front St. Abandon all of Cedar St., from the Renfro’s Reserve boundary and proceeding Southward to the 20 foot utility easement. Abandon a portion of Front St., from the South side of Jessen St. to the South side of Marvin St. Abandon Enterprise St., from the North side of Rock St. and proceeding Southward to the North side of Main St. Abandon Enterprise St., from the South side of Main St. and proceeding Southward to the end. Abandon a portion of Jessen St., from the East side of

Enterprise St. and proceeding Eastward to the end. Abandon a portion of Pearl St., from the East side of Enterprise St. and proceeding Eastward to the end. Abandon a portion of Kramer St., from the East side of Enterprise St. and proceeding Eastward to the end. Abandon a portion of Spring St., from the East side of Enterprise St. and proceeding Eastward to the end. Abandon a portion of Lake St., from the East side of Enterprise St., and proceeding Eastward to the end. Abandon Rock St., from the East side of Enterprise St. and proceeding Eastward to the end. Abandon all of the alleys in Blocks 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 25, 26, and 32” in Precinct #3.

All voted aye; motion carried.

9. CONSIDERATION TO APPOINT A REVIEW COMMITTEE FOR **RFP #2008-147** FOR FULLY FUNDED HEALTH INSURANCE FOR JOHNSON COUNTY EMPLOYEES

Comm. McFall, seconded by Comm. Carpenter, made a motion for the Committee to consist of County Judge Roger Harmon, an employee from the Purchasing Department, Personnel Department, Sheriff’s Office, and District Clerk’s Office to review **RFP #2008-147** for fully funded health insurance for Johnson County.

All voted aye; motion carried.

VIII. UNFINISHED BUSINESS

1. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS, AND CONTRACTS FOR RESTORATION OF JOHNSON COUNTY COURTHOUSE

a. Omni 1<sup>st</sup> Integrated Systems, Security Alliance for Monitoring of Fire Alarm at the Courthouse

Commissioner Carpenter exited the meeting at 9:45 A.M.

Comm. Matthews, seconded by Comm. Beeson, made a motion to table this item.

All voted aye; motion carried.

Commissioner Carpenter returned to the meeting at 9:46 A.M.

2. **CONSIDERATION TO RESCIND PROHIBITION OF OUTDOOR BURNING ORDER #2008-01**

Comm. Matthews, seconded by Comm. Beeson, made a motion to rescind **Order #2008-01** for the Prohibition of Outdoor Burning in Precinct #1, #2 and #4 and Precinct #3 will remain under this **Order #2008-01**.

All voted aye; motion carried.

3. **CONSIDERATION OF PROHIBITION OF OUTDOOR BURNING ORDER #2008-03 WITH EXCEPTION**

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve **Order #2008-03** for the Prohibition of Outdoor Burning in Precinct #1, #2 and #4 with the following exceptions:

This Order does not apply to outdoor burning activities related to public health and safety that are authorized by the Texas Commission of Environmental Quality for burns that are conducted by a prescribed burn manager certified under Section 153.048, Natural Resources Code, and meet the standards of Section 153.047, Natural Resources Code. This Order also does not apply to any burns that are conducted in accordance with a plan that has been approved by the Natural Resources Conservation Service.

All voted aye; motion carried.

Commissioner McFall exited the meeting at 10:02 A.M.

**BE IT KNOWN** that Commissioner's Court met in Executive Session at 10:02 A.M. in accordance with Local Government Code *Section 551.071*-Consultation with Attorney, Pending Litigation.

The Commissioner's Court went back into Open Session at 10:59 P.M. to consider the following:



VII. PRECEDING BUSINESS

7. CONSIDERATION OF RFP #2008-158, FOR MANAGEMENT AND/OR PROFESSIONAL SERVICES-HOME DISASTER RELIEF PROGRAM CONTRACT #1000885

Comm. Matthews, seconded by Comm. Carpenter, made a motion to table this item.

All voted aye; motion carried.

8. CONSIDERATION OF RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR ADMINISTRATION SERVICES AND SOFT COST PROJECT MANAGEMENT SERVICES FOR THE HOME INVESTMENT PARTNERSHIPS PROGRAM FOR THE HOME PROGRAM DISASTER RELIEF CONTRACT

Justin Epker, with Grant Works briefed the Court as to Grant Works decision to not participate in this HOME program. Also Chris Booty spoke as a home owner about his frustration with this announcement.

Comm. Matthews, seconded by Comm. Beeson, made a motion to table this item.

All voted aye; motion carried.

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSAL

Comm. Matthews, seconded by Comm. Carpenter, made a motion to re-advertise for Bids/Proposals for Management and/or Professional Services for the HOME Disaster Relief Program Contract #1000885 and to advertise for Bids/Proposals for poles and fiber installation for the Adult Probation Department-ISS.

All voted aye; motion carried.

2. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE 111.0106 FOR:

a. Road & Bridge-Reimbursement for Costs for Road Repair Materials-  
Precinct #2

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the Budget Amendment pursuant to the Local Government Code *111.0106* for Road & Bridge (road repair materials) for Precinct #2 by transferring \$1,250.00 this being a donation from Devon Energy to Precinct #2 Line Item #016-613-5334.

All voted aye; motion carried.

b. Road & Bridge-Reimbursement for Costs for Road Repair Materials-  
Precinct #1

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve the Budget Amendment pursuant to the Local Government Code *111.0106* for Road & Bridge (road repair materials) for Precinct #1 by transferring \$4,225.61 this being a donation from EOG Resources, Inc. to Precinct #1 Line Item #015-612-5334.

All voted aye; motion carried.

3. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO THE  
LOCAL GOVERNMENT CODE SECTION 111.010 C FOR PERSONNEL  
SALARIES FOR STOP SPECIAL CRIMES UNIT

Comm. Carpenter, seconded by Comm. Matthews, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.010 C* for personnel salaries for the STOP Special Crimes Unit in the amount of \$43,000.00.

All voted aye; motion carried.

X. CONSENT AGENDA

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve the Consent Agenda as presented.

All voted aye; motion carried.

The Commissioner's Court recessed at 11:47 A.M. and re-convened at 1:05 P.M. to consider the following:

XI. WORKSHOP

The Commissioner's Court went into Workshop Session at 1:06 P.M. to discuss with the ARMKO consultant the specifics for the LEC roof specifications and the budget.

Judge Harmon exited the meeting at 1:35 P.M.

The Commissioner's Court re-convened into Open Session at 1:49 P.M. to consider the following:

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSAL

Comm. Matthews, seconded by Comm. Carpenter, made an amended motion to include under Bids/Proposals for Precinct #3 - a water truck.

All voted aye; motion carried.

The Commissioner's Court recessed at 1:50 P.M. and re-convened at 2:10 P.M. to consider the following:

**BE IT KNOWN** that Commissioner's Court met in Executive Session at 2:10 P.M. in accordance with Local Government Code *Section 551.074*-Personnel Matters: Sheriff's Office-Tim Kinman, Loren Carter, Terry Talley, Sherry Godwin, Matthew Dill and James Novian.

The Commissioner's Court re-convened into Open Session at 2:17 P.M. to consider the following:

XII. EXECUTIVE SESSION

1. Government Code:

- c. *Sec. 551.074*-Personnel Matters: Sheriff's Office-Tim Kinman, Loren Carter, Terry Talley, Sherry Godwin, Matthew Dill and James Novian

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the job assignment changes to the appropriate budget line item with no change in the over all budget of the Sheriff's Office effective February 3, 2008 pay period.

All voted aye; motion carried.

The Commissioner's Court recessed at 2:19 P.M.

Judge Harmon returned to the meeting and the Commissioner's Court re-convened at 3:33 P.M. to consider the following:

**BE IT KNOWN** that Commissioner's Court met in Executive Session at 3:33 P.M. in accordance with Local Government Code *Section 551.071*- Consultation with Attorney, Pending Litigation: Cause No. 4-07CV-642-A-Patsy Keifer vs. Johnson County Sheriff's Department et al.

The Commissioner's Court re-convened into Open Session at 3:40 P.M. to consider the following:

## **XII. EXECUTIVE SESSION**

### **1. Government Code:**

- a. *Sec. 551.071*-Consultation with Attorney, Pending Litigation: Cause No. 4-07CV-642-A-Patsy Keifer vs. Johnson County Sheriff's Department et al.

Comm. Carpenter, seconded by Comm. Matthews, made a motion giving Grant Blaies the authority to enter into a settlement agreement as reached in the conference with attorneys.

All voted aye; motion carried.

**BE IT KNOWN** that Commissioner's Court met in Executive Session at 3:42 P.M. in accordance with Local Government Code *Sec. 551.072*-Real Property.

The Commissioner's Court re-convened into Open Session at 3:46 P.M. to consider the following:

XII. EXECUTIVE SESSION

1. Government Code:
  - b. *Sec. 551.072-Real Property*

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the increase in the settlement amount of \$3,104.00 for fencing on Parcel 443 on the State Highway 121 Right of Way project.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 3:47 P.M.

Submitted by: \_\_\_\_\_  
County Clerk  
Curtis H. Douglas

Approved by: \_\_\_\_\_  
County Judge  
Roger Harmon