

**STATE OF TEXAS** §

**COUNTY OF HENDERSON** §

**BE IT REMEMBERED, that** the Commissioner's Court met in **Regular Session on July 15th, 2014 @ 9:00 A.M. with** the following members present, to-wit:

<b>Richard Sanders</b>	<b>County Judge</b>
<b>Scotty Thomas</b>	<b>Comm. Pct. # 1</b>
<b>Wade McKinney</b>	<b>Comm. Pct. # 2</b>
<b>Ronny Lawrence</b>	<b>Comm. Pct. # 3</b>
<b>Ken Geeslin</b>	<b>Comm. Pct. # 4</b>

And transacted the following business, to-wit:

Judge Sanders called the meeting to order @ 9:05AM.

Citizens Comments: Citizens comments to be addressed during the Public Hearings

Motion made by Comm. Geeslin and seconded by Comm. Lawrence, to approve the Minutes from the previous meeting held on July 8<sup>th</sup>, 2014, as listed on copy in file. Voted unanimously by the court.

Motion made by Comm. McKinney and seconded by Comm. Geeslin to approve Minutes from previous I.T. Meeting held June 4<sup>th</sup>, 2014. For filing purposes only. Voted unanimously by the court.

Motion made by Comm. Thomas and seconded by Comm. McKinney to appoint Lou Menendez to Emergency Services District #4 to fulfill the unexpired term ending December 31, 2014. Voted unanimously by the court.

Motion made by Comm. Geeslin and seconded by Comm. Thomas for Rick Stewart, Constable Precinct 4 to carry license for Eric Ward as bailiff of 173<sup>rd</sup> District Court. Judge Sanders had talked to Judge Moore and he agreed to Eric Ward acting as bailiff. Comm. Lawrence opposed. Motion carried 4 to 1.

Motion made by Comm. Geeslin and seconded by Comm. Lawrence to open public hearing set for 9:15am:

Discussion regarding the request to close a 0.11 portion of County Road 451, which is a dead end road off CR 4520, located in Precinct 4. Comm. Geeslin stated no properties would be landlocked. Kenneth Lookabaugh of 100 Lila Lane, Athens stated reasons for wanting closure.

Motion made by Comm. Geeslin and seconded by Comm. Thomas to close 9:15 Public Hearing. Voted unanimously by the court.

Motion made by Comm. Geeslin and seconded by Comm. Lawrence approving closure of a 0.11 portion of CR 4521, which is a dead end road off of CR 4520 located in Pct. 4. Voted unanimously by the court.

Motion made by Comm. Thomas and seconded by Comm. McKinney to approve Quitclaim Deed of an abandoned portion of County Road 1311 located in Pct. 1. County Road 1311 was closed November 24<sup>th</sup>, 2009. Voted unanimously by the court.

Motion made by Comm. McKinney and seconded by Comm. Lawrence to open Public Hearing set for 9:45am for proposed creation of a Fresh Water Supply District within Henderson. Voted unanimously by the court.

Brief discussion was made by David P. Smith, Attorney at Law, 401 Congress Avenue, Suite 2200, Austin, TX 78701, representing the land-owner, Lazy W Ranch/Monty Bennett. The purpose for the Fresh Water Supply District is to be self-sufficient and there will be no taxes or water sales outside the District.

Betty Hollowell, 6198 CR 4508 in Precinct 4, Lazy W Ranch is currently served by 3 different water systems and she is against the proposal.

Brent Muecke, 5880 CR 4518, Athens, discussed the incoming pipeline and heard Mr. Bennett purchased Champion Ranch. He is against the proposal.

Hal R. Ray, Jr., Attorney at Law, 500 W. 7<sup>th</sup> Street, Suite 600, Fort Worth, TX 76102 representing Tarrant Regional Water District, stated they were in litigation with East Texas Ranch regarding the integrated pipeline. Lazy W District #1 became a Municipal Utility District in 2011 converted to Water Control District on February 19, 2014. He stated Mr. Bennett has moved endangered species on the property and designated sections of the property as cemeteries to deter the Tarrant County Regional Water District pipeline. He/his client are opposed to the proposal.

Jim Stanley, 21847 South Shore Dr., Chandler, TX states he does not believe Lazy W Ranch meets the requirements to become a Fresh Water Supply District. He is opposed.

Motion made by Comm. McKinney and seconded by Comm. Thomas to move out of the Public Hearing. Voted unanimously by the court.

Brief discussion with David Alford, General Manager of the Neches & Trinity Valleys Groundwater Conservation District, 914 S. Bolton St., Jacksonville, TX. NTVGCB has not received contact or applications from Lazy W Ranch and in his opinion does not seem to be a need in the area for a new Fresh Water District.

Comm. Thomas questioned Mr. Hal Ray regarding permanent easements and Dallas Water Utilities.

Comm. Lawrence asked Mr. David Smith how many registered voter's lived in the proposed District. Mr. Smith did not have the answer.

Comm. McKinney questioned Mr. Smith regarding the District going from a MUDD to WCID. Mr. Smith stated that Lazy W Ranch does have taxing and bonding authority. Comm. McKinney does not believe a Fresh Water Supply District is necessary since a MUDD is in place.

Comm. Geeslin questioned if the proposed Fresh Water Supply District would be selling water outside of Henderson County. Mr. Smith stated that was not his client's intention.

Comm. Geeslin questioned Mr. Hal Ray regarding the integrated pipeline from Lake Palestine to Cedar Creek Lake – how much of the right of ways are secured? Mr. Ray was unsure. Comm. Geeslin is opposed to the Tarrant County Water District pipeline. Comm. Geeslin would like additional information regarding the Fresh Water Supply District, including maps, time schedules of drilling, and if water would be sold outside of Henderson County. He would like to do more research.

Motion made by Comm. McKinney and seconded by Comm. Lawrence to deny creation of a Fresh Water Supply District. Comm. Geeslin opposed. Motion carried 4 to 1.

Financial Reports were received from the County Auditor's Office, County Treasurer's Office, JP #2, JP #4 and JP#3.

There were no payroll distributions.

Motion made by Comm. McKinney and seconded by Comm. Geeslin to approve the one-time Odyssey license fee giving Judge Sanders authorization to sign. Voted unanimously by the court.

There were no requested Right-of Way permits.

There were no submitted budget amendments.

Motion made by Comm. McKinney and seconded by Comm. Geeslin to approve the payment of bills *Sales Tax* in the amount of \$420.99, as listed on copy in file. Voted unanimously by the court.

Motion made by Comm. Thomas and seconded by Comm. McKinney to approve the payment of bills Disbursements in the amount of \$311,951.37, as listed on copy in file. Comm. Lawrence opposed. Motion carried 4 to 1.

There were no submitted plats.

There were no submitted bids.

Motion made by Comm. Lawrence and seconded by Comm. McKinney, to adjourn the meeting @ 10:57 A.M. Voted unanimously by court.

**Read and Approved:**

---

**County Judge, Richard Sanders**