

June 23, 1997

STATE OF TEXAS

COMMISSIONERS COURT

COUNTY OF JOHNSON

BE IT KNOWN that on the 23rd day of June, 1997, the Honorable Commissioners Court of Johnson County, Texas, met in Regular Session at 9:00 a.m. with all members present in the Courthouse, in the City of Cleburne, Johnson County, Texas, and following the Invocation and the Pledge of Allegiance, the following items were considered:

V. PRECEDING BUSINESS

1. APPROVAL OF BILLS

A motion was made by Comm. McFall, seconded by Comm. Thompson to approve the monthly bills as submitted by the County Auditor.

All voted aye, motion passed.

2. ACKNOWLEDGMENT OF RECEIPT OF THE COUNTY AUDITORS REPORT TO COMMISSIONERS COURT

County Judge, Roger Harmon, acknowledged the 2 receipt of the County Auditors Report to the Commissioners Court.

3. APPROVAL OF MINUTES

A motion was made by Comm. Harmon, seconded by Comm. Carpenter to approve the Minutes of the June 3, 1997 meeting of the Commissioners Court.

All voted aye, motion passed.

4. CLARIFICATION OF MINUTES OF OCTOBER 14, 1996

Pass.

5. CLARIFICATION OF MINUTES OF MARCH 10, 1997

A motion was made by Comm. Harmon, seconded by

Comm. McFall to approve the Clarification of Minutes of October 14, 1996 and March 10, 1997 as:

a. Under New Business, #17-Agreement to Contribute Funds on Extension of FM3048. This Agreement with the State was never fully executed by them. The process changed on the percentage of responsibility for the purchase of the ROW. On the Agenda of May 12, 1997 the Court voted to hire Ben Dyess as our Appraisal Consultant to purchase the ROW on FM 3048 for the County. Therefore there is no documentation to explain what happened to the State Contract nor any contract to file with the minutes of October 14, 1996.

b. Under New Business, #7-Tax Abatement for Air Liquide Corporation. This Agreement was signed by the Commissioners Court and sent to Air Liquide for signatures by their executives to fully execute this tax abatement. We have not been furnished a completed fully executed copy of the tax abatement and therefore will have no agreement to file with the minutes of October 14, 1996.

Clarification of Minutes of March 10, 1997. Requested from Dick Dickens. Preceding Business #4 Subdivision, f. Mohr Estates, Lot 12A-Final Replat-Pct. #3. The people came to Court and wanted to replat two of the lots into one, which was done. Then on March 10, 1997, they wanted to revert the lot back into two lots. The Court voted to do so but there is no plat nor minutes to explain what happened. Mr. Dickens,

request that this clarification reflect the lots went back to the original plat as shown on Vol. 8, page 223, dated January 24, 1996 as lots 12 and 13.

All voted aye, motion passed.

6. RESOLUTION OF SUPPORT FOR GRANT TO CURB ILLEGAL DUMPING

A motion was made by Comm. Harmon, seconded by Comm. Carpenter to approve the Resolution of Support for a Grant to Curb Illegal Dumping.

All voted aye, motion passed.

7. SUBDIVISION

a. WEST BUFFALO CREEK ESTATES, PRELIMINARY PLAT - PCT. #1

A motion was made by Comm. McFall, seconded by Comm. Harmon to approve West Buffalo Creek Estates, Preliminary Plat, Precinct #1, with the stipulation that the bubble be platted as a Cul-de-sac and should meet all the requirements of a Cul-de-sac.

All voted aye, motion passed.

b. BERRY HILL ESTATES, FINAL PLAT - PCT. #3

A motion was made by Comm. Carpenter, seconded by Comm. Thompson to approve Berry Hill Estates, Final Plat, Pct. #3, with sixty percent of this project being in Tarrant County it is subject to Tarrant County's Subdivision Rules and Regulations. Additional Grade number 1 base material plus the additional netting that is TXDOT approved will be used on these roads.

All voted aye, motion passed.

c. SHADOW VALLEY ESTATES, FINAL PLAT - PCT. #3

A motion was made by Comm. Carpenter, seconded by Comm. Harmon to approve Shadow Valley Estates, Final Plat, Pct. #3.

All voted aye, motion passed.

d. GREEN RIDGE, PHASE I, FINAL PLAT - PCT. #3

A motion was made by Comm. Carpenter, seconded by Comm. Thompson, to approve Green Ridge, Phase I, Final Plat, Pct. #3.

All voted aye, motion passed.

e. BEAKLEY INDUSTRIAL PARK, FINAL PLAT - PCT. #3

A motion was made by Comm. Carpenter, seconded by Comm. McFall, to approve Beakley Industrial Park, Final Plat, Pct. #3.

All voted aye, motion passed.

8. AWARD OF BIDS/PROPOSALS

a. BID #97-29 - Pest Control

A motion was made by Comm. Thompson, seconded by Comm. Harmon to award Bid #97-23 for Pest Control to Double D Termite.

All voted aye, motion passed.

VI. UNFINISHED BUSINESS

1. REPORT ON THE JOINT COUNTY-WIDE SEXUALLY ORIENTED BUSINESSES TASK FORCE

Judge Roger Harmon gave a report on the Joint County-Wide Sexually Oriented Businesses Task Force.

VII. NEW BUSINESS

1. PURCHASES FROM \$2,500.00 TO \$15,000.00

A motion was made by Comm. Harmon, seconded by

Comm. Thompson to approve the Emergency Purchase of a 30 ton York Air Conditioner for the 2nd Floor, Annex Building; estimated at \$10,000.00 and for Precinct #1-raw material from Texas Lime at 5¢ a ton.

All voted aye, motion passed.

2. ADVERTISING FOR BIDS/PROPOSALS

A motion was made by Comm. McFall, seconded by Comm. Carpenter to approve the advertising for used Bridge Timbers for sale for Precinct #4; and to go out for Bids on Plumbing Repair, Heating A/C Repair, Tire Repair, Heavy Equipment Repair, Oil Filter and Lube, and Automatic Transmission Repair.

All voted aye, motion passed.

3. TRAFFIC SIGNS

No signs requested.

4. APPROVAL OF RESALE BIDS

A motion was made by Comm. Harmon, seconded by Comm. Carpenter to approve Resale Bids on five properties in Burleson with Resolution #R97-001; R97-002; R97-003; R97-004; and R97-005.

All voted aye, motion passed.

5. JOHNSON COUNTY TO CONTRACT FOR PRISONERS WITH MONTANA

A motion was made by Comm. Thompson, seconded by Comm. Carpenter to approve the Contract for Prisoners from Montana.

All voted aye, motion passed.

6. JOHNSON COUNTY TO CONTRACT WITH CONCHO VALLEY HOME FOR GIRLS, INC.

Passed.

7. CONSTRUCTION & MAINTENANCE AGREEMENT & RESOLUTION FOR

BRIDGE REPLACEMENT ON CR 604 AT WALNUT CREEK - PCT #3

A motion was made by Comm. Carpenter, seconded by Comm. Harmon to give the County Judge permission to sign the Construction & Maintenance Agreement and Resolution for Bridge Replacement on CR 604 at Walnut Creek, Precinct #3.

All voted aye, motion passed.

6. JOHNSON COUNTY TO CONTRACT WITH CONCHO VALLEY HOME FOR GIRLS, INC.

A motion was made by Comm. McFall, seconded by Comm. Harmon to approve the Johnson County Contract with Concho Valley Home for Girls, Inc. which will be paid from the Victims Assistance Fund for this particular girl to stay 6 months to a year.

All voted aye, motion passed.

8. INTERLOCAL AGREEMENT WITH THE CITY OF VENUS - PCT. #4

A motion was made by Comm. Thompson, seconded by Comm. Carpenter to approve the Interlocal Agreement with the City of Venus, Precinct #4.

All voted aye, motion passed.

9. SPECIAL CONSTITUTIONAL AMENDMENT ELECTION

Motion was made under the Consent Agenda.

10. REQUEST FOR INTERNET ACCESS-SHERIFF'S DEPARTMENT

A motion was made by Comm. Harmon, seconded by Comm. Thompson to approve the Request for Internet Access for the Sheriff's Department in order they may find Training Information and Military Surplus Equipment.

All voted aye, motion passed.

11. REQUEST FOR PROCEEDS FROM THE COUNTY AUCTION-
SHERIFF'S DEPARTMENT

A motion was made by Comm. McFall, seconded by Comm. Harmon to approve the Request for Proceeds from the Sheriff's portion of the County Auction to be returned to the Sheriff's Department.

All voted aye, motion passed.

VIII. CONSENT AGENDA

Budget Amendments Pursuant to Section 111.010C of the Local Government Code: "The Commissioners Court may authorize any emergency expenditures as an amendment to the original Budget only in a case of grave Public necessity to meet an unusual and unforeseen condition that could not have been included in the Original Budget through the use of reasonably diligent thought and attention."

A motion was made by Comm. Harmon, seconded by Comm. Thompson to approve the Budget Amendments.

1. The Sheriff's Department for \$13,254.93, to cover the Proceeds due to the Sheriff's Department from the County Auction.
2. The next Budget Amendment is for the purchase of the Air Conditioning Unit for the second floor of the Annex in the amount of \$10,000.00.
3. For the Sheriff's Department in the amount of \$10,988.00 to add a Lieutenant position to the Sheriff's Department, which will be totally reimbursed by the STOP Task Force Grant Fund.
4. The next Budget Amendment is for the Juvenile

Detention for out-of-county Detention services in the amount of \$7,360.00; and for a New Probation Officer Position and Fringe benefits in the amount of \$22,681.00.

5. To fund the Special Constitutional Amendment Election in the amount of \$13,500.00.

A second motion was made by Comm. McFall, seconded by Comm. Carpenter to approve the rest of the Consent Agenda.

All voted aye, motions passed.

BE IT KNOWN that on the 23rd day of June, 1997, the Honorable Commissioners Court of Johnson County, met in Executive Session at 10:15 a.m. with all members present in the Courthouse, in the City of Cleburne, Johnson County, Texas in accordance with Texas Local Government Code Sec. 551.074- Personnel Matters: Purchasing Department, County Clerk's Office, Tax Office, Sheriff's Department, Precinct #4, and Juvenile Detention; and Sec. 551.071-Consultation with Attorney: Resolution of Matter Involving Alleged Wrongful Arrest, Pending Litigation, and Anticipation of Litigation/Notification of Claim.

The Commissioners Court reconvened into Open Session at 11:30 a.m. with the following action being taken:

IX. EXECUTIVE SESSION

1. GOVERNMENT CODE

- b. Sec. 551.071-Consultation with Attorney

3. Anticipation of Litigation/Notification of Claim

A motion was made by Comm. Harmon, seconded by Comm. McFall, to approve the hiring of John MacLean of MacLean and

Boulware to file an Expunction on behalf of Guzman Mehta.

All voted aye, motion passed.

2. Pending Litigation

A motion was made by Comm. McFall, seconded by Comm. Harmon to give Bill Moore permission to file an answer on the Declaratory Judgment.

All voted aye, motion passed.

1. Resolution of Matter Involving Alleged Wrongful Arrest

A motion was made by Comm. McFall, seconded by Comm. Thompson to pay any legitimate actual costs incurred by Mr. William B. Self claimed in the alleged wrongful arrest.

All voted aye, motion passed.

The Commissioners Court adjourned at 3:30 p.m. on June 23, 1997 until 8:00 a.m., Tuesday, June 24, 1997.

BE IT KNOWN that on the 24th day of June 1997, the Honorable Commissioners Court of Johnson County, Texas met in Regular Session at 8:00 a.m. with all members present in the Courthouse, in the City of Cleburne, Johnson County, Texas and the following items were considered:

VIII. CONSENT AGENDA

A motion was made by Comm. Harmon, seconded by Comm. McFall, to rescind the Budget Amendment for the Air Conditioner in the amount of \$10,000.00.

All voted aye, motion passed.

A motion was made by Comm. Harmon, seconded by Comm.

Thompson, to approve the Budget Amendment because of unforeseen circumstances for the Commander of the STOP Task Force effective June 16, 1997 to September 30, 1997 in the amount of \$14,913.00 and for this money to be reimbursed by the state from the STOP Task Force Grant.

All voted aye, motion passed.

BE IT KNOWN that on the 24th day of June, 1997, the Honorable Commissioners Court of Johnson County, met in Executive Session at 8:09 a.m. with all members present, in the Courthouse, in the City of Cleburne, Johnson County, Texas in accordance with Texas Local Government Code Sec. 551.074-Personnel Matters in the Purchasing Department, County Clerk's Office, Tax Office, Sheriff's Department, and Precinct #4, and Juvenile Detention.

The Commissioners Court reconvened into Open Session at 9:45 a.m. with the following action being taken:

IX. EXECUTIVE SESSION

1. GOVERNMENT CODE

a. Sec. 551.074-Personnel Matters

1. Purchasing Department

No action taken.

2. County Clerk's Office

A motion was made by Comm. Thompson, seconded by Comm. Harmon to approve Teresa Calhoun, Clerk III, Grade 8 to Chief Deputy, Grade 11, at \$18,233.00; Delores Hutto, Clerk III, Grade 8 to Clerk IV, Grade 10, at \$17,885.00; and Elizabeth Hall, Clerk II, Grade 6, to Clerk IV, Grade

10, at \$16,608. Micol Kraft, Maralyn Wheeler, Cobi Howington, all no action.

All voted aye, motion passed.

3. Tax Office

No action.

4. Sheriff's Department

No action.

5. Precinct #4

A motion was made by Comm. Thompson, seconded by Comm. Harmon to approve Danny Ketton from Equipment Operator II to Equipment Operator III at \$20,346.00 effective July 1, 1997.

All voted aye, motion passed.

6. Juvenile Detention

A motion was made by Comm. Harmon, seconded by Comm. McFall to re-classify Stacy Junge as the Permanent Director of Juvenile Detention and approve a 5% raise, effective July 1, 1997.

All voted aye, motion passed.

2. County Clerk's Office

A motion was made by Comm. Thompson, seconded by Comm. Harmon to amend his original motion for the raises in the County Clerk's Office to be effective July 1, 1997.

All voted aye, motion passed.

VIII. CONSENT AGENDA

A motion was made by Comm. McFall, seconded by Comm. Harmon to approve the \$5,000.00 line item transfer for the Tax Office.

All voted aye, motion passed.

There being no further business before the court concerning this Agenda, the Court adjourned at 9:55 a.m. on the same date.

Submitted by: _____
CURTIS H. DOUGLAS
County Clerk

Approved by: _____
ROGER HARMON
County Judge