

STATE OF TEXAS

SEPTEMBER 13, 1999

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 13th day of September, 1999, the Honorable Commissioner's 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 led by Dr. Ray Ballman, and the Pledge of Allegiance, the following items were considered:

VI. PRECEDING BUSINESS

1. ACTION ON RESOLUTION DECLARING THE COUNTY OF JOHNSON A COUNTY OF CHARACTER

A motion was made by Comm. Harmon, seconded by Comm. Thompson, to approve the resolution declaring Johnson County a 'County of Character'.

All voted aye; motion passed.

2. ACTION ON APPOINTMENTS TO STEERING COMMITTEE FOR CHARACTER FIRST PROGRAM

No action.

3. PRESENTATION OF PLAQUES FOR EXCEPTIONAL SERVICE TO JOHNSON COUNTY AND THE STATE OF TEXAS

Plaques for exceptional service to Johnson County and the State of Texas were presented to Ron Harmon, Commissioner Precinct #2, and Donnie Williams, Johnson County Auditor.

4. ACTION ON RESOLUTION TO RETAIN THE RAILROAD TRACK BETWEEN CLEBURNE AND CRESSON

A motion was made by Comm. McFall, seconded by Comm. Harmon, to approve the resolution in support of retaining the railroad tracks between Cleburne and Cresson.

All voted aye; motion passed.

5. APPROVAL OF BILLS

A motion was made by Comm. McFall, seconded by Comm. Thompson, to approve the bills as presented by the County Auditor with the addition of \$20.00 to Chem Labs and \$69.00 to David Russell.

All voted aye; motion passed.

6. ACKNOWLEDGMENT OF RECEIPT OF THE COUNTY AUDITORS REPORT TO THE COMMISSIONER'S COURT

Judge Harmon acknowledged receipt of the County Auditor's Report to the Commissioner's Court.

7. APPROVAL OF MINUTES

A motion was made by Comm. Harmon, seconded by Comm. Thompson to approve the minutes of the July 26, 1999, meeting and the August 9, 1999, meeting with corrections to New Business item 10 (page 6) to state "accepting from TNRC appropriate voluntary mandatory control measures" and "utilization of voluntarily mandated control strategies" as submitted by the County Clerk.

All voted aye; motion passed.

8. ACTION ON REQUEST FOR A VARIANCE FOR BUILDING ON LOT LINE: TURKEY CREEK-LOT 3, BLK. 2 – PRECINCT #3

A motion was made by Comm. Carpenter, seconded by Comm. Thompson, to approve the request for a variance for building on the lot line of Turkey Creek subdivision lot 3, block 2 in Precinct #3, and to identify the lot as non-conforming.

All voted aye; motion passed.

9. ACTION ON REQUEST FOR AN EXTENSION ON THE
COMPLETION TIME: CRYSTAL PALACE ESTATES-
PHASE I – PRECINCT #4

A motion was made by Commissioner Thompson, seconded by Comm. McFall, to approve the request for a 12 month extension on completion time for Crystal Palace Estates, phase I in Precinct #4.

All voted aye; motion passed.

A motion was made by Commissioner Thompson, seconded by Comm. McFall, to amend the prior motion to include phase #2 of Crystal Palace Estates in Precinct #4.

All voted aye; motion passed.

10. ACTION ON ACCEPTANCE OF ROADS FOR COUNTY
MAINTENANCE

a. TIMBER CREEK ESTATES – PRECINCT #3

No action.

b. WEST BUFFALO CREEK ESTATES – PRECINCT #1

A motion was made by Comm. McFall, seconded by Comm. Carpenter, to approve acceptance of roads in the West Buffalo Creek Estates in Precinct #1 for county maintenance.

All voted aye; motion passed.

c. STRAWBERRY RIDGE - PRECINCT #2

No action.

11. ACTION ON BIDS/PPROPOSALS

a. RFP #99-12 REBID: SEX OFFENDERS PROGRAM
FOR JOHNSON COUNTYCOMMUNITY SERVICE

A motion was made by Comm. Harmon, seconded by Comm. McFall, to approve the proposal from 'Don't Touch' for RFP #99-12 for a Sex Offenders Program for Johnson County Community Service Department.

All voted aye; motion passed.

b. BID #99-54 REBID: HEAVY EQUIPMENT REPAIR

A motion was made by Comm. Harmon, seconded by Comm. McFall, to approve table the item.

All voted aye; motion passed.

- c. BID ON DIV. #2465 – CAST IN PLACE CONCRETE PIERS-LEC
- d. BID ON DIV. #2820 – CHAIN LINK FENCES AND GATES-LEC
- e. BID ON DIV. #3470 – TILT UP PRECAST CONCRETE ERECTION-LEC
- f. BID ON DIV. #4220 – CONCRETE UNIT MASONRY-LEC
- g. BID ON DIV. #5120 – STRUCTURAL STEEL-LEC
- h. BID ON DIV. #7200 – BUILDING INSULATION-LEC
- i. BID ON DIV. #8111 – STEEL DOORS AND FRAMES-LEC
- j. BID ON DIV. #8710 – FINISH HARDWARE-LEC
- k. BID ON DIV. #13120 – PRE-ENGINEERED ROOFING SYSTEM-LEC
- l. BID ON DIV. #15400 – PLUMBING-LEC
- m. BID ON DIV. #15850 – H.V.A.C.-LEC
- n. BID ON DIV. #16010 – ELECTRICAL-LEC

A motion was made by Comm. Thompson seconded by Comm. Carpenter, to approve the following bids for construction items at the L.E. C: Bid on Div. #2820 for chain link fences and gates from All Around Fence Company in the amount of \$19,240.00; Bid on Div. #3470 for tilt-up precast concrete erection from T.N.T. in the amount of \$23,650.00; Bid on Div. #4220 for concrete unit masonry from Miracle in the amount of \$45,000.00; Bid on Div. #5120 for structural steel from Marathon in the amount of \$103,100.00; Bid on Div. #7200 for building insulation from Baystar in the amount of \$5,273.00; Bid on Div. #8111 for steel doors and frames from

H. B. Blake in the amount of \$17,121.00; Bid on Div. #8710 for finish hardware from Woodard in the amount of \$8,890.00; Bid on Div. #13120 for pre-engineered roofing system from Marathon in the amount of \$66,700.00; Bid on Div. #15400 for plumbing from Allied Plumbing in the amount of \$123,680.00; Bid on Div. #15850 for air handling equipment from Todd Mechanical in the amount of \$50,830.00; Bid on Div. #16010 for electrical general provisions from Double D in the amount of \$92,407.00; and Bid on Div. #2465 for cast in place concrete piers to be cancelled.

All voted aye; motion passed.

VII. UNFINISHED BUSINESS

1. ACTION OR UPDATE OF CONSTRUCTION AT LEC JAIL FACILITY

Passed.

2. ORDER #99-004 – PROHIBITION OF OUTDOOR BURNING

A motion was made by Comm. Thompson, seconded by Comm. McFall, to approve rescinding Order #99-004 prohibiting outdoor burning.

All voted aye; motion passed.

3. ACTION ON CONTRACT FOR PLANNING SERVICES TO CREATE A MASTER PLAN FOR JOHNSON COUNTY - ARCHITEXAS

A motion was made by Comm. Thompson, seconded by Comm. Carpenter, to approve the contract for planning services to create a master plan for Johnson County with Architexas.

All voted aye; motion passed.

4. ACTION ON CONTACTS WITH DENTON COUNTY

a. INTERLOCAL COOPERATION AGREEMENT – JUVENILE POST ADJUDICATION FACILITY OCTOBER 1, 1999 TO SEPTEMBER 30, 2000

b. INTERLOCAL COOPERATION AGREEMENT –
JUVENILE PRE-ADJUDICATION FACILITY –
OCTOBER 1, 1999 TO SEPTEMBER 30, 2000

A motion was made by Comm. Harmon, seconded by Comm. McFall, to approve the interlocal cooperation agreement contracts with Denton County for Juvenile post adjudication and pre-adjudication facilities.

All voted aye; motion passed.

VIII. NEW BUSINESS

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

A motion was made by Comm. Carpenter, seconded by Comm. Thompson, to approve the purchase of ballots for the Constitutional Amendment Election; three bobtail dump trucks in an amount not to exceed \$20,000.00 each, one vibrating roller in the amount of \$65,000.00, one reclaiming machine in the amount of \$60,000.00 from Richey Brothers for Precinct #4 with payment to be made by live check within 10 days of purchase; and repair of a haul trailer in the amount of \$4,000.00 for Precinct #3.

All voted aye; motion passed.

2. ADVERTISING FOR BIDS/PROPOSALS

A motion was made by Comm. Harmon, seconded by Comm. McFall, to approve advertising for bids for the sale of a non-functioning 1990 Mack truck for Precinct #2 and for the sale of a trailer for Precinct #4; the sale of a 1989 Ford pickup at Ritchey Brothers Auction for the Sheriff's Department; and for mandated provider contracts for county medical services.

All voted aye; motion passed.

3. TRAFFIC SIGNS

No action.

4. ACTION ON REQUEST FOR USE OF SPACE AT FARMER'S MARKET

A motion was made by Comm. Carpenter, seconded by Comm. McFall, to approve the use of space at Market Square for selling popcorn as a money making project by the Boy Scouts.

All voted aye; motion passed.

5. ACTION ON RESOLUTION #R99-002 – ADOPTING ADDITIONAL PENALTIES UNDER THE TEXAS TAX CODE SEC. 33.08 AS AUTHORIZED BY THE LAST SESSION OF THE TEXAS LEGISLATURE

A motion was made by Comm. Harmon, seconded by Comm. Thompson, to approve Resolution #R99-002 adopting additional penalties under the Tax Code Sec. 33.08 as authorized by the last session of the Texas Legislature.

All voted aye; motion passed.

6. ACTION ON RESOLUTION #R99-003 – BIDS ON STRUCK-OFF PROPERTY – BLUE WATER OAKS/ALVARADO

A motion was made by Comm. McFall, seconded by Comm. Thompson, to reject unsolicited proposal for the purchase of struck-off property, lots 393 & 394 Blue Water Oaks in the City of Alvarado and to advertise for bids for that sale of the property.

All voted aye; motion passed.

7. ACTION ON RESOLUTION #R99-004 – RESALE OF STUCK-OFF PROPERTY/CITY OF ALVARADO

A motion was made by Comm. Carpenter, seconded by Comm. Harmon, to approve Resolution #R99-004 for the sale of struck-off property in the City of Alvarado to the City of Alvarado.

All voted aye; motion passed.

8. ACTION ON ORDER #99-005 – INVESTMENT POLICY AND INVESTMENT STRATEGIES FOR JOHNSON COUNTY

A motion was made by Comm. Harmon, seconded by Comm. Thompson, to approve to amend Sec. VII – Investment Authorization item 13, and disapprove item 14 & 15; and to approve First Southwest Company of Dallas, First National Bank of Abilene, Texpool Investment Pool of Austin, and Lone Star Investment of Austin as qualified brokers, including banks and investment pools.

All voted aye; motion passed.

9. ACTION ON INTERLOCAL AGREEMENT FOR ROAD REPAIR WITH THE CITY OF ALVARADO – PRECINCT #3

A motion was made by Comm. Carpenter, seconded by Comm. McFall, to approve an interlocal agreement for road repairs with the City of Alvarado in Precinct #3.

All voted aye; motion passed.

10. ACTION ON INTERLOCAL AGREEMENT FOR ROAD REPAIRS WITH THE CITY OF BRIAR OAKS – PRECINCT #3

A motion was made by Comm. Carpenter, seconded by Comm. Thompson, to approve an interlocal agreement for road repairs with the City of Briar Oaks in Precinct #3.

All voted aye; motion passed.

11. ACTION ON SUBDIVISION RULES AND REGULATIONS

No action.

12. ACTION TO SET POLICY GUIDELINES FOR PAY FOR PERFORMANCE PLAN

Passed.

13. ACTION ON CHANGE OF PERIMETERS OF AGENDA ITEM PURCHASES FROM \$2,500.00 TO \$15,000.00

Passed.

14. ACTION ON INTERLOCAL AGREEMENT FOR ROAD REPAIRS WITH THE CITY OF GODLEY – PRECINCT #1

A motion was made by Comm. McFall, seconded by Comm. Harmon, to approve and interlocal agreement for road repairs with the City of Godley in Precinct #1.

All voted aye; motion passed.

15. ACTION ON DONATION OF IMPROVEMENTS TO FORBES ROAD – PRECINCT #4

A motion was made by Comm. Thompson, seconded by Comm. McFall, to approve the donation of improvements to Forbes Road in Precinct #4.

All voted aye; motion passed.

16. ACTION ON SEPTIC PERMIT-CR 805B – PRECINCT #4

A motion was made by Comm. Thompson, seconded by Comm. McFall, to require the property owner to obtain a survey for each property showing size of lot, location of homes, and location of systems and lines; and a soil analysis for each.

All voted aye; motion passed.

17. ACTION ON THE MANUFACTURER OF STREET SIGNS WITHIN THE COUNTY

Passed.

18. ACTION ON POLICY FOR PROVIDING SERVICES TO DEAF OR HEARING IMPAIRED INDIVIDUALS

Passed.

IX. CONSENT AGENDA

A motion was made by Comm. Thompson, seconded by Comm. Carpenter, to approve the consent agenda as presented.

All voted aye; motion passed.

BE IT KNOWN that Commissioner's Court met in Executive Session at 11:35 A.M. in accordance with Government Code Sec. 551.071 – consultation with attorney

regarding contemplated litigation. Commissioner's Court reconvened into open session at 11:45 A.M. to consider the following:

X. EXECUTIVE SESSION

1. GOVERNMENT CODE SEC. 551.071 – CONSULTATION WITH ATTORNEY

a. CONTEMPLATED LITIGATION

A motion was made by Comm. Harmon, seconded by Comm. Thompson, to approve the County Attorney's Office authorizing payment of appropriate refundable amount upon findings from investigation and the execution of a release.

All voted aye; motion passed.

Commissioner's Court recessed at 11:47 A.M.; reconvened at 1:19 P.M.; and immediately met in workshop session to discuss subdivision rules and regulations, policy guidelines for pay for performance plan, fee structure for Public Works Department, change of perimeters on agenda item 'Purchases from \$2,500.00 to \$15,000.00', manufacture of street signs within the county, and policy for providing services to deaf or hearing impaired individuals; and reconvened into open session at 4:15 P.M. to consider the following:

VIII. NEW BUSINESS

11. ACTION ON SUBDIVISION RULES AND REGULATIONS

No action.

12. ACTION TO SET POLICY GUIDELINES FOR PAY FOR PERFORMANCE PLAN

No action.

13 ACTION ON CHANGE OF PERIMETERS OF AGENDA ITEM- PURCHASES FROM \$2,500.00 TO \$15,000.00

A motion was made by Comm. Harmon, seconded by Comm. McFall, to approve changing the perimeters of agenda item 'Purchases from \$2,500.00 to \$15,000.00' to 'Purchases of \$25,000.00 or Over' effective October 1, 1999.

All voted aye; motion passed.

17. ACTION ON THE MANUFACTURE OF STREET SIGNS
WITHIN THE COUNTY

No action.

18. ACTION ON POLICY FOR PROVIDING SERVICES TO DEAF
OR HEARING IMPAIRED INDIVIDUALS

A motion was made by Comm. McFall, seconded by Comm. Harmon, to approve the Johnson County Policy for effective communication with persons who are deaf or hard of hearing and to appoint the County Judge as ADA coordinator for Johnson County.

All voted aye; motion passed.

There being no further business before the court concerning this agenda, Commissioner's Court adjourned at 4:17 P.M. on the same date.

Submitted by: _____
Curtis H. Douglas
County Clerk

Approved by: _____
Roger Harmon
County Judge

New Business, item 2 (page 6) reflects corrections made upon approval in the October 11, 1999, regular meeting of Commissioner's Court.