

STATE OF TEXAS

NOVEMBER 13, 2001

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 14th day of November, 2001, the Honorable Commissioner's Court of Johnson County, Texas, met in regular session at the Courthouse 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 9:00 A.M., with all members present, and following the Invocation led by Comm. McFall, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on November 8, 2001, at 8:45A.M., were considered:

IV. ANNOUNCEMENTS AND PRESENTATIONS

1. AGENDA ITEMS DUE IN COUNTY JUDGE'S OFFICE ON NOVEMBER 16, 2001 FOR THE NOVEMBER 26, 2001 AGENDA DUE TO THE THANKSGIVING HOLIDAYS
2. PRESENTATION OF CERTIFICATE TO ROBERT MCFALL – SHERIFF'S OFFICE

County Sheriff Bob Alford presented a certificate of appreciation to Robert McFall.

V. PUBLIC HEARING: DANGEROUS WILD ANIMALS

A public hearing to prohibit the keeping of dangerous wild animals in the unincorporated areas of Johnson County was opened for discussion at 9:05 A.M. There being no public participation, the hearing was closed at 9:06 A.M.

VI. PUBLIC PARTICIPATION

Mary Tallent addressed the Court regarding the absence of a Veteran's Day Parade.

VII. PRECEDING BUSINESS

1. ACTION OF BUDGET AMENDMENT PURSUANT TO SECTION 111.010C OF THE LOCAL GOVERNMENT CODE: ROAD AND BRIDGE FUND - PRECINCT #2

Comm. Harmon, seconded by Comm. Thompson, made a motion to approve a budget amendment in the amount of \$72,000.00 pursuant to section 111.010C of the Local Government Code for the Road and Bridge Fund in Precinct #2, line item# 017-613-332.

All voted aye; motion carried.

2. ACTION ON APPROVAL TO PAY BILLS

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

All voted aye; motion carried.

3. ACKNOWLEDGEMENT OF RECEIPT OF THE COUNTY AUDITORS REPORTS TO THE COMMISSIONER'S COURT

Commissioner's Court acknowledged receipt of the County Auditor's reports.

4. ACTION ON APPROVAL OF MINUTES OF THE COMMISSIONER'S COURT

- a. JUNE 11, 2001 - REGULAR
- b. JULY 9, 2001 - REGULAR
- c. JULY 23, 2001- REGULAR
- d. SEPTEMBER 10, 2001 – REGULAR

Comm. Harmon, seconded by Comm. Carpenter, made a motion to approve the minutes for the June 11, 2001; July 9, 2001; July 23, 2001 and September 10, 2001 as presented to the Court by the County Clerk.

All voted aye; motion carried.

5. ACTION TO APPROVE PRELIMINARY RE-PLAT

a. TWIN CREEK: LOT 7A AND 7B, BLOCK 2 BEING A RE-PLAT OF LOT 7, BLOCK 2 - PRECINCT #4

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the preliminary re-plat of Twin Creek, lot 7A and 7B, block 2 being a re-plat of lot 7, block 2 in Precinct #4.

All voted aye; motion carried.

b. LAKE SIDE VIEW ESTATES: LOT 2 – PRECINCT #4

Comm. Thompson, seconded by Comm. McFall, made a motion to approve the preliminary re-plat of Lake Side View Estates, lot 2 in Precinct #4.

All voted aye; motion carried.

6. ACTION TO APPROVE PRELIMINARY PLAT

a. FOX HOLLOW ESTATES: TRACT 6-A-R AND NORTH PORTION OF TRACT 7 – PRECINCT #1

Comm. McFall, seconded by Comm. Harmon, made a motion to approve the preliminary plat of Fox Hollow Estates, tract 6-A-R and the north portion of tract 7 in Precinct #1.

All voted aye; motion carried.

b. VINEYARD HEIGHTS: LOTS 1-29, BLOCK 1 - PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the preliminary plat for Vineyard Heights, lots 1-29, block 1 in Precinct #3.

All voted aye; motion carried.

c. NORTH TIMBER CREEK – PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the preliminary plat for North Timber Creek in Precinct #3.

All voted aye; motion carried.

7. ACTION TO APPROVE FINAL RE-PLAT

a. SHADY HILLS ESTATES: LOTS 28-R-1 AND 28-R-2  
BEING A RE-PLAT OF LOT 28 – PRECINCT #3

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the final re-plat of Shady Hills Estates, lots 28-R-1 and 28-R-2 being a re-plat of lot 28 in Precinct #3.

All voted aye; motion carried.

b. TRIPLE-H-ESTATES: PHASE I, LOTS 2-R-1 THRU 2-R-7  
BEING A RE-PLAT OF LOT 2 – PRECINCT #4

Comm. Thompson, seconded by Comm. McFall, made a motion to approve the final re-plat of Triple-H-Estates, Phase I, lots 2-R-1 through 2-R-7, being a re-plat of lot 2 in Precinct #4.

All voted aye; motion carried.

8. ACTION TO APPROVE FINAL PLAT

a. LONE OAK ESTATES: LOTS 1 & 2, BLOCK 1 -  
PRECINCT #4

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the final plat for Lone Oak Estates, lots 1 and 2, block 1 in Precinct #4.

All voted aye; motion carried.

9. ACTION TO APPROVE ROADS IN ORDER TO BEGIN SELLING LOTS IN GILLS CROSSING – PRECINCT #3

Comm. Carpenter, seconded Comm. McFall, made a motion to approve the roads in Gills Crossing in order to sell lots in Precinct #3.

All voted aye; motion carried.

VIII. UNFINISHED BUSINESS

1. ACTION OF ARCHITECTURAL DESIGN, SPECIFICATION AND PROGRAM REQUIREMENTS

- a. GUINN JUSTICE CENTER
- b. JOHNSON COUNTY SERVICES COMPLEX

Discussion. No action.

IX. NEW BUSINESS

1. ACTION TO ADVERTISE FOR BIDS/PROPOSALS AND SET OPENING DATES

- a. RFB #2002-06: ONE NEW 6-8 YARD DUMP TRUCK - PRECINCT #1 AND SET OPENING DATE FOR DECEMBER 3, 2001

Comm. McFall, seconded by Comm. Harmon, made a motion to advertise for bids and proposals for RFB #2002-06 for one new dump truck for Precinct #1 and set an opening date of December 3, 2001.

All voted aye; motion carried.

- b. RFB# 2002-07: ONE OR MORE PICKUPS FOR JOHNSON COUNTY AND SET OPENING DATE FOR DECEMBER 3, 2001

Comm. Carpenter, seconded by Comm. Harmon, made a motion to approve to advertise for bids and proposals for RFB# 2002-07 for one or more pickups for Johnson County, excluding Precinct #2, and set an opening date for December 3, 2001.

All voted aye; motion carried.

2. ACTION ON AMENDMENT TO EQUIPMENT PURCHASE FUND (75)

Comm. Harmon, seconded by Comm. Carpenter, made a motion to approve a budget amendment to increase the Equipment Purchase Fund (75) for the Sheriff's Department in the amount of \$4,043.00 line item# 075-560-320 for a copier; for the County Clerk in the amount of \$15,000.00 line item# 075-403-320 for a copier; for Elections in the amount of \$4,043.00 line item #075-540-320 for a copier and to transfer departments' surpluses of \$19,043 into Mental Commitments, line item# 010-510-494.

All voted aye; motion carried.

3. ACTION TO APPROVE CONTRACTS FOR DETENTION SERVICES FOR JUVENILE PROBATION

- a. GARZA COUNTY
- b. LINDA BALEY
- c. BOWIE COUNTY
- d. HOOD COUNTY

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the contracts for detention services for Juvenile Probation with Garza County, Linda Baley, Bowie County and Hood County and giving the County Judge the authority to sign the contracts.

All voted aye; motion carried.

4. ACTION TO APPROVE SUBMISSION OF MASTER PLAN TO THE TEXAS HISTORICAL COMMISSION ON COURTHOUSE RESTORATION

Comm. Harmon, seconded by Comm. McFall, made a motion to approve the submission of the Courthouse Restoration Master Plan to the Texas Historical Commission.

All voted aye; motion carried.

5. ACTION TO SET HOLIDAYS FOR 2002

Comm. Thompson, seconded by Comm. Carpenter, made a motion to set the following holidays for 2002: January 1, 2002 – New Years; March 29, 2002 – Good Friday; May 27, 2002 – Memorial Day; July 4, 2002 – Independence Day; September 2, 2002 – Labor Day; November 11, 2002 – Veterans Day; November 28-29, 2002 – Thanksgiving; December 24-25, 2002 – Christmas, and each employees individual birthday.

All voted aye; motion carried.

6. ACTION TO ACCEPT GRANT FROM BUREAU OF JUSTICE ASSISTANCE FOR COMMUNITY GUN VIOLENCE PROSECUTION PROGRAM AND SET SALARY OF PROSECUTOR – DISTRICT ATTORNEY’S OFFICE

Comm. Harmon, seconded by Comm. Carpenter, made a motion to accept the grant from the Bureau of Justice Assistance for Community Gun Violence Prosecution Program and set the salary for the prosecutor at \$43,000.00 plus benefits.

All voted aye; motion carried.

12. ACTION ON CONTRACT TO HOLD PRISONERS FOR THE

CITY OF CLEBURNE

Comm. Thompson, seconded by Comm. Harmon, made a motion to approve an interlocal agreement with the City of Cleburne to hold prisoners at \$35.00 per day and giving the County Judge authority to sign the agreement.

7. ACTION TO RE-CONNECT "A" DRIVES ON COMPUTERS -  
ISS DEPARTMENT

Passed for discussion in workshop session.

8. ACTION TO CONTRACT WITH PRIVATE ATTORNEY FOR  
COLLECTION FEES AND FINES

Passed for discussion in workshop session.

9. ACTION ON ORDER TO AUTHORIZE THE ADDITION OF  
COLLECTION FEES IN THE AMOUNT PROVIDED UNDER  
CODE OF CRIMINAL PROCEDURE ART. 103.0031b FOR  
COURT FEES AND FINES

Passed for discussion in workshop session.

10. ACTION ON SOLE SOURCE EXEMPTION ORDERED BY  
COMMISSIONER'S COURT (LGC 262.024 (A) FOR NET  
DATA MAINTENANCE AGREEMENT AND IBM OPTICAL  
LIBRARY FOR COUNTY CLERK

Comm. McFall, seconded by Comm. Harmon, made a motion to approve the purchase of a new IBM Optical Library (jukebox), IBM PCI External Tape Controller, IBM PCI LAN/WAN workstation IOP, and cartridge 10 pack under a sole source exemption for the County Clerk.

All voted aye; motion carried.

11. ACTION ON REQUEST FROM ISS DEPARTMENT FOR NEW  
FAX LINES FOR ALL FOUR PRECINCTS

Comm. Harmon, seconded by Comm. McFall, made a motion to approve an additional fax line for all four precincts as requested by the ISS Department.



All voted aye; motion carried.

13. ACTION ON ORDER REGARDING DANGEROUS WILD ANIMALS

Comm. Harmon, seconded by Comm. McFall, made a motion to approve Order# 2001-05 prohibiting the keeping of dangerous wild animals in unincorporated areas in Johnson County.

All voted aye; motion carried.

14. ACTION TO BEGIN IMPLEMENTATION OF DIRECT DEPOSITS IN COUNTY PAYROLL PROCEDURES

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the County Treasurer and County Auditor to begin implementation of direct deposits in payroll procedures.

All voted aye; motion carried.

X. CONSENT AGENDA

Comm. Thompson, seconded by Comm. McFall, made a motion to approve the consent agenda as presented.

All voted aye; motion carried.

BE IT KNOWN that Commissioner's Court met in Executive Session at 10:45 A.M. in accordance with Government Code Sec. 551.071 - Consultation with Attorney - Pending Litigation: Melissa Fritz, et al vs. Johnson County, et al No. 3:01-CV-40-H and Patrick Davis vs. Johnson County, et al No. 3:01-CV-2178 and in accordance with Government Code Sec. 551.074 - Personnel Matters: County Clerk and I.S.S. Department. Commissioner's Court reconvened into open session at 2:00 P.M. and moved immediately into workshop session to discuss the re-connection of "A" drives for computers, a second

DSL line for the County, court fees and fines collection services and the authority to add additional collection fees. Commissioner's Court reconvened into regular session at 2:48 P.M. to consider the following:

IX. NEW BUSINESS

7. ACTION TO RE-CONNECT "A" DRIVES ON COMPUTERS -  
ISS DEPARTMENT

No action.

8. ACTION TO CONTRACT WITH PRIVATE ATTORNEY FOR  
COLLECTION FEES AND FINES

No action.

9. ACTION ON ORDER TO AUTHORIZE THE ADDITION OF  
COLLECTION FEES IN THE AMOUNT PROVIDED UNDER  
CODE OF CRIMINAL PROCEDURES ART. 103.0031b FOR  
COURT FEES AND FINES

No action.

XII. EXECUTIVE SESSION

1. GOVERNMENT CODE SEC. 551.071 - CONSULTATION  
WITH ATTORNEY: PENDING LITIGATION

a. MELISSA FRITZ, ET AL VS. JOHNSON COUNTY  
ET AL NO. 3:01-CV-40-H

Comm. Harmon, seconded by Comm. Thompson, made a motion to accept the mediation amount of \$37,700.00 in settlement of Melissa Fritz, et al vs. Johnson County et al No. 3:01-CV-40-H.

All voted aye; motion carried.

b. PATRICK DAVIS VS. JOHNSON COUNTY,  
ET AL NO. 3:01-CV-2178

Comm. Carpenter, seconded by Comm. Thompson,  
made a motion to approve the payment of \$5,000.00 deductible for the District Attorney's  
Office in the case of Patrick Davis vs. Johnson County et al No. 3:01-CV-2178.

All voted aye: motion carried.

2. GOVERNMENT CODE SEC. 551-074 – PERSONNEL MATTERS

a. COUNTY CLERK

No action.

b. ISS DEPARTMENT

No action.

There being no further business before the Court concerning this agenda,  
Commissioner's Court adjourned at 2:52 P.M. on the same date.

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

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