

STATE OF TEXAS

NOVEMBER 25, 2002

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 25<sup>th</sup> day of November, 2002, 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 Judge Robert Mayfield, 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 21, 2002, at 7:51 A.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATION

1. PRESENTATION OF CERTIFICATE OF COMMENDATION TO CHIEF JIMMY JOHNSON FROM BURLESON POLICE CHIEF TOM COWEN

Burleson Police Chief Tom Cowen presented a Certificate of Commendation to Chief Jimmy Johnson for his leadership on the S.T.O.P. Task Force.

2. PRESENTATION OF CERTIFICATE OF RECOGNITION OF ACCOMPLISHMENT TO JOHN CODY ALLEN, EAGLE SCOUT

County Judge, Roger Harmon presented a Certificate of Recognition of Accomplishment to John Cody Allen for his participation in the restoration work at the Historic Buchanan Cemetery, which contributed toward his earning the rank of Eagle Scout.

V. PUBLIC PARTICIPATION

None.

VI. PRECEDING BUSINESS

1. ACTION ON APPROVAL OF MINUTES OF THE COMMISSIONER'S COURT
  - a. OCTOBER 28, 2002 - REGULAR SESSION
  - b. NOVEMBER 4, 2002 - SPECIAL SESSION
  - c. NOVEMBER 12, 2002 - REGULAR SESSION

Comm. Harmon, seconded by Comm.

McFall, made a motion to approve the minutes of the Commissioner's Court for October 28, 2002, November 4, 2002 and November 12, 2002 as presented by the County Clerk.

All voted aye, motion carried.

2. ACTION ON APPROVAL TO PAY BILLS

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

All voted aye, motion carried.

3. ACKNOWLEDGMENT OF RECEIPT OF THE COUNTY AUDITOR'S REPORTS TO THE COMMISSIONER'S COURT

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

4. ACTION TO APPROVE FINAL PLAT

- a. COTTONWOOD ACRES: LOT 1 - PRECINCT #4

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the final plat for Cottonwood Acres, lot 1 in Precinct #4.

All voted aye, motion carried.

5. ACTION TO APPROVE NON-CONFORMING LOT FOR SEPTIC PERMIT - PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson, made a

motion to approve a 2.57 acre tract of land at 4201 County Road 616 in Precinct #3 as a non-conforming lot due to unusual circumstances of the property owner.

All voted aye, motion carried.

6. ACTION TO AWARD BIDS

a. RFB #2003-04: NEW OR USED 4-WHEEL DRIVE  
BACKHOE - PRECINCT #3

Comm. Carpenter, seconded by Comm. Harmon, made a motion to award RFB #2002-04 to Continental Equipment for a new 4-wheel drive backhoe in the amount of \$55,998.00 for Precinct #3.

All voted aye, motion carried.

b. RFB #2003-05: SELF-PROPELLED HYDRAULICALLY  
DRIVEN HIGHWAY MOWER - PRECINCT #3

Comm. Carpenter, seconded by Comm. McFall, made a motion to award RFB #2003-05 to Bane Machinery for a self-propelled hydraulically driven highway mower in the amount of \$61,900.00 for Precinct #3.

All voted aye, motion carried.

c. RFB #2003-06: 3/4 TON PICKUP TRUCK - PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson, made a motion to award RFB #2003-06 to Philpott Ford for a ¾ ton pickup truck in the amount of \$17,596.00 for Precinct #3.

All voted aye, motion carried.

7. ACTION TO RENEW RFB #2000-39 – CULVERTS

Comm. McFall, seconded by Comm. Harmon, made a motion to approve the renewal of RFB #2000-39 with Texas Steel Culvert Company for

culverts and giving the County Judge the authority to sign the contract. This will be the final year of renewal.

All voted aye, motion carried.

VII. UNFINISHED BUSINESS

1. ACTION ON ARCHITECTURAL DESIGN, SPECIFICATION, PROGRAM REQUIREMENTS AND CONTRACTS
  - a. GUINN JUSTICE CENTER
  - b. JOHNSON COUNTY CORRECTION II
  - c. JOHNSON COUNTY JAIL EXPANSION
  - d. JOHNSON COUNTY JUVENILE DETENTION FACILITY
  - e. ALVARADO COURTHOUSE REMODELING

Passed.

VIII. NEW BUSINESS

1. ACTION TO ADVERTISE FOR BIDS/PROPOSALS AND SET OPENING DATES
  - a. RFB #2003-09: 3/4 TON CAB AND CHASSIS ONLY AND SET OPENING DATE FOR DECEMBER 16, 2002 - PRECINCT #4

Comm. Thompson, seconded by Comm. Carpenter, made a motion to advertise for bids and proposals for RFB #2003-09 for a ¾ ton cab and chassis only and set an opening date for December 16, 2002 for Precinct #4.

All voted aye, motion carried.

2. ACTION TO SELL EQUIPMENT AT RITCHIE BROTHERS AUCTION ON DECEMBER 11, 12 AND 13, 2002 - PRECINCTS #3 AND #4

Comm. Thompson, seconded by Comm. Carpenter, made a

motion to approve the sale of equipment at Ritchie Brothers Auction on December 11, 12 and 13, 2002 for Precinct #3 and Precinct #4 and giving the County Judge the authority to sign the contract.

All voted aye, motion carried.

VII. UNFINISHED BUSINESS

1. ACTION ON ARCHITECTURAL DESIGN, SPECIFICATION, PROGRAM REQUIREMENTS AND CONTRACTS
  - a. GUINN JUSTICE CENTER
  - b. JOHNSON COUNTY CORRECTION II
  - c. JOHNSON COUNTY JAIL EXPANSION
  - d. JOHNSON COUNTY JUVENILE DETENTION FACILITY
  - e. ALVARADO COURTHOUSE REMODELING

No action.

VIII. NEW BUSINESS

3. ACTION TO PURCHASE NEW/USED BROOM AT RITCHIE BROTHERS AUCTION UP TO \$21,000.00 - PRECINCT #4

Comm. Thompson, seconded by Comm. McFall, made a motion to purchase a new or used broom at Ritchie Brothers Auction, in an amount up to \$21,000.00 for Precinct #4.

All voted aye, motion carried.

4. ACTION TO SUBMIT RENEWAL APPLICATIONS TO TAC OF PUBLIC OFFICIALS PROFESSIONAL LIABILITY COVERAGE, LAW ENFORCEMENT PROFESSIONAL LIABILITY COVERAGE AND PUBLIC OFFICIAL PROFESSIONAL LIABILITY COVERAGE FOR THE 18<sup>TH</sup>, AND 249<sup>TH</sup> DISTRICT COURTS AND COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT

Comm. Thompson, seconded by Comm. Carpenter, made a

motion to submit renewal applications to the Texas Association of Counties for Public Officials Professional Liability Coverage, Law Enforcement Professional Liability Coverage and Public Official Professional Liability Coverage for the 18<sup>th</sup> and 249<sup>th</sup> District Courts and the Community Supervision and Corrections Department and giving the County Judge the authority to sign the contract.

All voted aye, motion carried.

5. ACTION ON RESOLUTION AND REQUEST TO APPLY FOR TRUANCY REDUCTION ASSISTANCE TO THE COURTS AND SCHOOLS (TRACS) GRANT - JUVENILE PROBATION

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve a Resolution to apply for a Truancy Reduction Assistance to the Courts and Schools (TRACS) Grant with the effective date of 9/1/03 to 8/31/04 for Juvenile Probation and giving the County Judge the authority to sign the contract. Requests will be made to the school districts for assistance on the 2<sup>nd</sup> and 3<sup>rd</sup> years.

All voted aye, motion carried.

Commissioner's Court recessed at 10:17 A.M. and reconvened at 10:35 A.M. to consider the following:

BE IT KNOWN that Commissioner's Court met in Executive Session at 10:17 A.M. in accordance with Government Code Sec. 551.071 – Consultation with Attorney – Pending Litigation: Johnson County vs. Harris Methodist Affiliated Hospital Case #C199900253 and in accordance with Government Code Sec. 551.074 – Personnel Matters: Precinct #2 – Suzanne Shipley; Jail Nurses: Tiffany R. Russell, Virginia Smith, Susie Campos, Terry Jones, Leisha Pickering, Gary D. Huffman, Joann Kerr-Matthews, Happy Morris and Tammy Basye; and Public Works – Sheila Mizell. Commissioner's Court reconvened into open session at 11:13 A.M. to consider the following:

VIII. NEW BUSINESS

6. ACTION TO APPROVE LOCAL GOVERNMENT AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO CONTRIBUTE FUNDS FOR R.O.W. ON HIGHWAY U. S. 67 AND S. H. 121

Comm. Harmon, seconded by Comm. McFall, made a motion to approve the Local Government Agreement with the Texas Department of Transportation to contribute funds for the Right Of Way on Highway U.S. 67 and State Highway 121 and giving the County Judge the authority to sign the contract.

All voted aye, motion carried.

7. ACTION ON STANDARDIZED FEES CHARGED FOR ILLEGAL DUMPING WITHIN ALL PRECINCTS

Passed for discussion in workshop session.

8. ACTION ON REQUIREMENT TO INCLUDE IN CONSENT AGENDA: LIST OF BUDGET TRANSFERS AND SCHOOL DOCUMENTATION

Passed for discussion in workshop session.

9. ACTION ON APPROVAL TO WORK ON UNIT 105, MACK TRUCK - PRECINCT #2

Comm. Harmon, seconded by Comm. Thompson, made a motion to approve to work on unit 105, Mack truck in the amount of \$7,132.21 for Precinct #2.

All voted aye, motion carried.

10. ACTION TO APPROVE CHANGE OF PUBLIC WORKS FEE AND SUBDIVISION FEES

Passed for further discussion in workshop session.

11. ACTION TO APPROVE NAMING THE JOHNSON COUNTY SUB-COURTHOUSE IN BURLESON THE RON HARMON SUB-COURTHOUSE

Comm. Carpenter, seconded by County Judge Roger Harmon, made a motion to approve the naming of the Johnson County Sub-Courthouse in Burleson to the Ron Harmon Sub-Courthouse.

Comm. McFall, County Judge Roger Harmon and Comm. Carpenter voted aye, Comm. Harmon abstained and Comm. Thompson opposed, motion carried.

IX. CONSENT AGENDA

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the consent agenda as presented with the withdrawal of #2a(1).

All voted aye, motion carried.

BE IT KNOWN that Commissioner's Court met in Executive Session at 11:20 A.M. in accordance with Government Code Sec. 551.071 – Consultation with Attorney – Pending Litigation: Johnson County vs. Harris Methodist Affiliated Hospital Case #C199900253 and in accordance with Government Code Sec. 551.074 – Personnel Matters: Precinct #2 – Suzanne Shipley; Jail Nurses: Tiffany R. Russell, Virginia Smith, Susie Campos, Terry Jones, Leisha Pickering, Gary D. Huffman, Joann Kerr-Matthews, Happy Morris and Tammy Basye; and Public Works – Sheila Mizell. Commissioner's Court recessed at 12:15 P.M. and reconvened at 1:15 P.M.

X. WORKSHOP

Commissioner's Court met in workshop session at 1:17 P.M. to discuss the standardization of fees charged for illegal dumping in all precincts; the requirement to include the list of budget transfers and school documentation in the consent agenda and the change of Public Work's Fee and Subdivision Fees.



Commissioner's Court reconvened into open session at 2:20 P.M. to consider the following:

VIII. NEW BUSINESS

7. ACTION ON STANDARDIZED FEES CHARGED FOR ILLEGAL DUMPING WITHIN ALL PRECINCTS

Comm. Carpenter, seconded by Comm. Harmon, made a motion to approve a standardized fee schedule for illegal dumping within all Precincts as follows: \$150.00 minimum clean-up fee, \$50.00 per hour per equipment use, \$30.00 per hour per County employee and any disposal fees incurred.

All voted aye, motion carried.

8. ACTION ON REQUIREMENT TO INCLUDE IN CONSENT AGENDA: LIST OF BUDGET TRANSFERS AND SCHOOL DOCUMENTATION

Comm. McFall, seconded by Comm. Harmon, made a motion to eliminate the requirements to get prior approval for travel expenses related to required education/training hours and travel with no overnight stays.

All voted aye, motion carried.

3. ACTION TO PURCHASE NEW/USED BROOM AT RICHIE BROTHERS AUCTION UP TO \$21,000.00 – PRECINCT #4

Comm. Thompson, seconded by Comm. McFall, made a motion to amend previous motion to include the issuance of a check to Precinct #4 from the Auditor's Office.

All voted aye, motion carried.

10. ACTION TO APPROVE CHANGE OF PUBLIC WORKS FEE AND SUBDIVISION FEES

Comm. Harmon, seconded by Comm. Thompson, made a motion to approve the changes for the Public Works Fees and Subdivision Fees as presented by the Public Works Director with the exception to Junkyard/Wrecking/Salvage Yard existing prior to 2001 yearly renewal required with an inspection to be changed from \$250.00 to \$500.00.

All voted aye, motion carried.

IX. EXECUTIVE SESSION

1. GOVERNMENT CODE SEC. 551.071: CONSULTATION WITH ATTORNEY
  - a. PENDING LITIGATION: JOHNSON COUNTY VS. HARRIS METHODIST AFFILIATED HOSPITAL CASE # C199900253

No action.

2. GOVERNMENT CODE SEC. 551.074: PERSONNEL MATTERS

1. PRECINCT #2: SUZANNE SHIPLEY

Comm. Harmon, seconded by Comm. Carpenter, made a motion to change the position of Senior Office Manager in Precinct #2 to a Grade 9 with the title of Office Manager effective January 1, 2003.

All voted aye, motion carried.

2. JAIL NURSES

- a. Tiffany R. Russell
    - b. Virginia Smith
    - c. Susie Campos
    - d. Terry Jones
    - e. Leisha Pickering
    - f. Gary D. Huffman
    - g. Joann Kerr-Mathews
    - h. Happy Morris
    - i. Tammy Basye

Comm. McFall, seconded by Comm.

Thompson, made a motion to reclassify the Jail Nurse position from a Grade 13 to a Grade 14; adjust nurses salary with an increase of \$1,628.00; create a Medical Examiner Investigator position with a Grade 14 salary of \$26,086.00; transfer Don Beeson to this position and eliminate his current position and create a mileage reimbursement line item effective December 1, 2002.

All voted aye, motion carried.

3. PUBLIC WORKS: SHEILA MIZELL

Comm. Harmon, seconded by Comm. Thompson, made a motion to change the salary of Sheila Mizell, Public Works Department, from \$21,437.00 to \$23,746.00 effective December 1, 2002 and upon completion of Inspection School she will be classified as an Inspector with a salary of \$26,237.00.

All voted aye, motion carried.

There being no further business before the Court concerning this agenda,  
Commissioner's Court adjourned at 2:30 P.M. on the same date.

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

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

