

STATE OF TEXAS

MAY 27, 2003

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 27<sup>th</sup> day of May, 2003, 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. Matthews, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on May 22, 2003 at 8:20 A.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATION

1. PRESENTATION OF PLAQUE TO PAUL KEETON, JOHNSON COUNTY ECONOMIC DEVELOPMENT COMMISSION

Passed.

V. PUBLIC PARTICIPATION

Comm. McFall spoke to the Court regarding the re-paving of the Courthouse area parking scheduled for Saturday, May 31, 2003 from 6:00 A.M. to 12:00 P.M.

VI. PRECEDING BUSINESS

1. ACTION TO APPROVE MINUTES OF THE COMMISSIONER'S COURT

- a. APRIL 30, 2003 - SPECIAL
- b. MAY 2, 2003 - EMERGENCY
- c. MAY 5, 2003 - SPECIAL

Comm. Carpenter, seconded by Comm. Matthews, made a motion to approve the minutes of the Commissioner's Court for April 30, 2003, May 2, 2003 and May 5, 2003 as submitted by the County Clerk.

All voted aye; motion carried.

2. ACTION TO PAY BILLS

Comm. Thompson, seconded by Comm. Carpenter, made a motion to pay the bills as presented by the County Auditor with additional payments being made to Lisa Tomblinson in the amount of \$137.00 and to Lisa Robinson in the amount of \$137.00 in Juvenile Services.

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. JOEL SANDERS ADDITION: LOTS 1-6, BLOCK 1 – PRECINCT #1

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the final plat for Joel Sanders Addition, lots 1-6, block 1 in Precinct #1.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

5. ACTION ON BID RECEIVED ON STRUCK-OFF PROPERTY LOT 32, PECANWOOD ESTATES ADDITION 126-4050-00320-32 PECANWOOD DRIVE

Comm. Carpenter, seconded by Comm. Thompson, made a motion to accept the bid of \$8,907.32 received on struck-off property lot 32, Pecanwood Estates Addition 126-4050-00320-32 Pecanwood Drive.

All voted aye; motion carried.

VIII. NEW BUSINESS

4. ACTION TO APPOINT KEVIN JONES AS A DEPUTY CONSTABLE - CONSTABLE PRECINCT #4

Comm. Thompson, seconded by Comm. Carpenter, made a motion to appoint Kevin Jones as a Deputy Constable for Precinct #4.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

1. ACTION ON ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS AND CONTRACTS

- a. GUINN JUSTICE CENTER
  - (1) GENERATOR FOR EMERGENCY LIGHTING
  - (2) ADDITIONAL DISTRICT COURT
- b. JOHNSON COUNTY CORRECTION II
- c. JOHNSON COUNTY JAIL EXPANSION
- d. ALVARADO COURTHOUSE REMODELING

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve to build an additional District Court in the Guinn Justice Center based on the plans submitted by Magee and Associates.

All voted aye; motion carried.

2. ACTION ON PROPOSAL FOR PROVIDING PROFESSIONAL SERVICES IN CONNECTION WITH THE DESIGN OF AN 8" DIAMETER WATER LINE TO SERVE THE GUINN JUSTICE CENTER

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

motion to approve the proposal for providing professional services in connection with the design of an 8" diameter water line to serve the Guinn Justice Center and giving the County Judge authorization to sign the contract.

All voted aye; motion carried.

3. ACTION TO CONTRACT FOR JOB ORDER CONTRACTING SERVICES WITH JAMAIL CONSTRUCTION THROUGH AN INTERLOCAL AGREEMENT WITH BUY BOARD FOR THE 15 BED EXPANSION OF THE JOHNSON COUNTY JAIL

Comm. Thompson, seconded by Comm. Carpenter, made a motion to table this item.

All voted aye; motion carried.

4. ACTION TO APPOINT JOHNSON COUNTY REPRESENTATIVES TO THE NEGOTIATION COMMITTEE WITH CAREFLITE FOR AMBULANCE SERVICE IN JOHNSON COUNTY

Comm. Carpenter, seconded by Comm. Thompson, made a motion to appoint County Judge, Roger Harmon and Comm. McFall to the Negotiation Committee with CareFlite for ambulance service in Johnson County.

All voted aye; motion carried.

6. ACTION TO ACCEPT STOP TASK FORCE GRANT

Passed.

7. ACTION TO APPROVE ORDER #2003-03 PROHIBITING SMOKING OR BURNING OF TOBACCO

Comm. Matthews, seconded by Comm. Thompson, made a motion to approve Order #2003-03 Prohibiting Smoking or Burning Tobacco.

All voted aye; motion carried.

#### VIII. NEW BUSINESS

1. ACTION TO ADVERTISING FOR BIDS/PROPOSALS

Comm. Thompson, seconded by Comm. Carpenter, made a motion to advertise for bids for roof replacement at the Johnson County Services Complex with an opening date of June 16, 2003 and to advertise for bids for a Construction Manager at Risk for the Johnson County Jail Expansion Project – Pod III with an opening date of June 12, 2003.

All voted aye; motion carried.

2. ACTION TO SET PUBLIC HEARING TO LOWER SPEED LIMIT BETWEEN COUNTY ROAD 528 AND COUNTY ROAD 612 FROM 40 MPH TO 30 MPH – PRECINCT #3

Comm. Carpenter, seconded by Comm. McFall, made a motion to set a Public Hearing for June 12, 2003 to lower the speed limit between County Road 528 and County Road 612 from 40 mph to 30 mph in Precinct #3.

All voted aye; motion carried.

Commissioner's Court recessed at 10:00 A.M. and reconvened at 10:15 A.M. to consider the following:

VIII. NEW BUSINESS

3. ACTION TO APPROVE PAYMENT TO THE JOHNSON COUNTY APPRAISAL DISTRICT FOR APPRAISED VALUE OF JOHNSON COUNTY ANNEX BUILDING

Comm. Carpenter, seconded by Comm. McFall, made a motion to table this item.

All voted aye; motion carried.

5. ACTION TO APPROVE BOND FOR SANDRA D. BRADLEY, PURCHASING AGENT

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Bond and Oath in the amount of \$5,000.00 for Sandra D. Bradley, Purchasing Agent.

All voted aye; motion carried.

6. ACTION TO APPROVE REOCCURRING EXPENSE ON MOBILE PHONE FOR NEW A.S.A.P. DEPUTY – CONSTABLE PRECINCT #1

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve a reoccurring expense for a mobile phone for the new A.S.A.P. Deputy Constable for Precinct #1 to be paid by Cleburne ISD.

All voted aye; motion carried.

7. ACTION TO APPROVE INTERLOCAL AGREEMENT WITH THE CITY OF MANSFIELD – PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve an Inter-local Agreement with the City of Mansfield in the amount of \$12,002.00 for road repairs in Precinct #3.

All voted aye; motion carried.

8. ACTION TO APPROVE PARTICIPATION IN THE NORTH CENTRAL TEXAS REGIONAL STRATEGY FOR MANAGING STORM WATER WITH A COST-SHARE OF \$1,800 – PUBLIC WORKS

Comm. McFall, seconded by Comm. Thompson, made a motion to approve participation in the North Central Texas Regional Strategy for managing storm water with a cost-share of \$1,800.00 to be paid out of Public Works line item.

All voted aye; motion carried.

9. ACTION TO APPROVE LEASING REGISTRATION AND TITLE SYSTEM EQUIPMENT FROM THE STATE OF TEXAS FOR AUTOMOBILE DEALERS – TAX OFFICE

Comm. McFall, seconded by Comm. Matthews, made a motion to approve leasing Registration and Title System Equipment from the State of Texas for automobile dealers for the Tax Office and giving the County Judge authorization to sign the contract. The cost of this lease will be passed on to the dealers.

All voted aye; motion carried.

10. ACTION ON CONDITIONS FOR PLACEMENT OF PIPELINE IN RIGHT-OF-WAY BY HALLWOOD ENERGY, INC. FOR TRANSMISSION OF GAS ALONG COUNTY ROADS IN PRECINCT #1

Comm. McFall, seconded by Comm. Carpenter, made a motion to table this item.

All voted aye; motion carried.

11. ACTION TO APPROVE RESOLUTION FOR THE REALIGNMENT OF FM 917 FROM THOMAS LANE TO BECKY LANE – PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve a Resolution with The Texas Department of Transportation for the realignment of FM 917 from Thomas Lane to Becky Lane in Precinct #3.

All voted aye; motion carried.

12. ACTION TO APPROVE REOCCURRING CHARGES FOR TELEPHONE LINES FOR DIAL UP CAPABILITY WITH SOMERVELL COUNTY FOR 249<sup>th</sup> & 18<sup>th</sup> DISTRICT COURT AND DISTRICT ATTORNEY

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

motion to approve the reoccurring charges for telephone dial up capability with Somervell County for the 249<sup>th</sup> & 18<sup>th</sup> District Court and District Attorney to be paid from I.S.S. reoccurring expense line item.

All voted aye; motion carried.

IX. CONSENT AGENDA

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

All voted aye; motion carried.

BE IT KNOWN that Commissioner's Court met in Executive Session at 10:40 A.M. in accordance with Government Code Sec. 551.071 – Consultation with Attorney – Contemplated Litigation; Pending Litigation: Johnson County vs. Harris Methodist Affiliated Hospital, Walls Regional Hospital, Texas Health System and Texas Health Resource-Cause #C199900253 and Government Code Sec. 551.074 – Personnel - Sheriff's Office: Captain Thomas Craig and Karen Potts. 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

(1) MARY REEDY

Comm. Thompson, seconded by Comm. Matthews, made a motion to pay Mary Reedy \$81.24 contingent upon a release of liability.

All voted aye; motion carried.

(2) KENNETH COE & CHERYL COE  
INDIVIDUALLY AND AS NEXT FRIENDS OF  
KALEB COE, A MINOR

Comm. Carpenter, seconded by

Comm. McFall, made a motion to have the County Attorney negotiate a settlement with Kenneth Coe & Cheryl Coe individually and as next friends of Kaleb Coe, a minor.

All voted aye; motion carried.

b. PENDING LITIGATION: JOHNSON COUNTY VS.  
HARRIS METHODIST AFFILIATED HOSPITAL,  
WALLS REGIONAL HOSPITAL, TEXAS HEALTH  
SYSTEM AND TEXAS HEALTH RESOURCE CAUSE  
#C199900253

(1) CONSIDERATION OF APPROVAL OF  
SETTLEMENT AGREEMENT AND MUTUAL  
RELEASE OF CLAIMS

No action.

2. GOVERNMENT CODE SEC. 551.074: PERSONNEL

a. SHERIFF'S DEPARTMENT

(1) CAPTAIN THOMAS CRAIG

Comm. Thompson, seconded by Comm.

Carpenter, made a motion to increase the salary of Captain Thomas Craig by \$2,042.00 per year due to increased jail population and added responsibilities.

All voted aye; motion carried.

(2) KAREN POTTS

No action.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 11:47 A.M. on the same date.

Submitted by: \_\_\_\_\_

Curtis H. Douglas  
County Clerk

Approved by: \_\_\_\_\_

Roger Harmon  
County Judge