

STATE OF TEXAS

AUGUST 25, 2003

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 25th day of August, 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. R.C. 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 August 21, 2003 at 8:55 a.m., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATION

1. PRESENTATION BY CAREFILITE

A presentation was given by CareFlite to the Commissioner's Court.

2. PRESENTATION BY THE JOHNSON COUNTY 150th SESQUICENTENNIAL CELEBRATION COMMITTEE OF THE JOHNSON COUNTY HISTORICAL COMMISSION

A presentation was given by the Johnson County 150th Sesquicentennial Celebration Committee of the Johnson County Historical Commission.

V. PUBLIC PARTICIPATION

Larry Hill requested the help of the Commissioners to put Bible back in school.

VI. PUBLIC HEARING

1. “COUNTY CLERK’S OFFICE COLLECTING A RECORDS ARCHIVE FEE OF NOT MORE THAN \$5.00 FOR EACH DOCUMENT THAT IS RECORDED OR FILED. SENATE BILL 1731 AMENDS LOCAL GOVERNMENT CODE SECTION 118.011 AND 118.025. THESE FUNDS SHALL BE PLACED IN A SEPARATE RECORDS ARCHIVE ACCOUNT AND MAY ONLY BE USED BY THE COUNTY CLERK FOR RESTORATION AND PRESERVATION OF THE COUNTY CLERK’S RECORDS ARCHIVE”

A public hearing was opened for discussion at 9:29 a.m. for the County Clerk’s Office to collect a Records Archive Fee on not more than \$5.00 for each document that is recorded or filed. Senate Bill 1731 amends Local Government Code *Sec. 118.011* and *Sec. 118.025*. The funds shall be placed in a separate Records Archive Account that may only be used by the County Clerk for restoration and preservation of the County Clerk’s Records Archive. There being no public participation, the hearing was closed at 9:30 a.m.

VII. PRECEDING BUSINESS

1. ACTION TO APPROVE MINUTES OF THE COMMISSIONER’S COURT
 - a. JULY 28, 2003 – REGULAR SESSION
 - b. AUGUST 11, 2003 – REGULAR SESSION
 - c. AUGUST 12, 2003 – SPECIAL SESSION

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the minutes of the Commissioner’s Court for July 28, 2003, August 11, 2003 and August 12, 2003 as presented to the Court 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.

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. RETREAT, PHASE III – PRECINCT #1

Comm. McFall, seconded by Comm. Carpenter,
made a motion to approve the final plat for Retreat, Phase III in Precinct #1.

All voted aye; motion carried.

b. BROKEN ACRES ESTATES II – BLOCK 1, LOTS 1-12
– PRECINCT #4

Comm. Thompson, seconded by Comm. Carpenter,
made a motion to approve the final plat for Broken Acres Estates II, block 1, lots 1-12 in
Precinct #4.

All voted aye; motion carried.

5. ACTION TO AWARD RFP'S

a. RFP #2003-27: PROJECT ADMINISTRATION,
MANAGEMENT AND/OR PLANNING SERVICES

Comm. Thompson, seconded by Comm. Carpenter,
made a motion to award RFP #2003-27 for Project Administration, Management and/or
Planning Services to Grant Works.

All voted aye; motion carried.

VIII. UNFINISHED BUSINESS

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

No action.

Commissioner's Court recessed at 10:00 a.m. and reconvened at 10:25 p.m. to consider the following:

IX. UNFINISHED BUSINESS

2. ACTION ON REQUEST FROM TAX ASSESSOR/COLLECTOR TO ENTER INTO A CONTRACT WITH CARDTRANZ, INC., D/B/A CERTIFIED PAYMENTS.NET, TO PROVIDE CREDIT CARD PAYMENT SERVICES OVER THE WEBSITE FOR TAX COLLECTION

Comm. McFall, seconded by Comm. Thompson, made a motion to approve the request from the Tax Assessor/Collector to enter into a contract with Cardtranz, Inc. d/b/a Certified Payments.Net to provide credit card payment services over the website for tax collection and to give the County Judge authorization to sign the contract.

All voted aye; motion carried.

3. ACTION TO APPROVE PLAN FOR FUNDING THE PRESERVATION AND RESTORATION OF THE COUNTY CLERK'S RECORDS, COLLECTING THE RECORDS ARCHIVE FEE AND APPROVING THIS FEE BE DEPOSITED IN A SEPARATE RECORDS ARCHIVE ACCOUNT IN THE GENERAL FUND FOR BUDGET YEAR 2003-2004

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

motion to approve the plan for funding the preservation and restoration of the County Clerk's records by collecting a \$5.00 Records Archive Fee and approving this fee to be deposited in a separate Records Archive account in the General Fund for budget year 2003-2004, effective September 1, 2003.

All voted aye; motion carried.

4. ACTION TO RE-WORD RESOLUTION FOR THE CHILD ABUSE LAW ENFORCEMENT GRANT PROGRAM

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the re-wording for the Child Abuse Law Enforcement Grant Program and to give the County Judge authorization to sign the contract.

All voted aye; motion carried.

5. ACTION TO RE-WORD RESOLUTION FOR THE SEX OFFENDER COMPLIANCES OFFICER GRANT PROGRAM

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the re-wording of the Resolution for the Sex Offender Compliances Officer Grant Program and to give the County Judge authorization to sign the contract.

All voted aye; motion carried.

X. NEW BUSINESS

1. ACTION TO ADVERTISE FOR BIDS/PROPOSALS

No action.

2. ACTION TO ADVERTISE FOR BIDS/PROPOSALS

a. RFB #2004-01: FUELS FOR JOHNSON COUNTY AND SET OPENING DATE FOR SEPTEMBER 22, 2003

Comm. Carpenter, seconded by Comm. McFall,

made a motion to advertise for RFB #2004-01 for fuels for Johnson County and set the opening date for September 22, 2003.

All voted aye; motion carried.

b. RFB #2004-02: ROAD SIGNS AND ROAD MARKERS
AND SET OPENING DATE FOR SEPTEMBER 22, 2003

Comm. McFall, seconded by Comm. Matthews, made a motion to advertise for RFB #2004-02 for road signs and road markers and set the opening date for September 22, 2003.

All voted aye; motion carried.

3. ACTION TO APPROVE FUNDING COMMITMENT TO THE
NORTH CENTRAL TEXAS REGIONAL STRATEGY FOR
MANAGING STORM WATER, FY 2004

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve funding commitment to the North Central Texas Regional Strategy for Managing Storm Water, FY 2004 and to give the County Judge authorization to sign the contract.

All voted aye; motion carried.

4. ACTION TO APPROVE INTER-LOCAL AGREEMENT WITH
CLEBURNE INDEPENDENT SCHOOL DISTRICT FOR
JUVENILE JUSTICE ALTERNATIVE EDUCATION
PROGRAM TEACHING STAFF

Comm. McFall, seconded by Comm. Matthews, made a motion to approve an Inter-local Agreement with Cleburne Independent School District for Juvenile Justice Alternative Education Program teaching staff and to give the County Judge authorization to sign the contract.

All voted aye; motion carried.

5. ACTION TO APPROVE INTER-LOCAL AGREEMENT WITH CLEBURNE INDEPENDENT SCHOOL DISTRICT FOR JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM MEAL SERVICE

Comm. McFall, seconded by Comm. Matthews, made a motion to approve an Inter-local Agreement with Cleburne Independent School District for Juvenile Justice Alternative Education Program meal service and to give the County Judge authorization to sign the contract.

All voted aye; motion carried.

6. ACTION AND DISCUSSION OF PROPOSED TAX RATE FY 2004

No action.

7. ACTION FOR RECORD VOTE ON PROPOSED TAX RATE FY 2004

Comm. Thompson, seconded by Comm. Matthews, made a motion to take a record vote on the proposed tax rate for FY 2004 for General Fund, .382088 and FMLR, .052790 for a total rate of .434878.

Comm. McFall, Comm. Matthews, Comm. Carpenter and Comm. Thompson voted aye; motion carried.

8. ACTION FOR SETTING PUBLIC HEARING ON PROPOSED TAX RATE FY 2004 ON SEPTEMBER 8, 2003

Comm. Carpenter, seconded by Comm. McFall, made a motion to set a public hearing for the proposed tax rate FY 2004 on September 8, 2003.

All voted aye; motion carried.

9. ACTION TO APPROVE APPLICATION FOR LOCAL LAW ENFORCEMENT BLOCK GRANT

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

motion to approve application for the Local Law Enforcement Block Grant with a county match of \$2,346.00 to be paid from the forfeiture fund.

All voted aye; motion carried.

10. ACTION TO ESTABLISH INTERNAL COUNTY VALUE FOR RECYCLED ASPHALT PRODUCTS FOR USE IN INTER-LOCAL AGREEMENTS – PRECINCT #2

Comm. Matthews, made a motion to establish an Internal County Value for recycled asphalt products at \$2.00 per ton for use in Inter-local Agreements.

Motion dies for a lack of a second.

11. ACTION TO APPROVE INTER-LOCAL AGREEMENT FOR ROAD REPAIRS WITH THE BURLESON INDEPENDENT SCHOOL DISTRICT – PRECINCT #2

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

All voted aye; motion carried.

12. ACTION OF APPOINTMENT TO THE REGIONAL 9-1-1 ADVISORY COMMITTEE OF THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS

Comm. McFall , seconded by Comm.Carpenter, made a motion to appoint Troy Thompson to the Regional 9-1-1 Advisory Committee of the North Central Texas Council of Governments.

All voted aye; motion carried.

13. ACTION ON FEES ASSOCIATED WITH COURT CASES

Passed for further discussion in workshop session.

XI. CONSENT AGENDA

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

All voted aye; motion carried.

XII. WORKSHOP

Commissioner's Court met in workshop session at 11:10 a.m. for a presentation by Amtech Lighting Services and reconvened into open session at 11:30 a.m.

BE IT KNOW that the Commissioner's Court met in Executive Session at 11:31 a.m. in accordance with Local Government Code *Sec. 551.074* – Personnel, Indigent Health: Dr. Arthur Raines, Shannon Hinkle and Rachael Smithey and in accordance with Local Government Code *Sec. 551.071* – Consultation with Attorney, Contemplated Litigation: Schumacher vs. Johnson County. Commissioner's Court recessed at 12:00 p.m. and reconvened into open session at 1:28 p.m. to consider the following:

XI. WORKSHOP

Commissioner's Court met in workshop session at 1:29 p.m. for a presentation by the H.O.P.E. Program; discussion of dispatch with the Sheriff's Office; and to discuss fees associated with court costs. The Court reconvened into open session at 2:17 p.m. to consider the following:

IX. NEW BUSINESS

13. ACTION ON FEES ASSOCIATED WITH COURT CASES

No action.

XII. EXECUTIVE SESSION

1. GOVERNMENT CODE SEC. 551.074 – PERSONNEL

a. INDIGENT HEALTH

- (1) DR. ARTHUR RAINES
- (2) SHANNON HINKL
- (3) RACHAEL SMITHEY

No action.

2. GOVERNMENT CODE SEC. 551.071 – CONSULTATION
WITH ATTORNEY

a. CONTEMPLATED LITIGATION: SCHUMACHER VS.
JOHNSON COUNTY – EXECUTION OF MUTUAL
RELEASE

Comm. Carpenter, seconded by Comm. McFall,
made a motion to give the County Judge authorization to sign the Execution of Mutual
Release regarding the contemplated litigation with Schumacher vs. Johnson County.

All voted aye; motion carried.

XI. WORKSHOP

Commissioner's Court met in workshop session at 2:41 p.m. to
discuss the budget. Comm. McFall exited the meeting at 2:50 p.m. The Court
reconvened into open session at 4:00 p.m.

There being no further business before the Court concerning this agenda,
Commissioner's Court adjourned at 4:01 p.m. on the same date.

Submitted by: _____
Curtis H. Douglas
County Clerk

Approved by: _____
Roger Harmon
County Judge

