

STATE OF TEXAS

OCTOBER 27, 2003

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 27<sup>th</sup> day of October, 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. John 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 October 23, 2003 at 10:49 a.m., and the Addendum filed on October 24, 2003 at 3:27 p.m. were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATION

1. QUARTERLY REPORT – JOHNSON COUNTY ECONOMIC DEVELOPMENT COMMISSION

A Quarterly Report was given to the Commissioner's Court by Mark Willis, Director of Johnson County Economic Development Commission.

V. PUBLIC PARTICIPATION

None.

VI. PRECEDING BUSINESS

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

- a. SEPTEMBER 29, 2003 - SPECIAL
- b. OCTOBER 3, 2003 – SPECIAL

Comm. Matthews, seconded by Comm. McFall,

made a motion to approve the minutes of the Commissioner's Court for September 29, 2003 and October 3, 2003 as presented by the County Clerk.

All voted aye; motion carried.

2. ACTION TO APPROVE INVOICE TRANSMITTAL PAYMENTS
  - a. JAIL MEDICAL: MOORE MEDICAL CORP. – SHERIFF/JAIL
  - b. RIDGEWAY OFFICE: LASER TECH – COUNTY COURT AT LAW #1
  - c. COPIER: MINOLTA – EXTENSION OFFICE
  - d. COPIER MAINTENANCE: IKON OFFICE SOLUTIONS – 18<sup>TH</sup> DISTRICT COURT
  - e. ON-LINE CHARGERS: LEXISNEXIS – ISS
  - f. ACETYLENE & OXYGEN: PRAXAIR DISTRIBUTION, INC. – JAIL
  - g. PRINTING ON SHIRTS: NATE STEWART ADVERTISING, INC. – JAIL

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the invoice transmittal request payments as presented in the agenda.

All voted aye; motion carried.

3. ACTION TO APPROVE BUDGET AMENDMENT PURSUANT TO SEC. 111.010C OF THE LOCAL GOVERNMENT CODE
  - a. ROAD & BRIDGE PRECINCTS #1,2,3 & 4

Comm. McFall, seconded by Comm. Thompson, made a motion to approve a budget amendment pursuant to *Sec. 111.010C* of the Local Government Code for Road & Bridge #1 for Road Repair Materials, line item #013-612-334 in the amount of \$528.00; Road & Bridge #2 for Road Repair Materials, line item #013-613-334 in the amount of \$529.00; Road & Bridge #3 for Road Repair Materials,

line item #013-614-334 in the amount of \$528.00 and Road & Bridge #4 for Road Repair Materials, line item #013-615-334 in the amount of \$529.00.

All voted aye; motion carried.

4. ACTION TO APPROVE BUDGET AMENDMENT PURSUANT TO SECTION 111.010C OF THE LOCAL GOVERNMENT CODE

a. INSURANCE COVERAGE FOR ROOF DAMAGE FROM HAIL

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve a budget amendment pursuant to *Sec. 111.010C* of the Local Government Code for Insurance Coverage for roof damage in the amount of \$126,557.00.

All voted aye; motion carried.

5. ACTION TO PAY BILLS

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

All voted aye; motion carried.

6. 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 to the Commissioner's Court.

7. ACTION TO APPROVE THE ROAD DESIGN FOR K-BAR-D RANCH ESTATES, PHASE IV – PRECINCT #2

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the road design for K-Bar-D Ranch Estates, Phase IV in Precinct #2 under County specifications.

All voted aye; motion carried.

8. ACTION TO APPROVE RESOLUTION FOR BRIDGE REPLACEMENT OR REHABILITATION OFF THE STATE SYSTEM ON CR 600 – PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve a Resolution for Bridge Replacement or Rehabilitation off the State System on CR 600 in Precinct #3.

All voted aye; motion carried.

9. ACTION TO APPROVE AGREEMENT FOR ADVANCE FUNDING FOR BRIDGE REPLACEMENT OR REHABILITATION OFF THE STATE SYSTEM, CR 600 – PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the Agreement for Advance Funding for Bridge Replacement or Rehabilitation off the State System, CR 600 in Precinct #3 and to give the County Judge authorization to sign the agreement.

All voted aye; motion carried.

10. ACTION TO AWARD RFB'S

a. RFB #2004-04: VOICE AND DATA CABLE PURCHASE AND INSTALLATION AT THE GUINN JUSTICE CENTER

Comm. Carpenter, seconded by Comm. Thompson, made a motion to award RFB #2004-04 to Witherspoon Electric in the amount of \$36,500.00.

All voted aye; motion carried.

b. RFB #2004-05: BRIDGE REPLACEMENT OF CR 1126 – PRECINCT #1

Comm. McFall, seconded by Comm. Matthews, made a motion to award RFB #2004-05 to Harris Welding & Construction in the amount of \$64,500.00.

All voted aye; motion carried.

11. ACTION TO RESCIND RFB #2004-01 TO LAMBERT OIL COMPANY FOR FUELS FOR JOHNSON COUNTY

Comm. McFall, seconded by Comm. Thompson, made a motion to rescind RFB #2004-01 to Lambert Oil Company for fuels for Johnson County.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

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

a. GUINN JUSTICE CENTER

- (1) FURNITURE
- (2) COST ANALYSIS
- (3) RHOME FIELD PARKING LOT

Passed for further discussion in workshop session.

- b. ACTION ON ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS AND CONTRACTS
- c. JOHNSON COUNTY JAIL EXPANSION POD II
- d. ALVARADO COURTHOUSE REMODELING

No action.

VIII. NEW BUSINESS

1. ACTION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Thompson, seconded by Comm. Matthews, made a motion to advertise for bids and proposals for fuels for Johnson County with card access and to use the OPIS Index as a guideline.

All voted aye; motion carried.

2. ACTION TO ADVERTISE FOR RFB #2004-06: CADAVER TRANSPORT AND SET OPENING DATE OF NOVEMBER 17, 2003

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

All voted aye; motion carried.

3. ACTION TO ADVERTISE FOR BIDS FOR LEASING OF JOHNSON COUNTY PRECINCT #1 PROPERTY LOCATED AT 2744 WEST FM 4 FOR GAS/OIL EXPLORATION

Passed for further discussion in workshop session.

4. ACTION TO APPROVE CONTRACT FOR PURCHASE OF ES&S M650 BALLOT SCANNER – COUNTY CLERK

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

All voted aye; motion carried.

5. ACTION TO APPROVE RE-OCCURRING EXPENSE FOR BEEPER FOR VIRGIL WARD – COUNTY JUDGE

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the re-occurring expense for a beeper for Virgil Ward, County Judge's Office.

All voted aye; motion carried.

6. ACTION TO APPROVE LETTER OF ENGAGEMENT WITH PATTILLO, BROWN & HILL FOR OUTSIDE AUDITOR FOR 2003 AUDIT

Comm. Thompson, seconded by Comm. Matthews, made a motion to approve the Letter of Engagement with Pattillo, Brown & Hill for the Outside Auditor for the 2003 Audit and to give the County Judge authorization to sign the contract.

All voted aye; motion carried.

7. ACTION TO APPROVE AMENDMENT TO JURY DUTY LEAVE POLICY

Passed for further discussion in workshop session.

8. ACTION TO REFURBISH COURTHOUSE HOLIDAY LIGHTS

Comm. McFall, seconded by Comm. Thompson, made a motion to refurbish the Courthouse holiday lights with a budget not to exceed \$2,500.00.

All voted aye; motion carried.

9. ACTION TO SCHEDULE CHRISTMAS PARTY FOR EMPLOYEES

Comm. Carpenter, seconded by Comm. McFall, made a motion to schedule the Christmas Party for employees for either Friday, December 12, 2003 or Saturday, December 13, 2003 at Cleburne High School, depending upon availability.

All voted aye; motion carried.

10. ACTION TO CAST VOTES FOR THE ELECTION OF THE CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS

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

motion to cast Johnson County's 864 votes for Troy Thompson for Central Appraisal District Board of Directors.

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

Commissioner's Court recessed at 10:20 a.m. and reconvened at 10:40 a.m. to consider the following:

VIII. NEW BUSINESS

11. ACTION TO APPROVE THE USE OF NON-COUNTY COPYRIGHTED MATERIAL ON THE COUNTY WEBSITE

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve the use of non-county copyrighted material on the county website.

All voted aye; motion carried.

12. ACTION TO APPROVE WEB SERVICES AND REMOTE WEB HOSTING

Comm. Matthews, seconded by Comm. McFall, made a motion to approve web services and remote web hosting with Sagentic Web Design at a cost of \$55.00 per year.

All voted aye; motion carried.

13. ACTION TO APPROVE TELEPHONES BY INTER-TEL COMMUNICATION FOR PHONE SYSTEM FOR THE GUINN JUSTICE CENTER

Passed for further discussion in workshop session on October 28, 2003.

14. ACTION TO APPROVE PART-TIME BAILIFF FOR THE CONSTABLE, PRECINCT #1

Passed.

15. ACTION TO APPROVE PART-TIME OFFICE HELP FOR JUSTICE OF THE PEACE, PRECINCT #2

Passed.

16. ACTION TO APPROVE REFUND OF TAXES TO CLEBURNE TERRACE LTD. PARTNERSHIP AS A RESULT OF VALUE CHANGE DUE TO JUDGEMENT

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve a refund of taxes in the amount of \$20,020.01 to Cleburne Terrace Ltd. Partnership as a result of a value change due to a Judgment.

All voted aye; motion carried.

17. ACTION TO APPROVE GRAYSON COUNTY CONTRACT FOR PRE & POST ADJUDICATION - JUVENILE PROBATION  
18. ACTION TO APPROVE CONTRACT FOR RESIDENTIAL SERVICES JUVENILE POST ADJUDICATION FACILITY COOKE, FANNIN AND GRAYSON – JUVENILE PROBATION

Comm. Thompson, seconded by Comm. McFall, made a motion to approve the Grayson County Contract for Pre & Post Adjudication and the Residential Services Juvenile Post Adjudication Facility Contract with Cooke, Fannin and Grayson Counties for Juvenile Probation and to give the County Judge authorization to sign the contracts.

All voted aye; motion carried.

19. ACTION TO APPROVE CONSULTING AND PROCESSING AGREEMENT WITH L & S ADMINISTRATIVE CONSULTANT FOR TITLE IV-E – JUVENILE PROBATION

Comm. McFall, seconded by Comm. Thompson, made a motion to approve the Consulting and Processing Agreement with L & S Administrative Consultants for Title IV-E for Juvenile Probation and to give the County Judge

authorization to sign the contract.

All voted aye; motion carried.

20. ACTION TO APPROVE NON-RESIDENTIAL SERVICE CONTRACT WITH PHILIP DAVIS, PH.D. – JUVENILE PROBATION

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the Non-Residential Service Contract with Philip Davis, Ph.D. for Juvenile Probation and to give the County Judge authorization to sign the contract.

All voted aye; motion carried.

21. ACTION TO APPROVE NON-RESIDENTIAL SERVICE WITH PAUL CUPPETT, M.A. – JUVENILE PROBATION

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve Non-Residential Service with Paul Cuppett, Ph.D. for Juvenile Probation and to give the County Judge authorization to sign the contract.

All voted aye; motion carried.

22. ACTION TO APPROVE CONTRACT FOR SERVICES WITH HOOD COUNTY REGIONAL JUVENILE CENTER FOR PRE & POST ADJUDICATION – JUVENILE PROBATION

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the Contract for Services with Hood County Regional Juvenile Center for Pre & Post Adjudication for Juvenile Probation and to give the County Judge authorization to sign the contract.

All voted aye; motion carried.

14. ACTION TO APPROVE PART-TIME BAILIFF FOR THE CONSTABLE, PRECINCT #1

Discussion.

Commissioner's Court recessed at 12:00 p.m. and reconvened at 1:07 p.m. to consider the following:

VIII. NEW BUSINESS

15. ACTION TO APPROVE PART-TIME OFFICE HELP FOR JUSTICE OF THE PEACE, PRECINCT #2

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

All voted aye; motion carried.

IX. CONSENT AGENDA

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Consent Agenda as presented.

All voted aye; motion carried.

X. WORKSHOP

Commissioner's Court met in workshop session at 1:15 p.m. to discuss utility easements for new developments with 10 or more lots; restoration of the Courthouse and the implementation of the OmniBase System. The Court recessed at 2:50 p.m. and reconvened at 3:00 p.m. to discuss advertising for bids for leasing of the Johnson County Precinct #1 property located at 2744 West FM 4 for gas and oil exploration; amendment to the jury duty leave policy; the Family Protection Fee and the Texas Department of Health's request for assistance with smallpox vaccinations. Commissioner's Court reconvened into open session at 3:19 p.m.

BE IT KNOWN that the Commissioner's Court met in Executive Session at 3:20 p.m. pursuant to Government Code *Sec. 551.074* – Personnel – Precinct #2: Bobby Lawrence and Jackey Williams; Purchasing: Linda Gravitt and Jail: Linda Irish; and

pursuant to Government Code *Sec. 551.071* – Consultation with Attorney: Pending Litigation. Commissioner’s Court reconvened into open session at 4:10 p.m. to consider the following:

X. WORKSHOP

Commissioner’s Court met in workshop session at 4:10 p.m. to discuss the request from the Texas Department of Health for assistance with smallpox vaccinations. The Court reconvened into open session at 4:13 p.m. to consider the following:

ADDENDUM

VII. UNFINISHED BUSINESS

2. ACTION TO APPROVE ORDER AUTHORIZING THE  
ISSUANCE OF JOHNSON COUNTY, TEXAS TAX NOTES,  
SERIES 2003

Comm. Matthews, seconded by Comm. Thompson, made a motion to approve the Order authorizing the issuance of Johnson County, Texas Tax Notes, Series 2003.

All voted aye; motion carried.

VIII. NEW BUSINESS

14. ACTION TO APPROVE PART-TIME BAILIFF FOR THE  
CONSTABLE, PRECINCT #1

No action.

XI. EXECUTIVE SESSION

1. GOVERNMENT CODE

a. SEC. 551.074 - PERSONNEL

(1) PRECINCT #2: BOBBY LAWRENCE AND  
JACKEY WILLIAMS

Comm. Matthews, seconded by Comm.

Carpenter made a motion to move Bobby Lawrence from Operator II to Operator III with no change in salary and to move Jackey Williams to Operator II with a salary of \$24,000.00 effective November 3, 2003.

All voted aye; motion carried.

(2) PURCHASING: LINDA GRAVITT

Comm. Thompson, seconded by Comm.

Carpenter, made a motion to allow the County to consult with Blaze and Hightower for legal opinion.

All voted aye; motion carried.

(3) JAIL – LINDA IRISH

No action.

b. SEC. 551.071 – CONSULTATION WITH ATTORNEY  
(1) PENDING LITIGATION

No action.

VIII. NEW BUSINESS

3. ACTION TO ADVERTISE FOR BIDS FOR LEASING OF  
JOHNSON COUNTY PRECINCT #1 PROPERTY LOCATED  
AT 2744 WEST FM 4 FOR GAS/OIL EXPLORATION

Comm. McFall, seconded by Comm. Carpenter, made a motion to advertise for bids for the leasing of Johnson County Precinct #1, property located at 2744 West FM 4 for gas and oil exploration.

All voted aye; motion carried.

Commissioner's Court recessed at 4:20 p.m. on October 27, 2003.

Commissioner's Court reconvened at 9:00 a.m. on October 28, 2003, with the County Judge and all Commissioners present, to consider the following:

X. WORKSHOP

Commissioner's Court met in workshop session at 9:01 a.m. for a demonstration of telephones by Inter-Tel Communication for the Guinn Justice Center. Court recessed at 10:20 a.m. and reconvened at 10:40 a.m. to discuss the architectural design, specifications, financial program requirements and contracts for the Guinn Justice Center for furniture, cost analysis and the Rhome Field parking lot. Court reconvened into open session at 11:45 a.m. to consider the following:

VII. UNFINISHED BUSINESS

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

a. GUINN JUSTICE CENTER

- (1) FURNITURE
- (2) COST ANALYSIS
- (3) RHOME FIELD PARKING LOT

Comm. Thompson, seconded by Comm.

Carpenter, made a motion to award the following Companies for the Guinn Justice Center: R.A. Developers for water line construction; Tusha for furniture; Guardian Security for the security system and Morgan Electric for electrical work pertaining to the security system.

All voted aye; motion carried.

VIII. NEW BUSINESS

13. ACTION TO APPROVE TELEPHONES BY INTER-TEL  
COMMUNICATION FOR PHONE SYSTEM FOR THE GUINN  
JUSTICE CENTER

Comm. Thompson, seconded by Comm. Matthews, made a motion to award Inter-Tel Communication for the phone system for the Guinn Justice Center.

All voted aye; motion carried.

1. ACTION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Thompson, seconded by Comm. Matthews, made an amended motion to include in the previous motion to advertise for bids for a side boom brush mower for Precinct #1.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda,  
Commissioner's Court adjourned at 11:55 a.m. on October 28, 2003.

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

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