

STATE OF TEXAS

FEBRUARY 28, 2005

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 28th day of February, 2005, 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 9:01 A.M., with all members present, and following the Invocation led by Commissioner Troy Thompson and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the County Clerk on February 24th, 2005 at 1:18 P.M. were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

Comm. McFall announced to the court that Godley's basketball team was still in the running for the State Championship.

Comm. Thompson announced that per the Clean Air Committee, Johnson County's state nitrogen contribution was 3.75%, a considerably low amount.

1. PRESENTATION OF PROCLAMATION FOR "SEVERE WEATHER AWARENESS WEEK"

The proclamation designating March 6 – 12, 2005 as "Severe Weather Awareness Week" was read by the County Judge and presented to Gerald Mohr, Emergency Management Coordinator.

V. PUBLIC PARTICIPATION

None.

VI. PRECEDING BUSINESS

1. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT:

a. FEBRUARY 14, 2005 – REGULAR MEETING

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the minutes of the Commissioner's Court meeting for February 14, 2005 as presented by the County Clerk.

All voted aye; motion carried.

2. CONSIDERATION OF REQUEST TO PAY BILLS

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

All voted aye; motion carried.

3. ACKNOWLEDGEMENT OF RECEIPT OF THE COUNTY AUDITORS REPORTS TO THE COMMISSIONERS COURT

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

4. ACKNOWLEDGEMENT OF RECEIPT OF THE TIER 1 AND TIER 2 RACIAL PROFILING STATISTICS FOR 2004 – CONSTABLE MATT WYLIE, PRECINCT #1

The Commissioner's Court acknowledge the receipt of the Tier 1 and Tier 2 racial profiling statistics for 2004 from Constable Matt Wylie of Precinct #1.

5. ACKNOWLEDGEMENT OF RECEIPT OF THE TIER 1 AND TIER 2 RACIAL PROFILING STATISTICS FOR 2004 – CONSTABLE MIKE WHITE, PRECINCT #3

The Commissioner's Court acknowledge the receipt of the Tier 1 and Tier 2 racial profiling statistics for 2004 from Constable Mike White of Precinct #3.

6. CONSIDERATION TO ALLOW CONVEYANCE OF A PORTION OF LOT 14 OF SOUTHERN OAKS SUBDIVISION OF JOHNSON

COUNTY, TEXAS BY METES AND BOUNDS DESCRIPTION
WITHOUT REVISING THE PLAT – PRECINCT #4

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the conveyance of a portion of Lot 14 of Southern Oaks Subdivision of Johnson County, Texas by metes and bounds description without revising the plat.

All voted aye; motion carried.

7. CONSIDERATION OF A VARIANCE TO ALLOW A SECOND RESIDENCE ON LOT 5 SCOTLAND ADDITION – PRECINCT #4

Comm. Thompson, seconded by Comm. McFall, made a motion to approve the variance to allow a second family residence on Lot 5 of the Scotland Addition in Precinct #4.

All voted aye; motion carried.

8. AWARD OF BIDS:

a. RFB #2005-14-ASPHALTS & EMULSIFIED ASPHALTS

Comm. Matthews, seconded by Comm. Thompson, made a motion to reject all the RFB #2005-14 bids.

All voted aye; motion carried.

b. RFB #2005-15-ROAD MATERIALS

Comm. McFall, seconded by Comm. Thompson, made a motion to award RFB #2005-15 for road materials to all bidders: APAC – Texas, Trinity Materials, Mills Crushed Stone, Ft. Worth Crush Stone, Arnold Crushed Stone, Mine Service Aggregates, Squaw Creek Materials; Recycled Aggregate, Ingram Sand & Gravel, Tarrant Co. Asphalt, and Aquilla.

All voted aye; motion carried.

c. **RFB #2005-16-THREE (3) OR FOUR (4) NEW OR SLIGHTLY USED BOBTAIL TRUCKS – PRECINCT #2**

Comm. Matthews, seconded by Comm. Carpenter, made a motion to award RFB #2005-16 for three (3) new or slightly used Bobtail trucks to Southwest International of Ft. Worth for \$30,000.00 per truck.

All voted aye; motion carried.

d. **RFB #2005-17-REPLACE LOW WATER CROSSING CR 1106- PRECINCT #1**

Comm. McFall, seconded by Comm. Carpenter, made a motion to award RFB #2005-17 to Harris Welding and Construction for \$28,000.00 to replace a low water crossing on CR 1106 in Precinct #1.

All voted aye; motion carried.

VII. **UNFINISHED BUSINESS**

3. **CONSIDERATION TO EMPLOY SIX (6) NEW CORRECTIONS OFFICERS AT THE LAW ENFORCEMENT CENTER**

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the employment of six (6) new corrections officers at the Law Enforcement Center in response to the recommendations by the Jail Commission and to comply with Jail Standards.

All voted aye; motion carried.

4. **CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO SECTION 111.010C OF THE LOCAL GOVERNMENT CODE: SHERIFF'S DEPARTMENT – NEW OFFICERS**

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the budget amendment pursuant to section 111.010C of the Local Government Code for the Sheriff's Department for new officers in the amount of \$98,392.00.

All voted aye; motion carried.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. McFall, seconded by Comm. Thompson, made a motion to go out for bid for asphalts and emulsified asphalts for Johnson County.

All voted aye; motion carried.

2. CONSIDERATION OF INTERLOCAL AGREEMENT FOR ROAD REPAIRS ON FLYING L STREET WITH THE CITY OF MANSFIELD – PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the interlocal agreement with the City of Mansfield Precinct #3 for road repairs on Flying L Street in the amount of \$17,555.20.

All voted aye; motion carried.

3. CONSIDERATION OF INTERLOCAL AGREEMENT FOR ROAD REPAIRS ON HANKS STREET WITH THE CITY OF MANSFIELD – PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the interlocal agreement with the City of Mansfield in Precinct #3 for road repairs on Hanks Street in the amount of \$17,034.

All voted aye; motion carried.

4. CONSIDERATION OF INTERLOCAL AGREEMENT FOR ROAD REPAIRS (CHIP SEAL) WITH THE CITY OF BRIAR OAKS – PRECINCT #3

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the interlocal agreement with the City of Briar Oaks in Precinct #3 for road repairs (chip seal) in the amount of \$29,025.60.

All voted aye; motion carried.

5. CONSIDERATION OF INTERLOCAL AGREEMENT FOR ROAD REPAIRS (PATCHWORK) WITH THE CITY OF BRIAR OAKS – PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the interlocal agreement with the City of Briar Oaks in Precinct #3 for road repairs (patchwork) in the amount of \$1,103.50.

All voted aye; motion carried.

6. CONSIDERATION OF 911 ADDRESS COORDINATOR CONTRACT

Comm. Thompson, seconded by Comm. McFall, made a motion to approve the 911 address coordinator contract and to give the County Judge authorization to sign.

All voted aye; motion carried.

7. CONSIDERATION OF APPOINTMENT OF JOHN POWELL AND STEVEN WALLACE AS RESERVE DEPUTIES – CONSTABLE PRECINCT #3

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the appointment of John Powell and Steven Wallace as reserve deputies for the Constable's Office in Precinct #3.

All voted aye; motion carried.

8. CONSIDERATION OF RE-OCCURRING EXPENSE FOR CELL PHONE FOR VICTIMS ASSISTANT COORDINATOR – SHERIFF'S DEPARTMENT

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the re-occurring expense for a cell phone for the Victims Assistant Coordinator in the Sheriff's Department.

All voted aye; motion carried.

9. CONSIDERATION OF PROPOSAL TO JOHNSON COUNTY FOR THE COLLECTION OF DELINQUENT COURT FEES AND FINES

Lynn Stavinocha of Perdue, Brandon, Fielder, Collins & Mott, LLP, was present to address the court.

Comm. Carpenter, seconded by Comm. McFall, made a motion to table this item until the next Commissioner's Court Meeting.

All voted aye; motion carried.

10. CONSIDERATION OF VEHICLE USE AGREEMENT WITH NATIONAL INSURANCE CRIME BUREAU – SHERIFF'S DEPARTMENT

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the vehicle use agreement with National Insurance Crime Bureau for \$1.00 a year lease for a ¾ ton pickup with lift for the Sheriff's Department.

All voted aye; motion carried.

11. CONSIDERATION OF AGREEMENT WITH SMCS/UNIVERSAL PAYMENT SERVICES/HUMBOLDT MERCHANT SERVICES FOR CREDIT CARD PROCESSING SERVICES FOR COLLECTION OF FEES AND COSTS BY THE DISTRICT CLERK'S OFFICE

Comm. McFall, seconded by Comm. Thompson, made a motion to approve the agreement with SMCS/Universal Payment Services/Humboldt Merchant Services for credit card processing services for collection of fees and costs by the District Clerk's Office and to give the County Judge authorization to sign the agreement.

All voted aye; motion carried.

12. CONSIDERATION OF AGREEMENT WITH SMCS/UNIVERSAL PAYMENT SERVICES/HUMBOLDT MERCHANT SERVICES FOR CREDIT CARD PROCESSING SERVICES FOR COLLECTION OF

FEES, FINES AND COURT COSTS FOR JUSTICE OF THE PEACE
PRECINCT #1

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the agreement with SMCS/Universal Payment Services/Humboldt Merchant Services for credit card processing services for collection of fees, fines and court costs for the Justice of the Peace in Precinct #1 and to give the County Judge authorization to sign the agreement.

All voted aye; motion carried.

13. CONSIDERATION OF AGREEMENT WITH ACCURINT FOR
ACCESS TO NATIONWIDE RECORD INFORMATION AND
DOCUMENT RETRIEVAL SERVICES FOR JUSTICE OF THE PEACE
PRECINCT #1

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the agreement with Accurint for access to nationwide record information and document retrieval services for the Justice of the Peace in Precinct #1.

All voted aye; motion carried.

IX. CONSENT AGENDA

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

All voted aye; motion carried.

The Commissioner's Court recessed at 10:25 a.m. and reconvened at 10:45 a.m. to consider the following:

VII. UNFINISHED BUSINESS

1. CONSIDERATION OF ARCHITECTURAL DESIGN,
SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS, AND
CONTRACTS WITH MAGEE ARCHITECTS

- a. GUINN JUSTICE CENTER
- b. JOHNSON COUNTY CORRECTION REMODELING POD II
- c. JOHNSON COUNTY JAIL EXPANSION

Discussion. No action taken.

The Commissioner's Court went into workshop session at 11:20 a.m. to discuss cemetery work crews – HB 129.

The Commissioner's Court recessed at 11:50 a.m. and reconvened at 1:25 p.m. in workshop session to discuss jail staffing and overtime at the Law Enforcement Center, offsite location of Johnson County Courthouse Employees during restoration, records management storage facility for Johnson County, gas exploration in Johnson County and Johnson County Economic Development office space.

Commissioner Carpenter exited the meeting at 1:45 p.m.

Commissioners McFall exited the meeting at 2:10 p.m.

The Commissioner's Court went back into open session at 3:20 p.m. to consider the following:

VII. UNFINISHED BUSINESS

5. CONSIDERATION OF JAIL STAFFING AND OVERTIME – LAW ENFORCEMENT CENTER

No action.

2. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS, AND CONTRACT FOR RESTORATION OF JOHNSON COUNTY COURTHOUSE

a. OFF-SITE LOCATION OF JOHNSON COUNTY COURTHOUSE EMPLOYEES DURING RESTORATION

Comm. Thompson, seconded by Comm. Matthews, made a motion to move the Recording Section of the County Clerk's Office, Justice of the Peace

for Precinct #4, Constable for Precinct #4 and Veterans Services to the Guinn Justice Center during the Courthouse restoration. The County Clerk's Recording Section, Veterans Services and the Constable are to move to the third floor of the Guinn Justice Center, with architect Alan Magee to submit plans to the City of Cleburne. The location of the Justice of the Peace for Precinct #4 will be determined at a later time.

All voted aye; motion carried.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS AND PROPOSALS

Comm. Matthews, seconded by Comm. Thompson, made a motion to go out for bids for folding guard partitions for record storage facility.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 3:26 p.m. on the same date.

Submitted by: _____
Curtis H. Douglas
County Clerk

Approved by: _____
Roger Harmon
County Judge