

STATE OF TEXAS

MARCH 28, 2005

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 28th day of March, 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 9:00 A.M., with all members present, and following the Invocation led by County Judge Roger Harmon and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the County Clerk on March 23rd, 2005 at 8:37 A.M. were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION TO COUNTY OF FIRST REVENUE CHECK FOR GAS EXPLORATION WITH HALLWOOD PETROLEUM, LLC BY PRECINCT #1

Commissioner R.C. McFall of Precinct #1 presented the first revenue check for gas exploration given to Johnson County from Hallwood Petroleum, LLC in the amount of \$420.68.

2. PRESENTATION OF PROCLAMATION FOR "SEXUAL ASSULT AWARENESS MONTH"

The Commissioner's Court proclaimed the month of April as "Sexual Assault Awareness Month" in Johnson County.

3. PRESENTATION OF PROCLAMATION FOR "CHILD ABUSE PREVENTION MONTH"

The Commissioner's Court proclaimed the month of April as "Child Abuse Prevention Month" in Johnson County.

V. PUBLIC PARTICIPATION

Bill Miller spoke issues at the jail concerning jail medical and jail care and urged the Court to address the situation.

VI. PRECEDING BUSINESS

1. CONSIDERATION TO APPOINT MEMBERS TO THE JOHNSON COUNTY CHILD WELFARE BOARD

Comm. Carpenter, seconded by Comm. Matthews, made a motion to appoint Doris Couch and Betty Shelton to the Johnson County Child Welfare Board.

All voted aye; motion carried.

2. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT:

a. MARCH 14, 2005 – REGULAR MEETING

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

All voted aye; motion carried.

3. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Matthews, seconded by Comm. Thompson, made a motion to pay the bills as presented by the County Auditor with the addition of an invoice from Signs of Success in the amount of \$2,825.00 for signage at the Guinn Justice Center.

All voted aye; motion carried.

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

The Commissioners' Court acknowledged the receipt of the County Auditors reports.

5. CONSIDERATION OF PLAT OF **HOMESTEADS**-PHASE 4, LOT 46E: TO SELL BY METES AND BOUNDS BEING AN EXCEPTION TO THE PLAT REQUIREMENT – PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the plat of the Homesteads – Phase 4, Lot 46E to be sold by metes and bounds being an exception to the plat requirement in Precinct #3.

All voted aye; motion carried.

6. CONSIDERATION OF SECOND HOME ON **HOMESTEADS** – PHASE 10, BLOCK T, LOT 20 – PRECINCT #3

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the placement of a second home on the Homesteads – Phase 10, Block T, Lot 20 in Precinct #3 so that the owners may care for their elderly parents.

All voted aye; motion carried.

7. CONSIDERATION OF **LAKE SIDE ESTATES**, PHASE 3 – BLOCK 1, LOTS 1 – 5; BLOCK 2, LOTS 1 – 5, BLOCK 3, LOTS 1 – 42; AND BLOCK 4, LOTS 1 – 3 – PRECINCT #2

Comm. Matthews, seconded by Comm. Thompson, made a motion to approve Lakeside Estates, Phase 3 – Block 1, Lots 1 – 5; Block 2, Lots 1 – 5, Block 3, Lots 1 – 42; and Block 4, Lots 1 – 3 in Precinct #2 subject to a storm water permit being in place prior to the construction of the road.

All voted aye; motion carried.

8. CONSIDERATION OF **LK'S ACRES** – BLOCK 1, LOTS 1 & 2 – PRECINCT #4

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve LK's Acres Block 1, Lots 1 & 2 in Precinct #4.

All voted aye; motion carried.

9. AWARD OF BIDS:

a. **RFB #2005 – 20 – ASPHALTS & EMULSIFIED ASPHALT**

Comm. Matthews, seconded by Comm. McFall, made a motion to award RFB #2005-20 for asphalts & emulsified asphalts to all bidders: Southern Asphalt, Gulf Energy, Koch Materials, Gary – Williams and Cleveland Asphalt.

All voted aye; motion carried.

VIII. NEW BUSINESS

2. CONSIDERATION OF APPLICATION FOR TAX ABATEMENT FOR JOHNS MANVILLE CORPORATION

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the tax abatement agreement for Johns Manville Corporation and to give the County Judge authorization to sign the agreement.

All voted aye; motion carried.

3. CONSIDERATION OF LETTER OF RESIGNATION FROM THE JOSHUA TIF BOARD – PRECINCT #1

Comm. Thompson, seconded by Comm. Carpenter, made a motion to accept the letter of resignation from the Joshua TIF Board from Commissioner R.C. McFall of Precinct #1.

All voted aye; motion carried.

4. CONSIDERATION TO APPOINT MEMBER TO THE JOSHUA TIF BOARD

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

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

3. ACKNOWLEDGEMENT OF RECEIPT OF THE TIER 1 AND TIER 2 RACIAL PROFILING STATISTICS – CONSTABLE PRECINCT #2

The Commissioner's Court acknowledged the receipt of the Tier 1 and Tier 2 racial profiling statistics from the Constable of Precinct #2.

4. CONSIDERATION OF PLACEMENT OF PAY PHONES AT GUINN JUSTICE CENTER

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the placement of a pay phone at the Guinn Justice Center and to give the Purchasing Agent the authority to establish the rate amount.

All voted aye; motion carried.

7. CONSIDERATION OF APPOINTMENT TO THE JOHNSON COUNTY FIRE COMMISSION – COUNTY JUDGE

Comm. McFall, seconded by Comm. Matthews, made a motion to approve Dewayne Burns as the County Judge's appointment to the Johnson County Fire Commission.

All voted aye; motion carried.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSAL

No bids.

5. CONSIDERATION TO CREATE A NEW LINE ITEM FOR RIGHT-OF-WAY PURCHASE ON COUNTY ROAD 600, WLANUT CREEK BRIDGE – PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson, made a motion to create a new line item for right-of-way purchase on County Road 600, Walnut Creek Bridge in Precinct #3.

All voted aye; motion carried.

6. CONSIDERATION TO NOMINATE A MEMBER TO SERVE ON THE NORTH TEXAS CLEAN AIR COALITION EXECUTIVE BOARD

Comm. Thompson, seconded by Comm. Carpenter, made a motion to nominate Commissioner John Matthews to serve on the North Texas Clean Air Coalition Executive Board.

All voted aye; motion carried.

8. CONSIDERATION OF CORPORATE EXPRESS HOSTING AN EMPLOYEE APPRECIATION DAY ON APRIL 29, 2005 AND GRANTING USE OF THE 2ND FLOOR HALLWAYS IN THE COURTHOUSE

Comm. McFall, seconded by Comm. Thompson, made a motion to approve Corporate Express Hosting an Employee Appreciation Day on April 29, 2005 and granting use of the 2nd floor hallways in the Courthouse.

All voted aye; motion carried.

IX. CONSENT AGENDA

Comm. Matthews, 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 10:15 a.m. and reconvened at 10:37 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 POD III

Comm. Matthews, seconded by Comm. Thompson, made a motion to award Wrangler Concrete the concrete base bid and alternate #1 in the amount of \$583,417.00

All voted aye; motion carried.

The Commissioner's Court went into Workshop Session at 11:11 a.m. to discuss Maintenance and Operation of the Hamm Creek Project.

The Commissioner's Court recessed at 12:12 p.m. and reconvened at 1:26 p.m. in Workshop Session to see a presentation from Centennial Contractors to discuss job order contracting through Texas County Purchasing Network in Precinct #2 and a presentation by ArchiTexas of the design and development package for the Courthouse and a cost estimate for preliminary investigative demolition of the Courthouse and to discuss overtime policy at the Sheriff's Office.

The Commissioner's Court recessed at 3:15 p.m. and reconvened at 3:34 p.m.

BE IT KNOWN that the Commissioner's Court met in Executive Session at 3:35 p.m. pursuant to Government Code *Section 551.074*-Personnel-Public Works Director. The Commissioners' Court reconvened into open session at 3:50 p.m. to consider the following:

VII. UNFINISHED BUSINESS

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

a. DESIGN DEVELOPMENT PACKAGE

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the architect's design development package for the restoration of the Johnson County Courthouse.

All voted aye; motion carried.

b. COST ESTIMATE FOR PRELIMINARY INVESTIGATIVE DEMOLITION

Comm. Thompson, seconded by Comm. Matthews, made a motion to approve the preliminary investigative demolition in the Johnson County Courthouse which includes: scoping of existing roof drains, carpet and tile removal in district courtroom, and analysis of existing conduit for possible reuse in an amount not to exceed \$29,595.

All voted aye; motion carried.

5. CONSIDERATION OF OVERTIME POLICY AT THE SHERIFF'S OFFICE

Comm. Matthews, seconded by Comm. Thompson, made a motion to adopt the overtime policy presented by the Sheriff's Office effective May 1, 2005 and for the policy to be added to the Human Resources handbook.

All voted aye; motion carried.

6. CONSIDERATION TO HIRE PUBLIC WORKS DIRECTOR

Comm. Matthews, seconded by Comm. McFall, made a motion to give the County Judge authority to hire the Public Works Director at the posted salary.

All voted aye; motion carried.

VIII. NEW BUSINESS

7. CONSIDERATION TO ACCEPT MAINTENANCE AND OPERATION
OF HAMM CREEK PROJECT – PRECINCT #1

Comm. McFall, seconded by Comm. Thompson, made a motion to enter into a Maintenance & Operation Agreement with the Hamm Creek Project subject to a Commissioner's Court approved lease agreement with the Corps Engineer.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda,
Commissioner's Court adjourned at 4:05 p.m. on the same date.

Submitted by: _____
Curtis H. Douglas
County Clerk

Approved by: _____
Roger Harmon
County Judge