

STATE OF TEXAS

MAY 23, 2005

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 23rd day of May, 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 9:05 A.M., with all members present, and following the Invocation led by Commissioners John Matthews and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the County Clerk on May 19th, 2005 at 1:05 P.M. were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. RECOGNITION OF BEVERLY EARL UPON COMPLETING HER BUSINESS MANAGEMENT DEGREE FROM PAUL QUINN COLLEGE

The Commissioner's Court recognized Beverly Earl for her completion of her Business Management degree from Paul Quinn College.

VIII. NEW BUSINESS

15. CONSIDERATION TO ISSUE A CHECK IN THE AMOUNT OF DONATIONS RECEIVED BY THE CHISHOLM TRAIL TO THE JOHNSON COUNTY HERITAGE FOUNDATION, INC., WHICH IS A 501 C ACCOUNT

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the issuance of a check in the amount of the donations received by the Chisholm Trail to the Johnson County Heritage Foundation, Inc., which is a 501 C account.

All voted aye; motion carried.

9. CONSIDERATION TO USE TECH FUNDS IN ORDER TO PURCHASE:

- a. \$6,222.00 FOR THE PURCHASE OF A LAPTOP, TAZERGUN AND CARTRIDGES FOR THE PRINTERS – JUSTICE OF THE PEACE, PRECINCT #3

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the purchase of a Laptop and cartridges for the Justice of the Peace in Precinct #3 in the amount of \$5,422.00 to be paid from the technology fund; and the purchase of a tazer gun for the Justice of the Peace in Precinct # 3 in the amount of \$800.00 to be paid from the Courthouse security fund.

All voted aye; motion carried

- b. \$5,307.97 FOR A CANNON IR 2800 COPIER FOR JUSTICE OF THE PEACE, PRECINCT #4

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the purchase of a Cannon IR 2800 copier for the Justice of the Peace in Precinct #4 in the amount of \$5,307.97 to be paid from the technology fund.

All voted aye; motion carried.

7. CONSIDERATION OF BLUEBONNET RC&D, INC. COMMUNITY IMPROVEMENT GRANT APPLICATION IN ORDER TO PROVIDE HOUSEHOLD HAZARDOUS WASTE COLLECTION IN JOHNSON COUNTY

Comm. Thompson, seconded by Comm. McFall, made a motion to approve the Bluebonnet RC&D, Inc. Community Improvement Grant application in order to provide household hazardous waste collection in Johnson County with Johnson County matching the funds provided from the grant. The matching funds will be cost shared between the four precincts.

All voted aye; motion carried.

16. CONSIDERATION TO SEND LETTER TO CRIMINAL JUSTICE DIVISION OFFICER OF THE GOVERNOR, KEN NICOLAS, EXECUTIVE DIRECTOR TO ASK FOR EXTENSION OF THE GPI FUNDS TO BE USED FOR OPERATION OF THE DRUG TASK FORCE

Comm. Matthews, seconded by Comm. McFall, made a motion to approve a letter to be sent to the Criminal Justice Division Officer of the Governor, Ken Nicolas, Executive Director to ask for an extension of the GPI funds to be used for operation of the Drug Task Force.

All voted aye; motion carried.

The Commissioner's Court recessed at 10:07 a.m. and reconvened at 10:25 a.m. to consider the following:

VI. PRECEDING BUSINESS

1. CONSIDERATION OF MINUTES OF COMMISSIONERS COURT:
 - a. MAY 9, 2005 – REGULAR MEETING

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the minutes of the Commissioner's Court for May 9, 2005 as presented by the County Clerk.

All voted aye; motion carried.

2. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO SECTION 111.010C OF THE LOCAL GOVERNMENT CODE: RECREATION OF ARCHIVAL DOCUMENTS – COUNTY CLERK

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the budget amendment pursuant to section 111.010C of the Local Government

Code in the amount of \$235,288.00 for the recreation of archival documents for the County Clerk.

All voted aye; motion carried.

3. CONSIDERATION OF REQUEST TO PAY BILLS

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

All voted aye; motion carried.

4. 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.

5. CONSIDERATION OF SUBDIVISIONS:

- a. **WAGON WHEEL ACRES: LOT 3 BEING 1.986 ACRES – DIVIDING A 30' SECTION BY METES AND BOUNDS PURUSANT TO AN EXCEPTION UNDER THE LOCAL GOVERNMENT CODE SECTION 232.010 – PRECINCT #1**

Comm. McFall, seconded by Comm. Matthews, made a motion to approve Lot 3 of Wagon Wheel Acres, being 1.986 acres, having a 30' section divided by metes and bounds pursuant to an exception under the Local Government Code Section 232.010 in Precinct #1.

All voted aye; motion carried.

6. CONSIDERATION TO RENEW LIABILITY COVERAGE WITH TEXAS ASSOCIATION OF COUNTIES

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the renewal of liability coverage with Texas Association of Counties.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

1. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS, AND CONTRACTS WITH MAGEE ARCHITECTS AND PETE DURANT AND ASSOCIATES FOR THE JOHNSON COUNTY CORRECTIONS REMODELING POD II AND THE EXPANSION POD III –
 - a. CHANGE ORDER #2 – EXTEND WATERLINE AND ADDITIONAL FIRE HYDRANT

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

All voted aye; motion carried.

2. CONSIDERATION OF OPTIONAL ADDITIONAL SERVICES UNDER THE ORIGINAL GUINN CONTRACT FOR PROJECT MANAGER AND CONSTRUCTION MANAGER AT RISK TO PROVIDE CONSTRUCTION ON THE 3RD FLOOR NORTH OFFICE SPACE IN THE GUINN JUSTICE CENTER FOR COURTHOUSE EMPLOYEES DURING RENOVATION OF THE COURTHOUSE

Discussion. No action.

3. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS, AND CONTRACT FOR RESTORATION OF JOHNSON COUNTY COURTHOUSE
 - a. PROPOSAL NO. P0501603 FROM ECOSYSTEMS ENVIRONMENTAL, INC. FOR ASBESTOS AND LEAD PAINT MANAGEMENT SERVICES

Comm. Thompson, seconded by Comm. Matthews, made a motion to approve proposal number P0501603 from EcoSystems Environmental, Inc. for asbestos and lead paint management services and to give the County Judge authorization to sign.

All voted aye; motion carried.

b. PLACEMENT OF EMERGENCY MANAGEMENT

Comm. Carpenter, seconded by Comm. McFall, made a motion to move Emergency Management to the Sheriff's Office on a temporary basis during the restoration of the Johnson County Courthouse.

All voted aye; motion carried.

4. CONSIDERATION OF PROCUREMENT CARD POLICY,
PROCEDURES AND EMPLOYEES APPROVED TO USE P-CARD

Comm. Thompson, seconded by Comm. Matthews, made a motion to approve the procurement card policy, procedures and following departments to use the procurement cards: Public Works and the Sheriff's Department.

All voted aye; motion carried.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

None.

6. CONSIDERATION OF RE-OCCURRING EXPENSE:

a. ADDING A TELEPHONE LINE FOR CREDIT CARD
MACHINE – COUNTY ATTORNEY, CHECK DIVISION

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the re-occurring expense of adding a telephone line for a credit card machine in the County Attorney's Check Division.

All voted aye; motion carried.

b. PURCHASE OF A CELL PHONE – PRECINCT #1

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the purchase of a cell phone for Precinct #1 with a re-occurring expense of \$50.99 per month.

All voted aye; motion carried.

8. CONSIDERATION TO ADD TWO ADDITIONAL LOCAL PLUS LINES TO PHONE SYSTEM AT THE GUINN JUSTICE CENTER

Comm. Carpenter, seconded by Comm. Matthews, made a motion to approve adding two additional local plus lines to the phone system at the Guinn Justice Center at a cost of \$30 per month for each line.

All voted aye; motion carried.

10. CONSIDERATION OF AGREEMENTS TO CONTRIBUTE FUNDS FOR RIGHT OF WAY FOR BRIDGE REPLACEMENT – PRECINCT #3

- a. GRASSY CREEK
- b. TRIBUTARY TO MOUNTAIN CREEK
- c. MOUNTAIN CREEK

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the agreements to contribute funds for right of way for bridge replacement in Grassy Creek, Tributary to Mountain Creek and Mountain Creek in Precinct #3 and to give the County Judge authorization to sign the agreements.

All voted aye; motion carried.

11. CONSIDERATION OF INTERLOCAL AGREEMENTS FOR ROAD CONSTRUCTION AND REPAIR:

- a. CITY OF GODLEY – PRECINCT #2

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the interlocal agreement for road construction and repair with the City of Godley in Precinct #2 in the amount of \$14,361.25.

All voted aye; motion carried.

b. CITY OF KEENE – PRECINCT #4

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the interlocal agreement for road construction and repair with the City of Keene in Precinct #4 in the amount of \$12,822.30.

All voted aye; motion carried.

12. CONSIDERATION OF CONTRACT WITH AMERICAN TOWER FOR LEASED TOWER SPACE

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

All voted aye; motion carried.

13. CONSIDERATION OF PERSONNEL MATTERS:

a. CREATE A NEW POSITION, MECHANIC II, GRADE 12 AND DROP THE POSITION OF INMATE CREW LEADER, GRADE 12 – PRECINCT #2

Comm. Matthews, seconded by Comm. Thompson, made a motion to create a new position of Mechanic II at Grade 12 and to drop the position of Inmate Crew Leader, Grade 12 in Precinct #2.

All voted aye; motion carried.

b. RE-CLASSIFICATION OF CORPORALS POSITION INTO SERGEANT – SHERIFF'S OFFICE

Comm. Matthews, seconded by Comm. Thompson, made a motion to approve the re-classification of Corporal position that is a Grade 15 to a Sergeant position that is a Grade 16 with no change in pay effective May 23, 2005.

All voted aye; motion carried.

c. CLASSIFICATION PLAN CHANGES TO MATCH SALARIES WITH POSITIONS – COUNTY CLERK

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

All voted aye; motion carried.

14. CONSIDERATION OF NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS REGIONAL INOPERABILITY PROJECT, PHASE II ASSESSMENT FOR JOHNSON COUNTY

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the North Central Texas Council of Governments Regional Inoperability Project, Phase II assessment for Johnson County.

All voted aye; motion carried.

IX. CONSENT AGENDA

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

All voted aye; motion carried.

VIII. NEW BUSINESS

14. CONSIDERATION OF NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS REGIONAL INOPERABILITY PROJECT, PHASE II ASSESSMENT FOR JOHNSON COUNTY

Discussion.

The Commissioner's Court recessed at 11:46 a.m. and reconvened at 1:10 p.m. into workshop session to view a demonstration of ES & S Auto Mark – Election Administration Model 100 Precinct Counters and to discuss inmate food service for the Law Enforcement Center, records management storage facility for Johnson County, relocation of Courthouse offices to the Guinn Justice Center during courthouse restoration, and distribution of homeland security grant items.

The Commissioner's Court went into Open Session at 2:45 p.m. to consider the following:

VIII. NEW BUSINESS

2. CONSIDERATION OF INMATE FOOD SERVICE FOR LAW ENFORCEMENT CENTER

No action.

3. CONSIDERATION OF LETTER OF INTENT WITH ES & S AUTO MARK – ELECTION ADMINISTRATION

Comm. McFall, seconded by Comm. Thompson, made a motion to approve the letter of intent with ES & S Auto Mark for the Election Administration and to give the County Judge authorization to sign the letter.

All voted aye; motion carried.

4. CONSIDERATION OF HELP AMERICA VOTE ACT GRANT AWARD AGREEMENT AMENDMENT #1

Comm. Matthews, seconded by Comm. Thompson, made a motion to accept the Help America Vote Act (HAVA) grant award agreement and to give the County Judge authorization to sign.

All voted aye; motion carried.

5. CONSIDERATION OF DISTRIBUTION OF HOMELAND SECURITY GRANT ITEMS

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

All voted aye; motion carried.

BE IT KNOWN that the Commissioner's Court met in Executive Session at 2:50 p.m. pursuant to Government Code *Section 551.0712*-Consultation with Attorney. The Commissioner's Court reconvened into Open Session at 3:15 p.m. with no action being taken.

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

The Commissioner's Court reconvened at 9:00 a.m. on Tuesday, May 24, 2005 with all members present except for Comm. R.C. McFall and Comm. John Matthews, and considered the following:

VII. UNFINISHED BUSINESS

2. CONSIDERATION OF OPTIONAL ADDITIONAL SERVICES UNDER THE ORIGINAL GUINN CONTRACT FOR PROJECT MANAGER AND CONSTRUCTION MANAGER AT RISK TO PROVIDE CONSTRUCTION ON THE 3RD FLOOR NORTH OFFICE SPACE IN THE GUINN JUSTICE CENTER FOR COURTHOUSE EMPLOYEES DURING RENOVATION OF THE COURTHOUSE

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the additional services under the Guinn contract for the Project Manager and Construction Manager at Risk to provide construction on the 3rd floor north office space in the Guinn Justice Center for Courthouse employees during Renovation of the Courthouse in the amount of \$81,459, not including permit fees or \$16.97 per square foot, and to give the County Judge authorization to sign.

All voted aye; motion carried.

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

b. PLACEMENT OF EMERGENCY MANAGEMENT

Comm. Thompson, seconded by Comm. Carpenter, made a motion to permanently move Emergency Management out of the Johnson County Courthouse with the final relocation to be worked out at a later date.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 9:20 a.m. on Tuesday, May 24, 2005.

Submitted by: _____
Curtis H. Douglas
County Clerk

Approved by: _____
Roger Harmon
County Judge