

STATE OF TEXAS

JUNE 27, 2005

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 27th day of June, 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 9:03 A.M., with all members present, and following the Invocation led by Commissioner R.C. McFall and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record by County Clerk on June 23rd, 2005 at 9:46 A.M were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

Comm. Carpenter publicly thanked Commissioners Thompson and McFall for their help and loan of their chip spreaders when his broke down.

Comm. McFall announced that his daughter would be having surgery and requested that she be kept in prayer.

VII. UNFINISHED BUSINESS

9. CONSIDERATION OF OFFICE SPACE IN THE GUINN BUILDING FOR ADULT PROBATION OFFICER SERVING THE COUNTY COURT AT LAW #2

Comm. Thompson, seconded by Comm. Carpenter, made a motion to authorize the County Judge to work with Judge Anderson, County Court at Law #2 judge, in regards to finding space for his Adult Probation officer in the Guinn Justice Center.

All voted aye; motion carried.

VI. PRECEDING BUSINESS

1. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT:

a. June 13, 2005 – Regular Session

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the minutes of the Commissioner’s Court meeting for June 13, 2005 as presented by the County Clerk.

All voted aye; motion carried.

2. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. McFall, seconded by Comm. Thompson, 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. CONSIDERATION OF SUBDIVISIONS:

a. **ALLRED ADDITION: LOT 1, BLOCK 1-A NON-CONFORMING LOT- PRECINCT #4**

Comm. Thompson, seconded by Comm. McFall, made a motion to approve Lot 1 Block 1-a of the Allred addition as a non-conforming lot in Precinct #4.

All voted aye; motion carried.

5. CONSIDERATION OF FOOD SERVICE AT THE LEC AND POSSIBLE RENEWAL OF CONTRACT WITH MID-AMERICA

Comm. Thompson, seconded by Comm. Matthews, made a motion to renew the contract with Mid-America for food service at the Law Enforcement Center.

All voted aye; motion carried.

6. CONSIDERATION OF ALL-POINTS PIONEER TO PACK AND MOVE RECORDS IN THE ATTIC OF THE COURTHOUSE

Comm. Matthews, seconded by Comm. Thompson, made a motion to approve All-Points Pioneer to pack and move records in the attic of the Courthouse at a price not to exceed \$7,335.00.

All voted aye; motion carried.

VIII. NEW BUSINESS

12. CONSIDERATION OF INMATE LABOR UNDER HB 129 FOR MAINTENANCE AND RELATED SERVICES TO NON-PROFIT ORGANIZATIONS THAT QUALIFY UNDER THE TAX EXEMPTION OF 501(a), INTERNAL REVENUE CODE OF 1986 AS AN ORGANIZATION DESCRIBED BY SECTION 501 (c) (3) AND IS ORGANIZED AS A NON-PROFIT CORPORATION UNDER THE TEXAS NON-PROFIT CORPORATION ACT

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve all of the submitted organizations: (Cleburne Area Quilter's Guild, Whistle Stop Christmas, Child Advocacy Center, Cemetery Work Crews and 4-H/FFA Jr. Livestock Show) for inmate labor under HB 129 for maintenance and related services. Each approved organization as well as future organizations must submit their non-profit status for court record

All voted aye; motion carried.

The Commissioner's Court recessed at 10:03 a.m. and reconvened at 10:25 a.m. to consider the following.

VIII. NEW BUSINESS

10. CONSIDERATION OF ORDER #2005-06 PROHIBITING OUTSIDE BURNING IN ALL UNINCORPORATED AREAS OF JOHNSON COUNTY, TEXAS

Comm. Carpenter, seconded by Comm. Matthews, made a motion to approve Order #2005-06 prohibiting outside burning in all unincorporated areas of Johnson County, Texas for 90 days.

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. AGREEMENT WITH TXU ELECTRIC DELIVERY

Comm. Thompson, seconded by Comm. Matthews, made a motion to approve the agreement with TXU Electric and to have the County Auditor cut a live check in the amount of \$1,744.27 to get to TXU and to give the County Judge authorization to sign the agreement.

All voted aye; motion carried.

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

Discussion. No action.

4. CONSIDERATION OF DONATION OF PLANTS AT BASE OF THE COURTHOUSE TO THE WINSTON PATRICK MCGREGOR PARK

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

All voted aye; motion carried.

5. CONSIDERATION OF PURCHASE OF LAP TOPS FOR COMMISSIONERS COURT

Comm. Carpenter, seconded by Comm. Matthews, made a motion to approve the purchase of 14 laptops out of the 075-409-320 account in the amount of \$26,796.00 for the following employees:

Roger Harmon, County Judge
R.C. McFall, Commissioner Precinct #1
John W. Matthews, Commissioner Precinct #2
Mark C. Carpenter, Commissioner Precinct #3
Troy Thompson, Commissioner Precinct #4
J.R. Kirk Kirkpatrick, Jr., County Auditor
Curtis H. Douglas, County Clerk
Brenda Cyprian, County Clerk's Office
Sandy Sims, County Judge's Office
Alison Hitchcock, County Judge's Office
Sandy Bradley, Purchasing Agent
Don Burns, Public Works Director
Tom Owen, Personnel Director
Cole Lancaster, ISS Department

All voted aye; motion carried.

6. CONSIDERATION OF CHANGES IN CLASSIFICATION PLAN TO MATCH SALARIES WITH POSITIONS – COUNTY CLERK

Comm. Thompson, seconded by Comm. McFall, made a motion to approve the changes in classification plan to match salaries with positions with no budget impact for the County Clerk's Office.

All voted aye; motion carried.

5. CONSIDERATION OF PURCHASE OF LAP TOPS FOR COMMISSIONERS COURT

Discussion. No action.

7. CONSIDERATION OF STORAGE FOR MEDICAL EXAMINER FILES

Comm. Matthews, seconded by Comm. McFall, made a motion to give the County Judge authorization to work with Dr. Arthur Raines, Medical Examiner to find a suitable place to store Medical Examiner files and records.

All voted aye; motion carried.

8. CONSIDERATION OF ADDITIONAL OFFICE SPACE FOR ADULT PROBATION DEPARTMENT

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

All voted aye; motion carried.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSAL

Comm. McFall, seconded by Comm. Carpenter, made a motion to go for bids, use state contract, or inquire at Ritchie Brothers Auction for a High Roller with spreader box.

All voted aye; motion carried.

2. CONSIDERATION OF **ORDER #2005-07** DESIGNATING A LOCATION FOR FORECLOSURE SALES AND POSTING OF NOTICE OF THE SALES PURSUANT TO *SECTION 51.002* OF THE TEXAS PROPERTY CODE TO BE FILED IN THE REAL PROPERTY RECORDS OF THE COUNTY

Comm. McFall, seconded by Comm. Thompson, made a motion to approve Order #2005-07 designating the steps outside of the South doors of the Guinn Justice Center to be the location of foreclosure sales and the hallway inside the south doors on the first floor of the Guinn Justice Center to be the location for posting the

notice of the sales pursuant to *Section 51.002* of the Texas Property Code with the order to be filed in the Real Property Records of the County.

All voted aye; motion carried.

3. CONSIDERATION OF COUNTY & DISTRICT RETIREMENT SYSTEM 2006 PLAN INFORMATION AND CONTRIBUTION PLAN

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

All voted aye; motion carried.

4. CONSIDERATION OF INTERLOCAL AGREEMENT TO SEAL COAT WILLOW, SOUTH BOIS D ARC IN THE CITY OF GRANDVIEW – PRECINCT #4

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the interlocal agreement with the City of Grandview to seal coat Willow, South Bois D Arc in Precinct #4.

All voted aye; motion carried.

5. CONSIDERATION OF AN INTERLOCAL AGREEMENT FOR ROAD REPAIRS WITH THE CITY OF GRANDVIEW FOR THE SALE OF CRS-2 – PRECINCT #4

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the interlocal agreement with the City of Grandview for the Sale of CRS-2 in Precinct #4.

All voted aye; motion carried.

6. CONSIDERATION OF PUBLIC POWER POOL:

- a. 2005 PROCUREMENT SAVINGS PROJECTIONS AND EXPLANATIONS
- b. CONTRACT USERS GUIDE
- c. EXECUTED CONTRACT WITH SEMPRA ENERGY SOLUTIONS

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve the executed contract with Sempra Energy Solutions and to give the County Judge authorization to sign the contact. In his motion, Comm. Matthews expressed appreciation for Comm. Thompson's hard work on this project.

All voted aye; motion carried.

6. CONSIDERATION OF PUBLIC POWER POOL:

d. REFUND DISTRIBUTION OF FY 2004 AGGREGATION FEES ABOVE BUDGETED PROJECTIONS

Comm. McFall, seconded by Comm. Matthews, made a motion to accept the refund distribution of FY 2004 aggregation fees above budgeted projections.

All voted aye; motion carried.

7. CONSIDERATION OF ORDER #2005-05 CLOSING COUNTY ROAD 707-A – PRECINCT #4

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve Order #2004-05 closing County Road 707-A in Precinct #4. A public hearing is unnecessary because County Road 707-A was ordered closed on August 22, 1988, but there was no order executed and filed in the Deed Records at the time of closure.

All voted aye; motion carried.

8. CONSIDERATION OF REQUEST OF PORTION OF UNCLAIMED MONEY RECEIVED BY THE COMPTROLLER FROM ALL ELECTRIC COOPERATIVES WITHIN JOHNSON COUNTY

Comm. Thompson, seconded by Comm. McFall, made a motion to approve submitting a request for a portion of unclaimed money received by the Comptroller from all Electric Cooperatives within Johnson County.

All voted aye; motion carried.

9. CONSIDERATION OF OFFICAL BOND AND OATH FOR CHARLES WORLOW AS DEPUTY CONSTABLE PRECINCT #1

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the official bond and oath for Charles Worlow as Deputy Constable of Precinct #1.

All voted aye; motion carried.

IX. CONSENT AGENDA

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

All voted aye; motion carried.

The Commissioner's Court recessed at 12:00 p.m. and reconvened at 1:20 p.m. with all members present except Commissioner R.C. McFall. The Commissioner's Court went into Workshop Session at 1:20 p.m. to hear a presentation for assistance by Court Appointed Special Advocate (CASA) and to discuss Reverse 911, the relocation of Courthouse offices to the Guinn Justice Center during Courthouse Restoration, 2nd quarterly report on the City and County Transportation Vehicles and Careflite.

BE IT KNOWN that the Commissioner's Court met in Executive Session at 3:00 p.m. pursuant to Government Code *Section 551.071*-Consultation with Attorney/Contemplated Litigation. The Commissioners' Court reconvened into open session at 3:35 p.m. to consider the following:

XI. EXECUTIVE SESSION

1. GOVERNMENT CODE:

a. SEC. 551.071 – CONSULTATION WITH ATTORNEY

(1) CONTEMPLATED LITIGATION

Comm. Thompson, seconded by Comm. Matthews, made a motion to approve the D.R. Representative to send a letter to TCEQ regarding septic modifications.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

2. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS, AND CONTRACTS WITH MAGEE ARCHITECTS AND PETE DURANT AND ASSOCIATES ON THE 3RD FLOOR NORTH OFFICE SPACE IN THE GUINN JUSTICE CENTER FOR COURTHOUSE EMPLOYEES DURING RENOVATION OF THE COURTHOUSE

Discussion.

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

VIII. NEW BUSINESS

11. CONSIDERATION OF CENTRAL APPRAISAL DISTRICT PROPOSED BUDGET FOR YEAR 2006

No action.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 4:31 p.m. on the same date.

Submitted by: _____
Curtis H. Douglas
County Clerk

Approved by: _____
Roger Harmon
County Judge