

STATE OF TEXAS

JULY 11, 2005

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 11<sup>th</sup> day of July, 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 by County Clerk on July 7<sup>th</sup>, 2005 at 10:31 A.M were considered:

V. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF SERVICE AWARDS

**25 Years**

Dennis F. Allen

**20 Years**

Karen R. Alexander

**15 Years**

Rhonda J. Adcock

Deborah J. Lockhart

**10 Years**

Tracy R. Jones

Jack Todd Freeman

**5 Years**

Karen C. Bailey

Keith A. Lewis

Peggy R. Peters

Lisa A. Tomlinson

James A Scott

Danny Lee Biggers

Marsha A. Cagle

Tammy L. Kidd

**Department Head/Department**

Toby Ross-CSCD

**Department Head/Department**

Curtis Douglas – County Clerk

**Department Head/Department**

Matt Wylie, Adam Crawford, Mike White, Gary Braly-Constables

Sheriff Bob Alford – Sheriff's Department

**Department Head/Department**

Sheriff Bob Alford – Sheriff's Department

Toby Ross – CSCD

Kirk Kirkpatrick – Audit Department

Adam Crawford – Constable #2

Extension Office

Lisa Tomlinson – Juvenile Services

Commissioner Mark Carpenter - Precinct 3

Sheriff Bob Alford – Sheriff's Department

Sheriff Bob Alford – Sheriff's Department

Scott Porter – Tax Office

#### IV. PUBLIC HEARING

1. TO DETERMINE A MAXIMUM REASONABLE AND PRUDENT SPEED IN WHISPERING MEADOWS SUB-DIVISION – PRECINCT #2

The Commissioner's Court opened the public hearing at 9:35 a.m.

Commissioner John Matthews address the court. There being no one present public comments regarding this matter, the public hearing was closed at 9:36 a.m.

#### VII. PRECEDING BUSINESS

1. CONSIDERATION OF **ORDER #2005-08** TO DETERMINE A MAXIMUM REASONABLE AND PRUDENT SPEED IN WHISPERING MEADOWS SUB-DIVISION-PRECINCT #2

Comm. Matthews, seconded by Comm. McFall, made a motion to establish a maximum reasonable and prudent speed of 30 mph in Whispering Meadows, Precinct #2.

All voted aye; motion carried.

2. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT:
  - a. JUNE 20, 2005 – SPECIAL SESSION
  - b. JUNE 27, 2005 – REGULAR SESSION

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the minutes of the Commissioner's Court for June 20, 2005 and June 27, 2005 as submitted 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 submitted by the County Auditor with the addition of an invoice from Cingular Wireless in the amount of \$460.97.

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. YODER ADDITION: LOT 1, BLOCK 1 – PRECINCT #4

Comm. Thompson, seconded by Comm. McFall, made a motion to approve Lot 1, Block 1 of the Yoder Addition in Precinct #4.

All voted aye; motion carried.

b. CIRCLE G ESTATES: RE-PLAT OF LOT 1 & 2, BLOCK 1 INTO LOT 1-R, BLOCK 1 – PRECINCT #4

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the re-plat of Lots 1 & 2, Block 1 of the Circle G Estates into Lot 1-R, Block 1 in Precinct #4.

All voted aye; motion carried.

c. TBD ACRES: RE-PLAT OF LOTS 1, 2 AND 3, BLOCK 1 INTO LOT 4-R, BLOCK 1 – PRECINCT #4

Comm. Thompson, seconded by Comm. McFall, made a motion to approve the re-plat of Lots 1, 2 and 3, Block 1 of TBD Acres into Lot 4-R, Block 1 in Precinct #4.

All voted aye; motion carried.

6. CONSIDERATION TO AWARD BID **RFB #2005-26** FOR CULVERTS

Comm. Thompson, seconded by Comm. Matthews, made a motion to award RFB #2005-26 to Texas Steel Culvert for steel culverts and to Contech Construction for corrugated polyethylene pipe.

All voted aye; motion carried.

VIII. UNFINISHED BUSINESS

3. CONSIDERATION OF **ORDER #2005-09** SETTING A MEETING PLACE FOR THE COMMISSIONERS COURT DURING THE RESTORATION OF THE COURTHOUSE

Comm. McFall, seconded by Comm. Thompson, made a motion to approve Order #2005-09 setting the meeting place for the Commissioners Court during the restoration of the Courthouse to be the Guinn Justice Center, 204 S. Buffalo, in either the first floor Auxiliary Courtroom or the third floor Auxiliary Courtroom beginning on August 8, 2005.

All voted aye; motion carried.

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

b. BUILDERS' RISK POLICY FOR RENOVATION OF THE COURTHOUSE

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

All voted aye; motion carried.

IX. NEW BUSINESS

2. CONSIDERATION OF LOCAL OPTION ELECTION ON SEPTEMBER 10, 2005 IN THE CITY OF RIO VISTA, TEXAS

a. ESTABLISHING POLLING LOCATIONS

Comm. Thompson, seconded by Comm. McFall, made a motion to approve Rio Vista Civic Center as the polling location for the local option election on September 10, 2005 in the City of Rio Vista, Texas.

All voted aye; motion carried.

b. ESTABLISH EARLY VOTING POLLING LOCATION AND HOURS OF EARLY VOTING

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the polling location of the Rio Vista City Hall and normal working hours of early voting for the local option election on September 10, 2005 in the City of Rio Vista as submitted by the Election Administrator.

All voted aye; motion carried.

c. ESTABLISH ELECTION DAY JUDGES AND CLERKS

Comm. McFall, seconded by Comm. Matthews, made a motion to approve Pamela Gallagher as the Election Day judge and Brenda Marbut, Mary Frances Fowler, and Anne Dollar as the Election Day clerks for the local option election on September 10, 2005 in the City of Rio Vista as submitted by the Election Administrator.

VIII. UNFINISHED BUSINESS

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

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the donation of the plants at the base of the Courthouse to the Winston Patrick McGregor Park.

All voted aye; motion carried.

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

No action taken.

The Commissioner's Court recessed at 10:10 a.m. and reconvened at 10:38 a.m. to consider the following:

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSAL

None.

VIII. 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 EXPANSION POD III –

Discussion. No action taken.

IX. NEW BUSINESS

3. CONSIDERATION OF COST OVERRUN IN THE RIGHT OF WAY EXPENDITURES FOR THE PROJECT ON US 67 FROM SPUR 102 TO I.H. 35W

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the payment of cost overrun in the right of way expenditures forth project on US 67 from spur 102 to I.H. 35W in the amount of \$17,617.58.

All voted aye; motion carried.

4. CONSIDERATION OF INTERLOCAL AGREEMENT WITH THE CITY OF RIO VISTA TO TRANSPORT ASPHALT (PATCHING MATERIAL) – PRECINCT #1

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the interlocal agreement with the City of Rio Vista in the amount of \$796.50 to transport asphalt (patching material) in Precinct #1.

5. CONSIDERATION OF INTERLOCAL AGREEMENT WITH THE CITY OF RIO VISTA TO PURCHASE ROAD SIGNS – PRECINCT #1

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the interlocal agreement with the City of Rio Vista in the amount of \$579.05 to purchase road signs in Precinct #1.

All voted aye; motion carried.

6. CONSIDERATION OF INMATE LABOR UNDER HB 129 FOR MAINTENANCE AND RELATED SERVICE 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

- a. NICKELL CEMETERY

Comm. McFall, seconded by Comm. Thompson, made a motion to approve Nickell Cemetery to receive inmate labor for maintenance under HB 129.

All voted aye; motion carried.

7. CONSIDERATION TO SET COUNTY ROAD AND BRIDGE FEES:

- a. AMOUNT THAT DOES NOT EXCEED \$10.00 FOR EACH VEHICLE REGISTERED IN THE COUNTY PURSUANT TO SECTION 502.172 OF THE TRANSPORTATION CODE

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the County Road and Bridge Fee of \$10.00 for each vehicle registered in the County pursuant to *Section 502.172* of the Transportation Code.

All voted aye; motion carried.

- b. ESTABLISH A CHILD SAFETY FUND FEE PURSUANT TO SECTION 502.173 OF THE TRANSPORTATION CODE

Comm. Carpenter, seconded by Comm. Thompson, made a motion to deny establishing a child safety fund fee pursuant to *Section 502.173* of the Transportation Code.

All voted aye; motion carried.

8. CONSIDERATION OF APPRAISAL VALUES ON COUNTY PROPERTY

Comm. Thompson, seconded by Comm. McFall, made motion that the County Judge send a letter to TAC to have all buildings re-appraised and for the new appraisals to be submitted to Commissioners Court.

All voted aye; motion carried.

9. CONSIDERATION OF DESTRUCTION OF USED LAW BOOKS

Comm. Carpenter, seconded by Comm. McFall, made a motion to recycle the used law books and if they cannot be recycled to destroy them.

All voted aye; motion carried.

- X. CONSENT AGENDA



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

All voted aye; motion carried.

The Commissioners Court went into Workshop Session at 11:15 a.m. to discuss CareFlite.

The Commissioners Court recessed at 12:20 p.m. and reconvened at 1:36 p.m. to discuss the dispatch service agreement between the cities and Johnson County.

The Commissioners Court recessed at 2:40 p.m. and reconvened at 2:57 p.m. to discuss additional space for Adult Probation, the records management storage facility for Johnson County, and relocation of Courthouse Offices to the Guinn Justice Center during Courthouse restoration.

The Commissioners Court recessed at 9:00 a.m. to reconvene on Tuesday, July 12, 2005 at 9:00 a.m.

The Commissioners Court reconvened at 9:05 a.m. on Tuesday, July 12, 2005, will all member present except Commissioner McFall, and went directly into Workshop Session to discuss the budget.

Commissioner McFall entered the meeting at 9:20 a.m.

The Commissioners Court recessed at 10:00 a.m. and reconvened at 10:15 a.m. to discuss the budget with all members present except for Commissioner McFall to discuss the budget.

The Commissioners Court recessed at 11:50 a.m. and reconvened at 1:20 p.m. in Workshop Session to discuss the budget.

There being no further business before the Court concerning this agenda,

Commissioner's Court adjourned at 1:42 p.m. on the same date.

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

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