

STATE OF TEXAS

JULY 25, 2005

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 25th 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 except Commissioner R.C. McFall, 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 by County Clerk on July 21st, 2005 at 8:41 A.M and an addendum filed on July 21st, 2005 at 9:46 A.M. and a second addendum filed on July 21st, 2005 at 11:46 A.M. were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. CONSIDERATION OF AGREEMENT APPROVING THE LOAN AND USE OF EQUIPMENT ACQUIRED THROUGH THE STATE HOMELAND SECURITY GRANT PROGRAM TO VARIOUS ENTITIES IN JOHNSON COUNTY

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the agreement approving the loan and use of equipment acquired through the State Homeland Security Grant Program to the various entities in Johnson County.

All voted aye; motion carried.

2. PRESENTATION OF EQUIPMENT FROM THE STATE HOMELAND SECURITY GRANT

The Commissioners Court presented the equipment from the State Homeland Security Grant to entities in Johnson County.

3. PRESENTATION OF CERTIFICATE RECOGNIZING JOHNSON COUNTY FOR EFFORTS IN ENERGY EFFICIENCY AND IMPROVING AIR QUALITY IN THE STATE OF TEXAS

Johnson County received a certificate recognizing the County for efforts in energy efficiency and improving air quality in the State of Texas.

V. PUBLIC PARTICIPATION

None.

VI. PRECEDING BUSINESS

1. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT:

a. JULY 5, 2005 – SPECIAL SESSION

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve the minutes of the Commissioner's Court for July 5, 2005.

All voted aye; motion carried.

2. 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 with the addition of an invoice to Randal Scheffner, MD in the amount of \$150.00 and a refund to Hallwood Energy for culverts on CR 1219 in the amount of \$525.00.

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 Auditors reports.

4. CONSIDERATION TO AWARD BID RFB #2005-24 – HEATING & AIR CONDITIONING REPAIR

Comm. Carpenter, seconded by Comm. Thompson, made a motion to award RFB #2005-24 for heating and air conditioner repair to Dugger Brothers, Inc.

All voted aye; motion carried.

5. CONSIDERATION OF RE-PLAT IN CROSS CREEK MEADOWS ADDITION – LOTS 3-7, BLOCK 2 TO LOTS 3-R, 4-R, 5-R, & 6-R, BLOCK 2 – PRECINCT #1

Comm. Thompson, seconded by Comm. Matthews, made a motion to approve the re-plat of Lots 3 – 7, Block 2 to Lots 3-R, 4-R, 5-R & 6-R Block 2 in the Cross Creek Meadows Addition in Precinct #1.

All voted aye; motion carried.

VIII. NEW BUSINESS

3. CONSIDERATION OF INTERLOCAL AGREEMENT WITH THE CITY OF RIO VISTA FOR THE COLLECTION OF AD VALOREM TAXES BY THE JOHNSON COUNTY TAX OFFICE

Comm. Carpenter, seconded by Comm. Matthews, made a motion to approve the interlocal agreement with the City of Rio Vista for the collection of Ad Valorem taxes by the Johnson County Tax Office effective August 1st, 2005.

All voted aye; motion carried.

4. CONSIDERATION OF NOVEMBER 8, 2005 CONSTITUTIONAL AMENDMENT ELECTION:

a. EARLY VOTING POLLING LOCATIONS AND HOURS OF EARLY VOTING

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the following early voting locations and hours of early voting for the November 8, 2005 Constitutional Amendment Election

Comm. Pct 1	Elections Administrator Office 121 W. Chambers Cleburne, Texas 76033 (817) 556-6197
Comm. Pct 2	Burleson Courthouse Annex, Room #104 247 Elk Dr. Burleson, Texas 76028 (817) 295-8732
Comm. Pct 3	Alvarado Courthouse Annex 118 S. Friou Alvarado, Texas 76009 (817) 783-2295
Comm. Pct 4	Commissioner Pct. 4 Maintenance Facility 4300 E. FM 4 Cleburne, Texas 76031 (817) 558-9400
Comm. Pct 3	Commissioner Pct. 3 Maintenance Facility 10420 E. FM 917 Alvarado, Texas 76009 (817) 790-5333

Voting Hours: 8:00 a.m. to 5:00 p.m., Saturday October 29, 2005, 7:00 a.m. to 7:00 p.m., Sunday, October 30, 2005, 1:00 p.m. to 6:00 p.m. and October 31, 2005 through November 4, 2005 7:00 a.m. to 7:00 p.m.

All voted aye; motion carried.

b. EARLY VOTING HEAD CLERKS

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the Early Voting Head Clerks for the November 8, 2005 Constitutional Amendment Election as presented by the Election Administrator.

All voted aye; motion carried.

c. EARLY VOTING BALLOT BOARD

Comm. Matthews, seconded by Comm. Thompson, made a motion to approve the Early Voting Ballot Board for the November 8, 2005 Constitutional Amendment Election as presented by the Election Administrator.

All voted aye; motion carried.

d. CONSOLIDATE PRECINCTS AND POLLING LOCATIONS

Comm. Carpenter, seconded by Comm. Matthews, made a motion to approve consolidating precincts and polling locations for the November 8, 2005 Constitutional Amendment Election.

All voted aye; motion carried.

e. ELECTION JUDGES & ALTERNATES

Comm. Thompson, seconded by Comm. Matthews, made a motion to approve the Election Judges and Alternates for the November 8, 2005 Constitutional Amendment Election as presented by the Election Administrator.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

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

b. BUILDERS' RISK POLICY FOR RENOVATION OF COURTHOUSE

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

All voted aye; motion carried.

c. PROTECTION OF THE EXISTING MARKERS, PLAQUES AND STATUES ON THE COURTHOUSE GROUNDS DURING RESTORATION

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

All voted aye; motion carried.

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

No action.

5. CONSIDERATION OF PERSONNEL MATTERS – SHERIFF’S OFFICE

a. REDUCE SALARY FOR POSITION D01-32, GRADE 12B (\$25,694) TO FUND D01-03 (\$24,870)

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the reduction of salary for position D01-32, Grade 12 from \$25,694 to Fund D01-03 at \$24,870 for the Sheriff’s Office.

All voted aye; motion carried.

7. 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

a. JOHNSON COUNTY HERITAGE FOUNDATION

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve Johnson County Heritage Foundation to receive inmate labor for maintenance under HB 129.

All voted aye; motion carried.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

None.

2. CONSIDERATION OF RESOLUTION AND AMENDED ADMINISTRATIVE AGREEMENT FOR THE AIRCHECK TEXAS REPAIR AND REPLACEMENT ASSISTANCE PROGRAM

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the resolution and amended administrative agreement for the AirCheck Texas repair and replacement assistance program.

All voted aye; motion carried.

5. CONSIDERATION OF RESOLUTION SUPPORTING TRAFFIC SIGNAL AT INTERSECTION OF S.H. 174 AND F.M. 916 IN RIO VISTA – PRECINCT #1

Comm. Carpenter, seconded by Comm. Matthews, to approve the resolution supporting the traffic signal at the intersection of S.H. 174 and F.M. 916 in Rio Vista in Precinct #1.

All voted aye; motion carried.

6. CONSIDERATION TO APPLY FOR EOC ENHANCEMENT GRANT AND APPROVE LIST OF PURCHASES

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the application for the EOC Enhancement Grant and the list of purchases presented by the Emergency Management Coordinator.

All voted aye; motion carried.

7. CONSIDERATION OF OFFICAL BOND AND OATH FOR WESLEY HARDING STOVALL, DEPUTY CONSTABLE, PRECINCT #3

Comm. Carpenter, seconded by Comm. Matthews, made a motion to approve the official bond and oath for Wesley Harding Stovall, Deputy Constable for Precinct #3.

All voted aye; motion carried.

10. RESOLUTION AUTHORIZING TAYLOR, OLSON, ADKINS, SRALLA & ELAM, L.L.P. TO BRING A CONDEMNATION ACTION FOR THE PURPOSE OF OBTAINING PERMANENT RIGHT-OF-WAY AND A TEMPORARY CONSTRUCTION EASEMENT FOR USE BY THE COUNTY IN CONSTRUCTING, LAYING OUT AND RECONSTRUCTING A BRIDGE OVER WALNUT CREEK ON COUNTY ROAD 600 IN JOHNSON COUNTY, TEXAS OR FOR OTHER PUBLIC PURPOSES PERMITTED BY LAW – PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the resolution authorizing Taylor, Olson, Adkins, Sralla & Elam, L.L.P. to bring a condemnation action for the purpose of obtaining permanent right-of-way and a temporary construction easement for use by the County in constructing, laying out and reconstructing a bridge over Walnut Creek on County Road 600 in Johnson County, Texas or for other public purposes permitted by law in Precinct #3.

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 9:50 a.m. and reconvened at 10:20 a.m. to consider the following:

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 COUNY CORRECTIONS REMODELING POD II AND EXPANSION POD III –

Discussion. No action taken.

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 COUTHUSE EMPLOYEES DURING RESTORATION OF THE COURTHOUSE
 - a. CHANGE ORDER #4 – FIRE ALARM SYSTEMS
 - b. CHANGE ORDER #5 – FIRE/SMOKE DAMPERS
 - c. CHANGE ORDER #6 – ADD DUAL WORK & DATA STATIONS

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve Change Order #5 for fire and smoke dampers and Change Order #6 to add dual work & data stations for the 3rd Floor North office space in the Guinn Justice Center.

All voted aye; motion carried.

The Commissioner's Court went into workshop session at 11:20 a.m. to discuss processing procedures for road bore permits in Public Works and the contract for paramedic ambulance services amendment and extension with North Central Services d/b/a CareFlite.

The Commissioner's Court recessed at 12:07 p.m. and reconvened at 1:34 p.m. to consider the following:

VII. UNFINISHED BUSINESS

3. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS, AND CONTRACT FOR RESTORATION OF JOHNSON COUNTY COURTHOUSE
 - a. CONTRACT WITH HARRISON, WALKER & HARPER, LP FOR CONSTRUCTION MANAGER AT RISK FOR COURTHOUSE RESTORATION

Discussion.

The Commissioner's Court recessed at 2:15 p.m. and reconvened at 2:30 p.m. to consider the following:

VII. UNFINISHED BUSINESS

3. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS, AND CONTRACT FOR RESTORATION OF JOHNSON COUNTY COURTHOUSE
 - a. CONTRACT WITH HARRISON, WALKER & HARPER, LP FOR CONSTRUCTION MANAGER AT RISK FOR COURTHOUSE RESTORATION

Comm. Thompson, seconded by Comm. Matthews, made a motion to approve the proposed contract including exhibit B with Harrison, Walker & Harper, LP for construction manager at risk for the Courthouse restoration and to give the County Judge authorization to sign the contract.

All voted aye; motion carried.

The Commissioner's Court went into workshop session at 2:40 p.m. to discuss realignment of current public works fees and add new fees.

The Commissioner's Court recessed at 2:55 p.m. to reconvene at 9:00 a.m. on Tuesday, July 26th, 2005.

The Commissioner's Court reconvened at 9:10 a.m. on Tuesday, July 26th, 2005 with all members present.

BE IT KNOWN that the Commissioner's Court met in Executive Session at 9:10 a.m. pursuant to Government Code *Section 551.071*-Consultation with Attorney/Contemplated Litigation. The Commissioners' Court reconvened into open session at 10:15 a.m. with no action being taken.

The Commissioner's Court went into workshop session at 10:15 a.m. to discuss the budget.

The Commissioner's Court recessed at 10:55 a.m. to reconvene at 9:00 a.m. on Wednesday, July 27th, 2005.

The Commissioner's Court reconvened at 9:11 a.m. on Wednesday, July 27th 2005 with all members present except Commissioner John Matthews and went directly into workshop session to discuss the budget.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 10:20 a.m. on Wednesday, July 27th, 2005

Submitted by: _____
Curtis H. Douglas
County Clerk

Approved by: _____
Roger Harmon
County Judge