

STATE OF TEXAS

SEPTEMBER 25, 2006

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 25<sup>th</sup> day of September 2006, the Honorable Commissioner's Court of Johnson County, Texas, met in regular session at the Guinn Justice Center 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 9:06 A.M., with all members present and following the Invocation led by Commissioner John Matthews the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the office of the County Clerk on September 21, 2006 at 1:02 P.M. were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. Presentation of Certificate of Recognition to Tanya Whitworth

Judge Bosworth awarded Tanya Whitworth a certificate of recognition for her dedication as a Security Officer in the Guinn Justice Center.

The County Judge introduced Cheri Hawkins, the new Election Administrator.

2. Presentation of Proclamation for National 4-H Week, October 1-7, 2006

The Commissioner's Court proclaimed October 1-7, 2007 as "National 4-H week".

V. PUBLIC PARTICIPATION

Julie Roberts was present to request the Commissioner's Court to resurface Market Square and trim the trees in preparation for the International Market at Christmas.

Commissioner R.C. McFall recognized everyone who contributed to the finding of Kevin Brown who was lost for 3 days near Alvarado, TX.

VI. PUBLIC HEARING

1. Johnson County Budget FY 2006-2007

The Commissioner's Court opened the public hearing at 9:32 A.M. and there being no one present to speak, the hearing was closed at 9:32 A.M.

2. Speed Limit Change on CR 528 East of FM 2738-Precinct #3

The Commissioner's Court opened a public hearing at 9:32 A.M. in regards to speed limit change on CR 528 east of FM 2738 in Precinct #3. There being no one present to speak the public hearing was closed at 9:33 A.M.

VII. PRECEDING BUSINESS

1. CONSIDERATION TO ADOPT BUDGET FOR JOHNSON COUNTY FY 2006-2007

Comm. Carpenter, seconded by Comm. Thompson, made a motion to adopt the Budget for Johnson County for the fiscal year 2006-2007 as presented.

All voted aye; motion carried.

2. CONSIDERATION TO ADOPT TAX RATE FOR JOHNSON COUNTY FY 2006-2007

a. **Order #2006-07-Fixing and Levying County General Fund Ad Valorem Taxes for the County of Johnson for the Year 2006: Directing the Assessment and Collection Thereof**

Comm. McFall, seconded by Comm. Matthews, made a motion to approve **Order #2006-07**, fixing and levying County General Fund Ad Valorem taxes for the County of Johnson for the year 2006; consisting of an M&O rate of .327875 per \$100.00 and an I&S rate of \$.041129 per \$100.00.

The Commissioner's voted by a raised hand.

Comm. R.C. McFall	Aye
Comm. John Matthews	Aye
Comm. Mark Carpenter	Aye
Comm. Troy Thompson	Aye
County Judge Roger Harmon	Aye

- b. **Order #2006-08-Fixing and Levying County Farm to Market/Lateral Road Ad Valorem Taxes for the County of Johnson for the Year 2006: Directing the Assessment and Collection Thereof**

Comm. Thompson, seconded by Comm. McFall, made a motion to approve **Order #2006-08**, fixing and levying County Farm to Market/Lateral Road Ad Valorem Taxes for the County of Johnson for the year 2006 that property taxes be increased by the adoption of a tax rate of .05279 per \$100.00

The Commissioner's voted by a raised hand.

Comm. R.C. McFall	Aye
Comm. John Matthews	Aye
Comm. Mark Carpenter	Aye
Comm. Troy Thompson	Aye
County Judge Roger Harmon	Aye

3. **CONSIDERATION OF ORDER #2006-09 OF SPEED LIMIT CHANGE ON CR 528 EAST OF FM 2738- PRECINCT #3**

Comm. Carpenter, seconded by Comm. Matthews, made a motion to approve **Order #2006-09**, to change the speed limit to 40MPH on CR 528 east of FM 2738 in Precinct #3.

All voted aye; motion carried.

4. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT:

a. August 31, 2006-Special Session

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve the Commissioner's Court Minutes for August 31, 2006 as submitted by the County Clerk.

All voted aye; motion carried.

5. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Matthews, seconded by Comm. McFall, made a motion to pay bills with the addition of a bill for SLR Roofing Stephens in the amount of \$7,426.30 as presented by the County Auditor.

All voted aye; motion carried.

6. ACKNOWLEDGMENT OF RECEIPT OF THE COUNTY AUDITORS REPORTS TO THE COMMISSIONERS COURT

The Commissioner's Court acknowledged the receipt of the County Auditor's reports.

7. CONSIDERATION OF APPROVAL OF RE-PLAT:

a. **Crystal Palace Estates, Lots 1-6, Block 1; Lots 1-7 Block 3 to Crystal Oaks, Lots 1-13 and Change of Road Name from Crystal Blvd. to Crystal Lane-Precinct #4**

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the re-plat of **Crystal Palace Estates**, Lots 1-6, Block 1; Lot1-7 Block 3 to **Crystal Oaks**, Lots 1-13 and a change of a road name from Crystal Blvd. to Crystal Lane in Precinct #4.

All voted aye; motion carried.

8. CONSIDERATION FOR EMERGENCY PURCHASE UNDER *LOCAL GOVERNMENT CODE 262.024*, DISCRETIONARY EXEMPTIONS, FOR AN AIR CONDITIONER UNIT FOR THE JAIL CORRECTIONS II IN THE AMOUNT OF \$4,832.60 AND RENTAL OF A CRANE TO INSTALL THE UNIT FOR \$691.00

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the emergency purchase under *Local Government Code 262.024*, discretionary exemptions, for an air conditioner unit for the Jail Corrections II in the amount of \$4,832.60 and rental of a crane to install unit with a corrected amount from \$691.00 to \$995.00.

All voted aye; motion carried.

#### 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 THE EXPANSION POD III

Discussion. No action.

#### IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

3. Presentation of Community Improvement Award to Johnson County for the Guinn Justice Center

Cathy Marchel, Executive Director of Cleburne Chamber of Commerce presented to the Commissioner's Court the Community Improvement Award for the Renovation of the Guinn Justice Center.

The Commissioner's Court recessed at 10:04 A.M. and reconvened at 10:31 A.M. to consider the following:

#### VIII. UNFINISHED BUSINESS

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

- a. Consideration to Transfer \$187,000 Cash from Indigent Health Care Trust Fund (Hospital Settlement Fund) to Courthouse Renovation Fund (072) to Cover the Cost of Telephone Cabling and Equipment

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the transfer of \$187,000.00 cash form Indigent Health Trust Fund (Hospital Settlement Fund) to Courthouse Renovation Fund (072) to cover the cost of telephone cabling and equipment and to give the County Judge authorization to sign.

All voted aye; motion carried.

3. CONSIDERATION OF CONTRACT NO. 726030 FOR COMMUNITY DEVELOPMENT PROGRAM FROM THE OFFICE OF RURAL COMMUNITY AFFAIRS IN THE AMOUNT OF \$250,000

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve contract No. 726030 for Community Development Program from the office of Rural Community Affairs in the amount of \$250,000.00 and to give the County Judge authorization to sign.

Comm. Carpenter, Comm. McFall, Comm. Matthews, voted aye, Comm. Thompson abstained; motion carried.

4. CONSIDERATION OF ORDER FOR LOCAL OPTION ELECTION WITHIN THE CITY LIMITS OF RIO VISTA, TEXAS ON NOVEMBER 7, 2006

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the Order for Local Option Election within the city limits of Rio Vista, Texas on November 7, 2006.

All voted aye; motion carried.

5. CONSIDERATION OF SECOND 1999 CROWN VICTORIA TO BE TRANSFERRED TO THE CONSTABLE'S OFFICE, PRECINCT #2 FROM THE AUCTION LINE, REPLACING THE COUNTY'S BURLESON ASAP LUMINA WHICH WILL BE PLACED IN AUCTION

Comm. Matthews, seconded by Comm. McFall, made a motion to approve a second 1999 Crown Victoria to be transferred to the Constable's Office, in Precinct #2 from the auction line, replacing the County's Burleson ASAP Lumina which will be placed in auction.

All voted aye; motion carried.

6. CONSIDERATION OF INTERLOCAL COOPERATION AGREEMENT TO HOUSE INMATES FOR PARKER COUNTY-SHERIFF/JAIL

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Interlocal Cooperation Agreement to house inmates for Parker County and to give the County Judge authorization to sign.

All voted aye; motion carried.

#### IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSAL

No action taken.

2. CONSIDERATION TO DESIGNATE JUDGE ROGER HARMON AS REPRESENTATIVE TO THE REGIONAL TRANSPORTATION COUNCIL

Comm. Carpenter, seconded by Comm. McFall, made a motion to designate Judge Roger Harmon as the representative to the Regional Transportation Council.

All voted aye; motion carried.

3. CONSIDERATION OF POSTAGE METER FOR TAX OFFICE:

a. United States Postal Service Application or Update for a License to Lease and Use postage Meters

Comm. Matthews, seconded by Comm. Thompson, made a motion to approve the United State Postal Service application and to update for a license to lease and use postage meters, also to give the County Judge authorization to sign.

All voted aye; motion carried.

b. Contract with Pitney Bowes for a Postage Meter Rental Agreement

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve the contract with Pitney Bowes for postage meter rental.

All voted aye; motion carried.

4. CONSIDERATION TO ACCEPT FROM THE OFFICE OF JUSTICE PROGRAMS GRANT AWARD #2006-DD-BX-0252 FOR THE S.T.O.P. SPECIAL CRIMES UNIT IN THE AMOUNT OF \$98,723

Comm. McFall, seconded by Comm. Carpenter, made a motion to accept the Programs Grant Award #2006-DD-BX-0252 from the Office of Justice for the S.T.O.P Special Crimes Unit in the amount of \$98,723.00. and to give the County Judge authorization to sign.

All voted aye; motion carried.

5. CONSIDERATION OF INTERLOCAL AGREEMENT FOR THE OPERATION OF THE S.T.O.P. SPECIAL CRIMES UNIT BETWEEN JOHNSON COUNTY AND CITY OF CLEBURNE, CITY OF BURLESON, CITY OF JOSHUA AND CITY OF ALVARADO

Comm. McFall, seconded by Comm. Thompson, made a motion to approve the Interlocal Agreement for the Operation of the S.T.O.P. Special Crimes Unit



between Johnson County and City of Cleburne, City of Burleson, City of Joshua and City of Alvarado and to give the County Judge, District Attorney, County Attorney and Sheriff to sign.

All voted aye; motion carried.

6. CONSIDERATION OF AGREEMENT FOR MENTAL HEALTH AND MENTAL RETARDATION SERVICES IN JOHNSON COUNTY, TEXAS WITH PECAN VALLEY MENTAL HEALTH MENTAL RETARDATION REGION

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the Agreement for Mental Health and Mental Retardation Services in Johnson County, Texas with Pecan Valley Mental Health Mental Retardation Region.

All voted aye; motion carried.

7. CONSIDERATION OF RECURRING PHONE EXPENSE FOR ADDITIONAL PHONE LINE IN TDC COORDINATORS OFFICE-SHERIFF'S OFFICE

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the addition of a phone line with recurring expenses in the TDC Coordinators Office.

All voted aye; motion carried.

8. CONSIDERATION TO SET TERMS OF COMMISSIONERS COURT FOR 2006-2007

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the terms of the Commissioners Court for 2006-2007 as presented.

All voted aye; motion carried.

9. CONSIDERATION TO SET HOLIDAYS FOR 2006-2007

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the holidays for 2006-2007 as presented.

All voted aye; motion carried.

10. CONSIDERATION TO SET MILEAGE ALLOWANCE FOR 2006-2007

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the mileage allowance for 2006-2007 to correspond to the IRS mileage rate.

All voted aye; motion carried.

X. CONSENT AGENDA

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

All voted aye; motion carried.

The Commissioner's Court went into Workshop Session at 11:15 A.M. to discuss the administration facility #3 at 108 E. Kilpatrick Housing Pecan Valley MHMR, Meals on Wheels and Health Department, the laying of pipeline in Rolling Meadows, Phase II by EOG in Precinct #3 and also discussed in Workshop was the Market Square Property .

The Commissioner's Court came out of Workshop Session and went into Executive Session at 11:57 A.M. to discuss the following:

BE IT KNOWN that Commissioner's Court met in Executive Session at 11:57 A.M. in accordance with Government Code *Section 551.071*-Consulation with Attorney/ Contemplated Litigation. The Commissioner's Court reconvened at 12:11 P.M. to consider the following:

XII. EXECUTIVE SESSION

1. Government Code:

a. Sec. 551.071-Consultation with Attorney/Contemplated Litigation

Comm. Carpenter, seconded by Comm. Thompson, made a motion to give the County Attorney's Office authorization to file an injunction in regards to the property on CR 528 and 612 in Precinct #3.

All voted aye; motion carried.

VII. PRECEDING BUSINESS

5. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Matthews, seconded by Comm. McFall, made an amended motion to cover the mailing cost of \$15,400 to mail tax statements for the Tax Assessor's Office.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda,  
Commissioner's Court adjourned at 12:15 P.M.

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

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