

STATE OF TEXAS

OCTOBER 9, 2006

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 9th day of October 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 9:02 A.M., with all members present and following the Invocation led by the ISS Director, Cole Lancaster and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the office of the County Clerk on October 5, 2006 at 1:10 P.M. were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

2. Presentation of Length of Service Awards

<u>20 Years</u>	<u>Department Head/Department</u>
Barbara Robinson	Barbara Robinson-Treasurer
<u>15 Years</u>	<u>Department Head/Department</u>
Michael Lynn Hanna	Toby Ross-CSCD
Gary Lynn Maxwell	Commissioner John Matthews-Precinct 2
Patricia I. Chapman	Sheriff Bob Alford-Sheriff's Department
<u>10 Years</u>	<u>Department Head/Department</u>
John B. Lyons	Bill Moore-County Attorney
Michael Ottis Wylie	Sheriff Bob Alford-Sheriff's Department
Frankie E. Nave	Sheriff Bob Alford-Sheriff's Department
<u>5 Years</u>	<u>Department Head/Department</u>
Catherine E. Lasater	David Lloyd-District Clerk
Harry D. Peters Jr.	Don Burns-Public Works
Margaret Renae Fruin	Sheriff Bob Alford-Sheriff's Department
Scott Porter	Scott Porter-Tax Office
Lynda A. Ward	Scott Porter-Tax Office

V. PUBLIC PARTICIPATION

None.

VI. PRECEDING BUSINESS

1. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT:

- a. August 28, 2006-Regular Session
- b. September 11, 2006-Regular Session
- c. September 25, 2006-Regular Session

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the Commissioner's Court Minutes for August 28, 2006, September 11, 2006 and September 25, 2006 as submitted 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 bills with the addition of a reimbursement to Juvenile Probation in the amount of \$404.73 and \$413.73, a check to Liberty Ford in the amount of \$26,669.70 and a check to the City of Cleburne for TIF Zone I and II in the amount of \$145,142.16 as presented by the County Auditor.

All voted aye; motion carried.

3. 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.

4. CONSIDERATION TO APPROVE CRYSTAL LANE ROAD IN THE SUB-DIVISION OF **CRYSTAL OAKS** FOR SALE OF LOTS ONLY-PRECINCT #4

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve Crystal Lane Road in the Sub-division of **Crystal Oaks** for sale of lots only in Precinct #4.

All voted aye; motion carried.

5. CONSIDERATION TO AWARD RFB #2006-41-PRE-OWNED PNEUMATIC NINE WHEEL ROLLER-PRECINCT #3

Comm. Carpenter, made a motion by Comm. Thompson, made a motion to award **RFB #2006-41** to Bane Machinery for a pre-owned Pneumatic Nine Wheel Roller in the amount of \$32,900.00 for Precinct #3.

All voted aye; motion carried.

6. CONSIDERATION TO EXEMPT ITEMS UNDER LOCAL GOVERNMENT CODE 262.024, (a)(7)(c) DISCRETIONARY EXEMPTIONS/SOLE SOURCE-STOP TASK FORCE

Comm. McFall, seconded by Comm. Carpenter, made a motion to exempt items under the Local Government Code 262.024, (a)(7)(c) Discretionary Exemptions and or Sole Source for purchase by the STOP Task Force.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

3. CONSIDERATION TO APPOINT COMMITTEE TO EVALUATE THE GEMS FINANCIAL PACKAGE

Comm. Carpenter, seconded by Comm. Thompson, made a motion to appoint a committee to evaluate the GEMS Financial Package. The committee consists of; Kirk Kirkpatrick, Roy Giddens, Margaret Cook, Kay Harris, Holly Morris, Brenda Slauson, Cole Lancaster, John Matthews, Chief Johnson and Lisa Tomlinson.

All voted aye; motion carried.

4. CONSIDERATION TO APPOINT MEMBERS AND ACCEPT RESIGNATION OF HAROLD GENTRY TO THE JOHNSON COUNTY HISTORICAL COMMISSION

Comm. Matthews, seconded by Comm. McFall, made a motion to accept the resignation of Harold Gentry and to appoint Ardie Muldoon, Gary and Karen Shaw to the Johnson County Historical Commission.

All voted aye; motion

5. CONSIDERATION TO ACCEPT THE SUB-RECIPIENT HOMELAND SECURITY GRANT/INTEROPERABILITY AWARD #06-SR 48251-01-EMERGENCY MANAGEMENT

Comm. Carpenter, seconded by Comm. Thompson, made a motion to accept the Sub-recipient Homeland Security Grant/Interoperability Award #06-SR 48251-01 for Emergency Management in the amount of \$128,089.15 and give the County Judge authorization to sign.

All voted aye; motion carried.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSAL

Comm. Matthews, seconded by Comm. Carpenter, made a motion to go out for competitive bids for the following:

1. Replace the current Nortel VPN
2. Replace the current network print server
3. Replace the current Citrix Servers
4. T-1 to T-3 (DS3) line upgrade to include some ISDN to T-1 upgrades
5. Replace the current group of switches that make up the core of the network in the data center with one core switch
6. Kodak i7300 Scanner and PC with software, installation and training
7. Canon DR-5060F Scanner & Camera

All voted aye; motion carried.

2. CONSIDERATION OF INCLUSION OR EXCLUSION OF ELECTED OFFICIALS IN WORKERS COMPENSATION COVERAGE WITH TEXAS ASSOCIATION OF COUNTIES

Comm. Matthews, seconded by Comm. Thompson, made a motion to give the County Judge authorization to send a letter to Texas Association of Counties inquiring workers compensation coverage and to also state in the letter that we would like to include the Elected Officials.

All voted aye; motion carried.

3. CONSIDERATION TO PURCHASE PRIVATE OWNED VEHICLE ENDORSEMENT FOR AUTO LIABILITY COVERAGE WITH TEXAS ASSOCIATION OF COUNTIES-CONSTABLE PRECINCT #2

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

All voted aye; motion carried.

4. CONSIDERATION OF ADDITIONAL CELL PHONE AND RECURRING COST OF SERVICE-JUVENILE PROBATION

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the additional cell phone and recurring cost of service for the Juvenile Probation Department.

All voted aye; motion carried.

5. CONSIDERATION OF GRANT OF COMMUNICATIONS SYSTEM EASEMENT/RELEASE FOR THE RAILROAD CORRIDOR CLASS SETTLEMENT, RE: LYNN G. MIKOS et al VS. AT&T CORP, et al-TEXAS

Comm. Thompson, seconded by Comm. Matthews, made a motion to approve the Communications System Easement/Release for the Railroad Corridor

Grant, Re: Lynn G. Mikos et al VS. AT&T Corp, et al-Texas, and give the County Judge authorization to sign.

All voted aye; motion carried.

6. CONSIDERATION OF BOND AND OATH OF CHERI HAWKINS,
JOHNSON COUNTY ELECTIONS ADMINISTRATOR

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the Bond and Oath of Cheri Hawkins, Johnson County Elections Administrator and give the County Judge authorization to sign.

All voted aye; motion carried.

7. CONSIDERATION OF RESOLUTION AND LETTER IN SUPPORT
OF GRANDVIEW WATER TOWER-PRECINCT #4

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the Resolution and Letter in support of the Grandview Water Tower Project in Precinct #4.

All voted aye; motion carried.

8. CONSIDERATION OF PIPELINE EASEMENT WITH EOG
RESOURCES INC. IN THE J. MACKEY SURVEY, ABSTRACT NO.
594-PRECINCT #1

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Pipeline Easement with EOG Resources Inc, in the J. Mackey Survey, Abstract No. 594 in Precinct #1 and give the County Judge authorization to sign.

All voted aye; motion carried.

9. CONSIDERATION OF ORDER AUTHORIZING THE ISSUANCE OF
THE JOHNSON COUNTY TEXAS TAX NOTES, SERIES 2006,
AWARDING THE SALE THEREOF, MAKING PROVISIONS FOR
THE SECURITY THEREOF AND ORDERING OTHER MATTERS
RELATED THEREOF

Comm. McFall, seconded by Comm. Thompson, made a motion to approve the issuance of the Johnson County Texas Tax Notes, Series 2006, awarding the sale thereof, to Bank of America at a percentage rate of 3.3790.

All voted aye; motion carried.

IX. CONSENT AGENDA

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

All voted aye; motion carried.

The Commissioner's Court recessed at 10:21 A.M. and reconvened at 10:50 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 COUNTY CORRECTIONS REMODELING POD II AND THE EXPANSION POD III

Discussion. No action.

2. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS, AND CONTRACTS FOR RESTORATION OF JOHNSON COUNTY COURTHOUSE
 - a. Consideration of Damaged Live Oak Tree on Southeast Corner of Courthouse

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve the rehabilitation on the damaged live oak tree on the southeast corner of the Courthouse. This will be a two (2) year program paid for by Harrison, Walker and Harper.

All voted aye; motion carried.

b. Consideration of Proposal Request #022 (Flag Pole)

Comm. Matthews, seconded by Comm. Thompson, made a motion to approve the request and modification of the Flag Pole as presented and with the savings to the contract in the amount of \$10,347.00 and give the County Judge authorization to sign.

All voted aye; motion carried.

c. Consideration of Proposal Request #023 (Marble)

Comm. Thompson, seconded by Comm. Matthews, made a motion to approve the proposal request #23, (Marble) and give the County Judge authorization to sign and negotiate the purchase price and make final decision.

All voted aye; motion carried.

d. Consideration of Proposal Request #024 (Dome & Clock Works)

Comm. McFall, seconded by Comm. Matthews, made a motion to approve proposal request #24 (Dome and Clock Works). Judge Harmon was given authorization to contact Texas Historical Commission in regards to the dome in order to try and negotiate a metal covering.

All voted aye; motion carried.

VI. PRECEDING BUSINESS

2. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. McFall, seconded by Comm. Thompson, made an amended motion to correct the check to Liberty Ford, the correct amount should be \$32,795.00.

All voted aye; motion carried.

The Commission's Court came out of Open Session and went into Executive Session at 12:04 P.M. to discuss the following:

BE IT KNOWN that Commissioner's Court met in Executive Session at 12:04 P.M. in accordance with Government Code *Section 551.074*-Personnel-Donna Layne, Office Manager, Precinct #3. The Commissioner's Court reconvened at 12:11 P.M. to consider the following:

X. EXECUTIVE SESSION

1. Government Code:

- a. *Sec. 551.074*-Personnel-Donna Layne, Office Manager, Precinct #3

Comm. Carpenter, seconded by Comm. McFall, made a motion to set the salary of Donna Layne, Office Manager of Precinct #3 to \$29,413.00 effective on October 1, 2006.

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