

STATE OF TEXAS

NOVEMBER 13, 2006

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 13th day of November 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 Commissioner Troy Thompson and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the office of the County Clerk on November 9, 2006 at 1:04 P.M. were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

None.

V. PUBLIC PARTICIPATION

None.

VI. PRECEDING BUSINESS

1. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT:

- a. October 19, 2006-Special Session
- b. October 23, 2006-Regular Session
- c. November 6, 2006-Special Session

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the Commissioner's Court Minutes for October 19, 2006, October 23, 2006, and November 6, 2006 as submitted by the County Clerk.

All voted aye; motion carried.

2. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Matthews, seconded by Comm. McFall, made a motion to pay bills as submitted 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 AWARD RFP #2006-40-AUCTIONEER SERVICES FOR SHERIFF'S SALE

Comm. Thompson, seconded by Comm. McFall, made a motion to award **RFP #2006-40** to Joe Pippins Auctioneer Services for the Sheriff's sale.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

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

b. Consideration to Revise Veteran's Secretary Receptionist Area

Comm. McFall, seconded by Comm. Carpenter, made a motion to table this item to give time and allow Sandy Sims, Russell Moore, and Troy Thompson to get together with the Architect and discuss the matter.

All voted aye; motion carried.

3. CONSIDERATION OF SCHOOL RESOURCE OFFICER GRANT FOR GRANDVIEW ISD IN THE AMOUNT OF \$29,020.00 FROM THE CRIMINAL JUSTICE DIVISION-SHERIFF'S OFFICE



Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the School Resource Officer Grant for Grandview ISD in the amount of \$29,020.00 from the Criminal Justice Division and give the County Judge, County Auditor and the Sheriff authorization to sign. This motion is contingent upon Grandview ISD approving funding.

All voted aye; motion carried.

VIII. NEW BUSINESS

4. CONSIDERATION OF CONTRACT FOR COURT FEES AND FINES COLLECTION SERVICES WITH PERDUE, BRANDON, FIELDER, COLLINS & MOTT L.L.P.-DISTRICT CLERK'S OFFICE

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the Contract for Court Fees and Fines Collection Services with Perdue, Brandon, Fielder Collins & Mott L.L.P. for the District Clerk's Office and give the County Judge and the District Clerk authorization to sign.

All voted aye; motion carried.

5. CONSIDERATION OF CONTRACT FOR COLLECTION OF DELINQUENT TAXES WITH PERDUE, BRANDON, FIELDER, COLLINS & MOTT L.L.P

Comm. Carpenter, seconded by Comm. Matthews, made a motion to approve the Contract for Collection of Delinquent Taxes with Perdue, Brandon, Fielder, Collins & L.L.P. and give the County Judge authorization to sign.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

4. CONSIDERATION TO EXCHANGE MODEL OF VEHICLE BUDGETED FOR EMERGENCY MANAGEMENT

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve a Ford Explorer, 4 wheel drive at a price of \$20,881.00 for Emergency Management.

All voted aye; motion carried.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSAL

Comm. Matthews, seconded by Comm. McFall, made a motion to advertise bids for bulk fuel and fuel cards.

All vote aye; motion carried.

2. CONSIDERATION TO SELL AND TO ADVERTISE A 1988 MACK TRUCK WITH DUMP BED AND A 1990 MACK TRUCK WITH DUMP BED AT RITCHIE BROTHERS AUCTION ON DECEMBER 7-8, 2006-PRECINCT #4

Comm. Thompson, seconded by Comm. Matthews, made a motion to sell and advertise a 1988 Mack Truck with dump bed and a 1990 Mack Truck with dump bed from Precinct #4 at the Ritchie Brothers Auction on December 7-8, 2006.

All voted aye; motion carried.

3. CONSIDERATION TO ADVERTISE TO LEASE COUNTY OWNED LAND FOR MINERAL DEVELOPMENT ON THE FOLLOWING PROPERITES:

- a. Being all of that 10.00 Acre Tract, Lot or Parcel of Land out of the John M. Ross Survey, Abstract No. 747, in Johnson County being the same Tract of Land more fully described in the Cash Warranty Deed dated March 15, 1999, from Eddie Funderburg, Jonathan Cosby, George Parks and Jim Hill, Trustees of First Baptist Church, Lillian, Texas and filed for Record in Book 2303, Page 912 of the Official Public Records of Johnson County, Texas-Precinct #3

Comm. Carpenter, seconded by Comm. Thompson, made a motion to advertise for County owned land for mineral development with the minimum of \$2,500.00 per acre and a minimum of 25% royalty with a three (3) year lease period.

All voted aye; motion carried.

- b. Being all of that 8.937 Acre Tract, more or less, Situated in the J. Mackey Survey, Abstract No. 594, Johnson County, Texas known as Lot 1, Block 1 and Lot 1, Block 2, Cleburne Station an Addition to the City of Cleburne, and filled for Record in Volume 7, Page 61, of the Official Public Plat Records of Johnson County, Texas as described in that Certain Quit Claim Deed Dated March 12, 1984, from the State of Texas to Johnson County and Recorded in Volume 996, Page 380, Deed Records-Precinct #1

Comm. McFall, seconded by Comm. Matthews, made a motion to go out for mineral bids with a minimum of \$2,500.00 per acre, and a minimum of 25% royalty with a three (3) year lease period.

All voted aye; motion carried.

6. CONSIDERATION OF COOPERATIVE PURCHASING INTERLOCAL AGREEMENT BETWEEN JOHNSON COUNTY AND THE CITY OF BURLESON TO PURCHASE LIKE GOODS AND SERVICES IN ORDER TO AVOID DUPLICATE PROCUREMENT EFFORTS

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the Cooperative Purchasing Interlocal Agreement between Johnson County and the City of Burleson to purchase like goods and services in order to avoid duplicate procurement efforts and give the County Judge authorization to sign.

All voted aye; motion carried.

7. CONSIDERATION OF APPOINTMENT OF THE EMERGENCY SERVICE DISTRICT #1-COUNTY JUDGE

Comm. McFall, seconded by Comm. Matthews, made a motion to appoint Gary Heinrich to the Emergency Service District #1 to serve as the County Judge's appointment.

All voted aye; motion carried.

8. CONSIDERATION OF MEMORANDUM OF UNDERSTANDING WITH THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENT EMERGENCY PREPAREDNESS DEPARTMENT IN REGARDS TO IMPLEMENTATION OF THE VIDEO TELE-CONFERRING PROJECT-EMERGENCY MANAGEMENT

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the Memorandum of Understanding with the North Central Texas Council of Government Emergency Preparedness Department in regards to implementation of the video tele-conferencing project and give the County Judge authorization to sign.

All voted aye; motion carried.

9. CONSIDERATION TO APPROVE CASH DRAWERS:

a. Additional Two (2) Cash Drawers-County Clerk's Office

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve two (2) additional cash drawers for the County Clerk's Office.

All voted aye; motion carried.

b. One (1) \$100.00 Cash Drawer for TxDot Transactions-Tax Office

Comm. Thompson, seconded by Comm. McFall, made a motion to approve one (1) \$100.00 cash drawer for TxDot transactions in the Tax Office.

All voted aye; motion carried.

10. CONSIDERATION OF CONTRACTS WITH JUVENILE PROBATION:

a. Deborah Burns, JJAEP Reading Specialist

b. Nathan Brown, JJAEP Math Specialist

- c. Accu-Chem Laboratory, Drug Testing
- d. Azleway, Non-Secure Residential Placement
- e. Bowie County, Post Adjudication Secure Placement
- f. Garza County, Post Adjudication Secure Placement
- g. Grayson County, Pre and Post Adjudication Secure Placement
- h. Hunt County, Pre Adjudication Secure Detention
- i. Sandy Brook, Non-Secure Residential Placement

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the following Contracts with Juvenile Probation: Deborah Burns, JJAEP Reading Specialist; Nathan Brown, JJAEP Math Specialist; Accu-Chem Laboratory, Drug Testing; Azleway, Non-Secure Residential Placement; Bowie County, Post Adjudication Secure Placement; Garza County, Post Adjudication Secure Placement; Grayson County, Pre and Post Adjudication Secure Placement; and Hunt County, Pre Adjudication Secure Detention.

All voted aye; motion carried.

11. CONSIDERATION OF JOHNSON COUNTY HISTORICAL COMMISSION BY-LAWS

Comm. Carpenter, seconded by Comm. Matthews, made a motion to approve the Johnson County Historical Commission By-Laws.

All voted aye; motion carried.

12. CONSIDERATION OF SUB-DEPOSITORY CONTRACTS, INTERNET BANKING CONTRACT AND ASSOCIATED CONTRACTS AND DOCUMENTS ESTABLISHING THE RELATIONSHIP BETWEEN JOHNSON COUNTY AND THE FIRST STATE BANK OF TEXAS FOR DEPOSIT OF CERTAIN MONIES COLLECTED BY JOHNSON COUNTY IN THE FIRST STATE BANK OF TEXAS. SAID CONTRACTS AND DOCUMENTS INCLUDE AUTHORIZATION FOR INTERNET BANKING TRANSACTIONS BY CERTAIN PERSONNEL OF THE OFFICE OF THE JOHNSON COUNTY TAX ASSESSOR/COLLECTOR

Comm. McFall, seconded by Comm. Carpenter made a motion to approve the Sub-Depository Contracts, Internet Banking Contract and Associated Contracts and Documents establishing the relationship between Johnson County and the First State Bank of Texas for deposit of certain monies collected by Johnson County in the First State Bank of Texas. Said contracts and documents include authorization for internet banking transactions by certain personnel of office of the Johnson County Tax Assessor/Collector. Motions are as follows:

MOTION 1

Motion to authorize Judge Harmon Executive Sub-Depository Contract between Johnson County and First State Bank Texas and Federal home Loan Bank of Dallas along with associated Collateral Security Agreement.

MOTION 2

Motion for approval of Resolution of Commissioners Court authorizing Scott Porter to open electronic funds transfer accounts and to sign necessary forms, account cards and other documents to enable First State Bank Texas to handle the Electronic Funds Transfer service as needed by Johnson County.

MOTION 3

Motion for approval of Resolution providing Scott Porter, Gina Lain, Darla Ashley, and Cindy Lenard specific powers to conduct transactions with First State Bank Texas.

MOTION 4

Motion for approval of Internet Banking Agreement With First State Bank Texas.

MOTION 5

Move to allow Scott Porter, the Johnson County Tax Assessor Collector, to do such acts as are necessary to make deposits of funds which he collects as the Johnson County Tax

Assessor Collector into the First State Bank Texas and to transfer such monies from First State Bank Texas to other accounts as his official duties may require to allow.

MOTION 6

Move to allow Judge Harmon and Scott Porter to execute and enter substantially similar contracts as those presented which may name Texas Independent Bank (TIB) as a Trustee to hold collateral to secure deposits made by Johnson County into First State Bank Texas.

Comm. McFall, Comm. Matthews, Comm. Carpenter, and County Judge voted aye; Comm. Thompson recused himself from the vote; motion carried.

IX. CONSENT AGENDA

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

All voted aye; motion carried.

The Commissioners Court recessed at 10:13 A.M. and reconvened at 10:38 A.M. to discuss 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 Contract for a Total Solution Program for the Johnson County Telephone System by Inter-Tel (BuyBoard Interlocal Agreement)

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve the Contract for a Total Solution Program for the Johnson County Telephone System by Inter-Tel (Buy Board Interlocal Agreement) and give the County Judge authorization to sign.

All voted aye; motion carried.

The Commissioner's Court went into Workshop Session at 10:49 A.M. to discuss the time accounting for employees.

The Commissioner's Court went back into Open Session at 11:20 A.M. to consider the following:

VII. UNFINISHED BUSINESS

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

Discussion.

BE IT KNOWN that Commissioner's Court met in Executive Session at 11:39 A.M. in accordance with *Sec. 551.-074*-Personnel Matters. (a.) Amanda Green; (b.) Ellen Riddell; (c.) Ray Estes; (d.) Noel Boutwell; (e.) David Mitchell; (f.) Tom Hargrave; (g.) Scott Preston; (h.) Patrick Frisch; (i.) Daniel Reyes.

The Commissioner's Court went back into Open Session at 12:12 P.M. to consider the following:

XI. EXECUTIVE SESSION

1. Government Code:

- a. Sec. 551.074-Personnel Matters
 - (1) Jail Medical – Virginia Smith

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

All voted aye; motion carried.

- (2) Sheriff's Office:
 - (a.) Amanda Green
 - (b.) Ellen Riddell
 - (c.) Ray Estes
 - (d.) Noel Boutwell
 - (e.) David Mitchell
 - (f.) Tom Hargrave
 - (g.) Scott Preston
 - (h.) Patrick Frisch
 - (i.) Daniel Reyes

Comm. McFall, seconded by Comm. Carpenter, made a motion to allow Amanda Green, Ellen Riddell, Ray Estes, and Noel Boutwell to now carry the title of Lieutenants, effective immediately. David Mitchell, Tom Hargrave, Scott Preston, Patrick Frisch and Daniel Reyes to carry the title of sergeants, all with no salary changes.

All voted aye; motion carried.

The Commissioner's Court went into Workshop Session at 12:14 P.M. to discuss qualifications for a professional engineer for the Community Supervision & Corrections Department, Emergency Management and Dispatch Center, also to discuss the policy to accept roads for county maintenance.

The Commissioner's Court went back into Open Session at 12:44 P.M. and there being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 12:44 P.M.

Submitted by _____
County Clerk
Curtis H. Douglas

Approved by _____
County Judge
Roger Harmon