

STATE OF TEXAS

DECEMBER 27, 2006

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 27th day of December 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 9:00 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 December 20, 2006 at 1:45 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

None.

V. PUBLIC PUBLICATION

None.

VI. PUBLIC HEARINGS

1. Leasing of County Owned Land for Mineral Development:
 - a. **RFP #2007-108-8.937 Acre Tract in the J. Mackey Survey, Abstract No. 594, Recorded in Volume 996, Page 380, Deed Records, Johnson County, Texas-Precinct #1**

The Commissioner's Court opened a Public Hearing at 9:02

A.M. There being no one present and no comments regarding this matter, the Public Hearing was closed at 9:04 A.M.

- b. **RFP #2007-109-10.00 Acre Tract in the John M. Ross Survey, Abstract No. 747, Filed in Record Book 2303, Page 912 Deed Records, Johnson County, Texas-Precinct #3**

The Commissioner's Court opened a Public Hearing at 9:02

A.M. There being no one present and no comments regarding this matter, the Public Hearing was closed at 9:04 A.M.

VII. RECEPTION FOR COMMISSIONER TROY THOMPSON

The Commissioner's Court recessed at 9:32 A.M. and reconvened at 10:20

A.M. to consider the following:

X. NEW BUSINESS

12. CONSIDERATION OF CAREFLITE AMBULANCE SERVICE
SELLING GROUND AND AIR MEMBERSHIPS TO THE CITIZENS
OF JOHNSON COUNTY

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve CareFlite Ambulance Service to sell ground and air memberships to the citizens of Johnson County.

All voted aye; motion carried.

VIII. PRECEDING BUSINESS

1. CONSIDERATION TO AWARD **RFP #2007-108**-LEASE OF COUNTY
OWNED LAND FOR MINERAL DEVELOPMENT: 8.937 ACRE
TRACT IN THE J. MACKEY SURVEY, ABSTRACT NO. 594,
RECORDED IN VOLUME 996, PAGE 380, DEED RECORDS,
JOHNSON COUNTY, TEXAS-PREINCT #1

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve **RFP #2007-108**, lease of County owned land for mineral development: 8.937 acre tract in the J. Mackey Survey, abstract No. 594, recorded in Volume 996, page 380, Deed Records, Johnson County, Texas in Precinct #1.

Comm. Matthews, Comm. Carpenter, and County Judge, Roger Harmon voted aye. Comm. McFall and Comm. Thompson abstained from voting; Motion carried

All voted aye; motion carried.

2. CONSIDERATION TO AWARD **RFP #2007-109**-LEASE OF COUNTY OWNED LAND FOR MINERAL DEVELOPMENT: 10.00 ACRE TRACT IN THE JOHN M. ROSS SURVEY, ABSTRACT NO. 747 FILED IN RECORD BOOK 2303, PAGE 912 DEED RECORDS, JOHNSON COUNTY, TEXAS-PRECINCT #3

Comm. Carpenter, seconded by Comm. Matthews, made a motion to award **RFP #2007-109** lease of County owned land for mineral development: 10.00 acre tract in the John M. Ross Survey, Abstract No. 747 filed in Record Book 2303, page 912, Deed Records, Johnson County, Texas in Precinct #3.

Comm. Matthews, Comm. Carpenter, Comm. Thompson and County Judge, Roger Harmon voted aye. Comm. McFall abstained from voting; Motion carried.

3. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT:

- a. November 27, 2006-Regular Session

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the Commissioner's Court Minutes for November 27, 2006 as submitted by the County Clerk.

All voted aye; motion carried.

4. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Matthews, seconded by Comm. Thompson, made a motion to approve to pay bills with the addition of a check to Liberty Ford in the amount of \$3,459.66 as presented by the County Auditor.

All voted aye; motion carried.

5. 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.

6. CONSIDERATION OF FINAL PLAT OF L AND C CORNER-LOTS 1-2, BLOCK 1-PRECINCT #1

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the final plat of **L and C Corner**-Lots 1-2, Block 1 in Precinct #1.

All voted aye; motion carried.

7. CONSIDERATION OF COMPETITIVE BID # 2007-107-ROAD SIGNS AND ROAD MARKERS

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve Competitive Bid # 2007-107 to Osburn Associates, Vulcan Signs and Custom Products for road signs and road markers.

All voted aye; motion carried.

IX. 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

Passed.

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

Passed.

3. CONSIDERATION OF REVISED 2006 INTERLOCAL AGREEMENT WITH GRANDVIEW ISD FOR SCHOOL RESOURCE OFFICER FOR THE 2007-2011 SCHOOL YEARS

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the revised 2006 Interlocal Agreement with Grandview ISD for School Resource Officer for the 2007-2011 school years and give the County Judge and Sheriff authorization to sign.

All voted aye; motion carried.

4. CONSIDERATION OF INTERLOCAL AGREEMENT WITH HOOD COUNTY, TEXAS FOR THE KEEPING OF CERTAIN HOOD COUNTY INMATES IN THE JOHNSON COUNTY CORRECTIONS FACILITIES

Comm. Matthews, seconded by Comm. McFall, made a motion to accept the Interlocal Agreement with Hood County, Texas for the keeping of certain Hood County inmates in the Johnson County Corrections facilities and give the County Judge, Auditor and the Sheriff authorization to sign.

All voted aye; motion carried.

5. CONSIDERATION OF REVISED INTERLOCAL PARTICIPATION AGREEMENT FROM BUYBOARD AMENDING CURRENT AGREEMENT-PURCHASING DEPARTMENT

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

All voted aye; motion carried.

X. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSAL

Comm. McFall, seconded by Comm. Matthews, made a motion to go out for bids and proposals for health and dental insurance and also a 3rd party administration for self insured.

All voted aye; motion carried.

2. CONSIDERATION TO ADVERTISE AND **COMPETITIVELY BID** #2007-111-TWO (2) USED VEHICLES 2004 OR NEWER FOR THE SHERIFF'S OFFICE USING FORFEITURE FUNDS

Comm. McFall, seconded by Comm. Thompson, made a motion to advertise and **Competitively Bid #2007-111**, two (2) used vehicles 2004 or newer for the Sheriff's Office using Forfeiture Funds.

All voted aye; motion carried.

3. CONSIDERATION OF CONTRACT FOR NON-SECURE RESIDENTIAL PLACEMENT WITH TEXAS BAPTIST HOME FOR CHILDREN-JUVENILE PROBATION

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve the contract for Non-Secure Residential Placement with Texas Baptist Home for Children for Juvenile Probation and give the County Judge authorization to sign.

All voted aye; motion carried.

4. CONSIDERATION OF INTERLOCAL AGREEMENT FOR ROAD REPAIR WITH THE CITY OF GODLEY ON RAILROAD AVENUE-PRECINCT #1

Comm. McFall, seconded by Comm. Thompson, made a motion to approve the Interlocal Agreement for road repair with the City of Godley on Railroad Avenue in Precinct #1.

All voted aye; motion carried.

5. CONSIDERATION OF COMMISSIONERS COURT APPROVAL FOR INTERLOCAL AGREEMENT PROJECT WITH CITY OF GODLEY ON RAILROAD AVENUE-PRECINCT #1

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the Interlocal Agreement Project with City of Godley on Railroad Avenue in Precinct #1.

All voted aye; motion carried.

6. CONSIDERATION OF APPOINTMENTS OF THE JOHNSON COUNTY HISTORICAL COMMISSION MEMBERS FOR THE 2007 AND 2008 YEAR

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the appointments of the Johnson County Historical Commission Members for the 2007 and 2008 year as attached to these minutes.

All voted aye; motion carried.

7. CONSIDERATION OF CONTRACT FOR THE COLLECTION OF COURT FEES AND FINES WITH PERDUE, BRANDON, FIELDER, COLLINS & MOTT, L.L.P.-COUNTY CLERK

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the contract for the collection of court fees and fines with Perdue, Brandon, Fielder, Collins & Mott, L.L.P. in the County Clerk's Office and give the County Judge and the County Clerk authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF AGREEMENT WITH OFFICIAL PAYMENTS FOR CREDIT CARD ELECTRONIC DEPOSIT FOR ONLINE RECORDS-COUNTY CLERK

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the agreement with Official Payments for Credit Card Electronic Deposit for Online Records in the County Clerk's Office and give the County Judge and the County Clerk authorization to sign.

All voted aye; motion carried.

9. CONSIDERATION OF A TEMPORARY POSITION WHICH WOULD BE PAID FROM FULL TIME VACANCY F13-003-DISTRICT ATTORNEY'S OFFICE

Discussion. No action.

10. CONSIDERATION OF FINANCIAL CONDITION FOR OUTGOING ELECTED OFFICIAL FOR ROAD AND BRIDGE OPERATIONS- PRECINCT #4

Comm. Thompson, seconded by Comm. McFall, made a motion to approve the Financial Condition for outgoing Elected Official for road and bridge operations in Precinct #4.

All voted aye; motion carried.

11. CONSIDERATION OF ASSETS INVENTORIES FOR OUTGOING ELECTED OFFICIALS-PRECINCT #4, COUNTY COURT AT LAW #2 AND JUSTICE OF THE PEACE PRECINCT #1

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the assets inventories for outgoing Elected Officials in Precinct #4, County Court at Law #2 and Justice of the Peace Precinct #1.

All voted aye; motion carried.

13. CONSIDERATION OF REVISED JOHNSON COUNTY INVESTMENT POLICY

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the revised Johnson County Investment Policy.

All voted aye; motion carried.

14. CONSIDERATION OF REQUEST FROM THE UNITED STATES BOARD ON GEOGRAPHIC NAMES OF A PROPOSAL TO CHANGE THE NAME OF NOLAN RIVER TO NOLANDS RIVERS

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

All voted aye; motion carried.

XI. CONSENT AGENDA

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

All voted aye; motion carried.

The Commissioner's Court came out of Open Session and went into Executive Session at 11:37 A.M. to discuss the following:

BE IT KNOWN that Commissioner's Court met in Executive Session at 11:37 A.M. in accordance with Government Code *Section 551.072*-Real Property, Government Code *Section 551.081*-Consultation with Attorney-Contemplated Litigation, and *Section 551.081*-Consultation with Attorney-Pending Litigation: Cause #C20006-00691-Brenda Hall vs. Roger Harmon, County Judge. The Commissioner's Court reconvened at 12:05 P.M. to consider the following:

X. EXECUTIVE SESSION

1. Government Code:

a. *Sec. 551.072*-Real Property

Comm. McFall, seconded by Comm. Matthews, made a motion to send to condemnation Parcel 419 on HWY 121 Project.

All voted aye; motion carried.

b. Sec. 551.081-Consultation with Attorney-Contemplated Litigation

Comm. Matthews, seconded by Comm. Carpenter, made a motion to accept settlement offer in CareFlite account regarding Ramona Allen.

All voted aye; motion carried.

c. Sec. 551.081-Consultation with Attorney-Pending Litigation: Cause #C2006-00691-Brenda Hall vs. Roger Harmon, County Judge

Comm. Matthews, seconded by Comm. McFall, made a motion to approve Order naming Bill Moore, County Attorney, to answer the pending litigation: Cause # C2006-00691- Brenda Hall vs. Roger Harmon, County Judge.

All voted aye; motion carried.

The Commissioner's Court reconvened in Open Session at 12:07 P.M. to consider the following:

X. NEW BUSINESS

9. CONSIDERATION OF A TEMPORARY POSITION WHICH WOULD BE PAID FROM FULL TIME VACANCY F13-003-DISTRICT ATTORNEY'S OFFICE

Discussion. No Action.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 12:09 P.M.

Submitted by _____
County Clerk
Curtis H. Douglas

Approved by _____
County Judge
Roger Harmon