

STATE OF TEXAS

June 18, 2007

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 18th day of June 2007, 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 9:05 A.M., with all members present, and following the Invocation led by Commissioner Beeson and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on June 14, 2007 at 1:10 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

Kirk Kirkpatrick, County Auditor, introduced Norman Buck, Jennifer Lyon and Barbara Huneidi as new employees of the County Auditor's Office.

Judge Roger Harmon announced that a Budget Workshop will be held on Wednesday June 20, 2007 at 9:00 a.m. in the Auxiliary Courtroom on the 1st floor of the Guinn Justice Center.

1. PRESENTATION TO COMMISSIONER'S COURT OF V.G. YOUNG INSTITUTE OF COUNTY GOVERNMENT CERTIFICATES OF CONTINUING EDUCATION

Chris Schneider, Extension Agent, made a presentation of Certificates of Continuing Education to the Commissioner's Court from the V.G. Young Institute of County Government.

2. CONSIDERATION OF PRESENTATION OF THE 2006
COMPREHENSIVE ANNUAL FINANCIAL REPORT

Comm. McFall, seconded by Comm. Matthews made a motion to accept the 2006 Comprehensive Annual Financial Report as presented by Pattillo, Brown & Hill, L.L.P., Outside Auditors.

All voted aye; motion carried.

V. PUBLIC PARTICIPATION

None.

VI. PUBLIC HEARING

1. TO DETERMINE AND SET A MAXIMUM AND PRUDENT SPEED FOR A VEHICLE OR CLASS OF VEHICLES TRAVELING ON COUNTY ROADS IN THE UNINCORPORATED AREAS OF JOHNSON COUNTY AND TO ENTER AN ORDER SETTING A MAXIMUM SPEED LIMIT FOR A VEHICLE OR CLASS OF VEHICLES TRAVELING ON COUNTY ROADS

The Commissioner's Court opened the Public Hearing at 9:25 A.M. to Determine and Set a Maximum and Prudent Speed for a Vehicle or Class of Vehicles Traveling on County Roads in the Unincorporated Areas of Johnson County and to Enter an Order Setting a Maximum Speed Limit for a Vehicle or Class of Vehicles Traveling on County Roads.

Jean Moss, Coach Richters, Jerry Willis, Jack Hardwick, Sheriff Bob Alford, Judge Ronnie McBroom, and Ron Pohler spoke about their concerns of setting a maximum and prudent speed for vehicles traveling on County Roads in the unincorporated areas of Johnson County.

VII. PRECEDING BUSINESS

1. CONSIDERATION TO DETERMINE AND SET A MAXIMUM AND PRUDENT SPEED FOR A VEHICLE OR CLASS OF VEHICLES TRAVELING ON COUNTY ROADS IN THE UNINCORPORATED

AREAS OF JOHNSON COUNTY AND TO ENTER AN **ORDER #**
2007-06 SETTING A MAXIMUM SPEED LIMIT FOR A VEHICLE OR
CLASS OF VEHICLES TRAVELING ON COUNTY ROADS

Comm. McFall, seconded by Comm. Beeson made a motion to Determine and set a Maximum and Prudent Speed of 30 miles per hour for a vehicle or class of vehicles traveling on county roads in the unincorporated areas of Johnson County and to Enter an **Order #2007-06** Setting a Maximum Speed Limit of 30 miles per hour for a Vehicle or Class of Vehicles Traveling on County Roads that are 26,001 pounds or more.

All voted aye; motion carried.

2. CONSIDERATION OF THE MINUTES FOR THE COMMISSIONER'S COURT:

- a. May 14, 2007-Regular Session
- b. May 31, 2007-Special Session

Comm. Beeson, seconded by Comm. McFall made a motion to approve the Commissioner's Court Minutes for May 14, 2007 and May 31, 2007 as submitted by the County Clerk.

All voted aye; motion carried.

3. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. McFall, seconded by Comm. Matthews made a motion to pay bills as presented by the County Auditor.

All voted aye; motion carried.

The Commissioner's Court recessed at 10:06 A.M. and reconvened at 10:30 A.M. to consider the following:

4. ACKNOWLEDGEMENT OF RECEIPT OF THE COUNTY
AUDITOR'S REPORTS TO THE COMMISSIONER'S COURT

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

5. CONSIDERATION OF **PARADISE ESTATES** CONCERNING AN EXISTING STRUCTURE BUILT OVER THE BUILDING LINE ON LOT 82-R-PRECINCT #3

Comm. Carpenter, seconded by Comm. Beeson made a motion to approve the existing structure built over the building line on Lot 82-R in Paradise Estates in Precinct #3.

All voted aye; motion carried.

6. CONSIDERATION TO AWARD **BID #2007-129** FOR A UTILITY EXCAVATOR-PRECINCT #4:

Comm. Beeson, seconded by Comm. Carpenter made a motion to award **Bid #2007-129** to Bobcat of Ft. Worth Nicholas Machinery for a Utility Excavator in the amount of \$48,173.11 for Precinct #4.

All voted aye; motion carried.

7. CONSIDERATION OF DISCRETIONARY EXEMPTIONS UNDER THE LOCAL GOVERNMENT CODE 262.024 FOR AN EMERGENCY PURCHASE OF AN AIR CONDITIONER UNIT IN C2-SHERIFF/JAIL

Comm. Matthews, seconded by Comm. McFall made a motion to approve a Discretionary Exemptions under the Local Government Code 262.024 for an Emergency Purchase of an air conditioner unit in C2 of the Jail to be paid from Line Item 010-511-5352, Building Repair and Maintenance, in the amount of \$8,830.80.

All voted aye; motion carried.

8. CONSIDERATION OF EXPENDITURE UNDER THE LOCAL GOVERNMENT CODE 262.024 FOR AN EMERGENCY PURCHASE OF LABOR FOR INSTALLATION OF AIR CONDITIONER UNIT WHICH IS UNDER WARRANTY AT THE GUINN JUSTICE CENTER

Comm. McFall, seconded by Comm. Matthews made a motion to approve expenditure under the Local Government Code 262.024 for an Emergency Purchase of labor for installation of air conditioner unit which is under warranty at the Guinn Justice Center and the estimated labor cost in the amount of \$4,980.59.

All voted aye; motion carried.

9. CONSIDERATION OF NON-RESPONSE OF **BID #2007-124** FOR LEASE OF REAL PROPERTY LOCATED AT CR 920 AND FM 1902 IN JOHNSON COUNTY-PRECINCT #2

Comm. Matthews, seconded by Comm. McFall made a motion due to Non-Response to cancel **Bid #2007-124** for Lease of Real Property located at CR 920 and FM 1902 in Johnson County in Precinct #2.

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

Comm. Matthews, seconded by Comm. Beeson made a motion giving the County Judge authorization to send a demand letter to Pete Durant & Associates requesting the leak in Pod III be repaired and for Entech to come out and correct the problems with jail cell doors.

All voted aye; motion carried.

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

- a. Exchange Office Space for County Clerk Room 127 (Vital Statistics Storage Area) and Room 019 (County Clerk Indexing) Due to Weight of Shelving and Structural Engineer Recommendation-County Clerk

Comm. Carpenter, seconded by Comm. Matthews made a motion to approve the exchange of office space for the County Clerk Room 127 (Vital Statistics Storage Area) and Room 019 (County Clerk Indexing) due to weight of shelving and structural engineer recommendation to County Clerk.

All voted aye; motion carried.

3. CONSIDERATION OF **ORDER #2007-02** TO AUTHORIZE THE COLLECTION OF THE JUVENILE CASE MANAGER FUND PURSUANT TO THE TEXAS CODE OF CRIMINAL PROCEDURE, ARTICLE 102.0174 IN THE AMOUNT NOT TO EXCEED \$5.00

Comm. Beeson, seconded by Comm. Carpenter made a motion to table the Consideration of **Order #2007-02** to Authorize the Collection of the Juvenile Case Manager Fund Pursuant to the Texas Code of Criminal Procedure, *Article 102.0174* in the amount not to exceed \$5.00.

All voted aye; motion carried.

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSAL

Comm. Carpenter, seconded by Comm. McFall made a motion to advertise for bids/proposals for Pest Control, Oil Filters & Lube, and Roofing Repairs for the Corrections I.

All voted aye; motion carried.

2. CONSIDERATION OF OFFICIAL BOND AND OATH FOR BILL R. PEARCE, CONSTABLE PRECINCT #1

Comm. McFall, seconded by Comm. Carpenter made a motion to approve the Official Bond and Oath for Bill R. Pearce, Constable Precinct #1.

All voted aye; motion carried.

3. CONSIDERATION OF ANNUAL COMMISSIONER'S ROAD REPORTS

- a. Commissioner Precinct #1
- b. Commissioner Precinct #2
- c. Commissioner Precinct #3
- d. Commissioner Precinct #4

Comm. Carpenter, seconded by Comm. Matthews made a motion to approve the Annual Commissioner's Road Reports for Precinct #2, and Precinct #3.

The Annual Commissioner's Road Reports for Precinct #1 and Precinct #4 will be considered for approval on the Agenda of June 25, 2007.

All voted aye; motion carried.

4. CONSIDERATION OF TEXAS ASSOCIATION OF COUNTIES, COUNTY GOVERNMENT SELF INSURANCE FUNDS FOR PROPERTY IN JOHNSON COUNTY

Comm. Carpenter, seconded by Comm. Beeson made a motion to table the Consideration of Texas Association of Counties, County Government Self Insurance Funds for Property in Johnson County.

All voted aye; motion carried.

5. CONSIDERATION OF THE TEXAS ASSOCIATION OF COUNTIES, COUNTY GOVERNMENT SELF INSURANCE FUNDS FOR CRIME COVERAGE IN JOHNSON COUNTY

Comm. McFall, seconded by Comm. Beeson made a motion to table the Consideration of the Texas Association of Counties, County Government Self Insurance Funds for Crime Coverage in Johnson County.

All voted aye; motion carried.

6. CONSIDERATION OF TEXAS VINE ANNUAL MAINTENANCE RENEWAL WITH THE OFFICE OF THE ATTORNEY GENERAL'S GRANT PROGRAM AND SERVICE AGREEMENT RENEWAL WITH APPRISS FOR FISCAL YEAR 2008

Comm. McFall, seconded by Comm. Beeson made a motion to approve the Texas Vine Annual Maintenance Renewal with the Office of the Attorney General's Grant Program and Service Agreement Renewal with Appriss for Fiscal Year 2008 and give the County Judge authorization to sign.

All voted aye; motion carried.

7. CONSIDERATION OF CONTRACTS AND AGREEMENTS WITH TAYLOR COUNTY PRE-ADJUDICATION AND POST-ADJUDICATION-JUVENILE PROBATION DEPARTMENT

Comm. Carpenter, seconded by Comm. Matthews made a motion to approve contracts and agreements with Taylor County Pre-Adjudication and Post-Adjudication Juvenile Probation Department and give the County Judge authorization to sign.

All voted aye; motion carried.

12. CONSIDERATION OF REQUEST TO PURCHASE TV AND DVD PLAYER FOR COURTROOM, TWO (2) COMPUTER CHAIRS, FAX MACHINE AND PRINT CARTRIDGES FROM THE TECH FUND- JUSTICE OF THE PEACE, PRECINCT #3

Comm. Carpenter, seconded by Comm. Beeson made a motion to approve the purchase of a TV and DVD player for Courtroom, fax machine and print cartridges from the Tech Fund of the Justice of the Peace Precinct #3. The purchase of two computer chairs were not approved.

All voted aye; motion carried.

8. CONSIDERATION OF JOHNSON COUNTY HOLDING PERSONS, WHO ARE CHARGED BY MUNICIPALITIES WITH CLASS C MISDEMEANOR OFFENSES, AT THE JOHNSON COUNTY LAW ENFORCEMENT CENTER

Comm. McFall, seconded by Comm. Matthews made a motion giving the County Judge authorization to send a letter to the cities requesting them to enter into an Interlocal Agreement in regards to certain Class C Misdemeanor charges and cost of housing cities inmates.

All voted aye; motion carried.

9. CONSIDERATION OF PAYMENT OF SERVICES UNDER THE LOCAL GOVERNMENT CODE 262.024 FOR EMERGENCY SERVICES PROVIDED BY PROTECT ENVIRONMENTAL SERVICES, INC. FOR CLEAN-UP OF DIESEL FUEL SPILL ON HIGHWAY 1230, GODLEY, TEXAS

Comm. McFall, seconded by Comm. Matthews made a motion for payment of services under the Local Government Code 262.024 for Emergency Services provided by PROTECT Environmental Services, Inc. for clean-up of the diesel fuel spill on Highway 1230, Godley, Texas in the amount of \$25,080.86.

All voted aye; motion carried.

10. CONSIDERATION TO ACCEPT GRANT FROM THE CLEBURNE ISD COMMUNITY EDUCATION ADVISORY COUNCIL IN THE AMOUNT OF \$150.00 FOR THE JJAEP-JUVENILE PROBATION

Comm. Matthews, seconded by Comm. McFall made a motion to accept the Grant from the Cleburne ISD Community Education Advisory Council in the amount of \$150.00 for the JJAEP-Juvenile Probation.

All voted aye; motion carried.

11. CONSIDERATION TO ACCEPT COMMUNITY DEVELOPMENT SUPPLEMENTAL GRANT IN THE AMOUNT OF \$350,000 FROM THE OFFICE OF RURAL COMMUNITY AFFAIRS FOR WATER SYSTEM IMPROVEMENTS IN JOHNSON COUNTY

Comm. Carpenter, seconded by Comm. McFall made a motion to accept the Community Development Supplemental Grant in the amount of \$350,000 from the Office of Rural Community Affairs for Water System Improvements in Johnson County and give the County Judge authorization to sign.

All voted aye; motion carried.

X. CONSENT AGENDA

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

All voted aye; motion carried.

BE IT KNOWN that Commissioner's Court met in Executive Session at 12:10 P.M. in accordance with Government Code *Section 551.071*-Consultation with Attorney-Contemplated Litigation.

The Commissioner's Court went back into Open Session at 12:14 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. Beeson, made a motion giving the County Judge authorization to send a letter to the Architectural Firm of Wiginton, Hooker and Jeffry, PC to request an itemized detail of their billing.

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