

STATE OF TEXAS

July 23, 2007

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 23rd day of July 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 9:07 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 July 19, 2007 at 1:06 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. Presentation of Certificate of Achievement for Excellence in Financial Reporting.

The Commissioner's Court presented J.R. Kirkpatrick, County Auditor with a Certificate of Achievement for Excellence in Financial Reporting.

V. PUBLIC PARTICIPATION

None.

VI. PRECEDING BUSINESS

1. CONSIDERATION OF THE MINUTES FOR THE COMMISSIONER'S COURT:
 - a. June 25, 2007-Regular Session

Comm. Matthews, seconded by Comm. McFall made a motion to approve the Commissioner's Court Minutes for June 25, 2007 as submitted by the County Clerk.

All voted aye; motion carried.

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

a. August 14, 2006-Regular Session

Comm. Matthews, seconded by Comm. Carpenter made a motion to approve the correction for the Commissioner's Court Minutes of August 14, 2006, VII. UNFINISHED BUSINESS #6. correcting the dollar amount from \$35,000.00 to \$350,000.00.

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 with the addition of a bill from Sound Concepts in the amount of \$8,412.00 which is not to be released until all work is done.

All voted aye; motion carried.

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.

All voted aye; motion carried.

5. CONSIDERATION TO RENEW RFP #2006-35 WITH CONTECH CONSTRUCTION PRODUCTS, INC., FOR CULVERTS

Comm. Carpenter, seconded by Comm. Beeson made a motion to renew **RFP 2006-35**, with Contech Construction Products, Inc. for culverts with no change in pricing.

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

Discussion. No Action.

3. CONSIDERATION OF INTERLOCAL AGREEMENT WITH PARKER COUNTY FOR INMATE DETENTION SERVICES

Comm. Matthews, seconded by Comm. McFall made a motion to approve the Interlocal Agreement with Parker County for inmate detention services at \$45.00 per day and give the County Judge authorization to sign the contract.

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 go out for Bids/Proposals for County owned land for mineral development on property located on Sundance Drive in the Joseph West Survey with a Royalty of 25% and a minimum lease of \$4,000.00 per acre in Precinct #2.

All voted aye; motion carried.

2. CONSIDERATION TO LEASE COUNTY OWNED LAND FOR MINERAL DEVELOPMENT ON THE FOLLOWING PROPERTY: ABSTRACT NO. A-565 – HECTOR MCNEIL SURVEY – J.W. ADDITION. 35.230 ACRES MORE OR LESS SITUATED IN THE HECTOR MCNEIL SURVEY ABSTRACT NO. 565, KNOWN AS LOT 1R, BLOCK 3, J.W. ADDITION, SECTION 2, AN ADDITION TO THE CITY OF CLEBURNE, JOHNSON COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 7, PAGE 2, PLAT RECORDS, JOHNSON COUNTY, TEXAS AS DESCRIBED IN THAT CERTAIN WARRANTY DEED DATED AUGUST 12, 1987 FROM JOHN WASILCHAK, NOT JOINED HERE BY HIS WIFE, AS THE PROPERTY HEREIN CONVEYED CONSTITUTES NO PART OF HIS RESIDENCE OF BUSINESS HOMESTEAD, TO JOHNSON COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF TEXAS, RECORDED IN VOLUME 1301, PAGE 732 DEED RECORDS, JOHNSON COUNTY, TEXAS

Comm. McFall, seconded by Comm. Carpenter made a motion to advertise to lease County owned land for mineral development on the following property: Abstract No. A-565 –Hector McNeil Survey – J.W. Addition, 35.230 acres more or less situated in the Hector McNeil Survey Abstract No. 565, known as Lot 1R, Block 3, J.W. Addition, Section 2, an Addition to the City of Cleburne, Johnson County, Texas, according to the Plat recorded in Volume 7, Page 2, Plat Records, Johnson County, Texas as described in that Certain Warranty Deed dated August 12, 1987 from John Wasilchak, not joined here by his wife, as the property herein conveyed constitutes no part of his residence of business homestead, to Johnson County, a Political Subdivision of the State of Texas, recorded in Volume 1301, Page 732 Deed Records, Johnson County, Texas with a Royalty of 25% and a minimum lease of \$4,000.00 per acre in Precinct #1 located at the LEC.

All voted aye; motion carried.

3. CONSIDERATION TO LEASE COUNTY OWNED LAND FOR MINERAL DEVELOPMENT ON THE FOLLOWING PROPERTY: 0.157 ACRES, MORE OR LESS, SITUATED IN THE CHRISTOPHER CHANEY SURVEY, ABSTRACT NO. 124, JOHNSON COUNTY, TEXAS, KNOWN AS LOT 1 AND THE WEST ONE HALF (1/2) OF LOT 2, BLOCK 6 AND A PART OF THE ALLEY ADJACENT THERETO ACCORDING TO THE OFFICIAL MAP OF THE CITY OF CLEBURNE RECORDED IN VOLUME 197, PAGE 638, OF THE DEED RECORDS OF JOHNSON COUNTY, TEXAS, NOW KNOWN AS LOT 1, 2 & 3, BLOCK 6, ORIGINAL CLEBURNE, AS DESCRIBED IN THAT CERTAIN WARRANTY DEED DATED NOVEMBER 18, 1990 FROM STEPHEN C. KRAMMER AND BILL J. HENSLEY ET UX, PENNY L. HENSLEY TO JOHNSON COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF TEXAS, RECORDED IN VOLUME 1521, PAGE 336, DEED RECORDS, JOHNSON COUNTY, TEXAS

Comm. McFall, seconded by Comm. Beeson, made a motion to advertise to lease County owned land for mineral development on the following property: 0.157 acres, more or less, situated in the Christopher Chaney Survey, Abstract No. 124, Johnson County, Texas, known as Lot 1 and the West one half (1/2) of Lot 2, Block 6 and a part of the alley adjacent thereto according to the Official Map of the City of Cleburne recorded in Volume 197, Page 638, of the Deed Records of Johnson County, Texas, now know as Lot 1, 2 & 3, Block 6, Original Cleburne, as described in that Certain Warranty Deed dated November 18, 1990 from Stephen C. Krammer and Bill J. Hensley et ux, Penny L. Hensley to Johnson County, a Political Subdivision of the State of Texas, recorded in Volume 1521, Page 336, Deed Records, Johnson County, Texas with a Royalty of 25% and a minimum lease of \$4,000.00 per acre in Precinct #4 located at parking lot on the Southeast corner from Courthouse.

All voted aye; motion carried.

4. CONSIDERATION TO LEASE COUNTY OWNED LAND FOR MINERAL DEVELOPMENT ON THE FOLLOWING PROPERTY: 4.03 ACRES, MORE OR LESS, SITUATED IN THE W.W. SLACK SURVEY, ABSTRACT NO. 784 AND THE S.M. TURNER SURVEY, ABSTRACT NO. 1018, JOHNSON COUNTY, TEXAS, KNOWN AS LEM AVENUE, CROWLEY ONE ACRES, AN UNRECORDED SUBDIVISION IN JOHNSON COUNTY, TEXAS, AS DESCRIBED IN THAT CERTAIN WARRANTY DEED DATED DECEMBER 30, 1976 FROM CARL DOUGLAS DAVIDSON AND WIFE, DEBRA DAVIDSON ET AL, AS JOINT OWNERS TO JOHNSON COUNTY, TEXAS, RECORDED IN VOLUME 717, PAGE 707, DEED RECORDS, JOHNSON COUNTY, TEXAS

Comm. Matthews, seconded by Comm. McFall made a motion to advertise to lease County owned land for mineral development on the following property: 4.03 acres, more or less, situated in the W.W. Slack Survey, Abstract No. 784 and the S.M. Turner Survey, Abstract No. 1018, Johnson County, Texas, known as Lem Avenue, Crowley One Acres, an unrecorded subdivision in Johnson County, Texas, as described in that Certain Warranty Deed dated December 30, 1976 from Carl Douglas Davidson and wife Debra Davidson et al, as joint owners to Johnson County, Texas, recorded in Volume 717, Page 707, Deed Records, Johnson County, Texas with a Royalty of 25% and a minimum lease of \$4,000.00 per acre in Precinct #2.

All voted aye; motion carried.

5. CONSIDERATION OF CHILD WELFARE SERVICES NON-FINANCIAL CONTRACT WITH THE TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES-CONTRACT #23379868

Comm. Carpenter, seconded by Comm. Beeson made a motion to approve the Child Welfare Services Non-Financial Contract with the Texas Department of Family and Protective Services-Contract #23379868 and give the County Judge authorization to sign.

All voted aye; motion carried.

6. CONSIDERATION OF COURT FEES AND FINES COLLECTION SERVICES CONTRACT WITH PERDUE, BRANDON, FIELDER, COLLINS & MOTT L.L.P.-JUSTICE OF THE PEACE PRECINCT #1

Comm. McFall, seconded by Comm. Carpenter made a motion to approve the Court fees and fines collections services contract with Perdue, Brandon, Fielder, Collins & Mott L.L.P. for Justice of the Peace, Precinct #1, and give the County Judge authorization to sign.

All voted aye; motion carried.

7. CONSIDERATION OF DATA PROCESSING SERVICES AGREEMENT WITH INDIGENT HEALTHCARE SOLUTIONS-INDIGENT HEALTH CARE

Comm. Matthews, seconded by Comm. McFall made a motion to approve the Data Processing Services Agreement with Indigent Healthcare Solutions and give the County Judge authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF THE TEXAS DEPARTMENT OF TRANSPORTATION IMPOSITION OF ADDITIONAL FEES PURSUANT TO CHAPTER 502 OF THE TRANSPORTATION CODE

Comm. Carpenter, seconded by Comm. Beeson made a motion to approve the Texas Department of Transportation Imposition of Additional Fees pursuant to Chapter 502 of the Transportation Code, a County Road and Bridge fee in the amount of \$10.00 and to exclude the \$1.50 Optional Safety Fund fee.

All voted aye; motion carried.

9. CONSIDERATION OF STATE OF TEXAS SERVICE CONTRACT ISSUED UNDER RETAIL FUEL CARD AND RELATED SERVICES CONTRACT BETWEEN THE STATE COUNCIL ON COMPETITIVE GOVERNMENT BY AND FOR THE TEXAS BUILDING AND PROCUREMENT COMMISSION-CONTRACT NO. 050720-CCG-FC

Comm. Beeson, seconded by Comm. Carpenter made a motion to approve the State of Texas Service Contract issued under Retail Fuel Card and Related Services Contract between the State Council on Competitive Government by and for the Texas Building and Procurement Commission-Contract No. 050720-CCG-FC and give the County Judge authorization to sign.

All voted aye; motion carried.

10. CONSIDERATION TO TRANSFER MONEY FROM THE MARKET SQUARE LINE ITEM TO THE BUILDING MAINTENANCE LINE ITEM FOR THE PURPOSE FOR THE RECONSTRUCTION OF ORIGINAL COURTHOUSE AT THE JOHNSON COUNTY CHISHOLM TRAIL MUSEUM

Comm. McFall, seconded by Comm. Carpenter made a motion to transfer \$10,000.00 from the Market Square line item to the Building Maintenance line item for the purpose for the reconstruction of the Original Courthouse at the Johnson County Chisholm Trail Museum.

All voted aye; motion carried.

The Commissioner's Court convened into Workshop Session at 10:10 A.M. to discuss Outside Independent Professional Audit Service Negotiations.

The Commissioner's Court recessed at 10:44 A.M. and re-convened at 11:02 A.M. to consider the following Workshop items: Administrative Leave With Pay and Careflite.

The Commissioner's Court recessed at 12:20 P.M. and re-convened at 1:49 P.M. into Open Session to consider the following:

VII. UNFINISHED BUSINESS

4. CONSIDERATION OF POLICY REGARDING ADMINISTRATIVE LEAVE WITH PAY

Comm. Matthews, seconded by Comm. Beeson made a motion to approve an Administrative Leave with Pay policy for employees of Johnson County.

All voted aye; motion carried.

VIII. NEW BUSINESS

11. CONSIDERATION OF FRAUD POLICY-AUDITOR

Comm. McFall, seconded by Comm. Beeson made a motion to approve the Fraud Policy as presented by the County Auditor.

All voted aye; motion carried.

12. CONSIDERATION OF INTERNAL CONTROL POLICY-AUDITOR

Comm. Beeson, seconded by Comm. Carpenter made a motion to approve the Internal Control Policy as presented by the County Auditor.

All voted aye; motion carried.

13. CONSIDERATION OF DIVISION ORDER WITH DEVON ENERGY PRODUCTION COMPANY, L.P, OF THE F. DONEGAN SURVEY A-207 FOR 613.305 ACRE GAS UNIT DESCRIBED IN DECLARATION OF POOL FOR THE SID ELLIS GAS UNIT RECORDED IN BOOK 3899 AT PAGE 25, JOHNSON COUNTY, TEXAS-PRECINCT #4

Comm. Beeson, seconded by Comm. Carpenter made a motion to approve the Division Order with Devon Energy Production Company, L.P, of the F. Donegan Survey A-207 for the 613.305 acre gas unit described in Declaration of Pool for the Sid Ellis Gas Unit recorded in Book 3899 at Page 25, Johnson County, Texas-Precinct #4 and give the County Judge authorization to sign. Johnson County owns 3.0 acres in this Sid Ellis Gas Unit.

All voted aye; motion carried.

IX. CONSENT AGENDA

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

Comm. Matthews voted aye.
Comm. Carpenter voted aye.
Comm. Beeson voted aye.
Comm. McFall abstained.

motion carried.

BE IT KNOWN that Commissioner's Court met in Executive Session at 2:11 P.M. in accordance with Government Code *Section 551.074*-Personnel Matters, County Clerk - Kristie Walker, Christy Cuesta, Stephanie Balderas, Jennifer Franklin, Flor Ponce, Carla Hester and Amy Laureles.

The Commissioner's Court went back into Open Session at 2:29 P.M. to consider the following:

XI. EXECUTIVE SESSION

1. Government Code:
 - a. *Sec. 551.074*-Personnel Matters

- (1) County Clerk - Kristie Walker, Christy Cuesta, Stephanie Balderas, Jennifer Franklin, Flor Ponce, Carla Hester and Amy Laureles

Comm. Matthews, seconded by Comm. McFall made a motion to approve the positions in the County Clerk's Office be changed as follows: Kristie Walker from a Clerk II Grade 7 to a Clerk I Grade 5, Christy Cuesta from a Clerk II Grade 7 to a Clerk I Grade 5, Stephanie Balderas from a Clerk I Grade 5 to a Clerk II Grade 7, Jennifer Franklin from a Clerk I Grade 5 to a Clerk II Grade 7, Flor Ponce from a Clerk IV Grade 10 to a Clerk III Grade 8, Carla Hester from a Secretary I Grade 8 to a Clerk IV Grade 10 and Amy Laureles from a Clerk III grade 8 to an Administrative Assistant Grade 13 with no change in salaries.

All voted aye; motion carried.

The Commissioner's Court convened into Workshop Session at 2:31 P.M. to discuss the budget.

The Commissioner's Court recessed at 3:22 P.M. and re-convened at 3:35 P.M. to discuss the budget.

The Commissioner's Court re-convened into Open Session at 4:37 P.M.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 4:37 P.M.

Submitted by: _____
County Clerk
Curtis H. Douglas

Approved by: _____
County Judge
Roger Harmon