

STATE OF TEXAS

August 27, 2007

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 27th day of August 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 9:01 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 August 23, 2007 at 1:08 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

2. Presentation of Certificates to Hunter Prescher, Ronnie Wall, Troy Harbin and Tammy Scarpello for their Life Saving Actions

Commissioner's Court made a presentation of certificates to Hunter Prescher, Ronnie Wall, Troy Harbin and Tammy Scarpello for their live saving actions.

1. Presentation of Donation from Devon Energy for Natural Disaster Relief in Johnson County in the Amount of \$50,000.00

Commissioner's Court accepted the donation from James Dixon of Devon Energy for Natural Disaster Relief in Johnson County in the amount of \$50,000.00.

3. Presentation by North Central Texas Council of Governments of Legislative Changes Regarding the Texas Emissions Reduction Plan (TERP) and the Low Income Vehicle Repair Assistance, Retrofit and Accelerated Vehicle Retirement Program (LIRAP)

A presentation was made by Shannon Stevenson of the North Central Texas Council of Governments of Legislative changes regarding the Texas Emissions Reduction Plan (TERP) and the Low Income Vehicle Repair Assistance, Retrofit and Accelerated Vehicle Retirement Program (LIRAP).

V. PUBLIC PARTICIPATION

Amber Witte spoke in reference to the Children's Advocacy Center.

Commissioner R. C. McFall spoke in reference to DPS stopping and inspecting trucks and other areas in the County that need monitoring.

The Commissioner's Court recessed at 10:06 A.M. and re-convened at 10:25 A.M. to consider the following:

VI. PUBLIC HEARING

1. TAX RATE

The Commissioner's Court opened a Public Hearing at 10:25 A.M. to discuss the Tax Rate.

2. ANNOUNCEMENT:

- a. Vote on Tax Rate will be September 24, 2007 at 9:00 a.m. at the Guinn Justice Center, 204 S. Buffalo Ave., 3<sup>rd</sup> Floor Auxiliary Courtroom B, Room 307, Cleburne, Texas.
- b. The Second Public Hearing on the Tax Rate will be held on September 10, 2007.

The Total Proposed County Tax Rate is 0.409752. The Commissioner's Court announced the vote on the Tax Rate will be September 24, 2007 at 9:00 A.M. at the Guinn Justice Center, 204 S. Buffalo Ave., 3<sup>rd</sup> Floor Auxiliary Courtroom B, Room 307, Cleburne Texas. The Public Hearing was closed at 10:28 A.M.

VII. PRECEDING BUSINESS

1. 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.

2. 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.

3. CONSIDERATION OF FINAL PLAT OF MORGAN OAKS ESTATES, BLOCK 1, LOT 1-PRECINCT #4

Comm. Beeson, seconded by Comm. Carpenter made a motion to accept the final plat of **Morgan Oaks Estates**, Block 1, Lot 1 in Precinct #4.

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. Carpenter, seconded by Comm. Matthews made a motion giving the County Judge the authorization to send a letter to Entech Inc., the Construction Manager and the Architect in reference to the remodeling Pod II and the Expansion Pod III.

All voted aye; motion carried.

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

a. Proposal Request No. 049R - Two (2) New Access Doors for Electrical Panel and Isolated Air Handler Unit in Attic \$1,329.00

Comm. Carpenter, seconded by Comm. Beeson made a motion to approve the Proposal Request No. 049R for two (2) new access doors for electrical panel and isolated air handler unit in the attic in the amount of \$1,329.00 and give the County Judge the authorization to sign the change order.

All voted aye; motion carried.

- b. Proposal Request No. 052 – Revise the Finish on Chair Rails in Justice of the Peace, Precinct #4 Courtroom \$1,064.00

Comm. Matthews, seconded by Comm. McFall made a motion to approve the Proposal Request No. 052 to revise the finish on chair rails in Justice of the Peace, Precinct #4 Courtroom in the amount of \$1,064.00 and give the County Judge the authorization to sign the change order.

All voted aye; motion carried.

- c. Proposal Request No. 053 – Additional Marble \$11,582.00

Comm. Matthews, seconded by Comm. Carpenter made a motion to approve the Proposal Request No. 053 for additional marble in the amount of \$9,308.00 and give the County Judge the authorization to sign the change order.

All voted aye; motion carried.

- d. Proposal Request No. 054 – Repaint the Third Floor Ceiling \$3,792.00

Comm. Carpenter, seconded by Comm. McFall made a motion to table the Proposal Request No. 054 to repaint the third floor ceiling in the amount of \$3,792.00.

All voted aye; motion carried.

- e. Proposal Request No. 055 – Modification to Witness Stand and Jury Box in Justice of the Peace, Precinct #4 Courtroom \$10,373.00

Comm. Carpenter, seconded by Comm. Beeson made a motion to table the Proposal Request No. 055 for the modification to the witness stand and jury box in Justice of the Peace, Precinct #4 Courtroom in the amount of \$10,373.00.

All voted aye; motion carried.

- f. Proposal Request No. 056 – Install Wall Tile in Men’s Restroom on the 2<sup>nd</sup> Floor \$3,984.00

Comm. Matthews, seconded by Comm. McFall made a motion to approve the Proposal Request No. 056 to install wall tile in the men's restroom on the 2<sup>nd</sup> floor in the amount of \$3,984.00 and give the County Judge the authorization to sign the change order.

All voted aye; motion carried.

3. CONSIDERATION TO SCHEDULE A PUBLIC HEARING REGARDING HOUSE BILL 621 TO TAX TANGIBLE PERSONAL PROPERTY IN TRANSIT WHICH WOULD OTHERWISE BE EXEMPT PURSUANT TO TEXAS TAX CODE, SECTION 11.253

Comm. McFall, seconded by Comm. Carpenter made a motion to schedule a Public Hearing for September 10, 2007 regarding House Bill 621 to tax tangible personal property in transit which would otherwise be exempt pursuant to Texas Tax Code, *Section 11.253*.

All voted aye; motion carried.

4. CONSIDERATION OF CONTRACT WITH THE OFFICE OF RURAL COMMUNITY AFFAIRS FOR THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Comm. Carpenter, seconded by Comm. Beeson made a motion to approve the contract with the Office of Rural Community Affairs for the Texas Community Development Block Grant Program and give the County Judge the authorization to sign the contract.

All voted aye; motion carried.

#### IX. NEW BUSINESS

2. CONSIDERATION OF 2008 TEXAS COUNTY AND DISTRICT RETIREMENT SYSTEM (TCDRS) CONTRIBUTION RATE OF 7.11%

Comm. Carpenter, seconded by Comm. Matthews made a motion to approve the 2008 Texas County and District Retirement System (TCDRS) contribution rate of 7.11% and give the County Judge the authorization to sign.

All voted aye; motion carried.

3. CONSIDERATION TO MOVE PAYROLL FUNCTIONS FROM THE AUDITOR'S OFFICE TO THE PERSONNEL OFFICE

Comm. Matthews, seconded by Comm. Carpenter made a motion to move the payroll functions from the Auditor's Office to the Personnel Office effective October 1, 2007.

All voted aye; motion carried.

4. CONSIDERATION OF AGREEMENTS WITH NETDATA TO CONVERT EXISTING BANK RECONCILIATION FILES FOR COUNTY CLERK CASE MANAGEMENT, DISTRICT CLERK CASE MANAGEMENT, JURY AND TRUST FUND TO NEW BANK:

a. Conversion Agreement

Comm. Carpenter, seconded by Comm. Matthews made a motion to approve the agreement with NetData to convert the existing bank reconciliation files for County Clerk Case Management, District Clerk Case Management, Jury and Trust Fund to new bank and give the County Judge the authorization to sign the agreement.

All voted aye; motion carried.

5. CONSIDERATION OF AGREEMENT WITH NETDATA FOR PAYROLL, GENERAL LEDGER, BANK RECONCILIATION, ENHANCEMENT FOR PAY014 TO ADD EXCEL SPREADSHEET FEATURE FOR IMPORT INTO GEMS, INCLUDING 10 DIGIT ACCOUNT NUMBER:

- a. Training/Support Agreement
- b. License Agreement
- c. Maintenance Agreement

Comm. McFall, seconded by Comm. Matthews made a motion to approve the agreements with NetData for payroll, general ledger, bank reconciliation, enhancement for Pay014 to add Excel spreadsheet feature for import into Gems, including 10 digit account number and to include a 24 space, 18 digit account number and give the County Judge the authorization to sign the agreement.

All voted aye; motion carried.

6. CONSIDERATION OF BOND FOR ROY GIDDENS, ASSISTANT DEPUTY TREASURER

Comm. Matthews, seconded by Comm. McFall made a motion to approve the bond for Roy Giddens, Assistant Deputy Treasurer.

All voted aye; motion carried.

7. CONSIDERATION TO DESIGNATE A REPRESENTATIVE TO ACT AS JOHNSON COUNTY FIRE MARSHALL FOR A MASS GATHERING TO BE HELD AT BEAUMONT RANCH ON SEPTEMBER 15, 2007

Comm. McFall, seconded by Comm. Carpenter made a motion to table the consideration to designate a representative to act as Johnson County Fire Marshall for a Mass Gathering to be held at Beaumont Ranch on September 15, 2007.

All voted aye; motion carried.

8. CONSIDERATION TO APPROVE CONSOLIDATED POLLING LOCATIONS FOR THE NOVEMBER 6, 2007 CONSTITUTIONAL AMENDMENT ELECTION

Comm. Matthews, seconded by Comm. McFall made a motion to approve the consolidated polling locations for the November 6, 2007 Constitutional Amendment Election.

All voted aye; motion carried.

9. CONSIDERATION TO APPROVE ELECTION JUDGES AND ALTERNATE JUDGES FOR THE NOVEMBER 6, 2007 CONSTITUTIONAL AMENDMENT ELECTION

Comm. Carpenter, seconded by Comm. Matthews made a motion to approve the Election Judges and Alternate Judges for the November 6, 2007 Constitutional Amendment Election.

All voted aye; motion carried.

10. CONSIDERATION OF EARLY VOTING CLERKS AND EARLY VOTING BALLOT BOARD FOR THE NOVEMBER 6, 2007 CONSTITUTIONAL AMENDMENT ELECTION

Comm. Matthews, seconded by Comm. Beeson made a motion to approve the Early Voting Clerks and Early Voting Ballot Board for the November 6, 2007 Constitutional Amendment Election.

All voted aye; motion carried.

11. CONSIDERATION OF JOINT ELECTION AGREEMENT WITH THE CITY OF KEENE FOR THE NOVEMBER 6, 2007 CONSTITUTIONAL AMENDMENT ELECTION

Comm. Beeson, seconded by Comm. Carpenter made a motion to approve the Joint Election Agreement with the City of Keene for the November 6, 2007 Constitutional Amendment Election and give the County Judge the authorization to sign the agreement.

All voted aye; motion carried.

12. CONSIDERATION OF LEASE AGREEMENT WITH THE CITY OF KEENE FOR VOTING MACHINE LEASE FOR THE NOVEMBER 6, 2007 CONSTITUTIONAL AMENDMENT ELECTION

Comm. Beeson, seconded by Comm. Carpenter made a motion to approve the Lease Agreement with the City of Keene for voting machine lease for the November 6, 2007 Constitutional Amendment Election and give the County Judge the authorization to sign the agreement.

All voted aye; motion carried.

13. CONSIDERATION OF LEASE AGREEMENT WITH THE KEENE INDEPENDENT SCHOOL DISTRICT FOR VOTING MACHINE LEASE FOR THE NOVEMBER 6, 2007 CONSTITUTIONAL AMENDMENT ELECTION

Comm. Beeson, seconded by Comm. Carpenter made a motion to approve the Lease Agreement with the Keene Independent School District for voting machine lease for the November 6, 2007 Constitutional Amendment Election and give the County Judge the authorization to sign the agreement.

All voted aye; motion carried.

14. CONSIDERATION OF TRANSFER OF VAN, UNIT 614, FROM THE SHERIFF'S OFFICE TO THE ISS DEPARTMENT

Comm. Carpenter, seconded by Comm. Beeson made a motion to approve the transfer of a van, unit 614, from the Sheriff's office to the ISS Department.

All voted aye; motion carried.

X. CONSENT AGENDA

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

All voted aye; motion carried.

The Commissioner's Court convened into Workshop Session at 11:15 A.M. to discuss the repair for the Johnson County Jail roof over the administration section, cell block section north and cell block section south, House Bill 2482 concerning changes to home site sewage disposal systems and the budget.

The Commissioner's Court re-convened into Open Session at 12:34 P.M to consider the following:

VIII. UNFINISHED BUSINESS

5. CONSIDERATION OF LETTER OF AGREEMENT FOR OUTSIDE AUDITORS WITH KENNEMER, MASTERS AND LUNSFORD, CERTIFIED PUBLIC ACCOUNTANTS

Comm. Matthews, seconded by Comm. Beeson made a motion to approve the two letter agreement with Kennemer, Masters and Lunsford, Certified Public Accountants.

All voted aye; motion carried.

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSAL

Comm. Matthews, seconded by Comm. Beeson made a motion to advertise for Bids/Proposals for Precinct #4 - one 20 ton trailer in the amount of \$16,500.00; for the Sheriff's Office - two weights and measures trucks from Buyboard and repair for the roof at the jail.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 12:37 P.M.

Submitted by: \_\_\_\_\_  
County Clerk  
Curtis H. Douglas

Approved by: \_\_\_\_\_  
County Judge  
Roger Harmon