

STATE OF TEXAS

December 10, 2007

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 10th day of December 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 9:02 A.M., with all members present, and following the Invocation led by Commissioner McFall 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 6, 2007 at 3:00 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

2. PRESENTATION OF APPRECIATION TO BEN OEFINGER AND THE JOHNSON COUNTY MASTER GARDENERS FOR BEAUTIFYING COUNTY PROPERTY

The Commissioner's Court presented Ben Oefinger and the Johnson County Master Gardeners Association with a plaque in appreciation for beautifying Johnson County property.

3. PRESENTATION OF PLAQUES:

a. Lorene Patterson-Former Justice of the Peace, Precinct #3

The Commissioner's Court presented Lorene Patterson, former Justice of the Peace, Precinct #3 with a plaque in appreciation for her years of service and dedication to Johnson County and its citizens.

1. PRESENTATION OF APPRECIATION TO COMMITTEE MEMBERS FOR THEIR WORK ON THE JOHNSON COUNTY COURTHOUSE

The Commissioner's Court presented Roxann Rudzavice, Margaret Cook, Holly Morris, Merry Cashion, June O'Neal, Wilma Reed and Sandy Sims, committee members with plaques in appreciation for their work on the Johnson County Courthouse.

3. PRESENTATION OF PLAQUES:

c. Gary Shipp-Johnson County Economic Development Commission Board Member-Precinct #2

The Commissioner's Court presented a plaque to Gary Shipp for his service as the Johnson County Economic Development Commission Board member in Precinct #2.

V. PUBLIC PARTICIPATION

Jack Carlton spoke in opposition of changing the name of the Nolan River to the Noland's River.

Cole Lancaster expressed his appreciation to the Commissioner's Court, employees of Johnson County and his departmental employees for their patience and kindness with him during the loss of his father.

Bob Alford spoke in reference to the completion of the STEP Program and the revenue generated and placed into the County General Fund.

Wayne Cuilla spoke in reference to the safety issues due to the drilling mud that is being slung onto the roadway by the trucks entering and exiting the drilling sites on CR 920.

VI. PUBLIC HEARING

1. ABANDON A PORTION OF FRONT STREET, NORTH OF INTERSECTION OF FRONT & MAIN TO END; A PORTION OF SPRING STREET, WEST OF INTERSECTION OF SPRING & FRONT TO EAST SIDE OF THE ABANDONED PORTION OF SYCAMORE STREET; A PORTION OF LAKE STREET, WEST OF INTERSECTION OF LAKE & FRONT TO EAST SIDE OF THE ABANDONED PORTION OF SYCAMORE STREET; A PORTION OF WALNUT STREET, NORTH OF INTERSECTION OF WALNUT & KRAMER TO END, A PORTION OF WALNUT STREET SOUTH OF INTERSECTION-PRECINCT #3

The Commissioner's Court opened the public hearing at 9:42 A.M.

James Fritcher spoke in reference to the alleys being included in abandonment of the property listed in the Public Hearing notice.

The Public Hearing was closed at 9:48 A.M.

## VII. PRECEDING BUSINESS

1. CONSIDERATION OF **ORDER #2007-14** TO ABANDON A PORTION OF FRONT STREET, NORTH OF INTERSECTION OF FRONT & MAIN TO END; A PORTION OF SPRING STREET, WEST OF INTERSECTION OF SPRING & FRONT TO EAST SIDE OF THE ABANDONED PORTION OF SYCAMORE STREET; A PORTION OF LAKE STREET, WEST OF INTERSECTION OF LAKE & FRONT TO EAST SIDE OF THE ABANDONED PORTION OF SYCAMORE STREET; A PORTION OF WALNUT STREET, NORTH OF INTERSECTION OF WALNUT & KRAMER TO END, A PORTION OF WALNUT STREET SOUTH OF INTERSECTION-  
PRECINCT #3

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

All voted aye; motion carried.

2. 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.

## IX. NEW BUSINESS

8. CONSIDERATION OF PROPOSAL FROM THE UNITED STATES BOARD ON GEOGRAPHIC NAMES TO CHANGE THE NAME OF NOLAN RIVER TO NOLANDS RIVER

Comm. McFall, seconded by Comm. Beeson, made a motion to deny the Proposal from the United States Board on Geographic Names to change the name of Nolan River to Noland's River and give the County Judge the authorization to sign.

All voted aye; motion carried.

#### IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

##### 3. PRESENTATION OF PLAQUES:

- e. Glenn Scarbrough, Jr.-Johnson County Emergency Services District Vice-President-Precinct #1

The Commissioner's Court presented a plaque to Glenn Scarbrough, Jr. for his service as the Johnson County Emergency Services District Vice-President for Precinct #1.

#### IX. NEW BUSINESS

##### 5. CONSIDERATION OF SALE OF STRUCK OFF PROPERTY DUE TO DELINQUENT TAXES FOR VENUS INDEPENDENT SCHOOL DISTRICT:

- a. Tract 1: Resolution Approving Sale of Lot 14 Deer Run in the amount of \$3,136.82
- b. Tract 2: Lot 2 Deer Run-No Bids Received
- c. Tract 3: 2212 White Dove Drive-No Bids Received
- d. Tract 4: Resolution Approving Sale of (1) One Acre 10848 CR 510 in the amount of \$6,538.32

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve the sale of struck off property due to delinquent taxes for Venus Independent School District to include Tract 1: Resolution approving the sale of Lot 14 Deer Run in the amount of \$3,136.82 and Tract 4: Resolution Approving the sale of (1) one acre at 10848 CR 510 in the amount of \$6,538.32. There were no bids received on Tract 2 and Tract 3.

All voted aye; motion carried.

#### VIII. UNFINISHED BUSINESS

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

- b. Proposal Request #060-Dampers in Floor and Millwork Registers for Balancing of Air Flow

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

All voted aye; motion carried.

The Commissioner's Court recessed at 10:13 A.M. and re-convened at 10:38 A.M.

IX. NEW BUSINESS

10. CONSIDERATION OF STATEMENT OF AGREEMENT WITH THE AMERICAN RED CROSS, CHISHOLM TRAIL CHAPTER AND JOHNSON COUNTY FOR DISASTER PREPAREDNESS AND DISASTER OPERATIONS

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

All voted aye; motion carried.

6. CONSIDERATION OF JUVENILE SERVICES CONTRACTS:

a. 4M Granbury Youth Services-Pre and Post Adjudication

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Juvenile Services Contract with 4M Granbury Youth Services for Pre and Post Adjudication and give the County Judge the authorization to sign.

All voted aye; motion carried.

b. Pegasus Schools, Inc.-Post Adjudication

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the Juvenile Services Contract with Pegasus Schools, Inc. for Post Adjudication and give the County Judge the authorization to sign.

All voted aye; motion carried.

c. Azleway, Inc-Post Adjudication

Comm. Beeson, seconded by Comm. McFall, made a motion to approve the Juvenile Services Contract with Azleway, Inc. for Post Adjudication and give the County Judge the authorization to sign.

All voted aye; motion carried

VII. PRECEDING BUSINESS

3. 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.

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

- a. October 22, 2007-Regular Session
- b. October 30, 2007-Special Session

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the Commissioner's Court Minutes for October 22, 2007 and October 30, 2007 as submitted by the County Clerk.

All voted aye; motion carried.

5. CONSIDERATION OF FINAL PLAT:

- a. **Aikin Addition**, Lot 1, Block 1-Precinct #2

Comm. Matthews, seconded by Comm. McFall, made a motion to accept the final plat for **Aikin Addition**, Lot 1, Block 1 in Precinct #2.

All voted aye; motion carried.

- b. **Godley Meadows Addition**, Phase 3, Lots 4, 5 & 6; Block 1-Precinct #2

Comm. Matthews, seconded by Comm. McFall, made a motion to accept the final plat for **Godley Meadows Addition**, Phase 3, Lots 4, 5 & 6; Block 1 in Precinct #2.

All voted aye; motion carried.

c. Cimarron Addition, Tract A-Precinct #2

Comm. Matthews, seconded by Comm. McFall, made a motion to accept the final plat for **Cimarron Addition**, Tract A in Precinct #2.

All voted aye; motion carried.

6. CONSIDERATION TO AWARD **RFQ 2008-148** FOR ANTI-VIRUS AND SPYWARE SOFTWARE FOR JOHNSON COUNTY

Comm. McFall, seconded by Comm. Matthews, made a motion to approve **RFQ #2008-148** for Anti-Virus and Spyware Software for Johnson County to Synetics Computer Inc. in the amount of \$25,973.00.

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

Discussion. No Action.

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

a. Move to Courthouse by All Points Pioneer

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the Interlocal Agreement with All Points Pioneer to facilitate the move to the Courthouse in the amount of \$34,837.00.

All voted aye; motion carried.

3. CONSIDERATION TO INCLUDE THE OFFICES OF COMMISSIONER PRECINCT #2 AND THE COUNTY CLERK AT THE BURLESON SUB-COURTHOUSE IN THE INSTALLATION OF THE GUINN JUSTICE CENTER TELEPHONE SYSTEM AT THE TIME OF THE ADDITION OF THE COURTHOUSE

Comm. Matthews, seconded by Comm. McFall, made a motion to include the offices of Commissioner Precinct #2 and the County Clerk at the Burleson Sub-Courthouse in the installation of the Guinn Justice Center telephone system at the time of the addition of the Courthouse.

All voted aye; motion carried.

4. CONSIDERATION OF SERVICE AGREEMENT WITH AT&T FOR MASTER AGREEMENT WITH ADDENDUM FOR PRICING SCHEDULE WITH AT&T ILEC SERVICES

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve the Service Agreement with AT&T for a Master Agreement with addendum for pricing schedule with AT&T ILEC Services.

All voted aye; motion carried.

5. CONSIDERATION OF APPROVAL TO LEASE COUNTY OWNED LAND FOR MINERAL DEVELOPMENT ON THE FOLLOWING PROPERTY: 6.106 ACRES OUT OF THE S.M. FLETCHER SURVEY, A-290, THE J.R. CHAMBERS SURVEY, A-988 AND THE M.F. ROBERTS SURVEY, A-1058, JOHNSON COUNTY, TEXAS. BY WARRANTY DEED DATED OCTOBER 23, 1924 AND RECORDED IN VOLUME 245, PAGES 471 ET SEQ., DEED RECORDS, JOHNSON COUNTY, TEXAS. BEGINNING AT A STAKE IN THE EAST LINE OF THE SPRR CO. SURVEY NO. 3 AND IN THE WEST LINE OF THE SURVEY WHERE SAID LINE INTERSECTS THE NORTH LINE OF THE ROAD; THENCE NORTH WITH THE EAST LINE OF THE SPRR CO. SURVEY NO. 3, THE EAST LINE OF THE A.N. WILBANKS SURVEY AND THE EAST LINE OF THE J.H. CARPER SURVEY A DISTANCE OF 3039  $\frac{3}{4}$  VARAS TO THE SOUTHEAST CORNER OF A 200 ACRE TRACT CONVEYED BY T.J. HONEA AND WIFE, TO A STAKE IN THE EAST LINE OF SAID CARPER SURVEY AND IN THE WEST LINE OF S.M. FLETCHER SURVEY; THENCE EAST 30 FEET TO THE STAKE; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID CARPER,

WILBANKS AND SPRR CO. SURVEYS TO THE NORTH LINE OF SAID PUBLIC ROAD; THENCE WITH SAID NORTH LINE IN THE SOUTHWESTERLY DIRECTION ABOUT 33 FEET TO THE PLACE OF BEGINNING. REQUEST COURT SET MINIMUM ON ROYALTY AND DOLLARS PER ACRE AND APPROVE ADVERTISEMENT LOCATED OFF FM 1434, THE RETREAT SUB-DIVISION IN PRECINCT #1

Comm. McFall, seconded by Comm. Matthews, made a motion to advertise to lease County owned land for mineral development on the following property: 6.106 acres out of the S.M. Fletcher Survey, A-290, the J.R. Chambers Survey, A-988 and the M.F. Roberts Survey, A-1058, Johnson County, Texas. By Warranty Deed dated October 23, 1924 and recorded in Volume 245, Pages 471 et seq., Deed Records, Johnson County, Texas. Beginning at a stake in the East line of the SPRR Co. Survey No. 3 and in the West line of the Survey where said line intersects the North line of the road; thence North with the East line of the SPRR Co. Survey No. 3, the East line of the A.N. Wilbanks Survey and the East line of the J.H. Carper Survey a distance of 3039  $\frac{3}{4}$  varas to the Southeast Corner of a 200 acre tract conveyed by T.J. Honea and wife, to a stake in the East line of said Carper Survey and in the West line of S.M. Fletcher Survey; thence East 30 feet to the stake; thence South parallel with the East line of said Carper, Wilbanks and SPRR Co. Surveys to the North line of said public road; thence with said North line in the Southwesterly direction about 33 feet to the place of beginning. The Court set a Royalty of 25% and a minimum lease of \$4,000.00 per acre on this property which is located off FM 1434, The Retreat Sub-Division in Precinct #1.

All voted aye; motion carried.

6. CONSIDERATION OF RESOLUTION AUTHORIZING THE AWARD OF PROFESSIONAL SERVICES PROVIDER CONTRACT FOR THE 2007-2008 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT TO GRANTWORKS

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the Resolution authorizing the award of professional services provider contract for the 2007-2008 Texas Community Development Block Grant to GrantWorks and give the County Judge the authorization to sign.

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 Tax Office - armored car security and image data recording; Precinct #4 - two side mount mowers from the HGAC contract with trade-in of a tractor and a side mount mower in the amount of \$42,969.00; Precinct #2 - a F150 crew cab pick-up truck in the amount of \$19,743.00; and for Precinct #3 - a new or used 4,000 gallon water truck.

All voted aye; motion carried.

2. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE 111.0106 FOR:

a. Road & Bridge-Reimbursement for Costs-Precinct #4

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve the Budget Amendment pursuant to the Local Government Code 111.0106 for Road & Bridge reimbursement for costs from Williams Gulf Coast in the amount of \$19,236.00 in Precinct #4.

All voted aye; motion carried.

3. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE 111.010 C FOR:

- a. Equipment Purchase Fund-Justice of the Peace-Precinct #2-Equipment Non-Capital
- b. General Fund-Emergency Management-Federal Grant
- c. Right of Way Fund-Right of Way Acquisition-Fees & Services

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Budget Amendment pursuant to the Local Government Code *111.010 C* for the Equipment Purchase Fund for Justice of the Peace, Precinct #2; Equipment Non-Capital in the amount of \$344.00; the General Fund for Emergency Management for a Federal Grant in the amount of \$75,000.00; and the Right of Way Fund for Right of Way Acquisition for fees & services in the amount of \$15,000.00.

All voted aye; motion carried.

4. CONSIDERATION OF TELEPHONES AND ACTIVE TELEPHONE LINES, AS WELL AS ACTIVE COMPUTER NETWORK LINES INSTALLED IN THE 1<sup>ST</sup> FLOOR CENTRAL JURY ROOM AND 1<sup>ST</sup> FLOOR SPARE JUDGE'S OFFICE AT THE GUINN JUSTICE CENTER-ADULT PROBATION

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

All voted aye; motion carried.

#### IX. NEW BUSINESS

7. CONSIDERATION OF USE OF COUNTY OWNED LAND FOR TEMPORARY CONSTRUCTION OFFICES DURING THE WIDENING OF FM 917 FROM IH 35W TO FM 2738-PRECINCT #3

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the use of County owned land for the temporary construction offices during the widening of FM 917 from IH 35W to FM 2738 in Precinct #3.

All voted aye; motion carried.

9. CONSIDERATION OF RECURRING EXPENSE FOR TEX-AN 2000 CALL NOTES-PRECINCT #4

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve the recurring expense for Tex-An 2000 Call Notes for Precinct #4 which includes a monthly recurring charge of \$10.60 and a (1) one time charge of \$10.75.

All voted aye; motion carried.

11. CONSIDERATION OF ADDING INSURANCE COVERAGE FOR THE BARBER SHOP STRUCTURE ON HENDERSON STREET IN THE ANNEX PARKING LOT TO THE TEXAS ASSOCIATION OF COUNTIES BUILDING AND CONTENTS SCHEDULE

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve only liability insurance coverage for the barber shop structure on Henderson Street in the Annex Parking Lot to the Texas Association of Counties Building and Contents Schedule.

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.

**BE IT KNOWN** that Commissioner's Court met in Executive Session at 11:21 A.M. in accordance with Government Code *Section 551.074*-Personnel Matters, County Attorney - Juliana Vara and County Auditor - Rosa Porras.

The Commissioner's Court went back into Open Session at 11:29 A.M. to consider the following:

XI. EXECUTIVE SESSION

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

a. County Attorney - Juliana Vara

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve the bi-lingual supplement pay for Juliana Vara in the County Attorney's Office effective January 2008.

All voted aye; motion carried.

b. County Auditor - Rosa Porras

Comm. McFall, seconded by Comm. Beeson, made a motion to approve the bi-lingual supplement pay for Rosa Porras in the County Auditor's Office effective January 2008.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 11:29 A.M.

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

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