

STATE OF TEXAS

February 25, 2008

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 25th day of February 2008, 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 Pastor Farris Whitehead and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on February 21, 2008 at 1:04 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF PROCLAMATION FOR "POISON PREVENTION WEEK"

The Commissioner's Court proclaimed March 16, 2008 through March 22, 2008 as "Poison Prevention Week".

2. PRESENTATION OF CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING TO THE JOHNSON COUNTY AUDITOR

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

3. PRESENTATION OF 2007 RACIAL PROFILING REPORT-SHERIFF

The Commissioner's Court acknowledged receipt of the Johnson County Sheriff's Office racial profiling report as presented by Sheriff Bob Alford.

V. PUBLIC PARTICIPATION

Teresa Bjork spoke in reference to her disappointment that Russell Moore was no longer employed as the Veteran's Service Officer for Johnson County.

Commissioner Matthews spoke in reference to TXDOT making budget changes and requesting Counties and Cities to maintain all approaches, signages and culverts along State right of ways.

## VI. PUBLIC HEARING

The Commissioner's Court opened a Public Hearing at 9:20 A.M. to discuss:

1. CONCERNING LEASE OF COUNTY OWNED LAND FOR MINERAL DEVELOPMENT ON THE FOLLOWING PROPERTY: "STEPHEN TOWNSEND SURVEY A-840-SKAGGS UNIT. 2.485 ACRES, MORE OR LESS, SITUATED IN THE STEPHEN TOWNSEND SURVEY ABSTRACT NO. 840, JOHNSON COUNTY, TEXAS, KNOWN AS THE NORTHEASTERLY ½ OF LOT 10, A/K/A KNOWN AS THE EAST ONE-HALF (1/2) OF LOT 10, HIGHLAND ESTATES, AN ADDITION TO JOHNSON COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 1, PAGE 430, PLAT RECORDS, JOHNSON COUNTY, TEXAS, AS DESCRIBED IN THAT CERTAIN SPECIAL WARRANTY DEED DATED SEPTEMBER 1, 2006 FROM JOHNSON COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER, ALSO KNOWN AS JOHNSON COUNTY M.H.M.R. TO JOHNSON COUNTY, TEXAS. (HIGHLAND ESTATES, PRECINCT #1)"

There being no one present to speak, the hearing was closed at 9:22 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 THE MINUTES FOR THE COMMISSIONER'S COURT:

- a. January 14, 2008-Regular Session
- b. January 28, 2008-Regular Session
- c. February 11, 2008-Regular Session
- d. February 15, 2008-Special Session

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the Commissioner's Court Minutes for January 14, 2008, January 28, 2008, February 11, 2008 and February 15, 2008 as submitted by the County Clerk.

All voted aye; motion carried.

4. CONSIDERATION TO AWARD BID:

- a. **RFB #2008-154A-Used Water Truck- Precinct #3**

Comm. Carpenter, seconded by Comm. Beeson, made a motion to award **RFB #2008-154-A** to DC Truck & Equipment Sales for a used 1995 Ford L9000 Vin # 1FTYS95W2SVA21634 in the amount of \$34,500.00 for Precinct #3.

All voted aye; motion carried.

- b. **RFP #2008-155-Lease of County Owned Land for Mineral Development on the Following Property: "Stephen Townsend Survey A-840-Skaggs Unit. 2.485 acres, more or less, situated in the Stephen Townsend Survey Abstract No. 840, Johnson County, Texas, known as the Northeasterly ½ of Lot 10, a/k/a known as the East one-half (1/2) of Lot 10, Highland Estates, an addition to Johnson County, Texas, according to the Plat recorded in Volume 1, Page 430, Plat Records, Johnson County, Texas, as described in that certain Special Warranty Deed dated September 1, 2006 from Johnson County Mental Health Mental Retardation Center, also known as Johnson County M.H.M.R. to Johnson County, Texas. (Highland Estates, Precinct #1)"**

Comm. Matthews, seconded by Comm. Beeson, made a motion to award **RFP #2008-155** to lease County owned land for mineral development on the following property: "Stephen Townsend Survey A-840-Skaggs Unit. 2.485 acres, more or less, situated in the Stephen Townsend Survey Abstract No. 840, Johnson County, Texas, known as the Northeasterly ½ of Lot 10, a/k/a known as the East one-half (1/2) of Lot 10, Highland Estates, an

addition to Johnson County, Texas, according to the Plat recorded in Volume 1, Page 430, Plat Records, Johnson County, Texas, as described in that certain Warranty Deed dated September 1, 2006 from Johnson County Mental Health Mental Retardation Center, also known as Johnson County M.H.M.R. to Johnson County, Texas” to Chesapeake Energy in the amount of \$5,000.00 per acre for a total of \$12,425.00 and a 25% royalty at the well head with a no drill clause on this property in Highland Estates, Precinct #1.

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

Motion carried.

#### VIII. UNFINISHED BUSINESS

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

a. Proposal Request #070-Grind and Polish Historic Tile Flooring

Comm. Carpenter, seconded by County Judge Roger Harmon, made a motion to approve the Proposal Request #070 to grind and polish the historic tile flooring in the rotunda's and hall ways in the amount of \$25,000.00.

All voted aye; motion carried.

b. Swinging Doors of the Entrance to the Commissioner's Courtroom

Discussion. No Action.

c. Proposal Request #060-Addition of Dampers in Floor and Millwork Registers

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the Proposal Request #060 to add OBD's (opposed blade dampers) in the floor and

millwork registers for balancing in the amount of \$1,025.00 with the understanding that ArchiTexas has agreed to re-imburse the County for the cost of this over sight.

All voted aye; motion carried

2. CONSIDERATION OF PROHIBITION OF OUTDOOR BURNING ORDER #2008-01

Discussion. No Action.

3. CONSIDERATION OF PROHIBITION OF OUTDOOR BURNING ORDER #2008-03 WITH EXCEPTION

Discussion. No Action.

4. CONSIDERATION OF EDUCATIONAL CLINICAL EXPERIENCE PROGRAM AFFILIATION AGREEMENT WITH HILL COLLEGE FOR NURSING STUDENTS AT JOHNSON COUNTY LAW ENFORCEMENT CENTER

Comm. Beeson, seconded by Comm. McFall, made a motion to approve the Educational Clinical Experience Program Affiliation Agreement with Hill College for nursing students at the Johnson County Law Enforcement Center.

All voted aye; motion carried.

5. CONSIDERATION FOR JOHNSON COUNTY TO APPLY FOR AN EARMARK IN THE AMOUNT OF \$997,894.00 FROM CONGRESSMAN CHET EDWARDS' OFFICE IN ORDER TO PURCHASE GROUND AMBULANCES AND FIRST RESPONDER VEHICLES FOR CAREFLITE WHICH WILL BE USED FOR 9-1-1 EMS SERVICES WITHIN JOHNSON COUNTY, TEXAS UNDER THE "HEALTH CARE AND OTHER FACILITIES" (HHS) PROGRAM

Comm. McFall, seconded by Comm. Carpenter, made a motion to apply for an Earmark in the amount of \$997,894.00 from Congressman Chet Edwards' Office in order to purchase ground ambulances and first responder vehicles for CareFlite which will be used for 9-1-1 EMS services within Johnson County, Texas under the "Health Care and Other Facilities" (HHS) program and give the County Judge the authorization to sign.

All voted aye; motion carried.

6. CONSIDERATION OF RESOLUTIONS FOR SCHOOL RESOURCE OFFICER GRANT:

a. Grandview Independent School District

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve the Resolutions for a School Resource Officer Grant for Grandview Independent School District and give the County Judge the authorization to sign.

All voted aye; motion carried.

b. Keene Independent School District

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve the Resolutions for a School Resource Officer Grant for Keene Independent School District and give the County Judge the authorization to sign.

All voted aye; motion carried.

The Commissioner's Court recessed at 10:06 A.M. and reconvened at 10:23 A.M. to consider the following:

IX. NEW BUSINESS

5. CONSIDERATION OF CONTINUATION OF THIRD PHASE OF RE-CREATION OF RECORDS PROJECT WITH ACS GOVERNMENT RECORDS MANAGEMENT-COUNTY CLERK

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the continuation of the third phase of re-creation of the records project with ACS Government Records Management to be paid from the Records Archive Fund in the amount of \$314,352.00 for the County Clerk's Office.

All voted aye; motion carried.

6. CONSIDERATION OF COST ASSOCIATED WITH THE REDACTION OF SOCIAL SECURITY NUMBER (SSN) WITH NETDATA-COUNTY CLERK

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the cost associated with the redaction of social security number (SSN) with NetData in the amount of \$21,345.00 and for 1/3 of the cost to be paid from the 022 Fund and 2/3 of the cost to be paid from the 021 Fund for the County Clerk's Office.

All voted aye; motion carried.

7. CONSIDERATION OF SERVICE AGREEMENT WITH LANDATA FOR OFFSITE STORAGE AND INTERNET ACCESS FOR COMMISSIONER'S COURT MINUTES-COUNTY CLERK

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

All voted aye; motion carried.

8. CONSIDERATION OF MEMORANDUM OF UNDERSTANDING WITH SIMPLIFILE, LC FOR ELECTRONIC RECORDING OF REAL PROPERTY DOCUMENTS-COUNTY CLERK

Comm. McFall, seconded by Comm. Beeson, made a motion to approve the Memorandum of Understanding with Simplifile, LC for electronic recording of Real Property documents in the County Clerk's Office at no cost to the County and give the County Judge the authorization to sign.

All voted aye; motion carried.

Commissioner McFall exited the meeting at 10:40 A.M.

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSAL

Comm. Carpenter, seconded by Comm. Beeson, made a motion to advertise for Bids/Proposals for janitorial supplies.

All voted aye; motion carried.

VIII. UNFINISHED BUSINESS

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

b. Swinging Doors of the Entrance to the Commissioner's Courtroom

Discussion. No Action.

IX. NEW BUSINESS

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

a. Insurance Claim-Vehicle and Equipment Maintenance-Road & Bridge, Precinct #3

Comm. Carpenter, seconded by Comm. Matthews, made a motion to approve the Budget Amendment pursuant to the Local Government Code *111.0106* for the insurance claim for vehicle and equipment maintenance for repair of a vehicle in Precinct #3 in the amount of \$9,478.00.

All voted aye; motion carried.

b. Reimbursement for Costs-Road Repair Materials-Road & Bridge, Precinct #2

Comm. Matthews, 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 Chesapeake Energy in the amount of \$247,500.00 in Precinct #2.

All voted aye; motion carried.

c. State Funding for Indigent Defense-Fees & Services-General District Court Expense



Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve the Budget Amendment pursuant to the Local Government Code *111.0106* for State funding for indigent defense fees and services for the General District Court Expense in the amount of \$12,733.00.

All voted aye; motion carried.

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

a. Records Management Fund-Fees & Services-County Clerk

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.010 C* for Redaction Software from Net Data and the service to place Commissioner's Court Minutes online from Landata for the County Clerk's Office to be paid from the Records Management Fund in the amount of \$50,000.00.

All voted aye; motion carried.

b. Records Archive Fund-Fees & Services-County Clerk

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve the Budget Amendment pursuant to the Local Government Code *111.010 C* for the completion of the third phase of recreation, digitizing, indexing, redaction and conversion of our Deed Records in order to make them available on the County computer system for online viewing in the amount of \$100,000.00 for the County Clerk's Office.

All voted aye; motion carried.

Commissioner McFall returned to the meeting at 10:55 P.M.

c. Building Maintenance Fund-Janitorial Services-Guinn Building

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the Budget Amendment pursuant to the Local Government Code *111.010 C* for the increase in monthly service in the Building Maintenance Fund in the amount of \$2,500.00 for the Guinn Justice Center.

All voted aye; motion carried.

d. Building Maintenance Fund-Building Repair & Maintenance-Ham's Creek Park

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the Budget Amendment pursuant to the Local Government Code *111.010 C* for the monthly portable sanitation expense in the Building Maintenance Fund in the amount of \$1,400.00 for Building Repair & Maintenance in Ham's Creek Park.

All voted aye; motion carried.

4. CONSIDERATION OF MICROSOFT PARTNER SUBSIDY FOR  
HARDWARE OR SOFTWARE PROVIDED BY SYNETICS COMPUTERS,  
INC.-ISS

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve the Microsoft Partner Subsidy for hardware or software provided by Synetics Computers, Inc. for ISS.

All voted aye; motion carried.

9. CONSIDERATION OF CONTRACT WITH MICHAEL A. BROWN,  
EXPERIENTIAL SOLUTIONS, INC.-JUVENILE SERVICES

Comm. McFall, seconded by Comm. Beeson, made a motion to approve the contract with Michael A. Brown, Experiential Solutions, Inc, for Juvenile Services.

All voted aye; motion carried.

11. CONSIDERATION OF APPOINTMENT TO THE JOHNSON COUNTY ECONOMIC DEVELOPMENT BOARD-COUNTY JUDGE

Comm. Carpenter, seconded by Comm. Matthews, made a motion to appoint Matt Reynolds to the Johnson County Economic Development Board for the County Judge.

All voted aye; motion carried.

X. CONSENT AGENDA

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

All voted aye; motion carried.

XI. WORKSHOP

The Commissioner's Court went into Workshop Session at 11:00 A.M. to discuss the relocation of Communications to New Radio Tower.

The Commissioner's Court re-convened into Open Session at 11:18 A.M. to consider the following:

X. NEW BUSINESS

10. CONSIDERATION TO RELOCATE COMMUNICATIONS RADIO TOWER INCLUDING:

a. Additional Expenditures and Actions for Moving the Sheriff's Office Radio Equipment to the New Tower Location

Comm. McFall, seconded by Comm. Beeson, made a motion to approve the additional expenditures and actions for moving the Sheriff's Office radio equipment to the new towers locations at 1700 Island Grove Rd, Cleburne, Texas and 348 CR 207, Alvarado, Texas and give the County Judge the authorization to sign.

All voted aye; motion carried.

b. Expenditures and Actions for Moving the Commissioner's Radio Equipment to the New Tower Location

Comm. McFall, seconded by Comm. Beeson, made a motion to approve the expenditures and actions for moving the Commissioner's radio equipment to the new towers location at 1700 Island Grove Rd, Cleburne, Texas and give the County Judge the authorization to sign.

All voted aye; motion carried.

c. Application to FCC to Relocate all Communications to the New Tower Location

Comm. McFall, seconded by Comm. Beeson, made a motion to approve the application to FCC to relocate all communications to the new towers locations at 1700 Island Grove Rd, Cleburne, Texas and 348 CR 207, Alvarado, Texas and give the County Judge the authorization to sign.

All voted aye; motion carried.

d. Expenditures for Removal of Old Equipment from the Present Radio Transmission Tower

Comm. McFall, seconded by Comm. Beeson, made a motion to approve the expenditures for removal of old equipment from the present radio transmission tower at 2401 Pipeline, Cleburne Texas, and give the County Judge the authorization to sign.

All voted aye; motion carried.

e. Any Other Communication Equipment Needs to Utilize the New Tower

Comm. McFall, seconded by Comm. Beeson, made a motion to approve any other communication equipment needs to utilize the new towers at 1700 Island Grove Rd, Cleburne, Texas and 348 CR 207, Alvarado, Texas and give the County Judge the authorization to sign.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's  
Court adjourned at 11:21 A.M.

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

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