

STATE OF TEXAS

March 10, 2008

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 10th day of March 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 9:03 A.M., with all members present, and following the Invocation led by Pastor Wade Taylor and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on March 6, 2008 at 11:49 A.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF PROCLAMATION FOR "AMERICAN RED CROSS MONTH"

The Commissioner's Court proclaimed March, 2008 as "American Red Cross Month".

V. PUBLIC PARTICIPATION

None.

VII. PRECEDING BUSINESS

1. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. McFall, seconded by Comm. Matthews, made a motion to pay bills with the addition of a bill for American Title in the amount of one million dollars 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 CORRECTION OF MINUTES FOR THE COMMISSIONER'S COURT:

a. February 11, 2008-Regular Session

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve the correction of Commissioner's Court Minutes for February 11, 2008 on Preceding Business item #5 by changing **RFQ 2008-107** to **RFQ 2007-107**.

All voted aye; motion carried.

4. CONSIDERATION OF ROADS IN SAGE CREEK SUBDIVISION FOR SALE OF LOTS ONLY-PRECINCT #1

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve roads in **Sage Creek Subdivision** for sale of lots only in Precinct #1.

All voted aye; motion carried.

5. CONSIDERATION OF FINAL PLAT OF ISHAM ADDITION, LOT 1, BLOCK 1-PRECINCT #1

Comm. McFall, seconded by Comm. Beeson, made a motion to approve the final plat of **Isham Addition**, Lot 1, Block 1 in Precinct #1.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

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

a. Move to the Courthouse

Comm. Beeson, seconded by Comm. McFall, made a motion to hire temporary help to facilitate the move and give the County Judge authorization to set the move date for the Historic Courthouse.

All voted aye; motion carried.

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

Comm. Beeson, seconded by Comm. McFall, made a motion to rescind the Prohibition of Outdoor Burning **ORDER #2008-01**, contingent on Gerald Mohr receiving authorization from the State Emergency Management Office that the County would not be penalized due to the Governor's proclamation of disaster.

All voted aye; motion carried.

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

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the service agreement with Landata for offsite storage (DATA Warehousing) and internet access for Commissioner's Court Minutes in the County Clerk's Office to be paid from the County Clerk's Record Management Fund and give the County Judge the authorization to sign.

All voted aye; motion carried.

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

Comm. Beeson, seconded by Comm. Carpenter, made a motion to rescind the Prohibition of Outdoor Burning **ORDER #2008-03** with exception, contingent on Gerald Mohr receiving authorization from the State Emergency Management Office that the County would not be penalized due to the Governor's proclamation of disaster.

All voted aye; motion carried.

VIII. NEW BUSINESS

16. CONSIDERATION OF ORDER FOR LOCAL OPTION ELECTION FOR THE CITY OF RIO VISTA ON MAY 10, 2008

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the Order for Local Option Election for the City of Rio Vista on May 10, 2008.

All voted aye; motion carried.

5. CONSIDERATION OF REQUEST BY THE DOWNTOWN CLEBURNE ASSOCIATION FOR USE OF JOHNSON COUNTY OWNED LAND FOR SPRINGFEST APRIL 25-27, 2008, AS FOLLOWS AND PERMISSION TO BEGIN SET UP ON THURSDAY AFTERNOON PRIOR TO SPRINGFEST:

- a. Parking Lots Located Between Mill and S. Main Street
- b. Corner of Chambers and Caddo
- c. Parking Lots in Front of the Guinn Justice Center for Saturday Only
- d. Parking Lot Next to Buffalo Creek Where the Buffalo Monument is Located
- e. The West Part of Market Square (West of the Curb Behind the Vendor Spaces on S. Main)

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the request by the Downtown Cleburne Association for use of Johnson County owned land for Springfest April 25-27, 2008, on the parking lots located between Mill and S. Main Street; the corner of Chambers and Caddo; the parking lots in front of the Guinn Justice Center for Saturday only; the parking lot next to Buffalo Creek where the Buffalo monument is located; the West part of the Market Square (West of the Curb Behind the Vendor Spaces on S. Main)

and permission to begin set up on Friday afternoon prior to Springfest.

All voted aye; motion carried.

6. CONSIDERATION OF CONTRACT AMENDMENT WITH THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS FOR THE CITIES READINESS INITIATIVE (CRI) ISSUED BY THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS)-EMERGENCY MANAGEMENT

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the Contract Amendment with the North Central Texas Council of Governments for the Cities Readiness Initiative (CRI) issued by the Department of State Health Services (DSHS) for Emergency Management and give the County Judge the authorization to sign.

All voted aye; motion carried.

11. CONSIDERATION OF JOHNSON COUNTY BASIC EMERGENCY MANAGEMENT PLAN:

a. Order #2008-04 Establishing a County Emergency Management Program

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve **Order #2008-04** establishing a County Emergency Management Program.

All voted aye; motion carried

b. Joint Resolution Establishing an Inter-Jurisdictional Emergency Management Program

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the Joint Resolution establishing an Inter-Jurisdictional Emergency Management Program and give the County Judge the authorization to sign.

All voted aye; motion carried

15. CONSIDERATION OF REQUEST TO CONGRESSMAN CHET EDWARD'S OFFICE FOR EARMARK OF FUNDING FOR COMPLETION OF TOWERS AND RADIO AND FOR A REGIONAL DISPATCH AND EMERGENCY MANAGEMENT CENTER

Comm. McFall, seconded by Comm. Matthews, made a motion to request Congressman Chet Edward's Office for an Earmark of Funding for completion of towers and radio and for a Regional Dispatch and Emergency Management Center.

All voted aye; motion carried

The Commissioner's Court recessed at 10:12 A.M. and reconvened at 10:31 A.M. to consider the following:

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSAL

Comm. Carpenter, seconded by Comm. Beeson, made a motion to advertise for Bids/Proposals for a steel wheel roller for Precinct #3.

All voted aye; motion carried.

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

a. Technology Fund-Dues & Conferences-Justice of the Peace, Precinct #1

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the expenditure of the Technology Fund to pay for Judge Ronald McBroom to attend the "2008 Courts & Local Government Technology Conference" in the amount of \$1,600.00 for Justice of the Peace Precinct #1.

All voted aye; motion carried.

3. CONSIDERATION OF RACIAL PROFILING REPORTS:

a. Constable, Precinct #3

Comm. Carpenter, seconded by Comm. McFall, made a motion to accept the Racial Profiling Reports for Constable, Precinct #3.

All voted aye; motion carried.

b. Constable, Precinct #4

Comm. Beeson, seconded by Comm. Carpenter, made a motion to accept the Racial Profiling Reports for Constable, Precinct #4.

All voted aye; motion carried.

4. CONSIDERATION OF BOND FOR TAX ASSESSOR AND COLLECTOR

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the bond for Scott Porter, Tax Assessor and Collector.

All voted aye; motion carried.

7. CONSIDERATION OF SECOND PAYMENT TO GRANTWORKS FOR ADMINISTRATION OF GRANT CONTRACT #727310, WATER SYSTEM IMPROVEMENTS, IN THE AMOUNT OF \$7,100.00

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve the second payment to GrantWorks for the administration of Grant Contract #72310, Water System Improvements, in the amount of \$7,100.00

All voted aye; motion carried.

8. CONSIDERATION OF 9-1-1 ADDRESS COORDINATOR CONTRACT WITH THE JOHNSON COUNTY CENTRAL APPRAISAL DISTRICT

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the 9-1-1 Address Coordinator contract with the Johnson County Central Appraisal District and give the County Judge the authorization to sign.

All voted aye; motion carried.

9. CONSIDERATION OF DISCRETIONARY EXEMPTION UNDER LOCAL GOVERNMENT CODE 262.024 (7) FOR STOP THE OFFENDER PROGRAM –S.T.O.P. TASK FORCE

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the discretionary exemption under Local Government Code 262.024 (7) for the Stop the Offender Program-S.T.O.P. Task Force.

All voted aye; motion carried.

10. CONSIDERATION OF INTER-GOVERNMENTAL COOPERATIVE REIMBURSEMENT AGREEMENT WITH FEDERAL, STATE AND LOCAL GOVERNMENTS AND AGENCIES WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR LOW INCOME VEHICLE REPAIR ASSISTANCE, RETROFIT, AND ACCELERATED VEHICLE RETIREMENT PROGRAM

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the Inter-Governmental Cooperative Reimbursement Agreement with Federal, State and Local Governments and Agencies with the Texas Commission on Environmental Quality for Low Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program and give the County Judge the authorization to sign.

All voted aye; motion carried.

12. CONSIDERATION OF APPOINTMENT OF WILLIAM KEITH HUTCHISON OF RIO VISTA TO THE JOHNSON COUNTY HISTORICAL COMMISSION

Comm. McFall, seconded by Comm. Carpenter, made a motion to appoint William Keith Hutchison of Rio Vista to the Johnson County Historical Commission.

All voted aye; motion carried.

13. CONSIDERATION OF CONTRACT WITH ACCU-CHEM LAB TO PERFORM CERTAIN DRUG AND TOXICOLOGY TESTS FOR THE JOHNSON COUNTY MEDICAL EXAMINER'S OFFICE

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the contract with Accu-Chem Lab to perform certain drug and toxicology tests for the Johnson County Medical Examiner's Office and give the County Judge the authorization to sign.

All voted aye; motion carried.

14. CONSIDERATION TO LEASE COUNTY OWNED LAND: 3.683 ACRES, MORE OR LESS, SITUATED IN THE C. CHANEY SURVEY, ABSTRACT NO. 124, JOHNSON COUNTY, TEXAS, KNOWN AS LOT 1, BLOCK 1, COUNTY COURTS ADDITION NO. 1, CITY OF CLEBURNE, JOHNSON COUNTY, ACCORDING TO THE PLAT RECORDED IN VOLUME 9, PAGE 93, PLAT RECORDS, JOHNSON COUNTY, ALSO KNOWN AS PART OF BLOCK 505, CITY OF CLEBURNE, JOHNSON COUNTY, TEXAS ACCORDING TO THE OFFICIAL MAP THEREOF, AS DESCRIBED IN THAT CERTAIN CORRECTION SPECIAL WARRANTY DEED DATED MARCH 18, 2003 FROM CITY INDEPENDENT SCHOOL DISTRICT TO JOHNSON COUNTY, TEXAS RECORDED IN VOLUME 3011, PAGE 49, DEED RECORDS, JOHNSON COUNTY, TEXAS-(204 S. BUFFALO)-PRECINCT #1 AND PRECINCT #4

Comm. McFall, seconded by Comm. Matthews, made a motion to advertise to lease County owned land for mineral development being: 3.683 acres, more or less, situated in the C. Chaney Survey, Abstract No. 124, Johnson County, Texas, known as Lot 1, Block 1, County Courts Addition No. 1, City of Cleburne, Johnson County, according to the Plat recorded in Volume 9, Page 93, Plat Records, Johnson County, also known as part of Block 505, City of Cleburne, Johnson County, Texas according to the Official Map thereof, as described in that Certain Correction Special Warranty Deed dated March 18, 2003 from City Independent School District to Johnson County, Texas recorded in Volume 3011, Page 49, Deed Records, Johnson County, Texas-(204 S. Buffalo) in Precinct #1 and Precinct #4, with a Royalty of 25% at the well head and a minimum of \$5,000.00 per acre.

All voted aye; motion carried.

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSAL

Comm. Carpenter, seconded by Comm. Beeson, made an amended motion to advertise for Bids/Proposals for a new or used steel wheel roller for Precinct #3 and to advertise to lease County owned land for mineral development being: 3.683 acres, more or less,

situated in the C. Chaney Survey, Abstract No. 124, Johnson County, Texas, known as Lot 1, Block 1, County Courts Addition No. 1, City of Cleburne, Johnson County, according to the Plat recorded in Volume 9, Page 93, Plat Records, Johnson County, also known as part of Block 505, City of Cleburne, Johnson County, Texas according to the Official Map thereof, as described in that Certain Special Correction Warranty Deed dated March 18, 2003 from City Independent School District to Johnson County, Texas recorded in Volume 3011, Page 49, Deed Records, Johnson County, Texas-(204 S. Buffalo) in Precinct #1 and Precinct #4, with a Royalty of 25% at the well head and a minimum of \$5,000.00 per acre.

All voted aye; motion carried.

IX. CONSENT AGENDA

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

All voted aye; motion carried.

X. WORKSHOP

The Commissioner's Court went into Workshop Session at 10:48 A.M. to discuss the County maintenance of State Right of Way connecting a County road.

The Commissioner's Court re-convened into Open Session at 10:56 A.M.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 10:57 A.M.

Submitted by: _____
County Clerk
Curtis H. Douglas

Approved by: _____
County Judge
Roger Harmon