

STATE OF TEXAS

July 28, 2008

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 28th day of July 2008, the Honorable Commissioner's Court of Johnson County, Texas, met in Regular Session at the Johnson County Courthouse 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 Jim Faver with Hunters of Men Ministries 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 24, 2008 at 1:01 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

V. PUBLIC PARTICIPATION

Barbara Robinson, Johnson County Treasurer, thanked County Judge Roger Harmon and the Commissioners for a wonderful job on the renovation of the Guinn Justice Center. She stated that two class reunions of Cleburne High School were held this past weekend and the former students toured the Guinn Justice Center.

VI. 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 and to include the additional bills attached to these minutes.

All voted aye; motion carried.

2. ACKNOWLEDGMENT 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 TREASURER'S REPORT

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the Treasurer's Report as presented by the County Treasurer.

All voted aye; motion carried.

4. CONSIDERATION OF EMERGENCY PURCHASE UNDER GOVERNMENT CODE SECTION 262.024 (2) DISCRETIONARY EXEMPTIONS OF A 3 HP SUMP PUMP FOR C3 SEWER SYSTEM AT THE JOHNSON COUNTY LAW ENFORCEMENT CENTER

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve the emergency purchase under Government Code *Section 262.024 (2)* Discretionary Exemptions of a 3 HP Sump Pump for a C3 sewer system at the Johnson County Law Enforcement Center in the amount of \$4,800.00.

All voted aye; motion carried.

5. CONSIDERATION OF NEW LEASE OF COUNTY OWNED LAND: BEING LOT 4, BLOCK 1 OF CREEKVIEW ADDITION, A SUBDIVISION OF THE JOSHUA MINNETT SURVEY, ABSTRACT NO. 548, JOHNSON COUNTY, TEXAS, ACCORDING TO THE PLAT IN VOLUME 6, PAGE 100 OF THE JOHNSON COUNTY, TEXAS PLAT RECORDS-PRECINCT #2

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

All voted aye; motion carried.

6. CONSIDERATION OF RFP'S:

- a. **RFP 2008-165A-Sale and Relocation of Building at 1601 N. Anglin, Cleburne, Texas**

Comm. McFall, seconded by Comm. Carpenter, made a motion to re-advertise for **RFP 2008-165A** for the sale and relocation of the building at 1601 N. Anglin, Cleburne, Texas.

All voted aye; motion carried.

b. **RFP 2008-166A-Sale of a Strip of Property Located at FM 1434, Cleburne, Texas**

Comm. McFall, seconded by Comm. Carpenter, made a motion to re-advertise for **RFP 2008-166A** for the sale of a strip of property located at FM 1434, Cleburne, Texas.

All voted aye; motion carried.

7. **CONSIDERATION TO AWARD REQUEST FOR QUOTE ON TRANSPORTATION OF HUMAN REMAINS FOR JOHNSON COUNTY**

Comm. Beeson, seconded by Comm. Matthews, made a motion to award request for quote on transportation of human remains for Johnson County to Rosser Funeral Home in the amount of \$190.00 per scene.

All voted aye; motion carried.

8. **CONSIDERATION TO TERMINATE CONTRACT WITH WEATHERFORD MORTUARY WITH A TWO (2) WEEK NOTICE**

Comm. Beeson, seconded by Comm. Matthews, made a motion to terminate the contract with Weatherford Mortuary with a two (2) week notice.

All voted aye; motion carried.

VII. **UNFINISHED BUSINESS**

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

Discussion. No Action.

2. CONSIDERATION TO DRAFT INTERLOCAL AGREEMENT WITH SCHOOL DISTRICTS OF JOHNSON COUNTY FOR THE SCHOOL RESOURCE OFFICER (SRO) AND THE ABSENT STUDENTS ASSISTANCE PROGRAM (ASAP) WITH THE JOSHUA INDEPENDENT SCHOOL DISTRICT DETERMINING PERCENTAGE OF SCHOOL PARTICIPATION

Comm. Matthews, seconded by Comm. McFall, made a motion to draft an Interlocal Agreement with School Districts of Johnson County for the School Resource Officer (SRO) with the Grandview Independent School District, Venus Independent School District, Alvarado Independent School District, Joshua Independent School District, Godley Independent School District and Keene Independent School District, with Johnson County to pay 20% and each School District to pay 80% for the School Resource Officer (SRO).

Judge Harmon voted aye;  
Commissioner McFall voted aye;  
Commissioner Matthews voted aye;  
Commissioner Beeson voted aye;  
Commissioner Carpenter voted nay;

motion carried.

The Commissioner's Court recessed at 10:11 A.M. and reconvened at 10:31 A.M. to consider the following:

3. CONSIDERATION OF RENOVATION OF THE OLD BAND HALL

Discussion. No Action.

4. CONSIDERATION OF AN ADULT PROBATION BUILDING

Discussion. No Action.

VIII. NEW BUSINESS

10. CONSIDERATION TO MAKE PURCHASES FROM THE TECH FUNDS- JUSTICE OF THE PEACE, PRECINCT #3

- a. Print Cartridges for Office Printers in the Amount of \$1,208.28
- b. Two (2) Duplexer for Laser Printers in the Amount of \$265.32 each

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the purchase of print cartridges for office printers in the amount of \$1,208.28 and two (2) duplexers for laser printers in the amount of \$265.32 each from the TECH Fund of the Justice of the Peace, Precinct #3.

All voted aye; motion carried.

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 11:07 A.M. to discuss Walk-Thru Scanner for Alvarado Sub-Courthouse to be Paid from Justice Court Building Security Fund (JCBSF) in the Amount of \$4,500.00-Justice of the Peace, Precinct #3.

The Commissioner's Court re-convened into Open Session at 11:13 A.M.

**BE IT KNOWN** that Commissioner's Court met in Executive Session at 11:13 A.M. in accordance with Government Code *Sec. 551.072*-Real Property and *Section 551.074*-Personnel: Veteran's Officer: Kathryn Fasci, Robert Stafford and Eddie Kirkpatrick; Sheriff/Jail-Maria Cookmeyer; and Medical Examiner's Office-Tobey Hamrick.

The Commissioner's Court re-convened into Open Session at 2: 31 P.M. to consider the following:

XI. EXECUTIVE SESSION

1. Government Code:

a. *Sec. 551.072*-Real Property

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve a counter offer for parcel 425 on the Hwy 121 project for additional fencing on the property of owner Billy Bryant in the amount of \$25,138.45.

All voted aye; motion carried.

(2) Sheriff/Jail-Maria Cookmeyer

Comm. Beeson, seconded by Comm. McFall, made a motion to approve time and one half pay for hours worked on the weekend for Maria Cookmeyer when she interprets for the Sheriff's Department.

All voted aye; motion carried.

(3) Medical Examiners Office-Toby Hamrick

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve to change Tobey Hamrick's job title, Medical Examiner's Office, to Chief Forensic Death Investigator at a Grade 16. Her salary being increased to \$35,000.00 per year due to additional job responsibilities that have been added to the Medical Examiner's Office along with additional supervisory responsibilities.

All voted aye; motion carried.

VIII. NEW BUSINESS

4. CONSIDERATION OF ELECTION APPOINTMENTS FOR THE GENERAL ELECTION TO BE HELD ON NOVEMBER 4, 2008

- a. Judges and Alternate Judges for the July 2008-July 2009 Term
- b. Early Voting Ballot Board
- c. Early Voting Head Clerks
- d. Tabulation Supervisor

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the Election Appointments for Judges and Alternate Judges for the July 2008-July 2009 Term; Early Voting Ballot Board; Early Voting Head Clerks; and Tabulation Supervisor for the General Election to be held on November 4, 2008 as attached to these minutes.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

5. CONSIDERATION OF ORDER NO. 2008-13, PROHIBITION OF OUTDOOR BURNING

Discussion. No Action.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. McFall, seconded by Comm. Matthews, made a motion to advertise for Bids/Proposals to sell as surplus equipment from the Medical Examiner's Office consisting of a G.E. Freezer, a Striker autopsy saw and 3 Striker autopsy carts.

All voted aye; motion carried.

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

- a. Road Repair Materials Donated by EOG Resources, Inc. in the Amount of \$74,509.00-Precinct #4
- b. Non-Departmental-Aircheck Texas Program in the Amount of \$449,142.00

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve the Budget Amendment pursuant to the Local Government Code 111.0106 for road repair materials donated by EOG Resources, Inc. in the amount of \$74,509.00 in Precinct #4; and Non-Departmental for Aircheck Texas Program in the amount of \$449,142.00.

All voted aye; motion carried.

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

- a. Medical Examiner-Equipment Capital (2007 Vehicle)
- b. Right of Way Acquisition-Hwy 121
- c. Medical Examiner-Personnel Salaries
- d. District Clerk-Maintenance of Office Equipment
- e. County Court at Law #2-Dues and Conferences and Misdemeanor Court Appointed Attorney's
- f. Non-Departmental-Jail Construction (Fund 071)

Comm. McFall, seconded by Comm. Beeson, made a motion to approve the Budget Amendment pursuant to the Local Government Code *111.010 C* for Equipment Capital for the Medical Examiner to purchase a 2007 vehicle in the amount of \$15,986.00; the Right of Way Acquisition for Hwy 121 in the amount of \$50,000.00; Medical Examiner personnel salaries in the amount of \$2,800.00; Maintenance of office equipment for the District Clerk's Office in the amount of \$550.00; Dues and Conferences in the amount of \$1,500.00 and Misdemeanor Court Appointed Attorneys for County Court at Law #2 in the amount of \$30,000.00; and Equipment Non-Departmental for Jail Construction from Fund 071 in the amount of \$113,782.00.

All voted aye; motion carried.

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

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

All voted aye; motion carried.

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



Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the Continuation Certificate of Bond for Roy Giddens, Assistant Deputy Treasurer.

All voted aye; motion carried.

7. CONSIDERATION TO APPLY FOR CONGRESSIONALLY MANDATED AWARD GRANT FROM THE U.S. DEPARTMENT OF JUSTICE-STOP TASK FORCE

Comm. McFall, seconded by Comm. Matthews, made a motion to apply for the Congressionally Mandated Award Grant from the U.S. Department of Justice for the STOP Task Force in the amount of \$178,870.00.

All voted aye; motion carried.

8. CONSIDERATION OF PREVENTION MAINTENANCE SERVICE AGREEMENT WITH SCHINDLER ELEVATOR CORPORATION FOR THE JOHNSON COUNTY COURTHOUSE ELEVATOR

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the Prevention Maintenance Service Agreement with Schindler Elevator Corporation for the Johnson County Courthouse Elevator and to give the County Judge the authorization to sign.

All voted aye; motion carried.

9. CONSIDERATION OF PURCHASING COOPERATIVE INTERLOCAL AGREEMENT BETWEEN ECTOR COUNTY AND JOHNSON COUNTY

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve Purchasing Cooperative Interlocal Agreement between Ector County and Johnson County and to give the County Judge the authorization to sign.

All voted aye; motion carried.

11. CONSIDERATION OF RESOLUTION SUPPORTING THE DISCONTINUATION OF THE DIVERSION OF TRANSPORTATION USER REVENUES TO NON-TRANSPORTATION USES AND THE APPROPRIATION OF ALL REVENUE GENERATED FROM HIGHWAY USER FEES AND TAXES TO FUND TRANSPORTATION PROJECTS

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Resolution Supporting the Discontinuation of the Diversion of Transportation User Revenues to Non-Transportation Uses and the Appropriation of All Revenue Generated From Highway User Fees and Taxes to Fund Transportation Projects.

All voted aye; motion carried.

12. CONSIDERATION OF TERMINATION LETTER FOR PROFESSIONAL SERVICES AGREEMENT BETWEEN JOHNSON COUNTY AND KRIS H. WUSTERHAUSEN, D.O., P.A. FOR MEDICAL SERVICES RELATED TO THE JOHNSON COUNTY LAW ENFORCEMENT CENTER

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the termination letter for Professional Services Agreement between Johnson County and Kris H. Wusterhausen, D.O., P.A. for medical services related to the Johnson County Law Enforcement Center effective September 1, 2008.

All voted aye; motion carried.

IX. CONSENT AGENDA

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

All voted aye; motion carried.

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 3:01 P.M. to discuss the Budget and Cell Phone Policy.

The Commissioner's Court recessed on July 28, 2008 at 3:37 P.M.

**BE IT KNOWN** that the Commissioner's Court re-convened for a Continuation of the Meeting of July 28, 2008 on July 29, 2008 at 9:04 A.M. at the Johnson County Courthouse thereof, in the City of Cleburne, Johnson County, Texas, with all members present except for Commissioner R.C. McFall, to consider the following:

X.     WORKSHOP

The Commissioner's Court re-convened into Workshop Session at 9:04 A.M. to discuss the Computer, Phone and Internet Service for the New Johnson County Economic Development Commission Offices and the Budget.

Commissioner R.C. McFall entered the meeting at 9:36 A.M.

The Commissioner's Court recessed at 10:05 A.M. and reconvened at 10:25 A.M. to discuss the Budget.

The Commissioner's Court recessed at 11:59 A.M. and reconvened at 1:20 P.M. discuss the Budget.

Commissioner R.C. McFall was not present.

The Commissioner's Court re-convened into Open Session at 3:51 P.M. to consider the following:

XI.    EXECUTIVE SESSION

1.     Government Code:

    b.    *Sec. 551.074*-Personnel:

        (1)   Veterans Officer:

- (a)   Kathryn Fasci
- (b)   Robert Stafford
- (c)   Eddie Kirkpatrick

Comm. Beeson, seconded by Comm. Carpenter, made a motion to offer the position of Veterans Service Officer to Kathryn Fasci with the annual salary of \$36,000.00 to begin as soon as she is available.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 3:53 P.M.

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

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