

STATE OF TEXAS

August 25, 2008

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 25th day of August 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 9:05 A.M., with all members present, and following the Invocation led by Donald Bennett 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 21, 2008 at 12:58 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. THE 2ND PUBLIC HEARING ON THE TAX RATE FOR 2008 WILL BE SEPTEMBER 8, 2008 AT 9 AM

Judge Roger Harmon announced that the 2nd Public Hearing on the Tax Rate for 2008 will be September 8, 2008 at 9:00 A.M. in the Commissioner's Courtroom.

2. PRESENTATION OF PLAQUE TO SUZANN STONE, SECRETARY FOR THE TEXAS DEPARTMENT OF PUBLIC SAFETY

The Commissioner's Court presented a Plaque to SuZann Stone, Secretary for the Texas Department of Public Safety in appreciation for her 30 years of service.

3. PRESENTATION OF PLAQUE TO RANGER SERGEANT MARK REINHARDT WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY

The Commissioner's Court presented a Plaque to Ranger Sergeant Mark Reinhardt with the Texas Department of Public Safety in appreciation for his years of dedication and service.

Judge Roger Harmon announced that the cut off date for items to be placed on the next Commissioner's Court Agenda is at noon, on August 29<sup>th</sup>, 2008 due to the upcoming holiday.

VI. PUBLIC PARTICIPATION

None.

VII. PUBLIC HEARING

1. 1ST PUBLIC HEARING ON TAX RATE

The Commissioner's Court opened a Public Hearing at 9:34 A.M. to discuss the Tax Rate.

a.	<u>M &amp; O Obligations Debt Rate</u>	<u>.306708</u>
b.	<u>Farm to Market Lateral Road Rate</u>	<u>.052790</u>
c.	<u>Debt Rate</u>	<u>.036201</u>
d.	<u>Total Proposed County Tax Rate</u>	<u>.359498</u>

The Public Hearing was closed at 9:37 A.M.

2. ABANDON AN UNNAMED COUNTY ROAD NO LONGER BEING USED OR MAINTAINED BY JOHNSON COUNTY. THE ROAD EASEMENT IS 45 FEET WIDE AND 913 FEET LONG. THE ROAD EASEMENT STARTS ON THE NORTH SIDE OF CR 1235B AND PROCEEDS NORTH EAST TO THE INTESECTION OF FM 1434 AND THE ½" SURVEYING ROD ON THE NORTH EAST SIDE OF THE BUCKINGHAM'S PROPERTY KNOWN AS 14468 FM 1334-PRECINCT #1

The Commissioner's Court opened a Public Hearing at 9:37 A.M.

Erik Dumus of Dumas Land Surveying requested that the exhibits and descriptions he has prepared be filed with the Quit Claim Deeds.

The Public Hearing was closed at 9:39 A.M.

VIII. PRECEDING BUSINESS

6. CONSIDERATION OF ISSUANCE OF TAX NOTES, SERIES 2008 FOR PURCHASE OF EQUIPMENT IN FISCAL YEAR 2009, IN THE AMOUNT OF \$1,847,280

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the Issuance of Tax Notes, Series 2008 for the purchase of equipment in Fiscal Year 2009, in the amount of \$1,847,280.

The Court voted by a raised hand.

Comm. R.C. McFall	Aye
Comm. John Matthews	Aye
Comm. Mark Carpenter	Aye
Comm. Don Beeson	Aye
County Judge Roger Harmon	Aye

Motion carried by unanimous hand vote.

3. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. McFall, seconded by Comm. Matthews, made a motion to pay bills as presented by the County Auditor with the addition of payment for the Texas Attorney General for the fee to issue debt in the amount of \$1,870.00; and ATSA, for registration for Community Service Correction Department for training in the amount of \$550.00.

All voted aye; motion carried.

V. RECEPTION HONORING RANGER SERGEANT MARK REINHARDT

The Commissioner's Court recessed at 9:45 A.M. and reconvened at 10:14 A.M. to consider the following:

VIII. PREDEDING BUSINESS

6. CONSIDERATION OF ISSUANCE OF TAX NOTES, SERIES 2008 FOR PURCHASE OF EQUIPMENT IN FISCAL YEAR 2009, IN THE AMOUNT OF \$1,847,280

Comm. Matthews, seconded by Comm. McFall, made an amended motion to approve the Issuance of Tax Notes, Series 2008 for the purchase of equipment in Fiscal Year 2009, in the amount of \$1,847,000.

The Court voted by a raised hand.

Comm. R.C. McFall	Aye
Comm. John Matthews	Aye
Comm. Mark Carpenter	Aye
Comm. Don Beeson	Aye
County Judge Roger Harmon	Aye

Motion carried by unanimous hand vote.

#### VIII. PRECEDING BUSINESS

1. CONSIDERATION TO ABANDON AN UNNAMED COUNTY ROAD NO LONGER BEING USED OR MAINTAINED BY JOHNSON COUNTY. THE ROAD EASEMENT IS 45 FEET WIDE AND 913 FEET LONG. THE ROAD EASEMENT STARTS ON THE NORTH SIDE OF CR 1235B AND PROCEEDS NORTH EAST TO THE INTESECTION OF FM 1434 AND THE ½" SURVEYING ROD ON THE NORTH EAST SIDE OF THE BUCKINGHAM'S PROPERTY KNOWN AS 14468 FM 1334-PRECINCT #1

Comm. McFall, seconded by Comm. Carpenter, made a motion to abandon an unnamed County Road no longer being used or maintained by Johnson County. The Road Easement is 45 feet wide and 913 feet long. The Road Easement starts on the North Side of CR 1235B and proceeds North East to the intersection of FM 1434 and the ½" Surveying Rod on the North East side of the Buckingham's Property known as 14468 FM 1434 in Precinct #1.

All voted aye; motion carried.

2. CONSIDERATION OF MINUTES OF THE COMMISSIONER'S COURT:
  - a. July 28, 2008-Regular Session
  - b. July 30, 2008-Canceled Special Session

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the Minutes of the Commissioner's Court for July 28, 2008 and July 30, 2008 as submitted by the County Clerk.

All voted aye; motion carried.

4. 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.

5. CONSIDERATION OF TREASURER'S REPORT

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

All voted aye; motion carried.

7. CONSIDERATION OF FINAL PLAT FOR:

a. **Gill's Crossing: Phase 3, Lots 9-81-Precinct #3**

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the final plat of **Gill's Crossing: Phase 3, Lots 9-81 in Precinct #3.**

All voted aye; motion carried.

b. **Terry Block Division: Lots 1 and 2, Block 1-Precinct #1**

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the final plat of **Terry Block Division: Lots 1 and 2, Block 1 in Precinct #1.**

All voted aye; motion carried.

8. CONSIDERATION OF RFP'S:

a. **RFP #2008-165B-Sale and Relocation of Building Located at 1601 N. Anglin**


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

All voted aye; motion carried.

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

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


All voted aye; motion carried.

-  c. **RFP #2008-170-Substance Abuse Counseling for Community Supervision and Corrections Department-Helping Open People's Eyes, Inc. (HOPE)**

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve **RFP #2008-170** for Substance Abuse Counseling for Community Supervision and Corrections Department-Helping Open People's Eyes, Inc. (HOPE).

All voted aye; motion carried.

9. **CONSIDERATION OF RFB'S:**

- a. **RFB #2008-169-Urinalysis/Hair/Drug Testing and Supplies to Accu-Chem Laboratories for Services and Compliance Consortium Corp. for On-site Urinalysis Testing Cups-Community Supervision and Corrections Department**
- 

Comm. McFall, seconded by Comm. Matthews, made a motion to approve **RFB #2008-169** for Urinalysis/Hair/Drug testing and supplies to Accu-Chem Laboratories for Services and Compliance Consortium Corp. for on-site urinalysis testing cups for the Community Service and Corrections Department.

All voted aye; motion carried.

b. **RFB #2008-171-Culverts**

Comm. McFall, seconded by Comm. Matthews, made a motion to award **RFB #2008-171** for culverts to all bidders.

All voted aye; motion carried.

10. **CONSIDERATION OF REQUEST FOR PRICE INCREASE FROM GULF ENERGY COMPANY FOR CRS2 PRODUCTS**

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve request for a price increase from Gulf Energy Company for CRS2 products at an additional \$0.45 per gallon to today's price of \$2.284 per gallon increasing the price to \$2.734 per gallon effective August 22, 2008.

All voted aye; motion carried.

IX. **UNFINISHED BUSINESS**

4. **CONSIDERATION OF ORDER #2008-13, PROHIBITION OF OUTDOOR BURNING**

Comm. McFall, seconded by Comm. Beeson, made a motion to rescind **ORDER #2008-13** for the Prohibition of Outdoor Burning.

All voted aye; motion carried.

VIII. **PRECEDING BUSINESS**

6. **CONSIDERATION OF ISSUANCE OF TAX NOTES, SERIES 2008 FOR PURCHASE OF EQUIPMENT IN FISCAL YEAR 2009, IN THE AMOUNT OF \$1,847,280**

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the Issuance of Tax Notes, Series 2008 for the purchase of equipment in Fiscal Year 2009, in the amount of \$1,870,000.

The Court voted by a raised hand.

Comm. R.C. McFall	Aye
Comm. John Matthews	Aye
Comm. Mark Carpenter	Aye
Comm. Don Beeson	Aye
County Judge Roger Harmon	Aye

Motion carried by unanimous hand vote.

IX. UNFINISHED BUSINESS

1. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS, AND CONTRACTS FOR ADULT PROBATION BUILDING

Comm. Matthews, seconded by Comm. Beeson, made a motion to go out for proposals for a Construction Manager at Risk under Local Government Code 271 for an Adult Probation Building.

All voted aye; motion carried.

2. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS AND CONTRACTS FOR REMODELING OF THE OLD BAND HALL FOR JUSTICE OF THE PEACE, PRECINCT #1 OFFICES

Comm. Matthews, seconded by Comm. Beeson, made a motion to go out for proposals for a Construction Manager at Risk under Local Government Code 271 for the remodeling of the Old Band Hall for Justice of the Peace, Precinct #1 Offices.

All voted aye; motion carried.

3. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS AND CONTRACTS FOR EXPANSION OF NORTH AND SOUTH ENDS OF THE 3<sup>RD</sup> FLOOR AT THE GUINN JUSTICE CENTER



Comm. Matthews, seconded by Comm. Beeson, made a motion to go out for proposals for a Construction Manager at Risk under Local Government Code 271 for expansion of the North and South ends of the 3<sup>rd</sup> Floor at the Guinn Justice Center.

All voted aye; motion carried.

The Commissioner's Court recessed at 11:03 A.M. and reconvened at 11:24 A.M. to consider the following:

XII. WORKSHOP

The Commissioner's Court convened into Workshop Session at 11:26 A.M. to discuss the Location of Forty (40) Bed Mobile Hospital Trailer Unit from North Central Texas Trauma Regional Advisory Council in Johnson County to Serve Johnson, Somervell, Hood, Bosque, Ellis, and Hill Counties.

The Commissioner's Court recessed at 11:51 A.M. and reconvened back into Workshop at 1:15 P.M. to discuss the Formation of a Transportation Coalition of County Mayors and Commissioner's Court Members.

Commissioner Matthews exited at 11:51 A.M. and did not return to the meeting.

The Commissioner's Court re-convened into Open Session at 1:39 P.M. to consider the following:

IX. UNFINISHED BUSINESS

5. CONSIDERATION OF ENGINEERING DESIGN PROPOSAL FOR FIBER OPTICS LINE SECOND PHASE

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve Childress Engineers for Engineering Design Proposal for Fiber Optics Line Second Phase and to give the County Judge the authorization to sign.

All voted aye; motion carried.

7. CONSIDERATION OF REVISED INTELLILINK SUBSCRIPTION/METER AND SCALE RENTAL AGREEMENT WITH PITNEY BOWES FOR ENHANCED ACCOUNTING FEATURES ON THE MAIL MACHINE

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve the Revised Intellilink Subscription/Meter and Scale Rental Agreement with Pitney Bowes for enhanced accounting features on the mail machine and to give the County Judge the authorization to sign.

All voted aye; motion carried.

6. CONSIDERATION OF LOCAL INITIATIVE PROJECT (LIRAP) PROJECT APPLICATION AND CERTIFICATION

Comm. Beeson, seconded by Comm. McFall, made a motion to approve the Local Initiative Project (LIRAP) Project Application and Certification and to give the County Judge the authorization to sign.

All voted aye; motion carried.

X. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. McFall, seconded by Comm. Carpenter, made a motion to re-advertise for Bids/Proposals for **RFP #2008-165B** for the sale and relocation of the building at 1601 N. Anglin, Cleburne, Texas and **RFP #2008-166B** for the sale of a strip of property located at FM 1434, Cleburne, Texas.

All voted aye; motion carried.

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

- a. Road and Bridge Donated by Texas Midstream Services, LLP in the Amount of \$1,350.00-Precinct #2

Comm. Beeson, seconded by Comm. McFall, made a motion to approve the Budget Amendment pursuant to the Local Government Code *111.0106* for road and bridge materials donated by Texas Midstream Services, LLP in the amount of \$1,350.00 in Precinct #2.

All voted aye; motion carried.

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

- a. Election-Personnel Salaries
- b. Justice of the Peace, Precinct #4 Office Supplies (Tech Fund)
- c. Sheriff-Personnel Salaries
- d. General Fund-Non-Departmental
- e. Right of Way Acquisition-Right of Way Purchases
- f. STOP-Technical Equipment
- g. Indigent Health Care-Indigent Care Expense

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the Budget Amendment pursuant to the Local Government Code *111.010 C* for Election-Personnel Salaries increasing Position #F05-001 from \$21,094 to \$22,094; Position #F05-002 from \$17,795 to \$18,795; and Position #F05-003 from \$17,330 to \$18,330 effective August 17, 2008; Justice of the Peace, Precinct #4-from the Technology Fund for office supplies in the amount of \$500.00; Sheriff's Department-Personnel Salaries to change Position #D04-011, Transport Officer \$27,180 to Position #D12-013, Child Advocacy Investigator \$36,000 effective September 1, 2008; General Fund Non-Departmental for the Right of Way fund in the amount of \$200,000.00; STOP-Technical Equipment-purchase of handheld radios in the amount of \$6,000.00; and Indigent Health Care-Indigent Care Expenses for Budget shortage in the amount of \$100,000.00.

All voted aye; motion carried.

4. CONSIDERATION OF PROFESSIONAL SERVICES AGREEMENT  
BETWEEN JOHNSON COUNTY, TEXAS AND BRENDA CAMPBELL FOR  
SERVICES TO THE CITIES READINESS INITIATIVE

Comm. McFall, seconded by Comm. Beeson, made a motion to approve the Professional Services Agreement between Johnson County, Texas and Brenda Campbell for services to the Cities Readiness Initiative in the amount of \$24,000.00 per year and to give the County Judge the authorization to sign.

All voted aye; motion carried.

5. CONSIDERATION OF CONTRACT FOR THE CITIES READINESS  
INITIATIVE (CRI) FROM THE DEPARTMENT OF STATE HEALTH  
SERVICES (DSHS) FROM AUGUST 1, 2008 UNTIL JULY 31, 2009

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the Contract for the Cities Readiness Initiative (CRI) from the Department of State Health Services (CRI) from August 1, 2008 until July 31, 2009 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

6. CONSIDERATION OF STATE CASE REGISTRY AND LOCAL CUSTOMER  
SERVICE CONTRACT FY 09/10 FROM THE ATTORNEY GENERAL OF  
TEXAS-DISTRICT CLERK

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

All voted aye; motion carried.

7. CONSIDERATION OF THE INTERGOVERNMENTAL COOPERATIVE  
REIMBURSEMENT CONTRACT WITH FEDERAL, STATE AND LOCAL  
GOVERNMENTS AND AGENCIES FOR LOW INCOME VEHICLE REPAIR  
ASSISTANCE, RETROFIT AND ACCELERATED VEHICLE RETIREMENT  
PROGRAM WITH THE TEXAS COMMISSION ON ENVIRONMENTAL  
QUALITY

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

All voted aye; motion carried.

8. CONSIDERATION OF EXPERIENCE REFUND AGREEMENT WITH UNITED HEALTHCARE

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the Experience Refund Agreement with United Healthcare and to give the County Judge the authorization to sign.

All voted aye; motion carried.

9. CONSIDERATION OF OFFICIAL BOND AND OATHS FOR:

a. Cheri Hawkins, County Elections Administrator

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

All voted aye; motion carried.

b. Keith Allen Lewis, Deputy Constable, Precinct #2

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

All voted aye; motion carried.

c. Edmund Terry Fiene, Deputy Constable, Precinct #2

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

All voted aye; motion carried.

10. CONSIDERATION OF INTERLOCAL AGREEMENT WITH THE CITY OF ALVARADO TO SEALCOAT 2,678 FEET OF NORTH JESSUP AND COMMISSIONER'S COURT APPROVAL FOR INTERLOCAL AGREEMENT PROJECT-PRECINCT #3

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the Interlocal Agreement with the City of Alvarado to sealcoat 2,678 feet of North Jessup and Commissioner's Court approval for the Interlocal Agreement Project in Precinct #3.

All voted aye; motion carried.

11. CONSIDERATION OF PROPOSAL FOR WEBSITE CONTENT MANAGED SOFTWARE FROM SAGENTIC-ISS DEPARTMENT

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the Proposal for the Website Content Managed Software from SagentiC for the ISS Department in the amount of \$ 5,000.00.

All voted aye; motion carried.

12. CONSIDERATION OF MEMORANDUM OF UNDERSTANDING BETWEEN JOHNSON COUNTY AND THE SUPREME COURT OF TEXAS FOR SUPPORT OF CONTINUITY OF COURT OPERATIONS IN THE EVENT OF AN EMERGENCY

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the Memorandum of Understanding Between Johnson County and the Supreme Court of Texas for support of continuity of Court operations in the event of an emergency and to give the County Judge the authorization to sign.

All voted aye; motion carried.

13. CONSIDERATION OF INTERLOCAL AGREEMENT BETWEEN THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS AND JOHNSON COUNTY FOR E9-1-1 SERVICE, EQUIPMENT, ADDRESSING AND DATABASE MAINTENANCE

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the Interlocal Agreement between the North Central Texas Council of Governments and Johnson County for E9-1-1 service, equipment, addressing and database maintenance and to give the County Judge the authorization to sign.

All voted aye; motion carried.

14. CONSIDERATION TO LOCATE FORTY (40) BED MOBILE HOSPITAL TRAILER UNIT FROM NORTH CENTRAL TEXAS TRAUMA REGIONAL ADVISORY COUNCIL IN JOHNSON COUNTY TO SERVE JOHNSON, SOMERVELL, HOOD, BOSQUE, ELLIS AND HILL COUNTIES

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

All voted aye; motion carried.

15. CONSIDERATION OF HEALTH INSURANCE SUBSIDY FOR LONG TENURED EMPLOYEES ELIGIBLE FOR TCDRS

Discussion. No Action.

XI. CONSENT AGENDA

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

All voted aye; motion carried.

XII. WORKSHOP

The Commissioner's Court convened into Workshop Session at 2:49 P.M. to discuss the Budget.

The Commissioner's Court re-convened into Open Session at 3:11 P.M. to consider the following:

X. NEW BUSINESS

16. CONSIDERATION OF PROPOSED BUDGETED SALARIES FOR JOHNSON COUNTY EMPLOYEES FY 2009

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve the Proposed Budgeted Salaries and salary changes for County Employees FY 2009.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 4:48 P.M.

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

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