

STATE OF TEXAS

February 16, 2009

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 16th day of February 2009, the Honorable Commissioner's Court of Johnson County, Texas, met in Special Session at the 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 8:35 A.M., with all members present and the following items, having been lawfully posted and filed for record in the Office of the County Clerk on February 12th, 2009 at 1:05 P.M., were considered:

I. NEW BUSINESS

1. CONSIDERATION UNDER DISCRETIONARY EXEMPTIONS OF THE LOCAL GOVERNMENT CODE SECTION 262.024 TO REPLACE THE WATER BOILER AND REPAIR TWO HUNDRED EIGHTY NINE (289) DETENTION LOCKS AT THE JAIL FACILITY

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve under Discretionary Exemptions of the Local Government Code *Section 262.024* to replace the water boiler in an amount not to exceed \$40,000.00.

All voted aye; motion carried.

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the repair of two hundred eighty nine (289) detention locks at the jail facility under the Integrity Steel Works contract dated 11-19-08 with the following Amendments: under Article V. Indemnity of the Indemnity Clause would read as follows: Johnson County subject to the Texas Torts Claims Acts shall indemnify and hold harmless according to the wording listed on the contract

and would strike Article VII. Replacement parts should not exceed \$10,000.00 over and above the Contract price of \$18,837.50 and to give the County Judge the authorization to sign the Contract.

All voted aye; motion carried.

2. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

No. discussion. No Action.

II. UNFINISHED BUSINESS

1. CONSIDERATION TO LEASE COUNTY OWNED LAND FOR MINERAL DEVELOPMENT ON THE FOLLOWING PROPERTIES:

- a. **RFP #2009-202A**-being .0875 of an Acre, more or less, being Situated in the David Clark Survey, A-138, Johnson County, Texas, known as Lot 15, Block 4, Emerald Estates, an Addition in Johnson County According to the Plat Recorded in Volume 4, Page 34, Plat Records, Johnson County Texas, and being more Particularly Described in that Certain Warranty Deed Dated February 27, 1989, from Vanden Plaza Partners in Texas Managing Partner Evan R. Evans to Johnson County Mental Health Mental Retardation Center, Recorded in Volume 1406, Page 610, of the Official Public Records of Johnson County Texas. (271 N. Diamond Lane, Burleson, Texas)-Precinct #2

Comm. Matthews, seconded by Comm. Bailey, made a motion to re-advertise for **RFP #2009-202A**-Leasing of County Owned Land for Mineral Development on .0875 of an Acre, more or less, being Situated in the David Clark Survey, A-138, Johnson County, Texas, known as Lot 15, Block 4, Emerald Estates, an Addition in Johnson County according to the Plat Recorded in Volume 4, Page 34, Plat Records, Johnson County Texas, and being more particularly described in that Certain Warranty Deed dated February 27, 1989, from Vanden Plaza Partners in Texas Managing Partner Evan R. Evans to Johnson County Mental Health Mental Retardation Center, Recorded in Volume 1406, Page 610, of the Official Public Records of Johnson County Texas. (271 N. Diamond Lane, Burleson, Texas)-Precinct #2 with a Royalty of 25% at the well head and a minimum of \$5,000.00 per acre with a no drill clause on this property.

All voted aye; motion carried.

- b. **RFP #2009-209A-** being 3.13 Acres, 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, Plat Records of Johnson County, Texas, (247 Elk Drive, Burleson, Texas)-Precinct #2

Comm. Matthews, seconded by Comm. Bailey, made a motion to re-advertise for **RFP #2009-209A**-which will become **RFP #2009-209B**-Leasing of County Owned Land for Mineral Development on 3.13 acres, Lot 4, Block 1 of the Creekview Addition, a Subdivision of the Joshua Minnett Survey, Abstract No. 548, Johnson County, Texas, according to the Plat in Volume 6, Page 100, Plat Records of Johnson County, Texas (247 Elk Drive, Burleson, Texas)-Precinct #2 with a Royalty of 25% at the well head and a minimum of \$6,000.00 per acre with a no drill clause on this property.

All voted aye; motion carried.

BE IT KNOWN that Commissioner's Court met in Executive Session at 9:20 A.M. in accordance with Government Code *Section. 551.071* Consultation with Attorney: Pending Litigation-Maria Cookmeyer vs. Johnson County Charge No. 450-2008-04747.

The Commissioner's Court re-convened into Open Session at 9:40 A.M. to consider the following:

III. EXECUTIVE SESSION

1. Government Code:

- a. *Sec. 551.071*-Consultation with Attorney: Pending Litigation-Maria Cookmeyer vs. Johnson County Charge No. 450-2008-04747

Comm. Matthews, seconded by Comm. Stringer, made a motion to give Bill Moore, County Attorney authorization to respond to the settlement letter on the Pending Litigation-Maria Cookmeyer vs. Johnson County Charge No. 450-2008-04747.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 9:40 A.M. on the same date.

Submitted by: _____
Curtis H. Douglas
County Clerk

Approved by: _____
Roger Harmon
County Judge