

STATE OF TEXAS

June 8, 2009

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 8th day of June 2009, 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 9:04 A.M., with all members present, and following the Invocation led by Pastor Mark Ely with the College Heights Baptist Church, Cleburne, Texas and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on June 4, 2009 at 1:03 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF PROCLAMATION OF "FLAG RECOGNITION WEEK"

The Commissioner's Court proclaimed June 8-14, 2009 as "Flag Recognition Week".

IX. NEW BUSINESS

4. CONSIDERATION OF LEAP (LAW ENFORCEMENT ANALYSIS PORTAL) THROUGH NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS-SHERIFF'S DEPARTMENT

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the LEAP (Law Enforcement Analysis Portal) through North Central Texas Council of Governments for the Sheriff's Office.

Comm. Bailey voted aye.
Comm. Stringer voted aye.
Comm. Beeson voted aye.
Judge Harmon voted aye.
Comm. Matthews abstained.

motion carried.

V. PUBLIC PARTICIPATION

None.

VI. PUBLIC HEARINGS

The Commissioner's Court opened a Public Hearing at 9:19 A.M. to discuss:

1. "INSTALLATION OF NO THRU TRUCK SIGNS ON COUNTY ROADS 921, 1000 AND SKY ROAD"-PRECINCT #2

Commissioner John W. Matthews spoke in support of the installation of No Thru Truck signs on County Road 921, 1000 and Sky Road in Precinct #2. The hearing was closed at 9:21 A.M.

The Commissioner's Court opened a Public Hearing at 9:21 A.M. to discuss:

2. "DECREASE OF SPEED LIMIT FOR PASSENGER CARS AND TRUCKS FROM 40 MPH TO 30 MPH ON FORGOTTEN LANE, SHADY MEADOWS ADDITION, FROM THE INTERSECTION WITH 917 TO THE BURLESON CITY LIMITS (BEING APPROXIMATELY 640 FEET EAST OF THE IH-35W SERVICE ROAD ON FORGOTTEN LANE)"-PRECINCT #3

Commissioner Jerry Stringer spoke in support of decreasing the speed limit for passenger cars and trucks from 40 MPH to 30 MPH on Forgotten Lane, Shady Meadows Addition, from the intersection with 917 to the Burleson City Limits (being approximately 640 Feet East of the IH-35W Service Road on Forgotten Lane) in Precinct #3. The hearing was closed at 9:23 A.M.

The Commissioner's Court opened a Public Hearing at 9:23 A.M. to discuss:

3. “DECREASE OF SPEED LIMIT FOR PASSENGER CARS AND TRUCKS FROM 30 MPH TO 20 MPH ON HILL TOP CIRCLE, HILL TOP ESTATES, FROM THE INTERSECTION WITH HILLSIDE DRIVE EAST TO THE INTERSECTION WITH HOOVER ROAD”-PRECINCT #3

Commissioner Jerry Stringer spoke in support of decreasing the speed limit for passenger cars and trucks from 30 MPH to 20 MPH on Hill Top Circle, Hill Top Estates, from the intersection with Hillside Drive East to the intersection with Hoover Road in Precinct #3. The hearing was closed at 9:25 A.M.

VII. PRECEDING BUSINESS

1. CONSIDERATION OF **ORDER #2009-10** “INSTALLATION OF NO THRU TRUCK SIGNS ON COUNTY ROADS 921, 1000 AND SKY ROAD”-PRECINCT #2

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve **Order #2009-10** “Installation of No Thru Truck Signs on County Roads 921, 1000 and Sky Road” in Precinct #2.

All voted aye; motion carried.

2. CONSIDERATION OF **ORDER #2009-08** “DECREASE OF SPEED LIMIT FOR PASSENGER CARS AND TRUCKS FROM 40 MPH TO 30 MPH ON FORGOTTEN LANE, SHADY MEADOWS ADDITION, FROM THE INTERSECTION WITH 917 TO THE BURLESON CITY LIMITS (BEING APPROXIMATELY 640 FEET EAST OF THE IH-35W SERVICE ROAD ON FORGOTTEN LANE)”-PRECINCT #3

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve **Order #2009-08** “Decrease of Speed Limit for Passenger Cars and Trucks from 40 MPH to 30 MPH on Forgotten Lane, Shady Meadows Addition, from the intersection with 917 to the Burleson City Limits (being approximately 640 feet East of the IH-35W Service Road on Forgotten Lane)” in Precinct #3.

All voted aye; motion carried.

3. CONSIDERATION OF **ORDER #2009-11** “DECREASE OF SPEED LIMIT FOR PASSENGER CARS AND TRUCKS FROM 30 MPH TO 20 MPH ON HILL TOP CIRCLE, HILL TOP ESTATES, FROM THE INTERSECTION WITH HILLSIDE DRIVE EAST TO THE INTERSECTION WITH HOOVER ROAD”-PRECINCT #3

Comm. Stringer, seconded by Comm. Matthews, made a motion to approve **Order #2009-11** “Decrease of Speed Limit for Passenger Cars and Trucks from 30 MPH to 20 MPH on Hill Top Circle, Hill Top Estates, from the Intersection with Hillside Drive East to the Intersection with Hoover Road” in Precinct #3.

All voted aye; motion carried.

4. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Matthews, seconded by Comm. Bailey, made a motion to pay bills as presented by the County Auditor.

All voted aye; motion carried.

5. 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.

6. CONSIDERATION TO ACCEPT FOR COUNTY MAINTENANCE 0.4 MILES OF CRYSTAL LANE LOCATED IN CRYSTAL OAKS-PRECINCT #4

Comm. Beeson, seconded by Comm. Stringer, made a motion to accept for County maintenance 0.4 miles of Crystal Lane located in Crystal Oaks in Precinct #4.

All voted aye; motion carried.

9. CONSIDERATION TO AWARD **RFP #2009-201** FOR AUCTIONEER SERVICES FOR THE SHERIFF’S AUCTION



Comm. Matthews, seconded by Comm. Bailey, made a motion to award **RFP #2009-201** to Joe Pippin Auctioneer for auctioneer services for the Sheriff's auction.

All voted aye; motion carried.

10. CONSIDERATION TO RE-ADVERTISE FOR **RFP #2009-232** FOR 2006 OR NEWER USED 12 YARD DUMP TRUCK-PRECINCT #1

Comm. Bailey, seconded by Comm. Matthews, made a motion to re-advertise for **RFP #2009-232** for a 2006 or newer used 12 yard dump truck for Precinct #1.

All voted aye; motion carried

VIII. UNFINISHED BUSINESS

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

a. Approval of Subcontractor List for Guinn Justice Center 3rd Floor and Johnson County Justice of the Peace, Precinct #1

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the Subcontractor List for Guinn Justice Center 3rd Floor and Johnson County Justice of the Peace, Precinct #1 as attached.

All voted aye; motion carried.

c. Harrison Walker & Harper's Guaranteed Maximum Price (GMP) for Guinn Justice Center 3rd Floor and Johnson County Justice of the Peace, Precinct #1

Comm. Bailey, seconded by Comm. Matthews, made a motion to approve Harrison Walker & Harper's Guaranteed Maximum Price (GMP) for the Guinn Justice Center 3rd Floor in the amount of \$547,414.00 and Johnson County Justice of the Peace, Precinct #1 in the amount of \$431,458.00 with a guaranteed maximum price of \$978,872.00 to be paid from Fund 0745155530.

All voted aye; motion carried.

- b. Award **RFP #2009-229** for Fiber Optics Line, Phase 2



Comm. Beeson, seconded by Comm. Bailey, made a motion to award **RFP #2009-229** to NEI DataCom of Waco, Texas in the amount of \$59,777.00 for Fiber Optics line, Phase 2.

All voted aye; motion carried.

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

Discussion. No Action.

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

Discussion. No Action.

The Commissioner's Court recessed at 10:10 A.M. and reconvened at 10:33 A.M. to consider the following:

VII. PRECEDING BUSINESS

7. CONSIDERATION OF PROPOSAL FROM JOE BAUER, DFW TECH, INC. TO EXPAND AND UPGRADE EXISTING WIFI SYSTEM AND EXTEND SERVICE CONTRACT FOR ONE YEAR IN THE NEW LAW LIBRARY AND LAWYERS CONFERENCE CENTER

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Proposal from Joe Bauer, DFW TECH Inc. to expand and upgrade the existing WIFI system and extend a Service Contract for one year in the new Law Library and Lawyers Conference Center in the amount of \$4,585.00 to be paid from Fund 9394345400.

All voted aye; motion carried.

8. CONSIDERATION OF PROPOSAL FROM JOE BAUER, DFW TECH, INC. TO DESIGN AND INSTALL, INCLUDING SOUND DISTRIBUTION, TRAINING AND MAINTENANCE TO STREAM CONTINUING LEGAL EDUCATION VIDEOS FOR NEW LAW LIBRARY AND LAWYERS CONFERENCE CENTER

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Proposal from Joe Bauer, DFW TECH Inc. to design and install, including sound distribution, training and maintenance to stream continuing legal education videos for the new Law Library and Lawyers Conference Center in the amount of \$8,689.00 to be paid from Fund 9394345400.

All voted aye; motion carried.

IX. NEW BUSINESS

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

- a. 413th District Court-Felony Court Appointed Attorney and Other Court Appointed Attorneys
- b. 18th District Court-Felony Court Appointed Attorney and Other Court Appointed Attorneys
- c. 249th District Court-Felony Court Appointed Attorney and Other Court Appointed Attorneys

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve Budget Amendment pursuant to the Local Government Code *Section 111.010-C* for the Indigent Defense Grant for the 413th District Court-Felony Court Appointed Attorney and Other Court Appointed Attorneys in the amount of \$15,000.00; 18th District Court-Felony Court Appointed Attorney and Other Court Appointed Attorneys in the amount of \$15,000.00; and 413th District Court-Felony Court Appointed Attorney and Other Court Appointed Attorneys in the amount of \$15,000.00.

All voted aye; motion carried.

9. CONSIDERATION FOR MONTHLY PAYMENT TO SENIOR DISTRICT JUDGE C.C. (KIT) COOKE FOR ASSIGNMENT TO JOHNSON COUNTY BEGINNING AUGUST 1, 2009

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the monthly payment of \$1,000.00 per month to Senior District Judge C.C. (Kit) Cooke for assignment to Johnson County beginning August 1, 2009 to be paid from Fund 0104345103.

All voted aye; motion carried.

10. CONSIDERATION OF AMENDED AGREEMENT WITH MAGISTRATE FOR TONI DRIVER

Comm. Bailey, seconded by Comm. Matthews, made a motion to approve the amended Agreement with Magistrate Toni Driver as attached.

All voted aye; motion carried.

3. CONSIDERATION OF BIDS ON STRUCK-OFF PROPERTIES CONDUCTED BY VENUS INDEPENDENT SCHOOL DISTRICT AND RESOLUTIONS APPROVING THE SALE:

- a. Cause # T200000301
- b. Cause # T200500187
- c. Cause # T200600356

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the bids on struck-off properties conducted by Venus Independent School District and Resolutions approving the sale of Cause # T200000301, # T200500187 and T200600356.

All voted aye; motion carried.

6. CONSIDERATION OF WORKFORCE SOLUTIONS FOR NORTH CENTRAL TEXAS-WIA YOUTH PROGRAM

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve Workforce Solutions for North Central Texas-WIA Youth Program with a signed waiver from a parent of any child under 18 and a signed waiver from any adult wishing to perform duties for Johnson County.

All voted aye; motion carried.

VIII. UNFINISHED BUSINESS

9. CONSIDERATION OF AUTO-MARK LEASE AGREEMENT WITH CITY OF JOSHUA FOR THE RUN-OFF ELECTION

Comm. Matthews, seconded by County Comm. Stringer, made a motion to approve the Auto-Mark Lease Agreement with the City of Joshua for the Run-Off Election.

All voted aye; motion carried.

7. CONSIDERATION OF NEW SHARED CELLULAR EQUIPMENT AND ADD ALLOWANCE:

a. Sheriff's Department-Morris Brown and Brett Baker

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve new shared cellular equipment for Brett Baker with the Sheriff's Office in the amount of \$40.00 per month and the request for Morris Brown was denied.

All voted aye; motion carried.

IX. NEW BUSINESS

7. CONSIDERATION TO APPLY FOR EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 2009-LOCAL SOLICITATION

Comm. Matthews, seconded by Comm. Beeson, made a motion to apply for Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2009-Local Solicitation.

All voted aye; motion carried.

8. CONSIDERATION OF RESOLUTION FOR THE TECHNOLOGY INTEGRATION/COMPUTER FORENSIC PROJECT

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the Resolution for the Technology Integration/Computer Forensic Project.

All voted aye; motion carried.

The Commissioner's Court recessed at 11:48 A.M. and reconvened at 1:18 P.M. to consider the following:

VIII. UNFINISHED BUSINESS

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. Bailey, seconded by Comm. Beeson, made a motion to approve the amendments to the Harrison Walker & Harper contract 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 3RD FLOOR AT THE GUINN JUSTICE CENTER

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the amendments to the Harrison Walker & Harper contract for the expansion of the North and South ends of the 3rd floor at the Guinn Justice Center.

All voted aye; motion carried.

4. CONSIDERATION TO MOVE FORWARD AT 112 S. BUFFALO AVENUE:

a. Asbestos Abatement of the Brick Building, Demolition and Removal

Comm. Bailey, seconded by Comm. Matthews, made a motion to approve the Asbestos Abatement of the Brick Building located at 112 S. Buffalo Avenue and the Demolition and Removal.

All voted aye; motion carried.

b. Asbestos Abatement of Red Metal Building and to Advertise for Public to Bid on Dismantling and Hauling Off

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the Asbestos Abatement of the Red Metal Building located at 112 S. Buffalo Avenue and to advertise for the public to bid on dismantling and hauling off.

All voted aye; motion carried.

c. Removal of Tan Building to Precinct #1

Comm. Bailey, seconded by County Judge Harmon, made a motion to approve the removal of the Tan Building located at 112 S. Buffalo Avenue to Precinct #1.

All voted aye; motion carried.

8. CONSIDERATION OF VPN ACCESS FOR COUNTY LAPTOP-COUNTY JUDGE

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve VPN access for the County laptop for the County Judge's Office (Sandy Sims).

All voted aye; motion carried.

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Stringer, seconded by Comm. Matthews, made a motion to advertise for bids/proposals-ISS-Johnson County wireless project for Guinn Justice Center, Courthouse and ISS; Precinct #1-concrete slab; removal of the red metal building at 112 S. Buffalo Ave. after the Abatement; and Precinct #3-a Pneumatic Trailer-single pot for cement spreader.

All voted aye; motion carried.

5. CONSIDERATION OF BOND FOR BRENDA LANETTE GLENN, HAMM CREEK PARK PERSONNEL

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the bond for Brenda Lanette Glenn, Hamm Creek Park Personnel.

All voted aye; motion carried.

X. CONSENT AGENDA

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Consent Agenda.

All voted aye; motion carried.

XI. WORKSHOP

The Commissioner's Court convened into Workshop Session at 1:41 P.M. to discuss Hamm Creek Park Rules and Regulations; the Market Square; and Technology that Operates the Cameras and Doors Located in the Johnson County Law Enforcement Center.

The Commissioner's Court re-convened into Open Session at 2:42 P.M.

BE IT KNOWN that Commissioner's Court met in Executive Session at 2:42 P.M. in accordance with Government Code *Section 551.072*-Real Property; and *Section 551.074*-Personnel Matters-Interviews for Hamm Creek Park Manager-Ovie Miller; and Sheriff's Department-Teresa Reyes.

The Commissioner's Court re-convened into Open Session at 4:11 P.M. to consider the following:

VIII. UNFINISHED BUSINESS

5. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

a. Hiring of Architect to do Conceptional Drawing of Refurbishing of Market Square

Comm. Bailey, seconded by Comm. Matthews, made a motion to approve the hiring of an Architect to do a conceptional drawing of refurbishing the Market Square in an amount not to exceed \$1,000.00 to be paid from Fund 0105105400.

All voted aye; motion carried.

6. CONSIDERATION OF RECURRING ITEMS CONCERNING HAMM CREEK PARK

a. Rules and Regulations for Park

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the Rules and Regulation for Hamm Creek Park including the amendments as attached.

All voted aye; motion carried.

XII. EXECUTIVE SESSION

1. Government Code:

a. *Sec. 551.072*-Real Property

No Action.

b. *Sec. 551.074- Personnel Matters*

(1) Interviews for Hamm Creek Park Manager-Over Miller

No Action.

(2) Sheriff's Department-Teresa Reyes

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the bi-lingual supplement pay for Teresa Reyes in the Sheriff's Department effective June 8, 2009.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 4:16 P.M.

Submitted by: _____
County Clerk
Curtis H. Douglas

Approved by: _____
County Judge
Roger Harmon