

STATE OF TEXAS

July 13, 2009

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 13th day of July 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 9:00 A.M., with all members present except for Commissioner Don Beeson, Precinct #4, and following the Invocation led by Pastor Danny Niedecken from St. Marks United Methodist, 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 July 13, 2009 at 10:49 A.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF LENGTH OF SERVICE AWARDS

Employees of Johnson County were recognized for their service to the County and employees were given Length of Service pins, as attached to these minutes.

2. UPDATE OF ESTIMATED MINERAL VALUATIONS IN JOHNSON COUNTY FROM JIM HUDSPETH, EXECUTIVE DIRECTOR/CHIEF APPRAISER OF THE CENTRAL APPRAISAL DISTRICT

An update of estimated mineral valuations in Johnson County was given by Jim Hudspeth, Executive Director/Chief Appraiser of the Central Appraisal District.

V. PUBLIC PARTICIPATION

Gary Sarradet with Liberty National Insurance spoke in reference to making arrangements to give a presentation of their products.

Pamela West spoke in reference to billing the City of Rio Vista for the Local Option Election held on May 9, 2009.

VI. PRECEDING BUSINESS

1. CONSIDERATION OF MINUTES OF THE COMMISSIONER'S COURT FOR MAY 26, 2009

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Commissioner's Court Minutes for May 26, 2009 as submitted by the County Clerk.

All voted aye; motion carried.

2. CONSIDERATION OF REQUEST TO PAY BILLS

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

All voted aye; motion carried.

3. 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.

4. CONSIDERATION TO AWARD BID **RFB #2009-233** FOR ¾ TON PICK-UP TRUCK-PRECINCT #1

Comm. Bailey, seconded by Comm. Matthews, made a motion to deny all bids for **RFB #2009-233** for a ¾ ton pick-up truck for Precinct #1.

All voted aye; motion carried.

5. CONSIDERATION OF RENEWAL OF **RFB #2008-171** FOR CULVERTS WITH CONTECH CONSTRUCTION AND HOOD-TEX PIPE COMPANY

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve to renew **RFP #2008-171** for culverts with Contech Construction and Hood-Tex Pipe Company at the 2008 prices.

All voted aye; motion carried.

6. CONSIDERATION OF RENEWAL OF CONTRACT FOR TRANSPORT OF HUMAN REMAINS FOR 2010 WITH ROSSER FUNERAL HOME

Comm. Stringer, seconded by Comm. Matthews, made a motion to approve the renewal of contract for transport of human remains for 2010 with Rosser Funeral Home and to give the County Judge the authorization to sign.

All voted aye; motion carried.

7. CONSIDERATION OF PROPOSALS FOR ASBESTOS ABATEMENT FOR PHASE II PROJECT LOCATED AT 112 S. BUFFALO, CLEBURNE, TEXAS: CONSULTANT-RESOURCE ENVIRONMENTAL CONSULTING; AND CONTRACTOR-THE ANDREW JOSEPH COMPANY

Comm. Bailey, seconded by County Judge Roger Harmon, made a motion to approve the Proposals for Asbestos Abatement for Phase II Project located at 112, S. Buffalo, Cleburne, Texas: Consultant-Resource Environmental Consulting; and Contractor with the Andrew Joseph Company to be paid from the Mineral Revenue Reserve Fund with the correction in wording of contract from Tarrant County to Johnson County and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF LEASE FOR COUNTY OWNED LAND: BEING LOT 4, BLOCK 1 OF CREEKVIEW ADDITION, A SUBDIVISION OF THE JOSHUA MINNETT SURVEY, ABSTRACT NO. 548, JOHNSON COUNTY, TEXAS 3.13 ACRES LOCATED AT 247 ELK DRIVE, BURLESON, TEXAS-PRECINCT #2

Comm. Matthews, seconded by Comm. Bailey, made a motion to lease County owned land for mineral development on the following property: Being Lot 4, Block 1 of Creekview Addition, a Subdivision of the Joshua Minnett Survey, Abstract No. 548, Johnson County, Texas-3.13 acres located at 247 Elk Drive, Burleson Texas, in Precinct #2, with a Royalty of 25% at the well head and a minimum of \$2,500.00 per acre with a no drill clause.

All voted aye; motion carried.

9. CONSIDERATION OF UPDATED/REVISED JOHNSON COUNTY PURCHASING MANUAL WHICH INCLUDES COMPETATIVE BIDS INCREASE TO \$50,000

Comm. Bailey, seconded by Comm. Matthews, made a motion to approve the updated/revised Johnson County Purchasing Manual which includes Competitive Bids increase for one (1) quote for \$1,500.00 to \$9,999.00 and two (2) quotes for \$10,000.00 to \$49,999.00.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

11. CONSIDERATION OF BILLING TO THE CITY OF RIO VISTA FOR LOCAL OPTION ELECTION HELD ON MAY 9, 2009

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the billing to the City of Rio Vista for the Local Option Election held on May 9, 2009 in the amount of \$4,469.67.

All voted aye; motion carried.

The Commissioner's Court recessed at 10:57 A.M. and reconvened at 11:15 A.M. to consider the following:

7. CONSIDERATION OF UP-DATE ON THE MOUNTAIN VALLEY SURVEY BY ERIC DUMAS WITH DUMAS LAND SURVEYING, INC.

Discussion. No Action.

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

No Action.

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. Contract for Fiber Optics Line, Phase II (RFP #2009-229) with NEI DATACOM

Comm. Bailey, seconded by Comm. Matthews, made a motion to approve the Contract for Fiber Optics Line, Phase II (RFP #2009-229) with NEI DATACOM and to give the County Judge the authorization to sign.

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

Discussion. No Action.

8. CONSIDERATION OF RESOLUTION FOR AN AMENDMENT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND CONTRACT WITH THE OFFICE OF RURAL COMMUNITY AFFAIRS CONTRACT #727310

Comm. Stringer, seconded by Comm. Matthews, made a motion to approve the Resolution for an Amendment to the Community Development Block Grant Fund Contract with the Office of Rural Community Affairs Contract #727310.

All voted aye; motion carried.

10. CONSIDERATION OF PAYMENT TO ENTECH FOR WORK ON DOOR LOCKING SYSTEM AT THE LAW ENFORCEMENT CENTER

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

All voted aye; motion carried.

9. CONSIDERATION TO ACCEPT GRANT AWARD WITH THE DEPARTMENT OF JUSTICE UNDER THE FY 09 RECOVERY ACT EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM LOCAL SOLICITATION IN THE AMOUNT OF \$89,965.00

Comm. Matthews, seconded by Comm. Bailey, made a motion to accept the Grant Award with the Department of Justice under the FY 09 Recovery Act Edward Byrne Memorial Justice Assistance Grant Program Local Solicitation in the amount of \$89,965.00 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

VIII. NEW BUSINESS

4. CONSIDERATION OF PAYMENT OF INVOICES TO DUGGER BROTHER'S FOR AIR CONDITIONING REPAIRS AT THE LAW ENFORCEMENT CENTER

County Judge Roger Harmon, seconded by Comm. Matthews, made a motion to table this item.

All voted aye; motion carried.

The Commissioner's Court recessed at 12:18 P.M. and reconvened at 1:14 P.M. to consider the following:

BE IT KNOWN that Commissioner's Court met in Executive Session at 1:14 P.M. in accordance with Government Code *Section 551.072-Real Property; Section 551.074-Personnel-Randy Gillespie, Personnel Director-90 Day Employment Review; and Personnel-Interviews for Chief Forensic Death Investigator: (1) Michael Pollard (2) Kelly Neil.*

The Commissioner's Court re-convened into Open Session at 3:04 P.M. to consider the following:

VII. UNFINISHED BUSINESS

4. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

Discussion. No Action.

5. CONSIDERATION OF RECURRING ITEMS CONCERNING HAMM CREEK PARK

Discussion. No Action.

6. CONSIDERATION OF RECURRING ITEMS CONCERNING NTTA/TXDOT-STATE HIGHWAY 121-SOUTHWEST PARKWAY/CHISHOLM TRAIL CORRIDOR

Discussion. No Action.

12. CONSIDERATION OF FORM TO BE USED FOR MEMORANDUM OF DONATION TO JOHNSON COUNTY

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the form to be used for Memorandum of Donation to Johnson County.

All voted aye; motion carried.

13. CONSIDERATION OF THE DRUG AND ALCOHOL SCREENING POLICY

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Drug and Alcohol Screening Policy with the cost to be paid from the Personnel Line Item effective October 1, 2009.

All voted aye; motion carried.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Matthews, seconded by Comm. Bailey, made a motion to advertise for bids/proposals-Precinct #3-purchase 2005 Chevrolet Silverado ¾ ton white pick-up with utility bed from Johnson County Special Utility District in the amount of \$8,000.00; competitive bid for a 2007 or 2008 used or new van for the Sheriff's Department; competitive bid for air conditioning and heating services for Johnson County and the Correctional Facility, and re-bid on purchase of audio/video arraignment and termination of original bid.

All voted aye; motion carried.

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

a. Road Material to Repair County Roads from 3-Star Daylighting and Devon Energy-Precinct #2

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve Budget Amendment pursuant to the Local Government Code *Section 111.0106* for road repair materials received from 3-Star Daylighting in the amount of \$1,700.00 and Devon Energy in the amount of \$6,000.00 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. Justice of the Peace, Precinct #3-Equipment Non Capital
- b. Non-Departmental/General Fund-Transfer of Funds for Purchase of Chambers Street Property
- c. Revenue-Transfer of Funds for Purchase of Chambers Street Property
- d. Non-Departmental/Mineral Revenue Reserve Fund-Transfer of Funds for Purchase of Chambers Street Property
- e. Justice of the Peace, Precinct #2-Equipment Non-Capital and Office Supplies
- f. Indigent Defense-Fees & Services and Equipment Capital

Comm. Bailey, seconded by Comm. Matthews, made a motion to approve Budget Amendment pursuant to the Local Government Code *Section 111.010-C* for the Justice of the Peace, Precinct #3-Equipment Non Capital to purchase 3 cash drawers to replace broken drawers in the amount of \$500.00; Non-Departmental/General Fund-Transfer of Funds for Purchase of Chambers Street Property-FY2009 in the amount of \$719,940.00; Revenue-Transfer of Funds from Mineral Revenue Reserve Fund for Purchase of Chambers Street Property-FY2009 in the amount \$719,940.00; Non-Departmental/Mineral Revenue Reserve Fund-Transfer of Funds to General Fund for purchase of Chambers Street Property-FY2009 in the amount of \$719,940.00; Justice of the Peace, Precinct #2-Equipment Non-Capital and Office Supplies for the purchase of scanners and a printer in the amount of \$4,278.00 and print cartridges in the amount of \$900.00; and Indigent Defense-Fees & Services in the amount of \$4,585.00 and Equipment Capital in the amount of \$8,689.00 to expand the Wi-Fi system in the new Law Library.

All voted aye; motion carried.

5. CONSIDERATION OF PAYMENT OF INVOICE TO MARSHALL'S FLOORING FOR CARPET INSTALLED IN THE SCANNING OFFICE-SHERIFF'S DEPARTMENT

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the payment of the invoice to Marshall's Flooring for carpet installed in the scanning office at the Sheriff's Department in the amount of \$759.06.

All voted aye; motion carried.

6. CONSIDERATION OF EXPENDITURE OF TECH FUNDS FOR PURCHASE OF TWO (2) ADDITIONAL SCANNERS, A NEW LASER JET PRINTER AND TONER CARTRIDGES FOR ALL PRINTERS AND COPIER-JUSTICE OF THE PEACE, PRECINCT #2

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the expenditure of Tech Funds for the purchase of two (2) additional scanners (1-Fujitsu-fi-FI6230) in the amount of \$1,995.00 and (1-Fujitsu-fi-6130) in the amount of \$1,195.00, a new laser jet printer in the amount of \$1,088.00 and toner cartridges for all printers and copier in the amount of \$780.62, and estimated shipping of \$100.00 in the total amount of \$5,158.62 for Justice of the Peace, Precinct #2.

All voted aye; motion carried.

7. CONSIDERATION OF HARDWARE MAINTENANCE AGREEMENT WITH BUSINESS IMAGING SYSTEMS (BIS) FOR TWO (2) MS300II'S READER PRINTERS-COUNTY CLERK

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the Hardware Maintenance Agreement with Business Imaging Systems (BIS) for two (2) MS300II's Reader Printers and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF REQUEST TO CONDUCT MEETINGS OF THE SONS OF CONFEDERATE VETERANS CAMP 1937 FROM TERRY'S TEXAS RANGERS IN CONFERENCE ROOM 104, IN JOHNSON COUNTY COURTHOUSE

Comm. Stringer, seconded by Comm. Matthews, made a motion to deny the request to conduct meetings of the Sons of Confederate Veterans Camp 1937 from Terry's Texas Rangers in the Conference Room 104, in the Johnson County Courthouse.

All voted aye; motion carried.

9. ACKNOWLEDGMENT OF RECEIPT OF THE CENTRAL APPRAISAL DISTRICT PROPOSED BUDGET FOR YEAR 2010

The Commissioner's Court acknowledged the receipt of the Central Appraisal District Proposed Budget for Year 2010.

10. CONSIDERATION OF RENEWAL OF CONTRACT FOR DATA PROCESSING SERVICES AGREEMENT WITH INDIGENT HEALTHCARE SOLUTIONS, LTD.

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Renewal of Contract for Data Processing Services Agreement with Indigent Healthcare Solutions, LTD.

All voted aye; motion carried.

11. CONSIDERATION OF BONDS:

- a. Claudia Gaarz-Deputy Treasurer
- b. Linda Rowe-Mail Clerk

Comm. Stringer, seconded by Comm. Matthews, made a motion to approve the Bonds for Claudia Gaarz, Deputy Treasurer and Linda Rowe, Mail Clerk.

All voted aye; motion carried.

12. CONSIDERATION TO TRANSFER EQUIPMENT TO HAMM CREEK PARK FROM PRECINCT #1

Comm. Bailey, seconded by Comm. Matthews, made a motion to reimburse Precinct #1-Road & Bridge for a 2004 Ford F-150 valued at \$10,773.00 and a 2001 New Holland Tractor with loader valued at \$10,000.00 transferred to General Fund-Hamm Creek Park 010-660-5570.

All voted aye; motion carried.

13. CONSIDERATION OF OPTIONAL COUNTY ROAD AND BRIDGE FEES PURSUANT TO CHAPTER 502 OF THE TRANSPORTATION CODE

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Optional Road and Bridge Fees pursuant to Chapter 502 of the Transportation Code in the amount of \$10.00.

All voted aye; motion carried.

14. CONSIDERATION OF INTERLOCAL AGREEMENT WITH THE CITY OF VENUS AND COMMISSIONER'S COURT APPROVAL-PRECINCT #4

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the Interlocal Agreement with the City of Venus and Commissioner's Court Approval in Precinct #4.

All voted aye; motion carried.

IX. CONSENT AGENDA

Comm. Bailey, seconded by Comm. Matthews, made a motion to approve the Consent Agenda with a correction in item 2. k. County Auditor-Personnel Salaries and Unemployment of \$5,362.00.

All voted aye; motion carried.

XI. EXECUTIVE SESSION

1. Government Code:
 - a. *Sec. 551.072-Real Property*

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the contract for the purchase of Tract 13 Abstract 207 F. Donegan Survey being 1.620 acres and give the County Judge the authorization to sign all documents and to approve the 1st Renewal of Lease to Bank of America in the Johnson County Annex Building with the changes made by the County Attorney and to give the County Judge the authorization to sign and return to Bank of America.

All voted aye; motion carried.

- b. *Sec. 551.074-Personnel-Randy Gillespie, Personnel Director-90 Day Employment Review*

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve to increase the salary of Randall Gillespie, Personnel Director to \$68,000.00 effective June 20, 2009 as a result of a 90 day employment review.

All voted aye; motion carried.

- c. *Sec. 551.074-Personnel-Interviews for Chief Forensic Death Investigator*

- (1) Michael Pollard
(2) Kelly Neil

Comm. Stringer, seconded by Comm. Matthews, made a motion to extend an offer for Chief Forensic Death Investigator to Michael Pollard with an annual salary in the amount of \$40,000.00.

All voted aye; motion carried.

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 4:07 P.M. to discuss Budget Workshop.

The Commissioner's Court recessed at 4:35 P.M. and reconvened July 14, 2009 at 9:14 A.M. into Budget Workshop with all members present except for Commissioner John W. Matthews, Precinct #2 and Commissioner Don Beeson, Precinct #4.

The Commissioner's Court recessed at 10:25 A.M. and reconvened at 10:41 A.M. into Budget Workshop.

The Commissioner's Court re-convened into Open Session at 12:04 P.M.

There being no further business before the Court concerning this agenda, Commissioner's
Court adjourned at 12:04 P.M.

Submitted by: _____
County Clerk
Curtis H. Douglas

Approved by: _____
County Judge
Roger Harmon