

STATE OF TEXAS

October 26, 2009

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 26th day of October 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, and following the Invocation led by Steve Dill, of Southwest Family Church, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on October 22, 2009 at 11:52 A.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF LENGTH OF SERVICE AWARDS TO JOHNSON COUNTY EMPLOYEES

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. PROCLAMATION FOR RED RIBBON WEEK IN JOHNSON COUNTY, TEXAS

The Commissioner's Court proclaimed the week of October 23-31, 2009 as Red Ribbon Week in Johnson County, Texas.

3. PROCLAMATION FOR HOME HEALTH CARE MONTH IN JOHNSON COUNTY, TEXAS

The Commissioner's Court proclaimed the month of November, 2009 as Home Health Care Month in Johnson County, Texas.

V. PUBLIC PARTICIPATION

None.

VI. PRECEDING BUSINESS

1. 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.

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 TO THE COMMISSIONER'S COURT

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

All voted aye; motion carried.

4. CONSIDERATION OF MINUTES OF THE COMMISSIONER'S COURT:

- a. August 21, 2009-Regular Session
- b. September 14, 2009-Regular Session

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Commissioner's Court Minutes for August 21, 2009 and September 14, 2009 as submitted by the County Clerk.

All voted aye; motion carried.

5. CONSIDERATION TO AWARD **RFP #2010-303**-VIRTUALIZE JOHNSON COUNTY INFRASTRUCTURE

Comm. Beeson, seconded by Comm. Matthews, made a motion to award **RFP #2010-303** to Synetics Computer Inc. in the amount of \$143,164.12 to virtualize the Johnson County infrastructure.

All voted aye; motion carried.

6. CONSIDERATION TO AWARD **RFP #2010-304**-T1 WAN FOR DPS

Comm. Matthews, seconded by Comm. Stringer, made a motion to award **RFP #2010-304** to Synetics Computers Inc. in the amount of \$6,931.64 for a T1 WAN for DPS.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

4. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

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.

7. CONSIDERATION OF CHANGE ORDERS FOR DEMOLITION AND ASBESTOS ABATEMENT OF RESIDENTIAL HOUSES LOCATED AT 419 W. CHAMBERS A & B AND 425 W. CHAMBERS:

- a. Order #1: Building Demolition of 419 A & B and 425 W. Chambers in the Amount of \$9,886.00

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve Change Order #1 for demolition and asbestos abatement of residential houses located at 419 A & B and 425 W. Chambers in the amount of \$9,886.00 to be paid from Fund 010-510-5100.

All voted aye; motion carried.

- b. Order #2: Asbestos Abatement for 419 A & B and 425 W. Chambers in the Amount of \$7,682.00

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the Change Order #2 for demolition and asbestos abatement of residential houses located at 419 A & B and 425 W. Chambers in the amount of \$7,682.00 to be paid from Fund 010-510-5100.

All voted aye; motion carried.

- c. Order #3: Miscellaneous Demolition of Concrete and Trees on Chambers Street Property in the Amount of \$10,688.00

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the Change Order #3 for miscellaneous demolition of concrete and trees on Chambers Street Property in the amount of \$10,688.00 to be paid from Fund 010-510-5100.

All voted aye; motion carried.

VIII. NEW BUSINESS

7. CONSIDERATION OF SOFTWARE SUBSCRIPTION AND SERVICE AGREEMENT WITH COURTHOUSE TECHNOLOGIES, LTD. FOR SOFTWARE AND SERVICES ASSOCIATED WITH JURY SELECTION, NOTIFICATION, CONTROL AND MANAGEMENT

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the Software Subscription and Service Agreement with Courthouse Technologies, Ltd. for software and services associated with jury selection, notification, control and management in the amount of \$33,847 per year to be paid from Fund 012-510-5461 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

6. CONSIDERATION OF AGREEMENT BETWEEN THE TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR), TEXAS NICUSA, LLC (NIC) AND JOHNSON COUNTY FOR THE PROVISION AND SUPPORT OF TEXAS ONLINE SERVICES-DISTRICT CLERK

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the Agreement between the Texas Department of Information Resources (DIR), Texas NICUSA, LLC (NIC) and Johnson County for the provision and support of Texas online services and the District Clerk and to give the County Judge the authorization to sign.

All voted aye; motion carried.

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Matthews, seconded by Comm. Bailey, made a motion to advertise for bids/proposals-Sheriff's Office-to sell three (3) forfeiture vehicles-1998 Jeep Cherokee, 2001 Ford F250 and 2004 Ford F150 XLT; and Sheriff's Office-to purchase a new or used heavy duty ½ or ¾ ton truck.

All voted aye; motion carried.

2. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE SECTION 111.0106 FOR ROAD MATERIAL IN PRECINT #2 BY TEXAS MIDSTREAM SERVICES

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve Budget Amendment pursuant to the Local Government Code *Section 111.0106* for road materials in Precinct #1 by Texas Midstream Services in the amount of \$1,000.00.

All voted aye; motion carried.

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

- a. General Debt Services-P&I Certificate of Obligation and General Obligation
- b. Indigent Health Care-Indigent Care Expense
- c. Public Works-Equipment Capital
- d. General Debt Service-Courthouse Restoration
- e. ISS-Equipment Non-Capital and Computer Software
- f. Purchasing-Equipment Non-Capital

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve Budget Amendment pursuant to the Local Government Code *Section 111.010-C* for General Debt Services-P&I Certificate of Obligation in the amount of \$1.00 and General Obligation in the amount of \$1,045.00; Indigent Health Care-Indigent Care Expense in the amount of \$124,311.00; Public Works-Equipment Capital for the purchase of a 2009 Ford for the new maintenance position approved in Budget FY2010 in the amount of \$13,786.00; General Debt Service-Courthouse Restoration in the amount of \$17,189.00; ISS-Equipment Non-Capital in the amount of \$7,122.00 and Computer Software in the amount of \$12,850.00; and Purchasing-Equipment Non-Capital for floor mat purchase in the amount of \$87.00.

All voted aye; motion carried.

4. CONSIDERATION OF INTERLOCAL AGREEMENT BETWEEN ELLIS, HILL, JOHNSON AND SOMERVELL COUNTIES, TEXAS AND THE PRAIRIELAND GROUNDWATER CONSERVATION DISTRICT

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Interlocal Agreement between Ellis, Hill, Johnson and Somervell Counties, Texas and the Prairielands Groundwater Conservation District and to give the County Judge the authorization to sign.

All voted aye; motion carried.

5. CONSIDERATION OF INCREASE OF FEES FOR SERVICES FROM THE TARRANT COUNTY MEDICAL EXAMINER'S OFFICE

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the 3% increase of fees for services from the Tarrant County Medical Examiner's Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF SERVICE AGREEMENT WITH MOTOROLA FOR DISPATCH SERVICES

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the Service Agreement with Motorola for dispatch services in the amount of \$4,606.68 to be paid from Fund 010-560-5344 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

9. CONSIDERATION OF RECURRING EXPENSE FOR A FAX LINE-JAIL

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the recurring expense for a fax line for the Jail with a one time installation charge of \$88.50 and a monthly rate of \$16.73.

All voted aye; motion carried.

10. CONSIDERATION OF EMERGENCY AND DISASTER PLAN FOR HAMM CREEK PARK

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

All voted aye; motion carried.

11. CONSIDERATION OF SERVICE AGREEMENT WITH EVERBRIDGE, INC. FOR EMERGENCY NOTIFICATIONS-EMERGENCY MANAGEMENT

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

All voted aye; motion carried.

The Commissioner's Court recessed at 10:21 A.M. and reconvened at 10:40 A.M. to consider the following:

VII. UNFINISHED BUSINESS

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

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.

VIII. NEW BUSINESS

16. CONSIDERATION OF LETTER FROM “KEEP CLEBURNE BEAUTIFUL” REQUESTING PERMISSION TO ASSIST WITH DECORATING THE COURTHOUSE LAWN FOR THE WHISTLE STOP CHRISTMAS

Comm. Matthews, seconded by Comm. Beeson, made a motion to give permission to “Keep America Beautiful” to assist with decorating the courthouse lawn for the Whistle Stop Christmas and for Sandy Sims and Alison Hitchcock to assist with the coordination of this project.

All voted aye; motion carried.

12. CONSIDERATION OF A RECURRING EXPENSE OF APPROXIMATELY \$15.00 PER MONTH FOR A WATER COOLER-PURCHASING

County Judge Roger Harmon, seconded by Comm. Matthews, made a motion to approve the recurring expense of approximately \$15.00 per month for a water cooler for the Purchasing Office.

All voted aye; motion carried.

13. CONSIDERATION OF CELL PHONE ALLOWANCE OF \$40.00 PER MONTH FOR KENNETH ABBOTT, PRECINCT #4 ASSISTANT SUPERVISOR

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve cell phone allowance of \$40.00 per month for Kenneth Abbott, Precinct #4 Assistant Supervisor.

All voted aye; motion carried.

14. CONSIDERATION OF CONTINUATION CERTIFICATE BOND FOR MARGARET COOK, JOHNSON COUNTY PURCHASING AGENT

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Continuation Certificate Bond for Margaret Cook, Johnson County Purchasing Agent.

All voted aye; motion carried.

15. CONSIDERATION TO RENEW UPGRADE TO WEST LAW CONTRACT #1003097917-PURCHASING

Comm. Matthews, seconded by Comm. Stringer, made a motion to renew upgrade to West Law Contract #1003097917 (Law Library) with Purchasing to be paid from the law library fund and to give the County Judge the authorization to sign.

All voted aye; motion carried.

18. CONSIDERATION OF **ORDER #2009-23**-CREATING A LOCAL DATA ADVISORY BOARD PURSUANT TO SB 1061 WHICH BECAME EFFECTIVE 09-01-09

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve **Order #2009-23** for creating a Local Data Advisory Board pursuant to SB 1061 which became effective 09-1-09.

All voted aye; motion carried.

IX. CONSENT AGENDA

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

All voted aye; motion carried.

BE IT KNOWN that Commissioner's Court met in Executive Session at 11:07 A.M. in accordance with Government Code *Section 551.074*-Personnel-Constable Precinct #1, Bill Pearce and *Section 551.072*-Real Property.

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

XI. EXECUTIVE SESSION

1. Government Code:

a. *Sec. 551.074*-Personnel-Constable Precinct #1, Bill Pearce

No Action.

b. *Sec. 551.072*-Real Property

Comm. Matthews, seconded by Comm. Beeson, made a motion to authorize County Judge Roger Harmon to negotiate on property with Cleburne ISD.

All voted aye; motion carried.

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 12:05 P.M. to discuss Post Offer Employment Physicals-Personnel.

The Commissioner's Court reconvened into Open Session at 12:25 P.M. to consider the following:

VIII. NEW BUSINESS

17. CONSIDERATION TO USE CLEBURNE PHYSICAL THERAPY TO CONDUCT POST OFFER EMPLOYMENT PHYSICAL-PERSONNEL

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve Cleburne Physical Therapy to conduct post offer employment physical for all new employees through the Personnel Department.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's
Court adjourned at 12:28 P.M.

Submitted by: _____
County Clerk
Curtis H. Douglas

Approved by: _____
County Judge
Roger Harmon