

STATE OF TEXAS

March 22, 2010

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 22nd day of March 2010, 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 Rick Hope, Pastor of First Baptist Church of Lillian, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on March 18, 2010 at 1:04 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

3. PROCLAMATION FOR "WOUNDED WARRIORS RECOGNITION & WELCOME"

The Commissioner's Court proclaimed April 10 & 11, 2010 as "Wounded Warriors Recognition & Welcome Days".

1. RECEPTION FOR CURTIS H. DOUGLAS, COUNTY CLERK

A reception was held for Curtis H. Douglas, County Clerk. He was presented a plaque for his dedicated 15 years of service to Johnson County upon his retirement.

The Commissioner's Court recessed at 9:31 A.M. and reconvened at 9:53 A.M. to consider the following:

2. PRESENTATION OF CURRICULUM 2000 COMPELETION CERTIFICATE TO COMMISSIONER JOHN W. MATTHEWS-PRECINCT #2

The Commissioner's Court presented a Curriculum 2000 Completion Certificate to Commissioner John W. Matthews, Precinct #2.

6. PRESENTATION REGARDING THE EMERGENCY SERVICES DISTRICT #1

A presentation regarding the Emergency Services District #1 was given by Joey Reed, Executive Director.

5. PRESENTATION OF PLAQUE TO THE COMMISSIONER'S COURT FOR THE 2009 UNITED WAY CAMPAIGN

A Plaque was presented to the Commissioner's Court for the 2009 United Way Campaign by Jennifer Vanderlaan.

4. PROCLAMATION FOR "NATIONAL PUBLIC HEALTH WEEK" APRIL 5-11, 2010

The Commissioner's Court proclaimed April 5, 2010 through April 11, 2010 as "National Public Health Week".

V. PUBLIC PARTICIPATION

None.

VI. PRECEDING BUSINESS

1. CONSIDERATION OF MINUTES OF THE COMMISSIONER'S COURT FOR FEBRUARY 8, 2010-REGULAR SESSION

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the Commissioner's Court Minutes for February 8, 2010.

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 OF TREASURER'S REPORT TO THE COMMISSIONER'S COURT

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

All voted aye; motion carried.

5. CONSIDERATION TO AWARD **RFB #2010-319A**-USED ATV-PRECINCT #1

Comm. Bailey, seconded by Comm. Stringer, made a motion to deny this bid due to the bid requirements not being met.

All voted aye; motion carried.

6. CONSIDERATION TO AWARD **RFB #2010-325**-USED CAB AND CHASSIS-PRECINCT #3

Comm. Stringer, seconded by Comm. Beeson, made a motion to award **RFB #2010-325** for a 4200 2003 model used cab and chassis to Hermann International in the amount of \$9,900.00 which includes the paint job for Precinct #3.

All voted aye; motion carried.

VIII. UNFINISHED BUSINESS

1. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENT AND CONTRACTS FOR THE LAW LIBRARY AT THE GUINN JUSTICE CENTER

a. Consideration of Discussed Change Orders for Final Costs

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Change Orders for final cost of Law Library at the Guinn Justice Center in the amount of \$19,900.00.

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

a. Consideration of Discussed Change Orders for Final Costs

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the Change Orders for final cost of the remodeling of the Old Band Hall for Justice of the Peace Precinct #1 Office in the amount of \$41,162.00.

All voted aye; motion carried.

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

Discussion. No Action.

4. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

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

All voted aye; motion carried.

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

Discussion. No Action.

6. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENT AND CONTRACTS FOR THE EMERGENCY OPERATIONS CENTER GRANT

No Action.

7. CONSIDERATION OF RACIAL PROFILING REPORT-CONSTABLE, PRECINCT #1

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the Racial Profiling Report for Precinct #1.

All voted aye; motion carried.

8. CONSIDERATION OF CONTRACT WITH CHESAPEAKE ENERGY FOR **RFB #2010-307B**-MINERAL LEASE FOR C. CHANEY SURVEY, A-124, ORIGINAL CLEBURNE, JOHNSON COUNTY, TEXAS BEING 3.734 ACRES, MORE OR LESS, KNOWN AS TRACT 1, 2, 3, 4 ACCORDING TO THE PLAT RECORDED IN VOLUME 24, PAGES 590 AND 591, VOLUME 197, PAGES 638 AND 639 DEED RECORDS (DOWNTOWN CLEBURNE AREA)-PRECINCT #1

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the contract with Chesapeake Energy for **RFB #2010-307B** for Mineral Lease for C. Chaney Survey, A-124, Original Cleburne, Johnson County, Texas being 3.734 acres, more or less, known as Tract 1, 2, 3, 4 according to the Plat recorded in Volume 24, Pages 590 and 591, Volume 197, Pages 638 and 639 Deed Records (Downtown Cleburne Area) in Precinct #1 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

9. CONSIDERATION OF CONTRACT WITH CHESAPEAKE ENERGY FOR RFB #2010-308B-MINERAL LEASE FOR C. CHANEY SURVEY, A-124, ORIGINAL CLEBURNE, JOHNSON COUNTY, TEXAS BEING 1.24 ACRES, MORE OR LESS, SITUATED IN THE C. CHANEY SURVEY, ABSTRACT NO. 124 JOHNSON COUNTY, TEXAS DESCRIBED IN TWO TRACTS:

TRACT 1: 0.620 ACRES MORE OR LESS, KNOWN AS PART OF BLOCK 24, MARKET SQUARE, JOHNSON COUNTY, TEXAS ACCORDING TO THE OFFICIAL MAP OF THE CITY OF CLEBURNE, JOHNSON COUNTY AND

TRACT 2: 0.620 ACRES MORE OR LESS, KNOWN AS BLOCK 24, MARKET SQUARE, JOHNSON COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED IN VOLUME 75, PAGE 462 AND 465-PRECINCT #1

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the Contract with Chesapeake Energy for **RFB #2010-308B** for Mineral Lease for C. Chaney Survey, A-124, Original Cleburne, Johnson County, Texas being 1.24 acres, more or less, situated in the C. Chaney Survey, Abstract No. 124 Johnson County, Texas as described in Two Tracts: Tract 1: 0.620 acres more or less, known as Part of Block 24, Market Square, Johnson County, Texas according to the Official Map of the City of Cleburne, Johnson County, and Tract 2: 0.620 acres more or less, known as Block 24, Market Square, Johnson County, Texas according to the Plat Recorded in Volume 75, Page 462 and 465 in Precinct #1 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Bailey, seconded by Comm. Matthews, made a motion to advertise for bids/proposals for Sheriff's Office-2008 or newer vehicle for Mental Health Peace Officer and a used ATV for Precinct #1.

All voted aye; motion carried.

2. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE SECTION 111.0106 FOR ROAD MATERIAL FROM EOG RESOURCES IN THE AMOUNT OF \$1,540.00-ROAD & BRIDGE, 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 Material from EOG Resources in the amount of \$1,540.00 for Road & Bridge 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. Extension Office-Equipment Non-Capital
- b. Law Library-Building Construction/Equipment Non-Capital/Equipment Capital
- c. Courthouse Security-Equipment Non-Capital/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 Extension Office for Equipment Non-Capital for the replacement of computer using cost share program in the amount of \$800.00; for the Law Library-Building Construction/Equipment Non-Capital/Equipment Capital for the Law Library, renovation and furniture previously approved in the amount of \$194,122.00; and Courthouse Security-Equipment Non-Capital/Equipment Capital for replacement of taser equipment and security cameras as needed in the amount of \$20,000.00.

All voted aye; motion carried.

4. CONSIDERATION OF AUDITOR'S REPORT OF THE COUNTY CLERK'S OFFICE

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the Auditor's Report of the County Clerk's Office.

All voted aye; motion carried.

5. CONSIDERATION OF ASSET INVENTORY VERIFICATION FORM FROM AN OUTGOING ELECTED OFFICIAL-COUNTY CLERK

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Asset Inventory Verification Form from an Outgoing Elected Official-County Clerk.

All voted aye; motion carried.

6. CONSIDERATION OF AGREEMENT WITH JOHNSON COUNTY FOR USE OF EQUIPMENT-EMERGENCY MANAGEMENT

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the Agreement with Johnson County for the use of equipment issued to other entities.

All voted aye; motion carried.

7. CONSIDERATION OF AMENDMENT 1 TO PROFESSIONAL SERVICES AGREEMENT BETWEEN JOHNSON COUNTY, TEXAS AND BRENDA CAMPBELL FOR SERVICES TO THE CITIES READINESS INITIATIVE-EMERGENCY MANAGEMENT

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve Amendment 1 to Professional Services Agreement between Johnson County, Texas and Brenda Campbell for Services to the Cities Readiness Initiative for Emergency Management and to give the County Judge the authorization to sign.

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

Motion carried.

8. CONSIDERATION OF PRICING SCHEDULE FOR ILEC SERVICES PROVIDED WITHIN AT&T'S FRANCHISE TERRITORY-ISS

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the pricing schedule for ILEC services provided within AT&T's Franchise Territory with ISS and to give the County Judge the authorization to sign.

All voted aye; motion carried.

9. CONSIDERATION OF HARDWARE MAINTENANCE AGREEMENT NO. 00007331 FOR A CANON DR 5060F SCANNER WITH BUSINESS IMAGING SYSTEMS-COUNTY CLERK

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the Hardware Maintenance Agreement No. 00007331 for a Canon DR 5060F scanner with Business Imaging Systems for the County Clerk to be paid from 010-403-5800 and to give the County Clerk the authorization to sign.

All voted aye; motion carried.

10. CONSIDERATION TO CONNECT AN EXISTING CANON PRINTER WITH A NETWORK CARD ALREADY INSTALLED TO THE COUNTY NETWORK-TAX OFFICE

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve to connect an existing Canon printer with a Network Card already installed to the County Network for the Tax Office.

All voted aye; motion carried.

11. CONSIDERATION TO PURCHASE A COMPUTER FOR DEPUTY CONSTABLE SEAN BLANKS-CONSTABLE, PRECINCT #2

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve to purchase a computer for Deputy Constable Sean Blanks for Constable, Precinct #2.

All voted aye; motion carried.

17. CONSIDERATION OF NEW DODGE CHARGER AND EMERGENCY VEHICLE EQUIPMENT-CONSTABLE, PRECINCT #2

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

All voted aye; motion carried.

16. CONSIDERATION TO SELL A 2001 FORD CROWN VICTORIA AT RENE BATES AUCTION-CONSTABLE, PRECINCT #2

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve to sell a 2001 Ford Crown Victoria at Rene Bates Auction for Constable, Precinct #2.

All voted aye; motion carried.

The Commissioner's Court recessed at 12:05 P.M. and reconvened at 1:33 P.M. to consider the following:

12. CONSIDERATION OF CONTINUATION CERTIFICATE BOND FOR DEPUTY CONSTABLE JOHN W. POWELL, JR-CONSTABLE, PRECINCT #3

Comm. Stringer, seconded by Comm. Matthews, made a motion to approve the Continuation Bond for Deputy Constable John W. Powell, Jr., for Constable Precinct #3.

All voted aye; motion carried.

13. CONSIDERATION OF EMERGENCY PURCHASE OF ROOF REPAIRS FOR THE LAW ENFORCEMENT CENTER IN THE AMOUNT OF \$16,244.00 PURSUANT TO SECTION 262.024 OF THE LOCAL GOVERNMENT CODE, DISCRETIONARY EXEMPTIONS (a)(2) TO MEET JAIL STANDARDS

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve the Emergency Purchase of roof repairs for the Law Enforcement Center in the amount of \$16,244.00 Pursuant to *Section 262.024* of the Local Government Code, Discretionary Exemptions (a)(2) to meet Jail standards.

All voted aye; motion carried.

14. CONSIDERATION OF APPOINTMENTS TO THE CITY OF ALVARADO TAX INCREMENT REFINANCING ZONE (TIRZ) BOARD

- a. Re-Appointment of Don Beeson-Commissioner, Precinct #4
- b. Appointment of Jerry D. Stringer-Commissioner, Precinct #3

Comm. Matthews, seconded by Comm. Bailey, made a motion to re-appoint Don Beeson, Commissioner, Precinct #4 and to appoint Jerry D. Stringer, Commissioner, Precinct #3 to the City of Alvarado Tax Increment Refinancing Zone (TIRZ) Board.

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

Motion carried.

15. CONSIDERATION TO HIRE AN ARCHITECTURAL FIRM TO DESIGN AND PROVIDE PLANS FOR REPAIRS OR REPLACEMENT OF THE SOUTH SIDE STRUCTURE OF THE DRIVE-THRU BANK OF AMERICA MOTOR BANK LOCATED AT 104 S. MILL STREET-PUBLIC WORKS

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

All voted aye; motion carried.

18. CONSIDERATION OF AMENDED REPUBLICAN & DEMOCRAT JUDGES FOR THE PRIMARY ELECTION OF MARCH 2, 2010

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the amended Republican & Democrat Judges for the Primary Election of March 2, 2010.

All voted aye; motion carried.

19. CONSIDERATION OF PRIMARY RUN-OFF ELECTION APRIL 13, 2010:

- a. Early Voting Polling Locations
- b. Early Voting Election Judges
- c. Election Day Polling Locations
- d. Election Day Election Judges

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the Primary Run-Off Election April 13, 2010 for Early Voting Polling Locations, Early Voting Election Judges, Election Day Polling Locations and Election Day Election Judges.

All voted aye; motion carried.

20. CONSIDERATION OF AUTOMARK LEASE AGREEMENT FOR THE MAY 8, 2010 ELECTION BETWEEN JOHNSON COUNTY AND:

- a. Grandview ISD
- b. Alvarado ISD
- c. Rio Vista ISD
- d. Venus ISD
- e. City of Joshua
- f. City of Grandview
- g. City of Venus
- h. City of Alvarado

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the AutoMark Lease Agreement for the May 8, 2010 Election between Johnson County and Grandview ISD, Alvarado ISD, Rio Vista ISD, Venus ISD, City of Joshua, City of Grandview, City of Venus, and City of Alvarado and to give the County Judge the authorization to sign.

All voted aye; motion carried.

21. CONSIDERATION OF EARLY VOTING BALLOT BOARD FOR THE MAY 8, 2010 SPECIAL ELECTION

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the Early Voting Ballot Board for the May 8, 2010 Special Election.

All voted aye; motion carried.

22. CONSIDERATION TO RATIFY ORDER #2010-05-ELECTION TO INCORPORATE

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve to ratify **Order #2010-05** for Election to Incorporate.

All voted aye; motion carried.

23. CONSIDERATION OF SPECIAL ELECTION TO INCORPORATE COYOTE FLATS-MAY 8, 2010:

- a. Early Voting Polling Locations
- b. Early Voting Election Judges
- c. Election Day Polling Locations
- d. Election Day Election Judges

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the Special Election to Incorporate Coyote Flats-May 8, 2010 for Early Voting Polling Locations, Early Voting Election Judges, Election Day Polling Locations and Election Day Election Judges.

All voted aye; motion carried.

VI. PRECEDING BUSINESS

2. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Matthews, seconded by Comm. Stringer, made an amended motion to pay bills with the addition of \$1,000.00 for a postage meter to Hasler Incorporated as presented by the County Auditor.

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 2:07 P.M. in accordance with Government Code *Section. 551.074*-Personnel-Consideration of Appointment of Becky Williams as County Clerk of Johnson County, Texas to Fill the Unexpired Term of Curtis Douglas, County Clerk of Johnson County, Texas Whose Resignation is Effective March 31, 2010.

The Commissioner's Court re-convened into Open Session at 2:27 P.M. to consider the following:

XI. EXECUTIVE SESSION

1. Government Code:

1. *Sec. 551.074*- Consideration of Appointment of Becky Williams as County Clerk of Johnson County, Texas to Fill the Unexpired Term of Curtis Douglas, County Clerk of Johnson County, Texas Whose Resignation is Effective March 31, 2010

Comm. Matthews, seconded by Comm. Beeson, made a motion to appoint Becky Williams as County Clerk of Johnson County, Texas effective April 1, 2010 to fill the Unexpired Term of Curtis Douglas, County Clerk of Johnson County, Texas whose Resignation is effective March 31st, 2010.

All voted aye; motion carried.

X. WORKSHOP

The Commissioner's Court went into Workshop Session at 2:29 P.M. to discuss Jail Contract with CEC.

The Commissioner's Court re-convened into Open Session at 2:57 P.M.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Bailey, seconded by Comm. Matthews, made an amended motion to advertise for bids/proposals for Sheriff's Office-2008 or newer vehicle for Mental Health Peace Officer; Precinct #2-a new vehicle and emergency equipment; and to go out for bid for a Law Enforcement Center Company to manage the Law Enforcement Center.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 3:05 P.M.

Submitted by: _____
County Clerk
Becky Williams

Approved by: _____
County Judge
Roger Harmon