

STATE OF TEXAS

June 28, 2010

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 28th day of June, 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 9:05 A.M., with all members present, and following the Invocation led by Donald Bennett 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 23, 2010 at 8:08 A.M., were considered:

IX. CONSENT AGENDA

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve all items on the Consent Agenda.

All voted aye; motion carried.

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION BY THE JOHNSON COUNTY HISTORICAL COMMISSION REGARDING THE DOTY HOUSE

A presentation was made by Bob McAllister and Lynn Buker regarding the roof repairs needed for the Doty House.

V. PUBLIC PARTICIPATION

None.

VI. PRECEDING BUSINESS

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

- a. March 8, 2010 – Regular Session
- b. May 10, 2010 – Regular Session
- c. May 14, 2010 – Special Session

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the Commissioner's Court Minutes for March 8, 2010, May 10, 2010, and May 14, 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 **ORDER #2010-14** APPROVING THE JOHNSON COUNTY TREASURER'S REPORT TO THE COMMISSIONER'S COURT

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve **Order #2010-14**, the Johnson County Treasurer's Report to the Commissioner's Court.

All voted aye; motion carried.

5. CONSIDERATION OF RENEWAL OF CONTRACT FOR REMOVAL AND TRANSPORTATION OF HUMAN REMAINS WITH ROSSER FUNERAL HOME

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the renewal of Contract for Removal and Transportation of Human Remains with Rosser Funeral Home at the current pricing.

All voted aye; motion carried.

6. CONSIDERATION OF RENEWAL OF **RFP #2008-168** FOR VENDING SERVICES WITH BEN'S VENDING

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the renewal of **RFP #2008-168** for vending services with Ben's Vending at the current pricing.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

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

Discussion. 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 ADULT PROBATION BUILDING

Discussion. No Action.

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

Discussion. No Action.

4. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the spending of existing funds to purchase a prefab ADA approved restroom in the

amount of \$96,000.00, for county employees to install split rail fencing around perimeter of property in the amount of \$6,300.00, and the plumbing of water and sewer in the amount of \$6,000.00 for a total of \$108,300.00.

County Judge Roger Harmon	Aye
Comm. Rick Bailey	Aye
Comm. Don Beeson	Aye
Comm. John Matthews	Nay
Comm. Jerry Stringer	Nay

Motion carried.

The Commissioner's Court recessed at 10:22 A.M. and reconvened at 10:41 A.M. to consider the following:

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

No Action.

8. CONSIDERATION OF AGREEMENT TO PARTICIPATE IN THE ALVARADO TAX INCREMENT REINVESTMENT ZONE NO. 2 BETWEEN THE CITY OF ALVARADO AND JOHNSON COUNTY

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Agreement to Participate in the Alvarado Tax Increment Reinvestment Zone No. 2 between the City of Alvarado and Johnson County and to give the County Judge authorization to sign.

All voted aye; motion carried.

9. CONSIDERATION OF APPOINTMENTS TO THE ALVARADO TAX INCREMENT REINVESTMENT ZONE NO. 2 BOARD

Comm. Matthews, seconded by Comm. Bailey, made a motion to appoint Comm. Jerry Stringer, Precinct #3 and Comm. Don Beeson, Precinct #4 to the Alvarado Tax Increment Reinvestment Zone No. 2 Board.

All voted aye; motion carried.

VIII. NEW BUSINESS

5. CONSIDERATION OF **ORDER #2010-13**-APPROVING GUIDELINES AND CRITERIA FOR TAX ABATEMENTS FOR 2010-2012

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve **Order #2010-13**, Guidelines and Criteria for Tax Abatements for 2010-2012.

All voted aye; motion carried.

9. CONSIDERATION OF ALLOWING THE DOWNTOWN CLEBURNE ASSOCIATION TO USE THE INSIDE OF THE COURTHOUSE ON THE EVENING OF FRIDAY, DECEMBER 3, 2010 AND ALL DAY ON SATURDAY, DECEMBER 4, 2010 FOR A CRAFT FAIR TO COINCIDE WITH THE WHISTLE STOP CHRISTMAS AND CANDLEWALK TOUR

Comm. Beeson, seconded by Comm. Bailey, made a motion to allow the Downtown Cleburne Association to use the inside of the Courthouse on the evening of Friday, December 3, 2010 from 5:00 P.M. to 10:00 P.M. and all day on Saturday, December 4, 2010 from 10:00 A.M. to 10:00 P.M. and to reimburse the County for expenses related to security items.

All voted aye; motion carried.

8. CONSIDERATION OF MEMORANDUM OF UNDERSTANDING BETWEEN THE AMERICAN RED CROSS AND JOHNSON COUNTY

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the Memorandum of Understanding Between the American Red Cross and Johnson County, Texas and to give the County Judge the authorization to sign.

All voted aye; motion carried.

10. CONSIDERATION OF NON-EXCLUSIVE DISTRIBUTION AGREEMENT BETWEEN THE JOHNSON COUNTY TAX OFFICE AND THE NORTH TEXAS TOLLWAY AUTHORITY TO OFFER AND ISSUE TOLL TAGS

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Non-Exclusive Distribution Agreement between the Johnson County Tax Office and the North Texas Tollway Authority to offer and issue Toll Tags and to give the County Judge the authorization to sign.

All voted aye; motion carried.

7. CONSIDERATION OF ADDING INFORMATION AND LINKS TO THE ADULT PROBATION WEBSITE

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve adding information and links to the Adult Probation Website provided that if any costs are incurred, Adult Probation has the funds to pay those costs.

All voted aye; motion carried.

The Commissioner's Court recessed at 11:48 A.M. and reconvened at 1:00 P.M. to consider the following:

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 1:00 P.M. to discuss Vendors for Outsourcing of the ISS Department.

The Commissioner's Court recessed at 3:02 P.M. and reconvened into Open Session at 3:14 P.M. to consider the following:

VII. UNFINISHED BUSINESS

10. CONSIDERATION TO PROCEED IN THE HIRING OF A DIRECTOR FOR THE JOHNSON COUNTY INFORMATION SYSTEMS AND SERVICES (ISS) DEPARTMENT

Comm. Beeson, seconded by Comm. Bailey, made a motion to proceed in the hiring of a Director for the Johnson County Information Systems and Services (ISS) Department and to continue researching the possibility of outsourcing the ISS Department in the future.

All voted aye; motion carried.

7. CONSIDERATION OF ISSUANCE OF THE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2010-AUDITOR

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the issuance of the General Obligation Refunding Bonds, Series 2010 as presented by Kirk Kirkpatrick, County Auditor.

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 approve of Margaret Cook, Purchasing Agent, to re-advertise for the sale of the remaining 300 railroad ties.

All voted aye; motion carried.

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

- a. Road Repair Materials from Chesapeake Energy in the Amount of \$36,496.00-Road & Bridge, Precinct #4
- b. Road Repair Materials from Texas Midstream Services in the Amount of \$1,000.00, Road Repair Materials from XTO Energy in the Amount of \$11,250.00 and Small Tools from the Texas Association of Counties in the Amount of \$7,949.00-Road & Bridge, Precinct #2

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.0106* for road repair materials from Chesapeake Energy in the amount of \$36,496.00 for Road & Bridge in Precinct #4; road repair materials from Texas Midstream Services in the amount of \$1,000.00, road repair materials from XTO Energy in the amount of \$11,250.00, and small tools from the Texas Association of Counties in the amount of \$7,949.00 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. Service Center Complex-Building Repair & Maintenance
 - b. Justice of the Peace, Precinct #2- Building Repair & Maintenance
 - c. Sheriff's Office-Personnel Salaries

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.010-C* for Service Center Complex, Building Repair & Maintenance for roof repair approved during the June 14, 2010 Commissioner's Court in the amount of \$235,951.00; Justice of the Peace, Precinct #2, Building Repair & Maintenance for front window remodel approved during the June 14, 2010 Commissioner's Court in the amount of \$3,964.00; and for Sheriff's Office, Personnel Salaries for change in positions approved during the June 14, 2010 Commissioner's Court with no change in salaries.

All voted aye; motion carried.

4. CONSIDERATION OF **ORDER #2010-12-PROHIBITION OF OUTDOOR BURNING**

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

All voted aye; motion carried.

6. CONSIDERATION OF COMMISSIONER'S COURT APPROVAL AND INTERLOCAL AGREEMENT WITH THE CITY OF ALVARADO FOR THE REBUILDING OF REUNION DRIVE IN ALVARADO, TEXAS-PRECINCT #3

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Interlocal Agreement with the City of Alvarado and the Commissioner's Court Approval for the Rebuilding of Reunion Drive in Alvarado, Texas in Precinct #3.

All voted aye; motion carried.

11. CONSIDERATION TO TRANSFER A 2001 FORD CROWN VICTORIA FROM THE CONSTABLE, PRECINCT #1 OFFICE TO THE SHERIFF'S OFFICE FOR THE CLEBURNE INDEPENDENT SCHOOL DISTRICT'S ASAP PROGRAM

Comm. Bailey, seconded by Comm. Matthews, made a motion to approve to transfer a 2001 Ford Crown Victoria from the Constable, Precinct #1 Office to the Sheriff's Office for the Cleburne Independent School District's ASAP Program.

All voted aye; motion carried.

12. CONSIDERATION OF CONTINUATION CERTIFICATE BOND FOR MONTY BESENT-HAMM CREEK PARK SUPERVISOR

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the Continuation Certificate Bond for Monty Bessent, Hamm Creek Park Supervisor.

All voted aye; motion carried.

13. CONSIDERATION OF AIR MONITORING SITE AGREEMENT WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY-PRECINCT #3

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Air Monitoring Site Agreement with the Texas Commission on Environmental Quality in Precinct #3 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

14. CONSIDERATION OF PRECINCT ROAD REPORTS:

- a. Precinct #1
- b. Precinct #2

Comm. Matthews, seconded by Comm. Bailey, made a motion to accept the Precinct Road Reports for Precinct #1 and Precinct #2.

All voted aye; motion carried.

ADDENDUM:

15. CONSIDERATION OF RELEASE OF LIEN RELATING TO THE ORDER ABATING NUISANCE AT 11017 FOOTHILLS DRIVE, VENUS, TEXAS, ORDER #2009-29

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the Release of Lien relating to the Order Abating Nuisance at 11017 Foothills Drive, Venus, Texas, Order #2009-29 with the funds going back to Precinct #3.

All voted aye; motion carried.

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 3:58 P.M. to discuss Guinn Justice Center chimney repairs and Subdivision Rules and Regulations.

The Commissioner's Court reconvened into Open Session at 4:20 P.M.

BE IT KNOWN that Commissioner's Court met in Executive Session at 4:20 P.M. in accordance with Government Code *Section 551.072-Real Property*.

The Commissioner's Court re-convened into Open Session at 4:34 P.M. to consider the following:

XI. EXECUTIVE SESSION

1. Government Code:

a. *Sec. 551.072-Real Property*

Comm. Matthews, seconded by Comm. Bailey, made a motion to accept Cleburne Independent School District's offer on the Brown Gymnasium property with the County paying the closing costs and to give the County Judge the authorization to sign closing documents.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 4:35 P.M.

Submitted by: _____
County Clerk
Becky Williams

Approved by: _____
County Judge
Roger Harmon