

STATE OF TEXAS

August 9, 2010

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 9th day of August, 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 Kevin Bentley, Pastor, Bono Baptist 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 August 5, 2010 at 8:16 A.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PROCLAMATION FOR "DOROTHY SCHWARTZ DAY" IN JOHNSON COUNTY

The Commissioner's Court proclaimed August 9, 2010 as "Dorothy Schwartz Day" in Johnson County.

2. ANNOUNCEMENT THAT ZACH DAVIS WILL BE THE NEW JOHNSON COUNTY EXTENSION AGENT EFFECTIVE AUGUST 16, 2010

Judge Harmon announced that Zach Davis will be the new Johnson County Extension Agent effective August 16, 2010.

V. PUBLIC PARTICIPATION

None.

## VIII. NEW BUSINESS

### 7. CONSIDERATION OF RENEWAL OF CONTRACT FOR THE COLLECTION OF DELINQUENT TAXES WITH PERDUE, BRANDON, FIELDER, COLLINS & MOTT, L.L.P.

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the renewal of the Contract for the Collection of Delinquent Taxes with Perdue, Brandon, Fielder, Collins, & Mott, L.L.P. and to give the County Judge the authorization to sign.

All voted aye; motion carried.

## VI. PRECEDING BUSINESS

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

- a. May 24, 2010 – Regular Session
- b. June 7, 2010 – Special Session
- c. July 19, 2010 – Special Session

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Commissioner's Court Minutes for May 24, 2010, June 7, 2010 and July 19, 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.

## VII. UNFINISHED BUSINESS

### 4. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

No Action.

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

Discussion. No Action.

7. CONSIDERATION TO DECLARE RAILROAD TIES AS SALVAGE UNDER LOCAL GOVERNMENT CODE SECTION 263.151, HAVING RECEIVED NO BIDS FOR **RFB #2010-328A**, AND ALLOW PURCHASING TO DISPOSE OF THEM

Commissioner Matthews, seconded by Comm. Bailey, made a motion to declare railroad ties as salvage under Local Government Code *Section 263.151*, having received no bids for **RFB #2010-328A**, but allow the Commissioners to remove what the Precincts may need for road and bridge projects and allow Purchasing to dispose of the rest.

All voted aye; motion carried.

8. CONSIDERATION OF CAPPING THE CHIMNEY AT THE GUINN JUSTICE CENTER DUE TO LIGHTNING DAMAGE

Commissioner Bailey, seconded by Comm. Beeson, made a motion to approve capping the chimney at the Guinn Justice Center due to lightning damage at two (2) feet above the roof line at a cost of \$25,878.00.

All voted aye; motion carried.

9. PRESENTATION BY TAX ASSESSOR/COLLECTOR AND COUNTY AUDITOR:
  - a. Effective Tax Rate, Roll Back Tax Rate and Calculation Methods
  - b. M & O Obligations
  - c. Debt Obligations

Discussion. No Action.

The Commissioner's Court recessed at 10:02 A.M. and reconvened at 10:24 A.M. to consider the following:

10. CONSIDERATION TO TAKE RECORD VOTE ON PROPOSED TAX RATE FOR THE 2010 TAX YEAR

Commissioner Matthews, seconded by Comm. Bailey, made a motion to adopt the proposed Tax Rate for the 2010 tax year at .3795 per \$100.00 valuation with the following distribution; .306884 for M & O, .022616 for Debt, and .050 for FMLR, for a total of .3795. A record vote was taken as recorded below:

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

Motion carried.

11. CONSIDERATION TO SCHEDULE PUBLIC HEARINGS ON TAX RATE FOR THE 2010 TAX YEAR

Comm. Bailey, seconded by Comm. Matthews, made a motion to schedule the 1<sup>st</sup> Public Hearing regarding the Tax Rate for the 2010 tax year on August 23, 2010 and the 2<sup>nd</sup> Public Hearing September 13, 2010.

All voted aye; motion carried.

VIII. NEW BUSINESS

3. CONSIDERATION OF SUPPLEMENTAL WATERSHED PLAN AGREEMENT NO. 2 BETWEEN THE WATERSHED SPONSORS DALWORTH SOIL AND WATER CONSERVATION DISTRICT, ELLIS COUNTY, ELLIS-PRAIRIE SOIL AND WATER CONSERVATION DISTRICT, CITY OF MANSFIELD, JOHNSON COUNTY, TARRANT COUNTY AND THE UNITED STATES DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE FOR THE MOUNTAIN CREEK WATERSHED

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the Supplemental Watershed Plan Agreement No. 2 between the Watershed Sponsors Dalworth Soil and Water Conservation District, Ellis County, Ellis-Prairie Soil and Water Conservation District, City of Mansfield, Johnson County, Tarrant County and the United States Department of Agriculture Natural Resources Conservation Service for the Mountain Creek Watershed and to give the County Judge the authorization to sign.

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.

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

Discussion. No Action.

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

Discussion. No Action.

## VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

No Action.

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

- a. Market Square Project-to Create Expense Budget for Fund-Fees & Services/Building Construction/Property Improvement
- b. Justice of the Peace, Precinct #1-Telephone
- c. Justice of the Peace, Precinct #1-Dues & Conferences
- d. Justice of the Peace, Precinct #2-Equipment Non-Capital
- e. Justice of the Peace, Precinct #3-Dues & Conferences
- f. Constable, Precinct #2-Equipment Non-Capital
- g. Pecan Valley MHMR-Building Repair & Maintenance

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.010-C* for Market Square Project to create expense budget for Fund-Fees & Services, Building Construction, and Property Improvement for the total amount of \$120,000.00; Justice of the Peace, Precinct #1, Telephone for reimbursement cost for internet connection at Judge McBroom's residence for video magistrations duties approved in Court July 26, 2010 in the amount of \$300.00; Justice of the Peace, Precinct #1, Dues & Conferences for technology training approved in Court May 24, 2010 in the amount of \$850.00; Justice of the Peace, Precinct #2, Equipment Non-Capital for the replacement of a broken desk in the amount of \$932.00; Justice of the Peace, Precinct #3, Dues & Conferences, for approved training in the amount of \$144.00; Constable, Precinct #2, Equipment Non-Capital to purchase equipment for new Dodge Charger in the amount of \$5,626.00; Pecan Valley MHMR, Building Repair & Maintenance to pay the balance in Fund 050 for the remodeling costs of the Short Street Apartments approved in Court July 26, 2010 in the amount of \$8,052.00.

All voted aye; motion carried.

4. CONSIDERATION OF PROFESSIONAL SERVICES AGREEMENT BETWEEN JOHNSON COUNTY, TEXAS AND BRENDA CAMPBELL FOR SERVICES TO THE CITIES READINESS INITIATIVE FOR 2010-2011

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the Professional Services Agreement between Johnson County, Texas and Brenda Campbell for Services to the Cities Readiness Initiative for 2010-2011 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

5. CONSIDERATION OF CONTRACT NUMBER 582-8-89954 CONTRACT AMENDMENT TO THE INTERGOVERNMENTAL COOPERATIVE REIMBURSEMENT AGREEMENT BETWEEN THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) AND JOHNSON COUNTY-AMENDMENT NUMBER 3

Comm. Bailey, seconded by Comm. Matthews, made a motion to approve Contract Number 582-8-89954, Contract Amendment to the Intergovernmental Cooperative Reimbursement Agreement between the Texas Commission on Environmental Quality (TCEQ) and Johnson County, Amendment Number 3 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

6. 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, to be placed on County owned land at 2420 Luisa Lane, Alvarado, Texas in Precinct #3 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF HARDWARE MAINTENANCE AGREEMENT NO. 00007778 WITH BUSINESS IMAGING SYSTEMS INC.-COUNTY CLERK

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Hardware Maintenance Agreement No. 00007778 with Business Imaging Systems Inc. for the County Clerk in the amount of \$1,000.00 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

9. CONSIDERATION OF SCHEDULE A, ACCURINT FOR LAW ENFORCEMENT, AND LN NON-FCRA APPLICATION & AGREEMENT GOVERNMENT AGENCIES WITH LEXISNEXIS RISK SOLUTIONS FL INC.-SHERIFF'S OFFICE

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve Schedule A, Accurint for Law Enforcement, and LN Non-FCRA Application & Agreement Government Agencies with LexisNexis Risk Solutions FL, Inc. for the Sheriff's Office in the amount of \$130.00 per month and to give the County Judge the authorization to sign.

All voted aye; motion carried.

10. CONSIDERATION TO AMEND POSITION NUMBER C10-001 TELECOMMUNICATION ANALYST TO POSITION NUMBER C04-006 NETWORK ANALYST AND CHANGE THE SALARY FROM \$35,009.00 TO \$41,000.00-ISS

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve to amend position number C10-001, Telecommunication Analyst to position number C04-006, Network Analyst and change the salary from \$35,009.00 to \$41,000.00 in the ISS Department.

All voted aye; motion carried.

11. ACKNOWLEDGEMENT OF RECEIPT OF PROPOSED BUDGETS OF THE JOHNSON & SOMERVELL COUNTIES COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT PURSUANT TO LOCAL GOVERNMENT CODE SECTION 140.004



The Commissioner's Court acknowledged the receipt of the Proposed Budgets of the Johnson & Somervell Counties Community Supervision and Corrections Department pursuant to Local Government Code *Section 140.004*.

12. CONSIDERATION OF TERMS OF COMMISSIONER'S COURT FOR FY 2010-2011

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve the Terms of Commissioner's Court for FY 2010-2011 as presented and attached to these minutes.

All voted aye; motion carried.

13. CONSIDERATION OF HOLIDAYS FOR 2011

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the Johnson County Holidays for 2011 as presented and attached to these minutes.

All voted aye; motion carried.

IX. CONSENT AGENDA

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

All voted aye; motion carried.

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 11:46 A.M. to discuss the Budget.

The Commissioner's Court recessed at 11:56 P.M and reconvened at 1:30 P.M. to discuss the Budget.

The Commissioner's Court reconvened at 3:20 P.M. into Open Session to consider the following:

VII. UNFINISHED BUSINESS

10. CONSIDERATION TO TAKE RECORD VOTE ON PROPOSED TAX RATE FOR THE 2010 TAX YEAR

Commissioner Matthews, seconded by Comm. Bailey, made an amended motion to adopt the proposed Tax Rate for the 2010 tax year at .3795 per \$100.00 valuation with the following changes in the distribution; .304884 for M & O, .022616 for Debt, and .052 for FMLR, for a total of .3795. A record vote was taken as recorded below:

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

Motion carried.

Commissioner's Court went into Executive Session at 3:22 P.M.

**BE IT KNOWN** that Commissioner's Court met in Executive Session at 3:22 P.M. in accordance with Government Code *Section. 551.074*- Personnel Matters-James Roller, Supervisor-Precinct #1

The Commissioner's Court re-convened into Open Session at 3:29 P.M. to consider the following:

XI. EXECUTIVE SESSION

1. Government Code:

a. *Sec. 551.074*-Personnel Matters-James Roller, Supervisor-Precinct #1

Comm. Bailey, seconded by Comm. Matthews, made a motion to approve the payment of 7.5 hours of overtime to James Roller, Supervisor for Precinct #1, which exceeds the 120 hours of overtime set by the County in the amount of \$212.25.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's  
Court adjourned at 3:30 P.M.

Submitted by: \_\_\_\_\_  
County Clerk  
Becky Williams

Approved by: \_\_\_\_\_  
County Judge  
Roger Harmon