

STATE OF TEXAS

June 13, 2011

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 13th day of June, 2011, 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 9:04 A.M., with all members present, and following the Invocation led by Pastor Neale Oliver, First Baptist Church of Rio Vista, 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 8, 2011 at 2:33 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PROCLAMATION FOR MOTORCYCLE SAFETY AND AWARENESS MONTH

The Commissioner's Court proclaimed the month of June, 2011 as Motorcycle Safety and Awareness Month.

V. PUBLIC PARTICIPATION

None.

VI. PRECEDING BUSINESS

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

a. May 25, 2011 – Special Session

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the Commissioner's Court Minutes for May 25, 2011.

All voted aye; motion carried.

2. CONSIDERATION OF REQUEST TO PAY BILLS

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

All voted aye; motion carried.

4. CONSIDERATION OF **RFB #2011-419**-SALE OF FOUR (4) MEDICAL TRANSPORT COTS TO ROSSER FUNERAL HOME

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve **RFB #2011-419**, Sale of four (4) medical transport cots to Rosser Funeral Home, priced at \$126.00 each for a total of \$504.00.

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

6. CONSIDERATION OF PRICE INCREASE FROM SOUTHERN ASPHALT & PETROLEUM CO., INC. FOR MC 30, AC 5 AND AC 10-PURCHASING

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

All voted aye; motion carried.

7. CONSIDERATION TO DECLARE ITEMS AS SURPLUS UNDER LOCAL GOVERNMENT CODE *SECTION 263.151 (2)* DISPOSITION OF SALVAGE OR SURPLUS PROPERTY AND PLACE FOR SALE WITH RENE BATES AUCTIONEER

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve to declare items as surplus under Local Government Code *Section 263.151 (2)*, Disposition of Salvage or Surplus Property, and place for sale with Rene Bates Auctioneer per the attached list from Purchasing.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

2. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

Discussion. No Action.

4. CONSIDERATION OF INVESTMENT POLICY-AUDITOR

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Investment Policy as presented by the Auditor's Office.

All voted aye; motion carried.

5. CONSIDERATION OF JOHNSON COUNTY DAY AT HAMM CREEK PARK ON SATURDAY, JUNE 25, 2011, ALLOWING COUNTY RESIDENTS FREE ADMISSION FROM 7:00 AM TO 6:00 PM

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve Johnson County Day at Hamm Creek Park on Saturday, June 25, 2011, allowing County residents free admission from 7:00 AM to 6:00 PM.

All voted aye; motion carried.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

No Action.

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

a. Sheriff-Insurance Claims from Hail Damage

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.0106* for Sheriff, Insurance Claims from Hail Damage for the repair of vehicles with hail damage for the total amount of \$7,442.00.

All voted aye; motion carried.

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

- a. Pre-Trial Bond Supervision-Mileage Reimbursement
- b. Jury, 249th District Court-Juries
- c. General Fund, Non-Departmental-Transfer to Building Maintenance & Operation Fund
- d. Building Maintenance & Operation-Transfer from Other funds
- e. Building Maintenance & Operation-Building Repair & Maintenance

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 Pre-Trial Bond Supervision, Mileage Reimbursement to create a budget in the amount of \$100.00; Jury, 249th District Court, Juries for budget shortage in the amount of \$15,000.00; General Fund, Non-Departmental, Transfer to Building Maintenance & Operation Fund for unexpected shortfall in the amount of \$150,000.00; Building Maintenance & Operation, Transfer from Other funds for unexpected shortfall in the amount of \$150,000.00; and Building Maintenance & Operation, Building Repair & Maintenance for roof repair in the amount of \$50,000.00.

All voted aye; motion carried.

4. CONSIDERATION OF **ORDER #2011-15** PROHIBITION OF OUTDOOR BURNING

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve **Order #2011-15**, Prohibition of Outdoor Burning, effective immediately.

All voted aye; motion carried.

5. CONSIDERATION OF **ORDER #2011-16** PROHIBITION OF CERTAIN FIREWORKS IN UNINCORPORATED AREAS OF JOHNSON COUNTY, TEXAS

Comm. Stringer, seconded by Comm. Beeson, made a motion to deny **Order #2011-16**, Prohibition of Certain Fireworks in Unincorporated Areas of Johnson County, Texas.

All voted aye; motion carried.

6. CONSIDERATION OF TEXAS 1033 SURPLUS PROPERTY PROGRAM-CONSTABLE, PRECINCT #4

- a. Application Letter
- b. Release of Reliability
- c. Application for Participation
- d. Supplemental Data Sheet
- e. State of Texas 1033 Program Plans, Policies and Procedures

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the Texas 1033 Surplus Property Program for Constables in all four (4) precincts and to give the County Judge the authorization to sign.

All voted aye; motion carried.

7. CONSIDERATION OF VOTING MACHINE LEASE AGREEMENT BETWEEN JOHNSON COUNTY AND THE CITY OF BURLESON-ELECTIONS

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Voting Machine Lease Agreement Between Johnson County and the City of Burleson for the Elections Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF THE JOHNSON COUNTY EMERGENCY SERVICE DISTRICT #1 AUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDED SEPTEMBER 30, 2010 PURSUANT TO SEC. 775.082 OF THE HEALTH AND SAFETY CODE

Comm. Bailey, seconded by Comm. Beeson, made a motion to accept the Johnson County Emergency Service District #1 Audited Financial Statements for the year ended September 30, 2010 pursuant to *Sec. 775.082* of the Health and Safety Code.

All voted aye; motion carried.

9. CONSIDERATION OF ROAD REPORTS:

- a. Precinct #1
- b. Precinct #3

Comm. Bailey, seconded by Comm. Stringer, made a motion to accept the Road Reports from Precinct #1 and Precinct #3.

All voted aye; motion carried.

10. CONSIDERATION OF DESIGNATION OF VOTING REPRESENTATIVE FOR THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the Designation of Voting Representative for the North Central Texas Council of Governments as Commissioner John Matthews, Precinct #2, and to give the County Judge the authorization to sign.

All voted aye; motion carried.

11. CONSIDERATION OF ACCEPTANCE OF COURT ID PILOT PROJECT/LIVESCAN EQUIPMENT FROM THE TEXAS DEPARTMENT OF PUBLIC SAFETY, MEMORANDUM OF UNDERSTANDING BETWEEN THE TEXAS DEPARTMENT OF PUBLIC SAFETY AND JOHNSON COUNTY, EXTENDED SERVICE ESTIMATE WITH IDENTIX FOR COSTS OF INSTALLATION OF LIVESCAN EQUIPMENT, IDENTIX INCORPORATED SYSTEM MAINTENANCE TERMS AND CONDITIONS, AND MAINTENANCE AGREEMENT ADDENDUM QUOTATION FOR ANNUAL MAINTENANCE

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the acceptance of Court ID Pilot Project/Livescan Equipment from the Texas Department of Public Safety, Memorandum of Understanding Between the Texas Department of Public Safety and Johnson County, Extended Service Estimate with Identix for costs of installation of Livescan equipment, Identix Incorporated System Maintenance Terms and Conditions, and Maintenance Agreement Addendum Quotation for annual maintenance and to give the County Judge the authorization to sign.

All voted aye; motion carried.

12. CONSIDERATION OF ENGAGEMENT LETTER WITH KENNEMER, MASTERS & LUNSFORD, OUTSIDE AUDITORS

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

All voted aye; motion carried.

13. CONSIDERATION OF AUTHORIZATION TO MAINTAIN TCDRS PLAN PROVISIONS FOR PLAN YEAR 2012-PERSONNEL

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the Authorization to Maintain TCDRS plan provisions for Plan Year 2012 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

14. CONSIDERATION OF THE JOHNSON COUNTY LONGEVITY PAY POLICY FOR COMMISSIONED SHERIFF'S OFFICE DEPUTIES-PERSONNEL

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the Johnson County Longevity Pay Policy for Commissioned Sheriff's Office Deputies in the amount of \$5.00 per month for each year of service, up to and including 25 years of service, effective October 1, 2011.

All voted aye; motion carried.

15. CONSIDERATION OF NON-RESIDENTIAL SERVICES CONTRACT WITH DANIEL R. ALTMAN, PH.D., FOR PSYCHOLOGICAL EVALUATIONS- JUVENILE SERVICES

Comm. Stringer, seconded by Comm. Matthews, made a motion to approve the Non-Residential Services Contract with Daniel R. Altman, Ph.D., for psychological evaluations for Juvenile Services and to give the County Judge the authorization to sign.

All voted aye; motion carried.

16. CONSIDERATION OF RECURRING EXPENSE OF \$51.79 PER MONTH FOR ONE (1) AIR CARD FOR ONE LAPTOP FOR ON-CALL JPO- JUVENILE SERVICES

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the recurring expense of \$51.79 per month for one (1) air card for one laptop for on-call JPO with Juvenile Services.

All voted aye; motion carried.

IX. CONSENT AGENDA

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

All voted aye; motion carried.

The Commissioner's Court recessed at 10:15 A.M. and reconvened at 10:36 A.M. to consider the following:

VII. UNFINISHED BUSINESS

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

Discussion. No Action.

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

Discussion. No Action.

BE IT KNOWN that Commissioner's Court met in Executive Session at 10:45 A.M. in accordance with Government Code *Sec. 551.071*-Consultation with Attorney, Contemplated Litigation: Notice of Claim from Attorney Robert L. Ward and Pending Litigation: William Clinton Forrest vs. Forrest Property Management, Inc. et al, Cause No. C200900357, 18th District Court; and *Sec. 551.074*-Personnel, Heather Lane-Medical Examiner's Office and Soraida Valencia-Juvenile Services.

The Commissioner's Court reconvened into Open Session at 2:24 P.M. to consider the following:

XI. EXECUTIVE SESSION

1. Government Code:

b. *Sec. 551.074*-Personnel:

(1) Heather Lane-Medical Examiner's Office

Comm. Beeson, seconded by Comm. Matthews, made a motion to release Heather Lane from her employment with Johnson County during her probationary period.

All voted aye; motion carried.

a. *Sec. 551.071-Consultation with Attorney:*

- (1) Contemplated Litigation: Notice of Claim from Attorney Robert L. Ward

Comm. Matthews, seconded by Comm. Beeson, made a motion to authorize Bill Moore, the County Attorney, to negotiate the final settlement in the Notice of Claim from Attorney Robert L. Ward.

All voted aye; motion carried.

- (2) Pending Litigation: William Clinton Forrest vs. Forrest Property Management, Inc. et al, Cause No. C200900357, 18th District Court

Comm. Matthews, seconded by Comm. Stringer, made a motion to authorize Bill Moore, the County Attorney, to file an answer and defend the lawsuit and authorize expenses in the matter of Cause No. C200900357, 18th District Court.

All voted aye; motion carried.

b. *Sec. 551.074-Personnel:*

- (2) Soraida Valencia-Juvenile Services

Comm. Matthews, seconded by Comm. Bailey, made a motion to add one (1) additional bilingual supplement in the position currently occupied by Soraida Valencia, Juvenile Services, that meets the requirements of all the other bilingual supplements in the County, effective the next pay period.

All voted aye; motion carried.

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 2:28 P.M. to discuss Health Insurance Consultant.

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

VI. PRECEDING BUSINESS

5. CONSIDERATION OF RFQ #2011-415-HEALTH INSURANCE CONSULTANT



No Action.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 4:34 P.M.

Submitted by: _____
County Clerk
Becky Williams

Approved by: _____
County Judge
Roger Harmon