

STATE OF TEXAS

September 26, 2011

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 26th day of September, 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 Mark Ely, College Heights Baptist Church, Cleburne, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on September 22, 2011 at 1:15 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF RETIREMENT PLAQUE TO KAY HARRIS FROM THE PURCHASING DEPARTMENT

Margaret Cook, Purchasing Agent, presented a retirement plaque to Kay Harris from the Purchasing Department for her 18 years of dedicated service to Johnson County.

2. PRESENTATION FROM THE PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT

Joshua Grimes, General Manager for Prairielands Groundwater Conservation District made a presentation to the Commissioner's Court.

## V. PUBLIC PARTICIPATION

Jack Carlton, Johnson County Historian, spoke in reference to the history of Johnson County Market Square. Bob McAllister spoke in reference to the importance of Market Square to the County and invited members of the Court to attend a meeting of the Johnson County Historical Commission. John Mannewitz with Securus Technologies spoke in reference to the inmate telephone contract and requested the Court delay awarding the bid for the telephone contract for inmate telephone calls for the Sheriff's Department.

## XI. WORKSHOP

The Commissioner's Court convened into Workshop Session at 9:37 A.M. to discuss the Budget.

The Commissioner's Court reconvened into Open Session at 9:38 A.M.

Comm. Thompson, seconded by Comm. Bailey, made a motion to approve for FY 2011-2012 budget year for position F02-073 at \$8,590.00 be funded until March 1, 2012 and position F02-043 at \$32,911.00 will be funded at \$44,078.00 until March 1, 2012, then the position will be moved back to \$24,721.00 for the remainder of the budget year. This motion is to correct the salary for position F02-073 incorrectly stated in Commissioner's Court on September 22, 2011.

All voted aye; motion carried.

## VI. PUBLIC HEARINGS

The Commissioner's Court opened a Public Hearing at 9:40 A.M. to discuss:

1. PUBLIC HEARING ON PROPOSED JOHNSON COUNTY BUDGET 2011-2012

Judge Harmon commented on this being a difficult year for the Johnson County Budget due to the reduction of natural gas production and royalties in the County. Judge Harmon thanked the Court, Elected Officials and Department Heads for their help and support during this budget process. The hearing was closed at 9:43 A.M.

VII. PRECEDING BUSINESS

1. CONSIDERATION OF DISTRICT JUDGES' ORDER ESTABLISHING SALARIES FOR COUNTY AUDITOR'S OFFICE, ORDER ESTABLISHING SALARIES FOR COURT REPORTERS, FEE SCHEDULE FOR JOHNSON COUNTY REPORTERS AND ORDER APPROVING AUDITOR'S BUDGET

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the District Judges' Order Establishing Salaries for County Auditor's Office, Order Establishing Salaries for Court Reporters, Fee Schedule for Johnson County Reporters and Order Approving Auditor's Budget.

Comm. Rick Bailey	Aye
Comm. Troy Thompson	Aye
Comm. Jerry Stringer	Aye
Comm. Don Beeson	Aye
County Judge Roger Harmon	Aye

All voted aye; motion carried.

2. CONSIDERATION TO ADOPT THE BUDGET FOR 2011-2012

Comm. Thompson, seconded by Comm. Beeson, made a motion to adopt the Budget for 2011-2012 as presented.

Comm. Rick Bailey	Aye
Comm. Troy Thompson	Aye
Comm. Jerry Stringer	Aye
Comm. Don Beeson	Aye
County Judge Roger Harmon	Aye

All voted aye; motion carried.

3. CONSIDERATION TO ADOPT THE TAX RATE FOR 2011

Comm. Bailey, seconded by Comm. Beeson, made a motion to adopt the Tax Rate for 2011 as follows: total M & O rate of .311687, total Debt rate of .018813 and FMLR rate of .049000 for a combined total tax rate of .379500.

Comm. Rick Bailey	Aye
Comm. Troy Thompson	Aye
Comm. Jerry Stringer	Aye
Comm. Don Beeson	Aye
County Judge Roger Harmon	Aye

All voted aye; motion carried.

4. CONSIDERATION TO RATIFY THE PROPERTY TAX INCREASE REFLECTED IN THE BUDGET FOR 2011-2012

Comm. Thompson, seconded by Comm. Bailey, made a motion to ratify the Property Tax increase reflected in the Budget for 2011-2012.

All voted aye; motion carried.

5. CONSIDERATION OF **ORDER #2011-32** "ORDER SETTING TAX RATE FOR THE COUNTY OF JOHNSON FOR THE TAX YEAR 2011 AND DIRECTING THE ASSESSMENT AND COLLECTION THEREOF"

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve **Order #2011-32** "Order Setting Tax Rate for the County of Johnson for the Tax Year 2011 and Directing the Assessment and Collection Thereof", with the Property Tax Rate being \$0.379500 per \$100.00 taxable valuation.

All voted aye; motion carried.

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

a. August 22, 2011 – Regular Session

Comm. Bailey, seconded by Comm. Thompson, made a motion to approve the Commissioner's Court Minutes for August 22, 2011.

All voted aye; motion carried.

7. CONSIDERATION OF REQUEST TO PAY BILLS

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

All voted aye; motion carried.

8. 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.

9. CONSIDERATION OF **ORDER #2011-33** APPROVING THE JOHNSON COUNTY TREASURER'S REPORT TO THE COMMISSIONER'S COURT

Comm. Beeson, seconded by Comm. Thompson, made a motion to approve **Order #2011-33**, the Johnson County Treasurer's Report to the Commissioner's Court.

All voted aye; motion carried.

10. CONSIDERATION OF FINAL PLAT OF **ELIZABETH A. GEORGE ADDITION**, LOT 1 AND LOT 2, BLOCK 1-PRECINCT #4

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the final plat of **Elizabeth A. George Addition**, Lot 1 and Lot 2, Block 1 in Precinct #4.

All voted aye; motion carried.

11. CONSIDERATION OF **RFP #2011-416**-INMATE TELEPHONE SYSTEM



Comm. Beeson, seconded by Comm. Stringer, made a motion to award **RFP #2011-416**, Inmate Telephone System to Global Tel\*Link (GTL).

All voted aye; motion carried.

12. CONSIDERATION OF **RFB #2011-427**-PIPELINE EASEMENT RIGHT OF WAY FOR PRECINCT #1

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

All voted aye; motion carried.

13. CONSIDERATION OF PERPETUAL LEASE FOR PIPELINE RIGHT OF WAY EASEMENT WITH CHESAPEAKE OPERATING, INC.-PRECINCT #1

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

All voted aye; motion carried.

VIII. UNFINISHED BUSINESS

2. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

Discussion. No Action.

4. CONSIDERATION OF **ORDER #2011-29**-PROHIBITION OF OUTDOOR BURNING

Comm. Bailey, seconded by Comm. Thompson, made a motion to continue **Order #2011-29**, Prohibition of Outdoor Burning, which is currently in effect until December 10, 2011.

All voted aye; motion carried.

The Commissioner's Court recessed at 10:06 A.M. and reconvened at 10:20 A.M. to consider the following:

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

No Action.

2. CONSIDERATION OF CONTRACT TO AUCTION WITH RITCHIE BROS. AUCTIONEERS ON OCTOBER 4-5 TO SURPLUS “BIG TEX” 5<sup>TH</sup> WHEEL TRAILER UNDER LOCAL GOVERNMENT CODE SECTION 262.024 (9)(A)-PRECINCT #2

Comm. Thompson, seconded by Comm. Bailey, made a motion to approve the Contract to Auction with Ritchie Bros. Auctioneers on October 4-5 to surplus “Big Tex” 5<sup>th</sup> wheel trailer under Local Government Code *Section 262.024 (9)(A)* for Precinct #2 and to give the County Judge the authorization to initial page 2 (g)(ii) and to sign the contract.

All voted aye; motion carried.

3. CONSIDERATION OF PURCHASE HIGH ROLLER AT RITCHIE BROS. AUCTION OCTOBER 3-4, 2011 NOT TO EXCEED \$20,000.00-PRECINCT #2

Comm. Thompson, seconded by Comm. Beeson, made a motion to approve to purchase high roller at Ritchie Bros. Auction October 3-4, 2011 not to exceed \$20,000.00 for Precinct #2.

All voted aye; motion carried.

8. CONSIDERATION OF OFFICE SPACE FOR THE STATE PAROLE BOARD

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

All voted aye; motion carried.

4. CONSIDERATION TO DECLARE A 1989 GMC TRUCK AS SURPLUS UNDER LOCAL GOVERNMENT CODE SECTION 263.152 AND PLACE FOR SALE ON RITCHIE BROS. AUCTION DECEMBER 10-11, 2011-PRECINCT #2

Comm. Thompson, seconded by Comm. Bailey, made a motion to approve to declare a 1989 GMC truck as surplus under Local Government Code *Section 263.152* and place for sale on Ritchie Bros. Auction December 10-11, 2011 for Precinct #2.

All voted aye; motion carried.

5. CONSIDERATION TO USE TECH FUND MONIES TO PURCHASE TECH RELATED ITEMS-JUSTICE OF THE PEACE, PRECINCT #4

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve to use Tech Fund monies to purchase tech related items for Justice of the Peace, Precinct #4.

All voted aye; motion carried.

6. CONSIDERATION TO USE TECH FUND MONIES FOR JUDGE JACOBS TO ATTEND "JUSTICE OF THE PEACE 20 HOUR SEMINAR" WHICH INCLUDES TECHNOLOGY CLASSES-JUSTICE OF THE PEACE, PRECINCT #3

Comm. Stringer, seconded by Comm. Thompson, made a motion to approve to use Tech Fund monies for Judge Jacobs to attend "Justice of the Peace 20 Hour Seminar" which includes technology classes for Justice of the Peace, Precinct #3.

All voted aye; motion carried.

7. CONSIDERATION OF INTERLOCAL AGREEMENT FOR FURNISHING ROAD REPAIR MATERIAL WITH THE CITY OF GRANDVIEW-PRECINCT #4

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the Interlocal Agreement for Furnishing Road Repair Material with the City of Grandview in Precinct #4.

All voted aye; motion carried.

9. CONSIDERATION OF THE JOHNSON COUNTY MEDICAL EXAMINER DISTRICT AGREEMENT FISCAL YEAR 2012 AND CONSIDERATION OF **ORDER #2011-34** APPROVING THE JOHNSON COUNTY MEDICAL EXAMINER DISTRICT AGREEMENT FISCAL YEAR 2012



Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the Johnson County Medical Examiner District Agreement Fiscal Year 2012 and to approve **Order #2011-34** Approving the Johnson County Medical Examiner District Agreement Fiscal Year 2012.

All voted aye; motion carried.

10. CONSIDERATION OF OFFICIAL BOND AND OATH FOR DAVID VESELY, SR., RESERVE DEPUTY CONSTABLE, PRECINCT #4

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the Official Bond and Oath for David Vesely, Sr., Reserve Deputy Constable in Precinct #4.

All voted aye; motion carried.

11. CONSIDERATION OF CHANGES TO VOTING PRECINCT BOUNDARIES

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the changes to voting precinct boundaries due to Redistricting.

All voted aye; motion carried.

12. CONSIDERATION OF NOTICE OF THE CONSTITUTIONAL AMENDMENT ELECTION & LOCAL OPTION ELECTION CITY OF GRANDVIEW, CITY OF JOSHUA & CITY OF ALVARADO WHICH INCLUDES ELECTION DAY POLLING PLACES AND ISSUES ON THE BALLOT FOR THE NOVEMBER 8, 2011 ELECTION

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the Notice of the Constitutional Amendment Election & Local Option Election City of Grandview, City of Joshua & City of Alvarado which includes Election Day polling places and issues on the ballot for the November 8, 2011 Election and to give the County Judge the authorization to sign the Notice.

All voted aye; motion carried.

13. CONSIDERATION OF PROFESSIONAL SERVICES AGREEMENT  
BETWEEN JOHNSON COUNTY, TEXAS AND BRENDA CAMPBELL FOR  
SERVICES TO THE CITIES READINESS INITIATIVE 2011-2012

Comm. Beeson, seconded by Comm. Thompson, made a motion to approve the Professional Services Agreement between Johnson County, Texas and Brenda Campbell for services to the Cities Readiness Initiative 2011-2012 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

14. CONSIDERATION OF RESOLUTION AFFIRMING NOMINATION FOR  
CANDIDATE FOR BOARD OF DIRECTORS FOR THE CENTRAL  
APPRAISAL DISTRICT OF JOHNSON COUNTY FOR 2012-2013

Comm. Thompson, seconded by Comm. Bailey, made a motion to approve the Resolution Affirming Nomination for Candidate for Board of Directors for the Central Appraisal District of Johnson County for 2012-2013 as Don Beeson.

Comm. Rick Bailey	Aye
Comm. Troy Thompson	Aye
Comm. Jerry Stringer	Aye
County Judge Roger Harmon	Aye
Comm. Don Beeson	Abstained

Motion carried.

15. CONSIDERATION OF MASTER AGREEMENT AND PRICING SCHEDULE  
FOR ILEC SERVICES PROVIDED WITHIN AT&T'S FRANCHISE  
TERRITORY IN THE STATE OF TEXAS PURSUANT TO TARIFF(S)  
AND/OR GUIDEBOOK WITH AT&T FOR DATA SERVICE-IT  
DEPARTMENT

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the Master Agreement and Pricing Schedule for ILEC Services provided within AT&T's franchise territory in the State of Texas pursuant to Tariff(s) and/or Guidebook with AT&T for data service for the IT Department and to give the County Judge the authorization to sign.

All voted aye; motion carried.

16. CONSIDERATION OF PURCHASE OF 50' TOWER FROM SABRE TOWER AT A TOTAL COST OF \$19,263.00 INCLUDING SHIPPING, GROUNDING AND INSTALLATION-EMERGENCY OPERATIONS CENTER

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

All voted aye; motion carried.

17. CONSIDERATION OF MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN JOHNSON COUNTY CORRECTION CENTER (JAIL) JOHNSON COUNTY, TEXAS AND GLOBAL TEL\*LINK CORPORATION ("GTL") FOR INMATE BANKING SERVICES

Comm. Bailey, seconded by Comm. Thompson, made a motion to approve the Memorandum of Understanding (MOU) between Johnson County Correction Center (Jail) Johnson County, Texas and Global Tel\*Link Corporation ("GTL") for inmate banking services and to give the County Judge the authorization to sign.

All voted aye; motion carried.

18. CONSIDERATION OF INMATE TELEPHONE SERVICE AGREEMENT WITH GLOBAL TEL\*LINK CORPORATION

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the Inmate Telephone Service Agreement with Global Tel\*Link Corporation and to give the County Judge the authorization to sign.

All voted aye; motion carried.

19. CONSIDERATION TO ACCEPT GRANT AWARD WITH THE DEPARTMENT OF JUSTICE FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM, MENTAL PEACE OFFICER PROJECT IN THE AMOUNT OF \$33,162.00-SHERIFF'S OFFICE

Comm. Bailey, seconded by Comm. Stringer, made a motion to accept grant award with the Department of Justice for the Edward Byrne Memorial Justice Assistance Grant Program, Mental Peace Officer Project in the amount of \$33,162.00 for the Sheriff's Office.

All voted aye; motion carried.

X. CONSENT AGENDA

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve all items on the Consent Agenda with one correction and that is Karen Jones being incorrectly listed as being in the Sheriff's Office and she should be under County Court at Law #2.

All voted aye; motion carried.

The Commissioner's Court recessed at 11:12 A.M. and reconvened at 1:30 P.M. to consider the following:

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Thompson, seconded by Comm. Bailey, made a motion to advertise for bids/proposals for a 50' tower for the Emergency Operations Center.

All voted aye; motion carried.

XI. WORKSHOP

The Commissioner's Court convened into Workshop Session at 1:38 P.M. to discuss the Consultant of Record for Health Benefits for Johnson County.

The Commissioner's Court reconvened into Open Session at 4:06 P.M.

VIII. UNFINISHED BUSINESS

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

Discussion. No Action.

Commissioner Bailey exited the meeting at 4:58 P.M.

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

Comm. Thompson, seconded by Comm. Beeson, made a motion to approve to bring Modern Contractors, RBR Construction, Pete Durant and Associates and Pogue Construction in for CMAR interviews for the Adult Probation Building at the next regularly scheduled Commissioner's Court meeting which will be October 10, 2011.

All voted aye; motion carried.

Commissioner Bailey returned to the meeting at 4:59 P.M.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 5:00 P.M.

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

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