

JUNE 8, 1998

STATE OF TEXAS

COMMISSIONERS COURT

COUNTY OF JOHNSON

BE IT KNOWN that on the 8th day of June, 1998, the Honorable Commissioners Court of Johnson County, Texas, met in Regular Session at 9:00 a.m. with all members present in the Courthouse, in the City of Cleburne, Johnson County, Texas, and following the Invocation led by Pastor Steve Dill of the Friendship Baptist Church-Cleburne and the Pledge of Allegiance, the following items were considered:

V. PUBLIC PARTICIPATION

No requests made.

VI. PRECEDING BUSINESS

1. PROCLAMATION IN RECOGNITION OF DAIRY MONTH

Roger Harmon, County Judge of Johnson County, Texas, and the Commissioners of Johnson County's four precincts, proclaim June as "Dairy Month" in the County of Johnson.

2. APPROVAL OF BILLS

A motion was made by Comm. Carpenter, seconded by Comm. Thompson, to approve the bills as submitted by the County Auditor.

All voted aye; motion passed.

3. ACKNOWLEDGEMENT OF RECEIPT OF THE COUNTY AUDITORS REPORT AND COUNTY AUDITORS MONTHLY REPORT

The County Judge, Roger Harmon, acknowledged the receipt of the County Auditors Report and the County Auditors Monthly Report to the Commissioners Court.

4. APPROVAL OF MINUTES

a. MARCH 25, 1998

A motion was made by Comm. Harmon, seconded by Comm. McFall, to approve the minutes of March 25, 1998; March 27,

1998; April 1, 1998; April 6, 1998; April 15, 1998, at 9:28 a.m.; April 15, 1998, at 1:44 p.m.; April 23, 1998; and May 19, 1998, as submitted by the County Clerk.

All voted aye; motion passed.

VIII. NEW BUSINESS

15. APPROVAL OF SUBMITTING GRANT APPLICATION TO PROVIDE AN ILLEGAL DUMPING INSPECTOR, VEHICLE AND NECESSARY EQUIPMENT

A motion was made by Comm. Carpenter, seconded by Comm. Harmon, to approve the request from the Illegal Dumping Task Force of Johnson County to submit a grant application to provide an Illegal Dumping Inspector, vehicle and trailer for Johnson County, as presented by Kirk Barnes, Environmental Service Manager for the City of Burleson and coordinator of the Illegal Dumping Task Force.

All voted aye; motion passed.

VI. PRECEDING BUSINESS

5. REQUEST FROM THE SONS OF CONFEDERATE VETERANS

a. PLACEMENT OF LIFE-SIZED STATUE OF GENERAL PAT CLEBURNE ON THE COURTHOUSE LAWN

A motion was made by Comm. Harmon, seconded by Comm. McFall, to approve a request from Tom Boyett for permission to place a life-size statue of General Pat Cleburne on the west side of the Courthouse lawn working with Judge Harmon for appropriate placement.

All voted aye; motion passed.

b. FINANCIAL HELP IN ERECTING A HISTORICAL MARKER AT THE CONFEDERATE CEMETERY ARCH

Passed.

6. SUBDIVISIONS:

a. APPROVAL OF FINAL PLAT:

1. HILLS OF SPRINGWOOD, PHASE I AND PHASE II-PCT #3

A motion was made by Comm. Carpenter, seconded by Comm. Thompson, for the approval of the Final plat for

Hills of Springwood, Phase I and Phase II, with the stipulation that the letter of credits be submitted before they are signed and recorded.

All voted aye; motion passed.

b. APPROVAL OF PRELIMINARY RE-PLAT

1. SHADOW CREEK, BLK. 1, LOTS 27,28,29,30 & 31 INTO LOT 27R, 28R, 29R, 30R & 31R-PCT #3

A motion was made by Comm. Carpenter, seconded by Comm. Thompson, for the approval of the Shadow Creek Preliminary Re-Plat Block 1, Lots 27,28,29,30 and 31 into Lot 27R, 28R, 29R, 30R, 30R-1 & 31R in Precinct #3.

All voted aye; motion passed.

7. ACTION ON BIDS/PROPOSALS

a. BID #98-47 PURCHASE OF A NEW 1998 SELF-PROPELLED HYDRAULICALLY DRIVEN HIGHWAY MOWER-PCT #3

A motion was made by Comm. Carpenter, seconded by Comm. Harmon, for the approval of the purchase of a 1998 self-propelled hydraulically driven highway mower from Bane Machinery Inc. in the amount of \$54,900.00.

All voted aye; motion passed.

VIII. NEW BUSINESS

1. PURCHASES FROM \$2,500.00 TO \$15,000.00

A motion was made by Comm. McFall, seconded by Comm. Harmon, to purchase a computer for the Law Library from ADS, 1 NT Server in the amount of \$3,948.00, 2 W/S upgrades in the amount of \$775.00 each, for a total amount of \$5,498.00.

All voted aye; motion passed.

2. ADVERTISING FOR BIDS/PROPOSALS

A motion was made by Comm. Carpenter, seconded by Comm. Thompson, to approve Bids/Proposals for air conditioning and heating repair, and for oil filter and lube service.

All voted aye; motion passed.

3. TRAFFIC SIGNS

No Signs requested.

5. RESOLUTION IN SUPPORT OF INMATE REIMBURSEMENT LEGISLATION

A motion was made by Comm. Thompson, seconded by Comm. Carpenter, for the approval of a resolution in support of inmate reimbursement legislation.

All voted aye; motion passed.

4. REVIEW OF THE DEMOGRAPHIC CHANGES AND THE MANDATES OF FEDERAL AND STATE LAW IN REGARD TO REDISTRICTING

Professor David Guinn from the University of Baylor will review the demographic changes and the mandates of federal and state law in regard to redistricting.

VI. PRECEDING BUSINESS

a. APPROVAL OF FINAL PLAT:

2. COUNTRY VISTA ESTATES, PHASE II-PCT #3

A motion was made by Comm. Carpenter, seconded by Comm. Harmon, for the approval of the final plat of the Country Vista Estates, Phase II, subject to letters of credit stating this subdivision does have a private sewage facility.

All voted aye; motion passed.

VIII. NEW BUSINESS

6. APPROVAL OF TEXAS COUNTY AND DISTRICT RETIREMENT SYSTEM 1999 EMPLOYER CONTRIBUTION RATE AND PLAN OPTIONS

A motion was made by Comm. Harmon, seconded by Comm. McFall, for the approval of the 1999 Texas County District Retirement System Employer Contribution rate and plan.

All voted aye; motion passed.

7. APPROVAL OF BEEPER FOR INFORMATION SYSTEMS AND SERVICES DEPT.

A motion was made by Comm. Carpenter, seconded by Comm. Harmon, for the approval of a beeper for the Information Systems and Services Department.

All voted aye; motion passed.

8. APPROVAL OF ORDER PROHIBITING THE SMOKING OF TOBACCO

Passed.

9. APPROVAL OF ORDER DESIGNATING AREAS FOR SMOKING TOBACCO

Passed.

10. APPROVAL TO THE TARRANT COUNTY AUTO THEFT TASK FORCE FOR A VOLUNTARY MATCH OF GRANT FUNDS

A motion was made by Comm. Harmon, seconded by Comm. McFall, to approve the request from Sheriff Bob Alford and Jerry McCurry to apply for a grant with the Tarrant County Auto Theft Task Force with a 20 percent match.

All voted aye; motion passed.

11. ACTION ON BIDS RECEIVED FOR RESALE OF PROPERTY, STRUCK-OFF AT CONSTABLES' SALE

A motion was made by Comm. Thompson, seconded by Comm. Carpenter, for approval of all bids on the resale of struck-off property at Constables' sale.

All voted aye; motion passed.

14. APPROVAL OF DEPUTY CONSTABLE-PCT #4

A motion was made by Comm. Thompson, seconded by Comm. Harmon, to approve Mark Alan Freeman as a Deputy Constable in Precinct #4.

All voted aye; motion passed.

16. FM 3048 RIGHT OF WAY

a. BUDGET AMENDMENT PURSUANT TO SECTION 111.010C OF THE LOCAL GOVERNMENT CODE: RIGHT OF WAY FUND

b. APPROVAL TO PAY UTILITY LINE RELOCATION

A motion was made by Comm. Thompson, seconded by Comm. McFall, to approve expenditures on CR 3048 from the right of way fund, including the cost of moving a twelve inch water line in the amount of \$22,595.00, and negotiating the cost of the engineering study for a total of \$33,000.00.

All voted aye; motion passed.

IX. CONSENT AGENDA

A motion was made by Comm. Thompson, seconded by Comm.

Harmon, to approve the items listed on the Consent Agenda.

All voted aye; motion passed.

BE IT KNOWN that on the 8th day of June, 1998, the Honorable Commissioners Court of Johnson County, Texas, met in Executive Session at 11:30 a.m. with all members present, in the Courthouse, in the City of Cleburne, Johnson County, Texas, in accordance with Texas Local Government Code Sec. 551.074-Personnel Matters: Public Works; Sec. SSI.071-Consultation with Attorney: Contemplative Litigation.

The Commissioners Court of Johnson County reconvened into Open Session at 1:45 p.m. with no action being taken.

X. WORKSHOP

The Commissioners Court of Johnson County, Texas met in Workshop Session at 1:45 p.m. to discuss an order prohibiting smoking and designating smoking areas; ADA compliance in county buildings; licensing and fees on solid waste haulers in Johnson County; additional office space in annex building; county nepotism policy; Juvenile Detention officer turnover; and national access fee on telephone bills.

The Commissioners Court reconvened into Open Session at 3:10 p.m. with the following action being taken:

III. NEW BUSINESS

8. APPROVAL OF ORDER DESIGNATING AREAS FOR SMOKING TOBACCO

A motion was made by Comm. Thompson, seconded by Comm. McFall, to approve an order designating the south break room in the basement of the Courthouse, the second floor break room in the Courthouse Annex, and all precincts as areas in which smoking tobacco products is permitted. All other areas are non-smoking.

All voted aye; motion passed.

8. APPROVAL OF ORDER PROHIBITING THE SMOKING OF TOBACCO

A motion was made by Comm. Harmon, seconded by Comm. Carpenter, to approve an order prohibiting the smoking or burning of tobacco in all Johnson County buildings and facilities owned and/or

operated by Johnson County with Johnson County personnel on premises with the exception of those areas specifically designated as smoking areas.

All voted aye; motion passed.

12. APPROVAL OF ADDITIONAL OFFICE SPACE FOR ISS DEPARTMENT

A motion was made by Comm. Harmon, seconded by Comm. Thompson, for the ISS Department to have additional office space in Room 201 of the annex building.

All voted aye; motion passed.

13. APPROVAL OF COUNTY NEPOTISM POLICY

No action.

X. EXECUTIVE SESSION

1. GOVERNMENT CODE:

a. SEC. 551.074-PERSONNEL

(1) PUBLIC WORKS

A motion was made by Comm. Thompson, seconded by Comm. McFall, for the hiring of William E. Nelson as Public Works Director, with the salary of \$35,000.00 a year plus \$500.00 per month travel allowance.

All voted aye; motion passed.

1. GOVERNMENT CODE:

b. SEC. 551.071-CONSULTATION WITH ATTORNEY

(1) CONTEMPLATED LITIGATION-DAVID TAWATER

A motion was made by Comm. Thompson, seconded by Comm. Harmon, to give the County Attorney the authority to negotiate settlement in the amount of \$841.60 with David Tawater.

All voted aye; motion passed.

VIII. NEW BUSINESS

2. ADVERTISING FOR BIDS/PROPOSALS

A motion was made by Comm. Carpenter, seconded by Comm. Thompson, to amend the motion made under advertising for Bids/Proposals to add advertising for long distance service.

All voted aye; motion passed.

There being no further business before the Court concerning this Agenda, the Court adjourned on the same date at 3:24 p.m.

Submitted by: _____
Curtis H. Douglas
County Clerk

Approved by: _____
Roger Harmon
County Judge