

STATE OF TEXAS

MAY 13, 2002

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 13th day of May, 2002, the Honorable Commissioner's Court of Johnson County, Texas, met in regular session at the 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 Comm. Troy Thompson, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on May 9, 2002, at 10:06 A.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATION

1. PRESENTATION OF CERTIFICATE AND PLAQUE FROM STOP TASK FORCE

Chief Cowan and Adam King presented plaques to Dale Hanna from the STOP Task Force.

2. PRESENTATION OF PROCLAMATION FOR POPPY MONTH

Johnson County Commissioner's Court proclaimed the month of May, 2002 as Poppy Month.

V. PUBLIC PARTICIPATION

None.

VI. PRECEDING BUSINESS

1. ACTION ON APPROVAL OF MINUTES OF COMMISSIONER'S COURT

- a. APRIL 8, 2002 – REGULAR SESSION
- b. APRIL 22, 2002 – REGULAR SESSION

c. APRIL 30, 2002 – SPECIAL SESSION

Comm. Harmon, seconded by Comm. McFall, made a motion to approve the minutes of the Commissioner's Court for April 8, 2002, April 22, 2002 and April 30, 2002.

All voted aye; motion carried.

2. ACTION ON BUDGET AMENDMENT PURSUANT TO SECTION 111.010C OF THE LOCAL GOVERNMENT CODE

- a. EQUIPMENT: DEFIBRILLATORS
- b. EQUIPMENT: TAX OFFICE – COPIER

Comm. Harmon, seconded by Comm. Thompson, made a motion to approve budget amendments for defibrillators in the amount of \$3,120.00, line item# 075-510-320 and a copier in the Tax Office in the amount of \$5,500.00, line item# 075-499-570 pursuant to Section 111.010C of the Local Government Code.

All voted aye; motion carried.

3. ACTION ON APPROVAL TO PAY BILLS

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve to pay the bills as presented by the County Auditor.

All voted aye; motion carried.

4. ACKNOWLEDGEMENT OF RECEIPT OF THE COUNTY AUDITORS REPORTS TO THE COMMISSIONER'S COURT

Commissioner's Court acknowledged receipt of the county Auditor's reports.

5. ACTION ON APPROVAL OF PLATS

- a. THE RETREAT: PHASE I, LOTS 1-4, BLOCK 1; LOTS 1-14, BLOCK 2; LOTS 1-6, BLOCK 3; LOTS 1-20, BLOCK 4; LOTS 1-17, BLOCK 5; LOTS 1-12, BLOCK 6; LOTS 1-29, BLOCK 7; LOTS 1-14, BLOCK 8; LOTS 1-12, BLOCK 9; LOTS 1-24, BLOCK 10; LOTS 1-53, BLOCK 11; LOTS 1-16, BLOCK 12; LOTS 1-26, BLOCK 13; LOTS 1-13, BLOCK 14; LOTS 1-18, BLOCK 15; LOTS 1-25, BLOCK 16; LOTS 1-66, BLOCK 17; LOTS 1-22, BLOCK 18; LOTS 1-3, BLOCK 19; LOTS 1-14, BLOCK 20 – PRECINCT #1

Comm. McFall, seconded by Comm. Harmon, made a motion to approve the plat for The Retreat, Phase I, lots 1-4, block 1, lots 1-14, block 2, lots 1-6, block 3, lots 1-20, block 4, lots 1-17, block 5, lots 1-12, block 6, lots 1-29, block 7, lots 1-14, block 8, lots 1-12, block 9, lots 1-24, block 10, lots 1-53, block 11, lots 1-16, block 12, lots 1-26, block 13, lots 1-13, block 14, lots 1-18, block 15, lots 1-25, block 16, lots 1-66, block 17, lots 1-22, block 18, lots 1-3, block 19 and lots 1-14, block 20 in Precinct #1.

All voted aye; motion carried.

- b. GREENFIELD ADDITION: LOTS 1-2, BLOCK 1 – PRECINCT #2

No action.

- c. MARYLAND ADDITION: LOTS 1-2, BLOCK 1 – PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the plat for Maryland Addition, lots 1-2, block 1 in Precinct #3.

All voted aye; motion carried.

- d. MONTERREY ADDITION: LOTS 21-40, BLOCK 4 – PRECINCT #3

Comm. Carpenter, seconded by Comm. Harmon,
made a motion to approve the plat for Monterrey Addition, lots 21-40, block 4 in Precinct
#3.

All voted aye; motion carried.

- e. BALL PARK ESTATES: LOTS 1-2, BLOCK 1 –
PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson,
made a motion to approve the plat for Ball Park Estates, lots 1-2, block 1 in Precinct #3.

All voted aye; motion carried.

6. ACTION TO APPROVE RE-PLATS

- a. FIELDERDALE FARMS: LOT 52R-1 AND LOT 52R-2,
BEING A REVISION OF LOT 52 – PRECINCT #3

Comm. Carpenter, seconded by Comm. McFall,
made a motion to approve the re-plat of Fielderdale Farms, lot 52R-1 and lot 52R-2,
being a revision of lot 52 in Precinct #3.

All voted aye; motion carried.

- b. MONTERREY ADDITION: PHASE II, LOT 11R AND
11R1, BLOCK 4, BEING A REVISION OF LOT 11,
BLOCK 4 – PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson,
made a motion to approve the re-plat of Monterrey Addition, Phase II, lot 11R and 11R1,
block 4, being a revision of lot 11, block 4 in Precinct #3.

All voted aye; motion carried.

- c. QUAIL RUN: PHASE I, LOTS 9-R AND 10-R, BLOCK
2, BEING A REVISION OF LOTS 9 AND 10, BLOCK 2
– PRECINCT #3

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the re-plat for Quail Run, Phase I, lots 9-R and 10-R, block 2, being a revision of lots 9 and 10, block 2, in Precinct #3.

All voted aye; motion carried.

7. ACTION TO APPROVE REVOCATION OF THE DEVELOPMENT PERMIT FOR CHARLES N. ROARK ON A TRACT OF LAND OFF CR-920 ON CHEYENNE LANE – PRECINCT #2

Comm. Harmon, seconded by Comm. McFall, made a motion to table this item.

All voted aye; motion carried.

8. ACTION ON REQUEST BY ALLEN SLACK THAT PROPOSED PURCHASE OF LAND IS NOT A VIOLATION OF THE COUNTY SUBDIVISION REGULATION AS REQUIRED BY THE TEXAS VETERANS LAND BOARD (GREENFIELD ADDITION) – PRECINCT #2

Comm. Harmon, seconded by Comm. Thompson, made a motion to approve the County Subdivision Requirement Form from Allen Slack that states the purchase of land for 5 acres in the Gant/Reavis Survey, Abstract No. 316/726 is not a violation of the County Subdivision Regulations as required by the Texas Veterans Land Board in Precinct #2.

All voted aye; motion carried.

9. ACTION TO AWARD RFB'S & RFQ'S
 - a. RFB #2002-15: SALE OF REAL PROPERTY, JOSHUA, TEXAS

Comm. Harmon, seconded by Comm. Carpenter,

made a motion to approve RFB #2002-15, the sale of Real Property in Joshua, Texas, to the City of Joshua for \$67,000.00 and giving the County Judge the authority to sign the contract.

All voted aye; motion carried.

- b. RFB #2002-16: SELF-PROPELLED HYDRAULICALLY DRIVEN HIGHWAY MOWER & 60" ROTARY MOWER – PRECINCT #1

Comm. McFall, seconded by Comm. Harmon, made a motion to approve RFB #2002-16 for a self-propelled hydraulically driven highway mower and a 60" rotary mower for Precinct #1 to Bane Machinery, Dallas, Texas, for \$57,500.00.

All voted aye; motion carried.

- c. RFB #2002-17: FOUR NEW OR SLIGHTLY USED BOBTAIL TRUCKS – PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson, made a motion to reject all bids for RFB #2002-17 for four new or slightly used Bobtail Trucks for Precinct #3.

All voted aye; motion carried.

- d. RFQ ISS: CITRIX SERVERS

Discussion. No action.

- 10. ACTION TO RENEW CONTRACT FOR PAYPHONES WITH THE PUBLIC COMMUNICATIONS DIVISION OF SOUTHWESTERN BELL COMMUNICATIONS, INC.

Comm. Harmon, seconded by Comm. Carpenter, made a motion to renew the contract for payphones with the Public Communications Division of

Southwestern Bell Communication, Inc. and giving the County Judge the authority to sign the contract.

All voted aye; motion carried.

11. ACTION TO PURCHASE VEHICLES – STOP TASK FORCE

Comm. Thompson, seconded by Comm. Harmon, made a motion to approve the purchase of 3 vehicles through the H-GAC State Contract for the Task Force.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

1. ACTION ON ARCHITECTURAL DESIGN, SPECIFICATION AND PROGRAM REQUIREMENTS

- a. GUINN JUSTICE CENTER
- b. JOHNSON COUNTY SERVICES COMPLEX – SIGNAGE

No action.

VIII. NEW BUSINESS

8. ACTION TO APPROVE UNSOLICITED BID ON STRUCK OFF PROPERTY: LOT 51, MANSFIELD SOUTH ADDITION ACCOUNT #126-4450-00510

Comm. Harmon, seconded by Comm. Thompson, made a motion to approve the unsolicited bid on struck off property, lot 51, Mansfield South Addition Account #126-4450-00510 in the amount of \$6000.00.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

2. ACTION TO APPROVE INTERLOCAL AGREEMENT WITH THE CITIES OF JOHNSON COUNTY CONCERNING THEIR ETJ'S – CITY OF FORT WORTH

Comm. Thompson, seconded by Comm. Harmon, made a motion to approve the Interlocal Agreement with the City of Fort Worth concerning their ETJ'S in Johnson County and giving the County Judge authority to sign the agreement.

All voted aye; motion carried.

3. ACTION TO PURCHASE HAND-HELD RADIO AND BUDGET AMENDMENT PURSUANT TO SECTION 111.010C OF THE LOCAL GOVERNMENT CODE – CONSTABLE PRECINCT #3

This item passed.

4. ACTION TO ACCEPT CRIMINAL JUSTICE DIVISION GRANT AWARD TO THE STOP TASK FORCE

Comm. Harmon, seconded by Comm. Carpenter, made a motion to accept the Criminal Justice Division Grant Award to the STOP Task Force in the amount of \$787,484.00.

All voted aye; motion carried.

BE IT KNOWN that Commissioner's Court met in Executive Session at 10:20 A.M. in accordance with Government Code Sec. 551.071-Consultation with Attorney-(1) Pending Litigation: Johnson County vs. Harris Methodist Affiliated Hospital Case #C199900253, (2) Contemplated Litigation and Government Code Sec. 551.074- Personnel Matters: Public Works: Bill Nelson, John Hernandez and H.D. Peters; Sheriff's Department: Jack Kenney. Commissioner's Court reconvened into open session at 1:25 P.M to consider the following:

VIII. NEW BUSINESS

1. ACTION TO ADVERTISE FOR BIDS/PROPOSALS AND SET OPENING DATES

- a. RFB #2002-20: BRIDGE REPLACEMENT CR 1010 AND SET OPENING DATE OF JUNE 3, 2002 – PRECINCT #1

Comm. McFall, seconded by Comm. Harmon, made a motion to advertise for bids and proposals for RFB #2002-20 for bridge replacement on CR 1010 for Precinct #1 and set an opening date of June 3, 2002.

All voted aye; motion carried.

- b. RFB #2002-21: FOUR (4) NEW OR SLIGHTLY USED BOBTAIL TRUCKS WITH BEDS AND SET OPENING DATE OF JUNE 3, 2002 – PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson, made a motion to advertise for bids and proposals for RFB #2002-21 for four (4) new or slightly used Bobtail Trucks with beds for Precinct #3 and set an opening date of June 3, 2002.

All voted aye; motion carried.

2. ACTION TO PURCHASE OFFICE FURNITURE FOR THE PURCHASING DEPARTMENT FACILITY

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the request for the purchase of office furniture for the Purchasing Department Facility from the Capital Projects Fund in the amount of \$2,535.00 from Matthews Office.

All voted aye; motion carried.

3. ACTION ON REQUEST OF CHARACTER TRAINING: JULY 17, 2002

Comm. Thompson, seconded by Comm. McFall, made a motion to table this item.

All voted aye; motion carried.

4. ACTION TO APPROVE REOCCURRING EXPENSE

a. FOUR (4) CELL PHONES – JUVENILE PROBATION

Comm. Harmon, seconded by Comm. Carpenter made a motion to approve a reoccurring expense for four (4) cell phones for Juvenile Probation which will replace all pagers except for one to be used for on call.

All voted aye; motion carried.

5. ACTION TO APPROVE BONDS AND OATHS

a. DOLORES COX – DEPUTY TREASURER

b. KAREN C. BAILEY – MAIL CLERK

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve bonds and oaths for Dolores Cox, Deputy Treasurer in the amount of \$15,000.00 and Karen C. Bailey, Mail Clerk in the amount of \$5,000.00.

All voted aye; motion carried.

6. ACTION TO APPROVE APPLICATION FOR AN INDIGENT DEFENSE GRANT TO IMPROVE THE DELIVERY OF INDIGENT DEFENSE SERVICES TO CITIZENS OF JOHNSON COUNTY

Comm. Thompson, seconded by Comm. McFall, made a motion to approve the application for an Indigent Defense Grant to improve the delivery of indigent defense services to citizens of Johnson County and giving the County Judge the authority to sign the application.

All voted aye; motion carried.

7. ACTION ON RESOLUTION FOR INDIGENT DEFENSE GRANT PROGRAM

Comm. Harmon, seconded by Comm. Carpenter, made a motion to approve the Resolution for Indigent Defense Grant Program.

All voted aye; motion carried.

9. ACTION TO APPROVE APPOINTMENT TO THE JOHNSON COUNTY CHILD WELFARE BOARD

Comm. Harmon, seconded by Comm. Carpenter, made a motion to appoint Greg Solomon to the Johnson County Child Welfare Board.

All voted aye; motion carried.

10. ACTION ON APPOINTMENT TO THE SALARY GRIEVANCE COMMITTEE AND DRAWING OF ADDITIONAL NAME

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the appointment of Diane Johnson and Carol Wray to the Salary Grievance Committee, Marti E. Bailey was drawn as an additional name for appointment.

All voted aye; motion carried.

VI. PRECEDING BUSINESS

9. ACTION TO AWARD RFB'S & RFQ'S

d. RFQ ISS: CITRIX SERVERS

This item passed.

VIII. NEW BUSINESS

11. ACTION TO CREATE POSITION AND APPOINT AN ELECTION ADMINISTRATOR

Passed for discussion in workshop session.

12. ACTION ON ADOPTION OF APPLICATION AND PERMIT FOR PRIVATE ENTITIES TO CROSS HARD-SURFACED COUNTY ROADS

Passed for discussion in workshop session.

13. ACTION OF RESOLUTION AMENDING AUTHORIZED REPRESENTATIVE TO TEXAS LOCAL GOVERNMENT INVESTMENT POOL (TEXPOOL)

Comm. Thompson, seconded by Comm. Harmon, made a motion to approve the Resolution amending authorized representative to Texas Local Government Investment Pool (TexPool).

All voted aye; motion carried.

14. ACTION TO APPOINT NEW MEMBER TO THE VETERANS LAND BOARD

Comm. McFall, seconded by Comm. Thompson, made a motion to appoint Lonnie Holiday to the Veterans Land Board.

All voted aye; motion carried.

IX. CONSENT AGENDA

Comm. Thompson, seconded by Comm. McFall, made a motion to approve the consent agenda as presented.

All voted aye; motion carried.

X. WORKSHOP

Commissioner's Court met in workshop session at 1:48 P.M. to discuss placement on agenda of transferring of budget surplus and schools, Election Administrator position and an application and permit for crossing hard-surfaced County Roads. Commissioner's Court reconvened into open session at 3:45 P.M.

BE IT KNOWN that Commissioner's Court met in Executive Session at 3:45 P.M. in accordance with Government Code Sec. 551.074-Personnel Matters: Public

Works: Bill Nelson, John Hernandez and H.D. Peters. Commissioner's Court reconvened into open session at 4:06 P.M. to consider the following:

VIII. NEW BUSINESS

11. ACTION TO CREATE POSITION AND APPOINT AN ELECTION ADMINISTRATOR

No Action.

12. ACTION ON ADOPTION OF APPLICATION AND PERMIT FOR PRIVATE ENTITIES TO CROSS HARD-SURFACED COUNTY ROADS

Comm. Thompson, seconded by Comm. Harmon, made a motion to adopt the application and permit for private entities to cross hard-surfaced County Roads per County Attorney recommendations.

All voted aye; motion carried.

XI. EXECUTIVE SESSION

1. GOVERNMENT CODE SEC. 551.071 – CONSULTATION WITH ATTORNEY

a. PENDING LITIGATION: JOHNSON COUNTY VS. HARRIS METHODIST AFFILIATED HOSPITAL CASE #C199900253

No action.

b. CONTEMPLATED LITIGATION

No action.

2. GOVERNMENT CODE SEC. 551.074 – PERSONEL MATTERS

a. PUBLIC WORKS

(1) BILL NELSON

Passed for further discussion in Executive Session.

(2) JOHN HERNANDEZ

Comm. Carpenter, seconded by Comm.

Harmon, made a motion for a salary change for John Hernandez to \$29,433.00 effective May 19, 2002.

All voted aye; motion carried.

(3) H. D. PETERS

Comm. McFall, seconded by Comm.

Harmon, made a motion to for a salary change for H.D. Peters to \$25,878.00 effective May 19, 2002.

All voted aye; motion carried.

b. SHERIFF'S DEPARTMENT: JACK KENNEY

No action.

BE IT KNOWN that Commissioner's Court met in Executive Session at 4:15 P.M. in accordance with Government Code Sec. 551.071-Consultation with Attorney: Contemplated Litigation. Commissioner's Court met in open session at 4:25 P.M to consider the following:

XI. EXECUTIVE SESSION

2. GOVERNMENT CODE SEC. 551.074 – PERSONNEL MATTERS

a. PUBLIC WORKS

(1) BILL NELSON

Comm. Harmon, seconded by Comm.

McFall, made a motion to accept a letter of resignation from Bill Nelson, Public Works Director, effective May 13, 2002.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 4:29 P.M. on the same date.

Submitted by: _____
Curtis H. Douglas
County Clerk

Approved by: _____
Roger Harmon
County Judge