

STATE OF TEXAS

JUNE 24, 2002

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 24th day of June, 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 Ron Harmon, 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 19, 2002, at 11:19 A.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATION

V. PUBLIC PARTICIPATION

Dan Schinzing addressed the Court concerning the inclusion of names of Independent Candidates on the November, 2002 General Election ballot.

VI. PRECEDING BUSINESS

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

a. MAY 28, 2002 – REGULAR SESSION

Comm. Harmon, seconded by Comm. Thompson, made a motion to approve the minutes of the Commissioner's Court for May 28, 2002 as presented to the Court by the County Clerk.

All voted aye, motion carried.

2. ACTION ON APPROVAL TO PAY BILLS

Comm. McFall, seconded by Comm. Thompson, made a

motion to approve to pay the bills as presented by the County Auditor.

All voted aye, motion carried.

3. ACKNOWLEDGEMENT OF RECEIPT OF THE COUNTY AUDITOR'S REPORTS TO THE COMMISSIONER'S COURT

Commissioner's Court acknowledged receipt of the County Auditor's Reports.

4. ACTION TO APPROVE RE-PLAT

a. HAPPY HILL ADDITION: LOT 5 & 5-A TO LOTS 5-W & 5-E – PRECINCT #3

Comm. Carpenter, seconded by Comm. Harmon, made a motion to approve the re-plat of Happy Hill Addition, lot 5 & 5-A to lots 5-W & 5-E in Precinct #3.

All voted aye, motion carried.

b. FIELDERDALE FARMS: LOT 24 TO LOTS 24-R-1 & 24-R-2 – PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the re-plat of Fielderdale Farms, lot 24 to lots 24-R-1 & 24-R-2 in Precinct #3.

All voted aye, motion carried.

5. ACTION TO APPROVE PLAT

b. G.W. FOSTER ADDITION: LOTS 1 & 2 – PRECINCT #4

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the plat of G.W. Foster Addition, lots 1 & 2 in Precinct #4.

All voted aye, motion carried.

6. ACTION TO APPROVE ROADS & DRAINAGE

a. NORTH TIMBER CREEK ESTATES – PRECINCT #3

Comm. Carpenter, seconded by Comm. Harmon, made a motion to approve the roads and drainage in North Timber Creek Estates for the sale of land in Precinct #3 contingent upon the land owner completing the list of requirements from Precinct #3.

All voted aye, motion carried.

b. EMILY ESTATES SUBDIVISION – PRECINCT #2

Comm. Harmon, seconded by Comm. McFall, made a motion to approve the roads and drainage in the Emily Estates Subdivision for the sale of land in Precinct #2.

All voted aye, motion carried.

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

a. RFB #2001-27: PEST CONTROL (RENEWAL-DOUBLE D TERMITE & PEST CONTROL)

Comm. Thompson, seconded by Comm. Carpenter, made a motion to renew RFB #2001-27 for pest control with Double D Termite & Pest Control.

All voted aye, motion carried.

b. RFB #2002-22: REPAIR OF WOOD FRAMED WINDOWS IN THE JOHNSON COUNTY COURTHOUSE

Comm. Carpenter, seconded by Comm. Thompson, made a motion to table this item for further study.

All voted aye, motion carried.

c. RFP #2002-23: FOOD SERVICE FOR JOHNSON COUNTY LAW ENFORCEMENT CENTER

Comm. Harmon, seconded by Comm. Carpenter, made a motion to award RFP #2002-23 for food service for the Johnson County Law Enforcement Center to Mid-America at the rate of \$0.99 per meal.

All voted aye, motion carried.

VII. UNFINISHED BUSINESS

2. ACTION ON RESOLUTION ACCEPTING DONATION OF ANTIQUE GRADER FROM DR. MONTE SWATZEL – PRECINCT #1

Comm. McFall, seconded by Comm. Harmon, made a motion to accept the resolution for the donation of an antique grader from Dr. Monte Swatzel to Precinct #1.

All voted aye, motion carried.

3. ACTION ON OFFICE SPACE IN THE JOHNSON COUNTY ANNEX: ROOMS 220, 212, AND 210

Passed for discussion in workshop session.

4. ACTION ON SALE OF EQUIPMENT AT AUCTION BY TOMMY LUTES AUCTIONEERS ON JUNE 29, 2002 – PRECINCT #2

Comm. Harmon, seconded by Comm. Thompson, made a motion to approve the sale of equipment for Precinct #2 at auction by Tommy Lutes Auctioneers on June 29, 2002 in Keller, Texas.

All voted aye, motion carried.

VI. PRECEDING BUSINESS

5. ACTION TO APPROVE PLAT

- a. THE RETREAT: PHASE II, BLOCK 7, LOTS 30-34; BLOCK 20, LOTS 15-31; BLOCK 21, LOTS 1-13; BLOCK 22, LOTS 1-29; BLOCK 23, LOTS 1-23; BLOCK 24, LOTS 1-12; BLOCK 25, LOTS 1-55; BLOCK 26, LOTS 1-28; BLOCK 27, LOTS 1-37; BLOCK 28, LOTS 1-23 AND BLOCK 29, LOTS 1-23 – PRECINCT #1

Comm. McFall, seconded by Comm. Harmon, made a motion to approve the plat for The Retreat, phase II, block 7, lots 30-34; block 20, lots 15-31; block 21, lots 1-13; block 22, lots 1-29; block 23, lots 1-23; block 24, lots 1-12; block 25, lots 1-55; block 26, lots 1-28; block 27, lots 1-37; block 28, lots 1-23 and block 29, lots 1-23 in Precinct #1

All voted aye, motion carried.

VIII. NEW BUSINESS

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

- a. RFP #2002-24: SUBSTANCE ABUSE TREATMENT SERVICES AND CHEMICAL DEPENDENCY EDUCATION SERVICES FOR JOHNSON COUNTY COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT AND SET OPENING DATE FOR JULY 15, 2002

Comm. Thompson, seconded by Comm. Harmon, made a motion to advertise for RFP #2002-24 for substance abuse treatment services and chemical dependency education services for Johnson County Community Supervision and Corrections Department and set opening date for July 15, 2002.

All voted aye, motion carried.

- b. RFP #2002-25: MEDICAL LAB FOR JOHNSON COUNTY COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT AND SET OPENING DATE OF JULY 15, 2002

Comm. Carpenter, seconded by Comm. McFall,

made a motion to advertise for RFP #2002-25 for medical lab for Johnson County Community Supervision and Corrections Department and set opening date for July 15, 2002.

All voted aye, motion carried.

- c. RFB #2002-26: HEATING & AIR CONDITIONING REPAIR AND SET OPENING DATE FOR JULY 15, 2002

Comm. Harmon, seconded by Comm. McFall, made a motion to advertise for RFB #2002-26 for heating and air conditioning repair and set an opening date for July 15, 2002.

All voted aye, motion carried.

- d. RFB #2002-27: BRIDGE REPLACEMENT ON CR 1233 AND SET OPENING DATE FOR JULY 15, 2002 – PRECINCT #2

Comm. Harmon, seconded by Comm. Carpenter, made a motion to advertise for RFB #2002-27 for bridge replacement on CR 1233 and set an opening date for July 15, 2002.

All voted aye, motion carried.

2. ACTION TO APPROVE AMENDMENT TWO OF THE COOPERATIVE AGREEMENT FOR IV-D PROGRAM BETWEEN THE OFFICE OF THE ATTORNEY GENERAL OF THE STATE OF TEXAS AND JOHNSON COUNTY – DISTRICT CLERK’S OFFICE

Comm. McFall, seconded by Comm. Thompson, made a motion to approve Amendment Two of the Cooperative Agreement for IV-D Program between the Office of the Attorney General of the State of Texas and Johnson County for the District Clerk’s Office.

All voted aye, motion carried.

3. ACTION TO APPROVE THE OFFICIAL BOND AND OATH FOR ADAM KING, COMMANDER OF THE STOP TASK FORCE

Comm. Carpenter, seconded by Comm. Harmon, made a motion to approve the Official Bond and Oath for Adam King, Commander of the STOP Task Force.

All voted aye, motion carried.

4. ACTION ON RESOLUTION EXEMPTING PROPERTY OF ORGANIZATIONS ENGAGED IN PERFORMING PRIMARILY CHARITABLE FUNCTIONS FROM AD VALOREM TAXATION

- a. CLEBURNE MASONIC TEMPLE CORPORATION
- b. ALVARADO MASONIC LODGE #314
- c. CLEBURNE ELKS LODGE #811

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the resolution exempting property of organizations engaged in performing primarily charitable functions from ad valorem taxation.

All voted aye, motion carried.

5. ACTION ON UNSOLICITED BID ON STRUCK-OFF PROPERTY AT TAX SALE: LOT 6, BLOCK 3: FAIRVIEW ADDITION - 712 WILLIAMS-ACCT.# 126-2800-32860

Comm. Harmon, seconded by Comm. McFall, made a motion to accept the unsolicited bid of \$10,000.00 on struck-off property at tax sale on lot 6, block 3 in the Fairview Addition; 712 Williams - Acct.# 126-2800-32860.

All voted aye, motion carried.

7. ACTION ON REQUEST FOR "SUMMER HOURS" FROM THE PURCHASING DEPARTMENT

Comm. McFall, seconded by Comm. Harmon, made a motion to approve the request from the Purchasing Department for summer operating hours of 7:30 A.M to 4:30 P.M. effective until September 2, 2002.

All voted aye, motion carried.

8. ACTION ON APPROVAL OF CONTRACT WITH COMANCHE COUNTY TO HOUSE INMATES

Comm. Harmon, seconded by Comm. Thompson, made a motion to approve the contract with Comanche County to house inmates at \$30.00 per day.

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

No action.

VIII. NEW BUSINESS

6. PRESENTATION BY THE TEXAS DEPARTMENT OF TRANSPORTATION

The Texas Department of Transportation presented Comm. Ron Harmon with TxDOT's 2002 Road Hand Award.

9. ACTION TO APPLY FOR TOBACCO COMPLIANCE GRANT-SHERIFF'S DEPARTMENT

Comm. McFall, seconded by Comm. Carpenter, made a motion to allow the Sheriff's Department to apply for a Tobacco Compliance Grant.

All voted aye, motion carried.

10. ACTION TO APPLY FOR COPS UNIVERSAL HIRING PROGRAM GRANT – SHERIFF’S OFFICE

Comm. Harmon, seconded by Comm. Thompson, made a motion to allow the Sheriff’s Department to apply for a Cops Universal Hiring Program Grant.

All voted aye, motion carried.

11. ACTION TO APPLY FOR LOCAL LAW ENFORCEMENT BLOCK GRANT – SHERIFF’S OFFICE

Comm. Carpenter, seconded by Comm. Thompson, made a motion to allow the Sheriff’s Department to apply for a Local Enforcement Block Grant.

All voted aye, motion carried.

12. ACTION ON CASH DRAWERS FOR THE COUNTY CLERK’S OFFICE

Comm. Thompson, seconded by Comm. Harmon, made a motion to approve the request from the County Clerk’s Office for three (3) additional \$100.00 cash drawers for the court section and to increase the existing five (5) cash drawers in the recording section from \$50.00 to \$100.00 and add two (2) new \$100.00 cash drawers for part time clerks.

All voted aye, motion carried.

13. ACTION ON TEXAS COUNTY & DISTRICT RETIREMENT SYSTEM 2003 EMPLOYER CONTRIBUTION RATE FOR RETIREMENT PLAN

Comm. Harmon, seconded by Comm. McFall, made a motion for the Texas County & District Retirement System 2003 employer contribution rate to be set at 7.34% for the retirement plan for Johnson County.

All voted aye, motion carried.

14. ACTION TO INCREASE LINE ITEM #010-561-352:
BUILDING REPAIRS – SHERIFF’S OFFICE

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve an increase in the amount of \$5,282.43 from the General Operating Reserve Fund to line item #010-561-352 for building repairs for the Sheriff’s Office.

All voted aye, motion carried.

15. ACTION ON TAX COLLECTION CONTRACT WITH
GRANDVIEW INDEPENDENT SCHOOL DISTRICT

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the Tax Collection Contract with Grandview Independent School District.

All voted aye, motion carried.

16. ACTION TO APPROVE PERMIT FOR USE OF
GEOPHYSICAL SURVEY EQUIPMENT UPON COUNTY
ROADS – PRECINCT #1 AND #4

Comm. McFall, seconded by Comm. Thompson, made a motion to approve the permit for use of geophysical survey equipment by Devon Energy Corp. upon county roads in Precinct #1 and Precinct #4.

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.

ADDENDUM TO AGENDA

VII. NEW BUSINESS

17. ACTION TO HOLD AUCTION ON SATURDAY, JULY 13, 2002 FOR SALE OF ITEMS FROM GUINN JUSTICE CENTER

Comm. Thompson, seconded by Comm. McFall, made a motion to hold an auction on Saturday, July 13, 2002 at the Services Complex Center for the sale of items from the Guinn Justice Center.

All voted aye, motion carried.

X. WORKSHOP

Commissioner's Court met in workshop session at 11:31 A.M. to discuss office space in the Johnson County Annex, rooms 220, 212, and 210.

Commissioner's Court reconvened into open session at 11:38 A.M. to consider the following:

VII. UNFINISHED BUSINESS

3. ACTION ON OFFICE SPACE IN THE JOHNSON COUNTY ANNEX: ROOMS 220, 212, AND 210

Comm. Harmon, seconded by Comm. McFall, made a motion to move the County Treasurer into Room 212, the Auditor's Office to move into Room 220 and the Probate Auditor to move into Room 210.

All voted aye, motion carried.

BE IT KNOWN that Commissioner's Court met in Executive Session at 11:40 A.M. in accordance with Government Code Sec. 551.071-Consultation with Attorney-Pending Litigation: Johnson County vs. Harris Methodist Hospital Case #C199900253. Commissioner's Court reconvened into open session at 2:36 P.M. to consider the following:

XI. EXECUTIVE SESSION

1. GOVERNMENT CODE SEC. 551.071 - CONSULTATION WITH ATTORNEY – PENDING LITIGATION

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

No Action.

X. WORKSHOP

Commissioner's Court met in workshop session at 2:37 P.M. to discuss the budget. Commissioner's Court reconvened into open session at 3:44 P.M.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 3:45 P.M. on the same date.

Submitted by: _____
Curtis H. Douglas
County Clerk

Approved by: _____
Roger Harmon
County Judge