

STATE OF TEXAS

JULY 22, 2002

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 22nd day of July, 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, with the exception of the County Judge. In the Judge's absence, Comm. Ron Harmon conducted the meeting, 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 July 18, 2002, at 9:18 A.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATION

Charlotte Gorman introduced Gwenda Carrell to the Court. She is working as an Extension Agent Intern for two months this summer in the office of the Texas Cooperative Extension Service.

V. PUBLIC PARTICIPATION

Bradley Parsons informed the Court of a Writ of Mandamus being filed with the 10th Court of Appeals in Waco, TX, with a court date of August 2, 2002, regarding his name not appearing on the November, 2002 General Election ballot as an Independent candidate.

Larry Elwell addressed the Court regarding not receiving a response from the County concerning his name not appearing on the November, 2002 General Election ballot as an Independent candidate.

VI. PRECEDING BUSINESS

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

- a. JUNE 10, 2002 – REGULAR SESSION
- b. JUNE 17, 2002 – SPECIAL SESSION

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the minutes of the Commissioner's Court for June 10, 2002 and June 17, 2002 as presented to the Court by the County Clerk.

All voted aye, motion carried.

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

- a. GENERAL FUND: WORKERS COMP
- b. GENERAL FUND: HOSPITALIZATION INSURANCE
- c. HOSPITAL PROCEEDS: LEGAL FEES

Comm. Thompson, seconded by Comm. Carpenter, made a motion to amend the budget pursuant to Section 111.010C of the Local Government Code in the amounts of \$39,730.00 under courthouse expense, line item #010-510-203 for 3rd quarter workers comp. premium, \$162,500.00 under courthouse expense, line item #101-510-202 to fund hospitalization insurance for the remainder of 2002; and \$200,000.00 under other expenditures, line item #050-409-488 to pay legal fees for Indigent Health Care law suit.

All voted aye, motion carried.

3. 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.

4. ACKNOWLEDGEMENT OF RECEIPT OF THE COUNTY
AUDITORS REPORTS TO THE COMMISSIONERS COURT

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

5. ACTION TO APPROVE RE-PLAT

a. SKYLINE RANCH: PHASE I, LOT 15 B 1 AND 15 B 2
BEING A RE-PLAT OF LOT 15 B – PRECINCT #2

Comm. Thompson, seconded by Comm. Carpenter,
made a motion to approve the re-plat for Skyline Ranch, phase I, lots 15-B-1 and 15-B-2
being a re-plat of lot 15-B in Precinct #2.

All voted aye, motion carried.

6. ACTION TO APPROVE ROADS AND DRAINAGE FOR SALE
OF LAND

a. DOVE MEADOWS – PRECINCT #2

Comm. Carpenter, seconded by Comm. McFall,
made a motion to approve the roads and drainage in Dove Meadows for the sale of land
in Precinct #2.

All voted aye, motion carried.

7. ACTION ON ACCEPTANCE OF ROADS FOR COUNTY
MAINTENANCE

a. HILLS OF SPRINGWOOD: PHASE II – PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson,
made a motion to approve the roads in Hills of Springwood, Phase II for county
maintenance in Precinct #3.

All voted aye, motion carried.

8. ACTION TO AWARD RFP'S, RFB'S & RFQ'S

a. RFP #2002-24: CSCD SUBSTANCE ABUSE TREATMENT

Comm. McFall, seconded by Comm. Thompson, made a motion to award RFP #2002-24 to Helping Open Peoples Eyes, Inc. for Community Supervision and Corrections Department substance abuse treatment.

All voted aye, motion carried.

b. RFP #2002-25: CSCD MEDICAL LAB

Comm. Thompson, seconded by Comm. Carpenter, made a motion to award RFP #2002-25 to Accu-Chem Lab in Richardson, TX. for Community Supervision and Corrections Department medical lab.

All voted aye, motion carried.

c. RFB #2002-26: HEATING & AIR CONDITIONING

Comm. Thompson, seconded by Comm. Carpenter, made a motion to award RFB #2002-26 to Todd Mechanical for heating and air conditioning repair effective August 1, 2002.

All voted aye, motion carried.

d. RFB #2002-27: BRIDGE REPLACEMENT FOR CR 1233 – PRECINCT #2

Comm. McFall, seconded by Comm. Thompson, made a motion to award RFB #2002-27 to Harris Welding & Construction in the amount of \$55,000.00 for bridge replacement on CR 1233 in Precinct #2.

All voted aye, motion carried.

VII. UNFINISHED BUSINESS

1. ACTION ON ARCHITECTURAL DESIGN, SPECIFICATION
AND PROGRAM REQUIREMENTS

a. GUINN JUSTICE CENTER: APPOINTMENT OF
COMMITTEE FOR THE INTERIOR DESIGNS

b. JOHNSON COUNTY SERVICES COMPLEX

Passed for discussion at a later time.

2. A MATTER OF RECORD: ASSET ITEMS LOCATED

The Purchasing Department, as a matter of record, wanted to note the following asset items located: a lawyers table, asset #0104350351, an executive table, asset #0104350298 and a Dell CPU, asset #0104090758. The executive desk is now located in Court at Law #1 and the lawyers table has been placed in surplus inventory.

VIII. NEW BUSINESS

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

a. RFB #2002-28: ROAD SIGNS & ROAD MARKERS
AND SET OPENING DATE OF AUGUST 12, 2002

Comm. McFall, seconded by Comm. Thompson, made a motion to advertise for bids and proposals for RFB #2002-28 for road signs and road markers and set an opening date of August 12, 2002.

All voted aye, motion carried.

b. RFB #2002-29: PRE-OWNED PADFOOT VIBRATORY
COMPACTOR AND SET OPENING DATE OF
AUGUST 12, 2002 – PRECINCT #2

Comm. Carpenter, seconded by Comm. Thompson,

made a motion to advertise for bids and proposals for RFB #2002-29 for a pre-owned padfoot vibratory compactor and set an opening date of August 12, 2002.

All voted aye, motion carried.

c. RFB #2002-30: HAUL TRUCK AND SET OPENING DATE OF AUGUST 12, 2002

Comm. McFall, seconded by Comm. Carpenter, made a motion to advertise for bids and proposals for RFB #2002-30 for a haul truck for Precinct #2 and set an opening date of August 12, 2002.

All voted aye, motion carried.

2. ACTION TO APPROVE JOHNSON COUNTY INVESTMENT POLICY AND ORDER #2002-05: PERTAINING TO INVESTMENT POLICY & INVESTMENT STRATEGIES

Comm. McFall, seconded by Comm. Thompson, made a motion to approve the Johnson County Investment Policy and Order #2002-05 with the deletion of Section VII. item #6, page 4 (Bonds issued, assumed, or guaranteed by the State of Israel.)

All voted aye, motion carried.

3. ACTION ON RESOLUTIONS FOR NORTH CENTRAL TEXAS HOUSING FINANCE CORPORATION

a. AMENDMENT TO THE ARTICLES OF INCORPORATION ALLOWING LOCAL GOVERNMENT TO WITHDRAW FROM THE CORPORATION

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the resolution for the amendment to the Articles of Incorporation for the North Central Texas Housing Finance Corporation allowing local government to withdraw from the corporation.

All voted aye, motion carried.

b. REQUEST OF WITHDRAWAL FROM THE NORTH
CENTRAL TEXAS HOUSING FINANCE
CORPORATION

Comm. Thompson, seconded by Comm. McFall,
made a motion to approve the resolution to withdraw from the North Central Texas
Housing Finance Corporation.

All voted aye, motion carried.

c. APPROVING FORMATION OF NORTHWEST
CENTRAL TEXAS HOUSING FINANCE
CORPORATION

Comm. Thompson, seconded by Comm. McFall,
made a motion to approve the resolution for the formation of the Northwest Central
Texas Housing Finance Corporation with the County Auditor, J.R. Kirkpatrick, Jr. as the
board of directors member for Johnson County.

All voted aye, motion carried.

4. ACTION TO APPROVE PLEDGEE AGREEMENT WITH THE
FEDERAL RESERVE BANK OF BOSTON AND NAMING
INDIVIDUALS WITH AUTHORITY TO ACT FOR JOHNSON
COUNTY

Comm. McFall, seconded by Comm. Carpenter, made a
motion to approve the Pledge Agreement with the Federal Reserve Bank of Boston and
giving J.R. Kirkpatrick, Jr., Barbara Robinson and Dolores Cox the authority to act for
Johnson County.

All voted aye, motion carried.

5. ACTION TO APPROVE BOND AND OATH FOR CHIEF
JIMMY JOHNSON AS ACTING COMMANDER FOR THE
STOP TASK FORCE

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the bond and oath for Chief Jimmy Johnson in the sum of \$15,000.00 as acting Commander for the S.T.O.P. Task Force.

All voted aye, motion carried.

6. ACTION ON DEPUTATION OF AARON McCARTY AS A RESERVE DEPUTY CONSTABLE IN PRECINCT #2

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the deputation of Aaron McCarty as a Reserve Deputy Constable in Precinct #2.

All voted aye, motion carried.

7. ACTION TO APPROVE TRANSFER OF SURPLUS FUND BALANCE IN FUND 085 TO FUND 080

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve a transfer of the surplus fund balance of approximately \$175,000.00 from Fund 085 – Equipment Purchase Fund to Fund 080 – General Debt Service Fund.

All voted aye, motion carried.

Comm. R.C. McFall departed from the meeting at 9:30 A.M.

8. ACTION OF INTERLOCAL AGREEMENTS FOR JUVENILE PROBATION

a. INTERLOCAL AGREEMENT WITH CISD TEACHING STAFF

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the Interlocal Agreement with Cleburne Independent School District to provide a certified teaching staff to the Johnson County Juvenile Justice Alternative Education Program.

All voted aye, motion carried.

b. INTERLOCAL AGREEMENT WITH CISD MEAL SERVICE PROGRAM

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve an Interlocal Agreement with Cleburne Independent School District to provide meal services (lunches) to persons attending the Johnson County Juvenile Justice Alternative Education Program.

All voted aye, motion carried.

9. ACTION TO REGISTER AND TITLE BOATS THROUGH THE TEXAS PARKS AND WILDLIFE AND THE ADDITION OF NEW EMPLOYEE - TAX OFFICE

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

All voted aye, motion carried.

10. ACTION ON AVAILABLE FUNDING FOR SOLID WASTE PROJECTS THROUGH NCTCOG AND NOMINATION FOR MEMBERSHIP ON THE RESOURCE CONSERVATION COUNCIL

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve Neal Welch, Public Works Director, as a nominee from Johnson County to the Resource Conservation Council for Solid Waste Projects through NCTCOG and giving Johnson County the authority to apply for a grant for assistance on a campaign to inform the citizens of Johnson County, through all aspects with signage and materials, of the consequences of illegal dumping.

All voted aye, motion carried.

11. ACTION TO APPROVE INTERLOCAL AGREEMENT WITH
CENTRAL APPRAISAL DISTRICT JOINING JOHNSON
COUNTY HEALTH INSURANCE PLAN WITH UNICARE

Passed for further discussion in workshop session.

12. ACTION TO SEND DETECTIVE TO TARRANT COUNTY
AUTO THEFT TASK FORCE

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve to send Detective Allan Gilreath to Tarrant County Auto Theft TASK Force with Johnson County being responsible for 20% of his salary, totaling \$10,096.00 effective September 1, 2002.

All voted aye, motion carried.

VII. UNFINISHED BUSINESS

1. ACTION ON ARCHITECTURAL DESIGN, SPECIFICATION
AND PROGRAM REQUIREMENTS

a. GUINN JUSTICE CENTER: APPOINTMENT OF
COMMITTEE FOR THE INTERIOR DESIGNS

No action.

b. JOHNSON COUNTY SERVICES COMPLEX

No action.

IX. CONSENT AGENDA

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

All voted aye, motion carried.

ADDENDUM TO AGENDA

BE IT KNOWN that Commissioner's Court met in Executive Session at 10:11 A.M. in accordance with Government Code Sec. 551.071-Consultation with Attorney-response to Petition for Writ of Mandamus: Bradley E. Parsons and Larry Elwell. Commissioner's Court reconvened into open session at 10:20 A.M. to consider the following:

XI. EXECUTIVE SESSION

1. GOVERNMENT CODE SEC. 551.071 – CONSULTATION WITH ATTORNEY
 - a. RESPONSE TO PETITION FOR WRIT OF MANDAMUS FILED BY: BRADLEY E. PARSONS AND LARRY ELWELL

Comm. Thompson, seconded by Comm. Carpenter made a motion to authorize the County Attorney to file a response to the Petition for the Writ of Mandamus from the 10th Court of Appeals, Waco, Texas, regarding cause# 10-02-214-CV and cause# 10-02-213-CV from Larry Elwell and Bradley Parsons and authorizing the expenses of these litigations.

All voted aye, motion carried.

Commissioner's Court met in workshop session at 10:22 A.M. to discuss with the Central Appraisal District, joining Johnson County's Health Insurance Plan with UniCare through an Interlocal Agreement and an explanation of coverage for liability insurance for County Public Officials and Law Enforcement by John Payne, a representative for TAC. Commissioner's Court reconvened into open session at 11:34 A.M. to consider the following:

VIII. NEW BUSINESS

11. ACTION TO APPROVE INTERLOCAL AGREEMENT WITH
CENTRAL APPRAISAL DISTRICT JOINING JOHNSON
COUNTY HEALTH INSURANCE PLAN WITH UNICARE

No action.

There being no further business before the Court concerning this agenda,
Commissioner's Court adjourned at 11:35 A.M. on the same date.

Submitted by: _____
Curtis H. Douglas
County Clerk

Approved by: _____
Roger Harmon
County Judge