

STATE OF TEXAS

AUGUST 26, 2002

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 26th day of August, 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 County Attorney Bill Moore, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on August 22, 2002, at 8:14 A.M., were considered:

IV. PUBLIC HEARING

A public hearing to request a speed limit change on County Road 1237 from FM 1434 to FM 200 in Precinct #1 was open for discussion at 9:04 A.M. There being no public participation, the hearing was closed at 9:05 A.M.

A public hearing to comment on a proposed Johnson County Thoroughfare Plan was open for discussion at 9:06 A.M. There being no objections to the proposed plan, the hearing was closed at 9:10 A.M.

ADDENDUM TO AGENDA

VII. PRECEDING BUSINESS

9. ACTION TO CANCEL CONTRACT FOR RFB #2002-26:
HEATING AND AIR CONDITIONING REPAIR WITH TODD
MECHANICAL EFFECTIVE AUGUST 26, 2002

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

motion to cancel the contract for RFB #2002-26 for heating and air conditioning repair with Todd Mechanical effective August 26, 2002.

All voted aye, motion carried.

10. ACTION TO AWARD CONTRACT FOR RFB #2002-26:
HEATING AND AIR CONDITIONING REPAIR WITH
DUGGER BROTHERS, INC. EFFECTIVE AUGUST 26, 2002

Comm. Harmon, seconded by Comm. McFall, made a motion to award RFB #2002-26 for heating and air conditioning repair with Dugger Brothers, Inc. effective August 26, 2002.

All voted aye, motion carried.

VI. PUBLIC PARTICIPATION

None.

VII. PRECEDING BUSINESS

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

- a. AUGUST 12, 2002 – REGULAR
- b. AUGUST 16, 2002 – SPECIAL

Comm. Harmon, seconded by Comm. Carpenter, made a motion to approve the minutes of the Commissioner's Court for August 12, 2002 and August 16, 2002 as presented to the Court by the County Clerk.

All voted aye, motion carried.

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

- a. PRECINCT #2: ROAD AND BRIDGE
- b. LEC: I & S EXPENDITURES

Comm. Thompson, seconded by Comm. McFall,

made a motion to amend the budget pursuant to Sec. 111.010C of the Local Government code in the amount of \$14,715.00 for road and bridge, line item #016-613-570 for Precinct #2 and \$193.00 for LEC I & S, line item #080-610-100 for LEC I & S Expenditures.

All voted aye, motion carried.

3. ACTION ON REQUEST OF 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, with the addition of a payment to Jesse Bass, in the amount \$416.00 for electrical work in the Sheriff's Department.

All voted aye, motion carried.

4. ACKNOWLEDGMENT OF RECEIPT OF THE COUNTY AUDITOR'S REPORTS TO THE COMMISSIONER'S COURT

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

V. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATION

1. PRESENTATION BY THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS ON PROPOSED JOHNSON COUNTY THOROUGHFARE PLAN

A presentation was given by the North Central Texas Council of Governments on the proposed Johnson County Thoroughfare Plan.

2. ACTION TO APPROVAL OF JOHNSON COUNTY THOROUGHFARE PLAN

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

motion to approve the proposed Johnson County Thoroughfare Plan as presented by the North Central Texas Council of Governments.

All voted aye, motion carried.

VII. PRECEDING BUSINESS

5. ACTION TO APPROVE FINAL PLAT

a. SWEET PEA ACRES: LOT 1, BLOCK 1 – PRECINCT #1

Comm. McFall, seconded by Comm. Harmon, made a motion to approve the final plat for Sweet Pea Acres, lot 1, block 1 in Precinct #1.

All voted aye, motion carried.

b. PLEASANT MEADOW: LOTS 1 & 2 – PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the final plat for Pleasant Meadow, lots 1 and 2 in Precinct #3.

All voted aye, motion carried.

c. CHARLIE'S PLACE: LOT 1, BLOCK 1 – PRECINCT #1

Comm. McFall, seconded by Comm. Harmon, made a motion to approve the final plat for Charlie's Place, lot 1, block 1 in Precinct #1.

All voted aye, motion carried.

6. ACTION TO APPROVE THE ROADS IN BLUEGRASS ESTATES, SECTION II FOR COUNTY MAINTENANCE – PRECINCT #2

Comm. Harmon, seconded by Comm. McFall, made a motion to approve the roads in Bluegrass Estates, Section II for county maintenance in Precinct #2.

All voted aye, motion carried.

7. ACTION TO AWARD RFB'S

a. AWARD RFB# 2002-28: ROAD SIGNS AND ROAD MARKERS

Comm. Harmon, seconded by Comm. Thompson, made a motion to award RFB# 2002-28 for road signs and road markers to Vulcan Signs effective September 1, 2002.

All voted aye, motion carried.

b. AWARD RFB# 2002-29: PRE-OWNED PADFOOT VIBRATORY COMPACTOR – PRECINCT #2

Comm. Harmon, seconded by Comm. McFall, made a motion to award RFB# 2002-29 to Continental Equipment for a pre-owned padfoot vibratory compactor for Precinct #2 for a cash price of \$50,300.00 and a trade-in value of \$5,000.00 with the total cost being \$45,300.00

All voted aye, motion carried.

c. AWARD RFB# 2002-30: HAUL TRUCK – PRECINCT #2

Comm. Harmon, seconded by Comm. McFall, made a motion to reject all bids for RFB# 2002-30 for a haul truck in Precinct #2.

All voted aye, motion carried.

8. ACTION ON "SERVICE AGREEMENT" WITH TIZOC'S INTERNATIONAL LANGUAGE AND MARKETING CONSULTANTS FOR INTERPRETING AND TRASLATION SERVICES

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the service agreement with Tizoc's International Language and Marketing Consultants for interpreting and

translation services and giving the County Judge the authority to sign the contract.

All voted aye, motion carried.

VIII. UNFINISHED BUSINESS

1. ACTION ON ARCHITECTURAL DESIGN, SPECIFICATION AND PROGRAM REQUIREMENTS

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

Comm. Thompson, seconded by Comm. McFall, made a motion to give the County Judge authorization to appoint Suzanne Shipley, Pat Jacobs and Karen Alexander to the Interior Design Committee for the Guinn Justice Center based on the recommendations by each member of the Court.

All voted aye, motion carried.

b. JOHNSON COUNTY CORRECTION II: FLOOR AND HOT WATER

No action.

c. JOHNSON COUNTY JAIL EXPANSION

No action.

2. ACTION TO ACCEPT THE TOBACCO GRANT AWARD-SHERIFF'S OFFICE

Comm. Carpenter, seconded by Comm. Harmon, made a motion to accept the Tobacco Grant award in the amount of \$3,000.00 for the Sheriff's Office and giving the County Judge the authority to sign the grant.

All voted aye, motion carried.

3. ACTION ON SERVICE AGREEMENT WITH THE
DEPARTMENT OF INFORMATION RESOURCES (DIR)
TELECOMMUNICATIONS SERVICES DIVISION

Comm. Thompson, seconded by Comm. McFall, made a motion to approve the service agreement with the Department of Information Resources (DIR) Telecommunications Services Division for long distance service and giving the County Judge the authority to sign the contract.

All voted aye, motion carried.

4. ACTION TO APPROVE ORDER# 2002-07 TO LOWER SPEED
LIMIT ON COUNTY ROAD 1237 FROM FM 1434 TO FM 200
FROM 40 MPH TO 30 MPH – PRECINCT #1

Comm. McFall, seconded by Comm. Harmon, made a motion to approve Order# 2002-07 to lower the speed limit on County Road 1237 from FM 1434 to FM 200 from 40 mph to 30 mph in Precinct #1.

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 – Pending Litigation: Johnson County vs. Harris Methodist Affiliated Hospital Case #C199900253 and Government Code Sec. 551.074 – Personnel: Public Works. Commissioner's Court reconvened into open session at 1:45 P.M. to consider the following:

IX. NEW BUSINESS

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

a. RFB #2003-01: FUELS FOR JOHNSON COUNTY AND
SET OPENING DATE FOR SEPTEMBER 16, 2002

Comm. Harmon, seconded by Comm. Thompson, made a motion to advertise for bids and proposals for RFB #2003-01 for fuels for Johnson County and set an opening date of September 16, 2002.

All voted aye, motion carried.

2. ACTION ON EXEMPTION TO PURCHASE A VEHICLE AT RITCHIE BROTHERS AUCTION ON SEPTEMBER 12, 2002 FOR ASAP PROGRAM WITH DONATION BY BURLESON ISD OF \$3000.00 – CONSTABLE PRECINCT #2

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

All voted aye, motion carried.

3. CONSIDERATION AND DISCUSSION OF PROPOSED TAX RATE FY 2003

Discussion. No action.

4. ACTION FOR RECORD VOTE ON PROPOSED TAX RATE FY 2003

Comm. Harmon, seconded by Comm. Carpenter, made a motion to adopt the proposed tax rate of .425085 for FY 2003.

All voted aye, motion carried.

5. ACTION TO SET A PUBLIC HEARING ON PROPOSED TAX RATE FY 2003 ON SEPTEMBER 9, 2002

Comm. Carpenter, seconded by Comm. McFall, made a motion to set a public hearing for the proposed tax rate of .425085 for FY 2003 on September 9, 2002.

All voted aye, motion carried.

6. ACTION ON INTERLOCAL AGREEMENT BETWEEN THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS

AND JOHNSON COUNTY FOR E9-1-1 SERVICE,
EQUIPMENT AND ADDRESSING/ADDRESSING
MAINTENANCE WITH EFFECTIVE DATE OF SEPTEMBER
1, 2002 AND ENDING ON AUGUST 31, 2004

Comm. Harmon, seconded by Comm. McFall, made a motion to approve an Interlocal Agreement between the North Central Texas Council of Governments and Johnson County for E9-1-1 service equipment and addressing and addressing maintenance with an effective date of September 1, 2002 and ending on August 31, 2004 and giving the County Judge the authority to sign the contract.

All voted aye, motion carried.

7. ACTION ON OFFICIAL BOND AND OATH FOR DARLA PENNY – MAIL CLERK

Comm. McFall, seconded by Comm. Thompson, made a motion to approve the Official Bond and Oath for Darla Penny, Johnson County Mail Clerk.

All voted aye, motion carried.

8. ACTION FOR SETTING OCTOBER 5, 2002 FOR SHERIFF'S AUCTION TO BE HELD IN JOHNSON COUNTY SERVICE COMPLEX

Comm. Harmon, seconded by Comm. McFall, made a motion to set the Sheriff's Auction for October 5, 2002 to be held in the Johnson County Service Complex.

All voted aye, motion carried.

9. ACTION ON EMERGENCY MANAGEMENT PERFORMANCE GRANT APPLICATION FY 2003

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

motion to approve the application for the Emergency Management Performance Grant for FY 2003 and giving the County Judge the authority to sign the application.

All voted aye, motion carried.

10. ACTION ON CUSTOMIZED COMMUNICATION SYSTEM PROPOSAL WITH ADULT PROBATION PAYING HALF OF COST

Comm. McFall, seconded by Comm. Harmon, made a motion to approve the customized communication system proposal with Telephone Data Systems for the Adult Probation Department with Johnson County paying half the cost in the amount of \$7,589.75.

All voted aye, motion carried.

11. ACTION ON SAFETY BONUS VACATION DAY PROPOSAL

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

All voted aye, motion carried.

12. ACTION ON INTERLOCAL AGREEMENT BETWEEN BURLESON ISD AND JOHNSON COUNTY TRUANCY PROGRAM (ASAP) – CONSTABLE PRECINCT #2

Comm. Harmon, seconded by Comm. Carpenter, made a motion to approve the Interlocal Agreement between the Burleson Independent School District and the Johnson County Truancy Program (ASAP) for the Constable in Precinct #2 and giving the County Judge the authority to sign the contract.

All voted aye, motion carried.

13. ACTION ON INTERLOCAL AGREEMENT BETWEEN CITY OF BURLESON AND JOHNSON COUNTY FOR FUEL PURCHASE – CONSTABLE PRECINCT #2

Comm. Harmon, seconded by Comm. Thompson, made a motion to approve the Interlocal Agreement between the City of Burleson and Johnson County for the purchase of fuel for the Constable in Precinct #2 and giving the County Judge the authority to sign the contract.

All voted aye, motion carried.

14. ACTION ON INTERLOCAL AGREEMENT BETWEEN JOSHUA ISD AND JOHNSON COUNTY TRUANCY PROGRAM (ASAP) – CONSTABLE PRECINCT #2

Comm. Harmon, seconded by Comm. Carpenter, made a motion to approve the Interlocal Agreement between the Joshua Independent School District and the Johnson County Truancy Program (ASAP) for the Constable in Precinct #2 and giving the County Judge the authority to sign the contract.

All voted aye, motion carried.

15. ACTION TO GIVE DIRECTION TO STAFF AND FINANCIAL ADVISOR TO PROCEED WITH IMPLEMENTATION OF FUNDING OF TAX NOTES, SERIES 2002 – COUNTY AUDITOR

Comm. Thompson, seconded by Comm. McFall, made a motion to approve the County Auditor and staff to proceed with the implementation of the funding of tax notes, series 2002.

All voted aye, motion carried.

16. ACTION TO ORDER WEST ONLINE SERVICES

- a. LAW LIBRARY
- b. COUNTY ATTORNEY
- c. COUNTY COURT AT LAW JUDGES
- d. DISTRICT JUDGES
- e. COUNTY CLERK
- f. DISTRICT CLERK
- g. DISTRICT ATTORNEY

h. COUNTY JUDGE

Comm. Thompson, seconded by Comm. Carpenter, made a motion to order subscriptions to West Online Services as follows: Law Library, County Court at Law #1 & #2 Judges and the 18th & 249th District Court Judges paid from the Law Library Fund; County Attorney, District Attorney and County Judge paid from the I.S.S. budget; and the County Clerk and District Clerk at no cost to the county; and giving the County Judge the authority to sign the contracts.

All voted aye, motion carried.

X. CONSENT AGENDA

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

All voted aye, motion carried.

BE IT KNOWN that the Commissioner's Court met in Executive Session at 2:38 P.M. in accordance with Government Code Sec. 551.071 – Consultation with Attorney – Pending Litigation: Johnson County vs. Harris Methodist Affiliated Hospital Case #C199900253. Commissioner's Court reconvened into open session at 2:53 P.M. to consider the following:

XI. WORKSHOP

1. BUDGET WORKSHOP

Commissioner's Court met in workshop session at 2:54 P.M. to discuss the 2002-2003 budget. Commissioner's Court reconvened into open session at 3:16 P.M. to consider the following:

XII. 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.

2. GOVERNMENT CODE SEC. 551.074: PERSONNEL
 - a. PUBLIC WORKS

Comm. Harmon, seconded by Comm. Carpenter, made a motion to eliminate the Solid Waste Investigator position in the Public Works Department and create the position in the Johnson County Sheriff's Department with the transfer of the equipment used in this position, effective August 26, 2002 with the salary remaining at \$29,433.00 per year.

All voted aye, motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 3:21 P.M. on the same date.

Submitted by: _____
Curtis H. Douglas
County Clerk

Approved by: _____
Roger Harmon
County Judge