

STATE OF TEXAS

JANUARY 12, 2004

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 12th day of January, 2004, 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 Commissioner John Matthews, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on January 8, 2004 at 9:33 a.m., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATION

1. PRESENTATION OF LENGTH OF SERVICE AWARDS

Five year service awards were presented to Wanona L. Bandy, Talana Davidson, Cheryl L. Shaw; not present, Judge John Neil; not present, Wallace R. Chockerham, Larry D. Fuller, Gary P. Giesen and Andrea M. Jones. Fifteen year service awards were presented to Billy J Moore and Velda K. Johnson. Twenty-five year service awards were presented to Michael V. Lanham and Margery A. Morris.

2. PRESENTATION OF PLAQUE TO WILLIAM FOWLER, VICE PRESIDENT OF THE JOHNSON COUNTY FIRE COMMISSION

A plaque was presented to William Fowler, Vice President of the Johnson County Fire Commission by Commissioner R.C. McFall in appreciation of his service to the citizens of Johnson County.

VIII. NEW BUSINESS

5. ACTION TO APPOINT MEMBERS TO THE JOHNSON COUNTY FIRE COMMISSION

Comm. McFall, seconded by Comm. Thompson, made a motion to appoint Don Turner, to represent Precinct #1 and to re-appoint Ed Cheever, to represent Precinct #4 as members to the Johnson County Fire Commission for 2 year terms.

All voted aye; motion carried.

6. ACTION TO APPOINT MEMBERS TO THE JOHNSON COUNTY ECONOMIC DEVELOPMENT COMMISSION

Comm. Matthews, seconded by Comm. McFall, made a motion to appoint the following as members to the Johnson County Economic Development Commission: Tommy Forsythe to represent the County Judge, Tinky Harp; reappointment to represent Precinct #1, Dan Boutwell; reappointment to represent Precinct #2, Tom Durlington; reappointment to represent Precinct #2 and Darlene Weir & Wayne Tomlinson; reappointments to represent Precinct #4.

All voted aye; motion carried.

V. PUBLIC PARTICIPATION

None.

VI. PRECEDING BUSINESS

1. ACTION TO APPROVE MINUTES OF THE COMMISSIONER'S COURT

- a. NOVEMBER 24, 2003
- b. DECEMBER 1, 2003
- c. DECEMBER 8, 2003

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the minutes of the Commissioner's Court for November 24,

2003, December 1, 2003 and December 8, 2003 as presented to the Court by the County Clerk.

All voted aye; motion carried.

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

a. ROAD AND BRIDGE PRECINCT #1

Comm. McFall, seconded by Comm. Matthews, made a motion to approve a budget amendment pursuant to *Section 111.010C* of the Local Government Code in the amount of \$100,000.00 from Road & Bridge line item #015-612-700 to transfer to Precinct #3 and Precinct #4.

All voted aye; motion carried.

3. ACTION TO PAY BILLS

Comm. McFall, seconded by Comm. Thompson, made a motion to pay the bills as presented with the addition of a bill for the Elections Administrators office for laser printing and mailings in the amount of \$14,596.29.

All voted aye; motion carried.

4. 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.

5. ACTION TO AWARD RFB'S & RFP'S

a. RFB #2004-13: BRIDGE REPLACEMENT ON CR 404 – PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson,

made a motion to award RFB #2004-13: Bridge Replacement on CR 404 in Precinct #3 to Harris Welding & Construction in the amount of \$66,500.00.

All voted aye; motion carried.

b. RFP #2004-15: ROOF REPLACEMENT FOR JOHNSON COUNTY FACILITIES

Comm. Matthews, seconded by Comm. McFall, made a motion to award RFP #2004-15: Roof Replacement for Johnson County Facilities to Prime Source (Duro Last Roof System) as presented in the bid; excluding the Courthouse location and giving the County Judge authorization to sign the contract.

All voted aye; motion carried.

6. ACTION TO RENEW THE PUBLIC OFFICIAL LIABILITY AND LAW ENFORCEMENT LIABILITY COVERAGE WITH TEXAS ASSOCIATION OF COUNTIES

Comm. Carpenter, seconded by Comm. McFall, made a motion to renew the Public Official Liability and Law Enforcement Liability Coverage with Texas Association of Counties as proposed.

All voted aye; motion carried.

7. ACTION TO APPROVE A THIRTY (30) DAY EXTENSION FOR DENTAL COVERAGE WITH FORTIS FOR JOHNSON COUNTY EMPLOYEES

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve a thirty (30) day extension for dental coverage with Foris for Johnson County Employees.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

1. ACTION ON ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS AND CONTRACTS
 - a. GUINN JUSTICE CENTER
 - b. JOHNSON COUNTY CORRECTION REMODELING POD II
 - c. JOHNSON COUNTY JAIL EXPANSION POD III

Passed.

2. ACTION TO APPROVE MAINTENANCE AGREEMENT WITH THE NET DATA CORPORATION FOR:
 - a. LAW ENFORCEMENT MUG SHOT
 - b. RVI, IMAGING
 - c. NET COLD

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the Maintenance Agreement with the NET Data Corporation for Law Enforcement Mug Shot, RVI, Imaging and NET Cold and to give the County Judge authorization to sign the contracts.

All voted aye; motion carried.

VIII. NEW BUSINESS

4. ACTION TO ESTABLISH A TECH FUND BUDGET AND GUIDELINES – JUSTICE OF THE PEACE, PRECINCT #3

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

All voted aye; motion carried.

Commissioner's Court recessed at 10:20 a.m. and reconvened at 10:40 a.m. to consider the following:

VII. UNFINISHED BUSINESS

1. ACTION ON ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS AND CONTRACTS
 - a. GUINN JUSTICE CENTER
 - b. JOHNSON COUNTY CORRECTION REMODELING POD II
 - c. JOHNSON COUNTY JAIL EXPANSION POD III

Comm. Matthews, seconded by Comm. McFall,

made a motion to award bids for the Guinn Justice Center for Rolling Shelving to I.S.C. in the amount of \$69,980.27 and for Courtroom Pews to Flowers in the amount of \$94,128.00.

All voted aye; motion carried.

VIII. NEW BUSINESS

1. ACTION TO ADVERTISE FOR BIDS/PROPOSALS
 - a. REPLACEMENT OF ALL AIR CONDITIONING UNITS THAT ARE TEN (10) YEARS OR OLDER ON ALL COUNTY BUILDINGS

No action.

2. ACTION IN SUPPORT OF RESOLUTION FOR THE IMPLEMENTATION OF THE OVER 65/DISABLED CEILING UNDER HJR 16 AND HB 136

Passed for further discussion in workshop session.

3. ACTION TO APPROVE THE 9-1-1 ADDRESS COORDINATOR CONTRACT

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the 9-1-1 Address Coordinator Contract and to give the County Judge authorization to sign the contract.

All voted aye; motion carried.

7. ACTION TO APPROVE SUBMISSION OF THE BYRNE GRANT (STOP) APPLICATION

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve submission of the Byrne Grant (STOP) Application.

All voted aye; motion carried.

8. ACTION TO APPROVE CONTRACT FOR RESIDENTIAL SERVICES BETWEEN JUVENILE PROBATION AND GULF COAST TRADES CENTER

Comm. Thompson, made a motion to approve the contract for Residential Services between Juvenile Probation and Gulf Coast Trades Center and to give the County Judge authorization to sign the contract.

All voted aye; motion carried.

9. ACTION TO APPROVE A NON-RESIDENTIAL CONTRACT BETWEEN JUVENILE PROBATION AND FRANK VIELMANN TO PROVIDE SPANISH AND ENGLISH INTERPRETER SERVICES

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve a Non-Residential Contract between Juvenile Probation and Frank Vielmann to provide Spanish and English Interpreter Service and to give the County Judge authorization to sign the contract.

All voted aye; motion carried.

10. ACTION TO APPROVE CONTRACT FOR RESIDENTIAL SERVICES BETWEEN JUVENILE PROBATION AND SHORELINE, INC.

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the contract for Residential Services between Juvenile Probation and Shoreline, Inc. and to give the County Judge authorization to sign the contract.

All voted aye; motion carried.

11. ACTION TO ACCEPT DONATION OF 2000 TONS OF ROAD MATERIAL FROM A.U.I. – PRECINCT #1 AND PRECINCT #2

Comm. Matthews, seconded by Comm. McFall, made a motion to accept the donation of 2000 tons of road material from A.U.I. for Precinct #1 and Precinct #2.

All voted aye; motion carried.

12. ACTION TO TRANSFER \$50,000 TO ROAD & BRIDGE PRECINCT #3 AND \$50,000 TO ROAD & BRIDGE PRECINCT #4 FROM PRECINCT #1

Comm. McFall, seconded by Comm. Matthews, made a motion to transfer \$50,000 to Road & Bridge Precinct #3 and \$50,000 to Road & Bridge Precinct #4 from Precinct #1.

All voted aye; motion carried.

13. ACTION TO APPROVE EARLY VOTING JUDGES & EARLY BALLOT BOARD – ELECTION ADMINISTRATOR

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the Early Voting Judges and Early Ballot Board as submitted by the Election Administrator.

All voted aye; motion carried.

14. ACTION TO ESTABLISH EARLY VOTING POLLING LOCATIONS AND HOURS OF EARLY VOTING – ELECTION ADMINISTRATOR

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

motion to approve the Early Voting Polling locations and hours of Early Voting as submitted by the Election Administrator and to add the Precinct #3 Office as an additional Early Voting Polling location.

All voted aye; motion carried.

15. ACTION TO APPROVE CONTRACT FOR PURCHASE OF ES&S M650 BALLOT SCANNER – ELECTION ADMINISTRATOR

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the contract for the purchase of the ES&S M650 Ballot Scanner for the Election Administrators Office.

All voted aye; motion carried.

16. ACTION TO APPROVE A REOCCURRING EXPENSE FOR A CELL PHONE FOR AGRICULTURAL AGENT, COLE CRISWELL

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve a reoccurring expense for a cell phone for the Agricultural Agent, Cole Criswell.

All voted aye; motion carried.

17. ACTION ON EASEMENT ON CR 209 (APPROXIMATELY 4,516 FT. LONG & 80 FT. WIDE) – PRECINCT #4

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve 2 Grants of Easement Contracts for an easement on CR 209 (approximately 4,516 ft. long & 80 ft. wide) in Precinct #4 and to give permission to receive 2 live checks in the amount of \$10.00 each; one written to Kenneth M. Thompson, L.L.C. and one written to Kenneth M. Thompson.

All voted aye; motion carried.

18. ACTION TO HIRE PART-TIME CUSTODIAL WORKER – PUBLIC WORKS

Passed for further discussion in workshop session.

IX. CONSENT AGENDA

Comm. Thompson, seconded by Comm. McFall, made a motion to approve the consent agenda as presented with all of the budget surplus transfers being for year “2004”.

All voted aye; motion carried.

Commissioner’s Court met in workshop session at 11:54 a.m. to discuss the Resolution for the implementation of the Over 65/Disabled Ceiling under HJR 16 & HB 136. Commissioner’s Court reconvened into open session at 12:07 p.m. to consider the following:

VIII. NEW BUSINESS

2. ACTION IN SUPPORT OF RESOLUTION FOR THE IMPLEMENTATION OF THE OVER 65/DIABLED CEILING UNDER HJR 16 AND HB 136

Comm. McFall, seconded by Comm. Carpenter, made a motion to adopt Resolution 2004-02 in support of the implementation of the Over 65/Disabled Ceiling under HJR 16 and HB 136.

All voted aye; motion carried.

Commissioner’s Court recessed at 12:08 p.m. and reconvened into open session at 1:37 p.m.

X. WORKSHOP

Commissioner's Court met in workshop session at 1:37 p.m. to discuss the Guinn Building Maintenance, the hiring of a part-time custodial worker for Public Works and the County Computer System.

Commissioner's Court recessed at 3:04 p.m. and reconvened into workshop session at 3:11 p.m. to discuss the County Computer System.

BE IT KNOWN that the Commissioner's Court met in Executive Session at 3:30 p.m. pursuant to Government Code *Section 551.071* – Consultation with Attorney – Contemplated Litigation Regarding Constable Sale of Real Property. Commissioner's Court reconvened into open session at 4:14 p.m. to consider the following:

XI. EXECUTIVE SESSION

1. GOVERNMENT CODE SECTION 551.071 – CONSULTATION WITH ATTORNEY

a. CONTEMPLATED LITIGATION REGARDING CONSTABLE SALE OF REAL PROPERTY

No action.

X. WORKSHOP

Commissioner's Court met in workshop session at 4:15 p.m. to discuss the lease agreement with MHMR for the Public Health and Meals on Wheels building.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 4:22 p.m. on the same date.

Submitted by: _____
Curtis H. Douglas
County Clerk

Approved by: _____
Roger Harmon
County Judge