

STATE OF TEXAS

JULY 26TH 2004 – JULY 28TH 2004

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 26th day of July, 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 Comm. 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 July 22nd, 2004 at 8:49 A.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. QUARTERLY REPORT OF THE JOHNSON COUNTY ECONOMIC DEVELOPMENT COMMISSION

Mark Willis, Director of the Johnson County Economic Development Commission was present to present the Quarterly Report of the Johnson County Economic Development Commission.

V. PUBLIC PARTICIPATION

None.

VI. PRECEDING BUSINESS

1. CONSIDERATION TO REQUEST TO PAY BILLS

Comm. Mc Fall, seconded by Comm. Matthews, made a motion to pay the bills as presented by the County Auditor, with the omission of James Daniels & Associates for the amount of \$4,804.25

All voted aye; motion carried.

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

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

3. CONSIDERATION OF CRESSON RANCH ESTATES-LOT 32; 2544 JESSICA DR., MANSFIELD ETJ FOR NON-CONFORMING USE-PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve Cresson Ranch Estates – Lot 32, in Precinct #3, for non-conforming use.

All voted aye; motion carried.

4. CONSIDERATION OF REVISED FINAL PLAT OF JOEL SANDERS ADDITION-LOTS 1-6, BLOCK 1, CLEBURNE ETJ-PRECINCT #1

Comm. Mc Fall, seconded by Comm. Matthews, made a motion to table this item.

All voted aye; motion carried.

5. CONSIDERATION TO AWARD BID

a. RFB-2004-28-SALE OF EQUIPMENT FOR PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson, made a motion to accept the bid of \$6,156 for the 1991 Ford Tractor/Mower and to reject the bids for the 1977 Cat Loader and 1979 Case Loader.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

2. CONSIDERATION OF RESOLUTION APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO OBTAIN CERTIFICATES OF OBLIGATION, SERIES 2004 AND OTHER MATTERS RELATED THERETO

Discussion. No action taken at this time.

The Commissioner's Court recessed at 9:52 a.m. and reconvened at 10:13 a.m. to consider the following:

VII. UNFINISHED BUSINESS

2. CONSIDERATION OF RESOLUTION APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO OBTAIN CERTIFICATES OF OBLIGATION, SERIES 2004 AND OTHER MATTERS RELATED THERETO

Comm. Thompson, seconded by Comm. Matthews, made a motion to approve and authorize the publication of the Notice of Intent to Obtain Certificates of Obligation for a maximum principal amount not to exceed \$4,500,000.

All voted aye; motion carried.

3. CONSIDERATION OF CONTRACT FOR ARCHITECTURAL SERVICES WITH ARCHITEXAS, INC. FOR THE PRESERVATION AND RESTORATION OF THE JOHNSON COUNTY COURTHOUSE.

Comm. Matthews, seconded by Comm. Thompson, made a motion to approve the contract for architectural services with ArchiTexas, Inc. for the preservation and restoration of the Johnson County Courthouse, with the revisions discussed and giving the County Judge authorization to sign the final copy of the contract to be drafted by the County Attorney.

All voted aye; motion carried.

4. CONSIDERATION OF NEW LINE ITEM AND FUNDING OUT OF OPERATING RESERVES FOR ROW PURCHASE ON CR 106 WITH LIVE CHECKS CUT FOR THE CONSTRUCTION OF THE NEW BRIDGE-PRECINCT #4

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the new line item and funding out of operating reserves for ROW purchase on

CR 106 with live checks cut for the construction of new bridge and giving the County Judge authorization to sign.

All voted aye; motion carried.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Carpenter, seconded by Comm. Mc Fall, made a motion to advertise for sealed bids to sell a 1977 Cat loader with a minimum bid amount of \$15,000 and a 1979 Case loader with a minimum bid amount of \$6,000; and to advertise for a construction manager at risk for the Johnson County Courthouse restoration.

All voted aye; motion carried.

2. CONSIDERATION OF RESOLUTION AUTHORIZING NAMED AGENTS OR REPRESENTATIVES OF JOHNSON COUNTY TO HANDLE ALL ELECTRONIC FUND TRANSFERS WITH FIRST FINANCIAL BANK OF CLEBURNE

Comm. Mc Fall, seconded by Comm. Thompson, made a motion to authorized Barbara Robinson, Nicole Hemlee and J.R. “Kirk” Kirkpatrick, Jr. as agents or representatives of Johnson County to handle all electronic fund transfers with First Financial Bank of Cleburne.

All voted aye; motion carried.

3 CONSIDERATION TO SET PUBLIC HEARING TO INSTALL TRAFFIC CONTROL DEVICES (STOP SIGNS) AT THE INTERSECTION OF COUNTY ROAD 1204 AND COUNTY ROAD 1102-PRECINCT #1

Comm. Mc Fall, seconded by Comm. Carpenter, made a motion to set a public hearing to install traffic control devices (stop signs) at the intersection of CR 1204 and CR 1102-Precinct #1

All voted aye; motion carried.

4. CONSIDERATION OF IMPOSITION OF FEES PURSUANT TO TRANSPORTATION CODE SECTION 502.172 FOR COUNTY ROAD AND BRIDGE FEES AND SECTION 502.173 TO ESTABLISH A CHILD SAFETY FUND FEE

Comm. Thompson, seconded by Comm. Carpenter, made a motion to retain the imposition of fees pursuant to Transportation Code *Section 502.172* for County Road and Bridge fees of \$10.00. Due to population requirements, Johnson County is not eligible for the Child Safety Fund Fee.

All voted aye; motion carried.

5. CONSIDERATION OF INTERLOCAL AGREEMENT WITH CLEBURNE INDEPENDENT SCHOOL DISTRICT FOR THE JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM- (JJAEP)

Comm. Mc Fall, seconded by Comm. Carpenter, made a motion to approve the renewal of the interlocal agreement with Cleburne ISD for the Juvenile Justice Alternative Education Program, giving the County Judge authorization to sign the agreement.

All voted aye; motion carried.

6. CONSIDERATION OF INTERLOCAL AGREEMENT WITH CLEBURNE INDEPENDENT SCHOOL DISTRICT FOR THE JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM MEAL SERVICE – (JJAEP)

Comm. Mc Fall, seconded by Comm. Carpenter, made a motion to approve the renewal of the interlocal agreement with Cleburne ISD for the Juvenile Justice Alternative Education Program meal service.

All voted aye; motion carried.

7. CONSIDERATION OF PURCHASE OF VAN FOR JUVENILE SERVICE AND RECURRING EXPENSES FOR FUEL AND INSURANCE

Comm. Mc Fall, seconded by Comm. Thompson, made a motion to approve the purchase of a 15 passenger van for Juvenile Service and the recurring expenses for fuel and insurance. The van, fuel and insurance will be purchases all from line item #023-340-903-Juvenile Probation fees.

All voted aye; motion carried.

8. CONSIDERATION OF NON-RESIDENTIAL SERVICES CONTRACT FOR READING SPECIALIST FOR JJAEP 2004-2005 WITH JENNIFER BURNS

Comm. Carpenter, seconded by Comm. Mc Fall, made a motion to approve the renewal of a non-residential services contract for a reading specialist for JJAEP for 2004-2005 with Jennifer Burns.

All voted aye; motion carried.

9. CONSIDERATION TO ESTABLISH EARLY VOTING POLLING LOCATIONS AND HOURS OF EARLY VOTING FOR THE NOVEMBER 2004 GENERAL ELECTION

Comm. Mc Fall, seconded by Comm. Matthews, made a motion to approve the early voting polling locations and hours of early voting for the November 2004 General Election as presented by the Election Administrator.

All voted aye; motion carried.

10. CONSIDERATION OF EARLY VOTING JUDGES AND EARLY VOTING BALLOT BOARD FOR NOVEMBER 2004 GENERAL ELECTION

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the early voting judges and early voting ballot board for the November 2004 General Election as presented by the Election Administrator.

All voted aye; motion carried.

11. CONSIDERATION TO ESTABLISH POLLING LOCATIONS FOR THE NOVEMBER 2, 2004 GENERAL ELECTION

Comm. Mc Fall, seconded by Comm. Matthews, made a motion to approve the polling locations for the November 2, 2004 General Election as presented by Election Administrator.

All voted aye; motion carried.

12. CONSIDERATION TO CONSIDER ELECTION JUDGES AND ALTERNATES FOR AUGUST 2004 TO JULY 2006

Comm. Thompson, seconded by Comm. Mc Fall, made a motion to approve the election judges and alternates for August 2004 to July 2006 as presented by the Election Administrator.

All voted aye; motion carried.

13. CONSIDERATION OF JOHNSON COUNTY RURAL FIRE PREVENTION DISTRICT ANNUAL FINANCIAL REPORT FOR THE YEAR ENDED SEPTEMBER 30, 2002

Comm. Thompson, seconded by Comm. Mc Fall, made a motion to acknowledge the receipt of the Johnson County Rural Fire Prevention District Annual Financial Report for Year Ended September 30, 2002.

All voted aye; motion carried.

14. CONSIDERATION TO INCREASE THE CREDIT CARD PROCESSING FEE TO 5% PER LOCAL GOVERNMENT CODE SECTION 132.003, EFFECTIVE AUGUST 1, 2004-COUNTY CLERK

Comm. Carpenter, seconded by Comm. Matthews, made a motion to increase the credit card processing fee to 5% per Local Government Code *Section 132.003*, effective for August 1, 2004 for the County Clerk's office.

All voted aye; motion carried.

15. CONSIDERATION TO INSTALL A SECURITY WINDOW FOR JUSTICE OF THE PEACE, PRECINCT #4

Comm. Thompson, seconded by Comm. Mc Fall, made a motion to approve a maximum of \$500 to install security measures for the office of JP#4.

All voted aye; motion carried.

16. CONSIDERATION OF RESOLUTION #2004-05 OF LOCAL GOVERNMENT APPROVAL OF HAZARD MITIGATION ACTION PLAN-EMERGENCY MANAGEMENT

Comm. Carpenter, seconded by Comm. Mc Fall, made a motion to approve Resolution #2004-05 of Local Government approval of the hazard mitigation action plan for the Emergency Management office.

All voted aye; motion carried.

IX. CONSENT AGENDA

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

All voted aye; motion carried.

The Commissioner's Court recessed for lunch at 11:50 a.m. and reconvened into Open Session at 1:10 p.m. to consider the following:

VII. UNFINISHED BUSINESS

1. CONSIDERATION OF 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

Discussion. No Action taken.

The Commissioner's Court went into workshop session at 1:35 p.m. to hear a presentation on special districts and any issues related thereto. Comm. Mc Fall exited the meeting at 2:20 p.m.

The Commissioner's Court recessed at 3:13 p.m. and reconvened at 3:28 p.m. to discuss tax collection software updates.

BE IT KNOWN that the Commissioner's Court met in Executive Session at 3:55 p.m. pursuant to Government Code *Section 551.071*-Consultation with Attorney: Contemplated Litigation. The Commissioner's Court reconvened into Open Session at 4:01 p.m. to consider the following:

XI. EXECUTIVE SESSION

1. GOVERNMENT CODE:

- a. SEC. 551.071-CONSULTATION WITH ATTORNEY:
CONTEMPLATED LITIGATION

Comm. Matthews, seconded by Comm. Thompson, made a motion to pay \$125.00 to Kimberly Camp.

All voted aye; motion carried.

The Commissioner's Court recessed at 4:02 p.m. on July 26th 2004, and will reconvene on July 27th, 2004 at 9:00 a.m.

The Commissioner's Court reconvened at 9:05 a.m. on July 27th 2004 with all members present. The Commissioner's Court went directly into workshop session to discuss the budget.

The Commissioner's Court recessed at 10:05 a.m. and reconvened in workshop at 10:32 a.m. to discuss the budget.

The Commissioner's Court recessed for lunch at 11:53 a.m. and reconvened in workshop at 1:15 p.m. to discuss the budget.

The Commissioner's Court recessed at 2:45 p.m. on July 27th 2004, and will reconvene on July 28th, 2004 at 1:00 p.m.

The Commissioner's Court reconvened at 1:27 p.m. on July 28th 2004 with all members present. The Commissioner's Court went directly into workshop session to discuss the budget.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 2:52 p.m. on July 28th 2004.

Submitted by: _____
Curtis H. Douglas
County Clerk

Approved by: _____
Roger Harmon
County Judge