

STATE OF TEXAS

AUGUST 23, 2004

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 23rd day of August, 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 David Lloyd, District Clerk, 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 19th, 2004 at 10:34 A.M., and addendum filed for record on August 19th, 2004 at 2:00 P.M. were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION CONCERNING THE RURAL CEN-TEX RAIL DISTRICT

Jerry Cash, Director of Cleburne Economic Development and a Member of the Rural Cen-Tex Rail District was present to update the Commissioner's Court on the Rural Cen-Tex Rail District.

V. PUBLIC PARTICIPATION

None.

VI. PUBLIC HEARING

1. CONCERNING INSTALLATION OF TRAFFIC CONTROL DEVICES (4-WAY STOP SIGNS) AT THE INTERSECTION OF COUNTY ROAD 1204 AND COUNTY ROAD 1102-PRECINCT #1

The Commissioner's Court opened the public hearing at 9:15 a.m. and Sheriff Bob Alford spoke on behalf of traffic control devices at the intersection of County Road 1204 and County Road 1102. There being no other public comments, the hearing was closed at 9:16 a.m.

VII. PRECEDING BUSINESS

1. CONSIDERATION TO INSTALL TRAFFIC CONTROL DEVICES (4-WAY 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 approve the installation of traffic control devices (4-way stop signs) at the intersection of County Road 1204 and County Road 1102 in Precinct #1.

All voted aye; motion carried.

2. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT

a. August 9 – August 11, 2004

Comm. Thompson, seconded by Comm. Carpenter made a motion to approve the Commissioner's Court Minutes for August 9 – August 11, 2004 as presented by the County Clerk.

All voted aye; motion carried.

3. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO LOCAL GOVERNMENT CODE SECTION 111.0106:

a. TITLE IV-E REIMBURSEMENTS-CHILD PROTECTIVE SERVICES

Comm. Mc Fall, seconded by Comm. Thompson, made a motion to approve the budget amendment for Child Protective Services in the amount of \$2,578.00 for Title IV-E Reimbursements.

All voted aye; motion carried.

4. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO LOCAL GOVERNMENT CODE SECTION 111.010C:

a. EQUIPMENT NON-CAPITOL, AUTO INSURANCE, OFFICE SUPPLIES AND TELEPHONE-BURLESON ASAP, CONSTABLE PRECINCT #2

Comm. Matthews, seconded by Comm. Mc Fall, made a motion to approve the budget amendment for Constable #2, in the amount of \$4,241.00 for equipment non-capitol, auto insurance, office supplies, and telephone, pending the availability of ASAP funds from Burleson I.S.D.

All voted aye; motion carried.

b. DETENTION FEES-SHERIFF'S OFFICE

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the budget amendment for the Sheriff's Office in the amount of \$91,000.00 for detention fees.

All voted aye; motion carried.

c. INDIGENT HEALTH CARE

Comm. Mc Fall, seconded by Comm. Matthews made a motion to approve the budget amendment for Indigent Health Care in the amount of \$250,000.00

All voted aye; motion carried.

5. CONSIDERATION TO PAY BILLS

Comm. Carpenter, seconded by Comm. Mc Fall, made a motion to pay the bills as submitted by the County Auditor.

All voted aye; motion carried.

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

The Commissioner's Court acknowledged the receipt of the County Auditors reports.

7. CONSIDERATION OF FINAL PLAT OF PATTERSON ESTATES, LOTS 1 & 2 BLOCK 1-PRECINCT #1

Comm. Mc Fall, seconded by Comm. Matthews made a motion to approve the final plat of **Patterson Estates**, Lots 1 & 2 Block 1 in Precinct #1.

All voted aye; motion carried.

8. CONSIDERATION TO APROVE ROADS IN THE LATHAM ESTATES FOR THE SALE OF LOTS ONLY-PRECINCT #4

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

All voted aye; motion carried.

9. CONSIDERATION TO AWARD BID:

a. RFP#2004-27-RECORD BOOKS RECREATION

Comm. Thompson, seconded by Comm. Carpenter, made a motion to award **RFP #2004-27** to ACS Government Records for record books recreation in the amount of \$235,288.00.

All voted aye; motion carried.

b. RFB #2004-29-PEST CONTROL

Comm. Thompson, seconded by Comm. Matthews, made a motion to award **RFB #2004-29** to Double D Termite for pest control.

All voted aye; motion carried.

c. RFB #2004-31-SALE OF EQUIPMENT (RE-BID)-PRECINCT #3

Comm. Carpenter, seconded by Comm. Thompson, made a motion to award **RFB #2004-31** to Pedro Olivera for his bid on the 1977 Cat Loader of \$15, 201.00.

All voted aye; motion carried.

IX. NEW BUSINESS-ADDENDUM

7. CONSIDERATION TO ADVERTISE FOR RFB #2005-01-ROAD SIGNS AND ROAD MARKERS AND SET OPENING DATE FOR SEPTEMBER 13, 2004

Comm. Mc Fall, seconded by Comm. Matthews, made a motion to advertise bids on **RFB #2005-01** - road signs and road markers and to set the opening date for September 13, 2004.

All voted aye; motion carried.

VII. PRECEDING BUSINESS

10. CONSIDERATION TO RECIND AWARD OF RFB #2004-30- ASPHALT DISTRIBUTOR TO BANE MACHINERY OF FORT WORTH IN THE AMOUNT OF \$51,146.25

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

All voted aye; motion carried.

VIII. UNFINISHED BUSINESS

1. CONSIDERTAION 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

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the ElectraLink change order of \$10, 350.06 for additional cabling for the Guinn Justice Center.

All voted aye; motion carried.

2. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS, AND CONTRACT WITH ARCHITEXAS

a. APPOINTMENT OF REPRESENTATIVE FOR THE COMMISSIONERS COURT FOR PLANNING PURPOSES CONCERNING THE COURTHOUSE RESTORATION

Comm. Carpenter, seconded by Comm. Mc Fall, made a motion to appoint Sandy Sims and Comm. Troy Thompson as representatives for the Commissioner's Court for planning purposes concerning the Courthouse restoration.

All voted aye; motion carried.

3. CONSIDERATION OF ORDER AUTHORIZING THE ISSUANCE OF JOHNSON COUNTY, TEXAS CERTIFICATES OF OBLIGATION, SERIES 2004A AND OTHER MATTERS RELATED THERETO

Comm. Thompson, seconded by Comm. Mc Fall, made a motion to approve the order authorizing the issuance of Johnson County, Texas Certificates of Obligation, Series 2004A for \$4, 105,000.00 and to give the County Judge authorization to sign the order.

All voted aye; motion carried.

4. CONSIDERATION TO RELOCATE VOTING PRECINCT #10 FROM ALVARADO SUB-COURTHOUSE TO ALVARADO SENIOR CITIZENS CENTER FOR THE NOVEMBER 2, 2004 GENERAL ELECTION

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the relocation of Voting Precinct #10 from Alvarado Sub-Courthouse to Alvarado Senior Citizens Center for the November 2, 2004 General Election.

All voted aye; motion carried.

The Commissioner's Court recessed at 10:40 a.m. and reconvened at 11:20 a.m. to consider the following:

VIII. UNFINISHED BUSINESS

5. CONSIDERATION OF THE RESIGNATION OF GARY CROUCH FROM THE JOHNSON COUNTY HISTORICAL COMMISSION

Comm. Carpenter, seconded by Comm. Thompson, made a motion to accept the resignation of Gary Crouch from the Johnson County Historical Commission.

All voted aye; motion carried.

6. CONSIDERATION OF TERMINATION OF CONTRACTUAL RELATIONSHIP WITH DOVER FOR SERVICE ON THE BANK BUILDING ELEVATOR

Comm. Matthews, seconded by Comm. Mc Fall, made a motion to submit a notice of intent of termination of contractual relationship to Dover for Service on the bank building elevator.

All voted aye; motion carried.

7. COSNIDERATION OF CONTRACT WITH iSECURETRAC FOR LEG MONITORS WITH GPS TRACKING

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

All voted aye; motion carried.

8. CONSIDERATION AND DISCUSSION OF PROPOSED TAX RATE
FY 2005

Discussion.

9. CONSIDERATION OF RECORD VOTE ON PROPOSED TAX RATE
FY 2005

Comm. Thompson, seconded by Comm. Carpenter, made a motion to set the tax rate for the 2005 fiscal year as follows:

Total General Rate	0.351575
Total Debt Rate	0.030513
Total Lateral Road Rate	0.052790
Total Proposed County Tax Rate	0.434878

The Commissioner's took a record vote and voted as follows:

County Judge Roger Harmon	Aye
Comm. R.C. Mc Fall	Aye
Comm. John Matthews	Aye
Comm. Mark Carpenter	Aye
Comm. Troy Thompson	Aye

All voted aye; motion carried.

13. CONSIDERATION OF SETTING A PUBLIC HEARING ON PROPOSED
TAX RATE FY 2005 ON SEPTEMBER 13, 2004

Comm. Carpenter, seconded by Comm. Mc Fall, made a motion to set a Public Hearing on the proposed tax rate for the 2005 fiscal year on September 13, 2004.

All voted aye; motion carried.

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Carpenter, seconded by Comm. Mc Fall, made a motion to re-advertise for a sale bid for a 1979 Case Loader in Precinct #3 with a minimum bid of \$6,000.00.

All voted aye; motion carried.

2. CONSIDERATION OF SALE EQUIPMENT TO RICHIE BROTHERS AUCTION-PRECINCT #4

Comm. Thompson, seconded by Comm. Matthews, made a motion to approve the sale of a 1979 Cherokee Dump Trailer in Precinct #4 in the Richie Brother's Auction for Precinct #4.

All voted aye; motion carried.

3. CONSIDERATION OF INTERLOCAL AGREEMENT WITH CITY OF GRANDVIEW FOR THE PURCHASE OF MC-30-PRECINCT #4

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the inter-local agreement with the City of Grandview for the purchase of MC-30 for \$467.00.

All voted aye; motion carried.

4. CONSIDERATION OF INTERLOCAL AGREEMENT WITH CLEBURNE INDEPENDENT SCHOOL DISTRICT FOR TRUANCY PROGRAM (A.S.A.P.)-2004-2005

Comm. Mc Fall, seconded by Comm. Matthews, made a motion to approve the inter-local agreement with Cleburne ISD for the A.S.A.P. truancy program for the 2004-2005 school year, giving the County Judge authorization to sign.

All voted aye; motion carried.

5. CONSIDERATION TO SET FEES FOR THE 2005 SHERIFF'S AND CONSTABLE'S FEES PURSUANT TO THE LOCAL GOVERNMENT CODE 118.131

Comm. Carpenter, seconded by Comm. Mc Fall, made a motion to not change the Constable's fees and to use the current fees for 2005.

All voted aye; motion carried.

6. CONSIDERATION OF MEMBERSHIP IN THE NORTH AMERICA SUPERHIGHWAY COALITION, INC.

Comm. Carpenter, seconded by Comm. Thompson, made a motion to deny membership in the North America's Superhighway Coalition, Inc.

All voted aye; motion carried.

X. CONSENT AGENDA

Comm. Matthews, seconded by Comm. Mc Fall, made a motion to approve the Consent Agenda as presented.

All voted aye; motion carried.

The Commissioner's Court recessed for lunch at 11:45 a.m. and reconvened at 1:39 p.m.

BE IT KNOWN that the Commissioner's Court met in Executive Session at 1:39 p.m. pursuant to Government Code *Section 551.074*-Personnel-District Clerk-Carolyn McCoy.

The Commissioner's Court reconvened into Open session at 1:50 p.m. and immediately went into workshop session to discuss the budget.

The Commissioner's Court recessed at 2:30 p.m. and reconvened at 2:50 p.m. in workshop session to discuss the budget.

The Commissioner's Court went into Open Session at 3:15 p.m. to consider the following:

XII. EXECUTIVE SESSION

1. GOVERNMENT CODE:

a. SEC 551.074-PERSONNEL-DISTRICT CLERK-CAROLYN MCCOY

Comm. Mc Fall, seconded by Comm. Carpenter, made a motion to reclassify Carolyn McCoy to a Sr. Chief Deputy changing her Grade from a Grade 11 to a Grade 13 giving her a \$2,000 per year pay raise effective October 1, 2004.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 3:16 p.m. on the same date.

Submitted by: _____
Curtis H. Douglas
County Clerk

Approved by: _____
Roger Harmon
County Judge