

STATE OF TEXAS

SEPTEMBER 13, 2004

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 13th day of September, 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 9:02 A.M., with all members present, and following the Invocation led by County Judge, Roger Harmon, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on September 9th, 2004 at 8:57 A.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

V. PUBLIC PARTICIPATION

1. Gregg Gammon, Brenda Gammon, and Becky Stringer all came before the Court and spoke for Victims Assistance Program.
2. Nita Redman came before the Court to express her appreciation for the Court's support and participation for the Antique Alley and Yard Sale.
3. David Kercheval came before the Court to speak on the Sesquicentennial Celebration.
4. Sheriff Bob Alford came before the Court to introduce the new jail Lieutenant Mike Powell.

VI. PUBLIC HEARING

1. PROPOSED TAX RATE FY 2005

The Commissioner's Court opened the public hearing at 9:20 a.m. and the Proposed Tax Rate for the 2005 fiscal year was read by County Judge Roger

Harmon. There being no one to speak on the proposed tax rate, the hearing was closed at 9:23 a.m.

VII. PRECEDING BUSINESS

1. CONSIDERTION TO SCHEDULE AND ANNOUNCE MEETING TO ADOPT TAX RATE OF 2005 ON SEPTEMBER 27, 2004

Comm. Thompson, seconded by Comm. Carpenter, made a motion to schedule and announce a meeting to adopt the tax rate of 2004 on September 27, 2004.

All voted aye, motion carried.

2. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT

- a. August 11, 2004-Special
- b. August 23, 2004-Regular
- c. August 26, 2004-Special
- d. August 30, 2004-Special

Comm. Matthews, seconded by Comm. Mc Fall made a motion to approve the Commissioner's Court minutes for August 11, 2004; August 23, 2004; August 26, 2004; and August 30, 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. SHERIFF'S OFFICE-VEHICLE & EQUIPMENT MAINTENANCE

Comm. Thompson, seconded by Comm. Carpenter made a motion to approve the budget amendment for the Sheriff's Office in the amount of \$7,132.00 for vehicle and equipment maintenance.

All voted aye, motion carried.

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

a. SHERIFF'S OFFICE-INMATE MEDICAL COST

Comm. Mc Fall, seconded by Comm. Thompson, made a motion to approve the budget amendment for the Sheriff's Office in the amount of \$60,000.00 for inmate medical cost.

All voted aye, motion carried.

5. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Matthews, 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 REPORT TO THE COMMISSIONERS COURT

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

7. CONSIDERATION OF FINAL PLAT

a. **Breezy Acres Addition** –Lots 1 through 5, Block 1-Precinct #2

Comm. Matthews, seconded by Comm. Mc Fall, made a motion to approve the final plat for the Breezy Acres Addition – Lots 1 through 5, Block 1 in Precinct #2.

All voted aye, motion carried.

b. **Godley Meadows Addition, Phase 2 - Lots 1, 2 & 3 of Block 1-Precinct #2**

Comm. Matthews, seconded by Comm. Mc Fall, made a motion to approve the final plat for Godley Meadows Addition, Phase 2 – Lots 1, 2 & 3 of Block 1 in Precinct #2.

All voted aye, motion carried.

8. CONSIDERATION TO APPROVE ROADS FOR COUNTY MAINTENANCE

a. North Timber Creek (Mill Creek Court, Vista North Dr., Gold Creek Court West, Gold Creek Court East) – Precinct #3

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the following roads in the North Timber Creek addition for county maintenance: Mill Creek Court, Vista North Dr., Gold Creek Court West and Gold Creek Court East on CR 604 in Precinct #3.

All voted aye, motion carried.

b. Fox Run Road (0.6 miles) – Precinct #1

Comm. Mc Fall, seconded by Comm. Matthews, made a motion to approve Fox Run Road (0.6 miles) for county maintenance in Precinct #1.

All voted aye, motion carried.

9. CONSIDERATION TO APPROVE ROADS IN THE LATHAM ESTATES OR SALE OF LOTS ONLY – PRECINCT #4

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve roads in the Latham Estates for sale of lots only in Precinct #4

All voted aye, motion carried.

10. CONSIDERATION TO AWARD BID:

a. RFP #2004-23-FINANCIAL SOFTWARE PACKAGE

(1) CONSIDERATION OF CONTRACT WITH GOVERNMENT e-MANAGEMENT SOLUTION, INC. (GEMS) LICENSE AND SYSTEM MAINTENANCE AGREEMENT

Comm. Matthews seconded by Comm. Thompson, made a motion to award **RFP #2004-23** for a financial software package to Government e-Management Solution, Inc. for \$269,611.00.

All voted aye, motion carried.

Comm. Carpenter, seconded by Comm. Matthews, made a motion to approve the contract with Government e-Management Solution, Inc. and to give County Judge Roger Harmon, Curtis Douglas, County Clerk and Kirk Kirkpatrick, County Auditor authorization to sign the contract.

All voted aye, motion carried.

b. **RFP #2004-26-Tax Collection Software**

Comm. Matthews, seconded by Comm. Carpenter, made a motion to award **RFP #2004-26** for tax collection software to Spindlemedia for \$125,000.00 contingent on the final contract being approved by the County Attorney.

All voted aye, motion carried.

VIII. UNFINISHED BUSINESS

3. CONSIDERATION OF APPLICATNS FOR THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) HOME DISATER RELIEF GRANT PROGRAM

Comm. Carpenter, seconded by Comm. Matthews, made a motion to approve the recommended applicants by GrantWorks for the Texas Department of Housing and Community Affairs (TDHCA) Home Disaster Relief Grant Program.

All voted aye, motion carried.

VI. PRECEDING BUSINESS

10. CONSIDERATION TO AWARD BID:

- c. **RFB #2004-33-ONE (1) NEW OR SLIGHTLY USED BOBTAIL TRUCK – PRECINCT #4**

Comm. Thompson, seconded by Comm. Mc Fall, made a motion to award **RFB #2004-33** to Westway Ford, Garland, Texas for \$38,244.00 for one new or slightly used bobtail truck for Precinct #4.

All voted aye, motion carried.

- d. **RFB #2004-34-SALE OF 1979 CASE LOADER – PRECINCT #3**

No bids.

11. CONSIDERATION TO RESCIND 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. Mc Fall, made a motion not to rescind **RFB #2004-30** for an asphalt distributor awarded to Bane Machinery of Fort Worth.

All voted aye, motion carried.

VIII. UNFINISHED BUSINESS

1. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS, AND CONTRACTS WITH MAGEE ARCHITECTS

- a. GUINN JUSTICE CENTER
(1) Order of Spare Hardware for ISS Department
- b. JOHNSON COUNTY CORRECTION REMODELING POD II
- c. JOHNSON COUNTY JAIL EXPANSION POD III

Comm. Matthews, seconded by Comm. Mc Fall, made a motion to approve the order of spare hardware for the ISS Department for the Guinn

Justice Center and also moved that no change orders related to the ISS Department be accepted after September 13, 2004. Also, the motion was made to approve Lyons Construction for dirt removal at the Johnson County Jail expansion in the amount of \$221,160.00

All voted aye, motion carried.

The Commissioner's Court recessed at 10:30 a.m. and reconvened at 10:55 a.m. to consider the following:

VIII. UNFINISHED BUSINESS

4. CONSIDERATION OF REVISED CONTRACTUAL AGREEMENT FOR RIGHT OF WAY PROCUREMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION ON STATE HIGHWAY 121

Comm. Mc Fall, seconded by Comm. Matthews, made a motion to approve the revised contractual agreement for right of way procurement with the Texas Department of Transportation on State Highway 121 and to give the County Judge authorization to sign the agreement.

All voted aye, motion carried.

5. CONSIDERATION OF CONTRACT WITH iSECURETRAC CORPORATION FOR ELECTRONIC MONITORING WITH GPS LEG MONITORS

Comm. Mc Fall, seconded by Comm. Thompson, made a motion to approve the contract with iSecuretrac Corporation for electronic monitoring with GPS leg monitors and to give the County Judge authorization to sign the contract.

All voted aye, motion carried.

IX. NEW BUSINESS

10. CONSIDERATION OF ADDITIONAL COST FOR CONTRACTUAL AGREEMENT WITH CAREFLITE

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

All voted aye, motion carried.

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSAL

No action.

2. CONSIDERATION TO SET TERMS OF COURT FOR 2004-2005

Comm. Carpenter, seconded by Comm. Matthews, made a motion to accept the terms for Commissioner's Court 2004-2005 as submitted by the County Judge's office.

All voted aye, motion carried.

3. CONSIDERATION OF INTERLOCAL AGREEMENT BETWEEN JOHNSON COUNTY AND NCTCOG FOR 911 SERVICE, EQUIPMENT AND ADDRESSING MAINTENANCE

Comm. Matthews, seconded by Comm. Mc Fall, made a motion to approve the interlocal agreement between Johnson County and NCTCOG for 911 service, equipment and addressing maintenance and to give the County Judge authorization to sign the agreement.

All voted aye, motion carried.

4. CONSIDERATION OF HIRING WELDON DON BAKER AS NEW BURLESON ASAP DEPUTY CONSTABLE-CONSTABLE PRECINCT #2

Comm. Matthews, seconded by Comm. Mc Fall, made a motion to approve the hiring of Weldon Don Baker as the New Burleson ASAP Deputy Constable for Precinct #2.

All voted aye, motion carried.

5. CONSIDERATION OF INTERLOCAL AGREEMENT WITH JOSHUA INDEPENDENT SCHOOL DISTRICT FOR ASAP AND SRO OFFICERS-SHERIFF'S OFFICE

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve the interlocal agreement with Joshua Independent School District for ASAP and SRO Officers from the Sheriff's Office, giving the Judge Roger Harmon, and Sheriff Bob Alford authorization to sign and for the County Judge to sign the grant.

All voted aye, motion carried.

6. CONSIDERATION OF RENEWAL OF TOBACCO COMPLIANCE GRANT-SHERIFF'S OFFICE

Comm. Mc Fall, seconded by Comm. Thompson, made a motion to approve the renewal of the Tobacco Compliance Grant for the Sheriff's Office.

All voted aye, motion carried.

8. CONSIDERATION OF INTERLOCAL AGREEMENT FOR THE PAVING OF COLLEGE STREET AND PARKING LOT ON BUFFALO AVENUE WITH THE CITY OF CLEBURNE-PRECINCT #1

Comm. Mc Fall, seconded by Comm. Matthews, made a motion to approve the interlocal agreement with the City of Cleburne for the paving of College Street and parking lot on Buffalo Avenue.

All voted aye, motion carried.

9. CONSIDERATION OF APPLICATION FOR EMERGENCY MANAGEMENT PERFORMANCE GRANT

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the application for the Emergency Management Performance Grant and to give the County Judge authorization to sign.

All voted aye, motion carried.

12. CONSIDERATION OF TAX ABATEMENT POLICY IN JOHNSON COUNTY

No action.

11. CONSIDERATION OF SERVER UPGRADE FOR WEBSITE-ISS DEPARTMENT

Discussion. No action.

X. CONSENT AGENDA

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the Consent Agenda as presented.

All voted aye, motion carried.

The Commissioner's Court recessed at 11:57 a.m. and reconvened at 1:11 p.m. with all members present except for Comm. R.C. Mc Fall.

The Commissioner's Court went immediately into Workshop Session at 1:11 p.m. for a presentation by Capital Group on mineral revenue pertaining to tax appraisals of gas wells. Comm. R.C. Mc Fall entered the meeting at 1:50 p.m. and Comm. John Matthews exited the meeting at 2:20 p.m.

The Commissioner's Court recessed at 2:25 p.m. and reconvened back into Workshop Session at 2:52 p.m. to discuss court arraignments, over weight trucks and the salary of the Child Advocacy Center Investigator for the Sheriff's Office.

BE IT KNOWN that the Commissioner's Court met in Executive Session at 3:40 p.m. pursuant to Government Code *Section 551.074*-Personnel-Public Works-H.D. Peters and Adult Probation-Frank L. Viemann. The Commissioner's Court reconvened into Open Session at 4:05 p.m. to consider the following:

XII. EXECUTIVE SESSION

1. GOVERNMENT CODE

a. Sec. 551.074-Personnel-

(1) Public Works-H.D. Peters

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve a lateral move of H.D. Peters to the job of inspector at a salary of \$32,320 with no travel and a new hire for building superintendent position at the salary of \$27,136 that is already budgeted.

All voted aye, motion carried.

(2) Adult Probation-Frank L. Viemann

Comm. Mc Fall, seconded by Comm. Thompson, made a motion to hire Frank L. Viemann as an interpreter for the Courts at a negotiated salary not to exceed \$28,000.

All voted aye, motion carried.

IX. NEW BUSINESS

7. CONSIDERATION OF SALARY OF CHILD ADVOCACY CENTER (CAC) INVESTIGATOR-SHERIFF'S OFFICE

No action.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 4:10 p.m. on the same date.

Submitted by: _____
Curtis H. Douglas
County Clerk

Approved by: _____
Roger Harmon
County Judge