

STATE OF TEXAS

OCTOBER 11, 2004

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 11th day of October, 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 R.C. Mc Fall, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on October 7, 2004 at 8:57 A.M., and addendum filed for record on October 7, 2004 at 1:22 P.M. were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF CURRICULUM 2000 AWARD TO COMMISSIONER MARK C. CARPENTER

County Judge Roger Harmon presented the Curriculum 2000 Award to Commissioner Mark C. Carpenter.

2. PRESENTATION OF LENGTH OF SERVICE AWARDS

15 Years

Carolyn Duncan
Artrie Ray Allen
Toni Y. Prine

Department Head/Department
Curtis Douglas – County Clerk
David Lloyd – District Clerk
Sheriff Bob Alford – Sheriff's Dept.

10 Years

Robert E. Barnes
Beverly J. Davis
Virginia M. Proctor

Toby Ross – Community Supervision and Corrections
Toby Ross – Community Supervision and Corrections
Sheriff Bob Alford – Sheriff's Dept.

5 Years

Bill G. Catoire
Edward C. Hyder

Sheriff Bob Alford – Sheriff's Dept.
Sheriff Bob Alford – Sheriff's Dept.

Roberta A. Moore Sheriff Bob Alford – Sheriff’s Dept.
Jackie R. Morton Matt Wyle, Adam Crawford, Bryan Warren, Gary
 Braly – Constable’s Office
Charlotte A. Gorman Johnson County Extension Office

3. PROCLAMATION FOR “HOME CARE MONTH” IN JOHNSON COUNTY

The Commissioners Court proclaimed the month of November as Home Care Month in Johnson County.

4. PRESENTATION ON OMNI PROGRAM – CONSTABLE PRECINT #1

Constable Matt Wylie gave a presentation on the progress of the Omni Program after its first year.

V. PUBLIC PARTICIPATION

None.

VI. PUBLIC HEARING

1. CLOSURE OF A COUNTY ROAD APPROXIMATELY 69 FEET WIDE AND 728 FEET LONG WHICH CONNECTS COUNTY ROAD 405 TO INTERSTATE HIGHWAY 35 W – PRECINCT #4

The Commissioner’s Court opened the Public Hearing at 9:35 a.m. Bobby Lee Buckley spoke in protest to the closing of the County Road and Joe Tackett spoke in support and as petitioner of the County Road closing. There being no more comments on the road closing the Commissioner’s Court closed the Public Hearing at 10:05 a.m.

IX. NEW BUSINESS

2. CONSIDERATION OF RESOLUTION AUTHORIZING THE SUBMISSION OF A 2005-2006 TEXAS COMMUNITY DEVELOPMENT PROGRAM APPLICATION AND AUTHORIZING THE COUNTY JUDGE TO ACT AS EXECUTIVE OFFICER

Comm. Carpenter, seconded by Comm. Matthews, made a motion to approve the resolution authorizing the submission of a 2005-2006 Texas Community Development Program application and authorizing the County Judge to act as the Executive Officer and to sign any related documents.

Comm. Mc Fall, Comm. Matthews, Comm. Carpenter voted aye, Comm. Thompson abstained; motion carried.

The Commissioners Court took recess at 10:20 a.m. and reconvened at 10:40 a.m. to consider the following:

IX. NEW BUSINESS

4. CONSIDERATION OF ALLOWING ADULT PROBATION TO USE SPACE AT THE BURLESON SUB-COURTHOUSE

Discussion. Passed until estimates are received.

VII. PRECEDING BUSINESS

1. CONSIDERATION OF ORDER #2004-09 TO CLOSE A COUNTY ROAD APPROXIMATELY 69 FEET WIDE AND 728 FEET LONG WHICH CONNECTS COUNTY ROAD 405 TO INTERSTATE HIGHWAY 35 W – PRECINCT #4

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

All voted aye; motion carried.

2. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT

- a. September 13, 2004 – Regular Session
- b. September 20, 2004 – Special Session
- c. September 27, 2004 – Regular Session

Comm. Carpenter, seconded by Comm. Mc Fall, made a motion to approve the minutes of the Commissioner's Court for September 13, 2004, September 20, 2004 and September 27, 2004 as presented by the County Clerk.

All voted aye; motion carried.

3. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO LOCAL GOVERNMENT CODE 111.0106-CONSTABLE PRECINCT #2, ASAP-BURLESON

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve the budget amendment in the amount of \$4,279.00 for the Burleson ASAP program in the Constable's office of Precinct #2.

All voted aye; motion carried.

4. CONSIDERATION TO PAY BILLS WITHOUT PURCHASE ORDER NUMBERS:

- a. Absolute Fire Protection – Invoice #30721
- b. Absolute Fire Protection – Invoice #30754
- c. Texas Hotel and Restaurant Equipment – Invoice #27532
- d. Sound Concepts – Invoice #7094
- e. Burleson Septic Cleaning – Invoice #26242
- f. Danka – Invoice #702025460

Comm. Mc Fall, seconded by Comm. Thompson, made a motion to pay the above listed invoices without purchase order numbers.

All voted aye; motion carried.

5. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Thompson, seconded by Comm. Matthews made a motion to pay the bills as presented by the County Auditor with the addition of an invoice from Roger Williams Mint in the amount of \$563.00 and an invoice from Character First in the amount of \$310.69.

All voted aye; motion carried.

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

The Commissioner's Court acknowledged receipt of the County

Auditors reports.

7. CONSIDERATION OF NON-CONFORMING USE TO EXPAND HOME INTO THE EXISTING BUILDING SET BACK EASEMENT- RANCHETTE ESTATES, LOT 9, BLOCK 2 – PRECINCT #3

This item was tabled.

VIII. UNFINISHED BUSINESS

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

a. GUINN JUSTICE CENTER

1. Cancellation of Change Order #2 to Inter-Tel for 40 Additional Phones

Comm. Thompson, seconded by Comm. Matthews, made a motion to cancel change order #2 to Inter-Tel for 40 additional phones.

All voted aye; motion carried.

2. Approving Change Order #3 for 40 Additional Phones and Hardware

Comm. Thompson, seconded by Comm. Carpenter made a motion to approve change order #3 for 40 additional phones and hardware opting to utilize schedule 1A in the amount of \$16,097.35.

All voted aye; motion carried.

3. Set Dates for Open House

4. Set Dates for Move from the Courthouse to the Guinn Justice Center

Comm. Carpenter, seconded by Comm. Matthews, made a motion to set the date for the Open House as Monday, November 1, 2004 from 6pm – 9pm and to set the move-in dates for November 4th – 7th.

All voted aye; motion carried.

- b. Johnson County Correction Remodeling Pod II
- c. Johnson County Jail Expansion Pod III

Discussion. No action taken.

- 2. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS, AND CONTRACT WITH ARCHITEXAS FOR RESTORATION OF THE JOHNSON COUNTY COURTHOUSE

Discussion. No action taken.

- 3. CONSIDERATION OF GRANT AWARD FROM THE CRIMINAL JUSTICE DIVISION FOR PROJECT “TEEN COURT/COMMUNITY SERVICE” – JUVENILE PROBATION

Comm. Mc Fall, seconded by Comm. Carpenter, made a motion to approve the grant award from the Criminal Justice Division for Project “Teen Court/Community Service” for the Juvenile Probation department and to give Roger Harmon, County Judge, Lisa Tomlinson, Juvenile Probation Director and J.R. “Kirk” Kirkpatrick, Jr. County Auditor authorization to sign.

All voted aye; motion carried.

- 5. CONSIDERATION OF CONTRACT FOR PRE ADJUDICATION DETENTION WITH HUNT COUNTY

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the contract for pre adjudication detention with Hunt County giving the County Judge authorization to sign the contract.

All voted aye; motion carried.

6. CONSIDERATION OF CONTRACT FOR COUNSELING AND PSYCHOLOGICAL SERVICES

- a. Linda Baley
- b. Paul Cuppett
- c. Philip Davis

Comm. Mc Fall, seconded by Comm. Thompson, made a motion to approve the contracts for counseling and psychological services with Linda Baley, Paul Cuppett and Philip Davis, giving Roger Harmon, County Judge and Lisa Tomlinson, Juvenile Probation Director, authorization to sign the contracts.

All voted aye; motion carried.

4. CONSIDERATION OF PERMITS TO DAWSON GEOPHYSICAL COMPANY FOR GEOPHYSICAL SURVEYING – PRECINCT #1

Comm. Mc Fall, seconded by Comm. Matthews, made a motion to approve the permits to Dawson Geophysical Company for geophysical surveying in Precinct #1.

All voted aye; motion carried.

7. CONSIDERATION OF RE-NEGOATION OF CONTRACT WITH CAREFLITE FOR GROUND AMBULANCE SERVICE IN JOHNSON COUNTY

Comm. Thompson, seconded by Comm. Mc Fall, made a motion to give Careflite an additional \$75,000.00 making the County's total contribution \$150,000.00. The amount will be paid in two installments, \$75,000.00 now and \$75,000.00 in March.

All voted aye; motion carried.

The Commissioner's Court took recess at 12:00 p.m. and reconvened at 1:05 p.m. and went directly into workshop session to discuss options presented by SBC for metro lines at the Guinn Justice Center, inter-local agreements with the cities in Johnson County for platting authority, and the road district in Precinct #3.

The Commissioners Court took recess at 2:40 p.m. and reconvened at 2:53 p.m. to consider the following:

IX. NEW BUSINESS

4. CONSIDERATION OF ALLOWING ADULT PROBATION TO USE SPACE AT THE BURLESON SUB-COURTHOUSE

Discussion.

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Mc Fall, seconded by Comm. Matthews, made a motion to go out for bids for shelving for the Guinn Building, a 1 ton crew cab diesel truck for Precinct #3 and a 2003 server migration for ISS.

All voted aye; motion carried.

3. CONSIDERATION TO NAME A PRIVATE ROAD WHICH CONNECTS TO COUNTY ROAD 525 AS COYOTE CREEK RANCH ROAD – PRECINCT #3

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

All voted aye; motion carried.

4. CONSIDERATION OF ALLOWING ADULT PROBATION TO USE SPACE AT THE BURLESON SUB-COURTHOUSE

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

All voted aye; motion carried.

5. CONSIDERATION OF RE-OCCURRING EXPENSE FOR A MOBILE PHONE FOR FRANK VIELMANN WITH ADULT PROBATION

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the re-occurring expense for a mobile phone for Frank Vielmann with Adult Probation

All voted aye; motion carried.

6. CONSIDERATION OF UPDATING MARKET SQUARE REGULATIONS

Comm. Thompson, seconded by Comm. Mc Fall, made a motion to change the number of rental stalls from a maximum of 3 to a maximum of 5 and also allow the renters to leave their trailers.

All voted aye; motion carried.

7. CONSIDERATION OF RESOLUTION SUPPORTING DEFENSE OF MARRIAGE ACT

Comm. Mc Fall, seconded by Comm. Matthews, made a motion to approve the resolution supporting Defense of the Marriage Act.

All voted aye; motion carried.

8. CONSIDERATION OF **ORDER #2004-08-FIREARMS AND HANDGUNS IN THE GUINN JUSTICE CENTER**

Comm. Mc Fall, seconded by Comm. Thompson, made a motion to approve Order #2004-08 prohibiting firearms and handguns in the Guinn Justice Center.

All voted aye; motion carried.

9. CONSIDERATION OF ROAD DISTRICT IN PRECINCT #3:

- a. Resolution for Public Hearing
- b. Petition for Creation
- c. Draft Developers Agreement

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the Resolution for a Public Hearing on October 25, 2004 to create the Johnson County Road District No. 1 in Precinct #3.

All voted aye; motion carried.

10. CONSIDERATION OF NAME TAGS FOR ALL JOHNSON COUNTY EMPLOYEES

Comm. Mc Fall, seconded by Comm. Thompson, made a motion to approve name tags for all Johnson County Employees.

All voted aye; motion carried.

11. CONSIDERATION OF OPTIONS PRESENTED BY SBC FOR METRO LINES AT GUINN JUSTICE CENTER

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

All voted aye; motion

12. CONSIDERATION OF HIRING A PART TIME OR TEMPORARY PERSONNEL DURING IMPLEMENTATION OF NEW SOFTWARE AND DURING FMLA ABSENCE OF OTHER EMPLOYEE

Comm. Matthews, seconded by Comm. Thompson, made a motion to approve the hiring of a part time or temporary personnel during implementation of new software and during FMLA absence of other employees for one period of 8 weeks and one period of 16 weeks for a total of 24 weeks in an amount not to exceed \$7,234.00, effective immediately for the Auditors office, Purchasing Department and Human Resources.

All voted aye; motion carried.

13. CONSIDERATION OF BUDGET TRANSFERS ASSOCIATED WITH HIRING A PART TIME OR TEMPORARY PERSONNEL DURING IMPLEMENTATION OF NEW SOFTWARE AND DURING FMLA ABSENCE OF OTHER EMPLOYEE

Comm. Matthews, seconded by Comm. Thompson, made a motion to approve the budget transfers associated with hiring a part time or temporary personnel during implementation of new software and during FMLA absence of other employee.

All voted aye; motion carried.

CONSENT AGENDA

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

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner’s Court adjourned at 3:55 p.m. on the same date.

Submitted by: _____
Curtis H. Douglas
County Clerk

Approved by: _____
Roger Harmon
County Judge