

STATE OF TEXAS

MARCH 14, 2005

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 14th day of March, 2005, 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 9:03 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 March 10th, 2005 at 10:10 A.M. were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. CONSIDERATION OF COUNTY EXTENSION AGENT FOR FAMILY AND CONSUMER SCIENCE EMPLOYMENT

Comm. Carpenter, seconded by Comm. Matthews, made a motion to approve Brooke Fowler as the County Extension Agent for Family and Consumer Science.

All voted aye; motion carried.

2. PRESENTATION OF PLAQUE TO JAKE ROHR, COMMUNITY SUPERVISION DIRECTOR, BY THE EAST CLEBURNE COMMUNITY CENTER

Jake Rohr was presented a plaque for his work as the Community Supervision Director by the East Cleburne Community Center.

3. PRESENTATION OF NEW POLICY ON ACCESS MANAGEMENT BY THE TEXAS DEPARTMENT OF TRANSPORTATION – RONALD JOE ROBINSON, AREA ENGINEER

Ronald Joe Robinson, Area Engineer for the Texas Department of Transportation was present to present the new policy on access management by the Texas Department of Transportation.

4. PRESENTATION OF THE CERTIFICATE AND AWARD OF FINANCIAL REPORTING ACHIEVEMENT FOR EXCELLENCE – COUNTY AUDITOR

The County Judge presented the Certificate and Award of Financial Reporting Achievement for Excellence to Kirk Kirkpatrick, County Auditor.

5. PROCLAMATION FOR “POISON PREVENTION WEEK, MARCH 20 – 26, 2005 IN JOHNSON COUNTY”

The Commissioners’ Court proclaimed the week of March 20 – 26, 2005 “Poison Prevention Week” in Johnson County.

6. PRESENTATION BY RUSSELL MOORE, VETERANS SERVICE OFFICER

Russell Moore, Veterans Service Officer, presented the progress of the Veterans Service Office to the Commissioners’ Court.

V. PUBLIC PARTICIPATION

Comm. McFall addressed the Court on the Nolan River Rd. & Kilpatrick Road project. He applauded the teamwork effort that caused the project to come in under budget and presented a check to the County for \$22,752.43.

VI. PRECEDING BUSINESS

1. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT:

a. FEBRUARY 28, 2005 – REGULAR MEETING

Comm. Thompson, seconded by Comm. McFall, made a motion to approve the minutes of the Commissioners' Court for February 28, 2005 as presented by the County Clerk.

All voted aye; motion carried.

2. CONSIDERATION OF BUDGET AMENDMENT PURUSANT TO SECTION 111.0106 OF THE LOCAL GOVERNMENT CODE: SHERIFF'S DEPARTMENT, GRANT FUNDS

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the budget amendment pursuant to Section 111.0106 of the Local Government Code in the amount of \$42,664.00 which is a State Homeland Security grant that will provide in-car computers for the Sheriff's Office.

All voted aye; motion carried.

3. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Matthews, seconded by Comm. Thompson, made a motion to pay the bills as presented by the County Auditor.

All voted aye; motion carried.

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

The Commissioners' Court acknowledge the receipt of the County Auditors reports.

VII. UNFINISHED BUSINESS

4. CONSIDERATION OF PROPOSAL, CONTRACT AND RESOLUTION FOR THE COLLECTION OF COURT FEES AND FINES

Comm. McFall, seconded by Comm. Thompson, made a motion to approve the contract with Perdue, Brandon, Fielder, Collins & Mott L.L.P. and resolution

for the collection of court fees and fines effective April 1, 2005 and give the County Judge authority to sign.

All voted aye; motion carried.

3. ACKNOWLEDGEMENT OF RECEIPT OF THE TIER 1 AND TIER 2 RACIAL PROFILING STATISTICS FOR 2004 WITH FILE MARK OF FEBRUARY 28, 2005:
 - a. JOHNSON COUNTY SHERIFF'S OFFICE
 - b. CONSTABLE PRECINCT #4

The Commissioners' Court acknowledged the receipt of the Tier 1 and Tier 2 racial profiling statistics for 2004 with the file mark of February 28, 2005 from the Johnson County Sheriff's Office and from the Constable of Precinct #4.

All voted aye; motion carried.

VI. PRECEDING BUSINESS

5. CONSIDERATION OF PLAT OF **TBD ACRES** – LOTS 1-3, BLOCK 1 – PRECINCT #4

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the plat for TBD Acres Lots 1-3, Block 1 in Precinct #4.

All voted aye; motion carried.

6. AWARD OF BIDS:
 - a. **RFB #2005 –18 – TRACTOR – PRECINCT #4**

Comm. Thompson, seconded by Comm. McFall, made a motion to approve the bid from Hill Country Implement for two (2) tractors in the amount of \$20,971 each.

All voted aye; motion carried.

- b. **RFB #2005-19- SALE OF DUMP TRUCK – PRECINCT #2**

Comm. Matthews, seconded by Comm. Thompson, made a motion to award the sale of a dump truck from Precinct #2 to David Bartlett Homes in the amount of \$1,267.84.

All voted aye; motion carried.

The Commissioners' Court recessed at 10:12 a.m. and reconvened at 10:35 a.m. to consider the following:

VIII. NEW BUSINESS

13. CONSIDERATION OF REQUEST OF CALLER ID – INDIGENT HEALTH CARE

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the request of caller ID for Indigent Health Care at a cost of \$8.25 per month.

All voted aye; motion carried.

14. CONSIDERATION OF REQUEST FOR SECURITY WINDOW – INDIGENT HEALTH CARE

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the request for a security window for Indigent Health Care.

All voted aye; motion carried.

1. CONSIDERATION TO ADVERTISE FOR BIDS AND PROPOSALS

No bids.

2. CONSIDERATION OF ALLOCATION OF RAP (RECYCLED ASPHALT PAVEMENT) MATERIAL FOR JOHNSON COUNTY UNDER THE TEXAS DEPARTMENT OF TRANSPORTATION COUNTY ASSISTANCE PROGRAM FOR FY 2005 IN THE AMOUNT OF \$105,075.

Comm. McFall, seconded by Comm. Matthews, made a motion to accept the material for Johnson County under the Texas Department of Transportation

County Assistance Program for FY 2005 in the amount of \$105,075 and to give the County Judge authorization to sign.

All voted aye; motion carried.

3. CONSIDERATION OF REQUEST TO USE COUNTY OWNED PARKING LOTS IN DOWNTOWN CLEBURNE FOR SPRINGFEST

Comm. Thompson, seconded by Comm. McFall, made a motion to approve the request to use County owned parking lots in downtown Cleburne for Springfest provided that Johnson County is put on the liability insurance as an insured party and that overflow parking is provided. The County owned parking lots are to be vacated by Monday morning at 7:00 a.m.

All voted aye; motion carried.

4. CONSIDERATION OF INTERJURISDICTIONAL MUTUAL AGREEMENTS BETWEEN JOHNSON COUNTY AND SOMERVELL COUNTY

Comm. McFall, seconded by Comm. Thompson, made a motion to approve the interjurisdictional mutual agreements between Johnson County and Somervell County and to give the County Judge authorization to sign.

All voted aye; motion carried.

5. CONSIDERATION FOR NEGOTIATION AND ACQUISITION OF RIGHT OF WAY ON COUNTY ROAD 600 UNDER THE FEDERAL BRIDGE REPLACEMENT PROGRAM – PRECINCT #3

Comm. Carpenter, seconded by Comm. McFall, made a motion to give Commissioner Carpenter, of Precinct #3, authority to negotiate and acquire right of way on County Road 600 under the Federal Bridge Replacement Program in Precinct #3.

All voted aye; motion carried.

6. CONSIDERATION TO HIRE JIM DANIELS AND ASSOCIATES TO RENDER PROFESSIONAL SERVICES WITH RESPECT TO NEGOTIATION OF LAND ACQUISITION, ASSIST IN COMPLIANCE WITH TAKINGS ACT REQUIREMENTS, AND TO EVALUATE CLAIMS FOR COMPENSATION RELATED TO THE ACQUISITION OF RIGHT OF WAY FOR THE REPLACEMENT OF THE WALNUT CREEK BRIDGE ON COUNTY ROAD 600 UNDER THE FEDERAL BRIDGE REPLACEMENT PROGRAM – PRECINCT #3

Comm. Carpenter, seconded by Comm. McFall, made a motion to give Commissioner Carpenter, of Precinct #3 authority to negotiate and hire Jim Daniels and Associates to render professional services with respect to negotiation of land acquisition, assist in compliance with the Takings Act requirements, and to evaluate claims for compensation related to the acquisition of a right of way for the replacement of the Walnut Creek Bridge on County Road 600 under the Federal Bridge Replacement Program in Precinct #3 and to give the County Judge authorization to sign the agreement not to exceed \$9,900.

All voted aye; motion carried.

7. CONSIDERATION OF PLACEMENT OF NEWSPAPER RACKS AT GUINN JUSTICE CENTER

Comm. Thompson, seconded by Comm. McFall, made a motion to approve the placement of newspaper racks at the Guinn Justice Center.

All voted aye; motion carried.

8. CONSIDERATION OF PLACEMENT OF PAY PHONE AT GUINN JUSTICE CENTER

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

All voted aye; motion carried.

9. CONSIDERATION OF SERVICE MAINTENANCE AGREEMENT
WITH BUSINESS IMAGING SYSTEMS FOR CANON DR5060F
SCANNER/FILMER – COUNTY CLERK

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the service maintenance agreement with Business Imaging Systems for a Canon DR5060F Scanner/Filmer for the County Clerk and give the County Judge and Curtis Douglas, County Clerk authorization to sign the agreement.

All voted aye; motion carried.

10. CONSIDERATION OF OFFICAL BOND AND OATH FOR
PURCHASING AGENT

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the official bond and oath for the Purchasing Agent.

All voted aye; motion carried.

12. CONSIDERATION OF PROPOSAL/CONTRACT FOR WEBSITE
WITH SAGENTIC – COUNTY CLERK

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

All voted aye; motion carried.

15. CONSIDERATION OF RE-OCCURRING EXPENSE FOR PHONE
CARD FOR ASAP OFFICER’S LAPTOP IN ORDER TO ACESS THE
MOBILE DATA TERMINAL (MDT) LINE – CONSTABLE PRECINCT
#1

Comm. McFall, seconded by Comm. Thompson, made a motion to approve the re-occurring expense of \$49.00 a month for a phone card for the ASAP Officer’s laptop in order to access the Mobile Data Terminal (MDT) line for the Constable of Precinct #1.

All voted aye; motion carried.

IX. CONSENT AGENDA

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

All voted aye; motion carried.

The Commissioners' Court went into workshop session at 11:39 a.m. to discuss the records management storage facility for Johnson County and setting a date to finish the move from the Courthouse.

BE IT KNOWN that the Commissioner's Court met in Executive Session at 11:49 a.m. pursuant to Government Code *Section 551.071*-Consultation with Attorney: Contemplated Litigation. The Commissioners' Court reconvened into open session at 12:02 p.m. to consider the following:

XI. EXECUTIVE SESSION

1. GOVERNMENT CODE:

a. *Sec. 551.071 – Consultation with Attorney – Contemplated Litigation*

Comm. Carpenter, seconded by Comm. Matthews, made a motion to take no action on the contemplated litigation discussed in Executive Session.

All voted aye; motion carried.

The Commissioners' Court recessed at 12:05 p.m. and reconvened at 4:00 p.m. in workshop session with the Johnson County Economic Development Board to discuss long range plans for the Johnson County Economic Development Board.

The Commissioners' Court recessed at 5:10 p.m. to reconvene at 9:00 a.m. on Tuesday, March 15, 2005.

BE IT KNOWN that the Commissioner's Court reconvened on Tuesday, March 15, 2005 at 9:00 a.m. with all members present. The Commissioners' Court went into Executive Session at 9:00 a.m. pursuant to Government Code Section 551.074 – Personnel – Interviews for Public Works Director. The Commissioners' reconvened into open session at 3:33 p.m. with no action being taken.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 3:34 p.m. on Tuesday, March 15, 2005.

Submitted by: _____
Curtis H. Douglas
County Clerk

Approved by: _____
Roger Harmon
County Judge