

STATE OF TEXAS

March 27, 2006

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 27th day of March 2006, the Honorable Commissioner's Court of Johnson County, Texas, met in regular session at the Guinn Justice Center 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 except Commissioner John Matthews and following the Invocation led by County Attorney, Bill Moore 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 23, 2006 at 1:05 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

Comm. Thompson thanked everyone for the support during his grandmother's funeral.

1. Proclamation for "Sexual Assault Awareness and Prevention Month"

Commissioner's Court proclaimed the month of April 2006 as "Sexual Assault and Prevention Month".

2. Proclamation for "Child Abuse Prevention Month"

Commissioner's Court proclaimed the month of April 2006 as "Child Abuse Prevention Month".

3. Proclamation for "National Public Health Week"

Commissioner's Court proclaimed the week of April 3-9, 2006 as "National Public Health Week".

4. Proclamation for “Antique Alley and Yard Sale Weekends”

Commissioner’s Court proclaimed the week of April 21-23 and September 15-17, 2006 as “Antique Alley and Yard Sale Weekends”.

5. Recognition of Financial Impact Volunteers for the Extension Office Have Within Johnson County

Passed. No action

V. PUBLIC PARTICIPATION

Sheriff, Bob Alford thanked everyone for the help and support during the search for a missing child, Anthony Turner, who was found drowned.

VI. PRECEDING BUSINESS

1. CONSIDERATION OF REQUEST TO PAY BILLS

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

All voted aye; motion carried.

2. ACKNOWLEDGMENT OF RECEIPT OF THE COUNTY AUDITORS REPORTS TO THE COMMISSIONERS COURT

The Commissioner’s Court acknowledged the receipt of the County Auditor’s reports.

3. CONSIDERATION OF FINAL PLATS:

a. **Godley Substation Addition-Lot 1, Block 1-Precinct #1**

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the Final Plat of **Godley Substation Addition**, Lot 1, Block 1 in Precinct #1.

All voted aye. Motion carried.

- b. **Dillion Creek-Phase II, Lots 1-84, Block A and Lots 1-45, Block B-Precinct #2**

Comm. Thompson, seconded by Comm. McFall, made a motion to approve the Final Plat of **Dillion Creek**, Phase II, Lots 1-84, Block A and Lots 1-45, Block B in Precinct #2.

All voted aye; motion carried.

- c. **The Retreat-Phase V, Lots 33-42, Block 38; Lots 1-64, Block 46; Lots 1-13, Block 47; Lots 1-6, Block 48; Lots 1-6, Block 49; Lots 1-57, Block 50-Precinct #1**

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the Final Plat of **The Retreat**, Phase V, Lots 33-42, Block 38; Lots 1-64, Block 46; Lots 1-13, Block 47; Lots 1-6, Block 48; Lots 1-6, Block 49; Lots 1-57, Block 50 in Precinct #1.

All voted aye; motion carried.

4. **CONSIDERATION TO PURCHASE APPROVED INTEROPERABILITY COMMUNICATIONS EQUIPMENT FROM THE HGAC INTERLOCAL AGREEMENT FOR EMERGENCY PLANNING THROUGH A STATE GRANT**

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the purchase of the Interoperability Communications Equipment from the HGAC Interlocal Agreement for emergency planning through a State Grant.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

1. **CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS, AND CONTRACTS WITH MAGEE ARCHITECTS AND PETE DURANT AND ASSOCIATES FOR THE JOHNSON COUNTY CORRECTIONS REMODELING POD II AND THE EXPANSION POD III**

- a. Consideration of Easement and Right of Way to TXU Electric Delivery Company at the Law Enforcement Center

Comm. McFall, seconded by Comm. Thompson, made a motion to approve the Easement and Right of Way to TXU Electric Delivery Company at the Law Enforcement Center and to give the County Judge authorization to sign.

All voted aye; motion carried.

3. CONSIDERATION OF 2005 RACIAL PROFILING STATUS REPORTS:

- a. Constable Precinct #2-Adam Crawford

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve the racial profiling status reports for Precinct #2.

All voted aye; motion carried

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSAL

Comm. Thompson, seconded by Comm. Carpenter, made a motion to advertise for four dump beds for bob tail trucks and to go out for competitive bids for vehicle repair.

All voted aye; motion carried.

3. CONSIDERATION TO USE COUNTY PROPERTY BY THE DOWNTOWN CLEBURNE ASSOCIATION:

- a. Farmers Market for Antique Alley, April 21, 22 and 23, 2006
- b. Southside of Parking Lot Located on Mill Street (Behind Bill's Book Store) for Spring-Fests, April 28, 29 and 30, 2006

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the Farmers Market to be used for Antique Alley, April 21, 22 and 23, 2006 and the Southside of parking lot located on Mill Street for the use of Spring- Fests, April 28, 29 and 30, 2006.

All vote aye; motion carried.

4. CONSIDERATION OF OATH AND BOND AND DEPUTATION OF JACKIE MORTON AS DEPUTY CONSTABLE, PRECINCT #4

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

All voted aye; motion carried.

5. CONSIDERATION OF APPLICATION FOR 421 GRANT FUNDING FOR A MOBILE CRIME SCENE UNIT-SHERIFF'S OFFICE

Comm. Thompson, seconded by Comm. McFall, made a motion to approve the application for 421 Grant funding for a mobile crime scene unit for the Sheriff's office.

All voted aye; motion carried.

6. CONSIDERATION OF APPLICATION FOR GRANT FUNDING FOR A SCHOOL RESOURCE OFFICER FOR JOSHUA ISD-SHERIFF'S OFFICE

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the application for Grant funding for a school Resource Officer for Joshua ISD.

All voted aye; motion carried.

7. CONSIDERATION OF AGREEMENT FOR DETENTION OF JUVENILES FOR PRE-ADJUDICATION IN LIMESTONE COUNTY- JUVENILE PROBATION

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the agreement for detention of juveniles for pre-adjudication in Limestone County and to give the County Judge authorization to sign.

All voted aye; motion carried.

IX. CONSENT AGENDA

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

All voted aye; motion carried.

The Commissioner's Court recessed at 9:47 A.M. and reconvened at 10:16 A.M. to consider the following:

The Commissioner's Court went into Workshop Session at 10:18 A.M. to discuss the MHMR, Pecan Valley, and the guidelines and criteria for Tax Abatements in Johnson County.

The Commissioner's Court went back into Open Session at 10:51 A.M. to consider the following:

VII. UNFINISHED BUSINESS

1. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS, AND CONTRACTS WITH MAGEE ARCHITECTS AND PETE DURANT AND ASSOCIATES FOR THE JOHNSON COUNTY CORRECTIONS REMODELING POD II AND THE EXPANSION POD III
 - a. Consideration of Easement and Right of Way to TXU Electric Delivery Company at the Law Enforcement Center

Discussion.

The Commissioner's Court went into Workshop Session at 11:30 A.M. to discuss the Bank Depository and Sub-Bank Depository Contracts.

The Commissioner's Court went back into Open Session at 12:14 P.M. and went directly into Executive Session to consider the following:

BE IT KNOWN that Commissioner's Court met in Executive Session at 12:14 P.M in accordance with Government Code *Sec. 551.071* – Consultation with Attorney, Contemplated Litigation.

The Commissioner's Court recessed for lunch at 12:45 P.M. and reconvened at 1:49 P.M. to consider the following:

The Commissioner's Court closed Executive Session at 1:49 P.M. and immediately went into Workshop Session at to discuss the architectural design, specification, financial program requirements, and contracts for the restoration of Johnson County Courthouse, which includes PR #001, PR #003, PR #004, PR #005, abandoning the original storm system, movable partitions and additional service for County Clerk's programming revisions.

The Commissioner's Court went back into Open Session at 2:40 P.M. to consider the following:

VII. UNFINISHED BUSSINESS

2. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS, AND CONTRACTS FOR RESTORATION OF JOHNSON COUNTY COURTHOUSE

a. Consideration of Approximately 290 Lineal Feet Demountable/Movable Partitions for the Courthouse

Comm. Thompson, seconded by Carpenter, made a motion to deny this item and stay with the dry wall construction.

All voted aye; motion carried.

b. **PR #001-Linoleum for Flooring**

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve **PR #001**, for Linoleum flooring at an estimate cost of \$44,200.00.

All voted aye; motion carried.

c. **PR #003-Demolition of Steps in Bathroom**

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve **PR #003**, for the removal of steps from the bathroom of the old Courthouse, with a value cost of \$1,040.00

All voted aye; motion carried.

d. **PR #004-Transformer Revisions (Alternate No.5)* to be revised**

Comm. Thompson, seconded by Comm. McFall, made a motion to approve **PR #004**, to set transformer off site from Courthouse grounds, with a cost not to exceed \$30,000.00.

All voted aye; motion carried.

e. **PR #006-Chiller Revisions Southeast Corner* to be revised**

Comm. Thompson, seconded by Comm. McFall, made a motion to approve **PR #005**, to change the chiller to the roof on the southeast corner, with a saving of \$94,500.00.

All voted aye; motion carried.

f. **PR # -Abandoning the Original Storm System**

Comm. Thompson, seconded by Comm. Carpenter, made a motion to approve abandoning the original storm system with a saving of \$15,000.00.

All voted aye; motion carried.

g. Architexas' Additional Service Request for County Clerk's Programming Revisions

Comm. McFall, seconded by Comm. Thompson, made a motion to approve the additional architectural cost for the County Clerk's programming revisions and to pay any additional fee for the redrawing of the plans.

All voted aye.

VIII. NEW BUSINESS

2. CONSIDERATION TO ADVERTISE FOR PROPOSALS FOR SUB-BANK DEPOSITORY CONTRACT

Comm. McFall, seconded by Comm. Thompson, made a motion to approve to advertise for proposals for Sub-Bank Depository Contracts for the Tax Office only.

All voted aye; motion carried.

8. CONSIDERATION OF **COURT ORDER #2006-03** CONCERNING GUIDELINES AND CRITERIA FOR TAX ABATEMENTS IN JOHNSON COUNTY

Comm. Carpenter, seconded by Comm. Thompson, made a motion to approve the **Court Order #2006-03**, to adopt the same guidelines and criteria for Tax Abatements as previously adopted for Johnson County.

All voted aye; motion carried

9. CONSIDERATION OF AMENDMENT TO JOHNSON COUNTY BANK DEPOSITORY CONTRACT

Comm. Thompson, seconded by Comm. McFall, made a motion to approve the Amendment to the Johnson County Bank Depository Contract to read as follows: As to the first \$19,000,000.00 of Ledger balances, which includes both interest-bearing and non-interest bearing balances, BANK agrees to waive service fees and will

pay a variable rate of interest based on the 91 day Treasury Bill Discount Rate plus 25 basis points adjusted weekly on the day following the weekly Treasury Bill auction on the Average Ledger Balance of interest-bearing accounts for the month. As to ledger balances exceeding \$19,000,000.00, interest will be paid at a rate of interest equal to the 91-day Treasury Bill Discount Rate less one percent (1%) , to be paid on collected balances exceeding \$19,000,000.00 only. Uncollected balances in excess of \$19,000,000.00 will earn no interest. Any interest adjustment to be made based on the last business day of the month. This aggregate adjustment will be made to one or more accounts as directed by the County.

All voted aye; motion carried.

XI. EXECUTIVE SESSION

1. Government code:

a. Sec 551.071-Consultation with Attorney, Contemplated
Litigation-Sheriff's Office

Comm. Thompson, seconded by Comm. Carpenter, made a motion to allow the Court Attorney to respond to the notice of claim in regards to the contemplated litigation.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda,
Commissioner's Court adjourned at 2:50 P.M.

Submitted by _____
County Clerk
Curtis Douglas

Approved by _____
County Judge
Roger Harmon