

STATE OF TEXAS

MARCH 26, 2007

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on 26th day of March 2007, 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 9:06 A.M., with all members present, and following the Invocation led by Commissioner Beeson 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 22, 2007 at 1:09 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

None.

V. PUBLIC PARTICIPATION

1. Presentation of Proclamation for "Child Abuse Prevention Month"

Commissioner's Court proclaimed April 2007 as "Child Abuse Prevention Month".

2. Presentation of Plaque in Appreciation to Turkey Creek Landfill for Assistance Resulting from the Storm Damage on December 29, 2006

Commissioner's Court presented Larry Bressman of Itasca Landfill with a plaque in appreciation for the assistance resulting from the storm damage on December 29, 2006.

3. Presentation of Proclamation for "National Public Health Week"

Commissioner's Court proclaimed the week of April 2-8, 2007 as "National Public Health Week".

VI. PRECEDING BUSINESS

1. CONSIDERATION OF THE MINUTES FOR THE COMMISSIONER'S COURT:

- a. February 5, 2007-Special Session
- b. February 26, 2007-Regular Session
- c. February 28, 2007-Emergency Session
- d. March 5, 2007-Special Session

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve the Commissioner's Court Minutes for February 5, 2007, February 26, 2007, February 28, 2007 and March 5, 2007 as submitted by the County Clerk.

All voted aye; motion carried.

2. CONSIDERATION OF REQUEST TO PAY BILLS

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

All voted aye; motion carried.

3. ACKNOWLEDGMENT OF RECEIPT OF THE COUNTY AUDITORS REPORTS TO THE COMMISSIONER'S COURT

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

The Commissioner's Court convened into Workshop Session at 9:27 A.M. to discuss Johnson County leasing Ham Creek Park from the U.S. Army Corps of Engineers for Phases I, II and III as set forth in the Memorandum of Understanding.

The Court reconvened in Open Session at 9:41 A.M. to consider the following:

VIII. NEW BUSINESS

4. CONSIDERATION OF MEMORANDUM OF UNDERSTANDING WITH THE U.S. ARMY CORPS OF ENGINEERS

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Memorandum of Understanding with the U.S. Army Corps of Engineers.

All voted aye; motion carried.

5. CONSIDERATION TO APPROVE REQUEST FOR JOHNSON COUNTY TO LEASE HAM CREEK PARK FROM U.S. ARMY CORP OF ENGINEERS FOR PHASES I, II, AND III AS SET FORTH IN THE MEMORANDUM OF UNDERSTANDING

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the request for Johnson County to lease Ham Creek Park from U.S. Army Corp of Engineers for Phase I, II, and III as set forth in the Memorandum of Understanding.

All voted aye. Motion carried.

8. CONSIDERATION TO ASSIGN ROVER TO OFFICE OF JUSTICE OF THE PEACE, PRECINCT #1 FOR A MONTHS ASSISTANCE

Comm. McFall, seconded by Comm. Carpenter, made a motion to assign a rover to the office of Justice of the Peace, Precinct #1 for a month of assistance.

All voted aye; motion carried.

VI. PRECEDING BUSINESS

4. CONSIDERATION OF RE-PLAT OF **DRAGOO ADDITION**, TRACT 21 TO TRACTS 21, R-1 AND 21, R-2-PRECINCT #4

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve the re-plat of **Dragoo Addition**, Tract 21 to Tracts 21, R-1 and 21, R-2 in Precinct #4.

All voted aye; motion carried.

5. CONSIDERATION TO APPROVE EMERGENCY PURCHASE OF AIR CONDITIONER UNIT FOR JOHNSON COUNTY ANNEX-2nd FLOOR

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the emergency purchase of an air conditioner unit for the Johnson County Annex on the 2nd floor.

All voted aye; motion carried.

6. CONSIDERATION TO AWARD BIDS:

a. **RFB #2007-118-Road Materials**

Comm. Matthews, seconded by Comm. Carpenter, made a motion to award **RFB #2007-118** for Road Materials to all bidders.

All voted aye; motion carried.

b. **RFB #2007-119-Asphalt and Emulsified Asphalt**

Comm. Carpenter, seconded by Comm. McFall, made a motion to award **RFB #2007-119** for Asphalt and Emulsified Asphalt to all bidders.

All voted aye; motion carried.

7. CONSIDERATION TO RENEW **RFP 2006-21-VENDING MACHINES**

Comm. McFall, seconded by Comm. Matthews, made a motion to renew **RFP 2006-21**, for Vending Machines with Ben's Vending with no change in contract.

All voted aye; motion carried.

8. CONSIDERATION OF UNEXPECTED EXPENDITURE FOR A NEW POSTAGE MACHINE FOR THE CENTRALIZED MAILROOM DUE TO A RULING BY THE POSTMASTER

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve an unexpected expenditure for a new postage machine from Alternative Mailing

and Shipping Systems for the Centralized Mailroom due to a ruling by the Postmaster.

Craig Walshicheck, president of Alternative Mailing was present to inform the Court.

All voted aye; motion carried.

9. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO SECTION 111.010C OF THE LOCAL GOVERNMENT CODE TO PURCHASE NEW POSTAGE MACHINE

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Budget Amendment pursuant to *Section 111.010C* of the Local Government Code in the amount of \$19,688.00 to purchase a new postage machine.

All voted aye; motion carried.

The Commissioner's Court recessed at 10:48 A.M. and reconvened at 11:09 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

Discussion. No Action.

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

Discussion. No Action.

3. CONSIDERATION OF DONATION TRANSFERRING OWNERSHIP OF 409 NORTH BUFFALO STREET (KNOWN AS THE DOTY-FULLERTON HOUSE) TO THE JOHNSON COUNTY HISTORICAL COMMISSION

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the donation of transferring ownership of 409 North Buffalo Street (known as the Doty-Fullerton House) to the Johnson County Historical Commission.

All voted aye; motion carried.

4. CONSIDERATION TO ACKNOWLEDGE RECEIPT OF RACIAL PROFILING REPORTS FOR JOHNSON COUNTY BY:

- a. Constable Matt Wylie, Precinct #1
- b. Constable Adam Crawford, Precinct #2

The Commissioner's Court acknowledged receipt of the Racial Profiling Reports for Johnson County as presented by Constable Matt Wylie, Precinct #1 and Constable Adam Crawford, Precinct #2.

5. CONSIDERATION OF PROJECT START-UP FORMS FOR 2006 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT FUND AWARD-GRANT WORKS:

- a. Resolution Designating Authorized Signators
- b. Resolution Establishing Rules and Regulations Regarding the Use of Excessive Force During Non-Violent Civil Rights Demonstrations
- c. Appointment of Fair Housing/Equal Opportunity Standards Officer
- d. Appointment of Labor Standards Officer

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the project start-up forms for 2006 Texas Community Development Block Grant Fund Award with Grant Works. The forms are as follows: Resolution designation authorized singators, Resolution establishing rules and regulations regarding the use of excessive force during non-violent Civil Rights Demonstrations, Appointment of Fair Housing/Equal Opportunity Standards Officer and Appointment of Labor Standards Officer.

All voted aye; motion carried.

6. CONSIDERATION OF COMMISSIONER'S COURT APPROVAL FOR INTERLOCAL AGREEMENT PROJECTS WITH:

- a. City of Mansfield, Willow Bend Ct. -Precinct #3
- b. City of Cresson, Road Signs-Precinct #2
- c. City of Alvarado, Clean up on Lake Alvarado-Precinct #4
- d. Johnson County Public Safety Authority/Radio Pad Precinct #4

Comm. Carpenter, seconded by Comm. Matthews, made a motion to approve the following Interlocal Agreement Projects with City of Mansfield, Willow Bend Ct. Precinct #3, City of Cresson, Road Signs in Precinct #2, City of Alvarado, Clean up on Lake Alvarado in Precinct #4 and Johnson County Public Safety Authority/Radio Pad in Precinct #4.

All voted aye; motion carried.

7. CONSIDERATION OF TRANSFERRING BUDGET SURPLUS FOR SHERIFF FORFEITURE FUND FOR OFFICE SUPPLIES / DAILY PLANNER WORKBOOKS FOR SHERIFF'S OFFICE

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the transfer of Budget Surplus for the Sheriffs Forfeiture Fund for office supplies including daily planner workbooks for the Sheriff's Office.

All voted aye; motion carried.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSAL

Comm. Matthews, seconded by Comm. McFall, made a motion to advertise for bids and proposals to lease at the Precinct #2 Maintenance Facility a 20 X 20 piece of property located at CR 1902 and CR 1920, with a minimum lease of \$2,500.00 a year with a 4 year term.

All voted aye; motion carried.

2. CONSIDERATION OF REQUEST TO USE PARKING LOTS FOR THE FOUR (4) DAYS DURING SPRINGFEST 2007-APRIL 19, 20, 21, AND 22

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the request to use parking lots for the four (4) days during Springfest 2007, April 19, 20, 21, and 22.

All voted aye; motion carried.

3. CONSIDERATION OF RESOLUTION OPPOSING PROPOSED LEGISLATION MANDATING DRAMATICALLY INCREASED EXPENDITURES FOR INDIGENT HEALTH CARE

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the resolution opposing proposed legislation mandating dramatically increased expenditures for Indigent Health Care.

All voted aye; motion carried.

6. CONSIDERATION OF ADDITIONAL CELL PHONE-PUBLIC WORKS DEPARTMENT

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve the addition of a cell phone for the Public Works Department.

All voted aye; motion carried.

7. CONSIDERATION OF CONTINUATION OF SURETY BONDS FOR:

a. Dr. Arthur Lee Raines, County Examiner

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the continuation of a Surety Bond for Dr. Arthur Lee Raines, County Examiner.

All voted aye; motion carried.

b. Nicole Hemlee Williams, Deputy Treasurer

Comm. Carpenter, seconded by Comm. Matthews, made a motion to approve the continuation of a Surety Bond for Nicole Hemlee Williams, Deputy Treasurer.

All voted aye; motion carried.

IX. CONSENT AGENDA

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

All voted aye; motion carried.

The Commissioner's Court recessed for lunch at 11:49 A.M. and reconvened at 1:05 P.M. in Workshop Session to discuss the Ground Water Management with Bill Dugot, of Bickerstaff, Heath, Smiley, Polland, Kever and McDaniel, LLP.

The Commissioner's Court recessed at 1:59 P.M. and all Commissioners except Commissioner R.C. McFall and County Judge, Roger Harmon reconvened in Workshop Session at 2:11 P.M. to consider the following:

In Workshop Session the Commissioner's discussed Workers Compensation Program and establishing a Loss Control and Safety Program and Budget Procedures for the 2007-2008 Budget year.

The Commissioner's Court re-convened into Open Session at 3:20 P.M.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 3:20 P.M.

Submitted by _____
County Clerk
Curtis H. Douglas

Approved by _____
County Judge

Roger Harmon