

STATE OF TEXAS

October 8, 2007

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 8th day of October 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 9:07 A.M., with all members present, and following the Invocation led by Judge Jerry Webber 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 4, 2007 at 1:06 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF LENGTH OF SERVICE AWARDS FOR EMPLOYEES

Employees of Johnson County were recognized for their service to the County and employees were given Length of Service pins, as attached to these minutes.

2. PRESENTATION OF COMMISSIONER'S COURT ADVANCED CURRICULUM CERTIFICATE TO R.C. MCFALL, COMMISSIONER PRECINCT #1

The County Judge presented Commissioner McFall with a certificate upon his completion of the Curriculum of the 2007 Advanced Certification Course from the County Judges & Commissioner's Association of Texas.

3. PRESENTATION OF CERTIFICATE OF APPRECIATION TO TRAVIS CURRY

The Commissioner's Court presented a Certificate of Appreciation to Travis Curry for his life saving actions.

4. PROCLAMATION FOR “DOMESTIC VIOLENCE AWARENESS MONTH”

The Commissioner’s Court proclaimed October, 2007 as “Domestic Violence Awareness Month” in Johnson County.

5. PROCLAMATION FOR “NATIONAL 4-H WEEK”

The Commissioner’s Court proclaimed October 7-13, 2007 as “National 4-H Week”.

6. PROCLAMATION FOR “CZECH HERITAGE MONTH”

The Commissioner’s Court proclaimed October, 2007 as “Czech Heritage Month”.

V. PUBLIC PARTICIPATION

None.

VII. PRECEDING BUSINESS

1. 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.

2. ACKNOWLEDGEMENT OF RECEIPT OF THE COUNTY AUDITOR’S REPORTS TO THE COMMISSIONER’S COURT

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

3. CONSIDERATION OF A NON-CONFORMING PROPERTY TO INCLUDE A SECOND RESIDENCE:

- a. 208 Stella Lane, Burleson, Texas (1.2 acres)-Precinct #3

Comm. Carpenter, seconded by Comm. McFall made a motion to approve a second family residence at 208 Stella Lane, Burleson, Texas (1.2 acres) in Precinct #3.

All voted aye; motion carried.

- b. 2305 Timber Top Trail, Lot 25, Block 3, Brushy Nob Addition-Precinct #1

Comm. McFall, seconded by Comm. Matthews made a motion to approve a second family residence at 2305 Timber Top Trail, Lot 25, Block 3, Brushy Nob Addition in Precinct #1.

All voted aye; motion carried.

4. CONSIDERATION OF FINAL PLAT OF **THE RETREAT**, PHASE 6, LOTS 131-134, BLOCK 42; LOTS 7-20, BLOCK 49; LOTS, 1-17, BLOCK 51; LOTS 1-26, BLOCK 52; LOTS 1-33, BLOCK 53; LOTS 1-14, BLOCK 54; LOTS 1-14, BLOCK 55; LOTS 1-3, BLOCK 56; LOTS 1-17, BLOCK 57; LOTS 1-4, BLOCK 58; LOTS 1-26, BLOCK 59; & LOTS 1-11, BLOCK 60-PRECINCT #1

Comm. McFall, seconded by Comm. Carpenter made a motion to accept the final plat of **The Retreat**, Phase 6, Lots 131-134, Block 42; Lots 7-20, Block 49; Lots 1-17, Block 51; Lots 1-26, Block 52; Lots 1-33, Block 53; Lots 1-14, Block 54; Lots 1-14, Block 55; Lots 1-3, Block 56; Lots 1-17, Block 57; Lots 1-4, Block 58; Lots 1-26, Block 59; & Lots 1-11, Block 60 in Precinct #1.

All voted aye; motion carried.

5. RE-CONSIDERATION OF **RFQ #2007-138**-PEST CONTROL SERVICES FOR JOHNSON COUNTY TO CARSON PEST CONTROL

Comm. Carpenter, seconded by Comm. Beeson made a motion to award **RFQ 2007-138** for pest control services for Johnson County to Carson Pest Control.

All voted aye; motion carried.

IX. NEW BUSINESS

2. CONSIDERATION OF TAX ABATEMENT AND ORDER NO. 2007-11 WITH ADVANTAGE AVIATION TECHNOLOGY, INC.

Comm. McFall, seconded by Comm. Beeson made a motion to approve the Tax Abatement and **Order No. 2007-11** with Advantage Aviation Technology, Inc. and give the County Judge the authorization to sign.

All voted aye; motion carried.

Commissioner McFall exited the meeting at 10:13 A.M.

The Commissioner's Court recessed at 10:13 A.M. and re-convened at 10:29 A.M. to consider the following:

6. CONSIDERATION OF COPS SOS GRANT PROGRAM WITH JOSHUA INDEPENDENT SCHOOL DISTRICT-SHERIFF'S OFFICE

Comm. Matthews, seconded by Comm. Carpenter made a motion to approve the COPS SOS Grant Program with Joshua Independent School District and the Sheriff's Office and give the County Judge and the Sheriff the authorization to sign.

All voted aye; motion carried.

5. CONSIDERATION OF INTERLOCAL AGREEMENT WITH CLEBURNE INDEPENDENT SCHOOL DISTRICT FOR ASAP OFFICER-CONSTABLE PRECINCT #1

Comm. Carpenter, seconded by Comm. Matthews made a motion to approve the Interlocal Agreement with the Cleburne Independent School District for ASAP Officer-Constable Precinct #1 and give the County Judge the authorization to sign the agreement.

All voted aye; motion carried.

VIII. UNFINISHED BUSINESS

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

- a. **Proposal Request #057-Remove, Refinish and Reinstall 3rd Floor Cabinets and 2nd Floor Mock Up Room Base Cabinet**

Comm. Carpenter, seconded by Comm. Beeson made a motion to approve the **Proposal Request #057** to remove, refinish and reinstall 3rd floor cabinets and 2nd floor mock up room base cabinet in the amount of \$3,277.00.

All voted aye; motion carried.

- b. **Proposal Request #059-Replacement of Non-Historic Pine Oak Trim and Window Sills in the Basement Level with Historically Correct Birch Lumber**

Comm. Carpenter, seconded by Comm. Beeson made a motion to approve the **Proposal Request #059** for replacement of pine oak trim and window sills in the basement level with historically correct birch lumber in the amount of \$6,917.00.

All voted aye; motion carried.

- c. **Cost Estimate to Retrofit the Existing Jury Box Railing and New Witness Stand for 2nd Floor Justice of the Peace Courtroom**

Comm. Matthews, seconded by Comm. Carpenter made a motion to approve the cost estimate to retrofit the existing jury box railing and new witness stand for the 2nd floor Justice of the Peace courtroom in the amount of \$11,363.00.

All voted aye; motion carried.

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.

VII. **PRECEDING BUSINESS**

1. **CONSIDERATION OF REQUEST TO PAY BILLS**

Comm. Matthews, seconded by Comm. Beeson made a motion to add to the request to pay bills to include re-imbursement to Joy Penny in the amount of \$396.00 for seminar expenses as presented by the County Auditor.

All voted aye; motion carried.

IX. NEW BUSINESS

11. CONSIDERATION OF AMENDMENT ONE LEASE AGREEMENT WITH THE STATE OF TEXAS FOR TWO (2) RTS COMPUTER WORKSTATIONS-TAX OFFICE

Comm. Matthews, seconded by Comm. Beeson made a motion to approve the Amendment One Lease Agreement with the State of Texas for two (2) RTS computer workstations in the Tax Office and give the County Judge the authorization to sign the lease agreement.

All voted aye; motion carried.

12. CONSIDERATION TO CREATE FIVE (5) CASH DRAWERS IN THE AMOUNT OF \$100.00 EACH-TAX OFFICE

Comm. Matthews, seconded by Comm. Carpenter made a motion to approve the five (5) cash drawers in the amount of \$100.00 each in the Tax Office.

All voted aye; motion carried.

VIII. UNFINISHED BUSINESS

3. CONSIDERATION TO APPROVE APPOINTMENT TO THE JOHNSON COUNTY HISTORICAL COMMISSION

Comm. Carpenter, seconded by Comm. Beeson made a motion to appoint Mr. Freddie F. Chastain, 706 E. Kilpatrick, Cleburne to the Johnson County Historical Commission.

All voted aye; motion carried.

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSAL

Comm. Matthews, seconded by Comm. Beeson made a motion to advertise for Bids/Proposals for Precinct #3 - one new or used compaction roller and for Precinct #4 - one new or used rubber tire loader.

All voted aye; motion carried.

3. ACKNOWLEDGEMENT OF ITEMS PREVIOUSLY APPROVED IN COMMISSIONER'S COURT BUT NEVER FULLY EXECUTED:

a. Inmate Housing with Parker County

The Commissioner's Court acknowledged that the Inmate Housing with Parker County contract has not been fully executed.

b. Inmate Housing with Matagorda County

The Commissioner's Court acknowledged that the Inmate Housing with Matagorda County contract has not been fully executed.

c. Interlocal Agreement with Keene Independent School District for Voting Machine Lease

The Commissioner's Court acknowledged that the Interlocal Agreement with Keene Independent School District for lease of voting machines has not been fully executed.

7. CONSIDERATION OF THE 2008 RESOLUTION FOR THE INDIGENT DEFENSE GRANT PROGRAM

Comm. Carpenter, seconded by Comm. Beeson made a motion to approve the 2008 Resolution for the Indigent Defense Grant Program and give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF SUBSCRIPTION PLAN AMENDMENT WITH LEXISNEXIS-LAW LIBRARY

Comm. Matthews, seconded by Comm. Carpenter made a motion to approve the Subscription Plan Amendment with LexisNexis and the Law Library and give the County Judge the authorization to sign.

All voted aye; motion carried.

9. CONSIDERATION OF THE TEXAS ASSOCIATION OF COUNTIES WORKERS COMPENSATION SELF INSURANCE FUND, THE TAC COUNTY GOVERNMENT RISK MANAGEMENT POOL AND THE TAC PROPERTY & CASUALTY SELF INSURANCE FUND MERGING THEIR OPERATIONS INTO A NEWLY CREATED POOL, THE TEXAS ASSOCIATION OF COUNTIES RISK MANAGEMENT POOL (TAC RMP) EFFECTIVE JANUARY 1, 2008 AND APPOINTMENT OF MEMBER'S POOL COORDINATOR

Comm. Matthews, seconded by Comm. Carpenter made a motion to approve the Texas Association of Counties Workers Compensation Self Insurance Fund, the TAC County Government Risk Management Pool and the TAC Property & Casualty Self Insurance Fund merging their operations into a newly created pool, the Texas Association of Counties Risk Management Pool (TAC RMP) effective January 1, 2008 and to appoint Margaret Cook as the Member's Pool Coordinator and give the County Judge and the Member Pool Coordinator authorization to sign.

All voted aye; motion carried.

10. CONSIDERATION OF RENEWAL OF CONTRACT WITH EATON ELECTRICAL, INC. (FORMERLY KNOWN AS POWERWARE) FOR THE UNINTERRUPTIBLE POWER SYSTEM (UPS) FOR THE GUINN JUSTICE CENTER-ISS

Comm. Carpenter, seconded by Comm. Matthews made a motion to approve the renewal of contract with Eaton Electrical, Inc. (Formerly known as Powerware) for the Uninterruptible Power System (UPS) for the Guinn Justice Center and give the County Judge the authorization to sign the contract.

All voted aye; motion carried.

13. CONSIDERATION OF SHERIFF AND CONSTABLE FEE CHANGES-
CONSTABLE PRECINCT #4

Comm. Carpenter, seconded by Comm. Matthews made a motion to approve the Sheriff's and Constable's Fees to remain the same as the previous year.

All voted aye; motion carried.

14. CONSIDERATION OF CHANGING POSTAGE METERS FROM PITNEY BOWES TO ALTERNATIVE MAILING SYSTEMS-JUSTICE OF THE PEACE, PRECINCT #3

Comm. Carpenter, seconded by Comm. Matthews made a motion to approve changing the postage meters from Pitney Bowes to Alternative Mailing Systems in Justice of the Peace, Precinct #3 in the amount of \$1,528.85 per year.

All voted aye; motion carried.

15. CONSIDERATION OF INTERLOCAL COOPERATION AGREEMENT FOR THE KEEPING OF NAVARRO COUNTY PRISONERS IN THE JOHNSON COUNTY CORRECTIONS FACILITY

Comm. Carpenter, seconded by Comm. Matthews made a motion to approve the Interlocal Cooperation Agreement for the keeping of Navarro County prisoners for \$45.00 per day in the Johnson County Corrections Facility and give the County Judge the authorization to sign the agreement.

All voted aye; motion carried.

X. CONSENT AGENDA

Comm. Matthews, 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 11:36 A.M. and re-convened at 1:00 P.M.

IX. NEW BUSINESS

4. ACKNOWLEDGEMENT OF ORDER BY DISTRICT JUDGES ESTABLISHING SALARIES FOR THE COUNTY AUDITOR'S OFFICE

The Commissioner's Court acknowledged the Order by the District Judges establishing the salaries for the County Auditor's Office.

BE IT KNOWN that Commissioner's Court met in Executive Session at 1:03 P.M. in accordance with Government Code *Section 551.074*-Personnel: Ella Ruth Brown.

The Commissioner's Court re-convened into Open Session at 1:34 P.M.

The Commissioner's Court convened into Workshop Session at 1:34 P.M. to discuss Tarrant Regional Transportation Coalition, employee parking and employee time accounting.

The Commissioner's Court re-convened into Open Session at 2:33 P.M.

BE IT KNOWN that the Commissioner's Court met in Executive Session at 2:33 P.M. in accordance with Government Code *Section 551.071*-Consultation with Attorney, Contemplated Litigation, and Government Code *Section 551.072*-Real Estate.

The Commissioner's Court went back into Open Session at 3:17 P.M. to consider the following:

XII. EXECUTIVE SESSION

1. Government Code:

a. *Sec. 551.071*-Consultation with Attorney, Contemplated Litigation

Comm. Carpenter, seconded by Comm. Matthews made a motion giving the County Attorney authorization to negotiate a price with Thomas C. Hazelwood, president of Holly Rentals, Inc. for the purchase of the parking lot being leased by the County.

All voted aye; motion carried.

Comm. Matthews, seconded by Comm. Beeson made a motion giving the County Attorney authorization to negotiate a settlement offer with Wiginton, Hooker, Jeffry, PC.

Comm. Matthews voted aye.
Comm. Beeson voted aye.
Judge Harmon voted aye.
Comm. Carpenter voted nay.

motion carried.

b. *Sec. 551.072-Real Estate*

Comm. Matthews, seconded by Comm. Carpenter made a motion giving the County Judge authorization to order a survey for parcel 401 of the 121 Project.

All voted aye; motion carried.

c. *Sec. 551.074-Personnel: Ella Ruth Brown*

No Action.

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