

STATE OF TEXAS

January 14, 2008

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 14th day of January 2008, 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 9:03 A.M., with all members present, and following the Invocation led by Pastor Kenneth Coleman and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on January 10, 2008 at 1:02 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF LENGTH OF SERVICE PINS TO 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 PLAQUES:

a. ED CHEEVER-JOHNSON COUNTY EMERGENCY SERVICES DISTRICT #1-PRECINCT #4

The Commissioner's Court presented Ed Cheever with a plaque in appreciation for his service to the Johnson County Emergency Services District #1 as Precinct #4's appointment to the Board.

b. DARLENE WEIR-JOHNSON COUNTY ECONOMIC DEVELOPMENT COMMISSION-PRECINCT #4

Darlene Weir was not present.

c. BUD FINDLEY-JOHNSON COUNTY ECONOMIC DEVELOPMENT COMMISSION-PRECINCT #4

Bud Findley was not present.

3. PROCLAMATION FOR “VOLUNTEERS FOR DEMOCRACY DAY”

The Commissioner’s Court proclaimed the 2nd Tuesday in January, 2008 as “Democracy Day” in Johnson County in appreciation of election workers.

4. PRESENTATION OF UPDATE ON THE CEN-TEX RURAL RAIL TRANSPORTATION DISTRICT

Jerry Cash, City of Cleburne Economic Development Director and Johnson County representative to the Cen-Tex Rural Rail Transportation District Board, gave an update on the Cen-Tex Rural Rail Transportation District.

V. PUBLIC PARTICIPATION

Margaret Cook presented a rebate check from Buy Board to Johnson County in the amount of \$1,145.31.

VIII. NEW BUSINESS

6. CONSIDERATION OF APPOINTMENT OF CHARLES BEERSTECHEER AS ASSISTANT VETERAN’S SERVICE OFFICER PURSUANT TO THE LOCAL GOVERNMENT CODE SECTION 434.033

Comm. Carpenter, seconded by Comm. Beeson, made a motion approving the appointment of Charles Beerstecher as Assistant Veteran’s Service Officer pursuant to the Government Code *Section 434.033* and give the County Judge the authorization to send a letter of appointment to the Veteran’s Administration.

All voted aye; motion carried.

8. CONSIDERATION OF SEALED BID SALE FOR RESALE OF PROPERTY BY THE RIO VISTA INDEPENDENT SCHOOL DISTRICT

- a. Tract 1: Resolution Approving Sale of Lot 10, Block A, Fisherman’s Paradise Estates in the Amount of \$351.76

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Resolution for a sealed bid sale for resale of property by the Rio Vista Independent School District on Tract 1: Lot 10, Block A, Fisherman's Paradise Estates in the amount of \$351.76 and give the County Judge the authorization to sign.

All voted aye; motion carried.

- b. Tract 2: Resolution Approving Sale of Lot 3, Block A,
 Fisherman's Paradise Estates in the Amount of \$111.11

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Resolution for a sealed bid sale for resale of property by the Rio Vista Independent School District on Tract 2: Lot 3, Block A, Fisherman's Paradise Estates in the amount of \$111.11 and give the County Judge the authorization to sign.

All voted aye; motion carried.

- c. Tract 3: Resolution Approving Sale of Lot 11, Block C,
 Fisherman's Paradise Estates in the Amount of \$201.01

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Resolution for a sealed bid sale for resale of property by the Rio Vista Independent School District on Tract 3: Lot 11, Block C, Fisherman's Paradise Estates in the amount of \$201.01 and give the County Judge the authorization to sign.

All voted aye; motion carried.

VI. 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 THE MINUTES FOR THE COMMISSIONER'S COURT:

- a. December 10, 2007-Regular Session
- b. December 18, 2007-Emergency Session
- c. December 26, 2007-Regular Session

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the Commissioner's Court Minutes for December 10, 2007, December 18, 2007 and December 26, 2007 as submitted by the County Clerk.

All voted aye; motion carried.

VIII. NEW BUSINESS

17. CONSIDERATION TO CHANGE OFFICES WITHIN THE ALVARADO SUB-COURTHOUSE-CONSTABLE PRECINCT #3

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the change of offices within the Alvarado Sub-Courthouse for Constable Precinct #3.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

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

Comm. McFall, seconded by Comm. Matthews, made a motion to approve all expense items which include, flooring in the basement not to exceed \$50,000.00; repaint the exterior porch ceilings in the amount of \$2,600.00; tile repair in the amount of \$2,250.00; marble repair in the amount of \$1,800.00; door 312.1 and 321.1, install a dead bolt and throw bolt in which the hardware will match all other hardware for the Commissioner's Courtroom, for the County Auditor's Office and County Treasurer's Office; and wood blinds for designated areas for the restoration of the Johnson County Courthouse.

All voted aye; motion carried.

3. CONSIDERATION TO HAVE TELEPHONES, ACTIVE TELEPHONE LINES, AND ACTIVE COMPUTER NETWORK LINES INSTALLED IN THE 1ST FLOOR CENTRAL JURY ROOM AND 1ST FLOOR SPARE JUDGE'S OFFICE AT THE GUINN JUSTICE CENTER -ADULT PROBATION

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the telephones, active telephone lines and active computer network lines to be installed in the 1st floor Central Jury Room and the 1st floor spare Judge's Office at the Guinn Justice Center for the Adult Probation Department.

All voted aye; motion carried

The Commissioner's Court recessed at 10:43 A.M. and re-convened at 11:04 A.M. to consider the following:

VIII. NEW BUSINESS

22. CONSIDERATION TO APPLY FOR "GETS" CARDS FOR EMERGENCY USE IN DISASTER SITUATIONS-EMERGENCY MANAGEMENT

Comm. McFall, seconded by Comm. Matthews, made a motion to apply for twenty (20) "GETS" cards for Emergency use in disaster situations for Emergency Management.

All voted aye; motion passed

14. CONSIDERATION OF ELECTION SERVICES AGREEMENT WITH ES&S, INC.-ELECTIONS

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Election Services Agreement with ES&S, Inc. for the Elections Office and give the County Judge the authorization to sign.

All voted aye; motion carried.

15. CONSIDERATION OF POLLING LOCATIONS FOR THE MARCH 2008 REPUBLICAN AND DEMOCRATIC PRIMARY ELECTION:

a. Early Voting Polling Locations

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve the Early Voting polling locations for the 2008 Republican and Democratic Primary Election. (see attachment)

All voted aye; motion carried.

b. Election Day Polling Locations

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the Election Day polling locations for the 2008 Republican and Democratic Primary Election. (see attachment)

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

Discussion. No Action.

5. CONSIDERATION OF LETTER TO UNITED HEALTHCARE REGARDING DAVE WALLACE AS THE COUNTY'S INSURANCE REPRESENTATIVE

Comm. Matthews, seconded by Comm. McFall, made a motion giving the County Judge the authorization to send a letter to United Healthcare regarding Dave Wallace as the County's insurance representative.

All voted aye; motion carried.

VIII. NEW BUSINESS

11. CONSIDERATION TO APPLY FOR "VICTIM'S OF CRIME ACT" (VOCA) GRANT-SHERIFF'S OFFICE

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the application for the "Victim's of Crime Act" (VOCA) Grant for the Sheriff's Office.

All voted aye; motion carried.

12. CONSIDERATION TO REIMBURSE PURCHASE OF HEADLIGHTS FOR 1999 CROWN VICTORIA TO EDMUND T. FIENE SR., CONSTABLE DEPUTY ASAP OFFICER, IN THE AMOUNT OF \$145.31-CONSTABLE PRECINCT #2

Comm. Matthews, seconded by Comm. Beeson, made a motion to reimburse the purchase of headlights for a 1999 Crown Victoria to Edmund T. Fiene Sr., Constable Deputy ASAP Officer, in the amount of \$145.31 for Constable Precinct #2.

All voted aye; motion carried.

The Commissioner's Court recessed at 12:23 P.M. and re-convened at 1:34 P.M. to consider the following:

3. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE 111.0106 FOR:

a. Road & Bridge-Reimbursement for Costs for Road Repair Materials-Precinct #1

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Budget Amendment pursuant to the Local Government Code *111.0106* for Road & Bridge (road repair materials) for Precinct #1 by transferring of \$154.25 a donation from Quicksilver; \$2,036.91 a donation from David H. Arrington; \$ 34,269.36 a donation from EOG Resources; \$5,965.54 a donation from Chesapeake Energy Corp.; in the total amount of \$42,426.06 to Precinct #1 Line Item #016-612-5334.

All voted aye; motion carried.

b. Road & Bridge-Reimbursement for Costs for Road Repair Materials-Precinct #4

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve the Budget Amendment pursuant to the Local Government Code *111.0106* for Road & Bridge (road repair materials) for Precinct #4 by transferring of \$3,400.00 a donation from Grandview Interlocal to Precinct #4 Line Item #018-615-5334.

All voted aye; motion carried.

4. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE *111.010 C* FOR EQUIPMENT PURCHASE FUND FOR THE COUNTY JUDGE-EQUIPMENT NON CAPITAL

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the Budget Amendment pursuant to the Local Government Code *111.010 C* for the Equipment Purchase Fund for the County Judge in Equipment Non Capital.

All voted aye; motion carried.

5. CONSIDERATION OF APPOINTMENTS TO THE JOHNSON COUNTY EMERGENCY SERVICES DISTRICT #1:

a. Byron Cobb-Precinct #1

Comm. McFall, seconded by Comm. Carpenter, made a motion to appoint Byron Cobb to the Johnson County Emergency Services District #1 for a two year term for Precinct #1.

All voted aye; motion carried.

b. Jack Watson-Precinct #4

Comm. Beeson, seconded by Comm. Carpenter, made a motion to appoint Jack Watson to the Johnson County Emergency Services District #1 for a two year term for Precinct #4.

All voted aye; motion carried.

7. CONSIDERATION TO PARTICIPATE IN THE CITY OF CLEBURNE
HOUSEHOLD HAZARDOUS WASTE COLLECTION EVENT

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve to participate in the City of Cleburne Household Hazardous Waste Collection Event on Saturday, May 10, 2008.

All voted aye; motion carried.

9. CONSIDERATION OF INTERLOCAL AGREEMENT WITH THE CITY OF
GRANDVIEW FOR ROAD REPAIRS-PRECINCT #4

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve the Interlocal Agreement with the City of Grandview for road repairs in Precinct #4.

All voted aye; motion carried.

10. CONSIDERATION OF COMMISSIONER'S COURT APPROVAL FOR
INTERLOCAL AGREEMENT WITH THE CITY OF GRANDVIEW-
PRECINCT #4

Comm. Beeson, seconded by Comm. Carpenter, made a motion for Commissioner's Court approval of the Interlocal Agreement with the City of Grandview in Precinct #4.

All voted aye; motion carried.

13. CONSIDERATION OF NOTICE OF INTENT (NOI) FOR STORM WATER PERMIT-PUBLIC WORKS

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the Notice of Intent (NOI) for a storm water permit for Public Works and give the County Judge the authorization to sign.

All voted aye; motion carried.

16. CONSIDERATION OF EMERGENCY PURCHASE OF A NEW STORAGE SERVER UNDER LOCAL GOVERNMENT CODE SECTION 262.024 FOR DISCRETIONARY EXEMPTIONS-ISS

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the emergency purchase of a new storage server under Local Government Code *Section 262.024* for Discretionary Exemptions for the ISS Department.

All voted aye; motion carried.

18. CONSIDERATION TO COMBINE TWO (2) \$50.00 CASH DRAWERS INTO ONE (1) \$100.00 CASH DRAWER IN THE RECORDING SECTION-COUNTY CLERK

Comm. Matthews, seconded by Comm. McFall, made a motion to combine two (2) \$50.00 cash drawers into one (1) \$100.00 cash drawer in the Recording Section of the County Clerk's Office.

All voted aye; motion carried.

19. CONSIDERATION OF ANNUAL HARDWARE MAINTENANCE AGREEMENTS WITH BUSINESS IMAGING SYSTEMS, INC. (BIS)-COUNTY CLERK

- a. Agreement #5268 for Canon DR-5060F in the Amount of \$2,310.00

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve the Annual Hardware Maintenance Agreement with Business Imaging Systems, Inc. (BIS) for #5268 for Canon DR-5060F in the amount of \$2,310.00 for the County Clerk's Office and give the County Judge the authorization to sign.

All voted aye; motion carried.

- b. Agreement #5282 for Canon DR-5060F w/Camera Unit 57X in the Amount of \$2,500.00

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the Annual Hardware Maintenance Agreement with Business Imaging Systems, Inc. (BIS) for #5282 for Canon DR-5060F w/camera unit in the amount of \$2,500.00 for the County Clerk's Office and give the County Judge the authorization to sign.

All voted aye; motion carried.

20. CONSIDERATION OF ASSURANT EMPLOYEE BENEFITS RATE REDUCTION FOR THE DENTAL INDEMNITY PLAN RATES EFFECTIVE MARCH 1, 2008-PURCHASING

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the assurant employee benefits rate reduction for the Dental Indemnity Plan effective March 1, 2008 and give the County Judge the authorization to sign.

All voted aye; motion carried.

21. CONSIDERATION OF SUPPLEMENT TO EQUIPMENT LEASE FOR ADDITIONAL EQUIPMENT TO UPGRADE THE INTER-TEL PHONE SYSTEM IN ORDER TO INCLUDE THE COURTHOUSE PHONES-PURCHASING

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve to supplement equipment lease for additional equipment to upgrade the Inter-Tel phone system in order to include the Courthouse phones and give the County Judge the authorization to sign.

All voted aye; motion carried.

IX. CONSENT AGENDA

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

All voted aye; motion carried.

The Commissioner's Court went into Workshop Session at 2:13 P.M. to discuss the Americans with Disabilities Act.

The Commissioner's Court re-convened into Open Session at 2:17 P.M. to consider the following:

VII. UNFINISHED BUSINESS

4. CONSIDERATION OF JOHNSON COUNTY GRIEVANCE PROCEDURE, NOTICE AND ANY OTHER DOCUMENTS TO ENSURE COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve the Grievance Procedure and Notice under the American's with Disabilities Act to ensure compliance with the Americans with Disabilities Act and give the County Judge the authorization to sign.

All voted aye; motion carried.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSAL

Comm. McFall, seconded by Comm. Matthews, made a motion to advertise for Bids/Proposals for culvert lining pipe, road base materials, asphalt and asphalt emulsion, electrical repairs, telephone and data lines and for request for proposal for Home Disaster Relief contract #1000885.

All voted aye; motion carried.

2. CONSIDERATION TO RE-ADVERTISE FOR **RFQ #2008-143B** FOR REAL ESTATE APPRAISER ON AN “AS NEEDED BASIS” FOR JOHNSON COUNTY

Comm. McFall, seconded by Comm. Matthews, made a motion to re-advertise for **RFQ #2008-143B** for a Real Estate Appraiser on an “as needed basis” for Johnson County.

All voted aye; motion carried.

BE IT KNOWN that Commissioner’s Court met in Executive Session at 2:30 P.M. in accordance with Local Government Code *Section 551.071*-Consultation with Attorney, Contemplated Litigation.

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

XI. EXECUTIVE SESSION

1. Government Code:

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

Comm. McFall, seconded by Comm. Carpenter, made a motion to pay medical expenses in the amount of \$1,832.50 as negotiated by the County Attorney's Office for Bruce Papke and give the County Judge and the County Attorney the authorization to sign any documents including the compromised settlement agreement.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 2:41 A.M.

Submitted by: _____
County Clerk
Curtis H. Douglas

Approved by: _____
County Judge
Roger Harmon