

STATE OF TEXAS

February 11, 2008

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 11th day of February 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 9:07 A.M., with all members present, and following the Invocation led by Don Standley and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on February 7, 2008 at 1:02 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF CERTIFICATES OF BRAVERY TO EZEKIEL AGUILAR AND OCTAVIO ERNESTO RAMIREZ

Ezekiel Aguilar and Octavio Ernesto Ramirez were not present.

V. PUBLIC PARTICIPATION

None.

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. January 22, 2008-Special Session

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the Commissioner's Court Minutes for January 22, 2008 as submitted by the County Clerk.

All voted aye; motion carried.

4. CONSIDERATION OF FINAL PLAT OF SANDER'S ACRES, LOT 1, BLOCK 1-PRECINCT #1

Comm. McFall, seconded by Comm. Matthews, made a motion to accept the final plat of **Sander's Acres**, Lot 1, Block 1 in Precinct #1.

All voted aye; motion carried.

5. CONSIDERATION TO AWARD BID:

a. **RFP #2008-156-Culvert Lining Pipe**

Comm. Beeson, seconded by Comm. Carpenter, made a motion to award **RFP #2008-156** to K&L Supply for culvert lining pipe in the amount of \$18,940.00 for Precinct #4.

All voted aye; motion carried.

b. **RFP #2008-150-Armored Vehicle Services**

Comm. Carpenter, seconded by Comm. Beeson, made a motion to award **RFP #2008-150** to Laser Security Response for armored vehicle services in the amount of \$21,600.00 for the Burleson, Alvarado and Cleburne Tax Office locations.

All voted aye; motion carried.

c. **RFB #2008-152-Electrical Installation/Repair Service**

Comm. McFall, seconded by Comm. Beeson, made a motion to award **RFB #2008-152** to Dugger Electric, Inc. for electrical installation/repair service.

All voted aye; motion carried.

d. **RFB #2008-152-A-Installation/Repairs of Telephone and Data Lines**

Comm. Matthews, seconded by Comm. McFall, made a motion to approve **RFB #2008-152-A** to J P Installations for installation/repair of telephone and data lines.

All voted aye; motion carried.

e. **RFB #2008-153-Asphalt and Emulsified Asphalt**

Comm. Matthews, seconded by Comm. McFall, made a motion to award **RFB #2008-153** to all proposed bidders for asphalt and emulsified asphalt.

All voted aye; motion carried.

f. **RFB #2008-157-Road Materials**

Comm. Matthews, seconded by Comm. Beeson, made a motion to award **RFB #2008-157** to all bidders for road materials.

All voted aye; motion carried.

g. **RFQ #2008-107-Renewal for Road Signs and Markers**

Comm. McFall, seconded by Comm. Matthews, made a motion to award **RFQ #2008-107** to Osburn Associates and Vulcan Signs for road signs and markers.



All voted aye; motion carried.

VII. **UNFINISHED BUSINESS**

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

Discussion. No Action.

2. CONSIDERATION OF PROHIBITION OF OUTDOOR BURNING ORDER #2008-01

Discussion. No Action.

3. CONSIDERATION OF PROHIBITION OF OUTDOOR BURNING ORDER #2008-03 WITH EXCEPTION

Governor Perry's Disaster Proclamation due to threat of wildfires overrides any exception to outdoor burning.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSAL

Comm. Matthews, seconded by Comm. Beeson, made a motion to advertise for Bids/Proposals for an imaging project for the Tax Office and for the purchase of a F250 pick-up truck from the Tarrant County Interlocal Agreement in the amount of \$20,997.18 for Precinct # 4.

All voted aye; motion carried.

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

a. Insurance Claim-Vehicle and Equipment Maintenance-Sheriff's Office

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the Budget Amendment pursuant to the Local Government Code 111.0106 for the insurance claim for a vehicle and equipment maintenance for repair of a vehicle in the Sheriff's Office in the amount of \$4,924.00.

All voted aye; motion carried.

3. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE SECTION 111.010 C FOR:

a. Personnel Salaries-Sheriff's Office

Comm. Beeson, seconded by Comm. McFall, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.010 C* for personnel salaries with no impact to the budget in the Sheriff's Office.

All voted aye; motion carried.

b. Equipment Capital-STOP Special Crimes Unit

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.010 C* for Equipment Capital for the STOP Special Crimes Unit for the purchase of additional equipment in the amount of \$8,000.00.

All voted aye; motion carried.

c. Equipment Non-Capital-Jail

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.010 C* for Equipment Non-Capital for the Jail for the purchase of five (5) scanners in the amount of \$7,500.00.

All voted aye; motion carried.

d. Real Property Acquisition-Non-Departmental

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.010 C* for Real Property Acquisition-Non-Departmental for the purchase of Tract 1, Tract 2, Tract 4 and Tract 5 of attached Exhibit F from the CISD in the amount of \$1,000,000.00.

All voted aye; motion carried.

4. CONSIDERATION OF INTERLOCAL AGREEMENT WITH THE JOHNSON COUNTY EMERGENCY SERVICES DISTRICT #1 FOR REPAIR OF THE JOHNSON COUNTY FIRE TRAINING CENTER DRIVEWAY-PRECINCT #1

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Interlocal Agreement with the Johnson County Emergency Services District #1 for repair of the Johnson County Fire Training Center driveway in the amount of \$1,299.75 in Precinct #1.

All voted aye; motion carried.

5. CONSIDERATION OF COMMISSIONER'S COURT APPROVAL FOR INTERLOCAL AGREEMENT WITH THE JOHNSON COUNTY EMERGENCY SERVICES DISTRICT #1 FOR REPAIR OF THE JOHNSON COUNTY FIRE TRAINING CENTER DRIVEWAY-PRECINCT #1

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Interlocal Agreement with the Johnson County Emergency Services District #1 for repair of the Johnson County Fire Training Center driveway in Precinct #1.

All voted aye; motion carried.

6. CONSIDERATION OF MEMORANDUM OF UNDERSTANDING WITH HILL COLLEGE FOR VOCATIONAL NURSING STUDENTS TO COMPLETE A CLINICAL ROTATION THROUGH THE JOHNSON COUNTY JAIL

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

All voted aye; motion carried.

7. CONSIDERATION OF APPOINTMENT OF SARAH CHAPMAN OF CLEBURNE, TO THE JOHNSON COUNTY HISTORICAL COMMISSION

Comm. McFall, seconded by Comm. Carpenter, made a motion to appoint Sarah Chapman of Cleburne, to the Johnson County Historical Commission.

All voted aye; motion carried.

8. CONSIDERATION OF APPOINTMENT OF MRS. GINGER FIELDS OF ALVARADO, TO THE JOHNSON COUNTY WELFARE BOARD

Comm. Carpenter, seconded by Comm. Beeson, made a motion to appoint Mrs. Ginger Fields of Alvarado, to the Johnson County Welfare Board.

All voted aye; motion carried.

9. CONSIDERATION OF APPOINTMENT OF A LOCAL HEALTH AUTHORITY

Comm. Beeson, seconded by Comm. Carpenter, made a motion to appoint Dr. Arthur L. Raines as the Local Health Authority for Johnson County.

All voted aye; motion carried.

10. CONSIDERATION OF INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF GRAND PRAIRIE FOR USE OF JOHNSON COUNTY'S CONTRACT WITH GLOBAL TEL-LINK CORPORATION

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the Interlocal Cooperation Agreement with the City of Grand Prairie for use of Johnson County's contract with Global Tel-Link Corporation and give the County Judge the authorization to sign.

All voted aye; motion carried.

11. CONSIDERATION TO LEASE COUNTY OWNED LAND FOR MINERAL DEVELOPMENT BEING 1.85 ACRES, MORE OR LESS, SITUATED IN THE C. CHANEY SURVEY, ABSTRACT NO. 124, JOHNSON COUNTY, TEXAS AS DESCRIBED IN THE ATTACHED "EXHIBIT A"

Comm. McFall, seconded by Comm. Matthews, made a motion to advertise to lease County owned land for mineral development being 1.85 acres, more or less, situated in the C. Chaney Survey, Abstract No. 124, Johnson County, Texas, as described in the following tracts of land: 1.012 acres, more or less, known as the Public Square, Town of Cleburne, Johnson County, Texas, according to the Official Map thereof, as described in the following two (2) tracts: TRACT 1: 0.265 acres, more or less, known as a portion of 60 acres as Commissioner Court Minutes

described in that certain Donation Deed dated May 15, 1867, from B.J. CHAMBERS and HARRIET A. CHAMBERS to JAMES HAYNES, County Judge of JOHNSON COUNTY, TEXAS, recorded in Volume E, Page 348; TRACT 2: 0.747 acres, more or less, known as a portion of 80 acres as described in that certain Donation Deed dated May 15, 1867, from B.J. CHAMBERS, as Attorney-in-fact for NAT HENDERSON, to JAMES HAYNES, County Judge of JOHNSON COUNTY, TEXAS, recorded in Volume E, Page 351.

0.230 acres, more or less, known as Lot 5, Block 11, according to the Original Map of the City of Cleburne, Johnson County, Texas, recorded in Volume 24, Page 590, and refiled in Volume 197, Page 638, Deed Records, Johnson County, Texas, as described in the following two (2) tracts:

TRACT 1: 0.115 acres, more or less, known as the North half of Lot 5, Block 11, as described in that certain Warranty Deed dated, September 13, 1883 from M.A. OATIS to W.J. EWING, County Judge of JOHNSON COUNTY, TEXAS, recorded in Volume 28, Page 53; TRACT 2: 0.115 acres, more or less, known as the South half of Lot 5, Block 11, as described in that certain Warranty Deed dated, September 13, 1883, from M.J. DRIVER TO W.J. EWING, County Judge of JOHNSON COUNTY, TEXAS, recorded in Volume 28, Page 54.

0.207 acres, more or less, known as Lots 6 and 8, Block 5, according to the Original Map of the City of Cleburne, Johnson County, Texas, recorded in Volume 24, Page 590, and refiled in Volume 197, Page 638, Deed Records, Johnson County, Texas, said lots also known as Lot 5, Block 5, according to the Official Map of the City of Cleburne, Johnson County, Texas, as described in that certain Warranty Deed dated September 30, 1982, from HOWELL'S INC., a Texas Corporation, to JOHNSON COUNTY, TEXAS, recorded in Volume 913, Page 629.

0.152 acres, more or less, known as Lots 3 and 4, Block No. 5, according to the Original Map of the City of Cleburne, Johnson County, Texas, recorded in Volume 24, page 590, and refiled in Volume 197, Page 638, Deed Records, Johnson County, Texas, as described in that certain



Warranty Deed with Vendor's Lien dated July 1, 1985, from THOMAS MILTON SOWELL and CLIFF MARTIN SOWELL, husband and wife, to JOHNSON COUNTY, TEXAS, a political subdivision of the State of Texas, recorded in Volume 1138, Page 491.

0.125 acres, more or less, known as Lots 6, 7, and a portion of Lot 8, Block 5, City of Cleburne, Johnson County, Texas, according to the Official Map thereof, said lots also known as Lot 5 and a portion of Lot 7, Block 5, City of Cleburne, Johnson County, Texas, according to the plat known as the Original Town Plot as filed of record in Volume 24, Page 590, Deed Records, Johnson County, Texas, as described in that certain Warranty Deed dated July 6, 1990, from HOWELL'S INC., a Texas corporation, to JOHNSON COUNTY, TEXAS, a Political Subdivision of the State of Texas, recorded in Volume 1495, Page 849.

0.063 acres, more or less, known as the South 31.5 feet of Lots 1 and 2, and the South 31.5 feet of the East 3.25 feet of Lot 3, Block 5, according to the Original Map of the City of Cleburne, Johnson County, Texas, recorded in Volume 24, Page 590, and refiled in Volume 197, Page 638, Deed Records, Johnson County, Texas, said lots also known as Lots 1B and 2B, Block 5 according to the Official Map of the City of Cleburne, Johnson County, Texas, as described in that certain Cash Warranty Deed dated May 1, 2000, from JANICE DISHEROON to JOHNSON COUNTY, TEXAS, a Political Subdivision of the State of Texas, recorded in Volume 2467, Page 955.

0.061 acres, more or less, known as part of Lots 1, 2 and 3, Block No. 5, according to the Original Map of the City of Cleburne, Johnson County, Texas, recorded in Volume 24, Page 590, and refiled in Volume 197, Page 638, Deed Records, Johnson County, Texas, said lots also known as Lots 1A and 2A, Block 5, according to the Official Map of the City of Cleburne, Johnson County, Texas, as described in that certain Warranty Deed dated June 11, 1985 from

MARTHA SCOTT WOFFORD HOPKINS to JOHNSON COUNTY, TEXAS recorded in Volume 1116, Page 253, with a Royalty of 25% at the well head and \$5,000.00 per acre.

All voted aye; motion carried.

12. CONSIDERATION OF USE OF CLEBURNE INDEPENDENT SCHOOL DISTRICT'S OLD BAND HALL ON FEATHERSTONE STREET-ADULT PROBATION



Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the use of Cleburne Independent School District's old band hall on Featherstone Street for Adult Probation.

All voted aye; motion carried.

13. CONSIDERATION OF LETTER REGARDING INCREASE OF AUDIT CHARGES FROM KENNEMER, MASTERS & LUNSFORD FOR OUTSIDE AUDITING SERVICES

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the increase of audit charges from Kennemer, Masters & Lunsford for outside auditing services in the amount of \$8,588.00.

All voted aye; motion carried.

IX. CONSENT AGENDA

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

All voted aye; motion carried.

**BE IT KNOWN** that Commissioner's Court met in Executive Session at 10:11 A.M. in accordance with Local Government Code *Section 551.071*-Consultation with Attorney, Contemplated Litigation and Local Government Code *Section 551.072*-Real Property.

The Commissioner's Court re-convened into Open Session at 12:03 P.M. to consider the following:

## XII. EXECUTIVE SESSION

### 1. Government Code:

#### b. *Sec. 551.072*-Real Property

Comm. McFall, seconded by Comm. Carpenter, made a motion to enter into an interlocal property agreement between the Cleburne Independent School District and Johnson County pertaining to Tract 1, Tract 2, Tract 4 and Tract 5 as attached in Exhibit F and give the County Judge the authorization to sign.

All voted aye; motion carried.

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

No Action.

## VIII. NEW BUSINESS

### 14. CONSIDERATION OF ADDITIONAL PHONE LINES AND PHONES AT 103 S. WALNUT DUE TO ADDITIONAL STAFF-ADULT PROBATION

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve additional phone lines at 103 S. Walnut due to additional staff in Adult Probation.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 12:10 P.M.

Submitted by: \_\_\_\_\_  
County Clerk  
Curtis H. Douglas

Approved by: \_\_\_\_\_  
County Judge  
Roger Harmon