

STATE OF TEXAS

March 24, 2008

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 24th day of March 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 9:05 A.M., with all members present, and following the Invocation led by Charles Garrett 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 19, 2008 at 1:30 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF PROCLAMATION FOR "NATIONAL PUBLIC HEALTH WEEK", APRIL 7-13, 2008

The Commissioner's Court proclaimed April 7-13, 2008 as "National Public Health Week".

2. PRESENTATION OF PROCLAMATION FOR "SEXUAL ASSAULT AWARENESS AND PREVENTION MONTH", APRIL, 2008

The Commissioner's Court proclaimed April, 2008 as "Sexual Assault Awareness and Prevention Month".

3. PRESENTATION OF PROCLAMATION FOR "MARCH FOR MEALS AWARENESS MONTH", MARCH, 2008

The Commissioner's Court proclaimed March, 2008 as "March for Meals Awareness Month".

V. PUBLIC HEARINGS

1. JUVENILE CURFEW FOR THE UNINCORPORATED AREAS OF JOHNSON COUNTY

The Commissioner's Court opened the public hearing at 9:20 A.M.

Sheriff Bob Alford spoke in support of the juvenile curfew.

Commissioner McFall spoke in reference to phone calls received from parents in support of the juvenile curfew.

The Public Hearing was closed at 9:23 A.M.

VI. PUBLIC PARTICIPATION

Andee Chamberlain Hill with Clearesult Consulting gave a presentation on the City Smart Program, a public utilities program at no cost to the County.

VII. PRECEDING BUSINESS

5. CONSIDERATION OF INSTALLATION OF COMMUNICATION LINE(S) AND INDEPENDENT WIRELESS COMMUNICATION EQUIPMENT TO FACILITATE STATE MANDATED INDIGENT DEFENSE REQUIREMENTS UTILIZING SPECIAL INDIGENT DEFENSE GRANT FUNDS TO FACILITATE THE EFFICIENT DELIVERY OF LEGAL SERVICES TO THE TEXAS FAIR DEFENSE ACT (SOMETIMES KNOWN AS SB 7, 2001, 77TH LEGISLATURE)

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve the installation of communication line(s) and independent wireless communication equipment to facilitate State mandated indigent defense requirements utilizing special indigent defense grant funds to facilitate the efficient delivery of legal services to the Texas Fair Defense Act (sometimes known as SB 7, 2001, 77th Legislature).

All voted aye; motion carried.

6. CONSIDERATION OF RECURRING EXPENSE FOR COMMUNICATION LINE(S) TO FACILITATE THE EFFICIENT DELIVERY OF LEGAL SERVICES TO THE FAIR DEFENSE ACT (SOMETIMES KNOWN AS SB 7, 2001, 77TH LEGISLATURE)

Comm. Carpenter, seconded by Comm. McFall, made a motion to approve the recurring expense for communication line(s) to facilitate the efficient delivery of legal services to the Fair Defense Act (sometimes known as SB 7, 2001, 77th Legislature).

All voted aye; motion carried.

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. ACKNOWLEDGEMENT OF RECEIPT OF THE COUNTY TREASURER'S REPORTS TO THE COMMISSIONER'S COURT

The Commissioner's Court acknowledged the receipt of the County Treasurer's Reports.

4. CONSIDERATION OF **ORDER #2008-05**-JUVENILE CURFEW FOR THE UNINCORPORATED AREAS OF JOHNSON COUNTY

Comm. McFall, seconded by Comm. Beeson, made a motion to approve **Order #2008-05**, Juvenile Curfew for the unincorporated areas of Johnson County.

All voted aye; motion carried.

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

- a. February 25, 2008-Regular Session
- b. February 29, 2008-Special Session

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve the Commissioner's Court Minutes for February 25, 2008 and February 29, 2008 as submitted by the County Clerk.

All voted aye; motion carried.

8. CONSIDERATION TO AWARD BID:

- b. **RFP 2008-143B**-for an "As Needed" Appraiser for Johnson County

Comm. Carpenter, seconded by Comm. Beeson, made a motion to award **RFP 2008-143B** to Brady Condike Inc. for an "as needed" appraiser for Johnson County.

All voted aye; motion carried.

The Commissioner's Court recessed at 10:01 A.M. and reconvened at 10:24 A.M. to consider the following:

IX. NEW BUSINESS

6. CONSIDERATION TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE JOHNSON COUNTY EMERGENCY SERVICES DISTRICT #1 FOR PARTICIPATION IN THE JOHNSON COUNTY HEALTH INSURANCE PROGRAM

Comm. Beeson, made a motion to enter into an Interlocal Agreement with the Johnson County Emergency Services District #1 for participation in the Johnson County Health Insurance program.

Motion died, for the lack of a second.

VIII. UNFINISHED BUSINESS

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

Discussion. No action.

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 a re-claimer to be used by Precincts 2 and 4.

All voted aye; motion carried.

2. CONSIDERATION TO RE-ADVERTISE FOR RFP'S:

- a. **RFP 2008-159**-for Mineral Lease of C. Chaney Survey, Abstract No. 124, 1.85 Acres for Johnson County-Precinct #1

Comm. McFall, seconded by Comm. Beeson, made a motion to re-advertise for **RFP 2008-159** for mineral lease of C. Chaney Survey, Abstract No. 124, 1.85 acres for Johnson County in Precinct #1.

All voted aye; motion carried.

- b. **RFP 2008-160**-Imaging Project for Johnson County Tax Assessor

Comm. Carpenter, seconded by Comm. Beeson, made a motion to re-advertise for **RFP 2008-160** for an imaging project for Johnson County Tax Assessor.

All voted aye; motion carried.

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

- a. Forfeited Funds-Fees & Services-STOP SCU

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the Budget Amendment pursuant to the Local Government Code *111.0106* for forfeited funds, fees and services for the STOP SCU.

All voted aye; motion carried.

b. Reimbursement for Costs-Road & Bridge, Precinct #1

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve reimbursement for cost for road & bridge in Precinct #1.

All voted aye; motion carried.

c. Reimbursement for Costs-Road & Bridge, Precinct #2

Comm. Matthews, seconded by Comm. McFall, made a motion to approve reimbursement for cost for road & bridge in Precinct #2.

All voted aye; motion carried.

4. CONSIDERATION OF RACIAL PROFILING REPORT-CONSTABLE, PRECINCT #1

Comm. McFall, seconded by Comm. Carpenter, made a motion to accept the Racial Profiling Report for Constable, Precinct #1.

All voted aye; motion carried.

5. CONSIDERATION TO LEASE COUNTY OWNED LAND FOR MINERAL DEVELOPMENT: CHANEY SURVEY, A-124: PEARCE AND JESTER ADDITION. 7.179 ACRES, MORE OR LESS SITUATED IN THE C. CHANEY SURVEY, ABSTRACT NO. 124, JOHNSON COUNTY, TEXAS, KNOWN AS BLOCKS 766, 767 AND 768. ORIGINAL CLEBURNE, ALSO KNOWN AS BLOCKS 766, 767 & 768 PEARCE & JESTER ADDITION, AN ADDITION TO THE CITY OF CLEBURNE, JOHNSON COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 154, PAGE 700, DEED RECORDS, JOHNSON COUNTY, TEXAS AS DESCRIBED IN THAT CERTAIN SPECIAL WARRANTY DEED DATED FEBRUARY 21, 2001, FROM DURAFAB, INC., A TEXAS CORPORATION TO JOHNSON COUNTY, TEXAS RECORDED IN VOLUME 2592, PAGE 801, DEED

RECORDS, JOHNSON COUNTY, TEXAS. LOT 1 THROUGH 12, BLOCK 767, (768), LOT 1 THROUGH 9 BLOCK-PRECINCT #1

Comm. Beeson, seconded by Comm. Carpenter, made a motion to advertise to lease County owned land for mineral development: Chaney Survey, A-124: Pearce and Jester Addition. 7.179 acres, more or less situated in the C. Chaney Survey, Abstract No. 124, Johnson County, Texas, known as Blocks 766, 767 and 768. Original Cleburne, also known as Blocks 766, 767 & 768 Pearce & Jester Addition, an Addition to the City of Cleburne, Johnson County, Texas, according to the Plat thereof recorded in Volume 154, Page 700, Deed Records, Johnson County, Texas as described in that Certain Special Warranty Deed dated February 21, 2001, from DURAFAB, Inc., a Texas Corporation to Johnson County, Texas recorded in Volume 2592, Page 801, Deed Records, Johnson County, Texas. Lot 1 through 12, Block 767, (768), Lot 1 through 9 Block with the correction of the property being in Precinct #4 instead of Precinct #1, with a Royalty of 25% at the well head and \$5,000.00 per acre with a no drill clause on this property.

All voted aye; motion carried.

7. CONSIDERATION OF INTERLOCAL AGREEMENT WITH THE CITY OF KEENE FOR ROAD REPAIR MATERIAL IN THE AMOUNT OF \$10,600.00 - PRECINCT #4

Comm. Beeson, seconded by Comm. Matthews, made a motion for to approve the Interlocal Agreement with the City of Keene for road repair material in the amount of \$10,600.00 in Precinct #4.

All voted aye; motion carried

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

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

All voted aye; motion carried

9. CONSIDERATION OF EARLY VOTING AND ELECTION DAY POLLING LOCATIONS AND HOURS FOR THE APRIL 8, 2008 DEMOCRATIC PRIMARY RUN-OFF ELECTION

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the Early Voting and Election Day Polling locations and hours for the April 8, 2008 Democratic Primary Run-Off Election.

All voted aye; motion carried.

10. CONSIDERATION OF APPOINTMENT TO ACT AS FIRE MARSHALL FOR THE MASS GATHERING SCHEDULED FOR APRIL 26, 2008

Comm. Carpenter, seconded by Comm. Beeson, made a motion to appoint Steve Shaw as representative to act as Johnson County Fire Marshall for the Mass Gathering scheduled for April 26, 2008.

All voted aye; motion carried.

11. CONSIDERATION OF APPOINTMENT OF DAVID JESOWITZ OF ALVARADO TO THE JOHNSON COUNTY WELFARE BOARD

Comm. Carpenter, seconded by Comm. Beeson, made a motion to appoint David Jesowitz of Alvarado, to the Johnson County Welfare Board.

All voted aye; motion carried.

12. CONSIDERATION OF R-05 SERVICE AGREEMENT RENEWAL NOTICE WITH APRISS FOR THE VICTIM INFORMATION & NOTIFICATION EVERYDAY PROGRAM (VINE)

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the R-05 Service Agreement Renewal Notice with APRISS for the Victim Information & Notification Everyday Program (VINE) and give the County Judge the authorization to sign.

All voted aye; motion carried.

X. CONSENT AGENDA

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

All voted aye; motion carried.

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSAL

Comm. Matthews, seconded by Comm. Beeson, made an amended motion to advertise for Bids/Proposals for a re-claimer to be used by Precincts 2 and 4 and to advertise to lease County owned land for mineral development: Chaney Survey, A-124: Pearce and Jester Addition. 7.179 acres, more or less situated in the C. Chaney Survey, Abstract No. 124, Johnson County, Texas, known as Blocks 766, 767 and 768. Original Cleburne, also known as Blocks 766, 767 & 768 Pearce & Jester Addition, an Addition to the City of Cleburne, Johnson County, Texas, according to the Plat thereof recorded in Volume 154, Page 700, Deed Records, Johnson County, Texas as described in that Certain Special Warranty Deed dated February 21, 2001, from DURAFAB, Inc., a Texas Corporation to Johnson County, Texas recorded in Volume 2592, Page 801, Deed Records, Johnson County, Texas. Lot 1 through 12, Block 767, (768), Lot 1 through 9 Block in Precinct #4, with a Royalty of 25% at the well head and \$5,000.00 per acre with a no drill clause on this property.

All voted aye; motion carried.

XI. WORKSHOP

The Commissioner's Court went into Workshop Session at 11:13 A.M. to discuss a one acre tract of County owned school property in Precinct #1 and the Contract Management & Professional Services for Home Disaster Relief Program for Johnson County.

The Commissioner's Court re-convened into Open Session at 11:35 A.M. to consider the following:

VIII. 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.

The Commissioner's Court recessed at 11:49 A.M. and reconvened at 1:10 P.M. to consider the following:

XI. WORKSHOP

The Commissioner's Court went into Workshop Session at 1:10 P.M. to discuss the Contract Management & Professional Services for Home Disaster Relief Program for Johnson County.

The Commissioner's Court re-convened into Open Session at 1:58 P.M. to consider the following:

VII. PRECEDING BUSINESS

8. CONSIDERATION TO AWARD BID:
 - a. **RFP 2008-158A**-for Contract Management & Professional Services for Home Disaster Relief Program for Johnson County

Comm. McFall, seconded by Comm. Matthews, made a motion to award **RFP 2008-158A** to Traylor & Associates for Contract Management and Professional Services for the Home Disaster Relief Program for Johnson County and give the County Judge the authorization to sign.

All voted aye; motion carried.

XI. WORKSHOP

The Commissioner's Court went into Workshop Session at 2:06 P.M. to discuss the usage of newly purchased buildings.

The Commissioner's Court re-convened into Open Session at 2:36 P.M.

BE IT KNOWN that Commissioner's Court met in Executive Session at 2:36 P.M. in accordance with Local Government Code *Section 551.074*-Personnel: Elections-Patty Bourgeois.

The Commissioner's Court went back into Open Session at 2:44 P.M. to consider the following:

XII. EXECUTIVE SESSION

1. Government Code:

a. *Sec. 551.074*-Personnel: Elections-Patty Bourgeois

Comm. Beeson, seconded by Comm. Matthews, made a motion to pay 54 accumulated overtime hours to Patty Bourgeois in the Elections Department in the amount of \$746.10 and for the funds to be paid from the operating reserve line item.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 2:45 P.M.

Submitted by: _____
County Clerk
Curtis H. Douglas

Approved by: _____
County Judge
Roger Harmon