

STATE OF TEXAS

August 11, 2008

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 11th day of August 2008, the Honorable Commissioner's Court of Johnson County, Texas, met in Regular Session at the Johnson County Courthouse 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 Kevin Bentley of the Bono Baptist Church and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on August 7, 2008 at 2:51 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

V. PUBLIC PARTICIPATION

1. PRESENTATION OF LENGTH OF SERVICE AWARDS TO JOHNSON COUNTY EMPLOYEES

Judge Jerry D. Webber and Debbie Elmore, employees of County Court at Law #2 were recognized for their service to Johnson County and were each given 15 year Length of Service pins.

2. PRESENTATION OF PLAQUE TO DR. JOANNA BORKOWSKI, ASSISTANT HEALTH OFFICER

The Commissioner's Court presented Dr. Joanna Borkowski, Assistant Health Officer with a plaque in appreciation for her service to Johnson County.

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. ACKNOWLEDGMENT 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 MINUTES OF THE COMMISSIONER'S COURT:

- a. June 30, 2008-Regular Session
- b. July 14, 2008-Regular Session
- c. August 4, 2008-Special Session

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the Minutes of the Commissioner's Court for June 30, 2008, July 14, 2008 and August 4, 2008 as submitted by the County Clerk.

All voted aye; motion carried.

4. CONSIDERATION OF FINAL PLAT OF **KATIE COURT ADDITION**, LOTS 1 & 2, BLOCK 1-PRECINCT #4

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve the final plat of **Katie Court Addition**, Lots 1 & 2, Block 1 in Precinct #4.

All voted aye; motion carried.

5. CONSIDERATION OF RFP'S:

- a. **RFP #2008-173-Plat System-County Clerk**

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

All voted aye; motion carried.

b. **RFP #2008-174-Cab and Chassis-Precinct #4**

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve **RFP #2008-174** for a cab and chassis for Precinct #4 to be awarded to Herrmann International Brenham in the amount of \$15,000.00.

All voted aye; motion carried.

6. **CONSIDERATION OF RFQ'S:**

a. **RFQ #2008-172-Printing Project-Tax Office**

Comm. McFall, seconded by Comm. Matthews, made a motion to approve **RFQ #2008-172** for a printing project at the Tax Office to be awarded to Laser Printers and Mailing Services in the amount \$115.00 per 1000 for proposed service, \$24.00 per 1000 for #10 window envelopes and \$24.00 per 1000 for #9 return envelopes.

All voted aye; motion carried.

b. **RFQ #2008-175-Asphalt Project-Precinct #4**

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

All voted aye; motion carried.

VII. **UNFINISHED BUSINESS**

1. **PRESENTATION BY TAX ASSESSOR AND COUNTY AUDITOR**

- a. **Effective Tax Rate, Roll Back Tax Rate and Calculation Methods**
- b. **M & O Obligations**
- c. **Debt Obligations**
- d. **Amount of Increase Based on Effective Tax Rate**

Discussion. No Action.

7. CONSIDERATION OF ORDER #2008-13, PROHIBITION OF OUTDOOR BURNING

Discussion. No Action.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Matthews, seconded by Comm. McFall, made a motion to advertise for Bids/Proposals for the Sheriff's Office to sell a 1995 bus that is declared as surplus and to re-bid the heating and air conditioning contract for Johnson County.

All voted aye; motion carried.

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

a. Road Repair Materials Donated by Devon Energy and Williams Production Gulf Coast, L.P. in the Amount of \$16,408.57-Precinct #1

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the Budget Amendment pursuant to the Local Government Code *111.0106* for road repair materials donated by Devon Energy and Williams Productions Gulf Coast, L.P. in the amount of \$16,408.57 in Precinct #1.

All voted aye; motion carried.

The Commissioner's Court recessed at 10:09 A.M. and reconvened at 10:28 A.M. to consider the following:

VIII. NEW BUSINESS

10. CONSIDERATION OF USE OF THE NORTH FIRST FLOOR COURTROOM LOCATED IN THE GUINN JUSTICE CENTER FOR THE JOHNSON COUNTY TEEN COURT PROGRAM SPONSORED BY CAMP FIRE USA- TESUYA COUNCIL

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the use of the North First Floor Courtroom located in the Guinn Justice Center for the Johnson County Teen Court Program sponsored by Camp Fire USA-Tesuya Council.

All voted aye; motion carried.

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 10:37 A.M. to discuss the Emergency Notification System.

The Commissioner's Court re-convened into Open Session at 10:51 A.M. to consider the following:

VII. UNFINISHED BUSINESS

5. ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS, AND CONTRACTS FOR REMODELING OF THE OLD BAND HALL FOR JUSTICE OF THE PEACE, PRECINCT #1 OFFICES

Discussion. No Action.

4. ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS, AND CONTRACTS FOR ADULT PROBATION BUILDING

Discussion. No Action.

6. CONSIDERATION OF WALK THRU SCANNER FOR ALVARADO SUB-COURTHOUSE TO BE PAID FROM JUSTICE COURT BUILDING SECURITY FUND (JCBSF)-JUSTICE OF THE PEACE, PRECINCT #3

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the walk thru scanner for Alvarado Sub-Courthouse to be paid from the Justice Court Building Security Fund (JCBSF) for Justice of the Peace, Precinct #3 to be purchased from the State Contract with Garrett Electronics.

All voted aye; motion carried.

VIII. NEW BUSINESS

3. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE SECTION 111.010 C FOR:
- a. Non-Departmental-Additional Mineral Revenue
 - b. Justice of the Peace, Precinct #3 (Technology Fund)-Office Supplies and Equipment Non-Capital
 - c. Veterans Service Officer-Personnel Salaries
 - d. Medical Examiner-Personnel Salaries
 - e. District Clerk-Equipment Non-Capital (credit card machines)
 - f. Justice of the Peace, Precinct #3-Equipment Non-Capital (walk thru scanner)

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the Budget Amendment pursuant to the Local Government Code *111.010 C* for Non-Departmental for additional mineral revenue in the amount of \$3,000,000.00; Justice of the Peace, Precinct #3- Equipment Non-Capital from the Technology Fund for office supplies in the amount of \$610.00 and printers in the amount of \$531.00; Veterans Service Officer-Personnel Salaries in the amount of \$36,000.00; Medical Examiner-Personnel Salaries in the amount of \$35,000.00; District Clerk-Equipment Non-Capital for credit card machines in the amount of \$612.00; and Justice of the Peace, Precinct #3-Equipment Non-Capital for the purchase of a walk thru scanner in the amount of \$2,638.00.

All voted aye; motion carried.

4. CONSIDERATION OF TERMINATION OF INTER-LOCAL AGREEMENT FOR THE ABSENT STUDENT ASSISTANCE PROGRAM (ASAP) WITH BURLESON INDEPENDENT SCHOOL DISTRICT AND THE PRECINCT #2 CONSTABLE'S OFFICE

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the termination of the Inter-Local Agreement for the Absent Student Assistance Program (ASAP) with Burlison Independent School District and the Precinct #2 Constable's Office effective 30 days from the termination letter of July 21, 2008.

All voted aye; motion carried.

5. CONSIDERATION OF INTER-LOCAL AGREEMENTS FOR THE ABSENTEE STUDENT ASSISTANCE PROGRAM (ASAP) DEPUTIES FOR THE SCHOOL YEAR 2008-2009-SHERIFF'S OFFICE

a. Burlison Independent School District

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the Inter-Local Agreement for the Absentee Student Assistance Program (ASAP) Deputies for the School year 2008-2009 with Burlison Independent School District and the Sheriff's Office and to give the County Judge and Sheriff the authorization to sign.

All voted aye; motion carried.

b. Joshua Independent School District

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the Inter-Local Agreement for the Absentee Student Assistance Program (ASAP) Deputies for the School year 2008-2009 with Joshua Independent School District and the Sheriff's Office and to give the County Judge and Sheriff the authorization to sign.

All voted aye; motion carried.

6. CONSIDERATION OF INTER-LOCAL AGREEMENTS FOR SCHOOL RESOURCE OFFICER (SRO) DEPUTIES FOR THE SCHOOL YEAR 2008-2009-SHERIFF'S OFFICE

a. Joshua Independent School District

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the Inter-Local Agreement for School Resource Officer (SRO) Deputies for the School year 2008-2009 with Joshua Independent School District and the Sheriff's Office and to give the County Judge and Sheriff the authorization to sign.

All voted aye; motion carried.

b. Alvarado Independent School District

Comm. Carpenter, seconded by Comm. Matthews, made a motion to approve the Inter-Local Agreement for School Resource Officer (SRO) Deputies for the School year 2008-2009 with Alvarado Independent School District and the Sheriff's Office and to give the County Judge and Sheriff the authorization to sign.

All voted aye; motion carried.

c. Godley Independent School District

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Inter-Local Agreement for School Resource Officer (SRO) Deputies for the School year 2008-2009 with Godley Independent School District and the Sheriff's Office and to give the County Judge and Sheriff the authorization to sign.

All voted aye; motion carried.

d. Venus Independent School District

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve the Inter-Local Agreement for School Resource Officer (SRO) Deputies for the School year 2008-2009 with Venus Independent School District and the Sheriff's Office and to give the County Judge and Sheriff the authorization to sign.

All voted aye; motion carried.

The Commissioner's Court recessed at 12:00 P.M. and reconvened at 1:20 P.M. to consider the following:

7. CONSIDERATION OF RE-APPOINTMENT TO THE WORKFORCE COMMISSION BOARD

Comm. McFall, seconded by Comm. Beeson, made a motion to re-appoint Bill Rice to the Workforce Commission Board.

All voted aye; motion carried.

8. CONSIDERATION OF 2009 SHERIFF'S AND CONSTABLE'S FEES

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the 2009 Sheriff's and Constable's Fees as attached effective January 1, 2009.

All voted aye; motion carried.

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 1:33 P.M. to discuss Re-consideration of Local Initiative Projects (LIRAP) Outlined in Senate Bill 12 with the North Central Texas Council of Governments; Retirement Plan Issues with Jail Employees and Jail Nurses; "Revised 1979" County Precinct Map Containing 31 Precincts as the Official Map for Precincts #1 and #3 for Certification of Bingo-County Clerk; and the Budget.

The Commissioner's Court recessed at 3:00 P.M. and reconvened at 3:18 P.M. to discuss the Budget.

The Commissioner's Court re-convened into Open Session at 4:14 P.M. to consider the following:

VII. UNFINISHED BUSINESS

2. CONSIDERATION TO TAKE RECORD VOTE ON PROPOSED TAX RATE FOR THE 2008 TAX YEAR

Commissioner Matthews, seconded by Comm. Carpenter, made a motion to adopt the proposed Tax Rate for the 2008 tax year at .359498 per \$100.00 valuation.

A record vote was taken as recorded below:

County Judge Roger Harmon	Aye
Comm. R. C. McFall	Aye
Comm. John Matthews	Aye
Comm. Mark Carpenter	Aye
Comm. Don Beeson	Aye

motion carried.

3. CONSIDERATION TO SCHEDULE PUBLIC HEARINGS ON TAX RATE FOR THE 2008 TAX YEAR

Comm. Beeson, seconded by Comm. McFall, made a motion to schedule the 1st Public Hearing regarding the Tax Rate for the 2008 tax year on August 25, 2008 and the 2nd Public Hearing September 8, 2008.

All voted aye; motion carried.

VIII. NEW BUSINESS

9. CONSIDERATION OF THE REVISED "1979 COUNTY PRECINCT MAP" CONTAINING 31 PRECINCTS AS THE OFFICIAL MAP FOR PRECINCTS #1 & #3 FOR CERTIFICATION OF BINGO-COUNTY CLERK

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve the "Revised 1979 County Precinct Map" containing 31 Precincts as the Official Map for Precincts #1 & #3 for certification of Bingo for the County Clerk's Office.

All voted aye; motion carried.

11. CONSIDERATION OF RESOLUTION AUTHORIZING THE ATTORNEY GENERAL THROUGH THE TEXAS TRANSPORTATION COMMISSION TO ACT ON JOHNSON COUNTY'S BEHALF TO ACQUIRE REAL PROPERTY BY CONDEMNATION FOR CONSTRUCTION OF HWY 121 BACKAGE ROADS

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Resolution authorizing the Attorney General through the Texas Transportation Commission to act on Johnson County's behalf to acquire real property by condemnation for construction of Hwy 121 Backage Roads.

All voted aye; motion carried.

12. CONSIDERATION OF RETIREMENT PLAN ISSUES WITH JAIL EMPLOYEES AND JAIL NURSES

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

All voted aye; motion carried.

13. CONSIDERATION OF ENGAGEMENT LETTER WITH KENNEMER, MASTERS AND LUNSFORD FOR OUTSIDE AUDIT SERVICES FOR THE JUVENILE PROBATION COMMISSION GRANT FUND

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the Engagement Letter with Kennemer, Masters and Lunsford for outside audit services for the Juvenile Probation Commission Grant Fund.

All voted aye; motion carried.

IX. CONSENT AGENDA

Comm. Matthews, seconded by Comm. Beeson, 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 4:22 P.M. in accordance with Government Code *Sec. 551.072-Real Property* and *Section 551.074-Personnel: Elections: Joy Adams, Judy Hamilton and Gina Jones.*

The Commissioner's Court re-convened into Open Session at 4: 46 P.M. to consider the following:

XI. EXECUTIVE SESSION

1. Government Code:

a. *Sec. 551.072-Real Property*

Comm. McFall, seconded by Comm. Carpenter, made a motion to accept the approved offer on Parcel #429 in the amount of \$7,300.00; Parcel #430 in the amount of \$2,100.00; Parcel #431 in the amount of \$3,400.00; Parcel #449 in the amount of \$4,200.00; Parcel #450 in the amount of \$9,900.00; Parcel #451 in the amount of \$43,400.00; Parcel #452 in the amount of \$28,600.00; and Parcel #453 in the amount of \$13,300.00; for Right of Way purchases for the Hwy 121 Project.

All voted aye; motion carried.

b. *Sec. 551.074-Personnel:*

(1) Elections:

(a) Joy Adams

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve the reclassification of Joy Adams in the Elections Department to a Clerk II with a \$1,000.00 annual increase in salary effective August 17, 2008.

(b) Judy Hamilton

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve the reclassification of Judy Hamilton in the Elections Department to a Clerk II with a \$1,000.00 annual increase in salary effective August 17, 2008.

All voted aye; motion carried.

(c) Gina Jones

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve the reclassification of Gina Jones in the Elections Department to a Clerk II with a \$1,000.00 annual increase in salary effective August 17, 2008.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda,
Commissioner's Court adjourned at 4:48 P.M.

Submitted by: _____
County Clerk
Curtis H. Douglas

Approved by: _____
County Judge
Roger Harmon