

STATE OF TEXAS

September 8, 2008

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 8th day of September 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 9:02 A.M., with all members present, and following the Invocation led by Pastor John Warren with Bethel Salter AME 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 September 4, 2008 at 11:36 A.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. THE COMMISSIONER'S COURT WILL VOTE ON ADOPTION OF THE TAX RATE FOR 2008 AND BUDGET FOR 2009 ON SEPTEMBER 25, 2008 AT 9 A.M. IN THE COMMISSIONER'S COURTROOM AT THE JOHNSON COUNTY COURTHOUSE

Judge Roger Harmon announced that the Commissioner's Court will vote on the Adoption of the Tax Rate for 2008 and Budget for 2009 on September 22, 2008 at 9 A.M. in the Commissioner's Courtroom at the Johnson County Courthouse.

V. PUBLIC PARTICIPATION

None.

VI. PUBLIC HEARING

1. 2ND PUBLIC HEARING ON TAX RATE FOR 2008

The Commissioner's Court opened the Public Hearing at 9:07 A.M. to discuss the Tax Rate. There being no one present to speak, the hearing was closed at 9:08 A.M.

2. 2ND PUBLIC HEARING ON BUDGET FOR 2009

The Commissioner's Court opened the Public Hearing at 9:08 A.M. to discuss the Budget. There being no one present to speak, the hearing was closed at 9:08 A.M.

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.

5. CONSIDERATION OF RFP'S:

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



Comm. Matthews, seconded by Comm. Carpenter, made a motion to award **RFP 2008-173** to Affiliated Computer Services, Inc. (ACS) for a plat system in the County Clerk's Office in the amount of \$1,425.00 per month to be paid from the County Clerk's Records Management Fund.

All voted aye; motion carried.

6. CONSIDERATION TO LEASE COUNTY OWNED LAND FOR MINERAL DEVELOPMENT ON THE FOLLOWING PROPERTY- .0875 OF AN ACRE, MORE OR LESS, BEING SITUATED IN THE DAVID CLARK SURVEY, A-138, JOHNSON COUNTY, TEXAS, KNOWN AS LOT 15, BLOCK 4, EMERALD ESTATES, AN ADDITION IN JOHNSON COUNTY ACCORDING TO THE PLAT RECORDED IN VOLUME 4, PAGE 34, PLAT RECORDS, JOHNSON COUNTY TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN THAT CERTAIN WARRANTY DEED DATED FEBRUARY 27, 1989, FROM VANDEN PLAZA PARTNERS IN TEXAS MANAGING PARTNER EVAN R. EVANS TO JOHNSON COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER, RECORDED IN VOLUME 1406, PAGE 610, OF THE OFFICIAL PUBLIC RECORDS OF JOHNSON COUNTY, TEXAS (271 N. DIAMOND LANE, BURLESON, TEXAS)-PRECINCT #2

Comm. Matthews, seconded by Comm. McFall, made a motion to advertise to lease County owned land for mineral development on the following property .0875 of an acre, more or less, being situated in the David Clark Survey, A-138, Johnson County, Texas, known as Lot 15, Block 4, Emerald Estates, an Addition in Johnson County according to the Plat recorded in Volume 4, Page 34, Plat Records, Johnson County Texas, and being more particularly described in that certain Warranty Deed dated February 27, 1989, from Vanden Plaza Partners in Texas Managing Partner Evan R. Evans to Johnson County Mental Health Mental Retardation Center, recorded in Volume 1406, page 610, of the Official Public Records of Johnson County, Texas (271 N. Diamond Lane, Burleson, Texas) in Precinct #2 with a Royalty of 25% at the well head and \$20,000.00 per acre with a no drill clause on this property.

All voted aye; motion carried.

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. McFall, seconded by Comm. Matthews, made a motion to advertise for Bids/Proposals for Precinct #1-a haul trailer, durapatch machine and fax machine; Precinct #2-a used tractor trailer; Sheriff's Office-a used weights trailer and an Auctioneer; to advertise to lease County owned land for mineral development being -.0875 of an acre, more or less, being situated in the David Clark Survey, A-138, Johnson County, Texas, known as Lot 15, Block 4, Emerald Estates, an Addition in Johnson County according to the Plat recorded in Volume 4, Page 34, Plat Records, Johnson County Texas, and being more particularly described in that certain Warranty Deed dated February 27, 1989, from Vanden Plaza Partners in Texas Managing Partner Evan R. Evans to Johnson County Mental Health Mental Retardation Center, recorded in Volume 1406, page 610, of the Official Public Records of Johnson County, Texas

(271 N. Diamond Lane, Burleson, Texas) in Precinct #2 with a Royalty of 25% at the well head and \$20,000.00 per acre with a no drill clause on this property in Precinct #2.

All voted aye; motion carried.

VII. PRECEDING BUSINESS

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 **VENUS RIDGE I & II** TO ACCEPT ROADS FOR MAINTENANCE-PRECINCT #3

Comm. Carpenter, seconded by Comm. Beeson, made a motion to accept roads in **Venus Ridge I & II** for maintenance in Precinct #3.

All voted aye; motion carried.

Item was rescinded in same meeting

4. CONSIDERATION OF **LAKE SIDE ESTATES, SECTIONS I & II-RESIZE LOTS 10-R-2-1 & 10-R-1-1, BLOCK 1 AND LOTS 2-R-1 & 3-R-1, BLOCK 3 BY METES AND BOUNDS-PRECINCT #2**

Comm. Matthews, seconded by Comm. McFall, made a motion to approve **Lakeside Estates**, Sections I & II to resize Lots 10-R-2-1 & 10-R-1-1, Block 1 and Lots 2-R-1 & 3-R-1, Block 3 by Metes and Bounds in Precinct #2.

All voted aye; motion carried.

VI. PUBLIC HEARING

1. 2ND PUBLIC HEARING ON TAX RATE FOR 2008

The Commissioner's Court opened a Public Hearing at 9:19 A.M. to discuss the Tax Rate. County Judge Roger Harmon stated that the total Tax Rate will be .359498. The hearing was closed at 9:20 A.M.

VIII. UNFINISHED BUSINESS

1. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS, AND CONTRACTS FOR ADULT PROBATION BUILDING

No Action.

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

No Action.

3. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS AND CONTRACTS FOR EXPANSION OF NORTH AND SOUTH ENDS OF THE 3RD FLOOR AT THE GUINN JUSTICE CENTER

No Action.

4. RECORDING OF DISTRICT JUDGE'S ORDER ESTABLISHING SALARIES FOR COUNTY AUDITOR'S OFFICE AND COURT REPORTERS

The Commissioner's Court acknowledged the recording of the District Judge's Order establishing salaries for the County Auditor's Office and Court Reporters:

County Auditor, J. R. Kirkpatrick, annual salary of \$94,700.00, and travel allowance of \$6,739.00;

Assistant Auditor, Accounting Manager, Norman Buck, annual salary of \$55,327.00;

Assistant Auditor, Audit Manager, Jennifer Lyon, annual salary of \$55,327.00;

Assistant Auditor, Accountant, Barbara Huneidi, annual salary of \$39,913.00;

Assistant Auditor, Internal Audit Supervisor, Scottie Brown, annual salary of \$35,904.00;

Assistant Auditor, Internal Auditor, Gary Graham, annual salary of \$29,764.00;

Assistant Auditor, Accountant Assistant, Ruthie Roden, annual salary of \$34,313.00;

Assistant Auditor, Accountant Assistant, Sherron Beard, annual salary of \$31,870.00;

Assistant Auditor, Accounts Payable Auditor, Teresa Comeaux, annual salary of \$29,764.00;

Assistant Auditor, Accounts Payable Auditor, Shaye Ford, annual salary of \$29,200.00;

Assistant Auditor, Accounting Clerk, Cristin Callaway, \$9.47 per hour, 32 hours per week;

Court Reporter, 249th District Court, annual salary of \$67,712.00;

Court Reporter, 18th District Court, annual salary of \$67,712.00;

Court Reporter, 413th District Court, annual salary of \$67,712.00.

5. CONSIDERATION OF POLLING LOCATIONS FOR THE NOVEMBER 4, 2008 GENERAL ELECTION ON ELECTION DAY AND EARLY VOTING POLLING LOCATIONS

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the Polling locations for the November 4, 2008 General Election on Election Day with the correction of Precinct #8 being FM 917 instead of CR 917 and Early Voting Polling locations.

All voted aye; motion carried.

6. CONSIDERATION OF AGREEMENT WITH COMMUNITY EDUCATION CENTERS, INC. ON EMPLOYMENT OF COUNTY EMPLOYEES

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Agreement with Community Education Centers, Inc. on employment of County Employees and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION TO SELECT SALARY GRIEVANCE COMMITTEE MEMBERS

Discussion. No Action.

IX. NEW BUSINESS

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

- a. Road and Bridge Donated by Texas Midstream Services, LLP in the Amount of \$1,350.00-Precinct #2
- b. Road and Bridge Donated by ConocoPhillips Company in the Amount of \$15,000.00-Precinct #2
- c. Road and Bridge Donated by Barnett Gathering, LP in the Amount of \$2,850.50 in Precinct #2

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the Budget Amendment pursuant to the Local Government Code *111.0106* for road and bridge materials donated by Texas Midstream Services, LLP in the amount of \$1,350.00 in Precinct #2; for road and bridge materials donated by ConocoPhillips Company in the amount of \$15,000.00 in Precinct #2; and for road and bridge materials donated by Barnett Gathering, LP in the corrected amount of \$2,851.00 in Precinct #2.

All voted aye; motion carried.

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

- a. Justice of the Peace, Precinct #2-Equipment Non-Capital
- b. Sheriff Administration/Patrol-Part Time/Temp Employee
- c. Justice of the Peace, Precinct #3-Postage Meter

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve the Budget Amendment pursuant to the Local Government Code *111.010 C* for Justice of the Peace, Precinct #2 Equipment Non-Capital for a desk in the amount of \$972.00; Sheriff Administration/Patrol-Part Time/Temp. Employee to be changed from Position P01-001 in Department 560 from 24 hours per week to 32 hours per week; and Justice of the Peace, Precinct #3 for a Budget shortage for maintenance of a Postage Meter from the Technology Fund in the amount of \$14.00.

All voted aye; motion carried.

4. CONSIDERATION OF TERMS OF COMMISSIONER'S COURT FOR 2008-2009

Comm. McFall, seconded by Comm. Beeson, made a motion to approve the terms of the Commissioner's Court for 2008-2009 as presented and attached to these minutes.

All voted aye; motion carried.

5. CONSIDERATION OF HOLIDAYS FOR 2009

Comm. Carpenter, seconded by Comm. Beeson made a motion to approve the holidays for 2009 as presented and attached to these minutes.

All voted aye; motion carried.

6. CONSIDERATION OF CONTINUING FINANCIAL SUPPORT OF THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS AGING PROGRAM

Comm. Carpenter, seconded by Comm. Matthews, made a motion to approve the Continuing Financial Support of the North Central Texas Council of Governments Aging Program in the amount of \$8,365.00.

All voted aye; motion carried.

7. CONSIDERATION OF CONTRACT #2009-028768-001 WITH THE DEPARTMENT OF STATE HEALTH SERVICES

Comm. McFall, seconded by Comm. Matthews, made a motion to approve Contract #2009-028768-001 with the Department of State Health Services.

All voted aye; motion carried.

8. CONSIDERATION TO SPEND TECH FUND MONEY FOR SCHOOL IN OCTOBER 2008 FOR COLLEGE OF JUSTICE COURT JUDGES-JUSTICE OF THE PEACE PRECINCT #3

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve to spend Tech Fund money for School in October 2008 for College of Justice Court Judges for Justice of the Peace Precinct #3.

All voted aye; motion carried.

9. CONSIDERATION OF NEW SPECIAL REVENUE FUND #938 TO BE BUDGETED IN FY 09 AS OF OCTOBER 1, 2008-COUNTY AUDITOR

Comm. McFall, seconded by Comm. Beeson, made a motion to approve the new Special Revenue Fund #938 to be budgeted in FY 09 as of October 1, 2008 for the County Auditor with a new fund balance of \$2,783.00 as of October 1, 2008.

All voted aye; motion carried.

X. CONSENT AGENDA

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

All voted aye; motion carried.

XI. WORKSHOP

The Commissioner's Court convened into Workshop Session at 9:47 A.M. to discuss Mountain Valley Lake.

The Commissioner's Court recessed at 9:56 A.M. and reconvened at 10:14 A.M. to discuss Health Insurance continuation for Retirement Eligible Employees who Meet Certain Tenure Requirements and the Budget.

The Commissioner's Court re-convened into Open Session at 12:07 P.M. to consider the following:

VII. PRECEDING BUSINESS

3. CONSIDERATION OF **VENUS RIDGE I & II** TO ACCEPT ROADS FOR MAINTENANCE-PRECINCT #3

Comm. Carpenter, seconded by Comm. Beeson, made a motion to rescind the previous motion to accept roads in **Venus Ridge I & II** for maintenance in Precinct #3.

All voted aye; motion carried.

3. CONSIDERATION OF **VENUS RIDGE I & II** TO ACCEPT ROADS FOR MAINTENANCE-PRECINCT #3

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

All voted aye; motion carried.

VIII. UNFINISHED BUSINESS

7. CONSIDERATION OF HEALTH INSURANCE CONTINUATION FOR RETIREMENT ELIGIBLE EMPLOYEES WHO MEET CERTAIN TENURE REQUIREMENTS

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve health insurance continuation for retirement eligible employees who meet certain tenure requirements as attached to these minutes.

All voted aye; motion carried.

XI. WORKSHOP

The Commissioner's Court convened into Workshop Session at 12:09 P.M. to discuss Update on Dispatch Communication and Radio Conversion.

The Commissioner's Court re-convened into Open Session at 12:46 P.M.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 12:46 P.M.

Submitted by: _____
County Clerk
Curtis H. Douglas

Approved by: _____
County Judge
Roger Harmon