

STATE OF TEXAS

September 22, 2008

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 22nd 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 9:00 A.M., with all members present, and following the Invocation led by Pastor Keith Whitt with North Cleburne 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 September 18, 2008 at 12:59 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PROCLAMATION FOR "NATIONAL 4-H WEEK" IN JOHNSON COUNTY, TEXAS

The Commissioner's Court proclaimed October 5-11, 2008 as "National 4-H Week" in Johnson County, Texas.

2. RECEPTION IN HONOR OF NATIONAL 4-H WEEK

The Commissioner's Court recessed at 9:10 A.M. and reconvened at 9:32 A.M. to consider the following:

V. PUBLIC PARTICIPATION

Mike Mizell spoke in reference to the budget and to the responsibility of the citizens of Johnson County to hold elected officials accountable in how they govern the community.

VI. PUBLIC HEARING

1. PUBLIC HEARING ON TAX RATE FOR 2008-2009

The Commissioner's Court opened the Public Hearing at 9:36 A.M. to discuss the Tax Rate. There being no one present to speak, the hearing was closed at 9:37 A.M.

The Commissioner's Court re-opened the Public Hearing at 9:37 in order to discuss the adjustments in the budget as attached to these minutes. The Public Hearing was closed at 9:40 A.M.

VII. PRECEDING BUSINESS

1. CONSIDERATION TO ADOPT THE BUDGET FOR 2008-2009

Comm. Carpenter, seconded by Comm. McFall, made a motion to adopt the Budget for 2008-2009 as presented.

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

Motion carried by unanimous hand vote.

2. CONSIDERATION TO ADOPT TAX RATE FOR 2008

Comm. Matthews, seconded by Comm. Beeson, made a motion to adopt the Tax Rate for 2008 with property taxes being increased by the adoption of a tax rate of:

Maintenance & Operation Rate:	General	.270507
	FMLR	.052790
Interest & Sinking Rate:	General	.036201
TOTAL TAX RATE:	General	.0306708
	FMLR	.052790
TOTAL COMBINED RATE:		.359498

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

Motion carried by unanimous hand vote.

3. CONSIDERATION TO RATIFY THE PROPERTY TAX INCREASE
REFLECTED IN THE BUDGET FOR 2008-2009

Comm. Beeson, seconded by Comm. Carpenter, made a motion to ratify the Property Tax increase as reflected in the budget for 2008-2009. This budget will raise more total property taxes than last year's budget by \$6,620,756.00 which is 20.23% and of that amount \$979,223.00 is tax revenue to be raised from new property added to the tax roll this year.

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

Motion carried by unanimous hand vote.

4. CONSIDERATION OF **ORDER #2008-15**, FIXING AND LEVYING COUNTY
GENERAL FUND AD VALOREM TAXES FOR THE COUNTY OF
JOHNSON FOR THE YEAR 2008: DIRECTING THE ASSESSMENT AND
COLLECTION THEREOF

Comm. McFall, seconded by Comm. Matthews, made a motion to approve **Order #2008-15**, fixing and levying County General Fund Ad Valorem Taxes for the County of Johnson for the Year 2008: directing the assessment and collection thereof consisting of an M & O Rate of \$.270507 per \$100.00 assessed valuation of such property; and an I & S Rate of \$.036201 per \$100.00 assessed valuation of such property.

All voted aye; motion carried.

5. CONSIDERATION OF **ORDER #2008-16**, FIXING AND LEVYING COUNTY
FARM TO MARKET/LATERAL ROAD AD VALOREM TAXES FOR THE
COUNTY OF JOHNSON FOR THE YEAR 2008: DIRECTING THE
ASSESSMENT AND COLLECTION THEREOF

Comm. Matthews, seconded by Comm. McFall, made a motion to approve **Order #2008-16**, fixing and levying County Farm to Market/Lateral Road Ad Valorem Taxes for the County of Johnson for the year 2008 and directing the assessment and collection thereof consisting of a Rate of \$.052790 on the \$100.00 assessed valuation of such property.

All Voted aye; motion carried.

6. CONSIDERATION OF MINUTES OF THE COMMISSIONER'S COURT:

- a. August 11, 2008-Regular Session
- b. August 18, 2008-Special Session
- c. August 25, 2008-Regular Session
- d. August 26, 2008-Emergency Session

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve the Commissioner's Court Minutes for August 11, 2008, August 18, 2008, August 25, 2008 and August 26, 2008 as submitted by the County Clerk.

All voted aye; motion carried.

7. 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.

8. 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.

9. CONSIDERATION OF TREASURER'S REPORT

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the Treasurer's Report as presented by the County Treasurer.

All voted aye; motion carried.

10. CONSIDERATION TO PURGE OUTSTANDING COUNTY CHECKS-TREASURER'S OFFICE

Comm. Beeson, seconded by Comm. McFall, made a motion to approve to purge outstanding County checks in the Treasurer's Office as of October 1, 2007.

All voted aye; motion carried.

11. CONSIDERATION OF FINAL PLAT OF **BUFFALO CREEK RANCHETTE**-BLOCK 1, LOT 1-PRECINCT #3

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the final plat of **Buffalo Creek Ranchette**-Block 1, Lot 1 in Precinct #3.

All voted aye; motion carried.

12. CONSIDERATION TO REJECT REQUEST FOR **QUOTE #2008-175** ON ASPHALT PROJECT-PRECINCT #4

Comm. Beeson, seconded by Comm. McFall, made a motion to reject the Request for **Quote #2008-175** on the Asphalt Project in Precinct #4.

All voted aye; motion carried.

13. CONSIDERATION TO AWARD RFP'S AND RFB'S:

a. **RFP #2008-179**-Lease at 210 Featherston

Comm. Matthews, seconded by Comm. McFall, made a motion to award **RFP #2008-179** to United Way Foundation of Johnson County at \$1.00 per year and Court Appointed Special Advocates at \$1.00 per year with the stipulation that an Attorney General Opinion will be requested by Bill Moore, County Attorney, and this item could be reversed depending on the Opinion.

All voted aye; motion carried.

b. **RFP #2008-178-Surplus Property**

Comm. Matthews, seconded by Comm. McFall, made a motion to award **RFP #2008-178** for the 1995 Carpenter Bus, Vin #1C9AAM273SR493362 to Community Education Centers in the amount of \$8,000.00; 3 Stryker autopsy carts to Rosser Funeral Home at \$510.00 each; the Fatpipe Xtreme Wan Optimizer to Synetics Computers Inc. in the amount of \$101.00; and the Stryker autopsy saw and G.E. freezer to be submitted to the Sheriff for the next Sheriff's sale.

All voted aye; motion carried.

14. **CONSIDERATION TO AWARD FORMAL QUOTE FOR LAWN CARE MAINTENANCE FOR THE COURTHOUSE AND THE GUINN JUSTICE CENTER**

Comm. Beeson, seconded by Comm. Carpenter, made a motion to award the formal quote for lawn care maintenance for the Courthouse and Guinn Justice Center to Don's Lawn Service for lawn care for the Guinn Building in the amount of \$7,800.00 per year and for the Courthouse in the amount of \$3,900.00 per year.

All voted aye; motion carried.

15. **CONSIDERATION TO SELL EQUIPMENT FROM PRECINCT #1 TO PRECINCT #2**

Comm. McFall, seconded by Comm. Matthews, made a motion to sell a GMC 1989 Truck-Inventory #015-612-0233-13530 and High Roller-Inventory #015-612-0233-13532 from Precinct #1 to Precinct #2 in the amount of \$4,000.00.

All voted aye; motion carried.

The Commissioner's Court recessed at 10:18 A.M. and reconvened at 10:39 A.M. to consider the following:

VIII. UNFINISHED BUSINESS

4. CONSIDERATION TO ACCEPT GRANT AWARD FOR THE GRANDVIEW
ISD SCHOOL RESOURCE OFFICER (SRO)-GRANT #1829803

Comm. Beeson, seconded by Comm. Matthews, made a motion to accept the Grant Award for the Grandview ISD School Resource Officer (SRO) Grant #1829803.

All voted aye; motion carried.

6. CONSIDERATION TO ACCEPT GRANT AWARD FOR THE KEENE ISD
SCHOOL RESOURCE OFFICER (SRO)-GRANT #32902

Comm. Beeson, seconded by Comm. Matthews, made a motion to accept the Grant Award for the Keene ISD School Resource Officer (SRO) Grant #32902.

All voted aye; motion carried.

5. CONSIDERATION OF LIRAP LOCAL INITIATIVE PROJECTS CONTRACT
AMENDMENT NUMBER 1-CONTRACT #582-8-89954

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the LIRAP Local Initiative Projects Contract Amendment Number 1-Contract #582-8-89954 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF AUTOMARK LEASE AGREEMENT WITH:

a. Johnson County and City of Keene

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve the AutoMark Lease Agreement with Johnson County and the City of Keene and to give the County Judge the authorization to sign.

All voted aye; motion carried.

b. Johnson County and Joshua ISD

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the AutoMark Lease Agreement with Johnson County and Joshua ISD and to give the County Judge the authorization to sign.

All voted aye; motion carried.

9. CONSIDERATION OF JOINT ELECTION CONTRACT WITH RESOLUTION BETWEEN JOHNSON COUNTY AND BURLESON ISD FOR NOVEMBER 4, 2008 ELECTION

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the Joint Election Contract with Resolution between Johnson County and Burleson ISD for the November 4, 2008 election and to give the County Judge the authorization to sign the agreement.

All voted aye; motion carried.

IX. NEW BUSINESS

12. CONSIDERATION OF INTERLOCAL AGREEMENT WITH CLEBURNE ISD FOR TRUANCY PROGRAM (ASAP)-CONSTABLE PRECINCT #1

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Interlocal Agreement with Cleburne ISD for the Truancy Program (ASAP) with Constable, Precinct #1 and to give the County Judge the authorization to sign the agreement.

All voted aye; motion carried.

VIII. UNFINISHED BUSINESS

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

Discussion. 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

Discussion. No Action.

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

No Action.

7. CONSIDERATION TO SET MEAL REIMBURSEMENT AMOUNTS FOR TRAVEL OF COUNTY EMPLOYEES

Comm. Carpenter, seconded by Comm. Beeson, made a motion to set meal reimbursement amounts for travel of county employees at: \$10.00 for breakfast, \$12.00 for lunch, and \$15.00 for dinner effective October 1, 2008.

All voted aye; motion carried.

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS
 - a. Roof Replacement and Foundation Leveling for the Doty House at 409 North Buffalo

Comm. McFall, seconded by Comm. Beeson, made a motion to advertise for Bids/Proposals for the roof replacement and foundation leveling for the Doty House at 409 North Buffalo; Precinct #4-1 used vibratory roller; and Precinct #2-2008 Gradall G930 motor grader.

All voted aye; motion carried.

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

- a. Road and Bridge Donated by Chesapeake Energy in the Amount of \$4,367.00-Precinct #1
- b. Road and Bridge Donated by Hollis R. Sullivan, Inc. in the Amount of \$568.00-Precinct #1
- c. Road and Bridge Donated by Devon Energy in the Amount of \$11,942.00 in Precinct #1
- d. Road and Bridge Donated by XTO Energy in the Amount of \$60,636.11 in Precinct #4
- e. Road and Bridge Donated by XTO Energy in the Amount of \$1,160.00 in Precinct #1
- f. Road and Bridge Donated by EOG Resources, Inc. in the Amount of \$5,107.00 in Precinct #1

Comm. McFall, seconded by Comm. Beeson, made a motion to approve the Budget Amendment pursuant to the Local Government Code *111.0106* for road and bridge materials donated by Chesapeake Energy in the amount of \$4,367.00 in Precinct #1; for road and bridge materials donated by Hollis R. Sullivan, Inc. in the amount of \$568.00 in Precinct #1; for road and bridge materials donated by Devon Energy in the amount of \$11,942.00 in Precinct #1; for road and bridge materials donated by XTO Energy in the amount of \$60,636.11 in Precinct #4; for road and bridge materials donated by XTO Energy in the amount of \$1,160.00 in Precinct #1 and for road and bridge materials donated by EOG Resources, Inc. in the amount of \$5,107.00 in Precinct #1 and for the money to be deposited in the FY 2009 budget.

All voted aye; motion carried.

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

- a. Non-Departmental-Central Appraisal Dues
- b. Justice of the Peace, Precinct #2-Equipment Non-Capital

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-Central Appraisal Dues in the amount of \$100,697.00 and Justice of the Peace, Precinct #2 Equipment Non-Capital for the purchase of computer equipment in the amount of \$6,580.00.

All voted aye; motion carried.

4. CONSIDERATION OF CHARACTER FIRST SUBSCRIPTION FOR 2008-2009

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve the Character First Subscription for 2008-2009 for the offices that are currently participating in the program and to remove the subscriptions for the Jail.

All voted aye; motion carried.

5. CONSIDERATION OF INTERLOCAL AGREEMENT AND COMMISSIONER'S COURT APPROVAL WITH RIO VISTA ISD FOR PATCHING PARKING LOT-PRECINCT #1

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the Interlocal Agreement and give Commissioner's Court approval with Rio Vista ISD for patching the parking lot in Precinct #1 in the amount of \$6,288.75.

All voted aye; motion carried.

6. CONSIDERATION OF EARLY PAYMENT ON OCTOBER 1, 2008 FOR NET DATA'S ANNUAL SOFTWARE INVOICE AND MAINTENANCE AGREEMENT IN 2009

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve the early payment on October 1, 2008 for NET Data's annual software invoice and maintenance in 2009 in the amount of \$126,348.00 and to give the County Judge the authorization to sign the agreement.

All voted aye; motion carried.

7. CONSIDERATION OF THE 2009 TEXAS COUNTY & DISTRICT RETIREMENT SYSTEM (TCDRS) AUTHORIZATION TO MAINTAIN PLAN PROVISIONS AND THE REQUIRED CONTRIBUTION RATE OF 7.49% BEING THAT THIS RATE INCLUDES AN ADJUSTMENT OF .16% THAT PROVIDES A 3% FLAT RATE COST OF LIVING ADJUSTMENT FOR THOSE RETIREES WHO HAVE BEEN RETIRED FOR AT LEAST ONE (1) YEAR AS OF JANUARY 1, 2009-PERSONNEL OFFICE

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the 2009 Texas County & District Retirement System (TCDRS) authorization to maintain plan provisions and the required contribution rate of 7.49% being that this rate includes an adjustment of .16% that provides a 3% flat rate cost of living adjustment for those retirees who have been retired for at least one (1) year as of January 1, 2009 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION TO INCREASE THREE (3) CASH DRAWERS FROM \$50.00 TO \$300.00 FOR CLERK'S-JUSTICE OF THE PEACE, PRECINCT #2

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the increase of three cash drawers from one (1) \$50.00 cash drawer to three (3) \$100.00 cash drawers for the Clerk's in Justice of the Peace, Precinct #2.

All voted aye; motion carried.

10. CONSIDERATION TO USE TECH FUNDS:

- a. To Attend "Summary & Default Judgment, Electronic Technology Seminar"-Justice of the Peace, Precinct #1

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the use of Tech Funds to attend the "Summary & Default Judgment, Electronic Technology Seminar" for Justice of the Peace, Precinct #1.

All voted aye; motion carried.

b. To Purchase Equipment-Justice of the Peace, Precinct #2

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve the use of Tech Funds to purchase 1-F16130 Fujitsu Scanner in the amount of \$1,195.00; 1-Premier PREP7200 Rapidfold Autofolder in the amount of \$426.93; 2-MX3200 Cordless Laser Desktop Keyboard in the amount of \$266.60; 1-Computer Package Purchase in the amount of \$2,061.44; 2-HP Laser Jet 4250N Printers in the amount of \$2,390.00; and 1 Commercial Electric Stapler & Staples in the amount of \$233.50 for the Justice of the Peace, Precinct #2.

All voted aye; motion carried.

11. CONSIDERATION OF TARRANT COUNTY CULTURAL EDUCATION FACILITIES FINANCE CORPORATION TEXAS HEALTH RESOURCES SYSTEM REVENUE BONDS, SERIES 2008

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve Tarrant County Cultural Education Facilities Finance Corporation Texas Health Resources System Revenue Bonds, Series 2008 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

X. CONSENT AGENDA

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the Consent Agenda as presented, with the exception of 3a-Request from Shannon Hinkle, Indigent Health Care Administrator, for herself and Rachael Smithey to attend "Social Work Courses" being paid after a receipt for on-line courses has been provided to the County Auditor.

All voted aye; motion carried.

IX. NEW BUSINESS

9. CONSIDERATION OF APPOINTMENT OF SEAN K. BLANKS AS A
DEPUTY CONSTABLE-CONSTABLE-PRECINCT #2

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the appointment of Sean K. Blanks as a Warrant/Bailiff Deputy Constable for Constable Precinct #2.

All voted aye; motion carried.

VII. PRECEDING BUSINESS

7. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. McFall, seconded by Comm. Matthews, made an amended motion to pay bills as presented by the County Auditor with the addition of the NVO Information System Inc. bill in the Amount of \$49.95 for replacement VETREX CD.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda,
Commissioner's Court adjourned at 11:47 A.M.

Submitted by: _____
County Clerk
Curtis H. Douglas

Approved by: _____
County Judge
Roger Harmon