

STATE OF TEXAS

October 13, 2008

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 13th day of October 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 Beverly Cole, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on October 9, 2008 at 3:22 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF PROCLAMATION FOR DOMESTIC VIOLENCE AWARENESS MONTH

The Commissioner's Court proclaimed October, 2008 as "Domestic Violence Awareness Month" in Johnson County.

3. PRESENTATION OF PROCLAMATION FOR CZECH HERITAGE MONTH

The Commissioner's Court proclaimed October, 2008 as Czech Heritage Month.

2. PRESENTATION OF LENGTH OF SERVICE AWARDS TO COUNTY EMPLOYEES

Employees of Johnson County were recognized for their service to the County and employees were given Length of Service pins, as attached to these minutes.

V. PUBLIC PARTICIPATION

None.

VI. PRECEDING BUSINESS

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

a. September 8, 2008-Regular Session

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the Commissioner's Court Minutes for September 8, 2008 as submitted by the County Clerk.

All voted aye; motion carried.

2. 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.

3. 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.

4. CONSIDERATION TO AWARD RFP'S:

a. **RFP #2009-205**-2005-9200 International Tractor/Trailer-Precinct #2

Comm. Matthews, seconded by Comm. Beeson, made a motion to award **RFP #2009-205**, for a 2005-9200 International Tractor/Trailer to Southwest International Truck for Precinct #2 in the amount of \$50,000.00.

All voted aye; motion carried.

b. **RFP #2008-165-C** Sale & Relocation of Building Located at 1601 N. Anglin, Cleburne, Texas

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

All voted aye; motion carried.

- c. **RFP #2008-166-C Sale of Strip of Property Located off FM 1434, Cleburne, Texas**

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

All voted aye; motion carried.

- 5. **CONSIDERATION TO AWARD QUOTE FOR A 2008 MOTOR GRADER-PRECINCT #2**

Comm. Matthews, seconded by Comm. McFall, made a motion to award Quote for a 2008 Motor Grader to ROMCO for Precinct #2 in the amount of \$132,107.00.

All voted aye; motion carried.

VIII. **NEW BUSINESS**

- 9. **CONSIDERATION OF COOPERATIVE AGREEMENT BETWEEN THE OFFICE OF ATTORNEY GENERAL AND JOHNSON COUNTY-DISTRICT CLERK**

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Cooperative Agreement between the office of Attorney General and Johnson County for the District Clerk and to give the County Judge the authorization to sign.

All voted aye; motion carried.

- 10. **CONSIDERATION OF NETDATA CONTRACT FOR CREDIT CARD ACCEPTANCE AND PROCESSING-DISTRICT CLERK**

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the NetData contract for credit card acceptance and processing for the District Clerk and to give the County Judge the authorization to sign.

All voted aye; motion carried.

11. CONSIDERATION TO INCREASE MONTHLY SERVICE AMOUNT OF JUVENILE SERVICES CELL PHONES:

- a. Lisa Tomlinson-Add Internet Services to be Able to Receive E-mails at \$40.00 per month

Comm. McFall, seconded by Comm. Beeson, made a motion to approve the increase in the monthly service amount of Juvenile Services cell phones for Lisa Tomlinson to add internet services to be able to receive e-mails at \$40.00 per month.

All voted aye; motion carried.

- b. Juvenile Probation Officers (11)-Increase Text Messaging from 100 to 400 Adding \$10.00 per Month per Person

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the increase in the monthly service amount of the Juvenile Services for Probation Officers (11) to increase text messaging from 100 to 400 adding \$10.00 per month per person.

All voted aye; motion carried.

12. CONSIDERATION OF CONTRACTS FOR JUVENILE PROBATION WITH:

- a. Linda Baley-Counseling
- b. Grayson County-Pre and Post Adjudication
- c. Nathan Brown-Educational Services
- d. Accu-Chem Laboratories-Drug Testing
- e. Limestone County-Pre Adjudication Detention
- f. Paul Cuppett-Psychological Evaluations
- g. Philip Davis-Psychological Evaluations

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the contracts for Juvenile Probation with Linda Baley, Counseling; Grayson County, Pre and Post Adjudication; Nathan Brown, Education Services, Accu-Chem Laboratories, Drug Testing; Limestone County, Pre Adjudication Detention; Paul Cuppett, Psychological Evaluations; and Philip Davis, Psychological Evaluations and to give the County Judge the authorization to sign.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

4. CONSIDERATION OF ELECTION JUDGES/ALTERNATES AND AMENDED POLLING PLACES FOR THE NOVEMBER 4, 2008 GENERAL ELECTION

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the Election Judges/Alternates and amended polling places for the November 4, 2008 General Election with the change in polling location in Precinct #7 from the National Bank of Texas to Cana Baptist Church.

All voted aye; motion carried.

5. CONSIDERATION OF AMENDED ORDER FOR LOCAL OPTION ELECTION IN THE CITY OF KEENE, TEXAS

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve the Amended Order for Local Option Election in the City of Keene, Texas.

All voted aye; motion carried.

6. CONSIDERATION OF LEASE AGREEMENT FOR AUTO MARK VOTING MACHINES WITH THE CITY OF RIO VISTA, TEXAS

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

All voted aye; motion carried.

7. CONSIDERATION OF ORDER FOR LOCAL OPTION ELECTION FOR THE CITY OF RIO VISTA, TEXAS

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the Order for the Local Option Election for the City of Rio Vista, Texas.

All voted aye; motion carried.

8. CONSIDERATION OF ELECTION JUDGES/ALTERNATES AND POLLING PLACES FOR THE LOCAL OPTION ELECTION FOR THE CITY OF RIO VISTA, TEXAS

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Election Judges and Alternates and polling places for the Local Option Election for the City of Rio Vista, Texas.

All voted aye; motion carried.

12. CONSIDERATION OF RESOLUTION CALLING FOR JOINT ELECTION WITH THE CITY OF RIO VISTA, TEXAS, NOVEMBER 4, 2008

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Resolution calling for a Joint Election with the City of Rio Vista, Texas, on November 4, 2008.

All voted aye; motion carried.

13. CONSIDERATION OF JOINT ELECTION AGREEMENT FOR JOHNSON COUNTY AND THE CITY OF RIO VISTA, TEXAS, NOVEMBER 4, 2008

Comm. McFall, seconded by Comm. Carpenter, made a motion to approve the Joint Election Agreement for Johnson County and the City of Rio Vista, Texas, on November 4, 2008.

All voted aye; motion carried.

9. CONSIDERATION OF GOVERNOR'S DIVISION OF EMERGENCY MANAGEMENT 2006 GRANT ADJUSTMENT FOR JOHNSON COUNTY FOR HOMELAND SECURITY GRANT PROGRAM

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve the Governor's Division of Emergency Management 2006 Grant Adjustment for Johnson County for Homeland Security Grant Program and to give the County Judge the authorization to sign.

All voted aye; motion carried.

The Commissioner's Court recessed at 9:54 A.M. and reconvened at 10:16 A.M.

to consider the following:

10. CONSIDERATION OF SERVICE AGREEMENT WITH DON'S LAWN SERVICE FOR LAWN CARE AT THE COURTHOUSE AND THE GUINN JUSTICE CENTER

Comm. Beeson, seconded by Comm. Carpenter, made a motion to approve the Service Agreement with Don's Lawn Service for lawn care at the Courthouse and the Guinn Justice Center and to give the County Judge the authorization to sign.

All voted aye; motion carried.

11. CONSIDERATION UNDER LOCAL GOVERNMENT CODE SECTION 262.024, (7)(A) DISCRETIONARY EXEMPTION, FOR PURCHASE OF:

a. Update County Phone System to Add Probation Officers on the 3rd Floor North Wing of the Guinn Justice Center

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve the update of the County phone system to add Probation Officers on the 3rd Floor of the North Wing of the Guinn Justice Center and to give the County Judge the authorization to sign.

All voted aye; motion carried.

b. Update County Phone System to Add Annex Employees

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve the update of the County phone system to add Annex Employees and to give the County Judge the authorization to sign.

All voted aye; motion carried.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Carpenter, seconded by Comm. Matthews, made a motion to advertise for Bids/Proposals for ISS Department-1 flat bed scanner-Fujitsu FI-4340C, 3 KVM switches/consoles for 36 assorted servers and appliances for the data center, 2 servers-combination project of 1 active directory server and 1 exchange server each to have virtualization of the other server, 177 CPUs with 19" flat screen monitors, 18 laser jet printers; Precinct #4- to purchase a 2008-Chevrolet 2500 Silverado crew cab off of the Buy Board in the amount of 22,490.00; the Sub-Courthouse in Burleson- to advertise to lease County owned land for mineral development being: 247 Elks Drive, Burleson, Texas, in Precinct #2, with a Royalty of 25% at the well head and a minimum of \$20,000.00 per acre and for a 30 foot permanent easement with a 50 foot temporary construction easement located on the South side of the Sub-Courthouse building in Burleson, Texas between the parking lot and creek with a minimum of \$25.00 per foot.

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 Texas Midstream Gas Service, LLC in the Amount of \$1,350.00-Precinct #2
- b. Road and Bridge Donated by Pumpco Inc. & Universal Ensco, LLC in the Amount of \$1,425.00-Precinct #2
- c. Road and Bridge Donated by Barnett Gathering LP in the Amount of \$1,250.00 in Precinct #2

Comm. Matthews, 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 Texas Midstream Gas Service, LLC in the amount of \$1,350.00 in

Precinct #2; for road and bridge materials donated by Pumpco Inc. & Universal Ensco, LLC in the amount of \$1,425.00 in Precinct #2; and for road and bridge materials donated by Barnett Gathering LP in the amount of \$1,250.00 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. Road and Bridge, Precinct #2-Equipment 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 Justice of the Peace, Precinct #2 Equipment Non-Capital for the purchase of office equipment approved on 9-22-08 Commissioner's Court in the amount of \$950.00 and Road and Bridge, Precinct #2 Equipment Capital for the purchase of additional equipment in the amount of \$32,200.00.

All voted aye; motion carried.

4. CONSIDERATION OF RESOLUTION REQUESTING THAT THE TEXAS LEGISLATURE AND THE TEXAS CONGRESSIONAL DELEGATION CONTINUE TO STRIVE TO IMPROVE THE QUALITY OF LIFE FOR FAMILIES OF TEXAS AND PROMOTE GOOD STEWARDSHIP OF OUR COUNTRY'S ENERGY SUPPLIES AND NATURAL RESOURCES BY TAKING SWIFT AND RESPONSIVE ACTIONS ENCOURAGING RECYCLING AND RECOVERY OF INVESTED ENERGY STORED IN RECYCLABLE MATERIALS

Comm. Carpenter, seconded by Comm. Beeson, made a motion to approve the Resolution requesting that the Texas Legislature and the Texas Congressional Delegation continue to strive to improve the quality of life for families of Texas and promote good stewardship of our country's energy supplies and natural resources by taking swift and responsive actions encouraging recycling and recovery of invested energy stored in recyclable materials.

All voted aye; motion carried.

5. CONSIDERATION OF PAYMENT OF MILEAGE FOR CHUCK BEERSTECHER, VETERANS SERVICE OFFICE

Comm. Carpenter, seconded by Comm. Matthews, made a motion to approve the payment of mileage for Chuck Beerstecher, of the Veterans Service Office in the amount of \$374.66.

All voted aye; motion carried.

6. CONSIDERATION TO APPOINT CHARLES HOOD AND JERRY BAILEY TO THE JOHNSON COUNTY HISTORICAL COMMISSION

Comm. McFall, seconded by Comm. Matthews, made a motion to appoint Charles Hood and Jerry Bailey to the Johnson County Historical Commission.

All voted aye; motion carried.

7. CONSIDERATION OF BONDS AND OATH FOR EDMUND TERRY FIENE, RESERVE DEPUTY CONSTABLE, PRECINCT #2

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the Bond and Oath for Edmund Terry Fiene, Reserve Deputy Constable in Precinct #2.

All voted aye; motion carried.

8. CONSIDERATION OF RESOLUTION CERTIFYING COUNTY GRANT TO THE MEALS-ON-WHEELS PROGRAM OF JOHNSON AND ELLIS COUNTIES IN ORDER FOR THEM TO BE ELIGIBLE TO RECEIVE THE TEXAS DEPARTMENT OF AGRICULTURE HOME-DELIVERED MEAL GRANT PROGRAM

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the Resolution certifying County Grant to the Meals-on-Wheels Program of Johnson and Ellis Counties in order for them to be eligible to receive the Texas Department of Agriculture Home-Delivered Meal Grant Program.

All voted aye; motion carried.

13. CONSIDERATION UNDER THE LOCAL GOVERNMENT CODE 263.151, DISPOSITION OF SALVAGE OR SURPLUS PROPERTY TO DONATE SURPLUS CELLULAR TELEPHONES TO THE JOHNSON COUNTY FAMILY CRISIS CENTER, CLEBURNE, TEXAS

Comm. Matthews, seconded by Comm. Carpenter, made a motion to approve Under the Local Government Code 263.151, the disposition of salvage or surplus property to donate surplus cellular telephones to the Johnson County Family Crisis Center, Cleburne, Texas.

All voted aye; motion carried

14. CONSIDERATION OF RESOLUTION FOR TEXAS TASK FORCE ON INDIGENT DEFENSE GRANT

Comm. Matthews, seconded by Comm. McFall, made a motion to approve the Resolution for the Texas Task Force on Indigent Defense Grant and to give the County Judge the authorization to sign.

All voted aye; motion carried.

IX. CONSENT AGENDA

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

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

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

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.

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

a. Consideration to Move Adult Probation Employees from the Old Band Hall to the 3rd Floor North Wing of the Guinn Justice Center

Comm. McFall, seconded by Comm. Matthews, made a motion to approve the move of Adult Probation Employees from the Old Band Hall to the 3rd floor North wing of the Guinn Justice Center.

All voted aye; motion carried.

BE IT KNOWN that Commissioner's Court met in Executive Session at 11:11 A.M. in accordance with Government Code *Sec. 551.072*-Real Property.

The Commissioner's Court re-convened into Open Session at 11: 26 A.M. to consider the following:

XI. EXECUTIVE SESSION

1. Government Code:

a. *Sec. 551.072*-Real Estate

No. Action.

The Commissioner's Court recessed at 11:26 A.M. and reconvened at 1:07 P.M. to consider the following:

Commissioner Matthews did not return to the meeting.

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 1:07 P.M. to discuss the City of Alvarado Tax Increment Reinvestment Zone (TIRZ).

The Commissioner's Court re-convened into Open Session at 1:43 P.M.

There being no further business before the Court concerning this agenda,
Commissioner's Court adjourned at 1:43 P.M.

Submitted by: _____
County Clerk
Curtis H. Douglas

Approved by: _____
County Judge
Roger Harmon