

STATE OF TEXAS

January 12, 2009

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 12<sup>th</sup> day of January 2009, 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 Jim Faver with Hunters of Men Ministries and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on January 8, 2009 at 1:02 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

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

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 TO ACCEPT DONATION MADE BY AWARD WINNING ARTIST, DAVID WRIGHT OF TENNESSEE A LIMITED EDITION PRINT OF MAJOR GENERAL PATRICK R. CLEBURNE TO THE CITIZENS OF JOHNSON COUNTY

Comm. Matthews, seconded by Comm. Beeson, made a motion to accept the donation made by award winning artist, David Wright of Tennessee a limited edition print of Major General Patrick Cleburne to the citizens of Johnson County.

All voted aye; motion carried.

2. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Matthews, seconded by Comm. Beeson, 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 OF MINUTES OF THE COMMISSIONER'S COURT:

- a. November 24, 2008-Regular Session
- b. December 8, 2008-Regular Session

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the Commissioner's Court Minutes for November 24, 2008 and December 8, 2008 as submitted by the County Clerk.

All voted aye; motion carried.

5. CONSIDERATION TO AWARD RFP'S:

- a. RFP #2009-217-2007 or Newer ¾ Ton or One Ton Pickup Truck for the Sheriff's Office out of Forfeiture Funds

Comm. Beeson, seconded by Comm. Matthews, made a motion to award **RFP #2009-217** for a 2007 GMC 2500HD Crew cab truck for the Sheriff's Office to Jeff England to be paid from Forfeiture Funds in the amount of \$14,750.00.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

4. CONSIDERATION OF THE TARRANT, PARKER, DENTON AND JOHNSON MEDICAL EXAMINER DISTRICT AGREEMENT FOR 2009 FOR JOHNSON COUNTY (TARRANT COUNTY COURT ORDER #104600)

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the Tarrant, Parker, Denton and Johnson Medical Examiner District Agreement for 2009 for Johnson County (Tarrant County Court Order #104600).

All voted aye; motion carried.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Stringer, seconded by Comm. Matthews, made a motion to advertise for Bids/Proposals for asphalt and asphalt emulsion; road base materials; culvert pipe linings; and two (2) new pickup trucks for Precinct #3.

All voted aye; motion carried.

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

- a. Sheriff/Jail-Fees and Services

Comm. Stringer, seconded by Comm. Matthews, made a motion to approve Budget Amendment pursuant to the Local Government Code *Section 111.010 C* for Sheriff/Jail fees and services for Appriss Maintenance Renewal Agreement in the amount of \$32,000.00.

All voted aye; motion carried.

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

a. Road Materials from EOG Resources, Inc.-Precinct #1

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve Budget Amendment pursuant to the Local Government Code *Section 111.0106* for road materials from EOG Resources, Inc. in the amount of \$50,041.00 in Precinct #1.

All voted aye; motion carried.

4. CONSIDERATION TO APPROVE BONDS FOR NEWLY ELECTED OFFICIALS OF JOHNSON COUNTY:

- a. Dale Stanley Hanna-District Attorney
- b. Bill Moore-County Attorney
- c. Bob Alford-Sheriff
- d. Rick Bailey-Commissioner, Precinct #1
- e. Jerry D. Stringer-Commissioner-Precinct #3
- f. Jeffery Scott Porter-Tax Collector/Assessor
- g. Bill R. Pearce-Constable Precinct #1
- h. Adam Crawford-Constable Precinct #2
- i. Michael L. White-Constable Precinct #3
- j. Gary Braly-Constable-Precinct #4

Comm. Bailey, seconded by Comm. Matthews, made a motion to approve the bonds of the newly elected officials of Johnson County.

All voted aye; motion carried.

5. CONSIDERATION OF WRITING A POLICY TO COVER ITEMS TO BE LOANED TO THE COUNTY FOR VIEWING IN THE GUINN JUSTICE MUSEUM AND THE JOHNSON COUNTY HISTORICAL COMMISSION MUSEUM ROOM AT THE COURTHOUSE

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve writing a policy to cover items to be loaned to the County for display in any County Building.

All voted aye; motion carried.

6. CONSIDERATION OF INTERLOCAL AGREEMENT AND THE COMMISSIONER'S COURT APPROVAL OF AGREEMENT TO HAUL COLD MIX ASPHALT FOR THE CITY OF RIO VISTA, TEXAS-PRECINCT #1

Comm. Bailey, seconded by Comm. Matthews, made a motion to approve the Interlocal Agreement and the Commissioner's Court Approval of Agreement to haul cold mix asphalt for the City of Rio Vista, Texas in Precinct #1.

All voted aye; motion carried.

7. CONSIDERATION OF RESOLUTION FOR THE LAW ENFORCEMENT PROSECUTION, COURT AND TRAINING PROGRAMS (VOCA) GRANT APPLICATION

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the Resolution for the Law Enforcement Prosecution, Court and Training Programs (VOCA) Grant Application.

All voted aye; motion carried.

8. CONSIDERATION TO UPGRADE THE TELEVISION SYSTEM AT THE JOHNSON COUNTY LAW ENFORCEMENT CENTER FROM ANALOG TO DIGITAL DUE TO CHANGES IN TELEVISION SIGNALS IN FEBRUARY 2009

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve to upgrade the television system at the Johnson County Law Enforcement Center from analog to digital due to changes in television signals in February 2009.

All voted aye; motion carried.

9. CONSIDERATION TO APPOINT KEITH KELLEY TO THE EMERGENCY SERVICES DISTRICT-PRECINCT #3

Comm. Stringer, seconded by Comm. Beeson, made a motion to appoint Keith Kelley to the Emergency Services District representing Precinct #3.

All voted aye; motion carried.

IX. CONSENT AGENDA

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the Consent Agenda.

All voted aye; motion carried.

The Commissioner's Court recessed at 10:10 A.M. and reconvened at 10:31 A.M. to consider the following:

VII. UNFINISHED BUSINESS

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

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

Discussion. No Action.

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

Discussion. No Action.

**BE IT KNOWN** that Commissioner's Court met in Executive Session at 10:49 A.M. in accordance with Government Code *Section. 551.072-Real Property; Section 551.071* Consultation with Attorney: (1) Contemplated Litigation (2) Pending Litigation: Brenda Hall vs. Roger Harmon, County Judge-Cause # C200800679; and *Section 551.074-Personnel Matters*: (1) Justice of the Peace, Precinct #4-Becky Reid; and Sheriff's Office-David Hoschar/SRO Officer, Joshua.

The Commissioner's Court re-convened into Open Session at 1:15 P.M. to consider the following:

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 1:15 P.M. to discuss Health Insurance and Workers Comp; and Post Employment Offer Physical Exam and Drug Testing.

The Commissioner's Court recessed at 2:55 P.M. and reconvened at 3:12 P.M.

The Commissioner's Court re-convened into Open Session at 3:34 P.M. to consider the following:

VIII. NEW BUSINESS

10. CONSIDERATION OF POST EMPLOYMENT OFFER PHYSICAL EXAM AND DRUG TESTING

Comm. Beeson, seconded by Comm. Stringer, made a motion to direct the County's Personnel Director to draft a policy for post employment offer physical exam and drug testing.

All voted aye; motion carried.

**BE IT KNOWN** that Commissioner's Court met in Executive Session at 3:35 P.M. in accordance with Government Code *Section. 551.072-Real Property; Section 551.071* Consultation with Attorney: (1) Contemplated Litigation (2) Pending Litigation: Brenda Hall vs. Roger Harmon, County Judge-Cause # C200800679; and *Section 551.074-Personnel Matters: (1) Justice of the Peace, Precinct #4-Becky Reid and Sheriff's Office-David Hoschar/SRO Officer, Joshua.*

The Commissioner's Court re-convened into Open Session at 4:00 P.M. to consider the following:

## XII. EXECUTIVE SESSION

### 1. Government Code:

#### a. *Sec. 551.072-Real Property*

Comm. Matthews, seconded by Comm. Beeson, made a motion to give the County Judge authorization to execute the contract on real property and sign all closing documents.

All voted aye; motion carried.

#### b. *Sec. 551.071-Consultation with Attorney:*

##### (1) Contemplated Litigation

Comm. Beeson, seconded by Comm. Matthews, made a motion to pay a settlement amount of \$223.35 to Mr. Jeffrey Keese for claims against the County upon receipt of a signed release.

All voted aye; motion carried.

##### (2) Pending Litigation: Brenda Hall vs. Roger Harmon, County Judge-Cause # C200800679

Comm. Beeson, seconded by Comm. Stringer, made a motion to authorize the County Attorney to file an Answer and defend Roger Harmon, County Judge representing Johnson County in Cause # C200800679 and to authorize expenses in this matter.

All voted aye; motion carried.

#### c. *Sec. 551.074-Personnel Matters:*

##### (1) Justice of the Peace, Precinct #4-Becky Reid

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve the bi-lingual supplement pay for Becky Reid in Justice of the Peace Precinct #4.

All voted aye; motion carried.

(2) Sheriff's Office-David Hoschar/SRO Officer, Joshua  
Comm. Matthews, seconded by Comm. Beeson, made a motion to  
table this item.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's  
Court adjourned at 4:03 P.M.

Submitted by: \_\_\_\_\_  
County Clerk  
Curtis H. Douglas

Approved by: \_\_\_\_\_  
County Judge  
Roger Harmon