

STATE OF TEXAS

February 9, 2009

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 9th day of February 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 Donald Bennett and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on February 5, 2009 at 3:04 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

2. PRESENTATION OF PROCLAMATION TO JILL KUNKLE, VOLUNTEER FOR THE BURLESON PREGNANCY CENTER

The Commissioner's Court presented a Proclamation to Jill Kunkle, Volunteer for the Burleson Pregnancy Center.

1. PRESENTATION TO WARREN TERRELL MERRITT FOR RECEIVING THE HIGHEST RANK AS AN EAGLE SCOUT, TROOP 183, BOY SCOUTS OF AMERICA

Warren Terrell Merritt was not present.

V. PUBLIC PARTICIPATION

None.

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 9:11 A.M. to discuss Re-Consideration of Employee Medical Plan Options and Rates from United Health Care.

The Commissioner's Court re-convened into Open Session at 10:32 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

Comm. Bailey, seconded by Comm. Matthews, made a motion to award the bid to Harrison, Walker and Harper LP for Construction Manager at Risk for the remodeling of the Old Band Hall for Justice of the Peace, Precinct #1 Offices.

All voted aye; motion carried.

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

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve Document A201-2007 and B101-2007 with Magee Architects for Architectural Design Specification, Financial Program Requirements and Contract for the Expansion of the North and South ends of the 3rd Floor at the Guinn Justice Center.

All voted aye; motion carried.

VI. PRECEDING BUSINESS

2. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Matthews, seconded by Comm. Bailey, made a motion to pay bills as presented by the County Auditor.

All voted aye; motion carried.

BE IT KNOWN that Commissioner's Court met in Executive Session at 11:02 A.M. in accordance with Government Code *Section. 551.072-Real Property*; and *Section 551.071*

Consultation with Attorney: Contemplated Litigation.

The Commissioner's Court re-convened into Open Session at 1:25 P.M. to consider the following:

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 1:25 P.M. to discuss Post Employment Offer Physicals and Drug Testing; Notification of Johnson County Employees and Citizens for Closing County Buildings During Bad Weather; and Updating Employee Handbook.

The Commissioner's Court re-convened into Open Session at 2:22 P.M. to consider the following:

VI. PRECEDING BUSINESS

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

- a. December 22, 2008-Regular Session
- b. January 12, 2009-Regular Session

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the Minutes of the Commissioner's Court for December 22, 2008 and January 12, 2009 as submitted by the County Clerk.

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 RENEW RFP #2008-150 FOR ARMORED VEHICLE SERVICE WITH LASER SECURITY RESPONSE, INC.

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve to renew **RFP # 2008-150** for armored vehicle service with Laser Security Response, Inc.

All voted aye; motion carried.

5. CONSIDERATION TO AWARD RFB'S:

a. RFB #2009-220 for Asphalt & Emulsified Asphalt for Johnson County

Comm. Matthews, seconded by Comm. Bailey, made a motion to award **RFB #2008-220** to all proposed bidders for asphalt and emulsified asphalt for Johnson County.

All voted aye; motion carried.

b. RFB 2009-223 for Culvert Pipe Lining

Comm. Beeson, seconded by Comm. Stringer, made a motion to award **RFB #2009-223** for culvert pipe lining to K & L Supply.

All voted aye; motion carried.

6. CONSIDERATION TO SELL AT RENE BATES AUCTION ITEMS AS ATTACHED:

a. Precinct #1

Comm. Bailey, seconded by Comm. Stringer, made a motion to sell at Rene Bates Auction, items as attached for Precinct #1.

All voted aye; motion carried.

b. Precinct #3

Comm. Bailey, seconded by Comm. Stringer, made a motion to sell at Rene Bates Auction, items as attached for Precinct #3.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

4. RE-CONSIDERATION OF EMPLOYEE MEDICAL PLAN OPTIONS AND RATES FROM UNITED HEALTH CARE

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

All voted aye; motion carried.

5. CONSIDERATION OF EXEMPTIONS TO THE BURN BAN ORDER #2009-01 FOR CHARCOAL BURNING AT THE CLEBURNE STATE PARK

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

All voted aye; motion carried.

4. RE-CONSIDERATION OF EMPLOYEE MEDICAL PLAN OPTION AND RATES FROM UNITED HEALTH CARE

Comm. Bailey, seconded by Comm. Matthews, made an amended motion to include Option #7 in the amount of \$523.26 and Option #9 in the amount of \$364.52 with the monthly difference of \$158.74 to be applied to an employee Health Savings Account if an employee selects option #9 from the Insurance Plan with United Health Care.

All voted aye; motion carried.

6. CONSIDERATION OF APPOINTMENT OF ADDITIONAL MEMBER TO THE JOHNSON COUNTY HISTORICAL COMMISSION FOR 2009-2010- LYNN BUKER, CLEBURNE, TEXAS

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the appointment of Lynn Buker of Cleburne, Texas as an additional member to the Johnson County Historical Commission for 2009-2010.

All voted aye; motion carried.

7. ACKNOWLEDGEMENT OF JOHNSON COUNTY HISTORICAL COMMISSION EXECUTIVE COMMITTEE FOR THE TERM OF 2009-2010: BILLY CATE, CHAIR; BOB MCALISTER, VICE-CHAIR; SANDRA OSBORNE, SECRETARY; AND BARBARA ROBINSON, TREASURER WITH WILMA REED AS THE TEXAS HISTORICAL MARKER CHAIR

The Commissioner's Court made acknowledgement of the Johnson County Historical Commission Executive Committee for the term of 2009-2010: Billy Cate, Chair; Bob McAlister, Vice-Chair; Sandra Osborne, Secretary; and Barbara Robinson, Treasurer with Wilma Reed as the Texas Historical Marker Chair.

8. CONSIDERATION OF AGREEMENT FOR LOAN OF ARTWORK AND ARTIFACTS TO JOHNSON COUNTY AND HOLD HARMLESS AGREEMENT APPRAISED FOR LESS THAN \$25,000

Comm. Stringer, seconded by Comm. Matthews, made a motion to approve the Agreement for Loan of Artwork and Artifacts to Johnson County and Hold Harmless Agreement Appraised for Less Than \$25,000.00.

All voted aye; motion carried.

9. CONSIDERATION OF AGREEMENT FOR LOAN OF ARTWORK AND ARTIFACTS TO JOHNSON COUNTY APPRAISED FOR \$25,000 OR MORE

Comm. Bailey, seconded by Comm. Stringer, made a motion to table this item.

All voted aye; motion carried.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Bailey, seconded by Comm. Beeson, made a motion to advertise for Bids/Proposals for Precinct #1-purchase 2 new pick-up trucks from the Tarrant County Interlocal Agreement in the amount of \$19,173.58.

All voted aye; motion carried.

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

- a. I.S.S.-Equipment Capital (Van)
- b. Precinct #3-Equipment Capital (Road Equipment)
- c. Sheriff-Personnel Salaries
- d. Sheriff-Personnel Salaries
- e. Sheriff-Equipment Non-Capital
- f. Justice of the Peace, Precinct #1, Technology Fund-Dues & Conference
- g. Justice of the Peace, Precinct #3, Technology Fund-Dues & Conference

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve Budget Amendment pursuant to the Local Government Code *Section 111.010 C* for I.S.S.-Equipment Capital to purchase a van in the amount of \$10,595.00, Precinct #3-Equipment Capital for replacement of road equipment in the amount of \$31,318.00; Sheriff-Personnel Salaries for part time clerk made full time, Clerk II, Grade 7, \$20,303.00; Sheriff-Personnel Salaries for full time new clerk, Clerk II, Grade 7, \$20,303.00; Sheriff-Equipment Non-Capital for purchase of a computer and printer for new employee in the amount of \$1,000.00; Justice of the Peace, Precinct #1, Technology Fund-Dues and Conference in the amount of \$506.00; and Justice of the Peace, Precinct #3, Technology Fund-Dues and Conference in the amount of \$742.00.

All voted aye; motion carried.

3. CONSIDERATION OF APPOINTMENT OF MAYOR TOM DURINGTON TO THE JOHNSON COUNTY ECONOMIC COMMISSION BOARD-PRECINCT #3

Comm. Stringer, seconded by Comm. Matthews, made a motion to approve the appointment of Mayor Tom Durington to the Johnson County Economic Commission Board for Precinct #3.

All voted aye; motion carried.

4. CONSIDERATION OF LEASE AGREEMENT WITH THE CITY OF GODLEY FOR THE MAY 9, 2009 ELECTION

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Lease Agreement with the City of Godley for the May 9, 2009 Election and to give the County Judge the authorization to sign.

All voted aye; motion carried.

5. CONSIDERATION OF RESOLUTION SUPPORTING THE RAIL NORTH TEXAS INITIATIVE

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Resolution Supporting the Rail North Texas Initiative.

All voted aye; motion carried.

IX. CONSENT AGENDA

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

All voted aye; motion carried.

XI. EXECUTIVE SESSION

1. Government Code:
 - a. *Sec. 551.072-Real Property*

b. *Sec. 551.071*-Consultation with Attorney: Contemplated Litigation

Comm. Bailey, seconded by Comm. Stringer, made a motion to send a demand letter to Scott Sonntag regarding contract on Lot 2 Block 534 Original Cleburne.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 2:55 P.M.

Submitted by: _____
County Clerk
Curtis H. Douglas

Approved by: _____
County Judge
Roger Harmon