

STATE OF TEXAS

June 22, 2009

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 22<sup>nd</sup> day of June 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 Pastor Keith Whitt with North Cleburne Baptist Church, Cleburne, Texas and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on June 18, 2009 at 11:56 A.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

V. PUBLIC PARTICIPATION

None.

VI. PUBLIC HEARINGS

The Commissioner's Court opened a Public Hearing at 9:04 A.M. to discuss:

1. "INSTALLATION OF NO THRU TRUCK SIGNS ON CR 426 FROM CR 317 SOUTH TO FM 3136"-PRECINCT #4

Sandra Arnold and Jan Beveridge spoke in support of the installation of No Thru Truck signs on CR 426 from CR 317 South to FM 3136 in Precinct #4. The hearing was closed at 9:09 A.M.

The Commissioner's Court opened a Public Hearing at 9:09 A.M. to discuss:

2. “INSTALLATION OF ADDITIONAL REGULATORY STOP SIGNS AT THE INTERSECTION OF CR 605 AND CR 605A”-PRECINCT #3

Commissioner Jerry Stringer spoke in support of the installation of additional regulatory Stop Signs at the intersection of CR 605 and CR 605A in Precinct #3. The hearing was closed at 9:11 A.M.

The Commissioner’s Court opened a Public Hearing at 9:11 A.M. to discuss:

3. “CLOSING A ROAD 30 FEET WIDE AND 96.365 FEET LONG WHICH IS THE NORTHERN MOST PORTION OF CREEKVIEW ROAD LOCATED IN CROWLEY, TEXAS”-PRECINCT #2

Andy Birdsong spoke in support of closing a road 30 feet wide and 96.365 feet long which is the Northern most portion of Creekview Road located in Crowley, Texas in Precinct #2. The hearing was closed at 9:28 A.M.

VII. PRECEDING BUSINESS

1. CONSIDERATION OF **ORDER #2009-12** “INSTALLATION OF NO THRU TRUCK SIGNS ON CR 426 FROM CR 317 SOUTH TO FM 3136”-PRECINCT #4

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve **Order #2009-12** for “Installation of No Thru Truck Signs on CR 426 From CR 317 South to FM 3136” in Precinct #4 effective June 22, 2009.

All voted aye; motion carried.

2. CONSIDERATION OF **ORDER #2009-13** “INSTALLATION OF ADDITIONAL REGULATORY STOP SIGNS AT THE INTERSECTION OF CR 605 AND CR 605A”-PRECINCT #3

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve **Order #2009-13** for “Installation of Additional Regulatory Stop Signs at the Intersection of CR 605 and CR 605A” in Precinct #3 effective June 22, 2009.

All voted aye; motion carried.

3. CONSIDERATION OF ORDER #2009-14 "CLOSING A ROAD 30 FEET WIDE AND 96.365 FEET LONG WHICH IS THE NORTHERN MOST PORTION OF CREEKVIEW ROAD LOCATED IN CROWLEY, TEXAS"-PRECINCT #2

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve **Order #2009-14** for "Closing a Road 30 Feet Wide and 96.365 Feet Long Which is the Northern Most Portion of Creekview Road Located in Crowley, Texas" in Precinct #2 effective June 22, 2009.

All voted aye; motion carried.

4. CONSIDERATION OF MINUTES OF THE COMMISSIONER'S COURT:
  - a. April 27, 2009-Regular Session

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the Commissioner's Court Minutes for April 27, 2009 as submitted by the County Clerk.

All voted aye; motion carried.

5. CONSIDERATION OF REQUEST TO PAY BILLS

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

All voted aye; motion carried.

6. 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.

7. CONSIDERATION OF TREASURER'S CASH BALANCE REPORT FOR JUNE 2009

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Treasurer's Cash Balance Report for June 2009 as presented by the County Treasurer.

All voted aye; motion carried.

8. CONSIDERATION TO APPROVE VARIANCE AND ALLOW 2<sup>ND</sup> RESIDENCE AT 7012 CR 527 LOCATED IN OAKVIEW ESTATES- PRECINCT #3

Comm. Stringer, seconded by Comm. Matthews, made a motion to approve a variance and allow a 2<sup>nd</sup> residence at 7012 CR 527 located in Oakview Estates in Precinct #3.

All voted aye; motion carried.

9. CONSIDERATION TO RENEW **RFP #2008-164** WITH HEWLETT OFFICE SYSTEMS FOR MAINTENANCE OF COPIERS, FAX MACHINES AND PRINTERS

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve to renew **RFP #2008-164** with Hewlett Office Systems for maintenance of copiers, fax machines and printers.

All voted aye; motion carried.

10. CONSIDERATION TO AWARD **RFB #2009-230** FOR JANITORIAL SUPPLIES

Comm. Stringer, seconded by Comm. Beeson, made a motion to award **RFP #2009-230** to Empire Paper Company for Janitorial supplies.

All voted aye; motion carried.

11. CONSIDERATION OF COSTS TO REPAIR ROOF WITH ACTION COMMERCIAL CONTRACTORS, INC. AT THE LAW ENFORCEMENT CENTER

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the costs to repair the roof with Action Commercial Contractors, Inc. at the Law Enforcement Center in the amount of \$6,429.00.

All voted aye; motion carried.

IX. NEW BUSINESS

6. CONSIDERATION OF REQUEST FROM THE HONORABLE TERRI WILSON, ATTORNEY AT LAW, FOR THE CLEBURNE COMMUNITY CHRISTIAN SCHOOL TO USE JAIL INMATES THROUGH THE JCSO TRUSTEE WORK PROGRAM

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the request from the Honorable Terri Wilson, Attorney at Law, for the Cleburne Community Christian School to use jail inmates through the Johnson County Sheriff's Office Trustee Work Program.

All voted aye; motion carried.

16. CONSIDERATION OF NOTIFICATION SYSTEM FOR JOHNSON COUNTY

Comm. Beeson, seconded by Comm. Bailey, made a motion to authorize Gerald Mohr-Emergency Management Coordinator, to set up the Notification System for Johnson County with the storm spotters and CRI for 6 months trial period.

All voted aye; motion carried.

VIII. 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

a. Approval of Materials Used for Renovation of the Guinn Justice Center 3<sup>rd</sup> Floor and Johnson County Justice of the Peace, Precinct #1

Comm. Bailey, seconded by Comm. Matthews, made a motion to approve materials used for renovation of the Guinn Justice Center 3<sup>rd</sup> Floor and Johnson County Justice of the Peace, Precinct #1.

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 3<sup>RD</sup> FLOOR AT THE GUINN JUSTICE CENTER

Discussion. No Action.

4. CONSIDERATION OF RE-APPOINTMENT TO THE TIF #1 BOARD AND APPOINTMENTS TO THE CLEBURNE TIF #1 AND TIF #2 BOARDS

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the re-appointment of County Judge Roger Harmon to the Cleburne TIF #1 Board and the appointment of Commissioner Don Beeson, Precinct #4 to the Cleburne TIF #1 Board and the appointment of Commissioner Rick Bailey, Precinct#1 to the Cleburne TIF #2 Board.

All voted aye; motion carried.

The Commissioner's Court recessed at 10:20 A.M. and reconvened at 10:42 A.M. to consider the following:

5. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

No Action.

6. CONSIDERATION OF RECURRING ITEMS CONCERNING HAMM CREEK PARK

No. Action.

4. CONSIDERATION OF RE-APPOINTMENT TO THE TIF #1 BOARD AND APPOINTMENTS TO THE CLEBURNE TIF #1 AND TIF #2 BOARDS

Comm. Matthews, seconded by Comm. Stringer, made an amended motion to approve the re-appointment of County Judge Roger Harmon to the Cleburne TIF #1 Board and the appointment of Commissioner Don Beeson, Precinct #4 to the Cleburne TIF #1 Board and the appointment of County Judge Roger Harmon to the Cleburne TIF #2 Board.

All voted aye; motion carried.

7. CONSIDERATION OF CELL PHONE REIMBURSEMENT FOR ASAP OFFICERS

Comm. Bailey, seconded by Comm. Matthews, made a motion to approve a cell phone allowance for ASAP Officers in the amount of \$80.00 per month which is reimbursed by the School District in which the ASAP Officer is placed.

All voted aye; motion carried.

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Bailey, seconded by Comm. Beeson, made a motion to advertise for bids/proposals-Precinct #1-Hamm Creek Park-a single cab automatic late model 2006 or newer, 30,000 miles or less used pick-up truck and a tractor-brush mower.

All voted aye; motion carried.

2. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO LOCAL GOVERNMENT CODE SECTION 111.0106 FOR ROAD REPAIR MATERIALS RECEIVED FROM RANGE RESOURCES CORPORATION-PRECINCT #4

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve Budget Amendment pursuant to the Local Government Code *Section 111.0106* for road repair materials received from Range Resources Corporation in Precinct #4 in the amount of \$20,000.00.

All voted aye; motion carried.

3. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE SECTION 111.010-C FOR:
  - a. Emergency Management-Equipment Non Capital
  - b. Non Departmental-Equipment Non Capital

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve Budget Amendment pursuant to the Local Government Code *Section 111.010-C* for the Emergency Management-Equipment Non Capital for the purchase of two (2) desks in the amount of \$637.00; and Non Departmental-Equipment Non Capital for the purchase of two (2) desks with credenzas in the amount of \$1,400.00.

All voted aye; motion carried.

4. CONSIDERATION OF INTERLOCAL AGREEMENT AND COURT APPROVAL FOR ROAD REPAIRS WITH THE CITY OF KEENE-PRECINCT #4

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the Interlocal Agreement and Court Approval for road repairs with the City of Keene in Precinct #4.

All voted aye; motion carried.

5. CONSIDERATION OF COOPERATIVE PURCHASING PROGRAM AGREEMENT WITH THE CITY OF DALLAS

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Cooperative Purchasing Program Agreement with the City of Dallas.

All voted aye; motion carried.

7. CONSIDERATION OF ROAD REPORTS

- a. Precinct #1
- b. Precinct #2
- c. Precinct #3
- d. Precinct #4

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Road Reports for Precinct #1, Precinct #2, Precinct #3 and Precinct #4.

All voted aye; motion carried.

8. CONSIDERATION OF CONTRACT CHANGES WITH WASTE MANAGEMENT-PRECINCT #2

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the contract changes with Waste Management with Precinct #2 and to give the County Judge the authorization to sign the contract.

All voted aye; motion carried.

9. CONSIDERATION OF BOND FOR RONNY ELLER, DEPUTY CONSTABLE, PRECINCT #1

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the bond for Ronny Eller, Deputy Constable, Precinct #1.

All voted aye; motion carried.

10. CONSIDERATION TO CREATE A FULL-TIME POSITION TO ACCOMMODATE THE MOVE OF A PART-TIME EMPLOYEE TO A FULL-TIME POSITION, GRADE 7, SALARY OF \$19,698.00 ACCOUNTING ASSISTANT-AUDITOR'S OFFICE

Comm. Bailey, seconded by Comm. Stringer, made a motion to create a full-time position to accommodate the move of a part-time employee to a full-time position, Grade 7, Salary of \$19,698.00 Accounting Assistant in the Auditor's Office.

Comm. Bailey voted aye.  
Comm. Stringer voted aye.  
Comm. Beeson voted aye.  
Judge Harmon voted aye.  
Comm. Matthews voted nay.

Motion carried.

11. CONSIDERATION TO REQUEST UNCLAIMED MONEY FROM THE TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

Comm. Beeson, seconded by Comm. Matthews, made a motion to request unclaimed money from the Texas Comptroller of Public Accounts.

All voted aye; motion carried.

15. CONSIDERATION OF ENGAGEMENT LETTER WITH LANE RUGULEY REGARDING CONDEMNATION PROCEEDING ON PROPERTY LOCATED AT 108 S. BUFFLAO

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Engagement Letter with Lane Ruguley regarding Condemnation Proceeding on property located at 108 S. Buffalo.

All voted aye; motion carried.

X. CONSENT AGENDA

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

All voted aye; motion carried.

XI. WORKSHOP

The Commissioner's Court convened into Workshop Session at 11:12 A.M. to discuss Test and Resolve Deficiencies in Jail Locking and Video Electronic Systems and Make Improvements in Operation of Such System; Chief Forensic Death Investigator Job Description and Salary;

Amendment to the Nepotism Policy to Exclude Temporary Employees; and Travel Policy and One Day Meal Reimbursement Form.

The Commissioner's Court recessed at 12:00 P.M. and reconvened at 1:20 P.M.

The Commissioner's Court re-convened into Open Session at 1:20 P.M.

**BE IT KNOWN** that Commissioner's Court met in Executive Session at 1:20 P.M. in accordance with Government Code *Section 551.072*-Real Property; and *Section 551.074*-Personnel Matters-(1) Bilingual Supplement for Michelle Davis-Records Management, County Clerk; (2) Interview for Hamm Creek Park Supervisor-Monty Bessent, Jerry Scarbrough; and Addendum: (3) Interview for Hamm Creek Park Supervisor-Richard Gill.

The Commissioner's Court re-convened into Open Session at 3:40 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 table this item.

All voted aye; motion carried.

b. *Sec. 551.074- Personnel Matters*

(1) Bilingual Supplement for Michelle Davis-Records Management,  
County Clerk

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the bilingual supplement pay for Michelle Davis-Records Management, in the County Clerk's Office to be paid from the Records Management Fund and the previous bilingual supplement pay to remain in the General Fund 010-403-5104 line item.

All voted aye; motion carried.

(2) Interview for Hamm Creek Park Supervisor-Monty Bessent and Jerry  
Scarborough

Comm. Bailey, seconded by Comm. Matthews, made a motion to extend an employment offer to Monty Bessent as Hamm Creek Park Supervisor with an annual salary of \$36,000.00 with the effective date being July 6, 2009.

All voted aye; motion carried.

ADDENDUM:

(3) Interview for Hamm Creek Park Supervisor-Richard Gill

No Action.

VIII. UNFINISHED BUSINESS

8. CONSIDERATION TO TEST AND RESOLVE DEFICIENCIES IN JAIL LOCKING AND VIDEO ELECTRONIC SYSTEMS AND MAKE IMPROVEMENTS IN OPERATION OF SUCH SYSTEMS

Comm. Matthews, seconded by Comm. Beeson, made a motion to hire Joe Bauer with DFW Tech Inc. to test and resolve deficiencies in jail locking and video electronic systems and make improvements in operation of such systems in an amount not to exceed \$7,500.00 for estimated labor and not to exceed \$4,000.00 for estimated parts.

All voted aye; motion carried.

IX. NEW BUSINESS

12. CONSIDERATION OF CHIEF FORENSIC DEATH INVESTIGATOR JOB DESCRIPTION AND SALARY

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve a Chief Forensic Death Investigator job description and salary in the amount not to exceed \$40,000.00.

All voted aye; motion carried.

13. CONSIDERATION TO AMEND THE NEPOTISM POLICY TO EXCLUDE TEMPORARY EMPLOYEES

No Action.

14. CONSIDERATION OF TRAVEL POLICY AND ONE DAY MEAL REIMBURSEMENT FORM

Comm. Matthews, seconded by Comm. Bailey, made a motion to amend the Travel Policy and One Day Meal Reimbursement form with the change to “eligible meals” from “a meal.”

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner’s Court adjourned at 3:46 P.M.

Submitted by: \_\_\_\_\_

County Clerk  
Curtis H. Douglas

Approved by: \_\_\_\_\_

County Judge  
Roger Harmon