

STATE OF TEXAS

August 10, 2009

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 10th day of August 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 9:00A.M., with all members present, and following the Invocation led by Pastor John Hall with Field Street 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 August 6, 2009 at 11:52 A.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

County Attorney Bill Moore presented a plaque to Toni Driver, Municipal Judge of the City of Alvarado in appreciation for her service as Magistrate for affidavits for blood search warrants.

Judge Harmon announced that the next Commissioner's Court meeting of August 24, 2009 would be moved to August 21, 2009 due to a scheduling conflict.

Ali Engstrom introduced Lynn Walsh and Beverly Branch, founders of the Careity Foundation. They gave a presentation on the Careity Breast Care Center.

The Commissioner's Court recessed at 9:23 A.M. and reconvened at 9:32 A.M. to consider the following:

V. PUBLIC PARTICIPATION

None.

VI. PUBLIC HEARINGS

The Commissioner's Court opened a Public Hearing at 9:32 A.M. to discuss:

1. "INSTALLATION OF NO THRU TRUCK SIGNS ON CR 312 FROM STATE HIGHWAY 171 TO FARM TO MARKET ROAD 2135"-PRECINCT #4

Commissioner Don Beeson spoke in support of the installation of No Thru Truck signs on CR 312 from State Highway 171 to Farm to Market Road 2135 in Precinct #4. The hearing was closed at 9:35 A.M.

VII. PRECEDING BUSINESS

1. CONSIDERATION OF **ORDER #2009-16** "INSTALLATION OF NO THRU TRUCK SIGNS ON CR 312 FROM STATE HIGHWAY 171 TO FARM TO MARKET ROAD 2135"-PRECINCT #4

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve **Order #2009-16** "Installation of No Thru Truck Signs on CR 312 from State Highway 171 to Farm to Market Road 2135" in Precinct #4.

All voted aye; motion carried.

2. CONSIDERATION OF MINUTES OF THE COMMISSIONER'S COURT:
 - a. May 11, 2009-Regular Session
 - b. July 20, 2009-Special Session

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Commissioner's Court Minutes for May 11, 2009 and July 20, 2009 as submitted by the County Clerk.

All voted aye; motion carried.

3. 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.

4. 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.

5. CONSIDERATION OF **RFB #2009-233-A** FOR ¾ TON SINGLE CAB TRUCK-PRECINCT #1

Comm. Bailey, seconded by Comm. Beeson, made a motion to reject all bids on **RFB #2009-233-A** for a ¾ ton single cab truck for Precinct #1.

All voted aye; motion carried

6. CONSIDERATION OF **RFB #2009-231** FOR 2007 OR NEWER VAN-SHERIFF'S OFFICE

Comm. Matthews, seconded by Comm. Beeson, made a motion to award **RFB #2009-231** for a 2007 or newer van to Bruner Motors in the amount of \$32,949.00 for the Sheriff's Office.

All voted aye; motion carried

7. CONSIDERATION OF **RFB #2009-236** FOR PURCHASE AND REMOVAL OF RED METAL BUILDING AT 112 S. BUFFALO AVENUE

Comm. Beeson, seconded by Comm. Matthews, made a motion to award **RFB #2009-236** for the purchase and removal of the Red Metal Building at 112 S. Buffalo Avenue to WFC Contractors in the amount of \$500.00.

All voted aye; motion carried

8. CONSIDERATION OF PROPOSALS FROM ACTION COMMERCIAL CONTRACTORS TO REPAIR ROOF OF BUILDINGS C3 AND CORRECTIONS ONE-JAIL

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve proposals from Action Commercial Contractors to repair the roof of buildings C3 and Corrections One at the Jail in the amount of \$8,720.00.

All voted aye; motion carried

VIII. UNFINISHED BUSINESS

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

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

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

No Action.

4. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

No Action.

5. CONSIDERATION OF RECURRING ITEMS CONCERNING HAMM CREEK PARK

Discussion. No Action.

6. CONSIDERATION OF RECURRING ITEMS CONCERNING NTTA/TXDOT- STATE HIGHWAY 121-SOUTHWEST PARKWAY/CHISHOLM TRAIL CORRIDOR

Discussion. No Action.

7. CONSIDERATION OF UPDATE, DRAWING AND APPOINTMENT OF A SALARY GRIEVANCE COMMITTEE PURSUANT TO THE LOCAL GOVERNMENT CODE, CHAPTER 152

Discussion. No Action.

8. PRESENTATION BY TAX ASSESSOR/COLLECTOR AND COUNTY AUDITOR:

- a. Effective Tax Rate, Roll Back Tax Rate and Calculation Methods
- b. M & O Obligations
- c. Debt Obligations
- d. Amount of Increase Based on Effective Tax Rate

Discussion. No Action.

9. CONSIDERATION TO TAKE RECORD VOTE ON PROPOSED TAX RATE FOR THE 2009 TAX YEAR

Commissioner Matthews, seconded by Comm. Bailey, made a motion to adopt the proposed Tax Rate for the 2009 tax year at .353379 per \$100.00 valuation.

A record vote was taken as recorded below:

County Judge Roger Harmon	Aye
Comm. Rick Bailey	Aye
Comm. John Matthews	Aye
Comm. Jerry Stringer	Aye
Comm. Don Beeson	Aye

motion carried.

10. CONSIDERATION TO SCHEDULE PUBLIC HEARINGS ON TAX RATE FOR THE 2009 TAX YEAR

Comm. Beeson, seconded by Comm. Matthews, made a motion to schedule the 1st Public Hearing regarding the Tax Rate for the 2009 tax year on August 21, 2009 and the 2nd Public Hearing September 14, 2009.

All voted aye; motion carried.

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Bailey, seconded by Comm. Matthews, made a motion to advertise for bids/proposals-Precinct #1-to purchase a 2009 Ford F-250 pick up truck from Sam Pack's Five Star Ford from Buyboard in the amount of \$22,978.00; and a new pick up truck for Hamm Creek Park.

All voted aye; motion carried.

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

- a. Road & Bridge, Precinct #1-Road Material, Pinnergy, LTD
- b. Road & Bridge, Precinct #2-Road Material, Universal Enesco
- c. Road & Bridge, Precinct #2-Road Material, Chesapeake Energy
- d. Sheriff-Insurance Claim

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve Budget Amendment pursuant to the Local Government Code *Section 111.0106* for road materials-Road & Bridge in Precinct #1 from Pinnergy, LTD in the amount of \$300.00; road materials-Road & Bridge in Precinct #2 from Universal Enesco in the amount of \$3,075.00; road materials-Road & Bridge in Precinct #2 from Chesapeake Energy in the amount of \$75,600.00; and Sheriff-insurance claim in the amount of \$17,583.00.

All voted aye; motion carried.

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

- a. Non-Departmental/Mineral Revenue Reserve Fund-Transfer of Funds for County Match of Edward Byrne (JAG) Grant Monies
- b. Road & Bridge, Precinct #1-Revenue-Transfer of Equipment to Hamm Creek Park
- c. General/Non-Departmental/Hamm Creek Park-Transfer of Equipment to Hamm Creek Park

- d. Non-Departmental/Mineral Revenue Reserve Fund-Costs Associated with Removal of Buildings at 112 S. Buffalo
- e. General-Revenue-Costs Associated with Removal of Buildings at 112. Buffalo
- f. General/Non-Departmental-Fees & Services-Costs Associated with Removal of Buildings at 112 S. Buffalo
- g. Medical Examiner-Personnel Salaries
- h. 413th Judicial District Court-Equipment Non-Capital

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve Budget Amendment pursuant to the Local Government Code *Section 111.010-C* for Non-Departmental/Mineral Revenue Reserve Fund-Transfer of Funds for County Match of Edward Byrne (JAG) Grant Monies in the amount of \$86,799.00; Road & Bridge, Precinct #1-Revenue-Transfer of Equipment to Hamm Creek Park for a 2004 truck in the amount of \$10,773.00; and a 2001 tractor in the amount of \$10,000.00; General/Non-Departmental/Hamm Creek Park-Transfer of Equipment to Hamm Creek Park for a 2004 truck in the amount of \$10,773.00 and a 2001 tractor in the amount of \$10,000.00; Non-Departmental/Mineral Revenue Reserve Fund-Costs Associated with Removal of Buildings at 112 S. Buffalo in the amount of \$39,931.00; General-Revenue-Costs Associated with Removal of Buildings at 112. Buffalo in the amount of \$39,931.00; General/Non-Departmental-Fees & Services-Costs Associated with Removal of Buildings at 112 S. Buffalo in the amount of \$39,931.00; Medical Examiner-Personnel Salaries to delete position #C08-001 and #C08-004 to create position #C06-01, Grade 12, for Forensic Death Investigator with a salary of \$25,646.00 with no increase to the salary line item; and 413th Judicial District Court-Equipment Non-Capital to replace two (2) worn out chairs in the amount of \$2,300.00.

All voted aye; motion carried.

4. CONSIDERATION OF PURCHASE OF A CHECK REMITTANCE AND IMAGING SOLUTION WITH TECHNIQUE DATA SYSTEMS-TAX OFFICE

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the purchase of a check remittance and imaging solution with Technique Data Systems for the Tax Office in the amount of \$19,972.00 and an annual fee of \$4,341.00 and to give the County Judge, Roger Harmon and Tax Assessor, Scott Porter the authorization to sign.

All voted aye; motion carried.

5. CONSIDERATION OF ACH PROCESSING SERVICES AGREEMENT AND EXHIBIT "D" A THIRD PARTY PROCESSOR AGREEMENT WITH CERTIFIED PAYMENTS TO OFFER "E-CHECK" FOR ONLINE PAYMENTS-TAX OFFICE

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve ACH Processing Services Agreement and Exhibit "D" a third party processor agreement with certified payments to offer "E-Check" for online payments in the Tax Office and to give the County Judge, Roger Harmon and Tax Assessor, Scott Porter the authorization to sign.

All voted aye; motion carried.

6. CONSIDERATION OF MOTOR VEHICLE LICENSE POINT OF SALE EQUIPMENT LEASE WITH CLEBURNE FORD FOR TXDOT REMOTE PRINTING SYSTEM-TAX OFFICE

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Motor Vehicle License Point of Sale Equipment Lease with Cleburne Ford for TXDOT remote printing system with the Tax Office and to give County Judge, Roger Harmon and Tax Assessor, Scott Porter the authorization to sign.

All voted aye; motion carried.

The Commissioner's Court recessed at 10:22 A.M. and reconvened at 10:43 A.M. to consider the following:

7. CONSIDERATION OF REIMBURSEMENT TO BURLESON ISD FOR
WORKER'S COMPENSATION REIMBURSEMENTS RECEIVED
REGARDING THE ASAP PROGRAM AGREEMENT

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the reimbursement to Burleson ISD for Worker's Compensation Reimbursements received regarding the ASAP Program Agreement.

All voted aye; motion carried.

8. CONSIDERATION OF REQUEST TO SPEND TECH FUND MONIES FOR
YEARLY POSTAGE METER RENTAL TO ALTERNATIVE MAILING IN
THE AMOUNT OF \$768.00 FOR OCTOBER 2009 TO SEPTMEBER 2010-
JUSTICE OF THE PEACE, PRECINCT #3

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the request to spend Tech Fund Monies for yearly postage meter rental to Alternative Mailing in the amount of \$768.00 for October 2009 to September 2010 for Justice of the Peace, Precinct #3.

All voted aye; motion carried.

9. CONSIDERATION OF REQUEST TO SPEND TECH FUND MONIES FOR
YEARLY POSTAGE METER RENTAL CHIP TO NEOPOST IN THE
AMOUNT OF \$480.00 FOR APRIL 2009 TO MARCH 2010-JUSTICE OF THE
PEACE, PRECINCT #3

Comm. Stringer, seconded by Comm. Matthews, made a motion to approve the request to spend Tech Monies for yearly postage meter rental chip to Neopost in the amount of \$480.00 for April 2009 to March 2010 for Justice of the Peace, Precinct #3.

All voted aye; motion carried.

10. CONSIDERATION OF REQUEST TO SPEND TECH FUND MONIES TO
PURCHASE PRINT TONER CARTRIDGES AND POSTAGE MACHINE
SUPPLIES IN THE AMOUNT OF \$1,772.84-JUSTICE OF THE PEACE,
PRECINCT #3

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the request to spend Tech Fund Monies to purchase print toner cartridges and postage machine supplies in the amount of \$1,772.84 for Justice of the Peace, Precinct #3.

All voted aye; motion carried.

11. CONSIDERATION OF REQUEST TO SPEND TECH FUND MONIES FOR THREE (3) SCANNERS FROM NET DATA IN THE AMOUNT OF \$3,585.00-JUSTICE OF THE PEACE, PRECINCT #4

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the request to spend Tech Fund Monies for three (3) scanners from Net Data in the amount of \$3,585.00 for Justice of the Peace, Precinct #4.

All voted aye; motion carried

12. CONSIDERATION OF PROFESSIONAL SERVICES AGREEMENT WITH BRENDA CAMPBELL FOR SERVICES TO THE CITIES READINESS INITIATIVE

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the Professional Services Agreement with Brenda Campbell for services to the Cities Readiness Initiative and to give County Judge, Roger Harmon and Brenda Campbell the authorization to sign.

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

Motion carried.

13. CONSIDERATION OF TERMINATION OF CONTRACT WITH GLOBAL TOWER PARTNERS AND PAYMENT OF \$1,200.00 IN COMPLIANCE WITH THE 180 DAY TERMINATION NOTICE

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the termination of contract with Global Tower Partners and Payment of \$1,200.00 in compliance with the 180 day termination notice.

All voted aye; motion carried.

14. ACKNOWLEDGEMENT OF RECEIPT OF PROPOSED BUDGETS OF THE JOHNSON & SOMERVELL COUNTIES COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT PURSUANT TO LOCAL GOVERNMENT CODE SECTION 140.004

The Commissioner's Court acknowledged the receipt of the Proposed Budgets of the Johnson & Somervell Counties Community Supervision and Corrections Department pursuant to Local Government Code *Section 140.004*.

15. CONSIDERATION OF REIMBURSEMENT OF EXPENSES TO GERALD MOHR FOR THE OPEN HOUSE FOR THE MEDICAL EXAMINER AND EMERGENCY MANAGEMENT OFFICES IN THE AMOUNT OF \$125.30 TO BE PAID FROM LINE ITEM 010-510-5413, COUNTY FUNCTIONS

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve reimbursement of expenses to Gerald Mohr for the open house for the Medical Examiner and Emergency Management offices in the amount of \$125.30 to be paid from line item 010-510-5413, County Functions.

All voted aye; motion carried.

16. CONSIDERATION WITH ACS FOR RECREATION AND LOADING OF 345 PLATS INTO THE CURRENT PLAT SYSTEM UNDER RFP 2006-14 TO BE PAID FROM LINE ITEM 021-403-5400, RECORDS MANAGEMENT FEES & SERVICES-COUNTY CLERK

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve ACS for recreation and loading of 345 plats into the current plat system under RFP 2006-14 to be paid from line item 021-403-5400, Records Management Fees & Services for the County Clerk.

All voted aye; motion carried.

17. CONSIDERATION OF ADDENDUM NUMBER TWO TO SERVICES CONTRACT BETWEEN JOHNSON COUNTY, TEXAS AND COMMUNITY CENTERS INC. WHICH WILL AMEND SECTION 1.07, INMATE DAY, OF THE MANAGEMENT SERVICES CONTRACT BETWEEN JOHNSON COUNTY, TEXAS AND COMMUNITY EDUCATION CENTERS, INC. ENTERED INTO ON JULY 22, 2008

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the Addendum Number Two to Services Contract between Johnson County, Texas and Community Centers Inc. which will amend Section 1.07, Inmate Day, of the Management Services Contract between Johnson County, Texas and Community Education Centers, Inc entered into on July 22, 2008 effective immediately.

All voted aye; motion carried.

18. CONSIDERATION OF INTERLOCAL AGREEMENT WITH CLEBURNE ISD FOR USE OF THE SANTA FE SCHOOL BUILDING-JUVENILE-JJAEP

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the Interlocal Agreement with Cleburne ISD for the use of the Santa Fe School Building for Juvenile-JJAEP and to give the County Judge the authorization to sign.

All voted aye; motion carried.

19. CONSIDERATION OF INTERLOCAL AGREEMENT WITH CLEBURNE ISD FOR FOOD SERVICE-JUVENILE-JJAEP

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the Interlocal Agreement with Cleburne ISD for food service for Juvenile-JJAEP and to give the County Judge the authorization to sign.

All voted aye; motion carried.

IX. CONSENT AGENDA

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

All voted aye; motion carried.

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 11:05 A.M. to discuss the Budget.

The Commissioner's Court recessed at 11:57 A.M. and reconvened at 1:03 P.M. into Workshop to discuss the Master Plan Study for Guinn Justice Center Complex.

The Commissioner's Court recessed at 2:08 P.M. and reconvened into Open Session at 2:16 P.M. to consider the following:

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Bailey, seconded by Comm. Matthews, made an amended motion on the advertisement for bids/proposals-Precinct #1-to purchase a 2009 Ford F-250 ¾ ton pick up truck from Sam Pack's Five Star Ford and for it to be bought off of the Tarrant County Interlocal Agreement in the amount of \$22,978.00 and a new pick up truck for Hamm Creek Park.

All voted aye; motion carried.

XI. WORKSHOP

The Commissioner's Court convened into Workshop Session at 2:18 P.M. to discuss the Budget.

The Commissioner's Court re-convened into Open Session at 2:43 P.M.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 2:43 P.M.

Submitted by: _____
County Clerk
Curtis H. Douglas

Approved by: _____
County Judge
Roger Harmon