

STATE OF TEXAS

May 24, 2010

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 24th day of May 2010, 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 May 20, 2010 at 1:01 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PROCLAMATION FOR "POPPY DAYS"

The Commissioner's Court proclaimed May 24 to May 31, 2010 as "Poppy Days".

V. PUBLIC PARTICIPATION

None.

VIII. NEW BUSINESS

15. CONSIDERATION OF A RESOLUTION BY THE COMMISSIONER'S COURT OF JOHNSON COUNTY, TEXAS EVIDENCING ITS RECEIPT OF THE JOINT RESOLUTION FROM THE BOARD OF TRUSTEES OF THE CLEBURNE INDEPENDENT SCHOOL DISTRICT AND GRANBURY INDEPENDENT SCHOOL DISTRICT, REGARDING ALLOCATION OF DEBT BETWEEN THE TWO SCHOOL DISTRICTS RESULTING FROM THE DETACHMENT AND ANNEXATION OF AFFECTED TERRITORY FROM CLEBURNE INDEPENDENT SCHOOL DISTRICT TO GRANBURY INDEPENDENT SCHOOL DISTRICT PURSUANT TO TEXAS EDUCATION CODE, SECTIONS 13.004 AND 13.051 (i)

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the Resolution by the Commissioners Court of Johnson County, Texas evidencing its receipt of the Joint Resolution from the Board of Trustees of the Cleburne Independent School District and Granbury Independent School District, Regarding Allocation of Debt Between the Two School Districts Resulting From the Detachment and Annexation of Affected Territory From Cleburne Independent School District to Granbury Independent School District Pursuant to Texas Education Code, *Sections 13.004 and 13.051 (i)* and to give the County Judge the authorization to sign.

All voted aye; motion carried.

6. CONSIDERATION TO TERMINATE THE INTERLOCAL AGREEMENT BETWEEN JOHNSON COUNTY AND CLEBURNE INDEPENDENT SCHOOL DISTRICT FOR THE ASAP TRUANCY PROGRAM EFFECTIVE JUNE 1, 2010-CONSTABLE, PRECINCT #1

Comm. Bailey, seconded by Comm. Beeson, made a motion to terminate the Interlocal Agreement between Johnson County and Cleburne Independent School District for the ASAP Truancy Program effective June 1, 2010, for Constable, Precinct #1.

All voted aye; motion carried.

7. CONSIDERATION OF INTERLOCAL AGREEMENT BETWEEN JOHNSON COUNTY AND CLEBURNE INDEPENDENT SCHOOL DISTRICT FOR THE ASAP TRUANCY PROGRAM EFFECTIVE JUNE 1, 2010-JOHNSON COUNTY SHERIFF'S OFFICE

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the Interlocal Agreement between Johnson County and Cleburne Independent School District for the ASAP Truancy Program effective June 1, 2010, for the Johnson County Sheriff's Office and to give the County Judge and County Sheriff the authorization to sign.

All voted aye; motion carried.

VI. PRECEDING BUSINESS

1. 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.

2. ACKNOWLEDGMENT OF RECEIPT OF THE COUNTY AUDITOR'S REPORTS TO THE COMMISSIONERS COURT

The Commissioner's Court acknowledged the receipt of the County Auditor's Report.

3. CONSIDERATION OF TREASURER'S REPORT TO THE COMMISSIONER'S COURT

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

All voted aye; motion carried.

4. CONSIDERATION OF **RFP 2008-164**-RENEWAL FOR MAINTENANCE OF OFFICE MACHINES

Comm. Bailey, seconded by Comm. Stringer, made a motion to renew **RFP 2008-164** for maintenance of office machines (copiers, printers, and faxes) with Hewlett Office Systems.

All voted aye; motion carried.

5. CONSIDERATION TO PURCHASE A CATERPILLAR EXCAVATOR/BACKHOE FROM THE CITY OF CLEBURNE IN THE AMOUNT OF \$30,000.00-PRECINCT #1

Comm. Bailey, seconded by Comm. Matthews, made a motion to approve to purchase a Caterpillar Excavator/Backhoe from the City of Cleburne in the amount of \$30,000.00 for Precinct #1.

All voted aye; motion carried.

6. CONSIDERATION OF SALE OF A 1989 ROMCO CHIP SPREADER TO THE CITY OF KEENE IN THE AMOUNT OF \$12,000.00-PRECINCT #4

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the sale of a 1989 Romco Chip Spreader to the City of Keene in the amount of \$12,000.00 from Precinct #4.

All voted aye; motion carried.

## VII. UNFINISHED BUSINESS

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

Discussion. No Action.

8. CONSIDERATION OF ADDENDUM NUMBER FOUR TO MANAGEMENT SERVICES CONTRACT BETWEEN JOHNSON COUNTY, TEXAS AND COMMUNITY EDUCATION CENTERS, INC.

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve Addendum Number Four to Management Services Contract between Johnson County, Texas and Community Education Centers, Inc. and to give the County Judge and County Sheriff the authorization to sign.

All voted aye; motion carried.

9. CONSIDERATION OF CONTRACT AMENDMENT ONE BETWEEN THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS AND JOHNSON COUNTY FOR CITIES READINESS INITIATIVE (CRI) PROJECT IMPLEMENTATION

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve Contract Amendment One between the North Central Texas Council of Governments and Johnson County for Cities Readiness Initiative (CRI) Project Implementation and to give the County Judge authorization to sign.

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

Motion carried.

10. CONSIDERATION TO CANVASS THE VOTES FOR MAYOR AND COMMISSIONER PLACES ONE AND TWO OF THE MAY 8, 2010 SPECIAL ELECTION TO INCORPORATE COYOTE FLATS, TEXAS

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve to Canvass the Votes for Mayor and Commissioner Places One and Two of the May 8, 2010 Special Election to Incorporate Coyote Flats, Texas, with 18 votes cast for Mayor, John Barnett; 18 votes cast for Comm. Place 1, Doug Peterson; 17 votes cast for Comm. Place 2, Rob Slough during Early Voting and 59 votes cast for Mayor, John Barnett; 60 votes cast for Comm. Place 1, Doug Peterson; 58 votes cast for Comm. Place 2, Rob Slough on Election Day.

All voted aye; motion carried.

11. CONSIDERATION OF HOLDING PENS FOR LIVESTOCK-SHERIFF'S OFFICE

Comm. Matthews, seconded by Comm. Bailey, made a motion to authorize the Sheriff's Office to set up holding pens for livestock located on County property at 1800 Ridgmar to assist in the related responsibilities assigned to the Sheriff's Office.

All voted aye; motion carried.

## VIII. NEW BUSINESS

### 1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Bailey, seconded by Comm. Stringer, made a motion to advertise for Bids/Proposals to declare as surplus 500 railroad ties from the Sheriff's Office and advertise them for sale in the amount of \$5.00 each.

All voted aye; motion carried.

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

- a. Road Repair Materials from Chesapeake Energy and Texas Midstream Gas Services, LLC in the Amount of \$35,515.00-Road & Bridge, Precinct #2
- b. Restitution for Expert Witness in the Amount of \$110.00-District Attorney

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.0106* for Road Repair Materials from Chesapeake Energy and Texas Midstream Gas Services, LLC in the amount of \$35,515.00 for Road & Bridge, Precinct #2; and Restitution for Expert Witness in the amount of \$110.00, for the District Attorney.

### 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. Sheriff's Department-Estray Expenses

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.010-C* for Justice of the Peace, Precinct #2 for replacement of Time & Date Stamp Machine in the amount of \$752.00 to be paid from Equipment Non Capital and Sheriff's Department for Estray

Expenses in the amount of \$15,000.00 to be paid from Estray Livestock Budget created in Commissioner's Court on May 10, 2010.

All voted aye; motion carried.

4. CONSIDERATION OF INTERLOCAL AGREEMENT BETWEEN JOHNSON COUNTY AND PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT FOR OFFICE SPACE IN THE JOHNSON COUNTY ANNEX

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Interlocal Agreement between Johnson County and Prairielands Groundwater Conservation District for office space in the Johnson County Annex.

All voted aye; motion carried.

5. CONSIDERATION TO APPLY FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FOR FY 2010 IN THE AMOUNT OF \$20,037.00

Comm. Stringer, seconded by Comm. Beeson, made a motion to apply for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program for FY 2010 in the amount of \$20,037.00.

All voted aye; motion carried.

8. CONSIDERATION OF CONTRACTS FOR JUVENILE SERVICES:

a. Amendment Number 1 and Continuation of Non-Residential Services Contract with Michael A. Brown, Experiential Solutions T.E.A.M., Inc.

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve Amendment Number 1 and Continuation of Non-Residential Services Contract with Michael A. Brown, Experiential Solutions T.E.A.M., Inc., and to give the County Judge the authorization to sign.

All voted aye; motion carried.

- b. Non-Residential Services Contract with Robert Lackey for Psychological Testing

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve Non-Residential Services Contract with Robert Lackey for Psychological Testing and to give the County Judge the authorization to sign.

All voted aye; motion carried.

9. CONSIDERATION OF REVISED HOLIDAY SCHEDULE FOR 2010

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Revised Holiday Schedule for 2010.

All voted aye; motion carried.

10. CONSIDERATION OF TECH FUND MONIES TO PURCHASE A DATE/TIME STAMP MACHINE IN THE AMOUNT OF \$752.00-JUSTICE OF THE PEACE, PRECINCT #2

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve Tech Fund Monies to purchase a Date/Time Stamp Machine in the amount of \$752.00 for Justice of the Peace, Precinct #2.

All voted aye; motion carried.

11. CONSIDERATION OF OFFICIAL BOND AND OATH FOR TIMOTHY KINMAN-CONSTABLE, PRECINCT #4

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the Official Bond and Oath for Timothy Kinman, Constable, Precinct #4.

All voted aye; motion carried.

12. CONSIDERATION OF COMMISSIONER'S COURT APPROVAL AND INTERLOCAL AGREEMENT WITH THE CITY OF GRANDVIEW FOR REPAIRS TO 4<sup>TH</sup> STREET FROM TACKETT TO DOBBS (307'), MAIN STREET FROM 3<sup>RD</sup> STREET TO FIRST STREET (390') AND CHAPMAN STREET FROM 3<sup>RD</sup> STREET TO 4<sup>TH</sup> STREET (408')-PRECINCT #4



Comm. Beeson, seconded by Comm. Stringer, made a motion to approve Commissioner's Court Approval and Interlocal Agreement with the City of Grandview for repairs to 4<sup>th</sup> Street from Tackett to Dobbs (307'), Main Street from 3<sup>rd</sup> Street to First Street (390') and Chapman Street from 3<sup>rd</sup> Street to 4<sup>th</sup> Street (408') in Precinct #4.

All voted aye; motion carried.

13. CONSIDERATION OF COMMISSIONER'S COURT APPROVAL AND INTERLOCAL AGREEMENT WITH THE KEENE INDEPENDENT SCHOOL DISTRICT FOR REPAIRS TO THE PARKING AREA FOR THE KEENE LEARNING CENTER LOCATED AT 3625 E. US HWY 67 IN KEENE, TEXAS-PRECINCT #4

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve Commissioner's Court Approval and Interlocal Agreement with the Keene Independent School District for repairs to the parking area for the Keene Learning Center located at 3625 E. US Hwy 67 in Keene, Texas in Precinct #4.

All voted aye; motion carried.

14. CONSIDERATION OF RECURRING MONTHLY EXPENSE OF \$130.00 FOR ONE USER FOR ACCURINT FOR LAW ENFORCEMENT WITH LEXISNEXIS-SHERIFF'S OFFICE

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the recurring monthly expense of \$130.00 for one user for Accurint for Law Enforcement with LexisNexis, Sheriff's Office.

All voted aye; motion carried.

#### IX. CONSENT AGENDA

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

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

4. CONSIDERATION OF RECURRING ITEMS CONCERNING  
MARKET SQUARE

Discussion. No Action.

**BE IT KNOWN** that Commissioner's Court met in Executive Session at 10:02 A.M. in accordance with Government Code *Section. 551.074*-Personnel Matters-Juliana Vara-County Clerk and *Section 551.072*-Real Property.

The Commissioner's Court re-convened into Open Session at 10:51 A.M. to consider the following:

VII. UNFINISHED BUSINESS

1. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION,  
FINANCIAL PROGRAM REQUIREMENT AND CONTRACTS FOR THE LAW  
LIBRARY 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

Discussion. No Action.

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

Discussion. No Action.

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 11:00 A.M. to discuss Construction Manager at Risk for the Emergency Operations Center.

The Commissioner's Court re-convened into Open Session at 11:30 A.M.

to consider the following:

VII. UNFINISHED BUSINESS



6. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENT AND CONTRACTS FOR THE EMERGENCY OPERATIONS CENTER GRANT

- a. Consideration to Rank Construction Managers at Risk Pursuant to *Section 271.118* of the Local Government Code

Comm. Matthews, seconded by Comm. Beeson, made a motion to rank Construction Managers at Risk pursuant to *Section 271.118* of the Local Government Code for the Emergency Operations Center in the following order: RBR first, Pete Durant second, and DeMoss third.

All voted aye; motion carried.

7. CONSIDERATION OF COMMITTEE RECOMMENDATIONS OF APPLICANTS FOR THE ISS DEPARTMENT POSITIONS

The Committee recommended 2 (two) applicants and the County Judge added 2 (two) additional applicants for a total of 4 (four) applicants to interview for the ISS Department positions.

XI. EXECUTIVE SESSION

1. Government Code:

- a. *Sec. 551.074*-Personnel Matters-Juliana Vara-County Clerk

No Action.

- b. *Section 551.072*-Real Property

Comm. Matthews, seconded by Comm. Bailey, made a motion to authorize the County Judge to continue negotiations with Cleburne Independent School District concerning the Brown Gymnasium building.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 11:42 A.M.

Submitted by: \_\_\_\_\_  
County Clerk  
Becky Williams

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