

STATE OF TEXAS

September 27, 2010

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 27th day of September, 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 9:04 A.M., with all members present, and following the Invocation led by Chris Williams, Lead Pastor of Stonelake Church in Cleburne and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on September 23, 2010 at 12:55 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF DONATION OF A 2007 FORD F-150 TRUCK FROM CHESAPEAKE ENERGY CORP. FOR USE IN THE LITTER ABATEMENT PROGRAM IN PRECINCT #3

Commissioner's Court accepted the donation of a 2007 Ford F-150 truck from Chesapeake Energy Corp. for use in the Litter Abatement Program in Precinct #3.

2. PRESENTATION OF MILITARY ORDER OF THE PURPLE HEART LEADERSHIP AWARD

Bobby Ward presented the Military Order of the Purple Heart Leadership Award to Ghenesis Cordero, Cadet Senior Master Sergeant, CAP.

3. PRESENTATION BY DR. KEITH ARGENBRIGHT REGARDING THE MONCRIEF CANCER INSTITUTE AND TEXAS HEALTH RESOURCES-HARRIS METHODIST FORT WORTH BREAST CARE PROGRAM

Dr. Keith Argenbright, Medical Director for Moncrief Cancer Institute, made a presentation regarding the Moncrief Cancer Institute and Texas Health Resources-Harris Methodist Fort Worth's Breast Care Program.

4. RETIREMENT RECEPTION FOR BARBARA ROBINSON, JOHNSON COUNTY TREASURER

A retirement reception was held for Barbara Robinson, Johnson County Treasurer. She was presented a plaque for her dedicated 16 years of service to Johnson County upon her retirement.

The Commissioner's Court recessed at 9:55 A.M. and reconvened at 10:25 A.M. to consider the following:

Judge Harmon made an announcement to all Elected Officials and Department Heads in attendance to remove all old records from the second floor of the Sub-Courthouse in Burleson as soon as possible. The Judge's Office will also be sending out letters to all Elected Officials and Department Heads concerning the removal of the records.

IX. NEW BUSINESS

4. CONSIDERATION OF RESOLUTION AUTHORIZING COUNTY GRANT FOR THE TEXAS DEPARTMENT OF AGRICULTURE HOME-DELIVERED MEAL GRANT PROGRAM

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the Resolution Authorizing County Grant for the Texas Department of Agriculture Home-Delivered Meal Grant Program.

All voted aye; motion carried.

3. CONSIDERATION OF RESOLUTION IN SUPPORT OF PECAN VALLEY MENTAL HEALTH AND MENTAL RETARDATION REGION RECEIVING STATE FUNDING

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the Resolution in support of Pecan Valley Mental Health and Mental Retardation Region receiving State funding.

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

Motion carried.

5. CONSIDERATION OF AGREEMENT WITH LIMESTONE COUNTY FOR DETENTION OF JUVENILES-JUVENILE PROBATION

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the Agreement with Limestone County for Detention of Juveniles with Juvenile Probation and to give the County Judge the authorization to sign.

All voted aye; motion carried.

V. PUBLIC PARTICIPATION

None.

The Commissioner's Court opened a Public Hearing at 10:51 A.M. to discuss:

VI. PUBLIC HEARINGS

1. PUBLIC HEARING ON PROPOSED JOHNSON COUNTY BUDGET 2010-2011

Judge Harmon gave an update on changes in budget figures (See attached). The hearing was closed at 10:58 A.M.

VIII. 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 ADULT PROBATION BUILDING

Discussion. No Action.

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

Discussion. No Action.

## VII. PRECEDING BUSINESS

6. 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.

## XI. WORKSHOP

The Commissioner's Court convened into Workshop Session at 10:43 A.M. to discuss the Budget and Flooring in the Courthouse.

The Commissioner's Court reconvened into Open Session at 11:42 A.M. to consider the following:

## VII. PRECEDING BUSINESS

1. CONSIDERATION TO ADOPT THE BUDGET FOR 2010-2011



Comm. Matthews, seconded by Comm. Beeson, made a motion to adopt the Budget for 2010-2011 with the changes presented by Holly Morris.

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

Motion carried.

2. CONSIDERATION TO ADOPT THE TAX RATE FOR 2010

Comm. Matthews, seconded by Comm. Bailey, made a motion to adopt the Tax Rate for 2010 as follows: total M & O rate of .304884, total Debt rate of .022616 and FMLR rate of .052000 for a combined total tax rate of .379500.

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

Motion carried by unanimous hand vote.

3. CONSIDERATION TO RATIFY THE PROPERTY TAX INCREASE REFLECTED IN THE BUDGET FOR 2010-2011

Comm. Bailey, seconded by Comm. Beeson, made a motion to ratify the Property Tax increase reflected in the Budget for 2010-2011.

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

Motion carried by unanimous hand vote.

4. CONSIDERATION OF **ORDER #2010-19** "ORDER SETTING TAX RATE FOR THE COUNTY OF JOHNSON FOR THE TAX YEAR 2010 AND DIRECTING THE ASSESSMENT AND COLLECTION THEREOF"

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve **Order #2010-19** “Order Setting Tax Rate for the County of Johnson for the Tax Year 2010 and Directing the Assessment and Collection Thereof”, with the Property Tax Rate being \$0.379500 per \$100.00 taxable valuation.

All voted aye; motion carried.

Commissioner Beeson exited the meeting at 11:49 A.M.

5. CONSIDERATION OF MINUTES OF THE COMMISSIONER’S COURT:

a. August 5, 2010 – Special Session

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the Commissioner’s Court Minutes for August 5, 2010.

All voted aye; motion carried.

7. 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.

8. CONSIDERATION OF **ORDER #2010-22** APPROVING THE JOHNSON COUNTY TREASURER’S REPORT TO THE COMMISSIONER’S COURT

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve **Order #2010-22**, the Johnson County Treasurer’s Report to the Commissioner’s Court.

All voted aye, motion carried.

9. CONSIDERATION OF RFP’S:

a. **RFP 2010-315**-Scan and Index Project for the District Clerk’s Office

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

All voted aye; motion carried.

Commissioner Beeson returned to the meeting at 11:51 A.M.

- b. Renewal of **RFP 2007-139**-Bulk Fuel for Johnson County with Lambert Oil Company

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the renewal of **RFP 2007-139** for Bulk Fuel for Johnson County with Lambert Oil Company at the current pricing.

All voted aye; motion carried.

#### VIII. UNFINISHED BUSINESS

3. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

Discussion. No Action.

#### IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Matthews, seconded by Comm. Stringer, made a motion to declare all excess materials on the second floor in the Sub-Courthouse in Burleson as salvage and dispose of on-site.

All voted aye; motion carried.

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

- a. Indigent Health Care-Indigent Care Expense
- b. Non Departmental-Real Property Acquisition
- c. Jail Security Improvements-Set Up Budget from Fund 051 for Jail Security System Project
- d. Mineral Revenue Reserve-Transfer to Fund 701 Jail Security Improvement Fund
- e. Jail Security Improvements-Fees & Services and Property Improvement
- f. Mineral Revenue Reserve-Transfer to Fund 074 for JP & Guinn Renovation Projects
- g. JP & Guinn Renovation Projects-Transfer from Fund 051 for JP & Guinn Renovation Projects

- h. Justice of the Peace, Precinct #2-Equipment Non-Capital
- i. Justice of the Peace, Precinct #3-Equipment Non-Capital
- j. JP & Guinn Renovation-Building Construction
- k. Law Library-Office Supplies/Law Books & Publications/Equipment Non-Capital/Equipment Capital

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 Indigent Health Care, Indigent Care Expense for additional budget requirement in the amount of \$130,000.00; Non Departmental, Real Property Acquisition for Chambers property asbestos removal in the amount of \$80,910.00; Jail Security Improvements, set up budget from Fund 051 for Jail Security System Project in the amount of \$639,462.00; Mineral Revenue Reserve, transfer to Fund 701 Jail Security Improvement Fund in the amount of \$639,462.00; Jail Security Improvements, Fees & Services and Property Improvement to set up budget for transfer from Fund 051 for the Jail Security System Project in the amount of \$639,462.00; Mineral Revenue Reserve, transfer to Fund 074 for JP & Guinn Renovation Projects in the amount of \$28,853.70; JP & Guinn Renovation Projects, transfer from Fund 051 for JP & Guinn Renovation Projects in the amount of \$97,304.92; Justice of the Peace, Precinct #2, Equipment Non-Capital to purchase Taser for courtroom security approved during the September 13, 2010 Commissioner's Court in the amount of \$845.00; Justice of the Peace, Precinct #3, Equipment Non-Capital to purchase 3 wireless headsets approved during the September 13, 2010 Commissioner's Court in the amount of \$1,136.00; JP & Guinn Renovation, Building Construction for the renovation cost for the Law Library in the amount of \$4,601.00; Law Library, Office Supplies/Law Books & Publications/Equipment Non-Capital/Equipment Capital for additional budget for renovation costs for the Law Library in the amount of \$19,500.00

All voted aye; motion carried.



6. CONSIDERATION OF REMOVAL OF STALE DATED CHECKS FROM OPERATIONS CLEARING AND PAYROLL CLEARING BANK ACCOUNTS- TREASURER'S OFFICE

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the removal of stale dated checks from Operations Clearing and Payroll Clearing bank accounts in the Treasurer's Office.

All voted aye; motion carried.

7. CONSIDERATION OF REMOVAL OF ASSETS FROM CAPITAL AND NON-CAPITAL PROPERTY INVENTORY-AUDITOR'S OFFICE

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the removal of assets from Capital and Non-Capital Property Inventory in the Auditor's Office with the exception of one HP Compaq 6710B laptop computer, tag # 3409, until the ongoing criminal case is disposed of.

All voted aye; motion carried.

The Commissioner's Court recessed at 12:10 P.M. and reconvened at 1:22 P.M. to consider the following:

XI. WORKSHOP

The Commissioner's Court convened into Workshop Session at 1:22 P.M. to discuss the Emergency Services District #1.

The Commissioner's Court reconvened into Open Session at 2:31 P.M. to consider the following:

IX. NEW BUSINESS

9. CONSIDERATION OF OFFICIAL BOND AND OATH FOR MATT WYLIE, DEPUTY CONSTABLE PRECINCT #3

Comm. Stringer, seconded by Comm. Matthews, made a motion to approve the Official Bond and Oath for Matt Wylie, Deputy Constable for Precinct #3.

All voted aye; motion carried.

10. CONSIDERATION OF CONTINUATION CERTIFICATE BOND FOR:

a. Sean Blanks, Deputy Constable Precinct #2

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the Continuation Certificate Bond for Sean Blanks, Deputy Constable in Precinct #2.

All voted aye; motion carried.

b. Robert Herod, Deputy Constable Precinct #3

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Continuation Certificate Bond for Robert Herod, Deputy Constable in Precinct #3.

All voted aye; motion carried.

11. CONSIDERATION OF FLOORING IN THE COURTHOUSE

Comm. Bailey, seconded by Comm. Beeson, made a motion to give Don Burns, Public Works Director, the authorization to make the necessary repairs to the flooring in the Early Voting area and to contact the flooring company concerning the repairs to the rest of the Courthouse flooring.

All voted aye; motion carried.

8. CONSIDERATION TO ACCEPT GRANT AWARD WITH THE DEPARTMENT OF JUSTICE FOR THE STOP THE OFFENDER PROGRAM IN THE AMOUNT OF \$200,000.00

Comm. Matthews, seconded by Comm. Beeson, made a motion to accept the Grant Award with the Department of Justice for the Stop the Offender Program in the amount of \$200,000.00 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

12. CONSIDERATION OF DISTRICT JUDGES' ORDER ESTABLISHING SALARIES FOR COUNTY AUDITOR'S OFFICE, ORDER ESTABLISHING SALARIES FOR COURT REPORTERS, FEE SCHEDULE FOR JOHNSON COUNTY REPORTERS AND ORDER APPROVING AUDITOR'S BUDGET

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the District Judges' Order Establishing Salaries for County Auditor's Office, Order Establishing Salaries for Court Reporters, Fee Schedule for Johnson County Reporters and Order Approving Auditor's Budget.

All voted aye; motion carried.

X. CONSENT AGENDA

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

All voted aye; motion carried.

The Commissioner's Court went into Executive Session at 2:39 P.M.

**BE IT KNOWN** that Commissioner's Court met in Executive Session at 2:39 P.M. in accordance with Government Code *Sec. 551.071*-Consultation with Attorney, Pending Litigation-Mays vs. Johnson County Cause No. 3-08CV-1207-P and *Sec. 551.074*-Personnel Matters-Appointment to Fill the Vacancy in the Office of Johnson County Treasurer, David Disheroon-Public Works Department, and Samuel Baxter-ISS Department.

The Commissioner's Court reconvened into Open Session at 3:14 P.M. to consider the following:

XII. EXECUTIVE SESSION

1. Government Code:

- a. *Sec. 551.071*-Consultation with Attorney, Pending Litigation-Mays vs. Johnson County Cause No. 3-08CV-1207-P

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the settlement agreement reached during mediation of this case (Cause No. 3-08CV-1207-P), payable to the plaintiffs and to approve Johnson County's expenses, costs, and fees associated with defending this lawsuit.

All voted aye; motion carried.

- b. *Sec. 551.074*-Personnel Matters

1. Appointment to Fill the Vacancy in the Office of Johnson County Treasurer

Comm. Matthews, seconded by Comm. Beeson, made a motion for the Commissioner's Court to appoint Debbie Rice as County Treasurer, effective October 1, 2010 through December 31, 2010, fulfilling the unexpired term of Barbara Robinson, Treasurer.

All voted aye; motion carried.

2. David Disheroon-Public Works Department

Comm. Beeson, seconded by Comm. Bailey, made a motion to give the County Judge the authorization to sign the Personnel Action form submitted by Don Burns for David Disheroon, Public Works Department.

All voted aye; motion carried.

3. Samuel Baxter-ISS Department

Comm. Matthews, seconded by Comm. Stringer, made a motion to give the County Judge the authorization to pay comp time to Samuel Baxter, ISS Department.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's  
Court adjourned at 3:18 P.M.

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

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