

STATE OF TEXAS

February 14, 2011

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 14th day of February, 2011, 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 9:05 A.M., with all members present, and following the Invocation led by Pastor Sid Hill, Blackberry Community Fellowship, Godley, 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 February 10, 2011 at 1:09 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. ANNOUNCEMENT: THE DEADLINE FOR THE MONDAY, FEBRUARY 28, 2011 COMMISSIONER'S COURT AGENDA WILL BE **FRIDAY, FEBRUARY 18, 2011 AT 5:00 PM**

The County Judge announced to the Court that the deadline for the Monday, February 28, 2011 Commissioner's Court Agenda will be **Friday, February 18, 2011 at 5:00 PM.**

3. PRESENTATION OF PROCLAMATION FOR TEEN DATING VIOLENCE AWARENESS AND PREVENTION MONTH IN JOHNSON COUNTY

The Commissioner's Court proclaimed the month of February, 2011 as Teen Dating Violence Awareness and Prevention Month in Johnson County.

V. PUBLIC PARTICIPATION

None.

VI. PRECEDING BUSINESS

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

a. December 13, 2010 – Regular Session

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Commissioner's Court Minutes for December 13, 2010.

All voted aye; motion carried.

2. 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.

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 OF CONVEYANCE OF PORTIONS OF A PREVIOUSLY PLATTED LOTS; LOTS 2095, 2096, 2097, 2098, 2099 OF **PECAN PLANTATION UNIT 12**, INTO LOTS 2096A, 2097A AND 2099A BY METES AND BOUNDS DESCRIPTION PURSUANT TO *SECTION 232.010* OF THE LOCAL GOVERNMENT CODE-PRECINCT #1

Comm. Bailey, seconded by Comm. Matthews, made a motion to approve the conveyance of portions of a previously platted lots; Lots 2095, 2096, 2097, 2098, 2099 of **Pecan Plantation Unit 12**, into Lots 2096A, 2097A and 2099A by metes and bounds description pursuant to *Section 232.010* of the Local Government Code in Precinct #1.

All voted aye; motion carried.

5. CONSIDERATION FOR DUMAS LAND SURVEYING TO SURVEY A 60' PORTION OF PREVIOUSLY PLATTED LOT 95 IN FISHERMAN'S PARADISE FOR THE PURPOSE OF USING AS AN EMERGENCY INGRESS AND EGRESS EASEMENT-PRECINCT #1

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

All voted aye; motion carried.

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

2. PRESENTATION OF PLAQUE TO BILLY CATE, OUTGOING CHAIR OF THE JOHNSON COUNTY HISTORICAL COMMISSION

The Commissioner's Court presented a plaque to Billy Cate, outgoing Chair of the Johnson County Historical Commission for his dedication to Johnson County.

VII. UNFINISHED BUSINESS

2. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

Discussion. No Action.

4. CONSIDERATION OF EXPANSION OF JOHNSON COUNTY JAIL FACILITY, PROPOSED FUNDING ALTERNATIVES FOR EXPANSION OF JOHNSON COUNTY JAIL FACILITY AND ADDENDUM NUMBER SIX TO MANAGEMENT SERVICES CONTRACT BETWEEN JOHNSON COUNTY, TEXAS AND SOUTHWESTERN CORRECTIONAL, LLC, DOING BUSINESS AS LASALLE SOUTHWEST CORRECTIONS

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve proceeding forward in regards to the expansion of Johnson County Jail Facility, proposed funding alternatives for expansion of Johnson County Jail Facility and Addendum Number Six to Management Services Contract between Johnson County, Texas and Southwestern Correctional, LLC, doing business as Lasalle Southwest Corrections with Lasalle Southwest Corrections providing Johnson County with a contract to review and to present at the next Commissioner's Court meeting.

All voted aye; motion carried.

The Commissioner's Court recessed at 10:17 A.M. and reconvened at 10:34 A.M. to consider the following:

VIII. NEW BUSINESS

12. CONSIDERATION TO SELL SURPLUS COMPUTER EQUIPMENT TO THE CITY OF CLEBURNE-IT DEPARTMENT

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve to sell surplus computer equipment to the City of Cleburne in the amount of \$10.00 for the IT Department.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

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

Discussion. No Action.

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

Comm. Matthews, seconded by Comm. Bailey, made a motion to authorize Alan Magee, of Magee Architects, Inc., to prepare documents to bid the Construction Manager at Risk (CMAR) in regards to the architectural design, specification, financial program requirement, and contracts for Adult Probation Building.

All voted aye; motion carried.

VIII. NEW BUSINESS

6. CONSIDERATION OF ELECTION SYSTEMS & SOFTWARE, INC. ELECTION SERVICES AGREEMENT RENEWAL-ELECTIONS

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve Election Systems & Software, Inc. Election Services Agreement Renewal for Elections Office and to give the County Judge the authorization to sign

All voted aye; motion carried.

7. CONSIDERATION OF VOTING MACHINE LEASE AGREEMENT BETWEEN JOHNSON COUNTY AND:

a. The City of Burleson

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the Voting Machine Lease Agreement between Johnson County and the City of Burleson and to give the County Judge the authorization to sign.

All voted aye; motion carried.

b. Rio Vista Independent School District

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the Voting Machine Lease Agreement between Johnson County and Rio Vista Independent School District and to give the County Judge the authorization to sign.

All voted aye; motion carried.

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

No Action.

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

- a. Justice Court Building Security, JP #2-Building Repair & Maintenance
- b. General Fund, Non-Departmental-Transfer to Building Maintenance
- c. Building Maintenance & Operation-Transfer From Other Funds
- d. Building Maintenance & Operation Guinn Building-Building Repair & Maintenance

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.010-C* for Justice Court Building Security, JP #2, Building Repair & Maintenance to complete the installation of front windows in the amount of \$1,000.00; General Fund, Non-Departmental, Transfer to Building Maintenance to transfer to Building Maintenance & Operation fund additional funding in the amount of \$100,000.00; Building Maintenance & Operation, Transfer from Other Funds to transfer from General Fund additional funding required in the amount of \$100,000.00; and Building Maintenance & Operation Guinn Building, Building Repair & Maintenance to replace the compressor in the amount of \$40,000.00.

All voted aye; motion carried.

3. CONSIDERATION OF **ORDER #2011-01** – PROHIBITION OF OUTDOOR BURNING

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve **Order #2011-01** for the Prohibition of Outdoor Burning, effective immediately.

All voted aye; motion carried.

4. CONSIDERATION OF CONTINUATION OF THE MENTAL HEALTH PEACE OFFICER GRANT IN THE AMOUNT OF \$33,162.00-SHERIFF'S OFFICE

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the continuation of the Mental Health Peace Officer Grant in the amount of \$33,162.00 for the Sheriff's Office.

All voted aye; motion carried.

5. CONSIDERATION TO APPLY FOR A CJD (CRIMINAL JUSTICE DEPARTMENT) GRANT TO PURCHASE ALERT TRAINING EQUIPMENT-SHERIFF'S OFFICE

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the application for a CJD (Criminal Justice Department) Grant to purchase Alert Training Equipment with 100% funding and no County match required for the Sheriff's Office.

All voted aye; motion carried.

8. CONSIDERATION OF INTERAGENCY AGREEMENT BETWEEN THE CITY OF MANSFIELD, THE CITY OF BURLESON, THE CITY OF GRAND PRAIRIE, ELLIS COUNTY AND JOHNSON COUNTY TO FILE APPLICATION TO FORM A JOINT TASK FORCE WITH THE AUTOMOBILE BURGLARY AND THEFT PREVENTION AUTHORITY CREATING THE TRI-COUNTY AUTO BURGLARY AND THEFT PREVENTION TASK FORCE-SHERIFF'S OFFICE

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Interagency Agreement between the City of Mansfield, the City of Burleson, the City of Grand Prairie, Ellis County and Johnson County to file application to form a Joint Task Force with the Automobile Burglary and Theft Prevention Authority creating the Tri-County Auto Burglary and Theft Prevention Task Force for the Sheriff's Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

9. CONSIDERATION OF PARTICIPATION AGREEMENT WITH JP MORGAN CHASE BANK FOR USE OF THE JP MORGAN CHASE PROCUREMENT CARD-PURCHASING

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Participation Agreement with JP Morgan Chase Bank for use of the JP Morgan Chase Procurement Card for Purchasing and to give the County Judge the authorization to sign.

All voted aye; motion carried.

10. CONSIDERATION TO DECLARE ITEMS AS SURPLUS UNDER LOCAL GOVERNMENT CODE SECTION 263.152 DISPOSITION (a)(1)-PURCHASING

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve to declare items as surplus under Local Government Code *Section 263.152* Disposition (a)(1) for Purchasing as attached to these minutes.

All voted aye; motion carried.

11. CONSIDERATION OF ENTERPRISE SOFTWARE LICENSE AGREEMENT BETWEEN JOHNSON COUNTY, TEXAS AND NETMOTION WIRELESS, INC.-IT DEPARTMENT

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Enterprise Software License Agreement between Johnson County, Texas and Netmotion Wireless, Inc., for the IT Department and to give the County Judge the authorization to sign.

All voted aye; motion carried.

13. CONSIDERATION OF MEMBERSHIP FOR DAN MILAM, IT DIRECTOR, TO THE TEXAS COUNTY INFORMATION TECHNOLOGY ASSOCIATION

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve membership for Dan Milam, IT Director, to the Texas County Information Technology Association at a cost of \$100.00 per year.

All voted aye; motion carried.

14. CONSIDERATION OF AGREEMENT TO CONTRIBUTE FUNDS WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE BRIDGE PROJECT ON FM 916 OVER CHAMBERS CREEK-ROW CSJ 0712-02-014

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the Agreement to Contribute Funds with the Texas Department of Transportation for the bridge project on FM 916 over Chambers Creek, ROW CSJ 0712-02-014 at a cost of \$6,250.00 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

15. CONSIDERATION OF RECURRING MONTHLY EXPENSE FOR AN AFTER HOURS ON-CALL PHONE SERVICE FOR THE S.T.O.P. SPECIAL CRIMES UNIT IN THE AMOUNT OF \$14.95 PER MONTH

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the recurring monthly expense for an after hours on-call phone service for the S.T.O.P. Special Crimes Unit in the amount of \$14.95 per month.

All voted aye; motion carried.

16. CONSIDERATION OF NEWLY ELECTED OFFICERS TO THE JOHNSON COUNTY HISTORICAL COMMISSION

Comm. Bailey, seconded by Comm. Matthews, made a motion to approve the newly elected officers to the Johnson County Historical Commission as attached to these minutes.

All voted aye; motion carried.

17. CONSIDERATION OF THE JOHNSON COUNTY HISTORICAL COMMISSION'S REQUEST TO BE INCLUDED ON THE JOHNSON COUNTY WEBSITE

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Johnson County Historical Commission's request to be included as a link on the Johnson County website.

All voted aye; motion carried.

18. CONSIDERATION OF APPOINTMENT OF WESLEY NEELEY OF BLUM, TEXAS TO THE JOHNSON COUNTY HISTORICAL COMMISSION

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

All voted aye; motion carried.

19. CONSIDERATION OF WATER WELL PROJECT-HAMM CREEK PARK

Comm. Bailey, seconded by Comm. Beeson, made a motion to terminate the Water Well Project for Hamm Creek Park with the Army Corp of Engineers and continue the contract to purchase water from Crest Water Supply .

All voted aye; motion carried.

20. CONSIDERATION OF PLAYGROUND EQUIPMENT-HAMM CREEK PARK

No Action.

21. CONSIDERATION OF MCIT MEMORANDUM OF AGREEMENT, NORTH CENTRAL TEXAS MAJOR CASE INVESTIGATIVE TEAM-SHERIFF'S OFFICE

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the MCIT Memorandum of Agreement, North Central Texas Major Case Investigative Team for the Sheriff's Office.

All voted aye; motion carried.

20. CONSIDERATION OF PLAYGROUND EQUIPMENT-HAMM CREEK PARK

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the placement of the playground equipment at Hamm Creek Park.

All voted aye; motion carried.

IX. CONSENT AGENDA

Comm. Matthews, seconded by Comm. Bailey, 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 11:50 A.M.

**BE IT KNOWN** that Commissioner's Court met in Executive Session at 11:50 A.M. in accordance with Government Code *Sec. 551.071*-Consultation with Attorney-Contemplated Litigation.

The Commissioner's Court convened into Open Session at 11:57 A.M. to consider the following:

XI. EXECUTIVE SESSION

1. Government Code:

a. *Sec. 551.071*-Consultation with Attorney-Contemplated Litigation

Comm. Beeson, seconded by Comm. Stringer, made a motion to refund \$2,000.00 on the advice of County Attorney, Bill Moore, to be paid from the Forfeiture Fund in regards to the contemplated litigation.

All voted aye; motion carried.

The Commissioner's Court recessed at 12:00 P.M. and reconvened at 1:15 P.M. to consider the following:

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 1:15 P.M. to discuss Upper Payment Limit on Indigent Health Care.

The Commissioner's Court reconvened into Open Session at 2:18 P.M.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 2:18 P.M.

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

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