

STATE OF TEXAS

March 28, 2011

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 28th day of March, 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 9:00 A.M., with all members present, and following the Invocation led by Father Jonathan Duncan, Rector - The Church of the Holy Comforter, 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 March 24, 2011 at 10:38 A.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF PLAQUE TO CHUCK MCGOWEN, FORMER BOARD MEMBER OF THE JOHNSON COUNTY ECONOMIC DEVELOPMENT COMMISSION-PRECINCT #4

Commissioner's Court presented a plaque to Chuck McGowen, former Board Member of the Johnson County Economic Development Commission, representing Precinct #4 in appreciation for his service to Johnson County.

2. PROCLAMATION FOR RIDE 2 RECOVERY APPRECIATION WEEKEND – APRIL 1-2, 2011

Commissioner's Court proclaimed April 1-2, 2011 as Ride 2 Recovery Appreciation Weekend in Johnson County.

V. PUBLIC PARTICIPATION

None.

VI. PUBLIC HEARINGS

The Commissioner's Court opened a Public Hearing at 9:22 A.M. to discuss:

1. "DECREASE OF SPEED LIMIT FOR PASSENGER CARS AND TRUCKS FROM 40 MPH TO 30 MPH ON COUNTY ROAD 528, FROM THE INTERSECTION WITH PECAN WOOD ROAD TO THE INTERSECTION WITH COUNTY ROAD 612-PRECINCT #3"

Commissioner Jerry Stringer spoke in support of decreasing the speed limit for passenger cars and trucks from 40 MPH to 30 MPH on County Road 528, from the intersection with Pecan Wood Road to the intersection with County Road 612 in Precinct #3. Commissioner Stringer had been given a petition which was signed by all property owners along this section of road in favor of lowering the speed limit. The hearing was closed at 9:25 A.M.

VII. PRECEDING BUSINESS

1. CONSIDERATION OF **ORDER #2011-05** – DECREASE OF SPEED LIMIT FOR PASSENGER CARS AND TRUCKS FROM 40 MPH TO 30 MPH ON COUNTY ROAD 528, FROM THE INTERSECTION WITH PECAN WOOD ROAD TO THE INTERSECTION WITH COUNTY ROAD 612-PRECINCT #3

Comm. Stringer, seconded by Comm. Matthews, made a motion to approve **Order #2011-05** to decrease the speed limit for passenger cars and trucks from 40 MPH to 30 MPH on County Road 528, from the intersection with Pecan Wood Road to the intersection with County Road 612 in Precinct #3.

All voted aye; motion carried.

2. CONSIDERATION OF **ORDER #2011-06** – ORDER APPROVING THE JOHNSON COUNTY TREASURER'S REPORT

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve **Order #2011-06** approving the Johnson County Treasurer's Report to the Commissioner's Court.

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 TO ALLOW CONVEYANCE OF PORTIONS OF A PREVIOUSLY PLATTED TRACT AND LOT 2192, UNIT THIRTEEN, OF PECAN PLANTATION INTO LOT 2192A 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 table this item.

All voted aye; motion carried.

6. CONSIDERATION OF FINAL PLAT OF LOT 1, BLOCK 1 OF THE TRIPLETT ADDITION-PRECINCT #4

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the final plat of Lot 1, Block 1 of the Triplett Addition in Precinct #4.

All voted aye; motion carried.

7. CONSIDERATION OF RFP'S:

a. **RFP #2011-411 – Bridge Replacement on CR 1109A-Precinct #1**

Comm. Bailey, seconded by Comm. Matthews, made a motion to approve **RFP #2011-411** – Bridge Replacement on CR 1109A in Precinct #1 with Harris Welding and Construction, Springtown, Texas in the amount of \$99,800.00.

All voted aye; motion carried.

b. **RFP #2011-413 – Road Materials**

Comm. Bailey, seconded by Comm. Matthews, made a motion to approve **RFP #2011-413** – Road Materials as attached to these minutes.

All voted aye; motion carried.

c. **RFP #2011-414 – Asphalts and Emulsified Asphalts**

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve **RFP #2011-414** – Asphalts and Emulsified Asphalts as attached to these minutes.

All voted aye; motion carried.

d. **RFP #2011-417 – Real Estate Appraiser**



Comm. Beeson, seconded by Comm. Bailey, made a motion to approve **RFP #2011-417** – Real Estate Appraiser with Appraisal Associates, LLC, on an “As Need Basis”.

All voted aye; motion carried.

BE IT KNOWN that Commissioner’s Court met in Executive Session at 9:45 A.M. in accordance with Government Code *Sec. 551.071*-Consultation with Attorney-Contemplated Litigation: Liliana L. Gonzalez, Wrongful Termination Claim.

The Commissioner’s Court reconvened into Open Session at 10:58 A.M. to consider the following:

XII. EXECUTIVE SESSION

1. Government Code:

- a. *Sec. 551.071*-Consultation with Attorney-Contemplated Litigation: Liliana L. Gonzalez, Wrongful Termination Claim

Comm. Beeson, seconded by Comm. Bailey, made a motion to authorize Bill Moore, County Attorney, to pursue on behalf of the County mediation in the matter of the termination of Liliana L. Gonzalez.

All voted aye; motion carried.

VIII. UNFINISHED BUSINESS

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

- a. Consideration of Supplement to Agreement for Services, Change to Scope of Service and Fees with Terracon Consultants, Inc.

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the Supplement Agreement for Services, Change to Scope of Service and Fees with Terracon Consultants, Inc. and to give the County Judge the authorization to sign. This is based on Government Code 2254, Professional Services Act, Terracon Consultants, Inc. has been selected to provide construction Materials Testing Service for the Johnson County Emergency Operations Center. Selection was made on the basis of demonstrated competence and qualifications to perform the services and for a fair and reasonable price.

All voted aye; motion carried.

Comm. Stringer, seconded by Comm. Matthews, made a motion to authorize moving forward with the change order regarding the dirt for the sub-grade for the Emergency Operations Center, which will be removed from behind the jail.

All voted aye; motion carried.

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

Discussion. No Action.

2. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

Discussion. No Action.

IX. NEW BUSINESS

7. CONSIDERATION OF USE OF THE GUINN JUSTICE CENTER PROPERTY FOR A GATHERING FOR THE NATIONAL DAY OF PRAYER TO BE HELD ON MAY 5, 2011

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the use of the Guinn Justice Center property for a gathering for the National Day of Prayer to be held on May 5, 2011.

All voted aye; motion carried.

10. CONSIDERATION OF TEXAS HEALTH AND HUMAN SERVICES COMMISSION MEDICAID HOSPITAL SUPPLEMENTAL PAYMENT PROGRAM CERTIFICATION OF GOVERNMENTAL ENTITY PARTICIPATION

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Texas Health and Human Services Commission Medicaid Hospital Supplemental Payment Program Certification of Governmental Entity Participation and to give the County Judge the authorization to sign.

All voted aye; motion carried.

11. CONSIDERATION OF INDIGENT CARE AFFILIATION AGREEMENT BETWEEN JOHNSON COUNTY AND ADVENTIST HEALTH SYSTEMS/SUNBELT INC., D/B/A HUGULEY MEMORIAL MEDICAL CENTER

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the Indigent Care Affiliation Agreement between Johnson County and Adventist Health Systems/Sunbelt Inc., d/b/a Huguley Memorial Medical Center and to give the County Judge the authorization to sign.

All voted aye; motion carried.

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

Comm. Matthews, 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 the authorization to sign.

All voted aye; motion carried.

VIII. UNFINISHED BUSINESS

4. CONSIDERATION OF PRICING AGREEMENT WITH JOHNSON COUNTY WITH CALL-EM-ALL FOR VOICE BROADCASTING SERVICES-EMERGENCY MANAGEMENT

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Pricing Agreement with Johnson County with Call-Em-All for voice broadcasting services for Emergency Management and to give the County Judge the authorization to sign.

All voted aye; motion carried.

5. CONSIDERATION TO EXTEND FOUR TEMPORARY SCANNING POSITIONS FOR AN ADDITIONAL SIX MONTHS TO COMPLETE THE RECORDS SCANNING PROJECT-SHERIFF, JAIL

Comm. Beeson, seconded by Comm. Matthews, made a motion to approve to extend four temporary scanning positions for an additional six months, with an ending date of September 30, 2011, to complete the records scanning project at the Jail for the Sheriff's Office.

All voted aye; motion carried.

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

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

All voted aye; motion carried.

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

No Action.

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

a. Road & Bridge, Precinct #2-Road Material

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.0106* for Road & Bridge, Precinct #2-Road Material, for road repairs from Devon Energy in the amount of \$9,470.00.

All voted aye; motion carried.

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

a. Road & Bridge, Precinct #4-Personnel Salaries

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.010-C* for Road & Bridge, Precinct #3-Personnel Salaries to change position # G04-006, Road & Bridge Utility Tradesman to G02-027, Equipment Operator II; position # G04-007, Road & Bridge Utility Tradesman to G02-028, Equipment Operator II; position # G04-008, Road & Bridge Utility Tradesman to G02-029, Equipment Operator II; which were approved in Commissioner's Court March 14, 2011 with no change in salaries or benefits.

All voted aye; motion carried.

5. CONSIDERATION OF INTERLOCAL AGREEMENT FOR PARTICIPATION IN FORT WORTH'S ENVIRONMENTAL COLLECTION CENTER HOUSEHOLD HAZARDOUS WASTE PROGRAM

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the Interlocal Agreement for Participation in Fort Worth's Environmental Collection Center Household Hazardous Waste Program, choosing to accept term 7.E.2. on page 14 and to give the County Judge and the County Attorney the authorization to sign.

All voted aye; motion carried.

6. CONSIDERATION OF SECURITY STANDARDS COUNCIL PAYMENT CARD INDUSTRY (PCI) ATTESTATION OF COMPLIANCE-TAX OFFICE

County Judge, Roger Harmon, seconded by Comm. Matthews, made a motion to approve the Security Standards Council Payment Card Industry (PCI) Attestation of Compliance for the Tax Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF SERVICES AGREEMENT BETWEEN TEXAS HEALTH HARRIS METHODIST HOSPITAL CLEBURNE AND JOHNSON COUNTY FOR OCCUPATIONAL HEALTH SERVICES-PERSONNEL

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the Services Agreement between Texas Health Harris Methodist Hospital Cleburne and Johnson County for Occupational Health Services for Personnel Department and to give the County Judge the authorization to sign.

All voted aye; motion carried.

9. CONSIDERATION OF TENURED RETIREE HEALTH INSURANCE POLICY AND RETIREMENT-VESTED EMPLOYEE HEALTH INSURANCE CONTINUATION PROGRAM-PERSONNEL

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve to continue the Dental Insurance Program after age 65 for retirees and the cost will be 100% paid for by the retiree.

All voted aye; motion carried.

X. CONSENT AGENDA

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

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 12:07 P.M.

Submitted by: _____
County Clerk
Becky Williams

Approved by: _____
County Judge
Roger Harmon