

IN THE COMMISSIONERS COURT OF

BELL COUNTY, TEXAS

SEPTEMBER 26, 2011

AFTER proper posting of public notice, a copy of which is attached hereto, on this the 26TH day of September, 2011, the County Commissioners Court of Bell County, Texas, met in the Commissioners' Courtroom in Belton, Texas, in regular session with the following members of said Court present, to-wit:

JUDGE JON H. BURROWS, County Judge
COMMISSIONER RICHARD CORTESE, Precinct #1
COMMISSIONER TIM BROWN, Precinct #2
COMMISSIONER EDDY LANGE, Precinct #3
COMMISSIONER JOHN FISHER, Precinct #4
SHELLEY COSTON, County Clerk
BRYAN NEAVES, County Engineer

Agenda #1 – Minutes

MINUTE ORDER #402/11: County Judge Jon Burrows called to the Courts attention that the minutes of September 12, 2011, 9:00 a.m. regular session had been received. After due discussion, upon motion by **Commissioner Tim Brown**, second by **Commissioner John Fisher**, these minutes were accepted with an amendment to Agenda Item #19, Minute Order #343/11 adding a copy of the Juror Pay Order, a copy of which is attached hereto and made part of these minutes and the minutes of September 12, 2011.

Agenda #2a - County Engineer

MINUTE ORDER #403/11: County Engineer Bryan Neaves presented for approval awarding Bid #21-11 for Metal Culverts to Contech Construction Products, Taylor, Texas, in the amount of \$94,730.50. After due discussion, upon motion by **Commissioner Richard Cortese**, second by **Commissioner Eddy Lange**, the Court unanimously approved this matter.

Agenda #2b – County Engineer

MINUTE ORDER #404/11: County Engineer Bryan Neaves presented for approval for County Auditor to advertise for bids on Aggregate (Grade 4 & 5), Reinforcing Steel and Flexible Base Material Base. After due discussion, upon motion by **Commissioner Eddy Lange**, second by **Commissioner John Fisher**, the Court unanimously approved this matter.

Agenda #3c – County Engineer

MINUTE ORDER #376/11: County Engineer Bryan Neaves presented for approval awarding the following bids for the I-35 Entrance Road at the Bell County Expo Center: Bid #19-11 for Hot Mix to APAC of Belton in the amount \$99,083.47; and awarding Bid #20-11 for Concrete Work to Wolff Construction of Belton in the amount of \$96,113.80. After due discussion, upon motion by **Commissioner Richard Cortese**, second by **Commissioner Tim Brown**, the Court unanimously approved this matter.

Agenda #3d – County Engineer

MINUTE ORDER #377/11: After due discussion, upon motion by **Commissioner Richard Cortese**, second by **Commissioner Eddy Lange**, the Court unanimously approved Split Acres, a 2-Lot Subdivision, located on Stockton Road in Precinct 1.

Agenda #4 - Personnel

MINUTE ORDER #378/11: Upon motion by **Commissioner John Fisher**, second by **Commissioner Eddy Lange**, the Court unanimously approved all employee status report forms, the same being attached hereto and made part of these minutes.

Agenda #5 – Bell County Child Welfare Board Appointment

MINUTE ORDER #379/11: After due discussion, upon motion by **Commissioner Eddy Lange**, second by **Commissioner Tim Brown**, the Court unanimously approved the appointment of Harold Kelly of Harker Heights to the Bell County Child Welfare Board.

Agenda #6 – CY 2012 and 2013 Bell County Holidays

MINUTE ORDER #380/11: County Judge Jon Burrows presented for approval the CY 2012 and CY2013 Bell County Holiday schedule. After due discussion, upon motion by **Commissioner John Fisher**, second by **Commissioner Eddy Lange**, the Court unanimously approved this matter. A copy of said schedules are attached hereto and made part of these minutes.

Agenda #7 - Order Restricting Outdoor Burning

MINUTE ORDER #381/11: County Judge Jon Burrows presented for discussion the status of the Order Restricting Outdoor Burning (Burn Ban) issued on August 29, 2011, and set to expire on September 26, 2011. After due discussion, the Court took no action on this matter.

Agenda #8 – Texas Hazard Mitigation Grant Program

MINUTE ORDER #382/11: After due discussion, upon motion by **Commissioner Richard Cortese**, second by **Commissioner John Fisher**, the Court unanimously approved

Application/Notice of Interest and matching funds for the Texas Hazard Mitigation Grant Program for \$5,250 for burn ban signs and public service announcements. A copy of same is attached hereto and made part of these minutes.

Agenda #9 – Bell County Volunteer Fire Departments-Special Allocation

MINUTE ORDER #383/11: After due discussion, upon motion by **Commissioner Richard Cortese**, second by **Commissioner Tim Brown**, the Court unanimously approved a budget amendment to fund, out of fund balance, a special allocation in the amount of \$30,000 for the Bell County Volunteer Fire Departments to be distributed based on the number of responses to fire calls.

Agenda #10 – Bell County District and County Courts Indigent Defense Plan

MINUTE ORDER #384/11: **County Judge Jon Burrows** presented for approval an updated Bell County District and County Courts Indigent Defense Plan dated June 13, 2011. After due discussion, upon motion by **Commissioner Richard Cortese**, second by **Commissioner John Fisher**, the Court unanimously approved this matter. A copy of said Plan is attached hereto and made part of these minutes.

Agenda #11 — Equalization Payment for Bell County Indigent Defense System

MINUTE ORDER #385/11: **County Judge Jon Burrows** announced the award on August 25, 2011 to Bell County of an additional payment of \$36,385 in the form of an equalization payment to be used to improve the county's indigent defense system. After due discussion, the Court took no action on this matter.

Agenda #12 – Technical Support Grant

MINUTE ORDER #386/11: After due discussion, upon motion by **Commissioner Tim Brown**, second by **Commissioner Eddy Lange**, the Court unanimously accepted and approved the award on June 8, 2011, to Bell County of a \$285,000 Technical Support Grant from the Texas Task Force on Indigent Defense to create a training, mentoring and evaluation program for Court Appointed Attorney's.

Agenda #13 – Mental Health Defense Campaign-Discretionary Grant

MINUTE ORDER #387/11: **County Judge Jon Burrows** announced the award on August 25, 2011 to Bell County of a \$233,200 Discretionary Grant from the Texas Task Force on

Indigent Defense to create a Mental Health Defense Campaign that will train attorneys specialized to represent defendants with mental health issues, provide social worker support to those attorneys and develop specialized case management software. After due discussion, upon motion by **Commissioner Tim Brown**, second by **Commissioner Eddy Lange**, the Court unanimously approved this matter.

Agenda #14 –Statement of Work with Managing to Excellence Corporation

MINUTE ORDER #388/11: After due discussion, upon motion by **Commissioner Tim Brown**, second by **Commissioner John Fisher**, the Court unanimously approved the Statement of Work with Managing to Excellence Corporation to act as Project Manager and Implementation Consultant in the design and implementation of Mental Health Defense Campaign grant. A copy of said Statement of Work is attached hereto and made part of these minutes.

Agenda # 15 –Termination of Statement of Work with Managing to Excellence Corporation

MINUTE ORDER #389/11: **County Judge Jon Burrows** presented for approval the 30 day notice of termination of Statement of Work with Managing to Excellence Corporation for Bell County TS Transition Support. After due discussion, upon motion by **Commissioner John Fisher**, second by **Commissioner Richard Cortese**, the Court unanimously approved this matter. A copy of said contract is attached hereto and made part of these minutes.

Agenda # 16 – Resolution Establishing a Minimum General Fund Balance Policy

MINUTE ORDER #390/11: After due discussion, upon motion by **Commissioner Eddy Lange**, second by **Commissioner Tim Brown**, the Court unanimously approved an updated Resolution establishing a Minimum General Fund Balance Policy, a copy of which is attached hereto and made part of these minutes.

Agenda # 17– On Site Records Destruction Service Contract

MINUTE ORDER #391/11: **County Judge Jon Burrows** presented for approval a secure on-site records destruction service agreement with Marshall Shredding for \$.04 per pound. After due discussion, upon motion by **Commissioner John Fisher**, second by **Commissioner Tim Brown**, the Court unanimously approved this matter.

Agenda #18 – Contract with Fort Hood for Housing Military Prisoners

MINUTE ORDER # 392/11: **County Judge Jon Burrows** presented for approval the Solicitation/Contract/Order for Commercial – Solicitation Number W92251-11-R-0017 between

Bell County and the Mission and Installation Contracting CMD, MICC, Fort Hood, Texas for facilities, resources as listed, management and supervision necessary to feed and house military prisoners from Fort Hood, Texas from October 1, 2011 through September 30, 2012 and for such other periods applicable under the Option to Extend the Term of the Contract and Option to Extend Services. After due discussion, upon motion by **Commissioner Richard Cortese**, second by **Commissioner John Fisher**, the Court unanimously approved this matter.

Agenda #19 – Jury Pay Reimbursement

MINUTE ORDER #393/11: After due discussion, upon motion by **Commissioner John Fisher**, second by **Commissioner Eddy Lange**, the Court unanimously, in response to the reduction in the State reimbursement for jury pay contained in SB 1, approved the reduction of jury pay for each day after the first day from \$40 per day to \$34 per day effective September 28, 2011.

Agenda #20– Memorandum of Understanding with Lone Star Legal Aid

MINUTE ORDER #394/11: **County Judge Jon Burrows** presented for approval a Memorandum of Understanding between Bell County and Lone Star Legal Aid for Lawyer-Magistrate Appointment for Juvenile Court Magistrate services for the 2012 Fiscal Year. After due discussion, upon motion by **Commissioner Tim Brown**, second by **Commissioner Eddy Lange**, the Court unanimously approved this matter.

Agenda #21– Memorandum of Understanding– Lone Star Legal Aid – Pro Se Assisted Program

MINUTE ORDER #395/11: **County Judge Jon Burrows** presented for approval a Memorandum of Understanding between Bell County and Lone Star Legal Aid for services in the Pro Se Assisted Program for the 2012 Fiscal Year. After due discussion, upon motion by **Commissioner Tim Brown**, second by **Commissioner John Fisher**, the Court unanimously approved this matter.

Agenda #22 – Memorandum of Understanding– Lone Star Legal Aid –Protective Orders

MINUTE ORDER #396/11: **County Judge Jon Burrows** presented for approval a Memorandum of Understanding between Bell County and Lone Star Legal Aid for services in processing Protective Orders for the 2012 Fiscal Year. After due discussion, upon motion by **Commissioner Eddy Lange**, second by **Commissioner Tim Brown**, the Court unanimously approved this matter.

Agenda #23 – Memorandum of Understanding– Time Warner Cable

MINUTE ORDER #397/11: County Judge Jon Burrows presented for approval and ratification a Memorandum of Understanding between Bell County and Time Warner Cable (TWC) regarding temporary utilization of a conduit under US Hwy 190 between Connell Street and Loop 121 to temporarily relocate fiber. After due discussion, upon motion by **Commissioner Tim Brown**, second by **Commissioner Eddy Lange**, the Court unanimously approved this matter.

Agenda #24 – Memorandum of Understanding– Texas Department of Transportation

MINUTE ORDER #398/11: County Judge Jon Burrows presented for approval and ratification a Memorandum of Understanding between Bell County and Texas Department of Transportation (TxDOT) regarding reimbursement for costs to relocate fiber under US Hwy 190. After due discussion, upon motion by **Commissioner Tim Brown**, second by **Commissioner John Fisher**, the Court unanimously approved this matter.

Agenda #25 – Board of Director Appointments--City of Killeen Tax Increment Reinvestment Zone

MINUTE ORDER #399/11: After due discussion, upon motion by **Commissioner Eddy Lange**, second by **Commissioner Richard Cortese**, the Court unanimously approved the reappointment of **Commissioner John Fisher** for a two-year term in Position Five (5) and **Commissioner Tim Brown** for a one year term in Position Six (6) on the Board of Directors of the Tax Increment Reinvestment Zone (TIRZ) Number Two in the City of Killeen.

Agenda #26– Change Order Number 3 – Animal Shelter Project

MINUTE ORDER #400/11: County Judge Jon Burrows presented for approval Change Order Number 3 with Corporate Facilities Management LLC that incorporates several value engineering credits to the Animal Shelter Project, reducing the costs by \$26,933.00. After due discussion, upon motion by **Commissioner Tim Brown**, second by **Commissioner John Fisher**, the Court unanimously approved this matter.

Agenda #27- Claims

MINUTE ORDER #401/11: County Judge Jon Burrows presented the claims for review to the Court. After proper review, upon motion by **Commissioner Tim Brown**, seconded by

Commissioner Richard Cortese, the Court unanimously approved all such claims. All according to a copy of the same being of record in the office of the County Auditor.

(The Court then went into workshop session to discuss those items on the workshop agenda with no action being taken on any item.)

There being no further business, the meeting adjourned.

Attest:

Jon H. Burrows, County Judge

Shelley Coston, County Clerk