

STATE OF TEXAS

April 11, 2011

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 11th day of April, 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 Johnson County Attorney, Bill Moore, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on April 7, 2011 at 1:18 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF LENGTH OF SERVICE PINS FOR COUNTY EMPLOYEES

Employees of Johnson County were recognized for their service to the County and employees were given Length of Service pins, as attached to these minutes.

VI. PUBLIC HEARINGS

The Commissioner's Court opened a Public Hearing at 9:20 A.M. to discuss:

1. "IN ACCORDANCE WITH CHAPTER 343 OF THE TEXAS HEALTH & SAFETY CODE, THE PREMISES LOCATED AT 5713 ROBERT CIR., ALVARADO, TEXAS 76009, HAS BEEN IDENTIFIED AS A PUBLIC NUISANCE AND TERESA ANN SPARKS HAS BEEN IDENTIFIED AS THE PERSON RESPONSIBLE FOR CAUSING OR MAINTAINING A PUBLIC NUISANCE ON THE PREMISES."

Detective Steve Shaw spoke in reference to Chapter 343 of the Texas Health & Safety Code, the premises located at **5713 Robert Cir., Alvarado, Texas 76009**, has been identified as a public nuisance and **Teresa Ann Sparks** has been identified as the person responsible for causing or maintaining a public nuisance on the premises. This case began on July 20, 2010 due to overgrown grass and weeds, which had previously been presented in Commissioner's Court for an open swimming pool. The Commissioner's Court had Precinct #3 fill in the swimming pool because the owner, Teresa Ann Sparks, could not be located. Ms. Sparks has since been located in Tennessee and has been sent the letters required by law concerning this property. Detective Shaw did speak with Ms. Sparks prior to the case being presented to Judge Jacobs, Precinct #3. Ms. Sparks said she had hired Tony Salmon to abate the property for her. Detective Shaw spoke with Mr. Salmon and he informed Detective Shaw he would require payment before the work was done. Ms. Sparks never made payment and she did not appear for court. Judge Jacobs issued a failure to appear citation and at that point the case was started over as a public nuisance case. Detective Shaw revisited the property on April 2, 2011 and it was not abated. Ms. Sparks did not appear for court today. The hearing was closed at 9:22 A.M.

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

2. "IN ACCORDANCE WITH CHAPTER 343 OF THE TEXAS HEALTH & SAFETY CODE, THE PREMISES LOCATED AT **3805 SHADY LN., JOSHUA, TEXAS 76058**, HAS BEEN IDENTIFIED AS A PUBLIC NUISANCE AND **WELLS FARGO MORTGAGE (% ANDREW D. HOHENSEE, VIOLATION SPECIALIST)** HAS BEEN IDENTIFIED AS THE PERSON RESPONSIBLE FOR CAUSING OR MAINTAINING A PUBLIC NUISANCE ON THE PREMISES."

Detective Steve Shaw spoke in reference to Chapter 343 of the Texas Health & Safety Code, the premises located at **3805 Shady Ln., Joshua, Texas 76058**, has been identified as a public nuisance and **Wells Fargo Mortgage (% Andrew D. Hohensee, Violation Specialist)** has been identified as the person responsible for causing or maintaining a public nuisance on the premises. This case began on August 16, 2010 due to overgrown grass, weeds and scattered debris on the property. When the investigation began, David and Wilma Evans were identified as the owners. Once they were located, Mrs. Evans informed Detective Shaw that the property went back to Wells Fargo Bank in April 2006 but nothing has been filed with the County Clerk's Office so it still shows the Evans as the owners. Detective Shaw checked with the Tax Office and the taxes have been paid by Wells Fargo Bank. Proper notification was sent by certified mail to Wells Fargo and was received. Detective Shaw has dealt with Wells Fargo Bank with previous properties and they have always been very good about replying to letters and emails and taking care of the properties. In this case no reply has been received. Detective Shaw revisited the property on April 2, 2011 and it was not abated. No one from Wells Fargo Bank appeared in court today. The hearing was closed at 9:24 A.M.

IX. NEW BUSINESS

2. CONSIDERATION OF NEWLY ELECTED MEMBERS OF THE JOHNSON COUNTY CHILD WELFARE BOARD

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the newly Elected Members of the Johnson County Child Welfare Board, as attached to these minutes.

All voted aye; motion carried.

VII. PRECEDING BUSINESS

1. CONSIDERATION OF **ORDER #2011-07** – ORDER OF ABATEMENT OF A PUBLIC NUISANCE LOCATED AT **5713 ROBERT CIR., ALVARADO, TEXAS 76009**

Comm. Stringer, seconded by Comm. Matthews, made a motion to approve **Order #2011-07** for the abatement of a public nuisance located at **5713 Robert Cir., Alvarado, Texas 76009**, to assess all legal costs possible and to place a lien on the property.

All voted aye; motion carried.

2. CONSIDERATION OF **ORDER #2011-08** – ORDER OF ABATEMENT OF A PUBLIC NUISANCE LOCATED AT **3805 SHADY LN., JOSHUA, TEXAS 76009**

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve **Order #2011-08** for the abatement of a public nuisance located at **3805 Shady Ln., Joshua, Texas 76058**, to assess all legal costs possible and to place a lien on the property.

All voted aye; motion carried.

3. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Bailey, seconded by Comm. Beeson, 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.

V. PUBLIC PARTICIPATION

None.

VIII. UNFINISHED BUSINESS

2. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

Discussion. No Action.

IX. NEW BUSINESS

6. CONSIDERATION OF INTERLOCAL COOPERATION AGREEMENT BETWEEN BURNET COUNTY, JOHNSON COUNTY AND LASALLE SOUTHWEST CORRECTIONS FOR INMATE HOUSING

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Interlocal Cooperation Agreement between Burnet County, Johnson County and LaSalle Southwest Corrections for inmate housing and to give the County Judge and Sheriff the authorization to sign.

All voted aye; motion carried.

9. CONSIDERATION TO USE TECH FUND MONIES TO PURCHASE AN IPHONE 3 IN THE AMOUNT OF \$49.00 FOR USE WITH LEG MONITORS- JUSTICE OF THE PEACE, PRECINCT #3

Comm. Stringer, seconded by Comm. Matthews, made a motion to approve to use Tech Fund monies to purchase an iPhone 3 in the amount of \$49.00 for use with leg monitors for Justice of the Peace, Precinct #3.

All voted aye; motion carried.

4. CONSIDERATION OF AUTOMARK VOTING MACHINE LEASE AGREEMENTS BETWEEN JOHNSON COUNTY AND:

- a. The City of Venus
- b. The City of Godley
- c. The City of Cleburne

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the Automark Voting Machine Lease Agreements between Johnson County and the City of Venus, the City of Godley, and the City of Cleburne and to give the County Judge the authorization to sign all three documents.

All voted aye; motion carried.

5. CONSIDERATION OF QUETEL SOFTWARE SUPPORT AGREEMENT-S.T.O.P. SPECIAL CRIMES UNIT

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the Quetel Software Support Agreement for S.T.O.P., Special Crimes Unit and to give the County Judge the authorization to sign.

All voted aye; motion carried.

3. CONSIDERATION OF ROAD AND STREET DEDICATION AND MAINTENANCE AGREEMENT AND HOLD HARMLESS AGREEMENT AND RELEASE ACCEPTING CHEYENNE LANE INTO COUNTY MAINTENANCE-PRECINCT #2

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

All voted aye; motion carried.

7. CONSIDERATION OF RESOLUTION AMENDING AUTHORIZED REPRESENTATIVES FOR TEXPOOL-TREASURER

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Resolution Amending Authorized Representatives for TexPool for the Treasurer's Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF ADDITION/DELETION FORM FOR AUTHORIZED REPRESENTATIVES FOR TEXSTAR-TREASURER

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Addition/Deletion Form for Authorized Representatives for TexSTAR for the Treasurer's Office.

All voted aye; motion carried.

10. CONSIDERATION TO ACCEPT ITEMS AS SURPLUS-JOHNSON COUNTY HISTORICAL COMMISSION

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve to accept items as surplus from the Johnson County Historical Commission as attached to these minutes.

All voted aye; motion carried.

11. CONSIDERATION OF TRANSFER OF CELL PHONE ALLOWANCE FROM POSITION #G02-006 TO POSITION #G03-004-PRECINCT #2

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the transfer of cell phone allowance from Position #G02-006 to Position #G03-004 in Precinct #2 in the amount of \$40.00.

All voted aye; motion carried.

12. CONSIDERATION OF NEW CELL PHONE ALLOWANCE FOR POSITION #G02-004-PRECINCT #2

Comm. Matthews, seconded by Comm. Bailey, made a motion to deny the new cell phone allowance for Position #G02-004 in Precinct #2.

All voted aye; motion carried.

13. CONSIDERATION OF REAPPOINTMENT OF COMMISSIONER DON BEESON TO THE CITY OF CLEBURNE TIF #2 BOARD FOR A TWO YEAR TERM

Comm. Stringer, seconded by Comm. Matthews, made a motion to approve the reappointment of Commissioner Don Beeson to the City of Cleburne TIF #2 Board for a two year term, which will expire April 13, 2013.

All voted aye; motion carried.

14. CONSIDERATION OF APPOINTMENTS TO THE JOHNSON COUNTY HISTORICAL COMMISSION:

- a. Rachael Elaine Watkins, Cleburne, Texas
- b. James Leslie, Joshua, Texas
- c. Kevin Diggs, Burleson, Texas
- d. Randolph Garner, Cleburne, Texas

Comm. Bailey, seconded by Comm. Matthews, made a motion to approve the appointments to the Johnson County Historical Commission as listed.

All voted aye; motion carried.

X. CONSENT AGENDA

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

All voted aye; motion carried.

Commissioner Beeson exited the meeting at 10:01 A.M.

VIII. UNFINISHED BUSINESS

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

- a. Consideration of Terracon Consultants, Inc. to Provide Construction Materials Testing Services, Pursuant to Local Government Code 2254

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve Terracon Consultants, Inc. to provide Construction Materials Testing Services, pursuant to Local Government Code 2254.

All voted aye; motion carried.

- b. Consideration of Supplement to Agreement for Services with Terracon Consultants, Inc.

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the Supplement to Agreement for Services with Terracon Consultants, Inc.

All voted aye; motion carried.

Commissioner Beeson returned to the meeting at 10:03 A.M.

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

Discussion. No Action.

4. CONSIDERATION OF VOUCHERS FOR THE IMPLEMENTATION OF THE FORT WORTH'S ENVIRONMENTAL COLLECTION CENTER HOUSEHOLD HAZARDOUS WASTE PROGRAM

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve vouchers for the implementation of Fort Worth's Environmental Collection Center Household Hazardous Waste Program, with the Agreement previously being approved in Commissioner's Court on March 28, 2011.

All voted aye; motion carried.

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

Comm. Matthews, seconded by Comm. Beeson, made a motion to leave **Order #2011-01**, Prohibition of Outdoor Burning, in effect for two more weeks and put it on the Commissioner's Court Agenda for April 25, 2011.

All voted aye; motion carried.

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

No Action.

BE IT KNOWN that Commissioner's Court met in Executive Session at 10:41 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 11:03 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. Stringer, made a motion to accept the compromise Settlement Agreement between Johnson County, Texas and Liliana L. Gonzalez.

All voted aye; motion carried.

The Commissioner's Court recessed at 11:04 A.M. and reconvened at 1:31 P.M. to consider the following:

XI. WORKSHOP

The Commissioner's Court convened into Workshop Session at 1:31 P.M. to discuss Self Funding Health Insurance Plans.

Commissioner Bailey left the meeting at 3:00 P.M. to attend a previously scheduled meeting with the Cleburne City Council.

The Commissioner's Court reconvened into Open Session at 3:40 P.M. to consider the following:

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Beeson, seconded by Comm. Matthews, made a motion to authorize Purchasing Agent, Margaret Cook, to advertise for RFQ for a Consultant to assist the County with insurance proposals for Self Funding Health Insurance Plans.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 3:42 P.M.

Submitted by: _____
County Clerk
Becky Williams

Approved by: _____
County Judge
Roger Harmon