

STATE OF TEXAS

July 11, 2011

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 11th day of July, 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 except for Commissioner Troy Thompson, Precinct #2, and following the Invocation led by Pastor Danny Niedecken, Saint Marks United Methodist Church of 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 July 7, 2011 at 12:56 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

Judge Harmon made an announcement that newly appointed Commissioner Troy Thompson, Precinct #2, had surgery over the weekend. He is doing well and he should be back in a few days.

1. PRESENTATION OF DUTY WEAPON TO THE FAMILY OF DEPUTY CLIFTON TAYLOR

The Commissioner's Court and Sheriff Bob Alford presented the duty weapon to the family of Deputy Clifton Taylor.

2. PRESENTATION OF FLAG AND CERTIFICATE TO THE FAMILY OF DEPUTY CLIFTON TAYLOR

The Commissioner's Court and Randy Watson, CEO of Justin Boots and a Board Member for TECLOSE, presented a Texas State flag and certificate to the family of Deputy Clifton Taylor.

3. PRESENTATION OF LENGTH OF SERVICE AWARDS TO 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.

V. PUBLIC PARTICIPATION

None.

VI. PUBLIC HEARINGS

The Commissioner's Court opened a Public Hearing at 9:45 A.M. to discuss:

1. "IN ACCORDANCE WITH CHAPTER 343 OF THE TEXAS HEALTH & SAFETY CODE, THE PREMISES LOCATED AT **4745 CR-1100, GRANDVIEW, TEXAS 76050**, HAS BEEN IDENTIFIED AS A PUBLIC NUISANCE AND CITI MORTGAGE HAS BEEN IDENTIFIED AS THE PERSON RESPONSIBLE FOR CAUSING OR MAINTAINING A PUBLIC NUISANCE ON THE PREMISES-PRECINCT #4

Detective Steve Shaw spoke in reference to Chapter 343 of the Texas Health & Safety Code, the premises located at **4745 CR-1100, Grandview, Texas 76050**, has been identified as a public nuisance and **Citi Mortgage** has been identified as the person responsible for causing or maintaining a public nuisance on the premises. This case began on November 16, 2010 due to overgrown grass and weeds. Det. Shaw determined the property belonged to Roddy McCormick, Sr. During Det. Shaw's investigation he learned that Mrs. McCormick died in the house approximately 2 years earlier and Mr. McCormick died about 6 months after his wife. Det. Shaw was able to locate the name and address of the McCormick's son and sent him Notice of Violation letters. The son contacted Det. Shaw and said the property had been turned over to Citi Mortgage and Notice of Violation letters were sent to Citi Mortgage. Citi Mortgage's response was that they had no further interest in the property and Mr. McCormick needed to clean up the property. Det. Shaw informed Citi Mortgage that Mr. McCormick was deceased

and at that point Citi Mortgage told Det. Shaw the County could sell the property and put a lien on it. Det. Shaw contacted the family again and was told no one in the family wanted the property. Det. Shaw visited the property again in May, 2011. There was a pile of garbage about 2 years old measuring approximately 15 ft. long and 5 ft. wide and a hole in the roof of the home. The property is within 300 ft. of the roadway and 2 other residences. Notice of Nuisance letters were sent to Citi Mortgage and were received so that this case could be presented today. The hearing was closed at 9:51 A.M.

The Commissioner's Court opened a Public Hearing at 9:51 A.M. to discuss:

2. "LICENSING JUNKYARDS AND AUTOMOTIVE WRECKING AND SALVAGE YARDS LOCATED IN UNINCORPORATED AREAS OF JOHNSON COUNTY, TEXAS"

Bill Moore, County Attorney, spoke in reference to "Licensing Junkyards and Automotive Wrecking and Salvage Yards Located in Unincorporated Areas of Johnson County, Texas". Mr. Moore said when the County originally passed this ordinance in 1995, it was in the Civil Statutes, but has since been codified and is now in the Transportation Code. Mr. Moore informed the Court that this is basically the same ordinance as the earlier version but with some amended, updated definitions. One new amendment is the restriction that the owner/operator operates at the exact location listed on the license. This amended ordinance does not make it easier, nor does it make it more difficult to obtain a license to operate a junkyard, automotive wrecking and salvage yard in the County. The hearing was closed at 9:55 A.M.

## VII. PRECEDING BUSINESS

1. CONSIDERATION OF **ORDER #2011-20** – "ORDER ABATING NUISANCE AT 4745 CR 1100, GRANDVIEW, TEXAS 76050, JOHNSON COUNTY, TEXAS"

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve **Order #2011-20**, “Order Abating Nuisance at 4745 CR 1100, Grandview, Texas 76050, Johnson County, Texas” and clarified that this property is located in Precinct #1, not Precinct #4.

All voted aye; motion carried.

2. CONSIDERATION OF **ORDER #2011-14** – “AMENDED ORDINANCE LICENSING JUNKYARDS AND AUTOMOTIVE WRECKING AND SALVAGE YARDS LOCATED IN UNINCORPORATED AREAS OF JOHNSON COUNTY, TEXAS”

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve **Order #2011-14**, “Amended Ordinance Licensing Junkyards and Automotive Wrecking and Salvage Yards Located in Unincorporated Areas of Johnson County, Texas”.

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.

5. CONSIDERATION OF FINAL RE-PLATS:

a. Lot 7-R-1, Block 45, **The Retreat**, Phase 4-Precinct #1

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the final re-plat of Lot 7-R-1, Block 45, **The Retreat**, Phase 4, in Precinct #1.

All voted aye; motion carried.

b. Lot 2192-R, Unit Thirteen, **Pecan Plantation**, and Grant Variance to Minimum Lot Size, Easements and Building Lot Lines-Precinct #1

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the final re-plat of Lot 2192-R, Unit Thirteen, **Pecan Plantation**, and grant variance to minimum lot size, easements and building lot lines in Precinct #1.

All voted aye; motion carried.

The Commissioner's Court recessed at 10:00 A.M. and reconvened at 10:16 A.M. to consider the following:

VIII. UNFINISHED BUSINESS

5. CONSIDERATION FOR DUMAS LAND SURVEYING TO SURVEY A 60' PORTION OF PREVIOUSLY PLATTED LOT 95 IN FISHERMAN'S PARADISE AND APPROXIMATELY 75 YARDS CONNECTING TO HAMM CREEK PARK ENTRANCE ROAD WITH A LOCKED GATE FOR THE PURPOSE OF USING AS AN EMERGENCY INGRESS AND EGRESS EASEMENT, WHICH THE CORP OF ENGINEERS HAS APPROVED- PRECINCT #1

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve Dumas Land Surveying to survey a 60' portion of previously platted Lot 95 in Fisherman's Paradise and approximately 75 yards connecting to Hamm Creek Park entrance road with a locked gate for the purpose of using as an emergency ingress and egress easement, which the Corp of Engineers has approved in Precinct #1.

All voted aye; motion carried.

6. CONSIDERATION OF INTERAGENCY AGREEMENT BETWEEN THE CITY OF MANSFIELD, ELLIS COUNTY AND JOHNSON COUNTY FOR A TRI-COUNTY AUTOMOBILE BURGLARY AND THEFT PREVENTION TASK FORCE GRANT-SHERIFF'S OFFICE

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Interagency Agreement between the City of Mansfield, Ellis County and Johnson County for a Tri-County Automobile Burglary and Theft Prevention Task Force Grant for the Sheriff's Office and to give the County Judge the authorization to sign.

Comm. Bailey voted aye.  
Comm. Stringer voted aye.  
Comm. Beeson voted aye.  
Judge Harmon voted nay.  
Motion carried.

4. CONSIDERATION OF ADDENDUM NUMBER ONE TO 96 BED JAIL EXPANSION AGREEMENT BETWEEN JOHNSON COUNTY, TEXAS ("COUNTY") AND SOUTHWEST CORRECTIONAL, LLC, DBA LASALLE SOUTHWEST CORRECTIONS ("LASALLE SOUTHWEST")-SHERIFF'S OFFICE

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the Addendum Number One to 96 Bed Jail Expansion Agreement between Johnson County, Texas ("County") and Southwest Correctional, LLC, dba LaSalle Southwest Corrections ("LaSalle Southwest") for the Sheriff's Office and to give the County Judge and the Sheriff the authorization to sign.

All voted aye; motion carried.

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

Discussion. No Action.

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

Discussion. No Action.

2. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

Discussion. No Action.

## IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve to advertise for bids/proposals for three (3) dump beds for Precinct #1; 2010 or older trailer to be used as a Command Center for Emergency Management; janitorial and paper supplies; substance abuse for Adult Probation; and a time and attendance package for the County.

All voted aye; motion carried.

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

- a. Motorola Simulcast Radio System-Equipment Capital
- b. Motorola Simulcast Radio System-Transfer from Other Funds
- c. General Fund, Non-Departmental-Transfer to Fund 703 Motorola Radio System Fund
- d. Records Management Fund, County-Fees & Services

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.010-C* for Motorola Simulcast Radio System, Equipment Capital to create a budget for the project in the amount of \$3,685,000.00; Motorola Simulcast Radio System, Transfer from Other Funds for the transfer from General Fund reserves to fund this project in the amount of \$3,685,000.00; General Fund, Non-Departmental, Transfer to Fund 703 Motorola Radio System Fund to transfer to fund 703 Motorola Radio System Fund in the amount of \$3,685,000.00; and Records Management Fund, County, Fees & Services for budget shortage needed to complete the scan, microfilm and rebind project in the amount of \$5,000.00.

All voted aye; motion carried.

3. CONSIDERATION OF AMENDMENT TO JOHNSON COUNTY'S NATIONWIDE 457(b) DEFERRED COMPENSATION PLAN TO INLCUDE A ROTH 457(b) OPTION AND TRANSITION SUPPORT SERVICES-PERSONNEL

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the Amendment to Johnson County's Nationwide 457(b) Deferred Compensation Plan to include a Roth 457(b) Option and Transition Support Services for Personnel.

All voted aye; motion carried.

4. CONSIDERATION OF RECURRING EXPENSE OF \$51.79 EACH PER MONTH FOR THREE (3) AIR CARDS-MEDICAL EXAMINER'S OFFICE

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the recurring expense of \$51.79 each per month for three (3) air cards for the Medical Examiner's Office.

All voted aye; motion carried.

5. CONSIDERATION OF APPOINTMENTS TO THE JOHNSON COUNTY HISTORICAL COMMISSION

- a. Brian Wakefield, Cleburne, Texas
- b. Renee Spahr, Alvarado, Texas

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the appointments to the Johnson County Historical Commission for Brian Wakefield, Cleburne, Texas and for Renee Spahr, Alvarado, Texas.

All voted aye; motion carried.

6. CONSIDERATION OF CONTINUATION CERTIFICATE BONDS:

- a. Roy Giddens, Assistant Deputy Treasurer
- b. Monty Bessent, Hamm Creek Park Supervisor

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the Continuation Certificate Bonds for Roy Giddens, Assistant Deputy Treasurer and for Monty Bessent, Hamm Creek Park Supervisor.

All voted aye; motion carried.



7. CONSIDERATION OF OFFICIAL BOND AND OATH FOR TROY THOMPSON, COMMISSIONER, PRECINCT #2

Comm. Bailey, seconded by County Judge, made a motion to approve the Official Bond and Oath for Troy Thompson, Commissioner, Precinct #2.

All voted aye; motion carried.

X. CONSENT AGENDA

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve all items on the Consent Agenda with the following exception; that due to budgetary constraints, only Elected Officials are authorized to attend the Legislative Update.

All voted aye; motion carried.

The Commissioner's Court recessed at 11:45 A.M. and reconvened at 1:19 P.M. to consider the following:

X. CONSENT AGENDA

Comm. Beeson, seconded by Comm. Bailey, made an amended motion to approve all items on the Consent Agenda.

All voted aye; motion carried.

XI. WORKSHOP

The Commissioner's Court convened into Workshop Session at 1:23 P.M. to discuss the Budget.

The Commissioner's Court reconvened into Open Session at 2:44 P.M.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 2:45 P.M.

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

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