

Corrected Minutes Approved in Commissioner's Court, March 12,
2012, to correct Posted and Filed for Record time on page 1.

STATE OF TEXAS

[December 12, 2011](#)

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 12th day of December, 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 9:03 A.M., with all members present, and following the Invocation led by Reverend Larry York, Nolan River Road Baptist Church, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on December 8, 2011 at 11:42 A.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. ANNOUNCEMENT: DUE TO THE CHRISTMAS HOLIDAYS, THE DEADLINE TO SUBMIT BILLS TO THE AUDITOR'S OFFICE AND ITEMS FOR THE TUESDAY, DECEMBER 27, 2011 COMMISSIONER'S COURT AGENDA WILL BE FRIDAY, DECEMBER 16, 2011 AT 5:00 PM

Judge Harmon announced due to the Christmas Holidays, the deadline to submit bills to the Auditor's Office and items for the Tuesday, December 27, 2011 Commissioner's Court Agenda will be Friday, December 16, 2011 at 5:00 PM.

2. PRESENTATION OF CERTIFICATES FROM THE SHERIFF'S OFFICE FOR MARY STOTLER, CHARLES BLEVINS, JASON PRITCHARD AND KURT NEWMAN

Chief Mike Powell presented Certificates of Appreciation from the Sheriff's Office to Mary Stotler, Charles Blevins, Jason Pritchard and Kurt Newman for their dedicated service in supporting the Sheriff's Office in the arrest of suspects in a mailbox theft ring.

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3. PRESENTATION OF LASALLE SOUTHWEST REGARDING THE PROGRESS OF THE CONSTRUCTION AT THE JAIL

Alfred Janicek, Warden of the Jail for LaSalle Southwest, made a presentation to Commissioner's Court regarding the progress of the construction at the Jail.

VIII. NEW BUSINESS

19. CONSIDERATION OF INTERLOCAL COOPERATION AGREEMENT WITH BURNET COUNTY AND LASALLE CORRECTIONS FOR INMATE DETENTION SERVICES

Comm. Thompson, seconded by Comm. Stringer, made a motion to approve the [Interlocal Cooperation Agreement with Burnet County and LaSalle Corrections](#) for Inmate Detention Services and to give the County Judge and the Sheriff the authorization to sign.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

4. CONSIDERATION OF PROPOSALS FROM HAWK SECURITY SERVICES FOR INSTALLATION OF BIOMETRIC READERS FOR THE GUINN JUSTICE CENTER

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve [Option #3 from Hawk Security Services for installation of Biometric Readers](#) for the Guinn Justice Center for the total amount of \$42,220.00 to be paid from Courthouse Security Funds.

All voted aye; motion carried.

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V. PUBLIC PARTICIPATION

[Jack Carlton](#), Johnson County Historian, spoke in reference to the work that has been done on Market Square and commended all those involved for the improvements. [A. J. Mathieu](#) spoke in reference to the appointment of Jack Watson for Precinct #4 to the Emergency Services District #1 Board and asked the Court to table the appointment for now.

VI. PRECEDING BUSINESS

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

a. October 24, 2011-Regular Session

Comm. Thompson, seconded by Comm. Beeson, made a motion to approve the Commissioner's Court Minutes for October 24, 2011.

All voted aye; motion carried.

2. [CONSIDERATION OF REQUEST TO PAY BILLS](#)

Comm. Thompson, seconded by Comm. Bailey, made a motion to pay bills as presented by the County Auditor with the addition of an invoice for Precinct #2 payable to Ritchie Brothers for two (2) Mac trucks and one (1) International truck for the total amount of \$89,336.19.

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 FINAL RE-PLAT OF LOTS 2119 AND 2120 IN **PECAN PLANTATION**, UNIT TWELVE INTO LOT 2120-R, UNIT TWELVE AND GRANT VARIANCE TO EASEMENTS AND BUILDING LOT LINES- PRECINCT 1

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Comm. Bailey, seconded by Comm. Beeson, made a motion to approve [final re-plat of Lots 2119 and 2120 in Pecan Plantation](#), Unit Twelve into Lot 2120-R, Unit Twelve and grant variance to easements and building lot lines in Precinct 1.

All voted aye; motion carried.

5. CONSIDERATION OF [RFB #2012-101](#)-BULK FUEL FOR JOHNSON COUNTY

Comm. Bailey, seconded by Comm. Beeson, made a motion to award [RFB #2012-101, Bulk Fuel for Johnson County to Lambert Oil](#), Cleburne, Texas.

All voted aye; motion carried.

6. CONSIDERATION OF [RFB #2012-107](#)-OIL CHANGES/LUBE/FILTERS FOR JOHNSON COUNTY

Comm. Thompson, seconded by Comm. Bailey, made a motion to award [RFB #2012-107, Oil Changes/Lube/Filters for Johnson County to Rogers Lube](#).

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

Discussion. No Action

2. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

Discussion. No Action.

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The Commissioner's Court recessed at 10:27 A.M. and reconvened at 10:46 A.M. to consider the following:

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve to advertise for bids/proposals for the purchase of Stovall Corp. fuel system software for Precinct #3 from Buy Board for \$18,803.70, Stovall Corp. fuel system software for Precinct #4 from Buy Board for \$14,169.70 and an emergency purchase of a furnace for the Jail in the amount of \$6,985.00.

All voted aye; motion carried.

2. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE SECTION 111.0106 INSURANCE CLAIM FOR VEHICLE REPAIR DUE TO ACCIDENT-SHERIFF'S OFFICE

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the Budget Amendment pursuant to the Local Government Code [Section 111.0106](#) for insurance claim for vehicle repair due to accident for the Sheriff's Office in the amount of \$3,831.00.

All voted aye; motion carried.

3. CONSIDERATION OF FY 2012 BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE SECTION 111.010-C for:

a. [Jury Fund-Computer Software](#)

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Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the FY 2012 Budget Amendment pursuant to the Local Government Code *Section 111.010-C* for Jury Fund, Computer Software for additional budget for pre-payment of jury summons and other associated costs in the amount of \$20,000.00

All voted aye; motion carried.

14. CONSIDERATION OF AGREEMENT FOR FEES, FINES AND COURT COSTS COLLECTIONS WITH I-PLOW FOR COLLECTION SOFTWARE AND PAY FOR USING RECORDS TECH FUND-DISTRICT CLERK'S OFFICE

Comm. Bailey, seconded by Comm. Thompson, made a motion to approve the [Agreement for Fees, Fines and Court Costs Collections with I-Plow](#) for Collection Software and pay for using Records Tech Fund for the District Clerk's Office in the amount of \$4,500.00 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

10. CONSIDERATION OF NON-RESIDENTIAL SERVICES CONTRACT WITH ROBERT LACKEY-JUVENILE SERVICES

Comm. Bailey, seconded by Comm. Thompson, made a motion to approve the [Non-Residential Services Contract with Robert Lackey](#) for Juvenile Services and to give the County Judge the authorization to sign.

All voted aye; motion carried.

11. CONSIDERATION OF CONTRACT FOR RESIDENTIAL SERVICES JUVENILE POST ADJUDICATION FACILITY GRAYSON COUNTY-JUVENILE SERVICES

Comm. Thompson, seconded by Comm. Beeson, made a motion to approve the [Contract for Residential Services Juvenile Post Adjudication Facility Grayson County](#) for Juvenile Services and to give the County Judge the authorization to sign.

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All voted aye; motion carried.

4. CONSIDERATION OF ORDER DECLARING RESULTS OF CONSTITUTIONAL AMENDMENT ELECTION OF NOVEMBER 8, 2011

Comm. Bailey, seconded by Comm. Thompson, made a motion to approve the [Order Declaring Results of Constitutional Amendment Election](#) of November 8, 2011 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

5. CONSIDERATION OF ORDER DECLARING RESULTS OF LOCAL OPTION ELECTION OF NOVEMBER 8, 2011-JOSHUA, TEXAS

Comm. Thompson, seconded by Comm. Bailey, made a motion to approve the [Order Declaring Results of Local Option Election of November 8, 2011 for Joshua](#), Texas and to give the County Judge the authorization to sign.

All voted aye; motion carried.

6. CONSIDERATION OF ORDER DECLARING RESULTS OF LOCAL OPTION ELECTION OF NOVEMBER 8, 2011-GRANDVIEW, TEXAS

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the [Order Declaring Results of Local Option Election of November 8, 2011 for Grandview](#), Texas and to give the County Judge the authorization to sign.

All voted aye; motion carried.

7. CONSIDERATION OF ORDER DECLARING RESULTS OF LOCAL OPTION ELECTION OF NOVEMBER 8, 2011-ALVARADO, TEXAS

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the [Order Declaring Results of Local Option Election of November 8, 2011 for Alvarado](#), Texas and to give the County Judge the authorization to sign.

All voted aye; motion carried.

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8. CONSIDERATION OF RE-APPOINTMENT OF JERRY CASH TO THE CEN-TEX RURAL RAIL TRANSPORTATION DISTRICT FOR A TWO YEAR TERM

Comm. Bailey, seconded by Comm. Thompson, made a motion to approve the re-appointment of Jerry Cash to the [Cen-Tex Rural Rail Transportation District](#) for a two year term.

All voted aye; motion carried.

9. CONSIDERATION OF RE-APPOINTMENTS TO THE EMERGENCY SERVICES DISTRICT #1 BOARD FOR A TWO YEAR TERM:

a. R. C. McFall-County Judge

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the re-appointment of R. C. McFall for the County Judge to the Emergency Services District #1 Board for a two year term.

All voted aye; motion carried.

b. Jack Watson-Precinct #4

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the re-appointment of Jack Watson for Precinct #4 to the Emergency Services District #1 Board for a two year term.

All voted aye; motion carried.

12. CONSIDERATION OF B&W MAINTENANCE CONTRACT RENEWAL WITH LASER TECH SOLUTIONS FOR A CANON IR 1025N COPIER-VETERAN'S OFFICE

Comm. Thompson, seconded by Comm. Beeson, made a motion to approve the [B & W Maintenance Contract Renewal](#) with Laser Tech Solutions for a Canon IR 1025N copier for the Veteran's Office and to give the County Judge the authorization to sign.

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All voted aye; motion carried.

13. CONSIDERATION OF PARTICIPATION IN AND INVOICE FOR CITY/COUNTY TRANSPORTATION PROGRAM THROUGH THE CITY OF CLEBURNE

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

All voted aye; motion carried.

15. CONSIDERATION OF FY2011 CHAPTER 59 ASSET FORFEITURE REPORT BY ATTORNEY REPRESENTING THE STATE-DISTRICT ATTORNEY'S OFFICE

Comm. Thompson, seconded by Comm. Bailey, made a motion to approve the [FY2011 Chapter 59 Asset Forfeiture Report by Attorney](#) representing the State and to give the County Judge and the District Attorney the authorization to sign.

All voted aye; motion carried.

16. CONSIDERATION TO DECLARE 54 CELL PHONES, 42 CHARGERS, 3 EAR PIECES, 11 CAR CHARGERS, 3 PLANTRONICS HEADSETS AND 6 BELT CLIPS AS SURPLUS UNDER LOCAL GOVERNMENT CODE SECTION 263.151

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve to declare 54 cell phones, 42 chargers, 3 ear pieces, 11 car chargers, 3 Plantronics headsets and 6 belt clips as [surplus under Local Government Code Section 263.151](#).

All voted aye; motion carried.

17. CONSIDERATION OF DONATION OF 54 CELL PHONES, 42 CHARGERS, 3 EAR PIECES, 11 CAR CHARGERS, 3 PLANTRONICS HEADSETS AND 6 BELT CLIPS TO THE JOHNSON COUNTY FAMILY CRISIS CENTER, A 501C3 NON-PROFIT ORGANIZATION UNDER LOCAL GOVERNMENT CODE SECTION 263.152 (a)(4)(A)(B) and (C)

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Comm. Bailey, seconded by Comm. Beeson, made a motion to [approve donation](#) of 54 cell phones, 42 chargers, 3 ear pieces, 11 car chargers, 3 Plantronics headsets and 6 belt clips to the Johnson County Family Crisis Center, a 501C3 Non-Profit Organization under Local Government Code *Section 263.152 (a)(4)(A)(B) and (C)*.

All voted aye; motion carried.

Commissioner Beeson exited the meeting at 11:21 A.M.

20. CONSIDERATION OF INCREASE IN COSTS FOR ANNUAL PREVENTIVE MAINTENANCE AGREEMENT WITH SCHINDLER ELEVATOR CORPORATION

Comm. Bailey, seconded by Comm. Thompson, made a motion to approve the increase in costs for [Annual Preventive Maintenance Agreement](#) with Schindler Elevator Corporation.

All voted aye; motion carried.

Commissioner Beeson returned to the meeting at 11:23 A.M.

22. CONSIDERATION OF LOAN OF ARTWORK AND ARTIFACTS TO JOHNSON COUNTY AND HOLD HARMLESS AGREEMENT (APPRAISED FOR LESS THAN \$25,000.00) FOR FURNISHINGS FOR DISPLAY IN THE LITTLE OLD HOUSE

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the [loan of artwork and artifacts to Johnson County and Hold Harmless Agreement](#) (appraised for less than \$25,000.00) for furnishings for display in the Little Old House and to give the County Judge the authorization to sign.

All voted aye; motion carried.

23. CONSIDERATION OF ASSET INVENTORY VERIFICATION FORM FOR OUTGOING PUBLIC WORKS DEPARTMENT HEAD MIKE WALKER AND INCOMING PUBLIC WORKS DEPARTMENT HEAD S. ERIK DUMAS-PURCHASING

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Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the [Asset Inventory Verification Form for outgoing](#) Public Works Department Head Mike Walker and [incoming Public Works Department Head](#) S. Erik Dumas.

All voted aye; motion carried.

24. CONSIDERATION OF RENEWAL OF OSSI LICENSES/ANNUAL MAINTENANCE AND SUPPORT SERVICES WITH SUNGARD PUBLIC SECTOR, INC. FOR THE SHERIFF'S OFFICE-IT DEPARTMENT

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the [renewal of OSSI Licenses/Annual Maintenance and Support Services with SunGard](#) Public Sector, Inc. for the Sheriff's Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

25. CONSIDERATION OF RENEWAL OF THE SOFTWARE MAINTENANCE CONTRACT WITH NETMOTION WIRELESS FOR THE SHERIFF'S OFFICE-IT DEPARTMENT

Comm. Thompson, seconded by Comm. Stringer, made a motion to approve the [renewal of the Software Maintenance Contract with NetMotion Wireless](#) for the Sheriff's Office with the one year option at a cost of \$6,593.03.

All voted aye; motion carried.

IX. [CONSENT AGENDA](#)

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

All voted aye; motion carried.

BE IT KNOWN that Commissioner's Court met in Executive Session at 11:34 A.M. in accordance with Government Code *Sec. 551.071*-Consultation with Attorney-Reimbursement from TALX for Unemployment Compensation Awarded to Richard Davis.

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The Commissioner's Court reconvened into Open Session at 12:02 P.M. to consider the following:

XI. EXECUTIVE SESSION

1. Government Code:

- a. *Sec. 551.071*-Consultation with Attorney-Reimbursement from TALX for Unemployment Compensation Awarded to Richard Davis

Comm. Bailey, seconded by Comm. Thompson, made a motion to accept the reimbursement of \$3,768.00 from TALX for unemployment compensation awarded to Richard Davis and grant permission for Randy Gillespie, Personnel Director, to send a letter to TALX concerning the County's dissatisfaction with the handling of the claim and to send a copy of the letter to the Texas Association of Counties (TAC).

All voted aye; motion carried.

The Commissioner's Court recessed at 12:04 P.M. and reconvened at 1:47 P.M. to consider the following:

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 1:47 P.M. to discuss City of Cleburne TIF #3 (Tax Increment Financing) District.

The Commissioner's Court reconvened into Open Session at 3:37 P.M.

VIII. NEW BUSINESS

18. CONSIDERATION OF PARTICIPATION IN THE CITY OF CLEBURNE TIF #3 (TAX INCREMENT FINANCE) DISTRICT

Comm. Thompson, seconded by Comm. Stringer, made a motion to approve participation in the [City of Cleburne TIF #3](#) (Tax Increment Finance) District with the County participating at 50% rate for a period of ten (10) years.

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

The Commissioner's Court recessed at 3:45 P.M. and reconvened at 3:53 P.M. to consider the following:

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 3:53 P.M. to discuss Section 457(b) Deferred Compensation Plan for Governmental Employers.

The Commissioner's Court reconvened into Open Session at 4:10 P.M.

VIII. NEW BUSINESS

21. CONSIDERATION OF SPECIMEN SECTION 457(B) DEFERRED COMPENSATION PLAN FOR GOVERNMENTAL EMPLOYERS WHICH INCLUDES THE ADOPTION AGREEMENT SECTION 457(B) DEFERRED COMPENSATION PLAN AND RESOLUTION AUTHORIZING ADOPTION OF PLAN RESTATEMENT

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve Specimen [Section 457 \(b\) Deferred Compensation Plan](#) for Governmental Employers which includes the Adoption Agreement Section 457 (b) Deferred Compensation Plan and Resolution authorizing Adoption of Plan Restatement with the selections read into Court record and to give the County Judge the authorization to sign both documents.

All voted aye; motion carried.

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There being no further business before the Court concerning this agenda, Commissioner's
Court adjourned at 4:11 P.M.

Submitted by: _____
[County Clerk](#)
Becky Williams

Approved by: _____
County Judge
Roger Harmon