

STATE OF TEXAS

[May 14, 2012](#)

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 14<sup>th</sup> day of May, 2012, 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 Rev. John Warren, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on May 10, 2012 at 1:15 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. **THE DEADLINE FOR THE TUESDAY, MAY 29, 2012 COMMISSIONER'S COURT AGENDA WILL BE THURSDAY, MAY 17, 2012 AT 5:00 PM DUE TO THE COUNTY JUDGES AND COMMISSIONERS ANNUAL CONFERENCE AND THE MEMORIAL DAY HOLIDAY**

Judge Harmon announced the deadline for the Tuesday, May 29, 2012 Commissioner's Court Agenda will be **Thursday, May 17, 2012 at 5:00 PM** due to the County Judges and Commissioners Annual Conference and the Memorial Day Holiday.

2. **PRESENTATION OF CAREFLITE QUARTERLY COMPLIANCE SUMMARY FY 2012**

A presentation of [Careflite Quarterly Compliance Summary FY 2012](#) was given to the Commissioner's Court by James Swartz, CEO and Douglas Filbert, Director of Ground Operations of Careflite.

3. PRESENTATION OF STATUS UPDATE REGARDING THE SECTION 1115  
MEDICAID WAIVER PROGRAM

A presentation of status update regarding the Section 1115 Medicaid Waiver Program was given to the Commissioner's Court by Russ Weaver with [Johnson County Care Cooperative](#) and Eric J. Weatherford, partner with Brown McCarroll, L.L.P.

V. PUBLIC PARTICIPATION

Commissioner Troy Thompson presented County Judge Roger Harmon with a framed copy of an interview with Judge Harmon that appeared in the Regional Transportation Program for his tenured service on the Regional Transportation Board concerning the State Highway 121/Chisholm Trail Project.

VIII. NEW BUSINESS

4. CONSIDERATION OF TRANSFER TO THE TEXAS HEALTH AND HUMAN  
SERVICES COMMISSION IN THE AMOUNT OF \$155,888.00 TO SERVE AS  
THE NON-FEDERAL SHARE OF PAYMENTS UNDER THE SECTION 1115  
MEDICAID WAIVER PROGRAM

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the transfer to the Texas Health and Human Services Commission in the amount of \$155,888.00 to serve as the Non-Federal share of payments under the Section 1115 Medicaid Waiver Program.

All voted aye; motion carried.

VI. PRECEDING BUSINESS

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

- a. March 26, 2012 – Regular Session
- b. April 9, 2012 – Regular Session

Comm. Bailey, seconded by Comm. Thompson, made a motion to approve the Commissioner's Court Minutes for March 26, 2012, and April 9, 2012.

All voted aye; motion carried.

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

Comm. Beeson, seconded by Comm. Stringer, made a motion to pay bills as presented by the County Auditor.

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 RENEWAL OF RFP 2011-418-NUISANCE PROPERTY ABATEMENT FOR JOHNSON COUNTY

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the [renewal of RFP 2011-418, Nuisance Property Abatement](#) for Johnson County with Total Demolition, Inc. and Trout's Tractor and Finish Mowing at the same pricing.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

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

a. Consideration of Appointment of Furniture Selection Committee

Comm. Thompson, seconded by Comm. Stringer, made a motion to appoint Toby Ross, Bob Barnes, Holly Morris, Alison Hitchcock, Pam Causey and Don Beeson to the Furniture Selection Committee for the Adult Probation Building.

All voted aye; motion carried.

2. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

Discussion. No Action.

4. CONSIDERATION OF AGREEMENT TO PARTICIPATE IN THE CLEBURNE TAX INCREMENT FINANCE DISTRICT NO. 3 BETWEEN THE CITY OF CLEBURNE AND JOHNSON COUNTY

Comm. Bailey, seconded by Comm. Thompson, made a motion to approve the [Agreement to Participate in the Cleburne Tax Increment Finance District No. 3](#) between the City of Cleburne and Johnson County subject to crossing out and initialing the words “unless extended by mutual agreement of Johnson County and the City” in Section 3 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

The Commissioner’s Court recessed at 10:15 A.M. and reconvened at 10:35 A.M. to consider the following:

5. CONSIDERATION OF ADVANCE FUNDING AGREEMENT FOR BRIDGE REPLACEMENT OR REHABILITATION OFF THE STATE SYSTEM WITH TXDOT REGARDING BRIDGE #02-127-0-AA05-10-002 ON CR 519 OVER KING BRANCH-PRECINCT #3

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the [Advance Funding Agreement for Bridge Replacement or Rehabilitation off the State](#) system with TxDOT regarding bridge #02-127-0-AA05-10-002 on CR 519 over King Branch in Precinct #3 and to give the County Judge the authorization to sign.

All vote aye; motion carried.

6. CONSIDERATION OF TERMINATION OF THE MEMORANDUM OF AGREEMENT BETWEEN THE TEXAS DEPARTMENT OF PUBLIC SAFETY AND JOHNSON COUNTY REGARDING THE REMOTELY HOSTED CRIMINAL INCIDENT BASED RECORDS MANAGEMENT SYSTEM (RRMS) PROJECT WHICH INCLUDES THE EFORCE/INTELLICHOICE SOFTWARE FOR THE SHERIFF’S OFFICE

No Action.

7. CONSIDERATION OF QUARTERLY REIMBURSEMENT OF JUROR PAYMENTS-DISTRICT CLERK'S OFFICE

Comm. Beeson, seconded by Comm. Thompson, made a motion to approve the [Quarterly Reimbursement of Juror Payments](#) for the District Clerk's Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

VIII. NEW BUSINESS

11. CONSIDERATION OF COPIER MAINTENANCE AGREEMENT RENEWAL WITH LASER TECH SOLUTIONS FOR A CANON IR5055 COPIER, SERIAL #CJK04783-DISTRICT CLERK'S OFFICE

Comm. Thompson, seconded by Comm. Bailey, made a motion to approve the [Copier Maintenance Agreement Renewal](#) with Laser Tech Solutions for a Canon IR5055 copier, serial #CJK04783 for the District Clerk's Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

12. CONSIDERATION OF APPLICATION FEE AND FIRST CLASS MAIL FEE FOR MAILING OF JURY SUMMONS-DISTRICT CLERK

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the [application fee and first class mail fee for mailing of jury summons](#) for the District Clerk's Office.

All voted aye; motion carried.

5. CONSIDERATION OF OPENING THE COURTHOUSE ON MAY 29, 2012 FOR ELECTION RESULTS

Comm. Thompson, seconded by Comm. Stringer, made a motion to approve of opening the Courthouse on May 29, 2012 for Election results and for Dan Milam, IT Director to set up the screen to allow viewing of the results and for two (2) Sheriff's Deputies for Courthouse security.

All voted aye; motion carried.

6. CONSIDERATION OF USE OF TECH FUND MONIES FOR JUDGE PAT JACOBS TO ATTEND THE 2012 EDUCATION AND TECHNOLOGY CONFERENCE-JUSTICE OF THE PEACE, PRECINCT #3

Comm. Stringer, seconded by Comm. Thompson, made a motion to approve the use of [Tech Fund monies for Judge Pat Jacobs to attend the 2012 Education and Technology Conference for Justice of the Peace in Precinct #3](#).

All voted aye; motion carried.

7. CONSIDERATION OF USE OF TECH FUND MONIES TO PURCHASE TWO (2) iPADS-JUSTICE OF THE PEACE, PRECINCT #4

County Judge Roger Harmon, seconded by Comm. Bailey, made a motion to deny the use of tech fund monies to purchase two (2) iPads for Justice of the Peace in Precinct #4.

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

8. CONSIDERATION OF PRICE INCREASE FROM SOUTHERN ASPHALT FOR MC30, AC5, AND AC10

Comm. Bailey, seconded by Comm. Thompson, made a motion to [deny the price increase from Southern Asphalt](#) for MC30, AC5, and AC10.

All voted aye; motion carried.

Commissioner Beeson exited the meeting at 11:27 A.M.

9. CONSIDERATION OF ALLOWING THE PURCHASING DEPARTMENT TO CONTACT CHAPARRAL TO DESTROY RADIOS, HARD DRIVES AND TASER PURSUANT TO LOCAL GOVERNMENT CODE SECTION 263.152

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve to allow the Purchasing Department to contact [Chaparral to destroy radios, hard drives and taser](#) pursuant to Local Government Code *Section 263.152*.

All voted aye; motion carried.

Commissioner Beeson returned to the meeting at 11:29 A.M.

10. CONSIDERATION OF ALLOWING PURCHASING TO DESTROY ELEVEN (11) TV'S AS SALVAGE FROM THE SHERIFF'S OFFICE PURSUANT TO LOCAL GOVERNMENT CODE SECTION 263.152

Comm. Stringer, seconded by Comm. Thompson, made a motion to approve to allow Purchasing to [destroy eleven \(11\) TV's as salvage from the Sheriff's Office](#) pursuant to Local Government Code *Section 263.152*.

All voted aye; motion carried.

13. CONSIDERATION OF LOCAL GOVERNMENTS AND MUNICIPALITIES PRELIMINARY ENERGY ASSESSMENT SERVICE AGREEMENT WITH SECO (STATE ENERGY CONSERVATION OFFICE)

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Local Governments and Municipalities Preliminary Energy Assessment Service [Agreement with SECO \(State Energy Conservation Office\)](#) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

14. CONSIDERATION OF AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT-MODIFICATION TO INTER-GOVERNMENTAL SERVICE AGREEMENT (IGSA) DROIGSA-09-0014 WITH ICE/DETENT MGMT/DETENT CONTRACTS DC, MANAGEMENT IMMIGRATION AND CUSTOMS ENFORCEMENT, OFFICE OF ACQUISITION MANAGEMENT AND RATIFICATION OF DROIGSA-09-0014 INTER-GOVERNMENTAL SERVICE AGREEMENT BETWEEN THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, OFFICE OF DETENTION AND REMOVAL AND JOHNSON COUNTY, TEXAS DATED APRIL 29, 2009

Comm. Thompson, seconded by Comm. Bailey, made a motion to approve the Amendment of Solicitation/Modification of Contract-Modification to Inter-Governmental Service Agreement (IGSA) DROIGSA-09-0014 with ICE/Detent Mgmt/Detent Contracts DC, Management Immigration and Customs Enforcement, Office of Acquisition Management and Ratification of DROIGSA-09-0014 Inter-Governmental Service Agreement between the United States Department of Homeland Security, U. S. Immigration and Customs Enforcement, Office of Detention and Removal and Johnson County, Texas dated April 29, 2009 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

15. CONSIDERATION OF APPOINTMENTS TO THE JOHNSON COUNTY HISTORICAL COMMISSION:
- a. [Cheryl Keller of Alvarado, Texas](#)
  - b. [Sam Keller of Alvarado, Texas](#)

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the appointments of Cheryl Keller of Alvarado, Texas and Sam Keller of Alvarado, Texas to the Johnson County Historical Commission.

All voted aye; motion carried.

16. CONSIDERATION OF APPOINTMENT TO THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS REGIONAL REVIEW COMMITTEE



County Judge Roger Harmon, seconded by Comm. Beeson, made a motion to approve the appointment of Commissioner Rick Bailey to the North Central Texas Council of Governments Regional Review Committee.

All voted aye; motion carried.

17. CONSIDERATION OF UPGRADE TO THE ELECTRICAL SYSTEM AT THE DOTY HOUSE

Comm. Thompson, seconded by Comm. Beeson, made a motion to approve the [upgrade to the electrical system at the Doty House with Hall Electric](#) in the amount of \$1,625.00 to be paid from the Historical Commission's fund 089 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

18. CONSIDERATION OF OFFICIAL BOND AND OATH FOR PAM CAUSEY AS INTERIM PURCHASING AGENT FOR JOHNSON COUNTY

Comm. Beeson, seconded by Comm. Thompson, made a motion to approve the [Official Bond and Oath for Pam Causey](#) as Interim Purchasing Agent for Johnson County.

All voted aye; motion carried.

19. CONSIDERATION OF CONTINUATION CERTIFICATES FOR:

- a. [Linda Lee Gosselin, Hamm Creek Park Personnel](#)
- b. [Timothy Kinman, Deputy Constable Precinct #4](#)

Comm. Bailey, seconded by Comm. Thompson, made a motion to approve the Continuation Certificate for Linda Lee Gosselin, Hamm Creek Park Personnel and for Timothy Kinman, Deputy Constable Precinct #4.

All voted aye; motion carried.

20. CONSIDERATION OF USE OF THE BROWN GYM BY THE ADULT PROBATION DEPARTMENT TO CONDUCT STAFF SAFETY TRAINING ENTITLED “NATURAL RESPONSE CONTROL TACTICS”

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the [use of the Brown Gym by the Adult Probation Department to conduct staff safety training entitled “Natural Response Control Tactics”](#).

All voted aye, motion carried.

21. CONSIDERATION OF MICROSOFT ENTERPRISE VOLUME LICENSING AGREEMENT:

- a. [Enterprise Enrollment Amendment – Product Selection Form – Adding Enterprise Online Services \(New/Renewal\) – State and Local Amendment ID W21, Microsoft Enrollment Number 5608115](#)
- b. [Enterprise Enrollment \(Indirect\) Microsoft Business Agreement Number U1063194, Enterprise Agreement Number 01E61288](#)

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the Microsoft Enterprise Volume Licensing Agreements for all documents listed and to give the County Judge the authorization to sign all documents.

All voted aye; motion carried.

IX. CONSENT AGENDA

Comm. Thompson, 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 11:50 A.M. in accordance with Government Code *Sec. 551.074*, Personnel Matters, Dan Milam, IT Department Director.

The Commissioner's Court reconvened into Open Session at 12:15 P.M. to consider the following:

XI. EXECUTIVE SESSION

1. Government Code:

a. *Sec. 551.074*-Personnel Matters-Dan Milam, IT Department Director

No Action.

Commissioner Bailey left the meeting at 12:15 P.M. to attend a previous engagement and Commissioner Thompson left the meeting at 12:15 P.M. to attend a funeral. Neither Commissioner returned for the afternoon session of Commissioner's Court.

The Commissioner's Court recessed at 12:16 P.M. and reconvened at 1:30 P.M. to consider the following:

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 1:30 P.M. to discuss Wellness Plan for Johnson County.

The Commissioner's Court reconvened into Open Session at 2:24 P.M. to consider the following:

VIII. NEW BUSINESS

22. CONSIDERATION OF A THREE (3) YEAR WELLNESS STRATEGY PLAN FOR JOHNSON COUNTY

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Moderate Program for a Three (3) Year Wellness Strategy Plan for Johnson County and authorized Randy Gillespie, Personnel Director to see what it would take to get the Brown Gym ready for use by Johnson County employees as a gym facility.

All voted aye, motion carried.

VII. UNFINISHED BUSINESS

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

Additional Discussion.

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

Discussion. No Action.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the emergency repair of a culvert in Precinct #1; to go out for bids for maintenance for repairs for copiers, printers and faxes not already covered by a maintenance agreement; and to go out for bid for furniture for the Adult Probation Building as soon as the committee decides on furniture needs with a budget of \$500,000.00.

All voted aye; motion carried.

2. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE [SECTION 111.0106](#) for:

- a. Market Square Project-Donation

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.0106* for Market Square Project, Donation, from Heritage Assembly, Inc. for Market Square improvements in the amount of \$3,500.00.

All voted aye; motion carried.

3. CONSIDERATION OF FY 2012 BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE [SECTION 111.010](#) for:
- a. Building Repair & Maintenance-Building Repair & Maintenance/Utilities
  - b. Building Repair & Maintenance-Transfer from Other Funds
  - c. General Fund-Transfer to Building Maintenance Fund
  - d. Jury-Maintenance of Office Equipment
  - e. 413<sup>th</sup> District Court-Capital Murder Trial
  - f. Justice of the Peace, Precinct #3-Postage Meter Rental

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.010* for Building Repair & Maintenance, Building Repair & Maintenance/Utilities transfer from General Fund for Courthouse Tower window repair, approved in Commissioner's Court on March 26, 2012 and for an electric meter at the new Cleburne radio tower site, approved in Commissioner's Court on April 23, 2012, for the total amount of \$31,576.00; Building Repair & Maintenance, Transfer from Other Funds for Courthouse Tower window repair, approved in Commissioner's Court on March 26, 2012 and for an electric meter at the new Cleburne radio tower site, approved in Commissioner's Court on April 23, 2012 in the amount of \$31,576.00; General Fund, Transfer to Building Maintenance Fund for Courthouse Tower window repair, approved in Commissioner's Court on March 26, 2012 and for an electric meter at the new Cleburne radio tower site, approved in Commissioners' Court on April 23, 2012 in the amount of \$31,576.00; Jury, Maintenance of Office Equipment for additional budget for repairs to copier in the amount of \$250.00; 413<sup>th</sup> District Court, Capital Murder Trial for additional funding needed for expenses with the Soliz Capital Murder trial in the amount of \$100,000.00; and Justice of the Peace, Precinct #3, Postage Meter Rental for yearly postage machine rental in the amount of \$315.00.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 2:56 P.M.

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

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