

STATE OF TEXAS

July 9, 2012

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 9th day of July, 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 9:00 A.M., with all members present, and following the Invocation led by Donald Bennett, 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 5, 2012 at 1:40 P.M., were considered:

VI. PUBLIC HEARING

The Commissioner's Court opened a Public Hearing at 9:03 A.M. to discuss:

2. "IN ACCORDANCE WITH CHAPTER 343 OF THE TEXAS HEALTH & SAFETY CODE, THE PREMISES LOCATED AT 6632 LAUREL LN., JOSHUA, TX. 76058, JOHNSON COUNTY, TEXAS, HAS BEEN IDENTIFIED AS A PUBLIC NUISANCE AND ROSE LAND AND FINANCE CORPORATION 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 **6632 Laurel Ln., Joshua, TX. 76058, Johnson County, Texas**, has been identified as a public nuisance and **Rose Land and Finance Corporation** has been identified as the person responsible for causing or maintaining a public nuisance on the premises. This case began in January 2012 with complaints about overgrown grass and weeds likely to cause or attract mosquitos, rodents, vermin and other disease carrying pests. Det. Shaw determined the property was owned by Rose Land and Finance Corporation and sent out Notice of Violation letters to both offices, one in Lansing, MI and the other to their Texas representative, Joe Martinez in Austin. Return receipts were received by Det. Shaw for the letters. The property was not cleaned up, so Det. Shaw filed the case with Justice of the Peace, Precinct #2. No one from Rose Land and Finance showed up for the court date, so Judge Monk dismissed the case so that it could be filed and presented in Commissioner's Court. At this time a new case was started and Notice of Nuisance letters were sent out. Det. Shaw also found out that there are back taxes owed on the property in the amount of \$4,830.00. Det. Shaw contacted Lynn Stavinoha with Perdue, Brandon, Fielder, Collins & Mott, LLP and discussed the back taxes on the property. About this same time, Det. Shaw received a call from Greg Harper. Mr. Harper's mother lives at 6632 CR 912 and she had received a letter from Rose Land and Finance telling her to clean up her property. Apparently Rose Land and Finance had found another property in the area with the same numeric address as the nuisance property. Det. Shaw told Mr. Harper not to worry, they didn't have any complaints on his mother's property, but this did confirm for Det. Shaw that the mortgage company received the nuisance letter. Det. Shaw went back to the property and took additional pictures and spoke with Ashley Steele with Perdue, Brandon, Fielder, Collins & Mott, LLP. She told Det. Shaw that this property was not in

litigation yet, but possibly could be in the near future. Det. Shaw recommended abating the property. The hearing was closed at 9:10 A.M.

VII. PRECEDING BUSINESS

2. CONSIDERATION OF ORDER #2012-11-ORDER ABATING NUISANCE AT 6632 LAUREL LN., JOSHUA, TX. 76058, JOHNSON COUNTY, TEXAS

Comm. Thompson, seconded by Comm. Stringer, made a motion to approve [Order #2012-11](#), Order Abating Nuisance at **6632 Laurel Ln., Joshua, TX. 76058, Johnson County, Texas** and to attach the lien to the property.

All voted aye; motion carried.

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. ANNOUNCEMENT BY COUNTY JUDGE ROGER HARMON – ACCEPTANCE OF LETTER OF RESIGNATION FROM TROY T. THOMPSON, COMMISSIONER, PRECINCT #2

County Judge Roger Harmon accepted a letter of resignation from Troy T. Thompson, Commissioner, Precinct #2, effective today, July 9, 2012.

2. PRESENTATION OF LENGTH OF SERVICE AWARDS FOR JOHNSON 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

Anita Ellenberger spoke in reference to the upcoming budget. She would like to see more of the budget go towards the Sheriff's Department to hire more deputies for the safety of citizens living in eastern Johnson County.

VI. PUBLIC HEARING

The Commissioner's Court opened a Public Hearing at 9:32 A.M. to discuss:

1. “LICENSE TO OPERATE JUNKYARD TO BE LOCATED AT 980 N. HWY 174, RIO VISTA, TEXAS, JOHNSON COUNTY PRECINCT #1”

Jeff Smith spoke in reference to the Junkyard to be located at 980 N. Hwy 174, Rio Vista, Texas, Johnson County Precinct #1. Mr. Smith said he was in favor of the junkyard because he thought it would create jobs and it would keep Rio Vista cleaner if the public had a place to take items instead of dumping them on the roadways. He said he would have liked the opportunity to sign a petition in favor of the business. Tommy Durham spoke next and was against the junkyard. Mr. Durham owns land adjacent to the proposed site of the junkyard. He informed the Court that he had 373 signatures against the junkyard. Johnny and Brandon Ford spoke next and they are the owners of the property where the proposed junkyard will be located. Johnny Ford said the business will be more of a recycling business than a junkyard. Commissioner Beeson asked what type of items they would accept for recycling. They said they would accept steel, copper, aluminum cans, hot water heaters, washing machines, dishwashers, but that they would not accept cars or batteries. Brandon Ford told the Court that they will install an eight (8) foot fence around the property. Commissioner Bailey said his main concern was the possibility of a drainage issue on the property. Commissioner Stringer asked how many houses were within ¼ mile of the proposed business. Brandon Ford said to his knowledge there weren't any houses within ¼ mile and that the area was industrial in nature. He passed around a photograph of the proposed site. Mary Smith spoke in favor of the junkyard and she would have liked the opportunity to sign a petition in favor of the junkyard, too. She is in favor of recycling and thinks it is good for communities. Judge Harmon said that as long as the applicant complies with the laws of the County, State and Federal regulations, then it is incumbent upon the County to comply and issue the permit for the junkyard. The hearing was closed at 10:05 A.M.

VII. PRECEDING BUSINESS

1. CONSIDERATION OF **ORDER #2012-10**-LICENSE TO OPERATE JUNKYARD TO BE LOCATED AT 980 N. HWY 174, RIO VISTA, TEXAS JOHNSON COUNTY PRECINCT #1

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve [Order #2012-10](#), License to Operate Junkyard to be Located at 980 N. Hwy 174, Rio Vista, Texas Johnson County Precinct #1.

All voted aye; motion carried.

IX. NEW BUSINESS

2. CONSIDERATION OF APPOINTMENT OF A HEALTH OFFICER FOR JOHNSON COUNTY EFFECTIVE JULY 1, 2012

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the [reappointment of Dr. Dwight Allen Hines II, M. D.](#) as the Health Officer for Johnson County effective July 1, 2012 with an annual salary of \$12,000.00 to be paid from budget line item 510.

All voted aye; motion carried.

The Commissioner's Court recessed at 10:07 A.M. and reconvened at 10:24 A.M. to consider the following:

VII. PRECEDING BUSINESS

3. CONSIDERATION OF MINUTES OF THE COMMISSIONER'S COURT:
 - a. May 14, 2012 – Regular Session
 - b. May 29, 2012 – Regular Session

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Commissioner's Court Minutes for May 14, 2012 and May 29, 2012.

All voted aye; motion carried.

4. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Thompson, seconded by Comm. Beeson, made a motion to [pay bills](#) as presented by the County Auditor with the addition of travel reimbursement to Bill Caldwell in the amount of \$168.72 and travel reimbursement to Sonia Prince in the amount of \$13.87.

All voted aye; motion carried.

5. 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.

6. CONSIDERATION OF RFB #2012-120-PICK-UP TRUCK, PRECINCT #4

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

All voted aye; motion carried.

7. CONSIDERATION OF FINAL PLAT DON D. MOORE ADDITION, LOT 1, BLOCK 1-PRECINCT #4

Comm. Beeson, seconded by Comm. Thompson, made a motion to approve the [final plat of Don D. Moore Addition](#), Lot 1, Block 1 in Precinct #4.

All voted aye; motion carried.

8. CONSIDERATION OF REVISED PLAT OF THE RETREAT, PHASE 8, LOTS 13R, 14 AND 15, BLOCK 72 INTO LOT 13-R1, BLOCK 72-PRECINCT #1

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the [revised plat of The Retreat, Phase 8](#), Lots 13R, 14 and 15, Block 72 into Lot 13-R1, Block 72 in Precinct #1.

All voted aye; motion carried.

VIII. 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

a. [Consideration of Appointment to the Furniture Selection Committee](#)

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve to remove Pam Causey as a member of the Adult Probation Building Furniture Selection Committee and replace her with Purchasing Agent Jamie Brockway, but to allow any staff member of Purchasing to be an alternate in Jamie Brockway's absence.

All voted aye; motion carried.

4. CONSIDERATION OF SOUND SYSTEM IN THE JUSTICE OF THE PEACE, PRECINCT #4 COURTROOM

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the [purchase of new sound system in the Justice of the Peace, Precinct #4 Courtroom](#) from Lantek Communications, Inc. in the amount of \$4,785.32, and is to be paid from 510-5320.

All voted aye; motion carried.

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Bailey, seconded by Comm. Thompson, made a motion to approve to advertise for bids for bucket truck for Johnson County.

All voted aye; motion carried.

3. CONSIDERATION OF COUNTY AUDITOR'S REPORT OF CASH AND BUDGET POSITION OF ROAD & BRIDGE, PRECINCT #2 AS OF JUNE 29, 2012

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the [County Auditor's](#) report of cash and budget position of Road & Bridge, Precinct #2 as of June 29, 2012.

All voted aye; motion carried.

4. CONSIDERATION OF OUTGOING INVENTORY FOR PRECINCT #2- PURCHASING

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the [Outgoing Inventory for Precinct #2](#).

All voted aye; motion carried.

5. CONSIDERATION OF REMOVAL OF AN IBM WILL WRITER TYPEWRITER FROM THE INVENTORY OF CPS-PURCHASING

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the removal of an IBM Will Writer typewriter from the inventory of CPS.

All voted aye; motion carried.

6. CONSIDERATION OF REMOVAL OF EQUIPMENT FROM INVENTORY-IT DEPARTMENT

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the [removal of equipment from inventory for the IT Department](#) with the exception of item #3409, an HP Compaq 6710B laptop computer, CNU85027PJ.

All voted aye; motion carried.

7. CONSIDERATION OF ADDENDUM NUMBER SEVEN TO MANAGEMENT SERVICES CONTRACT BETWEEN JOHNSON COUNTY, TEXAS AND SOUTHWESTERN CORRECTIONAL, LLC, DOING BUSINESS AS LASALLE SOUTHWEST CORRECTIONS

Comm. Stringer, seconded by Comm. Thompson, made a motion to approve [Addendum Number Seven](#) to Management Services Contract between Johnson County, Texas and Southwestern Correctional, LLC, doing business as LaSalle Southwest Corrections and to give the County Judge and the Sheriff the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF CONTRACT FOR THE COLLECTION OF DELINQUENT TAXES WITH PERDUE, BRANDON, FIELDER, COLLINS & MOTT, L.L.P.

Comm. Beeson, seconded by Comm. Thompson, made a motion to approve the [Contract for the Collection of Delinquent Taxes](#) with Perdue, Brandon, Fielder, Collins & Mott, L.L.P. and to give the County Judge the authorization to sign.

All voted aye; motion carried..

Commissioner Beeson exited the meeting at 11:07 A.M.

9. CONSIDERATION OF JOHNSON COUNTY JUVENILE SERVICES JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM NON-RESIDENTIAL SERVICES CONTRACT WITH NATHAN BROWN

Comm. Stringer, seconded by Comm. Thompson, made a motion to approve the Johnson County Juvenile Services Juvenile Justice Alternative Education Program [Non-Residential Services Contract with Nathan Brown](#) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

Commissioner Beeson returned to the meeting at 11:09 A.M.

10. CONSIDERATION OF PURCHASE OF FOUR (4) VEHICLES-S.T.O.P. TASK FORCE

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the [purchase of four \(4\) vehicles for the S.T.O.P. Task Force](#).

All voted aye; motion carried.

11. CONSIDERATION OF PURCHASE OF RADARS FOR VEHICLES-
CONSTABLE, PRECINCT #4

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

All voted aye; motion carried.

12. CONSIDERATION OF SUBMISSION OF THE APPLICATION FOR THE
2012 SCAAP GRANT (STATE CRIMINAL ALIEN ASSISTANCE
PROGRAM)

Comm. Beeson, seconded by Comm. Thompson, made a motion to
approve the [submission of the application for the 2012 SCAAP Grant](#) (State Criminal Alien
Assistance Program).

All voted aye; motion carried.

13. CONSIDERATION TO REQUEST UNCLAIMED MONEY FROM THE
TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

Comm. Thompson, seconded by Comm. Beeson, made a motion to
approve to [request unclaimed money from the Texas Comptroller of Public Accounts](#).

All voted aye; motion carried.

14. CONSIDERATION OF CONTINUATION CERTIFICATE FOR ANGELA J.
WOLFE, DEPUTY CONSTABLE, PRECINCT #3

Comm. Stringer, seconded by Comm. Beeson, made a motion to
approve the [Continuation Certificate for Angela J. Wolfe](#), Deputy Constable, Precinct #3.

All voted aye; motion carried.

X. CONSENT AGENDA

Comm. Stringer, seconded by Comm. Beeson, made a motion to
approve all items on the [Consent Agenda](#).

All voted aye; motion carried.

VIII. UNFINISHED BUSINESS

2. CONSIDERATION OF RECURRING ITEMS CONCERNING [MARKET SQUARE](#)

a. Consideration of Use of Left Over Granite from Courthouse Renovation for Johnson County Market Square

No Action.

BE IT KNOWN that Commissioner's Court met in Executive Session at 11:38 A.M. in accordance with Government Code *Sec. 551.074*, Personnel Matters, Steve Hunter, Public Works Department, Position H06-001.

The Commissioner's Court reconvened into Open Session at 11:59 A.M. to consider the following:

XII. EXECUTIVE SESSION

1. Government Code:

a. *Sec. 551.074*-Personnel Matters-Steve Hunter, Public Works Department-Position H06-001

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve to increase Steve Hunter, Public Works Department, Position H06-001 salary to \$41,000.00 due to increased responsibilities, effective the beginning of next pay period.

All voted aye; motion carried.

The Commissioner's Court recessed at 11:59 A.M. and reconvened at 1:30 P.M. to consider the following:

XI. WORKSHOP

The Commissioner's Court convened into Workshop Session at 1:30 P.M. to discuss the Budget.

The Commissioner's Court reconvened into Open Session at 2:39 P.M.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 2:39 P.M.

Submitted by: _____
County Clerk
Becky Williams

Approved by: _____
County Judge
Roger Harmon