

STATE OF TEXAS

[August 13, 2012](#)

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 13th day of August, 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 Greg Robinson, Pastor of Bono 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 August 9, 2012 at 1:17 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF THE PRAIRIELAND GROUNDWATER CONSERVATION DISTRICT'S QUARTERLY REPORT

Joshua Grimes, General Manager of Prairieland Groundwater Conservation District presented their [Quarterly Report](#) to Commissioner's Court.

V. PUBLIC PARTICIPATION

None.

VI. PRECEDING BUSINESS

1. CONSIDERATION OF REQUEST TO PAY BILLS

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

All voted aye; motion carried.

2. 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.

3. CONSIDERATION OF [RFB #2012-121-USED BUCKET TRUCK](#)

Comm. Bailey, seconded by Comm. Howell, made a motion to [approve RFB #2012-121](#), Used Bucket Truck in the amount of \$32,200.00.

All voted aye; motion carried.

4. CONSIDERATION OF [RFP #2012-122-STONEMWORK AT MARKET SQUARE](#)

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

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

2. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

No Action.

4. CONSIDERATION OF THE COUNTY ESSENTIALS SERVICES PROGRAM FOR POSSIBLE REIMBURSEMENT FOR EXPENSES RELATED TO THE SOLIZ CAPITAL MURDER TRIAL

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve to apply for the County Essentials Services Program for possible reimbursement for expenses related to the Soliz capital murder trial.

All voted aye; motion carried.

1. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS, AND CONTRACTS FOR ADULT PROBATION BUILDING
 - a. Consideration of Change Order #1-“9 Electrical Cost to Bury 3-Phase from Buffalo Street”

Comm. Beeson, seconded by Comm. Bailey, made a motion to [approve Change Order #1](#), “9 Electrical Cost to Bury 3-Phase from Buffalo Street” in the amount of \$57,036.96 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

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

No Action.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Discussion. No Action.

5. CONSIDERATION OF REQUEST FROM THE CHILDREN’S ADVOCACY CENTER TO RECEIVE FUNDING THROUGH THE FAMILY PROTECTION FUND PURSUANT TO TEXAS GOVERNMENT CODE SECTION 51.961

Comm. Beeson, seconded by Comm. Howell, made a motion to table this item until the next scheduled Commissioner’s Court.

All voted aye; motion carried.

4. CONSIDERATION OF SEALED BIDS AND RESOLUTIONS FOR STRUCK OFF PROPERTY WITHIN JOHNSON COUNTY, TEXAS:

- a. Tract 1: [T200600169](#)
Lots 320 & 321, Blue Water Oaks
Boone Street
126-2323-03180

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the Resolution of Johnson County, Approving the Sale of Certain Real Property Acquired at a Delinquent Tax Foreclosure Sale for the property listed above.

All voted aye; motion carried.

- b. Tract 2: [T200700096](#)
Lot 6, Block 73, Original Town of Alvarado
500 Sycamore Dr
126-2431-12860

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the Resolution of Johnson County, Approving the Sale of Certain Real Property Acquired at a Delinquent Tax Foreclosure Sale for the property listed above.

All voted aye; motion carried.

- c. Tract 3: [T200800399](#)
Lots 381 & 382, Blue Water Oaks
382 Fortune Rd
126-2323-03830

Comm. Howell, seconded by Comm. Beeson, made a motion to approve the Resolution of Johnson County, Approving the Sale of Certain Real Property Acquired at a Delinquent Tax Foreclosure Sale for the property listed above.

All voted aye; motion carried.

- d. Tract 4: [T200200214](#)
Part of Lot 6, Block 313, Original Town of
Cleburne
630 E Chambers
126-2800-17530

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the Resolution of Johnson County, Approving the Sale of Certain Real Property Acquired at a Delinquent Tax Foreclosure Sale for the property listed above.

All voted aye; motion carried.

- e. Tract 5: [T201000177](#)
1.43 acres, Abstract 33, C H Barker Survey
CR 317A
126-0033-01018

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the Resolution of Johnson County, Approving the Sale of Certain Real Property Acquired at a Delinquent Tax Foreclosure Sale for the property listed above.

All voted aye; motion carried.

- f. Tract 6: [T200600237](#)
Part Lot 6, Cooper Addn a/k/a Lot 2, Block 26,
Ramsey Addn
102 E. Pecan
126-3265-01010

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the Resolution of Johnson County, Approving the Sale of Certain Real Property Acquired at a Delinquent Tax Foreclosure Sale for the property listed above.

All voted aye; motion carried.

- g. Tract 7: [T201000249](#)
2 acres more or less, Abstract 480, Tract 62 & 63
FL Kirtley Survey
1402 S. Louisiana St.
126-0480-00220

Comm. Bailey, seconded by Comm. Stringer, made a motion to table this item due to the property being withdrawn from the sale.

All voted aye; motion carried.

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

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

All voted aye; motion carried.

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

a. Sheriff-Forfeiture Funds

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.0106* for Sheriff, Forfeiture Funds for forfeitures from arrest in the amount of \$450.00.

All voted aye; motion carried.

3. CONSIDERATION OF FY 2012 BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE [SECTION 111.010](#) for:

- a. Motorola Simulcast Radio System-Equipment Capital \$4,237.63
- b. Non-Departmental-Fund 102 \$20,000; Fund 941 \$20,639; Fund 019 \$75,000; Fund 823 \$50,000; Fund 703 \$4,237.63 Total of \$169,876.63

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.010* for Motorola Simulcast Radio System, Equipment Capital to record transfer of cost of materials for radio tower storage building in the amount of \$4,237.63 and Non-Departmental, Fund 102 for \$20,000; Fund for 941 \$20,639; Fund 019 for \$75,000; Fund 823 for \$50,000; and Fund 703 for \$4,237.63 to record transfers to the above funds for the total amount of \$169,876.63.

All voted aye; motion carried.

6. CONSIDERATION OF ADDITIONAL VALUES ADDED IN THE CITY OF CLEBURNE'S TIF #1 (INDUSTRIAL) AND TIF #2 (DOWNTOWN) FOR THE 2011 TAX YEAR

Comm. Bailey, seconded by Comm. Howell, made a motion to [approve additional values added in the City of Cleburne's TIF #1 \(Industrial\) in the amount of \\$35,023.88 and TIF #2 \(Downtown\) in the amount of \\$51,100.27 for the 2011 Tax Year.](#)

All voted aye; motion carried.

7. CONSIDERATION OF 2013 SHERIFFS' AND CONSTABLES' FEES AS REQUIRED UNDER LOCAL GOVERNMENT CODE SECTION 118.131

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the [2013 Sheriffs' and Constables' Fees](#) as required under Local Government Code *Section 118.131* as submitted by Gary Braly, Constable, Precinct #4 per the attached list.

All voted aye; motion carried.

8. CONSIDERATION OF FEES AT HAMM CREEK PARK

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

All voted aye; motion carried.

The Commissioner's Court recessed at 10:23 A.M. and reconvened at 10:53 A.M. to consider the following:

9. CONSIDERATION OF A RECURRING MONTHLY EXPENSE FOR CALL WAITING AND CALL FORWARDING AT HAMM CREEK PARK

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [recurring monthly expense for Call Waiting](#) and Call Forwarding at Hamm Creek Park.

All voted aye; motion carried.

10. CONSIDERATION OF A RECURRING MONTHLY EXPENSE FOR CALLER ID-PRECINCT #2

Comm. Howell, seconded by Comm. Bailey, made a motion to [approve the recurring monthly expense for Caller ID](#) for Precinct #2

All voted aye; motion carried.

11. CONSIDERATION OF MAINTENANCE CONTRACT RENEWAL QUOTE WITH ISC LABELS AND EQUIPMENT FOR SUPPORT AND MAINTENANCE FOR COLORBAR NETWORK WITH THREE SEATS-COUNTY CLERK

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Maintenance Contract Renewal Quote with ISC Labels](#) and Equipment for COLORBAR Network with three seats for the County Clerk and to give the County Judge the authorization to sign.

All voted aye; motion carried.

12. CONSIDERATION FOR JAMIE BROCKWAY, PURCHASING AGENT TO ATTEND "2012 REGIONAL TAC POOL MEETINGS"

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve for Jamie Brockway, Purchasing Agent to attend "2012 Regional TAC Pool Meetings".

All voted aye; motion carried.

13. CONSIDERATION OF MASTER INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT WITH NATIONAL INTERGOVERNMENTAL PURCHASING ALLIANCE COMPANY

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the [Master Intergovernmental Cooperative Purchasing Agreement](#) with National Intergovernmental Purchasing Alliance Company and to give the County Judge the authorization to sign.

All voted aye; motion carried.

14. CONSIDERATION OF “ADDENDUM 2” STATE OF TEXAS FLEET CONTRACT POLITICAL SUBDIVISION ADDENDUM FOR FLEET CARD SERVICES BETWEEN THE STATE OF TEXAS AND U.S. BANK NATIONAL ASSOCIATION ND AND JOHNSON COUNTY

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve “[Addendum 2” State of Texas Fleet Contract Political Subdivision Addendum](#) for Fleet Card Services between the State of Texas and U.S. Bank National Association ND and Johnson County and to give the County Judge the authorization to sign.

All voted aye; motion carried.

15. CONSIDERATION OF MASTER SERVICE AGREEMENT WITH ROSSER FUNERAL HOME FOR TRANSPORTATION OF HUMAN REMAINS FOR JOHNSON COUNTY, TEXAS

Comm. Howell, seconded by Comm. Beeson, made a motion to approve the [Master Service Agreement with Rosser Funeral Home](#) for transportation of human remains for Johnson County, Texas and to give the County Judge the authorization to sign.

All voted aye; motion carried.

16. CONSIDERATION OF WIRE TRANSFER AGREEMENT WITH FIRST FINANCIAL BANK-TREASURER

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the [Wire Transfer Agreement with First Financial Bank](#) for the Treasurer’s Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

17. CONSIDERATION OF INVOICE WITH STANDARD & POOR’S FOR ANALYTICAL SERVICES RENDERED IN CONNECTION WITH US \$6,405,000 JOHNSON COUNTY, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2011, DATED NOVEMBER 01, 2011, DUE FEBRUARY 15, 2024 IN THE AMOUNT OF \$10,000.00

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve an [invoice with Standard & Poor's for Analytical Services](#) rendered in connection with US \$6,405,000 Johnson County, Texas, General Obligation Refunding Bonds, Series 2011, dated November 01, 2011, due February 15, 2024 in the amount of \$10,000.00.

All voted aye; motion carried.

18. CONSIDERATION OF INVOICE WITH FITCH RATINGS IN CONNECTION WITH JOHNSON COUNTY, TEXAS GO REFUNDING BONDS SERIES 2011 IN THE AMOUNT OF \$11,000.00

Comm. Beeson, seconded by Comm. Howell, made a motion to approve the [invoice with Fitch Ratings](#) in connection with Johnson County, Texas GO Refunding Bonds Series 2011 in the amount of \$11,000.00.

All voted aye; motion carried.

19. CONSIDERATION OF CONTINUATION CERTIFICATE FOR JOHN TYLER BERMEA, DEPUTY CONSTABLE, PRECINCT #4

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the [Continuation Certificate for John Tyler Bermea](#), Deputy Constable, Precinct #4.

All voted aye; motion carried.

20. PRESENTATION BY TAX ASSESSOR/COLLECTOR AND COUNTY AUDITOR:

- a. Effective Tax Rate, Roll Back Tax Rate and Calculation Methods
- b. M & O Obligations
- c. Debt Obligations

Scott Porter, Tax Assessor/Collector and Kirk Kirkpatrick, Auditor made a presentation to the Commissioner's Court.

IX. CONSENT AGENDA

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

All voted aye; motion carried.

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 11:18 A.M. to discuss the the Budget.

The Commissioner's Court reconvened into Open Session at 11:39 A.M.

VIII. NEW BUSINESS

21. CONSIDERATION TO TAKE RECORD VOTE ON PROPOSED TAX RATE FOR THE 2012 TAX YEAR

County Judge Roger Harmon called for a record vote on proposed tax rate for the 2012 tax year at .382229 per \$100.00 valuation. A record vote was taken as recorded below:

County Judge Roger Harmon	Aye
Comm. Rick Bailey	Aye
Comm. Kenny Howell	Aye
Comm. Jerry Stringer	Aye
Comm. Don Beeson	Aye

The Commissioner's Court recessed at 11:44 A.M. and reconvened at 1:32 P.M. to consider the following:

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 1:32 P.M. to discuss the FM 917 Overpass and Region 10 Health Care Update.

The Commissioner's Court reconvened into Open Session at 3:06 P.M.

BE IT KNOWN that Commissioner's Court met in Executive Session at 3:08 P.M. in accordance with Government Code *Sec. 551.071*, Consultation with Attorney, Cause No. C199900253, Johnson County v. Harris Methodist Affiliated Hospitals and *Sec. 551.074*, Personnel Matters, Sheriff's Office.

The Commissioner's Court reconvened into Open Session at 3:36 P.M. to consider the following:

XI. EXECUTIVE SESSION

1. Government Code:

- a. *Sec. 551.071*-Consultation with Attorney-Cause No. C199900253, Johnson County v. Harris Methodist Affiliated Hospitals

Comm. Bailey, seconded by Comm. Howell, made a motion to authorize Bill Moore, the County Attorney to negotiate a final settlement agreement with Texas Health Harris Methodist Hospital Cleburne in reference to Cause No. C199900253, Johnson County v. Harris Methodist Affiliated Hospitals.

All voted aye; motion carried.

- b. *Sec. 551.074*-Personnel Matters-Sheriff's Office

- (1) Vicki Moore – Position F12-007

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve to move salary monies from Position F12-007 to Position F18-013 and the monies from Position F18-013 and move them to Position F12-007, also moving job levels and descriptions and is effective August 13, 2012. This one motion covers both b (1) and b (2).

All voted aye; motion carried.

VIII. NEW BUSINESS

22. CONSIDERATION TO SCHEDULE PUBLIC HEARINGS ON TAX RATE FOR THE 2012 TAX YEAR

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

All voted aye; motion carried.

VI. PRECEDING BUSINESS

1. CONSIDERATION OF REQUEST TO PAY BILLS

Additional Discussion.

The Commissioner's Court recessed at 4:06 P.M. and reconvened August 14, 2012 at 9:05 A.M.

VI. PRECEDING BUSINESS

1. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Stringer, seconded by Comm. Beeson, made an [amended motion to pay bills](#) as presented by the County Auditor with the addition of invoices from LaSalle Southwest in the amounts of \$149,233.92, \$14,617.32 and \$40,755.28 for a total of \$204,606.52.

All voted aye; motion carried.

VIII. NEW BUSINESS

8. CONSIDERATION OF FEES AT HAMM CREEK PARK

Additional Discussion.

BE IT KNOWN that Commissioner's Court met in Executive Session at 9:33 A.M. in accordance with Government Code *Sec. 551.074*, Personnel Matters, Interviews for Open Position #A10-001, Hamm Creek Park Supervisor to be held Tuesday, August 14, 2012.

The Commissioner's Court reconvened into Open Session at 11:56 A.M. to consider the following:

XI. EXECUTIVE SESSION

1. Government Code:

c. *Sec. 551.074*-Personnel Matters-Interviews for Open Position #A10-001-Hamm Creek Park Supervisor to be Held Tuesday, August 14, 2012

- (1) Brenda L. Glenn – 9:00 AM
- (2) Dan H. Taylor – 9:30 AM
- (3) James O. Casto – 10:00 AM
- (4) Michael J. McDaniel – 10:30 AM

Comm. Beeson, seconded by Comm. Stringer, made a motion to extend an offer of employment to Dan H. Taylor for position #A10-001, Hamm Creek Park Supervisor at a salary of \$36,000.00 with a hire date as soon as possible.

Comm. Rick Bailey	Aye
Comm. Troy Thompson	Aye
Comm. Jerry Stringer	Aye
Comm. Don Beeson	Aye
County Judge Roger Harmon	Abstained

Motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 11:58 A.M.

Submitted by: _____
County Clerk
Becky Williams

Approved by: _____
County Judge
Roger Harmon