

STATE OF TEXAS

[September 24, 2012](#)

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 24th day of September, 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 Vance Castles, Founder of Cleburne Education Foundation, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on September 20, 2012 at 2:36 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. DUE TO THE COUNTY JUDGE'S AND COMMISSIONER'S ANNUAL CONFERENCE, THE DEADLINE TO SUBMIT ITEMS FOR THE MONDAY, OCTOBER 8, 2012 COMMISSIONER'S COURT AGENDA WILL BE THURSDAY, SEPTEMBER 27, 2012 AT 5:00 PM

Judge Harmon announced that due to the County Judge's and Commissioner's Annual Conference, the deadline to submit items for the Monday, October 8, 2012 Commissioner's Court Agenda will be Thursday, September 27, 2012 at 5:00 PM.

2. PRESENTATION OF QUARTERLY COMPLIANCE REPORT FROM CAREFLITE

A presentation of the [Quarterly Compliance Report from CareFlite](#) was given by Douglas Filbert, Director of Ground Operations of CareFlite.

V. PUBLIC PARTICIPATION

Marcea Haubert spoke in regards to solutions for stray animals in rural Johnson County.

VI. PUBLIC HEARINGS

The Commissioner's Court opened a Public Hearing at 9:14 A.M. to discuss:

1. PUBLIC HEARING ON PROPOSED JOHNSON COUNTY BUDGET 2012-2013

There being no one present to speak, the hearing was closed at 9:15 A.M.

VII. PRECEDING BUSINESS

1. CONSIDERATION TO ADOPT THE BUDGET FOR 2012-2013

Comm. Beeson, seconded by Comm. Bailey, made a motion to adopt the Budget for 2012-2013.

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

Motion carried by unanimous hand vote.

2. CONSIDERATION TO ADOPT THE TAX RATE FOR 2012

Comm. Bailey, seconded by Comm. Howell, made a motion to adopt the Tax Rate for 2012.

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

Motion carried by unanimous hand vote.

3. CONSIDERATION TO RATIFY THE PROPERTY TAX INCREASE REFLECTED IN THE BUDGET FOR 2012-2013

Comm. Bailey, seconded by Comm. Howell, made a motion to ratify the Property Tax increase reflected in the Budget for 2012-2013.

All voted aye; motion carried.

4. CONSIDERATION OF ORDER #2012-20 "ORDER SETTING TAX RATE FOR THE COUNTY OF JOHNSON FOR THE 2012 TAX YEAR AND DIRECTING THE ASSESSMENT AND COLLECTION THEREOF"

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve [Order #2012-20](#), Order Setting Tax Rate for the County of Johnson for the 2012 Tax Year and Directing the Assessment and Collection Thereof, with the Property Tax Rate being as follows: total M & O rate of .317853, total Debt rate of .015376 and FMLR rate of .049000 for a combined total tax rate of .382229 per \$100.00 assessed valuation.

All voted aye; motion carried.

5. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Bailey, seconded by Comm. Howell, made a motion to [pay bills](#) as presented by the County Auditor.

All voted aye; motion carried.

6. 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.

IX. NEW BUSINESS

3. CONSIDERATION OF REQUEST FROM THE JOHNSON COUNTY MASTER GARDENERS TO USE THE NORTHEAST CORNER OF THE GUINN JUSTICE CENTER COMPLEX FOR A DEMONSTRATION GARDEN

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the request from the Johnson County Master Gardeners to use the northeast corner of the Guinn Justice Center complex for a demonstration garden.

All voted aye; motion carried.

4. DISCUSSION OF NEW PURCHASING PROCEDURES

Discussion. No Action.

2. CONSIDERATION OF **ORDER #2012-22**-TAX ABATEMENT WITH ZAH GROUP, INC.

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve [Order #2012-22](#), Tax Abatement with Zah Group, Inc. for 75% abatement for a period of ten (10) years.

All voted aye; motion carried.

The Commissioner's Court recessed at 10:18 A.M. and reconvened at 10:44 A.M. to consider the following:

6. CONSIDERATION OF DISTRIBUTION OF MOSQUITO LARVACIDE (ALTOSID) DUNKS TO THE MUNICIPALITIES AND UNINCORPORATED AREAS OF JOHNSON COUNTY

Comm. Beeson, seconded by Comm. Stringer, made a motion to [approve the distribution of mosquito larvacide](#) (Altosid) dunks to the municipalities and unincorporated areas of Johnson County and to authorize Jack Snow, Emergency Management Coordinator to distribute the dunks with quantities distributed to be determined by that office.

All voted aye; motion carried.

5. CONSIDERATION OF TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AIR QUALITY DIVISION REVISED LOCAL INITIATIVE PROJECTS FOR FY 2012/2013

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Texas Commission on Environmental Quality](#) Air Quality Division Revised Local Initiative Projects for FY 2012/2013 and to give the County Judge the authorization to sign.

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 THE PROBATION BUILDING

Discussion. No Action.

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

Additional Discussion. No Action.

4. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS, AND CONTRACTS FOR THE ALVARADO SUB-COURTHOUSE BUILDING

- a. [Consideration of AIA Document A201 and Addendum A](#)

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve AIA Document A201 and Addendum A for the Alvarado Sub-Courthouse Building and to give the County Judge the authorization to sign.

All voted aye; motion carried.

b. [Consideration of AIA B101](#)

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve AIA Document B101 for the Alvarado Sub-Courthouse Building and to give the County Judge the authorization to sign.

All voted aye; motion carried.

5. CONSIDERATION OF ORDER #2012-15 – PROHIBITION OF OUTDOOR BURNING

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

All voted aye; motion carried.

6. CONSIDERATION OF ESTIMATE SUMMARY TO TREAT AND SEAL THE WARDVILLE COURTHOUSE

Comm. Bailey, seconded by Comm. Howell, made a motion to [approve the estimate summary to treat and seal the Wardville Courthouse](#) and will be paid for from line item 010-510-5400.

All voted aye; motion carried.

IX. NEW BUSINESS

9. CONSIDERATION OF AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT WITH ICE (IMMIGRATION AND CUSTOMS ENFORCEMENT)

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Amendment of Solicitation/Modification of Contract with ICE](#) (Immigration and Customs Enforcement) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

10. CONSIDERATION OF CONTRACT WITH THE DEPARTMENT OF STATE HEALTH SERVICES FOR CITIES READINESS INITIATIVE – CONTRACT NO. 2013-041417

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the Contract with the Department of State Health Services for Cities Readiness Initiative, [Contract No. 2013-041417](#) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

23. CONSIDERATION OF OFFICIAL BOND AND OATH FOR DAN H. TAYLOR, HAMM CREEK PARK SUPERVISOR

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the [Official Bond and Oath for Dan H. Taylor](#), Hamm Creek Park Supervisor and to give the County Judge the authorization to sign.

All voted aye; motion carried.

VII. PRECEDING BUSINESS

7. CONSIDERATION OF **ORDER #2012-21** "ORDER APPROVING THE JOHNSON COUNTY TREASURER'S REPORT TO THE COMMISSIONER'S COURT"

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve [Order #2012-21](#), Order Approving the Johnson County [Treasurer's Report](#) to the Commissioner's Court.

All voted aye; motion carried.

8. CONSIDERATION OF **RFQ #2012-206** – PAVER PROJECT FOR MARKET SQUARE

Comm. Bailey, seconded by Comm. Beeson, made a motion to [approve RFQ #2012-206, Paver Project for Market Square](#) with Apex Roofing in the amount of \$24,975.00

All voted aye; motion carried.

9. CONSIDERATION OF RFP #2012-100 – PEST CONTROL RENEWAL WITH MID CITIES PEST CONTROL

Comm. Beeson, seconded by Comm. Stringer, made a motion to [approve RFP #2012-100, Pest Control renewal](#) with Mid Cities Pest Control at the same pricing and to authorize Jamie Brockway, Purchasing Agent to ask that they come inside the Courthouse to treat for pests.

All voted aye; motion carried.

10. CONSIDERATION OF RFP #2012-101 – BULK FUEL RENEWAL WITH LAMBERT OIL CO.

Comm. Bailey, seconded by Comm. Howell, made a motion to [approve RFP #2012-101, Bulk Fuel renewal](#) with Lambert Oil Co. at the same pricing.

All voted aye; motion carried.

11. CONSIDERATION OF RFB #2012-102 – CULVERT RENEWAL WITH CONTECH CONSTRUCTION PRODUCTS

Comm. Stringer, seconded by Comm. Beeson, made a motion to [approve RFB #2012-102, Culvert renewal](#) with Contech Construction Products at the same pricing.

All voted aye; motion carried.

12. CONSIDERATION OF RFB #2012-103 – CULVERT LINING RENEWAL WITH K & L SUPPLY

Comm. Stringer, seconded by Comm. Howell, made a motion to [approve RFB #2012-103, Culvert Lining renewal](#) with K & L Supply at the same pricing.

All voted aye; motion carried.

13. CONSIDERATION TO DECLARE MISCELLANEOUS ITEMS FROM THE IT DEPARTMENT AS SURPLUS PURSUANT TO LOCAL GOVERNMENT CODE SECTIONS 263.151 (2)(B) AND 263.152 (a)(1) AND PLACE ON RENE BATES AUCTION FOR SALE

Comm. Stringer, seconded by Comm. Bailey, made a motion to [approve to declare miscellaneous items from the IT Department as surplus](#) pursuant to Local Government Code *Sections 263.151 (2)(B)* and *263.152 (a)(1)* and place on Rene Bates Auction for sale per the attached list.

All voted aye; motion carried.

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Stringer, seconded by Comm. Howell, made a motion to approve to advertise for bids/proposals for RFP for Record Imaging System for the County Clerk's Office.

All voted aye; motion carried.

The Commissioner's Court recessed at 11:58 A.M. and reconvened at 1:23 P.M. to consider the following:

7. CONSIDERATION OF PLANS OF PROPOSED STATE HIGHWAY IMPROVEMENT PROJECT NO. STP 2011 (374) FRS CSJ NO. 0902-50-109 BURLINGTON NORTHERN SANTA FE RAILWAY GRADE CROSSING PREEMPTION PROJECT ON CR 426 NEAR KEENE, JOHNSON COUNTY – DOT NO. 021-859J

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the Plans of Proposed State Highway Improvement Project No. STP 2011 (374) FRS CSJ No. 0902-50-109 Burlington Northern Santa Fe Railway Grade [Crossing Preemption Project on CR 426 near Keene](#), Johnson County, DOT No. 021-859J and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF PLANS OF PROPOSED STATE HIGHWAY IMPROVEMENT PROJECT NO. STP 2011 (174) FRS CSJ NO. 0902-50-110 FORT WORTH AND WESTERN RAILROAD INSTALL GRADE CROSSING ACTIVE WARNING DEVICES ON CR 917 IN CRESSON, JOHNSON COUNTY – DOT NO. 021-585K

Comm. Howell, seconded by Comm. Beeson, made a motion to approve the Plans of Proposed State Highway Improvement Project No. STP 2011 (174) FRS CSJ No. 0902-50-110 Fort Worth and Western Railroad Install [Grade Crossing Active Warning Devices on CR 917 in Cresson](#), Johnson County, DOT No. 021-585K and to give the County Judge the authorization to sign.

All voted aye; motion carried.

11. CONSIDERATION OF THE DEPARTMENT OF THE ARMY LEASE TO NON-STATE GOVERNMENTAL AGENCIES FOR PUBLIC PARK AND RECREATIONAL PURPOSES, HAMM CREEK PARK WHITNEY LAKE, JOHNSON COUNTY, TEXAS – LEASE NO. DACW63-1-12-0519

Comm. Bailey, seconded by Comm. Howell, made a motion to [approve the Department of the Army Lease](#) to Non-State Governmental Agencies for Public Park and Recreational Purposes, Hamm Creek Park Whitney Lake, Johnson County, Texas, Lease No. DACW63-1-12-0519 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

12. CONSIDERATION OF THE COUNTY INVESTMENT OFFICER'S 3rd QUARTER INVESTMENT REPORT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [County Investment Officer's 3rd Quarter Investment Report](#).

All voted aye; motion carried.

13. CONSIDERATION OF MASTER SERVICE AGREEMENT WITH
NORTHSIDE ANIMAL CLINIC FOR VETERINARY SERVICES FOR
JOHNSON COUNTY

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the [Master Service Agreement with Northside Animal Clinic](#) for veterinary services for Johnson County and to give the County Judge the authorization to sign.

All voted aye; motion carried.

14. CONSIDERATION OF MASTER SERVICE AGREEMENT WITH
ALVARADO VETERINARY CLINIC FOR VETERINARY SERVICES FOR
JOHNSON COUNTY

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the [Master Service Agreement with Alvarado Veterinary Clinic](#) for veterinary services with Johnson County and to give the County Judge the authorization to sign.

All voted aye; motion carried.

15. CONSIDERATION OF ADDENDUM TO END USER SERVICE REQUEST
BETWEEN JOHNSON COUNTY, TEXAS AND SHRED-IT, INC. FOR
SHREDDING SERVICES FOR JOHNSON COUNTY

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Addendum to End User Service Request](#) between Johnson County, Texas and Shred-It, Inc. for shredding services for Johnson County and to give the County Judge the authorization to sign.

All voted aye; motion carried.

16. CONSIDERATION OF INTERLOCAL AGREEMENT FOR PARTICIPATION
IN FORT WORTH'S ENVIRONMENTAL COLLECTION CENTER
HOUSEHOLD HAZARDOUS WASTE PROGRAM FY2013

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the [Interlocal Agreement for Participation in Fort Worth's Environmental Collection](#)

Center Household Hazardous Waste Program FY2013, have the County Judge initial Section 7.E.2, and to give the County Judge and County Attorney the authorization to sign.

All voted aye; motion carried.

22. CONSIDERATION OF APPOINTMENTS TO THE JOHNSON COUNTY CHILD WELFARE BOARD:

a. Mrs. Terri Scott, Grandview, Texas

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the appointment of Mrs. Terri Scott, Grandview, Texas to the Johnson County Child Welfare Board.

All voted aye; motion carried.

b. Mrs. Helen Gore, Venus, Texas

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the appointment of Mrs. Helen Gore, Venus, Texas to the Johnson County Child Welfare Board.

All voted aye; motion carried.

24. CONSIDERATION OF JOHNSON COUNTY BIOMETRIC HEALTH SCREENINGS TO BE HELD ON NOVEMBER 13th, 14th, AND 15th, 2012 - PERSONNEL DEPARTMENT

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the [Johnson County Biometric Health Screenings](#) to be held on November 13th, 14th, and 15th, 2012.

All voted aye; motion carried.

25. CONSIDERATION OF TAX ABATEMENT AGREEMENT AND ORDER #2012-23 WITH UNITED ELECTRIC COOPERATIVE SERVICES, INC.

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

All voted aye; motion carried.

17. CONSIDERATION OF NOTICE OF GENERAL ELECTION FOR THE NOVEMBER 6, 2012 ELECTION

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the [Notice of General Election for the November 6, 2012 Election](#) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

18. CONSIDERATION OF VOTING MACHINE LEASE AGREEMENT BETWEEN JOHNSON COUNTY AND THE CITY OF KEENE

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the [Voting Machine Lease Agreement between Johnson County and the City of Keene](#) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

19. CONSIDERATION OF VOTING MACHINE LEASE AGREEMENT BETWEEN JOHNSON COUNTY AND RIO VISTA ISD

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Voting Machine Lease Agreement between Johnson County and Rio Vista ISD](#) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

20. CONSIDERATION OF CHANGES TO ELECTION DAY JUDGES FOR THE NOVEMBER 6, 2012 GENERAL ELECTION

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the [changes to Election Day Judges](#) for the November 6, 2012 General Election.

All voted aye; motion carried.

21. CONSIDERATION OF CHANGES TO THE ELECTION DAY POLLING PLACES FOR THE NOVEMBER 6, 2012 GENERAL ELECTION

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the [changes to the Election Day Polling Places](#) for the November 6, 2012 General Election.

All voted aye; motion carried.

VIII. UNFINISHED BUSINESS

2. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

No Action.

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Stringer, seconded by Comm. Howell, made an amended motion to advertise for bids/proposals for RFP for Land and Vital Records System for the County Clerk's Office. This amended motion was to correct the name of the project for the RFP.

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.

XI. WORKSHOP

The Commissioner's Court convened into Workshop Session at 2:34 P.M. to discuss Courthouse Square Parking.

The Commissioner's Court reconvened into Open Session at 2:49 P.M.

BE IT KNOWN that Commissioner's Court met in Executive Session at 2:50 P.M. in accordance with Government Code *Sec. 551.071*, Consultation with Attorney, Pending Litigation.

The Commissioner's Court reconvened into Open Session at 3:12 P.M. to consider the following:

XII. [EXECUTIVE SESSION](#)

1. Government Code:

a. *Sec. 551.071*-Consultation with Attorney, Pending Litigation.

- (1) Southwestern Bell Damage Claim – SWBT-06-201009-03-0019-BAM

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the Court to offer a settlement in the amount of \$625.23 for Southwestern Bell Damage Claim, SWBT-06-201009-03-0019-BAM.

All voted aye; motion carried.

- (2) Southwestern Bell Damage Claim – SWBT-06-201105-03-0014-BAM

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the Court to offer a settlement in the amount of \$2,106.43 for Southwestern Bell Damage Claim, SWBT-06-201105-03-0014-BAM.

All voted aye; motion carried.

The Commissioner's Court recessed at 3:15 P.M. and reconvened September 25, 2012 at 9:03 A.M.

XI. WORKSHOP

The Commissioner's Court convened into Workshop Session at 9:04 A.M. to discuss Texas Health Resources Regional 10 Healthcare.

The Commissioner's Court reconvened into Open Session at 10:34 A.M.

26. CONSIDERATION OF INDIGENT CARE AFFILIATION AGREEMENT BETWEEN JOHNSON COUNTY AND TEXAS HEALTH HARRIS METHODIST HOSPITAL CLEBURNE

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the [Indigent Care Affiliation Agreement](#) between Johnson County and Texas Health Harris Methodist Hospital Cleburne and to give the County Judge the authorization to sign.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 10:36 A.M.

Submitted by: _____
County Clerk
Becky Williams

Approved by: _____
County Judge
Roger Harmon