

STATE OF TEXAS

October 8, 2012

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 8<sup>th</sup> day of October, 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 9:01 A.M., with all members present, and following the Invocation led by Stephen McCoy, Associate Pastor, Eastern Heights 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 October 4, 2012 at 11:26 A.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. 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

None.

VI. PUBLIC HEARINGS

The Commissioner's Court opened a Public Hearing at 9:22 A.M. to discuss:

1. “IN ACCORDANCE WITH CHAPTER 343 OF THE TEXAS HEALTH & SAFETY CODE, THE PREMISES LOCATED AT **5713 ROBERT CIR., ALVARADO, TX. 76009, JOHNSON COUNTY, TEXAS,** HAS BEEN IDENTIFIED AS A PUBLIC NUISANCE AND **TERESA ANN SPARKS** 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 **5713 Robert Cir., Alvarado, TX 76009, Johnson County, Texas**, has been identified as a [public nuisance and Teresa Ann Sparks](#) has been identified as the person responsible for causing or maintaining a public nuisance on the premises. This is the third time this case has been before the Court. The first time was for an above ground swimming pool that had been overgrown with grass, weeds and debris and Precinct #3 had to fill in the pool. The second time the property was abated. Ms. Sparks hired an individual who cleaned the property but Ms. Sparks did not pay him. Ms. Sparks currently lives in Knoxville, TN and would not receive the 1<sup>st</sup> class or registered letters Det. Shaw sent to her for this incident. Det. Shaw contacted the Knoxville Police Department and they hand delivered the nuisance letter to Ms. Sparks and Det. Shaw received confirmation that she did receive the letter. The property was visited by Det. Shaw on September 27, 2012 and it had not been cleaned up so he presented it to Commissioner's Court today. The hearing was closed at 9:25 A.M.

## VII. PRECEDING BUSINESS

1. CONSIDERATION OF **ORDER #2012-24-ORDER ABATING NUISANCE AT 5713 ROBERT CIR., ALVARADO, TX. 76009, JOHNSON COUNTY, TEXAS**

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve [Order #2012-24](#), Order Abating Nuisance at **5713 Robert Cir., Alvarado, TX 76009, Johnson County, Texas**.

All voted aye; motion carried.

2. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Bailey, 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.

VIII. UNFINISHED BUSINESS

2. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

Discussion. No Action.

IX. NEW BUSINESS

15. CONSIDERATION OF ASTRO 25 PUBLIC SAFETY NETWORK COMMUNICATIONS SYSTEM 4<sup>th</sup> SITE ADDITION QUOTE, FISHERMAN'S PARADISE LOCATION FROM MOTOROLA SOLUTIONS

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

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

Motion carried.

9. CONSIDERATION OF MEMBER SERVICE MAINTENANCE AND LICENSE AGREEMENT WITH SHRED-IT FOR SHREDDING SERVICES-TAX OFFICE

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the [Member Service Maintenance and License Agreement with Shred-It](#) for shredding services for the Tax Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

10. CONSIDERATION OF AMENDMENT ONE [LEASE OF STATE OF TEXAS REGISTRATION AND TITLE SYSTEM (RTS) INFORMATION RESOURCES AND SUPPORT] TO AGREEMENT FOR THE USE OF STATE OF TEXAS AUTOMATION EQUIPMENT AND EXHIBIT "A" TO AMENDMENT ONE STATE OF TEXAS, COUNTY OF JOHNSON-TAX OFFICE

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve [Amendment One](#) [Lease of State of Texas Registration and Title System (RTS) Information Resources and Support] to Agreement for the Use of State of Texas Automation Equipment and Exhibit "A" to Amendment One State of Texas, County of Johnson for the Tax Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

4. CONSIDERATION OF SEALED BID AND RESOLUTION FOR STRUCK OFF PROPERTY WITHIN JOHNSON COUNTY, TEXAS - LOT 4, BLOCK 80, ORIGINAL TOWN OF ALVARADO, 126-2431-13980

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the [sealed bid and Resolution for Struck Off Property](#) within Johnson County, Texas, Lot 4, Block 80, Original Town of Alvarado, 126-2431-13980.

All voted aye; motion carried.

5. CONSIDERATION TO SPEND TECH FUND MONIES FOR TWO (2) iPADS – JUSTICE OF THE PEACE, PRECINCT #3

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve to spend Tech Fund monies for [two \(2\) iPads for Justice of the Peace, Precinct #3](#).

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

Discussion. No Action.

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

Discussion. No Action.

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

Additional Discussion. No Action.

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

Additional Discussion. No Action.

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

Additional Discussion. No Action.

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

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve to rescind **Order #2012-15**, Prohibition of Outdoor Burning, effective immediately.

All voted aye; motion carried.

The Commissioner's Court recessed at 10:45 A.M. and reconvened at 11:10 A.M. to consider the following:

6. CONSIDERATION TO APPROVE THE SURVEY OF THE PROPOSED RIGHT-OF-WAY TO RE-ALIGN CR 1123 BEGINNING ON THE NORTH SIDE OF US 67 DIRECTLY ACROSS US 67 FROM WHERE FM 1434 INTERSECTS WITH THE SOUTH SIDE OF US 67 AND CONTINUING IN A NORTHERLY DIRECTION APPROXIMATELY 0.4 MILES IN LENGTH PER THE AGREEMENT FOR ACCESS TO SURVEY AND AGREEMENT TO EXECUTE A GRANT OF EASEMENT BETWEEN JOHNSON COUNTY AND LY PROPERTY INVESTMENTS, L.P. APPROVED ON NOVEMBER 28, 2011.

Pass.

#### XI. WORKSHOP

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

The Commissioner's Court reconvened into Open Session at 11:42 A.M.

#### VIII. UNFINISHED BUSINESS

6. CONSIDERATION TO APPROVE THE SURVEY OF THE PROPOSED RIGHT-OF-WAY TO RE-ALIGN CR 1123 BEGINNING ON THE NORTH SIDE OF US 67 DIRECTLY ACROSS US 67 FROM WHERE FM 1434 INTERSECTS WITH THE SOUTH SIDE OF US 67 AND CONTINUING IN A NORTHERLY DIRECTION APPROXIMATELY 0.4 MILES IN LENGTH PER THE AGREEMENT FOR ACCESS TO SURVEY AND AGREEMENT TO EXECUTE A GRANT OF EASEMENT BETWEEN JOHNSON COUNTY AND LY PROPERTY INVESTMENTS, L.P. APPROVED ON NOVEMBER 28, 2011.

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

All voted aye; motion carried.

#### IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve to advertise for bids/proposals for the purchase of a wood chipper from Buy Board for Precinct #4.

All voted aye; motion carried.

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

- a. Road & Bridge, Precinct #2-Revenue \$12,431.00

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.0106* for Road & Bridge, Precinct #2 to transfer funds to line item 016-613-5534 to cover road repair costs in the amount of \$12,431.00.

All voted aye; motion carried.

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

- a. Justice of the Peace, Precinct #1 Technology Fund-Equipment Non-Capital \$2,166.00  
b. District Attorney Forfeiture Fund-Transfer to Fund 5700-\$8,060.88  
c. Road & Bridge, Precinct #1-Transfer to Fund 5700-\$100,000.00  
d. Road & Bridge, Precinct #4-Transfer to Fund 5700-\$100,000.00  
e. Road & Bridge, Precinct #2-Transfer from Fund 4800 \$200,000.00

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve FY 2012 Budget Amendment pursuant to the Local Government Code *Section 111.010* for Justice of the Peace, Precinct #1 Technology Fund, Equipment Non-Capital to purchase 2 iPads approved in Commissioner's Court on September 10, 2012 in the amount of \$2,166.00; District Attorney Forfeiture Fund, Transfer to Fund 5700, to transfer to General Fund as requested by Dale Hanna per Budget Workshops for the FY 2012 budget in the amount of \$8,060.88; Road & Bridge, Precinct #1, Transfer to Fund 5700, to transfer to Road & Bridge, Precinct #2 as discussed during budget process in the amount of \$100,000.00; Road & Bridge, Precinct #4, Transfer to Fund 5700, to transfer to Road & Bridge, Precinct #2 as discussed during budget process in the amount of \$100,000.00 and Road & Bridge, Precinct #2, Transfer from Fund 4800, to transfer to Road & Bridge, Precinct #2 from Road & Bridge, Precinct #1 (\$100,000) and Road & Bridge, Precinct #4 (\$100,000) as discussed during budget process for the total amount of \$200,000.00.

All voted aye; motion carried.

7. CONSIDERATION OF GRANT OF PERMANENT EASEMENT OF RIGHT OF WAY WITH STATESIDE RIGHT OF WAY SERVICES AS DESCRIBED IN EXHIBIT "A"

Comm. Howell, seconded by Comm. Bailey, made a motion to approve the [Grant of Permanent Easement of Right of Way](#) with Stateside Right of Way Services as described in Exhibit "A" and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF MEMBER SERVICE MAINTENANCE AND LICENSE AGREEMENT WITH SHRED-IT FOR SHREDDING SERVICES-JAIL



Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Member Service Maintenance and License Agreement with Shred-It](#) for shredding services for the Jail and to give the County Judge the authorization to sign.

All voted aye; motion carried.

11. ACKNOWLEDGEMENT OF AMENDMENT TO ICE CONTRACT-P00023

The Commissioner's Court acknowledged the [Amendment to ICE Contract, P00023](#).

12. CONSIDERATION OF COMMISSIONER'S COURT APPROVAL AND INTERLOCAL AGREEMENT WITH THE CITY OF GODLEY FOR ROAD REPAIR OF CR 1001/RAILROAD STREET IN GODLEY, TEXAS-PRECINCT #1

Comm. Bailey, seconded by Comm. Howell, made a motion to approve [Commissioner's Court Approval](#) and [Interlocal Agreement with the City of Godley](#) for Road Repair of CR 1001/Railroad Street in Godley, Texas in Precinct #1.

All voted aye; motion carried.

13. CONSIDERATION OF JOHNSON COUNTY RESOLUTION FOR COUNTY ESSENTIALS GRANT

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve Johnson County Resolution for County Essentials Grant and to give the County Judge the authorization to sign.

All voted aye; motion carried.

14. CONSIDERATION OF CONTRACT #2013-042107-001 WITH THE DEPARTMENT OF STATE HEALTH SERVICES FOR DSHS PROGRAM VITAL STATISTICS UNIT – COUNTY CLERK

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve [Contract #2013-042107-001](#) with the Department of State Health Service for DSHS Program Vital Statistics Unit for the County Clerk and to give the County Judge the authorization to sign.

All voted aye; motion carried.

16. CONSIDERATION OF CONTRACT FOR SAGENTIC LLC TO PERFORM SERVICES FOR JOHNSON COUNTY, TEXAS 2012-2013 ANNUAL WEB DESIGN/SEO CONTRACT-IT DEPARTMENT

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the [Contract for Sagenti LLC](#) to perform services for Johnson County, Texas 2012-2013 Annual Web Design/SEO Contract for the IT Department and to give the County Judge the authorization to sign.

All voted aye; motion carried.

17. CONSIDERATION OF CONTINUATION CERTIFICATE FOR:

a. [Sean Blanks, Deputy Constable, Precinct #2](#)

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the Continuation Certificate for Sean Blanks, Deputy Constable, Precinct #2.

All voted aye; motion carried.

b. [Robert Herod, Deputy Constable, Precinct #3](#)

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Continuation Certificate for Robert Herod, Deputy Constable, Precinct #3.

All voted aye; motion carried.

X. CONSENT AGENDA

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

All voted aye; motion carried.

The Commissioner's Court recessed at 12:00 A.M. and reconvened at 1:20 P.M. to consider the following:

XI. WORKSHOP

The Commissioner's Court convened into Workshop Session at 1:20 P.M. to discuss Log Cabin Village Subdivision Platting Requirements and Preliminary Flood Damage Prevention Rules.

The Commissioner's Court reconvened into Open Session at 2:23 P.M.

IX. NEW BUSINESS

6. CONSIDERATION OF TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM 1115 DEMONSTRATION WAIVER PROGRAM CERTIFICATION OF GOVERNMENTAL ENTITY PARTICIPATION

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Texas Healthcare Transformation and Quality Improvement Program 1115 Demonstration Waiver Program Certification of Governmental Entity Participation](#) and to give the County Judge the authorization to sign.

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

There being no further business before the Court concerning this agenda, Commissioner's  
Court adjourned at 2:32 P.M.

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

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