

STATE OF TEXAS

November 13, 2012

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 13th day of November, 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 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 November 8, 2012 at 12:02 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

Judge Harmon announced that there will be a Special Called Commissioner's Court Meeting on Friday, November 16, 2012 to canvass the votes from the last election.

1. ANNOUNCEMENT: DUE TO THE THANKSGIVING HOLIDAYS, THE DEADLINE TO SUBMIT ITEMS FOR THE MONDAY, NOVEMBER 26, 2012 COMMISSIONER'S COURT AGENDA IS FRIDAY, NOVEMBER 16, 2012 AT NOON

Judge Harmon announced due to the Thanksgiving Holidays, the deadline to submit items for the Monday, November 26, 2012 Commissioner's Court Agenda is Friday, November 16, 2012 at noon.

2. PRESENTATION OF PROCLAMATION FOR "HOME CARE & HOSPICE MONTH"

Commissioner's Court proclaimed the month of November, 2012 as "[Home Care & Hospice Month](#)".

V. [PUBLIC PARTICIPATION](#)

Scott Cain, Mayor for the City of Cleburne, spoke in regards to Market Square. Mr. Cain thanked the Court for their efforts in revitalizing Market Square. He said the City of Cleburne contributed to those efforts by completing the sidewalks for Market Square. Mayor Cain felt certain that the City of Cleburne would be willing to help to get this project "across the finish line" and completed, although this hadn't been brought before the Cleburne City Council yet. Mayor Cain said he thought the City wanted to assist in protecting the heritage and history of Market Square and to also use it as a springboard to revitalize the beautiful historic downtown area and to bring more people back to downtown Cleburne.

VI. [PUBLIC HEARINGS](#)

The Commissioner's Court opened a Public Hearing at 9:20 A.M. to discuss:

1. "PROPOSED DESIGNATION OF A JOHNSON COUNTY REINVESTMENT ZONE. BEING A TRACT OF LAND SITUATED IN JOHNSON COUNTY, TEXAS AND BEING LOT 5R-1, BLOCK 1, DAVOIL CLEBURNE ADDITION AS RECORDED IN VOLUME 10, PAGE 434, SLIDE 0-25 OF THE PLAT RECORDS OF JOHNSON COUNTY, TEXAS"

Commissioner Bailey spoke in support of the proposed designation of a Johnson County Reinvestment Zone, being a tract of land situated in Johnson County, Texas and being Lot 5R-1, Block 1, Davoil Cleburne Addition as recorded in Volume 10, Page 434, Slide 0-25 of the Plat Records of Johnson County, Texas. Comm. Bailey thought it would be a good addition to Johnson County. Dianna Miller, Executive Director of Johnson County Economic Development Commission said she thought this would be good for jobs for Johnson County. The hearing was closed at 9:24 A.M.

VII. PRECEDING BUSINESS

1. CONSIDERATION OF ORDER #2012-27- “DESIGNATION OF JOHNSON COUNTY REINVESTMENT ZONE”

Comm. Bailey, seconded by Comm. Howell, made a motion to approve [Order #2012-27](#), “Designation of Johnson County Reinvestment Zone”.

All voted aye; motion carried.

2. CONSIDERATION OF TAX ABATEMENT AGREEMENT WITH LEECO STEEL LLC

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the [Tax Abatement Agreement with Leeco Steel LLC](#), correcting the percentage amount in parentheses on page 2, Section 4 from 40% to 35% and to give the County Judge the authorization to sign.

All voted aye; motion carried.

IX. NEW BUSINESS

20. CONSIDERATION OF INDIGENT CARE AFFILIATION AGREEMENT BETWEEN JOHNSON COUNTY AND TEXAS HEALTH HUGULEY, INC. d/b/a HUGULEY MEMORIAL MEDICAL CENTER

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the [Indigent Care Affiliation Agreement](#) between Johnson County and Texas Health Huguley, Inc. d/b/a Huguley Memorial Medical Center 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.

VII. PRECEDING BUSINESS

3. CONSIDERATION OF MINUTES OF THE COMMISSIONER’S COURT:

- a. September 24, 2012 – Regular Session
- b. October 8, 2012 – Regular Session

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Commissioner’s Court Minutes for September 24, 2012, and October 8, 2012.

All voted aye; motion carried.

4. 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.

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.

VIII. UNFINISHED BUSINESS

2. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

Discussion. No Action.

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 RFP for rental equipment to assist with projects for the precincts and to obtain a quote for a used vehicle to replace a wrecked vehicle for the Sheriff’s Office and is to be purchased with insurance money.

All voted aye; motion carried.

2. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE SECTION 111.0106 for:

- a. Personnel-JOCO Wellness Program \$710.00

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.0106* for Personnel, JOCO Wellness Program for additional MLR check in the amount of \$710.00.

All voted aye; motion carried.

3. CONSIDERATION OF FY 2012 BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE SECTION 111.010 for:

- a. General Debt Service-P&I Certificate of Obligation 2004 Jail 5040 \$1,110.00, P&I Certificate of Obligation 2004 A C/H 5050 \$2,565,488.00, P&I Certificate of Obligation REF 2010 5052 \$1,000.00 – Total \$2,567,598.00
- b. Equipment Interest & Sinking-Transfer to 5700-\$1,110.00

Comm. Beeson, seconded by Comm. Howell, made a motion to approve **FY 2012** Budget Amendment pursuant to the Local Government Code *Section 111.010* for General Debt Service, P&I Certificate of Obligation 2004 Jail 5040 for annual payment for FY 2012 in the amount of \$1,110.00, P&I Certificate of Obligation 2004 A C/H 5050 for annual payment for FY 2012 in the amount of \$2,565,488.00, P&I Certificate of Obligation REF 2010 5052 for annual payment in the amount of \$1,000.00 for a total amount of \$2,567,598.00; and Equipment Interest & Sinking, Transfer to 5700 to transfer to Fund 080 to fund refinance of FY 2012 in the amount of \$1,110.00.

All voted aye; motion carried.

4. CONSIDERATION OF FY 2013 BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE SECTION 111.010 for:

- a. Right of Way Fund-Fees & Services \$10,000.00
- b. Jury Fund-Equipment Non-Capital \$1,313.00

Comm. Howell, seconded by Comm. Beeson, made a motion to approve **FY 2013** Budget Amendment pursuant to the Local Government Code *Section 111.010* for Right of Way Fund, Fees & Services to create a budget and pay for survey for Proposed ROW to re-align CR 1123 approved in Commissioner's Court on October 22, 2012 in the amount of \$10,000.00; and Jury Fund, Equipment Non-Capital to purchase replacement workstation for Jury Administration in the amount of \$1,313.00.

All voted aye; motion carried.

Commissioner Beeson exited the meeting at 9:48 A.M.

5. CONSIDERATION OF INTERIM PLAN TO ENSURE JUDICIAL READINESS IN TIMES OF EMERGENCY AND MEMORANDUM OF UNDERSTANDING BETWEEN JOHNSON COUNTY AND THE SUPREME COURT OF TEXAS FOR SUPPORT OF CONTINUITY OF COURT OPERATIONS IN THE EVENT OF AN EMERGENCY

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Interim Plan to Ensure Judicial Readiness](#) in Times of Emergency and Memorandum of Understanding between Johnson County and the Supreme Court of Texas for Support of Continuity of Court Operations in the Event of an Emergency and to give the County Judge the authorization to sign.

All voted aye; motion carried.

Commissioner Beeson returned to the meeting at 9:50 A.M.

6. CONSIDERATION OF FY 2012 CHAPTER 59 ASSET FORFEITURE REPORT-DISTRICT ATTORNEY'S OFFICE

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the [FY 2012 Chapter 59 Asset Forfeiture Report](#) for the District Attorney's Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

7. CONSIDERATION OF ACH ORIGINATION AGREEMENT WITH FIRST FINANCIAL BANK-TAX OFFICE

Comm. Beeson, seconded by Comm. Howell, made a motion to approve the [ACH Origination Agreement with First Financial Bank](#) for the Tax Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF PAYMENT CARD INDUSTRY (PCI) DATA SECURITY STANDARD SELF-ASSESSMENT QUESTIONNAIRE A AND ATTESTATION OF COMPLIANCE-TAX OFFICE

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the [Payment Card Industry \(PCI\) Data Security Standard Self-Assessment Questionnaire A](#) and Attestation of Compliance for the Tax Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

9. CONSIDERATION OF AWARD PAYMENT FROM THE BUREAU OF JUSTICE ASSISTANCE (BJA) FOR THE 2012 SCAAP (STATE CRIMINAL ALIEN ASSISTANCE PROGRAM) IN THE AMOUNT OF \$36,367.00

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the [Award Payment from the Bureau of Justice Assistance \(BJA\) for the 2012 SCAAP](#) (State Criminal Alien Assistance Program) in the amount of \$36,367.00.

All voted aye; motion carried.

10. CONSIDERATION OF AGREEMENT AND JOHNSON COUNTY CONTRACT TERMS ADDENDUM TO AGREEMENT BETWEEN JOHNSON COUNTY AND THYSSENKRUPP ELEVATOR CORPORATION-PURCHASING

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the [Agreement and Johnson County Contract Terms Addendum](#) to Agreement between Johnson County and Thyssenkrupp Elevator Corporation and to give the County Judge the authorization to sign.

All voted aye; motion carried.

11. CONSIDERATION OF SUBSCRIPTION PLAN AMENDMENT FOR PATRON ACCESS (WRITTEN CONSENT) WITH LEXIS NEXIS FOR THE LAW LIBRARY-PURCHASING

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the Subscription Plan Amendment for Patron Access (Written Consent) with [Lexis Nexis for the Law Library](#) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

The Commissioner's Court recessed at 9:56 A.M. and reconvened at 10:16 A.M. to consider the following:

12. CONSIDERATION OF B&W MAINTENANCE CONTRACT WITH LASER TECH SOLUTIONS FOR RENEWAL OF MAINTENANCE FOR COPIERS IN VARIOUS OFFICES-PURCHASING

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the [B&W Maintenance Contract with Laser Tech Solutions](#) for renewal of maintenance for copiers in various offices and to give the County Judge the authorization to sign all contracts.

All voted aye; motion carried.

13. CONSIDERATION OF MEMBERSHIP FOR DAN MILAM, IT DIRECTOR, TO THE TEXAS ASSOCIATION OF GOVERNMENTAL INFORMATION TECHNOLOGY MANAGERS (TAGITM) WITH ANNUAL DUES IN THE AMOUNT OF \$100.00

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the membership for Dan Milam, IT Director, to the Texas Association of Governmental Information Technology Managers (TAGITM) with annual dues in the amount of \$100.00.

All voted aye; motion carried.

14. CONSIDERATION OF OFFICIAL BOND & OATH FOR JUSTIN RAY POWELL, HAMM CREEK PARK PERSONNEL

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Official Bond & Oath for Justin Ray Powell](#), Hamm Creek Park Personnel and to give the County Judge the authorization to sign.

All voted aye; motion carried.

15. CONSIDERATION OF CONTINUATION CERTIFICATE FOR PAMELA A. HOLLAND, DEPUTY CONSTABLE, PRECINCT #2

Comm. Howell, seconded by Comm. Beeson, made a motion to approve the [Continuation Certificate for Pamela A. Holland](#), Deputy Constable in Precinct #2.

All voted aye; motion carried.

16. CONSIDERATION OF PROPOSAL FOR THE 4th RADIO TOWER LOCATED AT FISHERMAN'S PARADISE

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the [Proposal for the 4th Radio Tower](#) located at Fisherman's Paradise, in the amount of \$587,093.00 to be paid out of the General Fund, contingent on County Attorney, Bill Moore obtaining a successful contract with Mr. Dyche for the property and to give the County Judge the authorization to sign.

All voted aye; motion carried.

19. CONSIDERATION OF ACCEPTANCE OF THE COUNTY ESSENTIALS GRANT

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the acceptance of the [County Essentials Grant](#).

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

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.

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

Additional Discussion. No Action.

XI. WORKSHOP

The Commissioner's Court convened into Workshop Session at 10:51 A.M. to discuss Johnson County Procurement Credit Card Policy and Procedures and Radio System Maintenance Fees and Charges to Local Governments for Radio System.

The Commissioner's Court reconvened into Open Session at 12:25 P.M.

IX. NEW BUSINESS

17. CONSIDERATION OF CHARGES FOR MAINTENANCE OF NEW RADIO SYSTEM

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

All voted aye; motion carried.

18. CONSIDERATION OF CHARGES TO LOCAL GOVERNMENTS FOR RADIO SYSTEM

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the charges to local governments for radio system of \$11.90 per user, per month for entities located in Johnson County and an out-of-county fee of \$25.00 per user, per month for entities outside Johnson County.

All voted aye; motion carried.

The Commissioner's Court recessed at 12:34 P.M. and reconvened at 2:14 P.M.

XI. WORKSHOP

The Commissioner's Court convened into Workshop Session at 2:14 P.M. to discuss Risk Pool Insurance for Law Enforcement and Public Officials, Historical Courthouse 100th Birthday Celebration Committee and Rules and Fees for Use of Market Square.

The Commissioner's Court reconvened into Open Session at 2:53 P.M.

VIII. UNFINISHED BUSINESS

2. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve to move an additional \$29,000.00 from General Fund into the [Market Square budget](#) to be used to complete the stonework and miscellaneous items.

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 3:19 P.M.

Submitted by: _____
County Clerk
Becky Williams

Approved by: _____
County Judge
Roger Harmon