

STATE OF TEXAS

November 26, 2012

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 26<sup>th</sup> 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 9:02 A.M., with all members present, and following the Invocation led by Ronald Fagan, 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 20, 2012 at 1:18 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF PLAQUES TO RETIRING JOHNSON COUNTY EMPLOYEES

Commissioner's Court and Sheriff Bob Alford presented plaques to retiring Johnson County Sheriff's Office employees Jimmy Johnson and Robert Bates.

2. PRESENTATION OF HOPE CLINIC UPDATE

A presentation of the Hope Clinic Update was given to the Commissioner's Court by Dr. Torres.

4. PRESENTATION OF TEXAS A&M AGRILIFE EXTENSION SERVICES UPDATE

A presentation of the Texas A&M Agrilife Extension Services Update was given to the Commissioner's Court by Donald Kelm, District 8 Administrator for Texas A&M Agrilife Extension Service.

3. PRESENTATION OF JOHNSON COUNTY VETERAN'S SERVICES UPDATE

A presentation of the Johnson County [Veteran's Services Update](#) was given to the Commissioner's Court by Kathryn Fasci, Veteran's Services Director.

V. PUBLIC PARTICIPATION

None.

VI. PUBLIC HEARINGS

The Commissioner's Court opened a [Public Hearing](#) at 10:07 A.M. to discuss:

1. "DESIGNATING 1100 FEET OF CR 109, EAST OF FM 1807 AS A SCHOOL CROSSING ZONE (REDUCED SPEED ZONE) AND DETERMINING THE SPEED LIMIT AND THE TIME DURING WHICH THE SPEED LIMIT WILL APPLY IN THE SCHOOL CROSSING ZONE IN JOHNSON COUNTY, TEXAS-PRECINCT #4"

Commissioner Beeson spoke in support of designating 1100 feet of CR 109, east of FM 1807 as a school crossing zone (reduced speed zone) and determining the speed limit and the time during which the speed limit will apply in the school crossing zone in Johnson County, Texas, Precinct #4. Commissioner Beeson had two suggestions, make it a school zone and determine the hours for the reduced speed or make it a 30 MPH zone all the time. Bill Moore, County Attorney, suggested making it a 30 MPH zone all the time. There being no one else to speak, the hearing was closed at 10:12 A.M.

The Commissioner's Court opened a [Public Hearing](#) at 10:12 A.M. to discuss:

2. “ADOPTING THE REVISED JOHNSON COUNTY FLOOD DAMAGE PREVENTION ORDER OF 2012 AND ADOPTION OF FLOOD INSURANCE RATE MAPS REVISION EFFECTIVE DECEMBER 4, 2012 (FIRM) FOR JOHNSON COUNTY, TEXAS AND ADOPTION OF THE THIRD REVISED COUNTYWIDE FLOOD INSURANCE STUDY (FIS) FOR JOHNSON COUNTY, TEXAS AND INCORPORATED AREAS EFFECTIVE DECEMBER 4, 2012, NUMBER 48251CV000A”

Erik Dumas, Public Works Director, spoke in favor of adopting the Revised Johnson County Flood Damage Prevention Order of 2012 and adoption of Flood Insurance Rate Maps Revision effective December 4, 2012 (FIRM) for Johnson County, Texas and adoption of the Third Revised Countywide Flood Insurance Study (FIS) for Johnson County, Texas and Incorporated areas effective December 4, 2012, number 48251CV000A. There being no one else to speak, the hearing was closed at 10:14 A.M.

The Commissioner's Court recessed at 10:14 A.M. and reconvened at 10:25 A.M. to consider the following:

VII. PRECEDING BUSINESS

1. CONSIDERATION OF **ORDER #2012-28**- “DESIGNATING 1100 FEET OF CR 109, EAST OF FM 1807 AS A SCHOOL CROSSING ZONE (REDUCED SPEED ZONE) AND DETERMINING THE SPEED LIMIT AND THE TIME DURING WHICH THE SPEED LIMIT WILL APPLY IN THE SCHOOL CROSSING ZONE IN JOHNSON COUNTY, TEXAS-PRECINCT #4”

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve [Order #2012-28](#), Designating 1100 Feet of CR 109, East of FM 1807 as a Reduced Speed Zone with a speed limit of 30 MPH at all times in Johnson County, Texas, Precinct #4.

All voted aye; motion carried.

2. CONSIDERATION OF **ORDER #2012-29**- “APPROVING AND ADOPTING THE REVISED JOHNSON COUNTY FLOOD DAMAGE PREVENTION ORDER OF 2012 AND DIGITAL FLOOD INSURANCE RATE MAPS REVISION EFFECTIVE DECEMBER 4, 2012 (FIRM) AND THE THIRD REVISED COUNTYWIDE FLOOD INSURANCE STUDY (FIS) FOR JOHNSON COUNTY, TEXAS AND INCORPORATED AREAS EFFECTIVE DECEMBER 4, 2012, NUMBER 48251CV000A”

Comm. Bailey, seconded by Comm. Howell, made a motion to approve **Order #2012-29**, “Approving and Adopting the Revised Johnson County Flood Damage Prevention Order of 2012 and Digital Flood Insurance Rate Maps Revision Effective December 4, 2012 (FIRM) and the Third Revised Countywide Flood Insurance Study (FIS) for Johnson County, Texas and Incorporated Areas Effective December 4, 2012, Number 48251CV000A”.

All voted aye; motion carried.

3. CONSIDERATION OF REQUEST TO PAY BILLS

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

All voted aye; motion carried.

2. CONSIDERATION OF **ORDER #2012-29**- “APPROVING AND ADOPTING THE REVISED JOHNSON COUNTY FLOOD DAMAGE PREVENTION ORDER OF 2012 AND DIGITAL FLOOD INSURANCE RATE MAPS REVISION EFFECTIVE DECEMBER 4, 2012 (FIRM) AND THE THIRD REVISED COUNTYWIDE FLOOD INSURANCE STUDY (FIS) FOR JOHNSON COUNTY, TEXAS AND INCORPORATED AREAS EFFECTIVE DECEMBER 4, 2012, NUMBER 48251CV000A”

Comm. Bailey, seconded by Comm. Howell, made an amended motion to approve [Order #2012-29](#), “Approving and Adopting the Revised Johnson County Flood Damage Prevention Order of 2012 and [Digital Flood Insurance Rate Maps](#) Revision Effective December 4, 2012 (FIRM) and the Third Revised [Countywide Flood Insurance Study](#) (FIS) for Johnson County, Texas and Incorporated Areas Effective December 4, 2012, Number 48251CV000A” and to give the County Judge the authorization to sign.

All voted aye; motion carried.

4. 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.

5. CONSIDERATION OF **ORDER #2012-30**-“APPROVING THE JOHNSON COUNTY TREASURER’S REPORT TO THE COMMISSIONER’S COURT”

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve [Order #2012-30](#), “Approving the Johnson County [Treasurer’s Report](#) to the Commissioner’s Court”.

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.

2. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

Pass.

#### 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 to place a used pick up from Precinct #1 on Rene Bates Auction for sale.

All voted aye; motion carried.

2. CONSIDERATION OF **FY 2013** BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE [SECTION 111.010](#) for:
  - a. County Projects Fund-Personnel Salaries \$5,000.00, FICA \$310.00, MCARE \$100.00, Retirement \$500.00, Fees & Services \$10,000.00, Equipment Lease \$10,000.00 – Total \$25,910.00
  - b. Market Square Project-Transfer from 4800 \$34,000.00
  - c. General Fund, Non-Departmental-Transfer to 5700 \$34,000.00
  - d. Courthouse Security Fund-Equipment Non-Capital 5320 \$10,000.00
  - e. Market Square Project-Property Improvement 5540 \$34,000.00

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve **FY 2013** Budget Amendment pursuant to the Local Government Code *Section 111.010* for County Projects Fund, Personnel Salaries in the amount of \$5,000.00, FICA in the amount of \$310.00, MCARE in the amount of \$100.00, Retirement in the amount of \$500.00, Fees & Services in the amount of \$10,000.00, Equipment Lease in the amount of \$10,000.00 to create budget for the total amount of \$25,910.00 and Courthouse Security Fund, Equipment Non-Capital 5320 in the amount of \$10,000.00 to create budget for unexpected purchases. Items (b), (c) and (e) were not approved.

All voted aye; motion carried.

3. CONSIDERATION OF EXPENSES PAID FROM COUNTY PROJECT FUND FOR WORK PERFORMED AT THE MARKET SQUARE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve of [expenses paid from County Project Fund](#) for work performed at the Market Square.

All voted aye; motion carried.

4. CONSIDERATION OF THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENT'S CRIMINAL JUSTICE POLICY DEVELOPMENT COMMITTEE APPOINTMENT

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve Commissioner Jerry Stringer as the North Central Texas Council of Government's Criminal Justice Policy Development Committee Appointment.

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

Motion carried.

5. CONSIDERATION OF FY 2012 CHAPTER 59 ASSET FORFEITURE REPORT BY LAW ENFORCEMENT AGENCY-JOHNSON COUNTY SHERIFF

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the [FY 2012 Chapter 59 Asset Forfeiture Report](#) by Law Enforcement Agency for the Johnson County Sheriff's Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

6. CONSIDERATION OF FY 2012 CHAPTER 59 ASSET FORFEITURE REPORT BY LAW ENFORCEMENT AGENCY-S.T.O.P. SPECIAL CRIMES UNIT

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the [FY 2012 Chapter 59 Asset Forfeiture Report](#) by Law Enforcement Agency for S.T.O.P. Special Crimes Unit and to give the County Judge the authorization to sign.

All voted aye; motion carried.

7. CONSIDERATION OF QUARTERLY INVESTMENT REPORT-AUDITOR'S OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Quarterly Investment Report](#) for the Auditor's Office.

All voted aye; motion carried.

8. CONSIDERATION TO DECLARE MISCELLANEOUS ITEMS AS SURPLUS AND AUTHORIZATION TO PLACE ON RENE BATES AUCTION FOR SALE

Comm. Howell, seconded by Comm. Stringer, made a motion to approve to declare miscellaneous items as surplus and authorization to place on Rene Bates Auction for sale per the [attached list](#).

All voted aye; motion carried.

9. ACKNOWLEDGEMENT OF ICE AMENDMENT/MODIFICATION NUMBER P00025

Commissioner's Court acknowledged [ICE Amendment/Modification Number P00025](#).



10. CONSIDERATION OF APPOINTMENT OF JEREMY VRBA OF CLEBURNE, TEXAS TO THE JOHNSON COUNTY HISTORICAL COMMISSION

Comm. Beeson, seconded by Comm. Howell, made a motion to approve the [appointment of Jeremy Vrba](#) of Cleburne, Texas to the Johnson County Historical Commission.

All voted aye; motion carried.

11. CONSIDERATION OF PAYMENT GUIDELINES FOR THE ONE TIME COST OF LIVING PAYMENT TO JOHNSON COUNTY EMPLOYEES

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve payment guidelines for the One Time Cost of Living Payment to Johnson County employees for all full time employees, including elected officials, who have completed their six month probationary period and have an active status the day of payment.

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

Motion carried.

12. CONSIDERATION OF RESOLUTION FOR THE 2013 INDIGENT DEFENSE GRANT PROGRAM

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the [Resolution for the 2013 Indigent Defense Grant Program](#) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

X. CONSENT AGENDA

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

All voted aye; motion carried.

**BE IT KNOWN** that Commissioner's Court met in Executive Session at 11:00 A.M. in accordance with Government Code *Sec. 551.074*, Personnel Matters, Veterans, Kathryn Fasci, Veteran Service Officer, Position A67-001 and *Sec. 551.074*, Personnel Matters, Sheriff's Office, Jimmy Johnson, Chief Deputy, Position A07-001, (Proposed Change to Jail Lieutenant, Position A07-001), Mike Powell, Chief Deputy, Position A07-002, Mike Gilbert, Captain, Position A05-001, Troy Fuller, Captain, Position A05-002, Michael Gaudet, Lieutenant, Position B09-001 and Timothy Jones, Lieutenant, Position B09-002.

The Commissioner's Court reconvened into Open Session at 11:43 P.M. to consider the following:

**XII. EXECUTIVE SESSION**

1. Government Code:

(1) *Sec. 551.074*-Personnel Matters – Veterans

(1) Kathryn Fasci-Veteran Service Officer - Position A67-001

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve to change the title of Position A67-001 from Veteran Service Officer to Veteran Service Officer/Director of Veteran Service with no increase in pay.

All voted aye; motion carried.

(2) *Sec. 551.074*-Personnel Matters – Sheriff's Office

(1) Jimmy Johnson – Chief Deputy – Position A07-001  
(Proposed Change to Jail Lieutenant – Position A07-001)

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve to change the title of Position A07-001 from Chief Deputy to Jail Lieutenant with the Sheriff's Office, grade 17 and a salary of \$56,820.00 per year.

All voted aye, motion carried.

(2) Mike Powell – Chief Deputy - Position A07-002

Comm. Beeson, seconded by Comm. Howell, made a motion to approve to change the salary of Position A07-002 to \$75,789.00 per year, an increase of \$4,755.00.

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

Motion carried.

(3) Mike Gilbert – Captain - Position A05-001

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve to change the salary of Position A05-001 to \$66,054.00 per year, an increase of \$4,979.00.

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

Motion carried.

(4) Troy Fuller – Captain - Position A05-002

Comm. Beeson, seconded by Comm. Howell, made a motion to approve to change the salary of Position A05-002 to \$66,054.00 per year, an increase of \$4,979.00.

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

Motion carried.

(5) Michael Gaudet – Lieutenant – Position B09-001

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve to change the salary of Position B09-001 to \$58,886.00 per year, an increase of \$2,065.00.

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

Motion carried.

(6) Timothy Jones – Lieutenant – Position B09-002

Comm. Beeson, seconded by Comm. Howell, made a motion to approve to change the salary of Position B09-002 to \$58,886.00 per year, an increase of \$2,191.00.

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

Motion carried.

## XI. WORKSHOP

The Commissioner's Court convened into Workshop Session at 11:50 A.M. to discuss Market Square Operations and 150' Minimum Road Frontage Requirement in Current Subdivision Rules & Regulations.

The Commissioner's Court reconvened into Open Session at 12:24 P.M.

## XII. EXECUTIVE SESSION

### 1. Government Code:

(2) *Sec. 551.074*-Personnel Matters – Sheriff's Office

(2) Mike Powell – Chief Deputy - Position A07-002

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve to change the salary of Position A07-002 to \$75,789.00 per year, an increase of \$4,755.00. This was revisited to clarify the County Judge's vote on this item.

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

Motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 12:25 P.M.

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

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