

STATE OF TEXAS

[April 22, 2013](#)

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 22nd day of April, 2013, 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 Pastor Rick Hope, First Baptist Church, Lillian, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on April 18, 2013 at 11:47 A.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF CERTIFICATES OF RECOGNITION TO DALE HUTCHISON AND GAIL HUTCHISON FOR FORTY YEARS OF SERVICE TO THE RIO VISTA VOLUNTEER FIRE DEPARTMENT

The Commissioner's Court presented [Certificates of Recognition](#) to Dale Hutchinson and Gail Hutchinson for forty years of service to the Rio Vista Volunteer Fire Department.

2. PRESENTATION OF PROCLAMATION FOR SEXUAL ASSAULT AWARENESS MONTH

The Commissioner's Court proclaimed April, 2013 as [Sexual Assault Awareness Month](#).

3. PRESENTATION OF CAREFLITE JOHNSON COUNTY COMPLIANCE SUMMARY FY 2013

A presentation of the [CareFlite Johnson County Compliance Summary FY 2013](#) was given to the Commissioner's Court by Jim Swartz, CEO and Doug Filbert, Director of Ground Services for CareFlite.

V. [PUBLIC PARTICIPATION](#)

Marcea Haubert of Johnson County spoke in regards for the need of an animal shelter to help citizens deal with stray animals in the County. Mrs. Haubert also spoke in Commissioner's Court on September 24, 2012 on the same subject. Kathy McClelland, a citizen of Cleburne and Board member of the City of Cleburne Animal Shelter, also spoke in favor of a County owned and operated animal shelter.

VI. [PRECEDING BUSINESS](#)

1. [CONSIDERATION OF MINUTES OF THE COMMISSIONER'S COURT:](#)

- a. [March 25, 2013 – Regular Session](#)
- b. [March 27, 2013 – Special Session](#)

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Commissioner's Court Minutes for March 25, 2013 and March 27, 2013.

All voted aye; motion carried.

2. [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.

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.

4. [CONSIDERATION OF ORDER #2013-11 – "APPROVING THE JOHNSON COUNTY TREASURER'S REPORT TO THE COMMISSIONER'S COURT"](#)

Comm. Bailey, seconded by Comm. Howell, made a motion to approve [Order #2013-11](#), “Approving the Johnson County [Treasurer’s Report](#) to the Commissioner’s Court”.

All voted aye; motion carried.

5. ACKNOWLEDGEMENT OF THE JOHNSON COUNTY TREASURER’S INVESTMENT REPORT

Commissioner’s Court acknowledged the Johnson County Treasurer’s Investment Report.

6. CONSIDERATION OF [RFP #2013-309](#) – NUISANCE PROPERTY ABATEMENT SERVICES FOR JOHNSON COUNTY

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve to [award \[RFP #2013-309\]\(#\), Nuisance Property Abatement Services](#) for Johnson County to Lawn Works, effective May 1, 2013.

All voted aye; motion carried.

7. CONSIDERATION OF [RFP #2013-311](#) – LAWN MAINTENANCE SERVICES FOR JOHNSON COUNTY

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

All voted aye; motion carried.

8. CONSIDERATION TO GRANT A VARIANCE TO BUILD A SECOND RESIDENCE IN CAHILL COUNTRY PHASE II, LOT 50, LOCATED IN PRECINCT #3

Comm. Stringer, seconded by Comm. Howell, made a motion to approve to grant a [temporary variance to build a second residence in Cahill Country Phase II](#), Lot 50, located in Precinct #3, renewed every two years provided the need is still there, it doesn't violate deed restrictions and the Public Works Director will bring to Commissioner's Court every two years for renewal.

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

Motion carried.

9. CONSIDERATION TO GRANT A VARIANCE TO BUILD A SECOND SEPTIC SYSTEM IN CAHILL COUNTRY PHASE II, LOT 50, LOCATED IN PRECINCT #3

Comm. Stringer, seconded by Comm. Howell, made a motion to approve to grant a [variance to build a second septic system in Cahill Country Phase II](#), Lot 50, located in Precinct #3.

All voted aye; motion carried.

The Commissioner's Court recessed at 9:59 A.M. and reconvened at 10:22 A.M. to consider the following:

7. CONSIDERATION OF RFP #2013-311 – LAWN MAINTENANCE SERVICES FOR JOHNSON COUNTY

Comm. Bailey, seconded by Comm. Howell, made an amended motion to approve [RFP #2013-311, Lawn Maintenance Services](#) with Lawn Tech Inc. for all buildings shown on diagram.

All voted aye; motion carried.

VIII. NEW BUSINESS

6. CONSIDERATION OF EXPENSES FOR GARY MORRIS AND LIESL HOOVER TO TRAVEL TO ST. LOUIS, MISSOURI IN JULY OF 2013 FOR THE MASTERS CONFERENCE FOR FORENSIC INVESTIGATORS

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the [expenses for Gary Morris and Liesl Hoover to travel](#) to St. Louis, Missouri in July of 2013 for the Masters Conference for Forensic Investigators.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

4. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

Discussion. No Action.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve to advertise for bids/proposals for a crew cab pickup truck to be purchased off Buy Board for the Sheriff's Office.

All voted aye; motion carried.

2. CONSIDERATION OF **FY 2013** BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE [SECTION 111.010](#) for:
- a. CSCD Building Construction-Office Supplies \$135,782.00 and Equipment Non-Capital \$92,981.00
 - b. Indigent Health Care-Personnel Salaries \$0
 - c. Courthouse Security-Equipment Non-Capital \$3,200.00
 - d. Alvarado Sub-Courthouse-Capitalized Fees and Services \$200,000.00

Comm. Howell, seconded by Comm. Beeson, made a motion to approve of **FY 2013** Budget Amendment pursuant to the Local Government Code *Section 111.010* for CSCD Building Construction, Office Supplies in the amount of \$135,782.00 and Equipment Non-Capital in the amount of \$92,981.00 for the total amount of \$228,763.00 to create budget for the furniture for the CSCD Building; Indigent Health Care, Personnel Salaries in the amount of \$0 to change job title, grade, budgeted salary of the following positions as approved in Emergency Called Commissioner's Court, March 27, 2013: POS#A02-001 GR16 \$51,490.00 Administrator-IHC change to F52-001 GR11 \$35,000.00 Caseworker-IHC and POS#F39-001 GR13 \$44,745.00, Assistant Administrator change to F52-002 GR11 \$35,000.00, Caseworker-IHC; Courthouse Security, Equipment Non-Capital in the amount of \$3,200.00 for additional camera for CSCD building which was requested and approved by Judge Bosworth and Alvarado Sub-Courthouse, Capitalized Fees and Services in the amount of \$200,000.00 to create a budget with money transferred from General Fund until permanent funding is decided.

All voted aye; motion carried.

3. CONSIDERATION OF THE JOHNSON COUNTY EMERGENCY SERVICE DISTRICT #1 AUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDED SEPTEMBER 30, 2012 PURSUANT TO SEC. 775.082 OF THE HEALTH AND SAFETY CODE

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the Johnson County [Emergency Service District #1 Audited Financial Statements](#) for the year ended September 30, 2012 pursuant to *Sec. 775.082* of the Health and Safety Code.

All voted aye; motion carried.

4. CONSIDERATION OF A RECURRING EXPENSE FOR SHRED-IT SERVICES FOR THE ADULT PROBATION BUILDING IN THE AMOUNT OF \$28.00 PER MONTH

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the recurring expense for [Shred-IT Services for the Adult Probation Building](#) in the amount of \$28.00 per month, provided the State won't pay for the service.

All voted aye; motion carried.

5. CONSIDERATION OF AGREEMENT FOR USE OF RADIO TRANSCEIVER EQUIPMENT BETWEEN JOHNSON COUNTY AND THE TEXAS PARKS WILDLIFE DIVISION

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the [Agreement for Use of Radio Transceiver Equipment](#) between Johnson County and the Texas Parks Wildlife Division and to give the County Judge and the Sheriff the authorization to sign.

All voted aye; motion carried.

7. CONSIDERATION OF GRANT OF EASEMENT FROM LY PROPERTY INVESTMENTS, L.P. REGARDING THE REALIGNMENT OF CR 1123-PRECINCT #1

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [grant of easement from LY Property Investments, L.P.](#) regarding the realignment of **CR 1123** in Precinct #1 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF EQUIPMENT FOR THE BROWN GYM FROM FITCORP USA/BUSY BODY COMMERCIAL FITNESS-PURCHASING

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [equipment for the Brown Gym from FitCorp USA/Busy Body Commercial Fitness](#) in the amount of \$24,598.33 and the yearly maintenance contract in the amount of \$520.00 and is to be paid from the refund received from United Health Care.

All voted aye; motion carried.

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

4. PRESENTATION OF JOHNSON COUNTY TEXAS JUVENILE JUSTICE DEPARTMENT AUDIT YEAR ENDED 8-31-2012 FROM THE OUTSIDE AUDITORS OF KENNEMER, MASTERS & LUNSFORD LLP

A presentation of the Johnson County Texas [Juvenile Justice Department audit year](#) ended 8-31-2012 from the outside auditors of Kennemer, Masters & Lunsford LLP was given to the Commissioner's Court by Lisa Tomlinson, Juvenile Services Director.

VIII. NEW BUSINESS

14. CONSIDERATION OF THE STATE OF TEXAS, COUNTY OF JOHNSON, AMENDMENT NUMBER 1 AND CONTINUATION OF CONTRACT FOR RESIDENTIAL SERVICES JUVENILE POST ADJUDICATION FACILITY COOKE, FANNIN AND GRAYSON COUNTY

Comm. Stringer, seconded by Comm. Howell, made a motion to approve of the State of Texas, County of Johnson, [Amendment Number 1 and Continuation](#) of Contract for Residential Services Juvenile Post Adjudication Facility Cooke, Fannin and Grayson County and to give the County Judge the authorization to sign.

All voted aye; motion carried.

15. CONSIDERATION OF SERVICE DENTON COUNTY JUVENILE PROBATION CONTRACT FOR POST ADJUDICATION RESIDENTIAL SERVICES

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve of [Service Denton County Juvenile Probation Contract](#) for Post Adjudication Residential Services and to give the County Judge the authorization to sign.

All voted aye; motion carried.

9. CONSIDERATION TO DECLARE FIVE (5) BOXES OF OUTDATED LAW BOOKS AS SURPLUS UNDER LOCAL GOVERNMENT CODE 263.152 (a)(1) AND PLACE ON RENE BATES AUCTION FOR SALE

Comm. Howell, seconded by Comm. Stringer, made a motion to approve to [declare five \(5\) boxes of outdated law books](#) as surplus under Local Government Code 263.152 (a)(1) and place on Rene Bates Auction for sale.

All voted aye; motion carried.

10. CONSIDERATION TO DECLARE SIX (6) VEHICLES FROM THE SHERIFF'S OFFICE AS SURPLUS UNDER LOCAL GOVERNMENT CODE 263.152 (a)(1) AND PLACE ON RENE BATES AUCTION FOR SALE

Comm. Stringer, seconded by Comm. Howell, made a motion to approve to [declare six \(6\) vehicles from the Sheriff's Office](#) as surplus under Local Government Code 263.152 (a)(1) and place on Rene Bates Auction for sale.

All voted aye; motion carried.

11. CONSIDERATION OF APPOINTMENT OF MITCH WADSWORTH OF GRANDVIEW, TEXAS TO THE JOHNSON COUNTY HISTORICAL COMMISSION

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the [appointment of Mitch Wadsworth of Grandview](#), Texas to the Johnson County Historical Commission.

All voted aye; motion carried.

12. CONSIDERATION OF APPOINTMENTS TO THE CITY OF CLEBURNE'S TIF NO. 2 BOARD

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the appointments of County Judge Roger Harmon and Commissioner Don Beeson, Precinct #4 to the City of Cleburne's TIF No. 2 Board.

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

Motion carried.

13. CONSIDERATION OF INVOICE FROM SENIOR CONSULTANTS INC. FOR TERMINATION OF SOME CABLES IN THE ADULT PROBATION BUILDING IN THE AMOUNT OF \$24,058.63, AN INCREASE OF \$1,890.87 OF THE ORIGINAL QUOTE-IT DEPARTMENT

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the [invoice from Senior Consultants Inc. for termination of some cables](#) in the Adult Probation Building in the amount of \$24,058.63, an increase of \$1,890.87 of the original quote.

All voted aye; motion carried.

16. CONSIDERATION OF INTEGRATED FORENSIC LABORATORIES CONTRACT WITH THE JOHNSON COUNTY STOP THE OFFENDER PROGRAM SPECIAL CRIMES UNIT

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the [Integrated Forensic Laboratories Contract](#) with the Johnson County Stop the Offender Program Special Crimes Unit and to give the County Judge the authorization to sign.

All voted aye; motion carried.

17. CONSIDERATION OF PUBLIC WORKS PROJECT MANAGER POSITION AND A PROPOSED PUBLIC WORKS FACILITY MANAGER POSITION

County Judge Roger Harmon, seconded by Comm. Beeson, made a motion to approve to change the title of Public Works Project Manager to Public Works Facility Manager, change the job duties and advertise the position for \$50,043.00 a year with the option of increasing the salary if no quality applicants apply at the current salary.

All voted aye; motion carried.

IX. CONSENT AGENDA

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

All voted aye; motion carried.

The Commissioner's Court recessed at 11:31 A.M. and reconvened at 1:32 P.M. to consider the following:

VII. UNFINISHED BUSINESS

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

Discussion. No Action.

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

Discussion. No Action.

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

- a. Consideration of AIA Document G602-1993 – Request for Proposal – Geotechnical Services

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the [AIA Document G602-1993](#), Request for Proposal, Geotechnical Services and to give the County Judge the authorization to sign.

All voted aye; motion carried.

- b. Consideration of Proposal for Geotechnical Investigations for Foundation Design from T. Smith Inspection & Testing Service

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Proposal for [Geotechnical Investigations for Foundation Design](#) for T. Smith Inspection & Testing Service for the estimated amount of \$2,800.00 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 1:55 P.M. to discuss [Construction Manager At-Risk for the Alvarado Sub-Courthouse Building](#); Pete Durant & Associates.

The Commissioner's Court reconvened into Open Session at 2:36 P.M. to consider the following:

VII. UNFINISHED BUSINESS

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

c. Consideration of Negotiations with Pete Durant & Associates for Construction Manager At-Risk

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the negotiations with Pete Durant & Associates for Construction Manager At-Risk for the Alvarado Sub-Courthouse Building with the following changes to their original bid proposal: the total fee will be reduced from \$230,070.00 to \$210,070.00 and Pete Durant & Associates has the ability to increase the bond amount if necessary.

Binders for Pete Durant & Modern Contractors boxed with original minutes.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 2:40 P.M.

Submitted by: _____
County Clerk
Becky Williams

Approved by: _____
County Judge
Roger Harmon