

STATE OF TEXAS

September 9, 2013

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 9th day of September, 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 9:03 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 September 5, 2013 at 3:29 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. ANNOUNCEMENT: ON SEPTEMBER 23, 2013 AT 9:00 AM IN THE COMMISSIONER'S COURTROOM, JOHNSON COUNTY COURTHOUSE, CLEBURNE, TEXAS, THE COMMISSIONER'S COURT WILL HAVE A PUBLIC HEARING ON THE PROPOSED BUDGET FOR 2013-2014. THE COMMISSIONER'S COURT WILL ALSO VOTE ON THE BUDGET AND TAX RATE AT THAT SAME MEETING

County Judge Roger Harmon made an announcement that on September 23, 2013 at 9:00 AM in the Commissioner's Courtroom, Johnson County Courthouse, Cleburne, Texas, the Commissioner's Court will have a Public Hearing on the Proposed Budget for 2013-2014. The Commissioner's Court will also vote on the Budget and Tax Rate at that same meeting.

2. PRESENTATION OF PROCLAMATION FOR NATIONAL POW/MIA RECOGNITION DAY

Commissioner's Court proclaimed Friday, September 20, 2013 as [National POW/MIA](#) Recognition Day in Johnson County.

3. PRESENTATION OF CHECK FROM THE PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT BY JOSH GRIMES, GENERAL MANAGER

Johnson County received a check from the Prairielands Groundwater Conservation District representing their second payment. Josh Grimes, General Manager of Prairielands Groundwater Conservation District was not present in Court.

4. PRESENTATION OF UPDATE ON PECAN VALLEY CENTERS AND THE IMPLEMENTATION OF 1115 TRANSFORMATION WAIVER PROJECTS BY COKE BEATTY, EXECUTIVE DIRECTOR

A presentation of the update on Pecan Valley Centers and the implementation of 1115 Transformation Waiver Projects were given to Commissioner's Court by Coke Beatty, Executive Director.

V. PUBLIC HEARINGS

The Commissioner's Court opened a Public Hearing at 9:36 A.M. to discuss:

1. NO THRU TRUCKS ON CR 209 FROM U.S. HIGHWAY 67 E SOUTH TO CR 109 IN JOHNSON COUNTY, TEXAS PRECINCT #4

Commissioner Beeson spoke in support of [No Thru Trucks on CR 209](#) from U.S. Highway 67 E south to CR 109 in Johnson County, Texas Precinct #4. There being no one else to speak, the hearing was closed at 9:39 A.M.

The Commissioner's Court opened a Public Hearing at 9:39 A.M. to discuss:

2. NO THRU TRUCKS ON CR 109 FROM THE INTERSECTION OF FM 1807 EAST TO THE INTERSECTION OF CR 213 IN JOHNSON COUNTY, TEXAS PRECINCT #4

Commissioner Beeson spoke in support of [No Thru Trucks on CR 109](#) from the intersection of FM 1807 east to the intersection of CR 213 in Johnson County, Texas Precinct #4. There being no one else to speak, the hearing was closed at 9:40 A.M.

The Commissioner's Court opened a Public Hearing at 9:40 A.M. to discuss:

3. THE JOHNSON COUNTY CLERK'S RECORDS ARCHIVE PLAN, 2) APPROVAL OF THE FUND PLAN FOR THE CONTINUED COLLECTION OF THE PRESERVATION AND RESTORATION FEE BY THE COUNTY CLERK, AND 3) WITH THE PASSAGE OF HB1513 IN THE 83rd LEGISLATIVE REGULAR SESSION RELATING TO TEMPORARY INCREASES IN THE RECORDS ARCHIVE FEE AND THE RECORDS MANAGEMENT AND PRESERVATION FEE CHARGED BY COUNTY CLERKS, APPROVAL TO TEMPORARILY INCREASE EACH FEE FROM \$5 TO \$10

Becky Williams, County Clerk, spoke in regards to the Johnson County Clerk's Records Archive Plan, 2) approval of the fund plan for the continued collection of the [Preservation and Restoration Fee by the County Clerk](#), and 3) with the passage of HB1513 in the 83rd Legislative Regular Session relating to temporary increases in the Records Archive Fee and the Records Management and Preservation Fee charged by County Clerks, approval to temporarily increase each fee from \$5 to \$10. There being no one else to speak, the hearing was closed at 9:44 A.M.

The Commissioner's Court opened a Public Hearing at 9:44 A.M. to discuss:

4. THE JOHNSON COUNTY DISTRICT CLERK'S RECORDS ARCHIVE PLAN, 2) APPROVAL OF THE FUND PLAN FOR THE CONTINUED COLLECTION OF THE PRESERVATION AND RESTORATION FEE BY THE DISTRICT CLERK, AND 3) WITH THE PASSAGE OF HB1513 IN THE 83rd LEGISLATIVE REGULAR SESSION RELATING TO TEMPORARY INCREASES IN THE RECORDS ARCHIVE FEE CHARGED BY THE DISTRICT CLERK, APPROVAL TO TEMPORARILY INCREASE THE FEE FROM \$5 TO \$10

Carolyn McCoy, District Clerk's Office, spoke in regards to the Johnson County District Clerk's Records Archive Plan, 2) approval of the fund plan for the continued collection of the [Preservation and Restoration Fee by the District Clerk](#), and 3) with the passage of HB1513 in the 83rd Legislative Regular Session relating to temporary increases in the Records Archive Fee charged by the District Clerk, approval to temporarily increase the fee from \$5 to \$10. There being no one else to speak, the hearing was closed at 9:45 A.M.

VI. PUBLIC PARTICIPATION

None.

VII. PRECEDING BUSINESS

1. CONSIDERATION OF **ORDER #2013-26** - "NO THRU TRUCKS ON CR 209 FROM U.S. HIGHWAY 67 E SOUTH TO CR 109 IN JOHNSON COUNTY, TEXAS PRECINCT #4"

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve [Order #2013-26](#), "No Thru Trucks on CR 209 from U.S. Highway 67 E South to CR 109 in Johnson County, Texas, Precinct #4".

All voted aye; motion carried.

2. CONSIDERATION OF **ORDER #2013-27** - "NO THRU TRUCKS ON CR 109 FROM THE INTERSECTION OF FM 1807 EAST TO THE INTERSECTION OF CR 213 IN JOHNSON COUNTY, TEXAS PRECINCT #4"

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve [Order #2013-27](#), "No Thru Trucks on CR 109 from the Intersection of FM 1807 East to the Intersection of CR 213 in Johnson County, Texas, Precinct #4".

All voted aye; motion carried.

3. CONSIDERATION OF **ORDER #2013-28** – “THE JOHNSON COUNTY CLERK’S RECORDS ARCHIVE PLAN, 2) APPROVAL OF THE FUND PLAN FOR THE CONTINUED COLLECTION OF THE PRESERVATION AND RESTORATION FEE BY THE COUNTY CLERK, AND 3) WITH THE PASSAGE OF HB1513 IN THE 83rd LEGISLATIVE REGULAR SESSION RELATING TO TEMPORARY INCREASES IN THE RECORDS ARCHIVE FEE AND THE RECORDS MANAGEMENT AND PRESERVATION FEE CHARGED BY COUNTY CLERKS, APPROVAL TO TEMPORARILY INCREASE EACH FEE FROM \$5 TO \$10”

Comm. Bailey, seconded by Comm. Howell, made a motion to approve [Order #2013-28](#), “The Johnson County Clerk’s Records Archive Plan, 2) approval of the fund plan for the continued collection of the Preservation and Restoration Fee by the County Clerk, and 3) with the passage of HB1513 in the 83rd Legislative Regular Session relating to temporary increases in the Records Archive Fee and the Records Management and Preservation Fee charged by County Clerks, approval to temporarily increase each fee from \$5 to \$10”.

All voted aye; motion carried.

4. CONSIDERATION OF **ORDER #2013-29** - “THE JOHNSON COUNTY DISTRICT CLERK’S RECORDS ARCHIVE PLAN, 2) APPROVAL OF THE FUND PLAN FOR THE CONTINUED COLLECTION OF THE PRESERVATION AND RESTORATION FEE BY THE DISTRICT CLERK, AND 3) WITH THE PASSAGE OF HB1513 IN THE 83rd LEGISLATIVE REGULAR SESSION RELATING TO TEMPORARY INCREASES IN THE RECORDS ARCHIVE FEE CHARGED BY THE DISTRICT CLERK, APPROVAL TO TEMPORARILY INCREASE THE FEE FROM \$5 TO \$10”

Comm. Howell, seconded by Comm. Stringer, made a motion to approve [Order #2013-29](#), “The Johnson County District Clerk’s Records Archive Plan, 2) approval of the fund plan for the continued collection of the Preservation and Restoration Fee by the District Clerk, and 3) with the passage of HB1513 in the 83rd Legislative Regular Session relating to temporary increases in the Records Archive Fee charged by the District Clerk, approval to temporarily increase the fee from \$5 to \$10”.

All voted aye; motion carried.

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

- a. July 29, 2013 – Special Session
- b. July 31, 2013 – Special Session
- c. August 2, 2013 – Special Session
- d. August 5, 2013- Special Session

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Commissioner’s Court Minutes for July 29, 2013, July 31, 2013, August 2, 2013 and August 5, 2013.

All voted aye; motion carried.

6. CONSIDERATION OF REQUEST TO PAY BILLS

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

All voted aye; motion carried.

7. 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

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

Comm. Stringer, seconded by Comm. Howell, made a motion to [approve the GMP presented by Pete Durant & Associates](#), to be included in the contract in the amount of \$2,405,855.00.

All voted aye; motion carried.

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Discussion. No Action.

The Commissioner's Court recessed at 10:26 A.M. and reconvened at 10:48 A.M. to consider the following:

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Beeson, seconded by Comm. Howell, made a motion to approve to advertise for bids/proposals for exterior window scraping and painting for the Historic Courthouse; used water truck for Precinct #2; electrical services for Public Works; and for a company that will assist the County in finding and applying for grants.

All voted aye; motion carried.

2. CONSIDERATION OF **FY 2013** BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE [SECTION 111.010](#) for:

a. Justice of the Peace, Precinct #4 Technology Fund-Office Supplies-\$464.00

Comm. Beeson, seconded by Comm. Howell, made a motion to approve **FY 2013** Budget Amendment pursuant to the Local Government Code *Section 111.010* for Justice of the Peace, Precinct #4 Technology Fund, Office Supplies to purchase a television approved in Commissioner's Court on August 26, 2013 in the amount of \$464.00.

All voted aye; motion carried.

3. CONSIDERATION OF JOHNSON COUNTY SHERIFF'S & CONSTABLES' FEES

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the Johnson County [Sheriff's & Constables' Fees](#) per the attached list.

All voted aye; motion carried.

4. CONSIDERATION OF RENEWAL OF LEXISNEXIS SUBSCRIPTION FOR ONLINE LEGAL RESEARCH-COUNTY ATTORNEY'S OFFICE

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the renewal of [LexisNexis subscription for online legal research](#) for the County Attorney's Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

5. CONSIDERATION OF INTERLOCAL AGREEMENT FOR PARTICIPATION IN FORT WORTH'S ENVIRONMENTAL COLLECTION CENTER HOUSEHOLD HAZARDOUS WASTE PROGRAM FY2014

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the [Interlocal Agreement for participation in Fort Worth's Environmental](#) Collection Center Household Hazardous Waste Program FY2014 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

6. CONSIDERATION OF COMMUNICATIONS SYSTEM AGREEMENT WITH HILL COUNTY TEXAS

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

All voted aye; motion carried.

7. CONSIDERATION OF COUNTY CHOICE SILVER RETIREE PROGRAM WITH THE TEXAS ASSOCIATION OF COUNTIES, WITH UNITED HEALTH CARE BEING THE RETIREE MEDICAL SUPPLEMENT PLAN PROVIDER-PERSONNEL DEPARTMENT

Comm. Howell, seconded by Comm. Beeson, made a motion to approve the [County Choice Silver Retiree Program](#) with the Texas Association of Counties, with United Health Care being the Retiree Medical Supplement Plan Provider and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF FISCAL YEAR 2014 LOW INCOME VEHICLE REPAIR ASSISTANCE, RETROFIT, AND ACCELERATED VEHICLE RETIREMENT PROGRAM (LIRAP) COUNTY FUNDING IN THE AMOUNT OF \$60,896.00

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the Fiscal Year 2014 [Low Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program \(LIRAP\)](#) County funding in the amount of \$60,896.00 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

9. CONSIDERATION OF TERMS OF COMMISSIONER'S COURT FOR 2013-2014

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Terms of Commissioner's Court for 2013-2014](#) as presented and attached to these Minutes.

All voted aye; motion carried.

10. CONSIDERATION OF 2014 HOLIDAYS FOR JOHNSON COUNTY EMPLOYEES

Comm. Howell, seconded by Comm. Beeson, made a motion to approve the [2014 Holidays for Johnson County Employees](#) as presented and attached to these Minutes.

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.

IX. NEW BUSINESS

11. CONSIDERATION OF ELIMINATION OF TEMPORARY INDIGENT HEALTH CARE DIRECTOR

Comm. Howell, seconded by Comm. Beeson, made a motion to approve the elimination of Temporary Indigent Health Care Director, Holly Morris, effective November 1, 2013.

All voted aye; motion carried.

VII. PRECEDING BUSINESS

9. CONSIDERATION OF REVISED PLAT OF **THE RETREAT**, PHASE 1, LOT 12, BLOCK 6 AND ADJACENT PROPERTY INTO LOT 12R, BLOCK 6 LOCATED IN PRECINCT #1

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [revised plat of **The Retreat**, Phase 1, Lot 12, Block 6](#) and adjacent property into Lot 12R, Block 6 located in Precinct #1.

All voted aye; motion carried.

XI. WORKSHOP

The Commissioner's Court convened into Workshop Session at 11:18 A.M. to discuss Budget and Tax Rate.

The Commissioner's Court recessed at 12:02 P.M. and reconvened at 1:30 P.M. to [discuss RFQ 2013-317, Architectural Services for Proposed Johnson County Jail](#), Interviews: (a) 1:30 PM, Burns Architecture; (b) 2:00 PM, Southwest Architects, Inc.; and (c) 2:30 PM, Wiginton Hooker Jeffry, PC.

The Commissioner's Court reconvened into Open Session at 3:22 P.M.

BE IT KNOWN that Commissioner's Court met in Executive Session at 3:22 P.M. in accordance with Government Code *Sec. 551.074*, Personnel (1) Merry Cashion, Senior Administrative Assistant, District Attorney's Office, Position #F37-003; (2) Ruth Brown, Justice Court Clerk, Justice of the Peace, Precinct #1, Position #F09-003; and (3) Brandy Wood, Court Clerk II, Justice of the Peace, Precinct #1, Position F02-045.

The Commissioner's Court reconvened into Open Session at 4:22 P.M.

XII. EXECUTIVE SESSION

1. Government Code:

a. *Sec. 551.074*-Personnel:

- (1) Merry Cashion, Senior Administrative Assistant, District Attorney's Office-Position #F37-003

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve to move \$7,841.00 from Position #B03-013 to Position #F37-003, effective October 1, 2013.

All voted aye; motion carried.

- (2) Ruth Brown, Justice Court Clerk, Justice of the Peace, Precinct #1-
Position #F09-003

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

All voted aye; motion carried.

- (3) Brandy Wood, Court Clerk II, Justice of the Peace, Precinct #1-
Position F02-045

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

All voted aye; motion carried.

VII. PRECEDING BUSINESS

8. CONSIDERATION OF RFQ #2013-317 – ARCHITECTURAL SERVICES FOR PROPOSED JOHNSON COUNTY JAIL

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

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's
Court adjourned at 4:25 P.M.

Submitted by: _____
County Clerk
Becky Williams

Approved by: _____
County Judge
Roger Harmon