

STATE OF TEXAS

[November 12, 2013](#)

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 12th day of November, 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 Charles Garrett, 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 7, 2013 at 1:10 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF THE TEXAS COMPTROLLER LEADERSHIP CIRCLE SILVER MEMBER CERTIFICATE FOR ONLINE FINANCIAL TRANSPARENCY

The [Texas Comptroller Leadership Circle Silver Member Certificate](#) for Online Financial Transparency was presented to Roy Giddens, Assistant Deputy Treasurer.

V. PUBLIC PARTICIPATION

None.

VI. PRECEDING BUSINESS

1. CONSIDERATION OF MINUTES OF THE COMMISSIONER'S COURT:
 - a. September 30, 2013 – Special Session
 - b. October 1, 2013 – Special Session
 - c. October 15, 2013 – Regular Session

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Commissioner's Court Minutes for September 30, 2013, October 1, 2013 and October 15, 2013.

All voted aye; motion carried.

2. 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.

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. NEW BUSINESS

7. CONSIDERATION OF LETTER FROM THE CITY OF JOSHUA ENDING THE INTERLOCAL AGREEMENT FOR LAW ENFORCEMENT SERVICES AND APPROVAL TO TERMINATE THE INTERLOCAL AGREEMENT FOR LAW ENFORCEMENT SERVICES

Comm. Howell, seconded by Comm. Bailey, made a motion to approve the [letter from the City of Joshua ending the Interlocal Agreement for Law Enforcement Services](#) and approval to terminate the Interlocal Agreement for Law Enforcement Services.

All voted aye; motion carried.

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

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

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-Road Repair Material-\$300.00

Comm. Howell, seconded by Comm. Stringer, made a motion to approve Budget Amendment pursuant to the Local Government Code *Section 111.0106* for Road & Bridge Precinct #2-Road Repair Material-\$300.00, received from Staggs for insurance proceeds.

All voted aye; motion carried.

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

a. Sheriff,Jail-Personnel Salaries-\$11,928.00, Health Insurance-\$6,397.00, Medical and Dental Care Prisoner-\$13,099.00, Detention Fees-\$690,534.00

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 Sheriff, Jail-Personnel Salaries-\$11,928.00, Health Insurance-\$6,397.00, Medical and Dental Care Prisoner-\$13,099.00, Detention Fees-\$690,534.00 with the correct dates of 2012-2013 being on the original, signed amendment instead of the date on the amendment attached to the agenda.

All voted aye; motion carried.

4. CONSIDERATION OF **FY 2014** BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE [SECTION 111.010](#) for:

- a. Indigent Defense Improvement-Supplement Salary-\$15,000.00, Workers Comp-\$55.00, Unemployment-\$50.00, FICA-\$930.00, MCARE-\$218.00, Retirement-\$1,457.00, Equipment Repair & Maintenance-\$1,000.00, Fees & Services-\$500.00
- b. General Debt Service-TIF Refund-\$5,337.00
- c. Indigent Health Care-TIF Refund-\$3,160.00
- d. Jury-TIF Refund-\$700.00
- e. General Fund, Non-Departmental-TIF Refund-\$101,950.00

Comm. Howell, seconded by Comm. Stringer, made a motion to approve **FY 2014** Budget Amendment pursuant to the Local Government Code *Section 111.010* for Indigent Defense Improvement-Supplement Salary-\$15,000.00, Workers Comp-\$55.00, Unemployment-\$50.00, FICA-\$930.00, MCARE-\$218.00, Retirement-\$1,457.00, Equipment Repair & Maintenance-\$1,000.00, Fees & Services-\$500.00 to create budget for 2014 equaling \$19,210.00; General Debt Service-TIF Refund-\$5,337.00 to create budget for City of Cleburne TIF 10-24-2013; Indigent Health Care-TIF Refund-\$3,160.00 to create budget for City of Cleburne TIF 10-24-2013; Jury-TIF Refund-\$700.00 to create budget for City of Cleburne TIF 10-24-2013; and General Fund, Non-Departmental-TIF Refund-\$101,950.00 to create budget for City of Cleburne TIF 10-24-2013.

All voted aye; motion carried.

5. CONSIDERATION OF ORDER #2013-34-“TAX ABATEMENT AGREEMENT WITH CHICKEN E REALTY, INC.”

Comm. Bailey, seconded by Comm. Howell, made a motion to approve [Order #2013-34-“Tax Abatement Agreement with Chicken E Realty, Inc.”](#) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

6. CONSIDERATION OF SEALED BIDS AND RESOLUTIONS FOR STRUCK OFF PROPERTY WITHIN JOHNSON COUNTY, TEXAS:

- [Tract 1:](#) Acct # 126-2431-12830
105 Cotton St.
Lot 3, Block 73, Original Town Alvarado
- [Tract 2:](#) Acct # 126-0901-00500
3216 CR 210, Alvarado
A22, Abstract 901, H. Whitmire Survey
- [Tract 3:](#) Acct # 126-2439-03340
8109 Spring Shower Ct, Alvarado
Lot 34, Block 3, Raintree Meadows Addition, Phase 1
- [Tract 4:](#) Acct # 126-2431-12840
507 Santa Fe Trail
Lots 4 and 5, Block 73, Original Town Alvarado
- [Tract 5:](#) Acct # 126-2419-02950
1103 Fannin, Alvarado
Lots 2 and 3, Block 7, Missouri Pacific Addition
- Tract 6: Acct # 126-2419-03030
Lot 11, Block 7, Missouri Pacific Addition
NO BIDS
- Tract 7: Acct # 126-2800-17530
630 E. Chambers
Part of Lot 6, Block 313, Original Town Cleburne
NO BIDS
- [Tract 8:](#) Acct # 126-2800-18270
1001 E. Henderson
Lot 1, Block 328, Original Town Cleburne
- [Tract 9:](#) Acct # 126-2807-00110
1711 Raylene, Cleburne
Lot 3, Block 2,
Barton Addition
- [Tract 10:](#) Acct # 126-2800-21580
708 S. Wilwhite
Lot 3, Block 392, Original Town Cleburne
- [Tract 11:](#) Acct # 126-2800-14190
802 Dewey
Lot 4, Block 235, Original Town Cleburne

- Tract 12: Acct # 126-2800-14172
507 Park
Lot 12, Block 234, Original Town Cleburne
WITHDRAWN FROM SALE
- [Tract 13:](#) Acct # 126-0480-00220
1402 S. Lousiana
Tract 62 and 63, Abstract 480, F L Kirtley Survey
*outside the city of Grandview
- [Tract 14:](#) Acct # 126-3463-00280
4205 Redbird Ln, Cleburne
Lots 28 and 30, Diamond Addition, Hunter Survey
- Tract 15: Acct # 126-0604-00068
Barnes Ave, Keene
Abstract 604, M J Moore Survey
NO BIDS
- Tract 16: Acct # 126-4460-22330
9021 Holly Rd, Venus
Lot 33, Block M, Homesteads Phase IX
- [Tract 17:](#) Acct # 126-4491-00080
101 W CR 109, Venus
Lot 8, Southern Acres 1 Addition
- [Tract 18:](#) Acct # 126-4485-00680
4009 Adriels Ln, Venus
Lot 8, Block 2, Spring Branch Estates
- [Tract 19:](#) Acct # 126-0778-01050
8508 CR 109, Alvarado
Tract CL5, Abstract 778, T Stephens Survey
- [Tract 20:](#) Acct # 126-2431-11661
Lot 4, Block 64, Original Town Alvarado
- Tract 21: Acct # 126-2800-14170
Lot 11, Block 234, Original Town Cleburne
WITHDRAWN FROM SALE
- [Tract 22:](#) Acct # 126-2638-00440
2704 Jackson Crest St., Burleson
Lot 14, Block 2, The Forest Addition

- [Tract 23:](#) Acct # 126-2661-00230
333 N. Field St, Burleson
Lot 10, Block 2, Highway Addition
- Tract 24: Acct # 126-4227-05771
5114 Dusty Trl, Rio Vista
Lot 83E, Block E
Fisherman's Paradise
NO BIDS
- [Tract 25:](#) Acct # 126-2800-13340
305 Santa Fe Trl
Lot 18, Block 213, Original Town Cleburne
- [Tract 26:](#) Acct # 126-3287-00025
W Criner St, Grandview
Tract 2A, Westview Phase 1, Abstract 662, Owens Survey
- Tract 27: Acct # 126-2800-47870
537 Phillips
Lot 8, Block 853, Original Town Cleburne
***Subject to condemnation order. Structure must be removed from property**
NO BIDS
- Tract 28: Acct # 126-4227-06570
4945 Dusty Trl, Rio Vista
Lot 18, Block H,
Fisherman's Paradise
NO BIDS
- [Tract 29:](#) Acct # 126-2323-03280
Boone St, Alvarado
Lots 327 and 328, Blue Water Oaks Addition
- [Tract 30:](#) Acct # 126-2344-12150
318 Watson, Alvarado
Part of Block 63
College Hill Addition
- Tract 31: Acct # 126-2438-00130
175 Quail Haven, Alvarado
Lot 13, Quail Haven Addition

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve of Sealed Bids and Resolutions for Stuck Off Property Within Johnson County, Texas for each of the described properties listed above, except for Tracts 6, 7, 15, 24, 27, and 28 which did not receive any bids and Tracts 12 and 21 which were withdrawn from the sale.

All voted aye; motion carried.

8. CONSIDERATION OF AWARD PAYMENT FROM THE US DEPARTMENT OF JUSTICE FOR THE 2013 SCAAP (STATE CRIMINAL ALIEN ASSISTANCE PROGRAM) IN THE AMOUNT OF \$30,084.00

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Award Payment from the US Department of Justice for the 2013 SCAAP](#) (State Criminal Alien Assistance Program) in the amount of \$30,084.00.

All voted aye; motion carried.

9. CONSIDERATION OF FY 2013 CHAPTER 59 ASSET FORFEITURE REPORT-SHERIFF'S OFFICE

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the [FY 2013 Chapter 59 Asset Forfeiture Report from the Sheriff's Office](#) and to give the County Judge, the Sheriff, and the County Auditor or the County Treasurer the authorization to sign.

All voted aye; motion carried.

10. CONSIDERATION OF APPOINTMENTS TO THE JOHNSON COUNTY EMERGENCY SERVICES DISTRICT #1 FOR A TWO YEAR TERM:
 - a. R. C. McFall – County Judge
 - b. Rick Cumins – Commissioner, Precinct #1
 - c. Jack Watson – Commissioner, Precinct #4

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the [appointments to the Johnson County Emergency Services District #1](#) for a two year term for R. C. McFall – County Judge; Rick Cumins – Commissioner, Precinct #1; and Jack Watson – Commissioner, Precinct #4.

All voted aye; motion carried.

11. CONSIDERATION OF APPOINTMENT TO THE PRAIRIELANDS
GROUNDWATER CONSERVATION DISTRICT BOARD:

- a. Robert Sparks - County Judge
- b. Paul Tischler - Commissioner, Precinct #2

County Judge Roger Harmon, seconded by Comm. Bailey, made a motion to approve the appointment of Robert Sparks to the Prairielands Groundwater Conservation District Board.

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

Motion failed.

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the [appointment of Paul Tischler to the Prairielands Groundwater Conservation District Board](#).

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

Motion carried.

12. CONSIDERATION OF APPOINTMENTS TO THE JOHNSON COUNTY ECONOMIC DEVELOPMENT BOARD:

- a. Diane Williams, Reappointment - County Judge
- b. Pete Wrench, New Appointment - Commissioner, Precinct #1
- c. Lynn Bates, Jr., Reappointment - Commissioner, Precinct #2
- d. Jeannie Prazak, Reappointment - Commissioner, Precinct #4

Comm. Beeson, seconded by Comm. Howell, made a motion to approve the [appointments to the Johnson County Economic Development Board](#) for Diane Williams, Reappointment - County Judge; Pete Wrench, New Appointment - Commissioner, Precinct #1; Lynn Bates, Jr., Reappointment - Commissioner, Precinct #2; and Jeannie Prazak, Reappointment – Commissioner, Precinct #4.

All voted aye; motion carried.

13. CONSIDERATION OF CHESAPEAKE OPERATING, INC. DIVISION ORDER FOR PROPERTY NO. 629092, GREEN RIDGE LANE 4H, 239.13 ACRES; JOHN M. ROSS, A-747, JOHNSON COUNTY, TEXAS-PRECINCT #3

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve of Chesapeake Operating, Inc. [Division Order for Property No. 629092](#), Green Ridge Lane 4H, 239.13 acres; John M. Ross, A-747, Johnson County, Texas-Precinct #3 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

14. CONSIDERATION OF CHESAPEAKE OPERATING, INC. DIVISION ORDERS FOR IRA GLAZE, A-313, 536.650000 ACRES – PROPERTY NO. 630835-ALVARADO WELBORN 1H, PROPERTY NO. 633278-ALVARADO WELBORN 2H, PROPERTY NO. 633280-ALVARADO WELBORN 3H, PROPERTY NO. 633829-ALVARADO WELBORN 4H, PROPERTY NO. 633828-ALVARADO WELBORN 5H AND PROPERTY NO. 642059-ALVARADO WELBORN 6H, JOHNSON COUNTY, TEXAS-PRECINCT #3

Comm. Stringer, seconded by Comm. Howell, made a motion to approve of Chesapeake Operating, Inc. [Division Orders for Ira Glaze, A-313](#), 536.650000 Acres – Property No. 630835-Alvarado Welborn 1H, Property No. 633278-Alvarado Welborn 2H, Property No. 633280-Alvarado Welborn 3H, Property No. 633829-Alvarado Welborn 4H, Property No. 633828-Alvarado Welborn 5H and Property No. 642059-Alvarado Welborn 6H, Johnson County, Texas-Precinct #3 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

15. CONSIDERATION TO DECLARE MISCELLANEOUS ITEMS AS SURPLUS PURSUANT TO LOCAL GOVERNMENT CODE SECTION 263.152 (a)(1) AND PLACE ON RENE BATES AUCTION FOR SALE-PURCHASING DEPARTMENT

Comm. Howell, seconded by Comm. Stringer, made a motion to approve to [declare miscellaneous items as surplus](#) pursuant to Local Government Code Section 263.152 (a)(1) and place on Rene Bates Auction for sale-Purchasing Department.

All voted aye; motion carried.

16. CONSIDERATION TO DECLARE TWO (2) EACH 2001 FORD F150 TRUCKS AS SURPLUS PURSUANT TO LOCAL GOVERNMENT CODE SECTION 263.152 (a)(1) AND PLACE ON RENE BATES AUCTION FOR SALE-PURCHASING DEPARTMENT

Comm. Stringer, seconded by Comm. Howell, made a motion to approve to [declare two \(2\) each 2001 Ford F150 Trucks as surplus](#) pursuant to Local Government Code Section 263.152 (a)(1) and place on Rene Bates Auction for sale-Purchasing Department.

All voted aye; motion carried.

17. CONSIDERATION OF FY2013 AUCTION REPORT PURSUANT TO LOCAL GOVERNMENT CODE SECTION 263.155-PURCHASING DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve of [FY2013 Auction Report](#) pursuant to Local Government Code Section 263.155-Purchasing Department.

All voted aye; motion carried.

18. CONSIDERATION OF RENEWAL APPLICATION FOR PUBLIC OFFICIALS PROFESSIONAL LIABILITY COVERAGE FOR THE 18th, 249th, AND 413th JUDICIAL DISTRICT WHICH INCLUDES COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT IN JOHNSON AND SOMERVELL COUNTIES WITH TEXAS ASSOCIATION OF COUNTIES RISK MANAGEMENT POOL

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the [Renewal Application for Public Officials Professional Liability Coverage](#) for the 18th, 249th, and 413th Judicial District which includes Community Supervision and Corrections Department in Johnson and Somervell Counties with Texas Association of Counties Risk Management Pool and to give the County Judge the authorization to sign.

All voted aye; motion carried.

19. CONSIDERATION OF RENEWAL FOR LAW ENFORCEMENT PROFESSIONAL LIABILITY COVERAGE AND PUBLIC OFFICIALS PROFESSIONAL LIABILITY COVERAGE FOR JOHNSON COUNTY WITH TEXAS ASSOCIATION OF COUNTIES RISK MANAGEMENT POOL

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Renewal for Law Enforcement Professional Liability Coverage and Public Officials Professional Liability Coverage](#), including all the Deputy Clerks that are employed by Becky Williams, County Clerk for Johnson County with Texas Association of Counties Risk Management Pool and to give the County Judge the authorization to sign.

Comm. Bailey	Aye
Comm. Howell	Aye
Comm. Beeson	Aye
Comm. Stringer	Nay
County Judge Roger Harmon	Did Not Vote

Motion carried.

20. CONSIDERATION OF FACILITES RENTAL CONTRACT WITH THE CLEBURNE INDEPENDENT SCHOOL DISTRICT FOR THE JOHNSON COUNTY EMPLOYEE CHRISTMAS PARTY

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the [Facilities Rental Contract with the Cleburne Independent School District](#) for the Johnson County Employee Christmas Party and to give the County Judge the authorization to sign.

All voted aye; motion carried.

21. CONSIDERATION OF GUIDELINES FOR ISSUING AND USE OF CREDIT CARDS FOR COUNTY BUSINESS

Comm. Bailey, seconded by County Judge Roger Harmon, made a motion to approve the [Guidelines for Issuing and Use of Credit Cards](#) for County Business and to add the number one (1) to bullet #3 for the number of business days to return a credit card to the Purchasing Department.

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

Motion failed.

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the Guidelines for Issuing and Use of Credit Cards for County Business, to add the number one (1) to bullet #3 for the number of business days to return a credit card to the Purchasing Department, and with Commissioner's Court approval, a credit card could be assigned to a Commissioner if requested.

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

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.

VII. UNFINISHED BUSINESS

2. 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.

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

Discussion. No Action.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 10:41 A.M.

Submitted by: _____
County Clerk
Becky Williams

Approved by: _____
County Judge
Roger Harmon