

STATE OF TEXAS

[March 10, 2014](#)

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 10th day of March, 2014, 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 9:05 A.M., with all members present, and following the Invocation led by Benjamin Williams, St. Paul Baptist Church, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on March 6, 2014 at 1:06 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

Commissioner Rick Bailey congratulated County Judge Roger Harmon and Commissioner Kenny Howell, Precinct #2 on winning their Primary Elections and for running clean campaigns.

1. [PRESENTATION OF THE UNITED WAY OF JOHNSON COUNTY 2013 CAMPAIGN](#)

Dianne Packwood, Executive Director of United Way of Johnson County presented a plaque to Commissioner's Court for the Employees of Johnson County in Recognition of Their Generous Support and Outstanding Service in the 2013 United Way Campaign, and Certificates of Appreciation to Kimber Zorn for being the County Government Division Chairman and to Johnson County Adult Probation in Recognition of their Community Support.

2. PRESENTATION OF PROCLAMATION FOR POISON PREVENTION WEEK

Commissioner's Court proclaimed the week of [March 16-22, 2014 as Poison Prevention Week](#).

V. PUBLIC PARTICIPATION

Robert Todd, owner and developer for Crystal Palace Estates, spoke in reference to this subdivision. Mr. Todd wants directions from the Court on how to proceed with the development of this community. Judge Harmon suggested he meet with David Disheroon, Public Works Director and Commissioner Beeson, Precinct #4 to see how to make this happen legally. Commissioner Beeson said Mr. Todd should receive a letter today outlining how to proceed.

VI. PRECEDING BUSINESS

1. CONSIDERATION OF MINUTES OF THE COMMISSIONER'S COURT:

- a. February 3, 2014 – Special Session
- b. February 10, 2014 – Regular Session

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Commissioner's Court Minutes for February 3, 2014 and February 10, 2014.

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.

4. CONSIDERATION OF **RFB #2014-409** – SALE OF PROPERTIES - TO EXTEND BID DEADLINE

Comm. Bailey, seconded by Comm. Howell, made a motion to
[approve RFB #2014-409 – Sale of Properties - to extend bid deadline.](#)

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

Motion carried.

VII. UNFINISHED BUSINESS

2. CONSIDERATION OF JOHNSON COUNTY PARTICIPATION IN THE COUNTY ROAD GRANT PROGRAM, FOR THE TEXAS TRANSPORTATION INFRASTRUCTURE FUND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION

Discussion. No Action.

3. CONSIDERATION OF REMODELING COSTS FOR AN AREA OF THE MEALS-ON-WHEELS BUILDING LOCATED AT 106 E. KILPATRICK, CLEBURNE TEXAS-PRECINCT #4

Comm. Beeson, seconded by Comm. Bailey, made a motion to
approve remodeling costs for an area of the Meals-On-Wheels Building located at 106 E. Kilpatrick,
Cleburne Texas-Precinct #4 up to an amount of \$7,000.00 and ask David Disheroon, Public Works
Director to get a second quote.

All voted aye; motion carried.

4. CONSIDERATION OF VENDOR TO SURVEY THE JAIL FACILITY ROOF LEAKS IN JOHNSON COUNTY CORRECTIONS #2, AND THE JAIL FACILITY CONDENSATION ISSUES IN JOHNSON COUNTY CORRECTIONS #3-SHERIFF'S OFFICE

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the vendor to survey the Jail Facility roof leaks in Johnson County Corrections #2, and the Jail Facility condensation issues in Johnson County Corrections #3-Sheriff's Office by rescinding the approval of PSI made on February 10, 2014 and to approve Building Exterior Solutions, LLC (BES) as the vendor.

All voted aye; motion carried.

5. CONSIDERATION OF PROPOSAL FOR PROFESSIONAL SERVICES FROM BUILDING EXTERIOR SOLUTIONS, LLC (BES) TO SURVEY THE JAIL FACILITY ROOF LEAKS IN JOHNSON COUNTY CORRECTIONS #2, AND THE JAIL FACILITY CONDENSATION ISSUES IN JOHNSON COUNTY CORRECTIONS #3-SHERIFF'S OFFICE

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the [Proposal for Professional Services from Building Exterior Solutions, LLC](#) (BES) to survey the Jail Facility roof leaks in Johnson County Corrections #2, and the Jail Facility condensation issues in Johnson County Corrections #3-Sheriff's Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Howell, seconded by Comm. Stringer, made a motion to approve to advertise for bids/proposals for Law Enforcement software.

All voted aye; motion carried.

2. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE SECTION 111.0106 FOR ROAD & BRIDGE, PRECINCT #2-ROAD REPAIR MATERIALS-RESTITUTION-\$200.00

Comm. Howell, seconded by Comm. Bailey, made a motion to approve Budget Amendment pursuant to the [Local Government Code Section 111.0106](#) for Road & Bridge, Precinct #2-Road Repair Materials-Restitution-\$200.00 for restitution for damage to County roads while transporting a mobile home.

All voted aye; motion carried.

3. CONSIDERATION OF FY 2013-2014 BUDGET AMENDMENT PURSUANT TO THE [LOCAL GOVERNMENT CODE SECTION 111.010](#) for:

a. Sheriff-Personnel Salaries-\$0.00

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve FY 2013-2014 Budget Amendment pursuant to the Local Government Code *Section 111.010* for Sheriff-Personnel Salaries for change in budgeted salary for; POS #F18-017, F18-018, F18-019 from \$25,083.00 to \$28,000.00 effective March 9, 2014 and approved in Commissioner's Court on February 24, 2014 in the amount of \$0.00.

All voted aye; motion carried.

4. CONSIDERATION OF AGREEMENT FOR USE OF THE GUINN JUSTICE CENTER BY THE JOHNSON COUNTY REPUBLICAN PARTY ON SATURDAY, MARCH 22, 2014 FROM 7:00 AM TO 10:00 PM

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Agreement for Use of the Guinn Justice Center by the Johnson County Republican Party on Saturday, March 22, 2014 from 7:00 AM to 10:00 PM](#) with security to be provided by the named officers in the agreement, paid by the Johnson County Republican Party and to give the County Judge the authorization to sign.

All voted aye; motion carried.

5. CONSIDERATION OF RESERVE DEPUTY CONSTABLE JOHN D. WIRT-CONSTABLE, PRECINCT #1

Comm. Bailey, seconded by Comm. Howell, made a motion to approve [Reserve Deputy Constable John D. Wirt-Constable, Precinct #1](#).

All voted aye; motion carried.

6. CONSIDERATION OF 2013 TIER 1 – PARTIAL EXEMPTION RACIAL PROFILING REPORT-CONSTABLE, PRECINCT #3

County Judge Roger Harmon, seconded by Comm. Beeson, made a motion to table this item.

All voted aye; motion carried.

7. CONSIDERATION OF PLANS OF PROPOSED STATE HIGHWAY IMPROVEMENT WITH THE STATE OF TEXAS DEPARTMENT OF TRANSPORTATION PROJECT NO. STP 2014 (330) FRS, CSJ NO. 0902-50-115, REGARDING INSTALLATION OF GRADE CROSSING ACTIVE WARNING DEVICES ON SANTA FE STREET IN KEENE, JOHNSON COUNTY, TEXAS

Comm. Beeson, seconded by Comm. Howell, made a motion to approve the Plans of Proposed State Highway Improvement with the State of Texas Department of [Transportation Project No. STP 2014 \(330\) FRS, CSJ No. 0902-50-115](#), Regarding Installation of Grade Crossing Active Warning Devices on Santa Fe Street in Keene, Johnson County, Texas and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF PLANS OF PROPOSED STATE HIGHWAY IMPROVEMENT WITH THE STATE OF TEXAS DEPARTMENT OF TRANSPORTATION PROJECT NO. STP 2014 (338) FRS, CSJ NO. 0923-17-075, REGARDING INSTALLATION OF GRADE CROSSING ACTIVE WARNING DEVICES ON CR 319 IN ALVARADO, JOHNSON COUNTY, TEXAS

Comm. Beeson, seconded by Comm. Howell, made a motion to approve the Plans of Proposed State Highway Improvement with the State of Texas Department of [Transportation Project No. STP 2014 \(338\) FRS, CSJ No. 0923-17-075](#), Regarding Installation of Grade Crossing Active Warning Devices on CR 319 in Alvarado, Johnson County, Texas and to give the County Judge the authorization to sign.

All voted aye; motion carried.

9. CONSIDERATION OF PLANS OF PROPOSED STATE HIGHWAY IMPROVEMENT WITH THE STATE OF TEXAS DEPARTMENT OF TRANSPORTATION PROJECT NO. STP 2014 (330) FRS, CSJ NO. 0902-50-116, REGARDING INSTALLATION OF GRADE CROSSING ACTIVE WARNING DEVICES ON CR 316A (WEEKS/MALONE RD) IN CLEBURNE, JOHNSON COUNTY, TEXAS

Comm. Beeson, seconded by Comm. Howell, made a motion to approve the Plans of Proposed State Highway Improvement with the State of Texas Department of [Transportation Project No. STP 2014 \(330\) FRS, CSJ No. 0902-50-116](#), Regarding Installation of Grade Crossing Active Warning Devices on CR 316A (Weeks/Malone Rd) in Cleburne, Johnson County, Texas and to give the County Judge the authorization to sign.

All voted aye; motion carried.

10. CONSIDERATION OF PLANS OF PROPOSED STATE HIGHWAY IMPROVEMENT WITH THE STATE OF TEXAS DEPARTMENT OF TRANSPORTATION PROJECT NO. STP 2014 (328) FRS, CSJ NO. 0902-48-877, REGARDING INSTALLATION OF GRADE CROSSING ACTIVE WARNING DEVICES ON CR 1001 IN GODLEY, JOHNSON COUNTY, TEXAS

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Plans of Proposed State Highway Improvement with the State of Texas Department of [Transportation Project No. STP 2014 \(328\) FRS, CSJ No. 0902-48-877](#), Regarding Installation of Grade Crossing Active Warning Devices on CR 1001 in Godley, Johnson County, Texas and to give the County Judge the authorization to sign.

All voted aye; motion carried.

11. CONSIDERATION OF PLANS OF PROPOSED STATE HIGHWAY IMPROVEMENT WITH THE STATE OF TEXAS DEPARTMENT OF TRANSPORTATION PROJECT NO. STP 2012 (398) FRS, CSJ NO. 0902-50-110, REGARDING INSTALLATION OF GRADE CROSSING ACTIVE WARNING DEVICES ON CR 917 IN CRESSON, JOHNSON COUNTY, TEXAS

Comm. Howell, seconded by Comm. Bailey, made a motion to approve the Plans of Proposed State Highway Improvement with the State of Texas Department of [Transportation Project No. STP 2012 \(398\) FRS, CSJ No. 0902-50-110](#), Regarding Installation of Grade Crossing Active Warning Devices on CR 917 in Cresson, Johnson County, Texas and to give the County Judge the authorization to sign.

All voted aye; motion carried.

12. CONSIDERATION OF PLANS OF PROPOSED STATE HIGHWAY IMPROVEMENT WITH THE STATE OF TEXAS DEPARTMENT OF TRANSPORTATION PROJECT NO. STP 2013 (368) FRS, CSJ NO. 0902-50-112, REGARDING UPGRADE EXISTING GRADE CROSSING WARNING DEVICES ON WHITNEY ROAD IN RIO VISTA, JOHNSON COUNTY, TEXAS

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Plans of Proposed State Highway Improvement with the State of Texas Department of [Transportation Project No. STP 2013 \(368\) FRS, CSJ No. 0902-50-112](#), Regarding Upgrade Existing Grade Crossing Warning Devices on Whitney Road in Rio Vista, Johnson County, Texas and to give the County Judge the authorization to sign.

All voted aye; motion carried.

13. CONSIDERATION OF JOHNSON COUNTY INVESTMENT POLICY

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the [Johnson County Investment Policy](#).

All voted aye; motion carried.

14. CONSIDERATION OF DELIVERY TICKET RENTAL AGREEMENT WITH STAR TRACTOR, LTD AND JOHNSON COUNTY CONTRACT TERMS ADDENDUM TO RENTAL CONTRACT FOR EQUIPMENT RENTAL FOR PRECINCT #4-PURCHASING DEPARTMENT

Comm. Beeson, seconded by Comm. Howell, made a motion to approve the [Delivery Ticket Rental Agreement with Star Tractor, LTD](#) and Johnson County Contract Terms Addendum to rental contract for equipment rental for Precinct #4-Purchasing Department 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. Stringer, seconded by Comm. Howell, 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 RENEW CONTRACT WITH LAWN WORKS FOR NUISANCE PROPERTY ABATEMENT SERVICES FOR JOHNSON COUNTY-PURCHASING DEPARTMENT

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve to [renew contract with Lawn Works for Nuisance Property Abatement Services](#) for Johnson County-Purchasing Department at the current pricing.

All voted aye; motion carried.

17. CONSIDERATION TO DECLARE MISCELLANEOUS ITEMS AS SURPLUS AND AUTHORIZATION TO PLACE ON RENE BATES AUCTION FOR SALE-IT DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve to [declare miscellaneous items as surplus](#) and authorization to place on Rene Bates Auction for sale-IT Department.

All voted aye; motion carried.

18. CONSIDERATION TO GRANT A VARIANCE FOR AN EXISTING STRUCTURE ENCROACHING INTO THE FRONT BUILDING SET BACK LINE AND UTILITY EASEMENT LOCATED AT LOT 23, BLOCK 7, **HIGHLAND POINTE ADDITION**, PRECINCT #2, JOHNSON COUNTY, TEXAS

Comm. Howell, seconded by Comm. Beeson, made a motion to approve to [grant a variance for an existing structure](#) encroaching into the front building set back line and utility easement located at Lot 23, Block 7, **Highland Pointe Addition**, Precinct #2, Johnson County, Texas.

All voted aye; motion carried.

19. CONSIDERATION OF COSTS FOR RENOVATIONS TO ROOM B15, COUNTY CLERK'S OFFICE, IN THE JOHNSON COUNTY COURTHOUSE-PUBLIC WORKS DEPARTMENT

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the [costs for renovations to Room B15](#), County Clerk's Office, in the Johnson County Courthouse-Public Works Department from Gomez Floor Covering, Inc. in the amount of \$6,993.50 and will be paid by moving funds from unfilled positions in the County Clerk's Office.

All voted aye; motion carried.

6. CONSIDERATION OF 2013 TIER 1 – PARTIAL EXEMPTION RACIAL PROFILING REPORT-CONSTABLE, PRECINCT #3

County Judge Roger Harmon, seconded by Comm. Beeson, made an amended motion to [approve the 2013 Tier 1 – Partial Exemption Racial Profiling Report-Constable, Precinct #3](#).

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

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

a. [Consideration of Change Order Number 001 – MA Project #1569-12, in the Amount of \\$66,137.00 – Johnson County Precinct 3 Courts Building](#)

Comm. Stringer, seconded by Comm. Howell, made a motion to approve Change Order Number 001 – MA Project #1569-12, in the amount of \$66,137.00 – Johnson County Precinct 3 Courts Building and to give the County Judge the authorization to sign.

All voted aye; motion carried.

The Commissioner's Court recessed at 10:21 A.M. and reconvened at 10:38 A.M. to consider the following:

VIII. NEW BUSINESS

20. CONSIDERATION OF THE TEXAS DEPARTMENT OF PUBLIC SAFETY, TEXAS HOMELAND SECURITY STATE ADMINISTRATIVE AGENCY (THSSAA) MONITORING GRANT REVIEW CORRECTIVE ACTION PLAN

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Texas Department of Public Safety, Texas Homeland Security State Administrative Agency ([THSSAA\) Monitoring Grant Review Corrective Action Plan](#) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

21. CONSIDERATION OF RFQ FOR COUNTY WIDE UPDATE OF ALL JOB DESCRIPTIONS AND COMPREHENSIVE SALARY SURVEY FOR ALL JOHNSON COUNTY EMPLOYMENT POSITIONS-PRECINCT #3

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve of RFQ for County Wide Update of All Job Descriptions and Comprehensive Salary Survey for all Johnson County Employment Positions-Precinct #3 based on professional services, the [two vendors who perform this type of service will be contacted to obtain quotes](#) from them instead of going out for RFQ.

All voted aye; motion carried.

IX. CONSENT AGENDA

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

All voted aye; motion carried.

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 10:48 A.M. to discuss Indigent Health Care Payments by WebTPA.

The Commissioner's Court reconvened into Open Session at 11:09 A.M. to consider the following:

BE IT KNOWN that Commissioner's Court met in Executive Session at 11:10 A.M. in accordance with Government Code: *Sec. 551.072*-Real Property: Lease of Real Property between Johnson County and Bank of America at #1 N. Main Street, Cleburne Texas, 103 South Mill Street, Cleburne Texas and Parking Lot West of Bank; Purchase of Real Property; *Sec. 551.076*-Security Audit Report and *Sec. 551.071*-Consultation with Attorney-Pending Litigation C201400076- Oliver Vaughn, Jr.

The Commissioner's Court reconvened into Open Session at 2:20 P.M. to consider the following:

XI. EXECUTIVE SESSION

1. Government Code:

a. *Sec. 551.072*-Real Property:

- (1) [Lease of Real Property between Johnson County and Bank of America at #1 N. Main Street, Cleburne Texas, 103 South Mill Street, Cleburne Texas and Parking Lot West of Bank](#)**

Comm. Bailey, seconded by Comm. Howell, made a motion to enter into a five (5) year agreement with the same terms and conditions as the current agreement with Bank of America and to give the County Judge the authorization to sign.

All voted aye; motion carried.

(2) Purchase of Real Property

Comm. Howell, seconded by Comm. Stringer, made a motion to approve to appoint Commissioner Rick Bailey to represent the County in speaking to the owner of the property and if possible bring back a contract for the Commissioner's Court to review.

All voted aye; motion carried.

b. *Sec. 551.076*-Security Audit Report

Comm. Beeson, seconded by Comm. Stringer, made a motion to accept the Security Audit Report and to ask Dan Milam, IT Director, to re-install the County WIFI network in the Guinn Justice Center with the proper security that blocks County computers from connecting to that WIFI.

All voted aye; motion carried.

a. *Sec. 551.072*-Real Property:

(2) Purchase of Real Property

Comm. Howell, seconded by Comm. Stringer, made an amended motion to approve to appoint Commissioner Rick Bailey to represent the County in speaking to the owner of the property located on S. Main Street, currently known as Bill's Bookstore, and if possible bring back a contract for the Commissioner's Court to review.

All voted aye; motion carried.

c. *Sec. 551.071*-Consultation with Attorney-Pending Litigation
C201400076 - Oliver Vaughn, Jr.

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve to employ the services of Attorney, Grant Blaies to represent the County in pending litigation C201400076 - Oliver Vaughn, Jr.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 2:31 P.M.

Submitted by: _____
County Clerk
Becky Williams

Approved by: _____
County Judge
Roger Harmon