

STATE OF TEXAS

APRIL 13, 2020

COUNTY OF JOHNSON

COMMISSIONERS COURT

BE IT KNOWN that on the 13<sup>th</sup> day of April 2020, the Honorable Commissioners 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. (County Judge, Roger Harmon stated the time as 9:02 A.M.) with all members present, and following the Invocation led by County Judge, Roger Harmon, 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 10, 2020 at 1:05 P.M. (Preliminary Agenda) and April 9, 2020 at 12:06 P.M. (Agenda) were considered:

**IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS**

County Judge, Roger Harmon thanked everyone for attending and for keeping the 6 feet social distancing.

1. **ANNOUNCEMENT: THE DEADLINE TO SUBMIT ITEMS FOR THE FRIDAY, MAY 8, 2020 COMMISSIONERS COURT AGENDA WILL BE NOON ON THURSDAY, APRIL 30, 2020.**

County Judge, Roger Harmon announced that the deadline to submit items for the Friday, May 8, 2020 Commissioners Court Agenda will be noon on Thursday, April 30, 2020.

2. PRESENTATION OF LENGTH OF SERVICE PINS TO COUNTY EMPLOYEES

Employees of Johnson County were recognized for their service to Johnson County. The employees recognized by the Court were not present in Court to receive their pins, however their names and length of service were read aloud.

V. PUBLIC HEARING

The Commissioners Court opened a Public Hearing at 9:12 A.M. to discuss:

1. REGARDING JUVENILE CURFEW FOR JOHNSON COUNTY, TEXAS

Johnson County Juvenile Services Director, Cristy Malott addressed the Court in regards to the Juvenile Curfew for Johnson County, Texas. She stated that this is not a response to Coronavirus Outbreak and that the County has had a Juvenile Curfew Order in the past, which is authorized under the Government Code. Malott commented that the last Order in effect was in 2011 and it is supposed to be reviewed and renewed every three years. She stated that she started reviewing the previous order last year and had been working with the Sheriff's Office and the Constables' Offices to create a new Order.

Commissioner Bailey, Precinct #1 asked if she (Cristy) had worked with any of the cities in the process.

Malott responded that she had also been in contact with the cities and has tried to mirror the proposed County Order off of the cities' orders.

Commissioner Woolley, Precinct #4 asked how many years the Order had been in place prior to its expiration.

County Judge, Roger Harmon commented that he though Commissioner R.C. McFall brought it to Court in 1996.

Commissioner Howell, Precinct #2 asked if this was just something that was overlooked.

Judge Harmon commented that it probably was overlooked and that his office can put a tickler in the file to keep it on the agenda for renewal.

Chief Deputy, James Saulter commented that although it was not used very often, it was a helpful tool that the Sheriff's Office could use when needed.

Commissioner Bailey asked what the guidelines of the proposed order were.

Malott stated that the Order reads, for those under the age of 17, they could not be out passed 11:00 P.M Monday, Tuesday, Wednesday, and Thursday and not past 12:00 A.M. Friday, Saturday, and Sunday unless the situation fell within an exception as stated in the Order.

Commissioner Woolley asked where the Order becomes affective and if the cities have their own orders, does it only affect the unincorporated areas. He commented that there could be some confusion if there were different orders.

Commissioner Howell commented that as long as the County's Order mirrors what the cities have, it shouldn't be an issue.

There being no one else to speak, the Public Hearing was closed at 9:19 A.M.

## **VI. PUBLIC PARTICIPATION**

None.

**VII. PRECEDING BUSINESS**

1. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT:

- a. March 18, 2020 – Emergency Session
- b. March 19, 2020 – Special Session
- c. March 23, 2020 – Regular Session
- d. March 27, 2020 – Special Session
- e. March 31, 2020 – Special Session
- f. April 3, 2020 – Special Session
- g. April 7, 2020 – Special Session

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the Minutes of the Commissioners Court for March 18, 2020, March 19, 2020, March 23, 2020, March 27, 2020, March 31, 2020, April 3, 2020 and April 7, 2020.

All voted aye; motion carried.

2. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve to pay bills as presented.

All voted aye; motion carried.

3. ACKNOWLEDGMENT OF RECEIPT OF THE COUNTY AUDITOR'S REPORTS TO THE COMMISSIONERS COURT

The Commissioners Court acknowledged the Receipt of the County Auditor's Reports to the Commissioners Court.

4. CONSIDERATION OF **ORDER #2020-22** – “REGARDING JUVENILE CURFEW FOR JOHNSON COUNTY”-JUVENILE SERVICES

Comm. Howell, seconded by Comm. Stringer, made a motion to approve **Order #2020-22** – “Regarding Juvenile Curfew for Johnson County,” effective today, April 13, 2020-Juvenile Services.

All voted aye; motion carried.

5. CONSIDERATION OF ORDER #2020-21 – “ORDER APPROVING PLAT” OF ACRES OF BLESSING, LOT 1, BLOCK 1 IN PRECINCT #4-PUBLIC WORKS DEPARTMENT

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve **Order #2020-21** – “Order Approving Plat” of **Acres of Blessing**, Lot 1, Block 1 in Precinct #4-Public Works Department.

All voted aye; motion carried.

6. CONSIDERATION OF ORDER #2020-23 – “ORDER APPROVING PLAT” OF BEESON ADDITION, LOTS 1-3, BLOCK 1 IN PRECINCT #4-PUBLIC WORKS DEPARTMENT

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve **Order #2020-23** – “Order Approving Plat” of **Beeson Addition**, Lots 1-3, Block 1 in Precinct #4-Public Works Department.

All voted aye; motion carried.

**VIII. UNFINISHED BUSINESS**

1. CONSIDERATION OF UPDATES ON JOHNSON COUNTY REMODELING PROJECTS:

a. **Burleson Sub-Courthouse Building Remodel**

Discussion. No Action.

b. **Portion of Johnson County Sheriff’s Administration Building Remodel**

Discussion. No Action.

c. **Drive-Thru Bank Facility Located at the Corner of W. Chambers and S. Mill Street, Cleburne, Texas**

Discussion. No Action.

- d. Annex Building Located at 104 W. Chambers Street,  
Cleburne, Texas

Discussion. No Action.

## **XI. WORKSHOP**

The Commissioners Court convened into Workshop Session at 9:31 A.M. to discuss and take any action needed due to the Coronavirus Outbreak (COVID-19).

The Commissioners Court reconvened into Regular Session at 10:17 A.M. to consider the following:

## **IX. NEW BUSINESS**

### **21. DISCUSSION AND TAKE ANY ACTION NEEDED DUE TO THE CORONAVIRUS OUTBREAK (COVID-19)**

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve the formation of a committee to provide the Court with recommendations about the best ways to phase in the re-opening of the County's economy.

All voted aye; motion carried.

Commissioner Woolley, Precinct #4 stepped out of the Meeting at 10:19 A.M.

### **1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS**

No Action.

Commissioner Woolley, Precinct #4 returned at 10:21 A.M. and was present for the vote of New Business #2, a.

2. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE SECTION 111 FOR:

a. Constable, Precinct #1 – Rio Vista SRO-\$40,758.00

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Budget Amendment Pursuant to the Local Government Code *Section 111* for Constable, Precinct #1 - Rio Vista SRO \$40,758.00.

All voted aye; motion carried.

b. Sheriff's Department – Equipment Capital-\$17,638.00

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the Budget Amendment to the Local Government Code *Section 111* for Sheriff's Department - Equipment Capital-\$17,638.00.

All voted aye; motion carried.

3. CONSIDERATION OF ORDER #2020-24 – “TAX ABATEMENT WITH LIFECYCLE BIOTECHNOLOGIES, LP”-COUNTY JUDGE’S OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve **Order #2020-24** – “Tax Abatement with Lifecycle Biotechnologies, LP”-County Judge’s Office.

Comm. Bailey	aye
Comm. Howell	aye
County Judge, Roger Harmon	aye
Comm. Stringer	aye
Comm. Woolley	nay

Motion carried.

4. CONSIDERATION OF TAX ABATEMENT AGREEMENT WITH LIFECYCLE BIOTECHNOLOGIES, LP - PROPERTY OWNER: LIFECYCLE BIOTECHNOLOGIES, LP; APPLICANT: LIFECYCLE BIOTECHNOLOGIES, LP; REINVESTMENT ZONE: CLEBURNE LIFECYCLE BIOTECHNOLOGIES REINVESTMENT ZONE #1; IMPROVEMENTS: HEADQUARTERS AND PRIMARY PRODUCTION FACILITY; ESTIMATED COST: \$5 MILLION INCLUDING SITE PREPERATION AND IMPROVEMENTS-COUNTY JUDGE’S OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Tax Abatement Agreement with Lifecycle Biotechnologies, LP - Property Owner: Lifecycle Biotechnologies, LP; Applicant: Lifecycle Biotechnologies, LP; Reinvestment Zone: Cleburne Lifecycle Biotechnologies Reinvestment Zone #1; Improvements: Headquarters and Primary Production Facility; Estimated Cost: \$5 Million Including Site Preperation and Improvements and to give the County Judge, Roger Harmon the authorization to sign-County Judge’s Office.

Comm. Bailey	aye
Comm. Howell	aye
County Judge, Roger Harmon	aye
Comm. Stringer	aye
Comm. Woolley	nay

Motion carried.

5. CONSIDERATION OF ORDER #2020-25 – “AMENDED TAX ABATEMENT WITH RMA HOLDINGS, LLC”-COUNTY JUDGE’S OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve **Order #2020-25** – “Amended Tax Abatement with RMA Holdings, LLC”-County Judge’s Office.

All voted aye; motion carried.



6. CONSIDERATION OF AMENDED TAX ABATEMENT AGREEMENT WITH RMA HOLDINGS, LLC – PROPERTY OWNER: RMA HOLDINGS, LLC; APPLICANT: RMA HOLDINGS, LLC; REINVESTMENT ZONE: MANSFIELD REINVESTMENT ZONE #42, 2<sup>ND</sup> AVENUE AND ANTLER DRIVE; IMPROVEMENTS: FREEZER, REFRIGERATOR, DRY STORAGE FACILITY; ESTIMATED COST: \$67 MILLION-COUNTY JUDGE’S OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Amended Tax Abatement Agreement with RMA Holdings, LLC – Property Owner: RMA Holdings, LLC; Applicant: RMA Holdings, LLC; Reinvestment Zone: Mansfield Reinvestment Zone #42, 2<sup>nd</sup> Avenue and Antler Drive; Improvements: Freezer, Refrigerator, Dry Storage Facility; Estimated Cost: \$67 Million and to give the County Judge, Roger Harmon the authorization to sign-County Judge’s Office.

All voted aye; motion carried.

7. ACKNOWLEDGEMENT OF NOTICE PURSUANT TO GOVERNMENT CODE SECTION 2254.1036-PURCHASING DEPARTMENT

The Commissioners Court acknowledged the Notice Pursuant to Government Code *Section 2254.1036*-Purchasing Department.

8. CONSIDERATION OF ORDER #2020-26 – “ORDER PROVIDING FOR A FEE TO DEFRAY COSTS OF COLLECTING DELINQUENT FINES, FEES, COURT COSTS, AND OTHER DEBTS PURSUANT TO ARTICLE 103.0031 OF THE TEXAS CODE OF CRIMINAL PROCEDURE AND WRITTEN FINDINGS PURSUANT TO GOVERNMENT CODE SECTION 2254.1036”-PURCHASING DEPARTMENT

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve **Order #2020-26** – “Order Providing for a Fee to Defray Costs of Collecting Delinquent Fines, Fees, Court Costs, and Other Debts Pursuant to Article 103.0031 of the Texas Code of Criminal Procedure and Written Findings Pursuant to Government Code *Section 2254.1036*”-Purchasing Department.

All voted aye; motion carried.

9. CONSIDERATION OF CONTRACT FOR COURT FINES AND FEES COLLECTION SERVICES WITH PERDUE, BRANDON, FIELDER, COLLINS AND MOTT-PURCHASING DEPARTMENT

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve the Contract for Court Fines and Fees Collection Services with Perdue, Brandon, Fielder, Collins and Mott and to give the County Judge, Roger Harmon the authorization to sign and fill in today's date in the blank provided on page 2 of the contract-Purchasing Department.

All voted aye; motion carried.

10. CONSIDERATION OF A RESOLUTION OF JOHNSON COUNTY APPROVING THE SALE OF CERTAIN REAL PROPERTY ACQUIRED AT A DELINQUENT TAX FORECLOSURE SALE, CAUSE NO. T201300156, 612 E. WARDVILLE, LOT 1, BLOCK 288, ORIGINAL CLEBURNE-COUNTY JUDGE'S OFFICE

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve the Resolution of Johnson County Approving the Sale of Certain Real Property Acquired at a Delinquent Tax Foreclosure Sale, Cause No. T201300156, 612 E. Wardville, Lot 1, Block 288, Original Cleburne-County Judge's Office.

All voted aye; motion carried.

11. CONSIDERATION OF A RESOLUTION OF JOHNSON COUNTY APPROVING THE SALE OF CERTAIN REAL PROPERTY ACQUIRED AT A DELINQUENT TAX FORECLOSURE SALE, CAUSE NO. T201400050, CR 711, LOT 6, 5 26.54 FT., BLOCK 6, EGAN-MCDONALD-COUNTY JUDGE'S OFFICE

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the Resolution of Johnson County Approving the Sale of Certain Real Property Acquired at a Delinquent Tax Foreclosure Sale, Cause No. T201400050, CR 711, Lot 6, 5 26.54 Ft., Block 6, Egan-McDonald-County Judge's Office.

All voted aye; motion carried.

12. CONSIDERATION OF A RESOLUTION OF JOHNSON COUNTY APPROVING THE SALE OF CERTAIN REAL PROPERTY ACQUIRED AT A DELINQUENT TAX FORECLOSURE SALE, CAUSE NO. T201200048, 2760 FM 731, LOT 16, BLOCK 3, BROOKHOLLOW-COUNTY JUDGE'S OFFICE

Comm. Woolley, seconded by Comm. Howell, made a motion to approve the Resolution of Johnson County Approving the Sale of Certain Real Property Acquired at a Delinquent Tax Foreclosure Sale, Cause No. T201200048, 2760 FM 731, Lot 16, Block 3, Brookhollow-County Judge's Office.

All voted aye; motion carried.

13. CONSIDERATION OF AGREEMENT BETWEEN THE SHERIFF'S OFFICE AND TRANSUNION (TLO) THAT RAISES THE CURRENT RATE OF \$160.00 PER MONTH FOR 500 INQUIRIES TO \$280.00 PER MONTH FOR 1,000 INQUIRIES, WHICH INCLUDES COMPREHENSIVE REPORTS ON PERSONS AND BUSINESSES-SHERIFF'S OFFICE

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve the Agreement between the Sheriff's Office and TransUnion (TLO) that Raises the Current Rate of \$160.00 per Month for 500 Inquiries to \$280.00 per Month for 1,000 Inquiries, Which Includes Comprehensive Reports on Persons and Businesses and to give the County Judge, Roger Harmon the authorization to sign-Sheriff's Office.

All voted aye; motion carried.

14. CONSIDERATION TO UTILIZE FUNDS FROM 0100-5600-56530 LE TO REPLACE WRECKED VEHICLE, NOT TO EXCEED \$17,399.75-SHERIFF'S OFFICE

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve to Utilize Funds from 0100-5600-56530 LE to Replace Wrecked Vehicle, Not to Exceed \$17,399.75-Sheriff's Office.

All voted aye; motion carried.

15. CONSIDERATION OF MODIFICATION OF INTERGOVERNMENTAL AGREEMENT WITH THE UNITED STATES MARSHALS SERVICE, AGREEMENT NO. 77-15-0078, MODIFICATION NO. 8, TO ADJUST THE CURRENT PER DIEM RATE OF \$71.83 TO \$72.26 AND GUARD/TRANSPORTATION RATE FROM \$24.30 TO \$24.36 TO REFLECT THE DEPARTMENT OF LABOR WAGE DETERMINATION 2015-5231, REVISION 14, DATED 12/23/2019-SHERIFF'S OFFICE

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the Modification of Intergovernmental Agreement with the United States Marshals Service, Agreement No. 77-15-0078, Modification No. 8, to Adjust the Current per Diem Rate of \$71.83 to \$72.26 and Guard/Transportation Rate from \$24.30 to \$24.36 to Reflect the Department of Labor Wage Determination 2015-5231, Revision 14, Dated 12/23/2019 and to give the County Judge, Roger Harmon the authorization to sign-Sheriff's Office.

All voted aye; motion carried.

16. CONSIDERATION OF LEASE AGREEMENT BETWEEN JOHNSON COUNTY AND UNITED WAY OF JOHNSON COUNTY FOR THE PREMISES LOCATED AT 210 FEATHERSTON STREET, CLEBURNE, TEXAS 76033 FOR A TERM OF 60 CONSECUTIVE MONTHS-COUNTY JUDGE'S OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Lease Agreement between Johnson County and United Way of Johnson County for the Premises Located at 210 Featherston Street, Cleburne, Texas 76033 for a Term of 60 Consecutive Months at \$320.00 a month, which are the same terms as the previous contract, and to give the County Judge, Roger Harmon the authorization to sign-County Judge's Office.

All voted aye; motion carried.

17. CONSIDERATION OF LEASE AGREEMENT BETWEEN JOHNSON COUNTY AND CASA OF JOHNSON COUNTY FOR THE PREMISES LOCATED AT 210 FEATHERSTON STREET, CLEBURNE, TEXAS 76033 FOR A TERM OF 60 CONSECUTIVE MONTHS-COUNTY JUDGE'S OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Lease Agreement between Johnson County and CASA of Johnson County for the Premises Located at 210 Featherston Street, Cleburne, Texas 76033 for a Term of 60 Consecutive Months at \$320.00 a month, which are the same terms as the previous contract, and to give the County Judge, Roger Harmon the authorization to sign-County Judge's Office.

All voted aye; motion carried.

18. CONSIDERATION OF QUARTERLY REQUEST FOR COUNTY REIMBURSEMENT OF JUROR PAYMENTS-DISTRICT CLERK'S OFFICE

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the Quarterly Request for County Reimbursement of Juror Payments and to give the County Judge, Roger Harmon the authorization to sign-District Clerk's Office.

All voted aye; motion carried.

19. CONSIDERATION OF APPOINTMENTS TO THE JOHNSON COUNTY HISTORICAL COMMISSION:

a. Carrie Reynolds, Kopperl, Texas

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the appointment of Carrie Reynolds, Kopperl, Texas to the Johnson County Historical Commission.

All voted aye; motion carried.

b. David Murdoch, Cleburne, Texas

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the appointment of David Murdoch, Cleburne, Texas to the Johnson County Historical Commission.

All voted aye; motion carried.

20. CONSIDERATION OF REAPPOINTMENTS TO THE JOHNSON COUNTY CHILD WELFARE BOARD FOR A TWO YEAR TERM:

a. Robert S. Shaw

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve the reappointment of Robert S. Shaw to the Johnson County Child Welfare Board for a Two Year Term.

All voted aye; motion carried.

b. Polly Lee

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve the reappointment of Polly Lee to the Johnson County Child Welfare Board for a Two Year Term.

All voted aye; motion carried.

X. CONSENT AGENDA

Comm. Stringer, seconded by Comm. Howell, made a motion to approve all the items on the Consent Agenda.

All voted aye; motion carried.

**BE IT KNOWN** that Commissioners Court met in Executive Session at 11:08 A.M. in accordance with Government Code: a. *Sec. 551.074*-Personnel: (1) Office Manager, #F12-011, Constable, Precinct #2 and (2) Chief Court Clerk/Administrator, #F09-002, Justice of the Peace, Precinct #4.

The Commissioners Court reconvened into Regular Session at 11:31 A.M. (County Judge, Roger Harmon stated the time as 11:30 A.M.) to consider the following:

**XII. EXECUTIVE SESSION**

1. Government Code:

a. *Sec. 551.074*-Personnel:

- (2) Chief Court Clerk/Administrator, #F09-002, Justice of the Peace, Precinct #4

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve to pay 3.18 hours of Comp. Time in the amount of \$71.66 to Chief Court Clerk/Administrator, #F09-002, Justice of the Peace, Precinct #4.

All voted aye; motion carried.

- (1) Office Manager, #F12-011, Constable, Precinct #2

No Action.

**IX. NEW BUSINESS**


19. CONSIDERATION OF APPOINTMENTS TO THE JOHNSON COUNTY HISTORICAL COMMISSION:

- a. Carrie Reynolds, Kopperl, Texas

Comm. Bailey, seconded by Comm. Woolley, made a motion to rescind the appointment of Carrie Reynolds to the Johnson County Historical Commission due the fact that she does not live within Johnson County as required by statute.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioners Court adjourned at 11:34 A.M.


Approved by:   
Roger Harmon, County Judge

STATE OF TEXAS §  
COUNTY OF JOHNSON §

I, Becky Ivey, Johnson County Clerk, attest that the foregoing is a true and accurate accounting of the Commissioners Court's authorized proceedings for April 13, 2020.



FILED & RECORDED  
April 27, 2020  
Commissioner Court Minutes

  
Becky Ivey, County Clerk  
Clerk of Commissioner's Court  
Johnson County, Texas