

STATE OF TEXAS

MAY 24, 2021

COUNTY OF JOHNSON

COMMISSIONERS COURT

BE IT KNOWN that on the 24<sup>th</sup> day of May 2021, 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 May 20, 2021 at 1:04 P.M. were considered.

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

1. THE REGULARLY SCHEDULED COMMISSIONERS COURT MEETING FOR JULY 12, 2021 HAS BEEN RESCHEDULED FOR JULY 9, 2021 AT 9:00AM. THE DEADLINE TO SUBMIT ITEMS FOR THE JULY 9, 2021 AGENDA WILL BE NOON, JUNE 30, 2021

County Judge, Roger Harmon announced for Court Record that the regularly scheduled Commissioners Court Meeting for July 12, 2021 has been rescheduled for July 9, 2021 at 9:00AM and that the deadline to submit items for the July 9, 2021 Agenda will be Noon, June 30, 2021.

2. PRESENTATION OF RETIREMENT PLAQUE TO KIRK KIRKPATRICK,  
COUNTY AUDITOR

The Members of the Court, along with the Hon. 18<sup>th</sup> District Court Judge, Sydney Hewlett, the Hon. 249<sup>th</sup> District Court Judge, Wayne Bridewell and the Hon. 413<sup>th</sup> District Court Judge, William Bosworth, presented a Retirement Plaque to Kirk Kirkpatrick, County Auditor for his 20 years of service to Johnson County.

The Hon. 413<sup>th</sup> District Court Judge, William Bosworth introduced Steve Watson to the Commissioners Court and noted that he will take over the County Auditor's position starting June 1, 2021.

3. PRESENTATION OF PROCLAMATION FOR JOHNSON COUNTY  
MEMORIAL POPPY DAYS

County Judge, Roger Harmon read the Proclamation for Johnson County Memorial Poppy Days for Court Record. The Commissioners Court proclaimed the month of May 2021 as Johnson County Memorial Poppy Days and presented the Proclamation to Marty Peters, National Public Relations Chair of the American Legion Auxiliary.

4. PRESENTATION TO COMMISSIONERS COURT BY PRAIRIELANDS  
GROUNDWATER CONSERVATION DISTRICT

Kathy Turner Jones, General Manager of Prairielands Groundwater Conservation District presented the 2020 Annual Report to the Commissioners Court.

V. **PUBLIC HEARING**

The Commissioners Court opened a Public Hearing at 9:49 A.M. to discuss:

1. **PUBLIC HEARING TO REVISE THE PLAT OF LANZARA ESTATES, BY DIVIDING LOT 1 INTO LOTS 1X-3, BLOCK 2, LOTS 1-7, BLOCK 3 AND LOTS 1X-11, BLOCK 4, IN PRECINCT #1**

Kim Schollcutt addressed the Court to ask what size the revised lots were going to be.

Public Works Director, David Disheroon and the developers present in the audience confirmed that the revised lots were going to be roughly 2 acres each.

There being no one else to speak, the Public Hearing was closed at 9:52 A.M.

The Commissioners Court opened a Public Hearing at 9:52 A.M. to discuss:

2. **PUBLIC HEARING TO REVISE THE PLAT OF THE RETREAT, PHASE 4, BLOCK 44, BY COMBINING LOTS 1 AND 2 TO FORM LOT 1-R, IN PRECINCT #1**

There being no one from the Public who wished to speak, County Judge, Roger Harmon turned the discussion over to Comm. Bailey, Pct. #1.

Comm. Bailey noted that Public Works proofs all items before they are presented to the Court and that they would not allow something to be presented that did not meet the qualifications. He then thanked those in the audience for being here to stay on top of that. Comm. Bailey commented that this was another example of the growth that they are experiencing out at **The Retreat** and the combining of these lots was to meet the needs of the square footage of the homes out there.

There being no one else to speak, the Public Hearing was closed at 9:54 A.M.

## VI. PUBLIC PARTICIPATION

Ben Hammons, Owner of Diamondback Services, addressed the Court in regards to roads, culverts and storm water management.

Comm. Bailey commented that the Commissioners are mandated by the State, only have a 40 hour work week, and have a limited number of employees, and that by statute they can only do chip seal and they cannot lay down asphalt or concrete. He noted that a lot of the complaints Mr. Hammons is expressing are things that all of the Commissioners deal with, but that there is only so much that they can do in a day. He also stated that they are always looking for better alternatives, such as polymers that are moisture barriers. Comm. Bailey commented that shooting season was about to start and that would give them about a five month window to address the major areas because a lot of what every office does is public safety. He noted that they drive these roads too and are taxpayers, so they get it and they want to utilize every dollar they can in a positive way. Comm. Bailey went on to comment that a lot of these roads don't have the width capacity, that they are fence to fence and he doesn't have the permission to get on and widen those roads. He also stated that the Court recognizes that with a lot of the new growth in the county, subdivisions put in better roads than what they drive in on, so you have cars coming from a new road to a narrow road, but the Commissioners hands are tied unless a landowner wants to give up their property.

Mr. Hammons commented that his comment in regards to width of the road was more about the method in which the County maintenance department is trimming the trees back and keep them from utilizing a lot of the road way.

Comm. Bailey commented he wants Mr. Hammons to understand that they get what he is saying, but that the Commissioners can't always do exactly what they think the right thing to do is because they can't legally do it.

## VII. PRECEDING BUSINESS

### 1. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT:

#### a. May 10, 2021 – Regular Session

Comm. Howell, seconded by Comm. White, made a motion to approve the Minutes of the Commissioners Court for May 10, 2021.

All voted aye; motion carried.

### 2. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve to pay bills as presented with the exclusion of an invoice in the amount of \$400.00 for the National Procurement Institute.

All voted aye; motion carried.

### 3. CONSIDERATION OF **ORDER #2021-30** – “APPROVING THE JOHNSON COUNTY TREASURER’S REPORT TO THE COMMISSIONERS COURT”

Comm. Bailey, seconded by Comm. White, made a motion to approve **Order #2021-30** – “Approving the Johnson County Treasurer’s Report to the Commissioners Court”.

All voted aye; motion carried.

4. CONSIDERATION OF **ORDER #2021-31** – “ORDER APPROVING REVISION OF PLAT PURSUANT TO *SECTION 232.009 (C-1)* OF THE TEXAS LOCAL GOVERNMENT CODE” BY REVISING **LANZARA ESTATES**, BY DIVIDING LOT 1 INTO LOTS 1X-3, BLOCK 2, LOTS 1-7, BLOCK 3 AND LOTS 1X-11, BLOCK 4, IN JOHNSON COUNTY, TEXAS, PRECINCT #1-PUBLIC WORKS DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve **Order #2021-31** – “Order Approving Revision of Plat Pursuant to *Section 232.009 (C-1)* of the Texas Local Government Code” by Revising **Lanzara Estates**, by Dividing Lot 1 into Lots 1X-3, Block 2, Lots 1-7, Block 3 and Lots 1X-11, Block 4, in Johnson County, Texas, Precinct #1-Public Works Department.

All voted aye; motion carried.

5. CONSIDERATION OF **ORDER #2021-32** – “ORDER APPROVING REVISION OF PLAT PURSUANT TO *SECTION 232.009 (C-1)* OF THE TEXAS LOCAL GOVERNMENT CODE” BY REVISING **THE RETREAT, PHASE 4, BLOCK 44**, BY COMBINING LOTS 1 AND 2 TO FORM LOT 1-R, IN JOHNSON COUNTY, TEXAS, PRECINCT #1-PUBLIC WORKS DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve **Order #2021-32** – “Order Approving Revision of Plat Pursuant to *Section 232.009 (C-1)* of the Texas Local Government Code” by Revising **The Retreat**, Phase 4, Block 44, by Combining Lots 1 and 2 to Form Lot 1-R, in Johnson County, Texas, Precinct #1-Public Works Department.

All voted aye; motion carried.

6. CONSIDERATION OF APPROVAL OF CONSTRUCTION BOND NUMBER LFB5935794 FROM THE LANZARA GROUP, LLC FOR THE SUM OF \$391,000.00, SECURED BY OLD REPUBLIC SURETY COMPANY, FOR THE CONSTRUCTION OF ROADS, STREETS, DRAINAGE AND SIGNAGE FOR LANZARA ESTATES, IN PRECINCT #1-PUBLIC WORKS DEPARTMENT

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve the Construction Bond Number LFB5935794 from The Lanzara Group, LLC for the sum of \$391,000.00, Secured by Old Republic Surety Company, for the Construction of Roads, Streets, Drainage and Signage for **Lanzara Estates**, in Precinct #1-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

No Action.

- b. Portion of Johnson County Sheriff's Administration Building Remodel

No Action.

The Commissioners Court recessed at 10:15 A.M. and reconvened at 10:31 A.M. to consider the following:

#### **XI. WORKSHOP**

The Commissioners Court convened into Workshop Session at 10:31 A.M. to discuss 1. Discussion and Take Any Action Needed Due to the Coronavirus Outbreak (COVID-19) and 2. Presentation by Holmes Murphy (Employee Benefits Consultant) to Discuss Pre-Renewal and Last Year's Numbers.

Comm. Woolley stepped out of the Meeting at 10:51 A.M. and returned at 10:52 A.M.

County Judge, Roger Harmon stepped out of the Meeting at 11:05 A.M. and returned at 11:07 A.M.

Comm. White stepped out of the Meeting at 11:08 A.M. and returned at 11:09 A.M.

Comm. Bailey stepped out of the Meeting at 11:18 A.M. and returned at 11:21 A.M.

The Commissioners Court reconvened into Regular Session at 11:36 A.M. to consider the following:

**IX. NEW BUSINESS**

11. CONSIDERATION AND AWARD OF RFP 2021-401 INSURANCE CONSULTANT FOR JOHNSON COUNTY TO HOLMES MURPHY-PURCHASING DEPARTMENT

Comm. Woolley, seconded by Comm. White, made a motion to approve to Award of **RFP 2021-401** Insurance Consultant for Johnson County to Holmes Murphy-Purchasing Department.

All voted aye; motion carried.

17. CONSIDERATION OF 2022 INSURANCE RENEWAL-PERSONNEL DEPARTMENT

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve the 2022 Insurance Renewal by authorizing Personnel Director, Randy Gillespie and Julie Rickman with Holmes and Murphy to approach TAC in regards to a reduction of what was presented.

All voted aye; motion carried.

Comm. Woolley stepped out of the Meeting at 11:40 A.M.

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

No Action.



2. CONSIDERATION OF CONTRACT RENEWAL FOR TEXAS LAW ENFORCEMENT SUPPORT OFFICE (LESO) PROGRAM-CONSTABLE, PRECINCT #1

Comm. Bailey, seconded by Comm. White, made a motion to approve the Contract Renewal for Texas Law Enforcement Support Office (LESO) Program and to give County Judge, Roger Harmon and Constable, Precinct #1, Matt Wylie the authorization to sign-Constable, Precinct #1.

Comm. Woolley returned to the Meeting at 11:41 A.M.

All voted aye; motion carried.

3. CONSIDERATION OF CONTRACT RENEWAL FOR TEXAS LAW ENFORCEMENT SUPPORT OFFICE (LESO) PROGRAM-CONSTABLE, PRECINCT #2

Comm. Howell, seconded by Comm. White, made a motion to approve the Contract Renewal for Texas Law Enforcement Support Office (LESO) Program and to give County Judge, Roger Harmon and Constable, Precinct #2, Adam Crawford the authorization to sign-Constable, Precinct #2.

All voted aye; motion carried.

4. CONSIDERATION OF CONTRACT RENEWAL FOR TEXAS LAW ENFORCEMENT SUPPORT OFFICE (LESO) PROGRAM-SHERIFF'S OFFICE

Comm. Bailey, seconded by Comm. White, made a motion to approve the Contract Renewal for Texas Law Enforcement Support Office (LESO) Program and to give County Judge, Roger Harmon and Sheriff, Adam King the authorization to sign-Sheriff's Office.

All voted aye; motion carried.

5. CONSIDERATION OF MASTER RENTAL AGREEMENT AND JOHNSON COUNTY CONTRACT TERMS ADDENDUM TO RENTAL CONTRACT AND SUNBELT RENTALS, INC. RENTAL AGREEMENT FOR RENTAL OF EQUIPMENT-PURCHASING DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Master Rental Agreement and Johnson County Contract Terms Addendum to Rental Contract and Sunbelt Rentals, Inc. Rental Agreement for Rental of Equipment and to give County Judge, Roger Harmon the authorization to sign-Purchasing Department.

All voted aye; motion carried.

6. CONSIDERATION OF MASTER RENTAL AGREEMENT AND JOHNSON COUNTY CONTRACT TERMS ADDENDUM TO RENTAL CONTRACT AND STAR TRACTOR, LTD RENTAL AGREEMENT FOR RENTAL OF EQUIPMENT-PURCHASING DEPARTMENT

Comm. Woolley, seconded by Comm. White, made a motion to approve the Master Rental Agreement and Johnson County Contract Terms Addendum to Rental Contract and Star Tractor, LTD Rental Agreement for Rental of Equipment and to give County Judge, Roger Harmon the authorization to sign-Purchasing Department.

All voted aye; motion carried.

7. CONSIDERATION OF MASTER RENTAL AGREEMENT AND JOHNSON COUNTY CONTRACT TERMS ADDENDUM TO RENTAL CONTRACT AND HOLT TEXAS, LTD D/B/A HOLT CATERPILLAR RENTAL AGREEMENT FOR RENTAL OF EQUIPMENT-PURCHASING DEPARTMENT

Comm. Howell, seconded by Comm. White, made a motion to approve the Master Rental Agreement and Johnson County Contract Terms Addendum to Rental Contract and Holt Texas, LTD D/B/A Holt Caterpillar Rental Agreement for Rental of Equipment and to give County Judge, Roger Harmon the authorization to sign-Purchasing Department.

All voted aye; motion carried.

8. CONSIDERATION OF MASTER RENTAL AGREEMENT AND JOHNSON COUNTY CONTRACT TERMS ADDENDUM TO RENTAL CONTRACT AND KIRBY SMITH MACHINERY RENTAL AGREEMENT FOR RENTAL OF EQUIPMENT-PURCHASING DEPARTMENT

Comm. White, seconded by Comm. Woolley, made a motion to approve the Master Rental Agreement and Johnson County Contract Terms Addendum to Rental Contract and Kirby Smith Machinery Rental Agreement for Rental of Equipment and to give County Judge, Roger Harmon the authorization to sign-Purchasing Department.

All voted aye; motion carried.

9. CONSIDERATION OF MASTER RENTAL AGREEMENT AND JOHNSON COUNTY CONTRACT TERMS ADDENDUM TO RENTAL CONTRACT AND BANE MACHINERY, INC. RENTAL AGREEMENT FOR RENTAL OF EQUIPMENT-PURCHASING DEPARTMENT

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve the Master Rental Agreement and Johnson County Contract Terms Addendum to Rental Contract and Bane Machinery, Inc. Rental Agreement for Rental of Equipment and to give County Judge, Roger Harmon the authorization to sign-Purchasing Department.

All voted aye; motion carried.

10. CONSIDERATION OF MASTER RENTAL AGREEMENT AND JOHNSON COUNTY CONTRACT TERMS ADDENDUM TO RENTAL CONTRACT WITH ABS RENTALS, INC. AND ABS RENTALS, INC. RENTAL AGREEMENT FOR RENTAL OF EQUIPMENT-PURCHASING DEPARTMENT

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve the Master Rental Agreement and Johnson County Contract Terms Addendum to Rental Contract with ABS Rentals, Inc. and ABS Rentals, Inc. Rental Agreement for Rental of Equipment and to give County Judge, Roger Harmon the authorization to sign-Purchasing Department.

All voted aye; motion carried.

12. CONSIDERATION TO APPROVE THE PURCHASE OF THE REMAINING SUPPLIES FROM LASALLE CORRECTIONS, LLC-SHERIFF'S OFFICE

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve the Purchase of the Remaining Supplies from LaSalle Corrections, LLC-Sheriff's Office.

All voted aye; motion carried.

13. ACKNOWLEDGEMENT OF CERTIFICATION TO THE COMMISSIONERS COURT OF ORDER APPOINTING COUNTY AUDITOR-COUNTY JUDGE'S OFFICE

The Commissioners Court acknowledged the Certification to the Commissioners Court of Order Appointing County Auditor-County Judge's Office.

Personnel Director, Randy Gillespie noted that the Order states he will be able to take over the position on June 1, 2021, but they were able to use the Transition/Training Policy to bring Mr. Watson on today so he would have time to work with Kirk before the transition.

14. CONSIDERATION OF CONTRACT DOCUMENTS AND SPECIFICATIONS FOR WATERLINE IMPROVEMENT PROJECT, FM 4 AND CR 1121, TXCDBG 7218250 TO SERVE JOHNSON COUNTY ON BEHALF OF JOHNSON COUNTY SPECIAL UTILITY DISTRICT, JOHNSON COUNTY, TEXAS-COUNTY JUDGE'S OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Contract Documents and Specifications for Waterline Improvement Project, FM 4 and CR 1121, TxCDBG 7218250 to Serve Johnson County on Behalf of Johnson County Special Utility District, Johnson County, Texas and to give County Judge, Roger Harmon and County Attorney, Bill Moore the authorization to sign-County Judge's Office.

All voted aye; motion carried.

15. CONSIDERATION TO APPLY FOR THE AMERICAN RECOVERY FUNDS AND GIVE COUNTY JUDGE AUTHORIZATION TO SIGN ON TO THE PORTAL-COUNTY JUDGE'S OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve to Apply for the American Recovery Funds and Give County Judge Authorization to Sign on to the Portal-County Judge's Office.

All voted aye; motion carried.

16. CONSIDERATION TO APPLY FOR THE UNCLAIMED PROPERTY CAPITAL CREDITS FOR COUNTIES-COUNTY JUDGE'S OFFICE

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve to Apply for the Unclaimed Property Capital Credits For Counties and to give County Jude, Roger Harmon the authorization to sign-County Judge's Office.

All voted aye; motion carried.

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

No Action.

**X. CONSENT AGENDA**

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

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioners Court adjourned at 12:04 P.M.

Approved by:

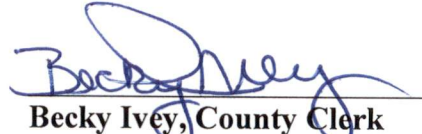
  
Roger Harmon, County Judge

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 May 24, 2021.



**FILED & RECORDED**  
**June 14, 2021**  
**Commissioner Court Minutes**

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