



JOHNSON COUNTY COMMISSIONERS COURT

Christopher Boedeker
County Judge

Rick Bailey
Commissioner
Precinct 1

Kenny Howell
Commissioner
Precinct 2

Mike White
Commissioner
Precinct 3

Larry Woolley
Commissioner
Precinct 4

MEETING OF THE JOHNSON COUNTY COMMISSIONERS COURT REGULAR TERM

JOHNSON COUNTY COURTHOUSE, RM. 201
2 N. MAIN ST. CLEBURNE, TEXAS 76033
MONDAY, MAY 08, 2023 - 9:00 AM

CALL TO ORDER

BE IT KNOWN that on the 8th day of May 2023, 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 9:00 A.M. with all members present. The following items, having been lawfully posted and filed for record in the Office of the County Clerk on May 4, 2023, at 1:40 P.M., were considered:

INVOCATION

Led by County Judge, Christopher Boedeker

PLEDGE OF ALLEGIANCE

**AMERICAN FLAG
TEXAS FLAG**

PUBLIC ANNOUNCEMENTS

PA1. Announcements from County Commissioners Regarding County and Precinct Events

Comm. Bailey stated that many people suffered storm damage from the storm Saturday night, and they will be working diligently to clean up the fallen trees and other debris. Comm. Bailey also announced he would be heading back down to Austin this week to talk to the State Legislature.

Comm. Woolley commented there were lots of roads closed and downed power lines and it would be a slow cleanup.

Comm. Bailey commented that the Tire Collection Event will still be happening in Pct. 1 regardless of the weather.

Comm. Howell stated that last Saturday, at the Tire Collection Event for Pct. 2, 3,000 tires were collected, and two 50 ft. trailers were filled up in one day.

Comm. Woolley commented on how nice the event was Saturday with Mrs. Neeley at the Oakland Cemetery for the dedication of a Historical Marker.

County Judge Boedeker added a few words of appreciation to the Commissioners and Jamie Moore. He commented on how well they handled the storm on Saturday and kept the public informed and safe.

PA2. Update on Springfest and General Business from the Johnson County Historical Commission

Sandra Neeley, Chair of the Johnson County Historical Commission, gave an update on Springfest and General Business from the Johnson County Historical Commission to the Court.

PA3. Update on the Status of the Construction/Renovation of County Buildings by Joshua Green, Facilities Management Director

Facilities Management Director, Josh Green gave a status update to the Court.

Comm. Bailey recommended that the buildings be looked over for damage from the storm on Saturday.

PUBLIC PARTICIPATION

Fernando Rodriguez addressed the Court in regard to the Johnson County Property taxes and tax rates. He requested help and support from the Court.

Craig Hundley addressed the Court in regard to the Appraisal Values going up in Johnson County. He asked for support and fair representation to aid with fair property assessment.

CONSENT AGENDA

The following items are a part of the Consent Agenda. Public Hearing and Review are held collectively unless opposition is presented in which case the contested item(s) will be heard separately.

TRANSFERRING OF BUDGET SURPLUS FOR FY2023

- CA1.** Sheriff-Jail – Ammunition-\$712.00
- CA2.** Stop Special Crimes Unit – Equipment Non-Capital-\$322.00 and Field Tactical Items-\$2,500.00-Total-\$2,822.00
- CA3.** Road & Bridge, Pct. 3 – Operating Reserve-\$300.00
- CA4.** Jury – Fees & Services-\$2,000.00
- CA5.** SRO Cleburne ISD – Uniforms-\$585.00
- CA6.** Facilities Management – Building Repair & Maintenance-\$25,000.00
- CA7.** Elections – Postage-\$5,000.00

- CA8. Constable, Pct. 4 – Small Tools, Equip. & Supplies-\$1,595.00
- CA9. Road & Bridge, Pct. 3 – Operating Reserve-\$5,000.00
- CA10. JP 2 – Postage-\$3,000.00
- CA11. County Court at Law No. 2 – Investigation Expense-\$200.00

REQUEST TO PAY BILLS

- CA12. Consideration to Pay County Bills for Current Term

CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT

- CA13. April 10, 2023 – Regular Session
- CA14. April 17, 2023 – Special Session
- CA15. April 24, 2023 – Regular Session

CONSIDERATION OF APPOINTMENTS

- CA16. James Camp, Grandview Fire Chief as Fire Marshal for the Big Ranch Promotions, LLC Events to be Held on June 11, 2023 at 5224 CR 417, Cleburne, Texas-County Judge’s Office
- CA17. Confirmation of Appointment of Steve Watson, County Auditor as the Johnson County Representative to the Northwest Central Texas Housing Finance Corporation

CONSIDERATION OF TRAINING/SEMINARS

- CA18. Request from the Honorable Troy Fuller, Constable, Pct. 4 for Robert Herod to Attend “79th Annual Justices of the Peace and Constables Association Conference” and “Legally Justified – But was it Avoidable? (TCOLE 57127)”
- CA19. Request from the Honorable Jeffrey Monk, Justice of the Peace, Pct. 2 for Jessie Reynolds and Caleb Gray to Attend “FY23 New Court Personnel Seminar”
- CA20. Request from the Honorable Dale Hanna, District Attorney for Cecily McLaughlin to Attend “2023 Prosecutor Trial Skills Course”
- CA21. Request from the Honorable Adam King, Sheriff for Bryan Gordy to Attend “2023 Jail Management Issues Conference”
- CA22. Request from the Honorable Ronald McBroom, Justice of the Peace, Pct. 1 for Himself and Brandy Wood to Attend “79th Annual Justices of the Peace and Constables Conference”
- CA23. Request from Ralph McBroom, Purchasing Agent for Donna White, Kristi Shaw and Libby Chandler to Attend “Institute for Supply Management Rio Grande Valley Summer Session 2023”

CONSIDERATION OF MEMORANDUM OF ACCEPTANCE OF DONATION

- CA24. 8x10 Framed Photograph of Rhome Field Dated 1940 from Alvin Black with Historical Value Only; Display Preference at Guinn Justice Center-County Judge’s Office
- CA25. Memorandum of Donation of Reclaim Material from JR West Texas Concrete, LLC and to Accept Donation of Road “Reclaim” Material to Johnson County, Texas-Precinct 3

MISCELLANEOUS ITEMS

- CA26. Consideration to Request Unclaimed Property Capital Credits from the Texas Comptroller of Public Accounts with Authorization for County Judge to Sign-County Judge's Office
- CA27. Consideration of Certification of Funds Pursuant to *Chapter 111* of the Local Government Code, Insurance Claim-Facilities Management for Vehicle Repair & Maintenance; to Increase Budget for Third Party Insurance Claim Check-Claim No. 103-83-590, in the Amount of \$4,017.00-Auditor's Office
- CA28. Consideration of Interlocal Cooperation Agreement for Dispatching Services for Budget Year 2022-2023 with Rio Vista Independent School District Police Department with Authorization for County Judge and Sheriff to Sign-Sheriff's Office
- CA29. Consideration of Amendment to Communications System Agreement Effective October 1, 2022 with Rio Vista Independent School District with Authorization for County Judge to Sign-Radio Management
- CA30. Consideration of Amendment to Communications System Agreement Effective October 1, 2022 with Godley Independent School District with Authorization for County Judge to Sign-Radio Management
- CA31. Consideration of Amendment to Communications System Agreement Effective October 1, 2022 with Alvarado Independent School District Police Department with Authorization for County Judge to Sign-Radio Management
- CA32. Consideration of Amendment to Communications System Agreement Effective October 1, 2022 with City of Burleson with Authorization for County Judge to Sign-Radio Management
- CA33. Consideration of Continuation Certificate for CID Clerk, STOP Special Crimes Unit of Johnson County-County Judge's Office
- CA34. Consideration to Declare Miscellaneous Items as Surplus Pursuant to Local Government Code 263.152(a)(1) and Place on Rene Bates Auction-Purchasing Department
- CA35. Consideration of **Order 2023-31** – "Commissioners Court Order Granting an Exemption Under *Section 262.024*, Local Government Code, from the Bidding Requirements of *Section 262.023*, Local Government Code, Upon the Commissioners Court Finding that the Purchase of a Vehicle for Precinct 4 is a Purchase Due to a Case of Public Calamity (Emergency) and it is Necessary to make the Purchase Promptly to Preserve the Property of the County"-Purchasing Department
- CA36. Consideration to Purchase a 2022 Ford Super Duty F-250 from Southwest Ford, Inc. as an Emergency Purchase under Local Government Code 262.024(a)(1) in the Amount of \$47,154.50 for Precinct 4-Purchasing Department
- CA37. Consideration of **Order 2023-32** – "Commissioners Court Order Granting an Exemption Under *Section 262.024*, Local Government Code, from the Bidding Requirements of *Section 262.023*, Local Government Code, Upon Commissioners Court Finding that the Purchase of a Vehicle for Precinct 4 is a Purchase Due to a Case of Public Calamity (Emergency) and it is Necessary to make the Purchase Promptly to Preserve the Property of the County-Purchasing Department
- CA38. Consideration to Purchase a 2023 2500HD 4x4 Double Cab from Caldwell Country Chevrolet as an Emergency Purchase under Local Government Code 262.024(a)(1) in the Amount of \$48,845.00 for Precinct 4-Purchasing Department

- CA39.** Consideration of Proposed Change Request from AUI in the Amount of \$12,650.00 to Complete the Sheriff's Office Remodel Project Phase 4 Data Conduits with Authorization for County Judge to Sign-Facilities Management
- CA40.** Consideration for Precincts to Apply for Over Axle and Over Gross Weight Tolerance Permits and Permit Bonds using Road & Bridge Fees & Services Line Items with Authorization for Commissioners to Sign-County Judge's Office
- CA41.** Consideration to Amend Project Description for the JJAEP American Rescue Plan Act (ARPA) Project to Include the use of ARPA-Funded JJAEP Resources for any Law Enforcement Purposes as Needed-County Judge's Office

Mark Eder addressed to the Court and requested items CA35, CA36, CA37, and CA38 be removed from the Consent Agenda for a separate discussion.

MOTION by Comm. Howell, seconded by Comm. White, to approve as presented with the exception of CA35, CA36, CA37, and CA38.

All voted aye; motion carried.

- CA35.** Consideration of **Order 2023-31** – “Commissioners Court Order Granting an Exemption Under *Section 262.024*, Local Government Code, from the Bidding Requirements of *Section 262.023*, Local Government Code, Upon the Commissioners Court Finding that the Purchase of a Vehicle for Precinct 4 is a Purchase Due to a Case of Public Calamity (Emergency) and it is Necessary to make the Purchase Promptly to Preserve the Property of the County”-Purchasing Department

MOTION by Comm. Woolley, seconded by Comm. Bailey, to approve as presented.

All voted aye; motion carried.

- CA36.** Consideration to Purchase a 2022 Ford Super Duty F-250 from Southwest Ford, Inc. as an Emergency Purchase under Local Government Code 262.024(a)(1) in the Amount of \$47,154.50 for Precinct 4-Purchasing Department

MOTION by Comm. Woolley, seconded by Comm. Howell, to approve as presented.

All voted aye; motion carried.

- CA37.** Consideration of **Order 2023-32** – “Commissioners Court Order Granting an Exemption Under *Section 262.024*, Local Government Code, from the Bidding Requirements of *Section 262.023*, Local Government Code, Upon Commissioners Court Finding that the Purchase of a Vehicle for Precinct 4 is a Purchase Due to a Case of Public Calamity (Emergency) and it is Necessary to make the Purchase Promptly to Preserve the Property of the County-Purchasing Department

MOTION by Comm. Woolley, seconded by Comm. Howell, to approve as presented.

All voted aye; motion carried.

CA38. Consideration to Purchase a 2023 2500HD 4x4 Double Cab from Caldwell Country Chevrolet as an Emergency Purchase under Local Government Code 262.024(a)(1) in the Amount of \$48,845.00 for Precinct 4-Purchasing Department

MOTION by Comm. Woolley, seconded by Comm. Howell, to approve as presented.

All voted aye; motion carried.

ACTION ITEMS

Comm. Woolley took control of the Court to consider ACTION ITEMS, A1, Consideration of Bill Run for Court Appointed Attorney's Fees.

A1. Consideration of Bill Run for Court Appointed Attorneys' Fees

MOTION by Comm. Howell, seconded by Comm. White, to approve.

Comm. Bailey	aye
Comm. Howell	aye
Comm. White	aye
Comm. Woolley	aye
Judge Boedeker	abstained

Motion carried.

Judge Boedeker re-took control of the Court and moved to Item A2.

A2. Consideration to Authorize Purchasing Agent to Request Information from Vendors for Radio System Backup Services-Purchasing Department

MOTION by Comm. Woolley, seconded by Comm. Bailey, to approve to authorize Purchasing Agent to move forward on this request for information.

All voted aye; motion carried.

A3. Consideration to Advertise for Bids/Proposals

NO ACTION

A4. Consideration of Johnson County Contract Terms Addendum-Five Star Painting and Quote #10916 for Exterior Painting Around the Historical Courthouse in the Amount of \$32,773.00 with Authorization for County Judge to Sign-Purchasing Department

MOTION by Comm. White, seconded by Comm. Woolley, to approve as presented after checking with the Historical Commission.

All voted aye; motion carried.

- A5.** Consideration for STOP Investigator to Attend Mandatory Training in Kansas City, Missouri-STOP Special Crimes Unit

Commander Sparks, STOP Special Crimes Unit presented.

MOTION by Comm. Woolley, seconded by Comm. White, to approve as presented.

All voted aye; motion carried.

- A6.** Consideration for Gary Morris and Tim Melcher to Attend “International Association of Coroners and Medical Examiners 2023 Annual Training Symposium in Las Vegas, Nevada-Medical Examiner’s Office

Gary Morris, Chief Forensic Death Investigator presented.

MOTION by Comm. Howell, seconded by Comm. Bailey, to approve as presented.

All voted aye; motion carried.

- A7.** Consideration of Variance to Allow 120.4’ of Road Frontage on Tract 19 S/2, a Replat of **Dragoo Addition**, in Precinct 2-Public Works Department

MOTION by Comm. Howell, seconded by Comm. Woolley, to approve the variance as presented.

All voted aye; motion carried.

- A8.** Consideration of Adoption of Maintenance and Operation Plan for Tributary A and B to Turkey Creek-Public Works Department

MOTION by Comm. Bailey, seconded by Comm. White, to deny.

No vote taken.

MOTION by Comm. Woolley, seconded by Comm. Howell, to table.

All voted aye; motion carried.

- A9.** Consideration of Variance to Allow 30’ x 235’ of Unpaved Roadway to Match Existing Public Roadway County Road 1207 with an 80’ Diameter Cul-De-Sac Providing 60’ of Road Frontage, in Precinct 1-Public Works Department

MOTION by Comm. Bailey, seconded by Comm. White, to grant the variance on this property as presented.

All voted aye; motion carried.

Comm. White stepped out of the Meeting at 10:48 A.M. and returned at 10:49 A.M.

A10. Consideration of Grant of Permanent Easement for 30' x 235' with an 80' Diameter Cul-De-Sac Roadway in the Jacob Giltner Survey, Abstract No. 295, in Precinct 1 with Authorization for County Judge to Sign-Public Works Department

Comm. Woolley commented for Court Record that he has a similar situation in his precinct but that the land owner has full access from another county road, so this action will not create a precedent for him.

Comm. Bailey also commented that it needs to be clear with this motion that the County is not getting involved in disputes between landowners regarding gates or otherwise.

MOTION by Comm. Bailey, seconded by Comm. White, to approve A10, including the Grant of Permanent Easement as an extension of an existing County Roadway 1207 with authorization for County Judge Boedeker to sign.

All voted aye; motion carried.

The Commissioners Court recessed at 10:58 A.M. and reconvened at 11:15 A.M. and moved into Action Item A11.

A11. Consideration of Appointment to the North Central Texas Council of Governments 2023-2024 Regional Safety Advisory Committee (RSAC)-Public Works Department

MOTION by Comm. White, seconded by Comm. Bailey, to appoint Jennifer VanderLaan to the North Central Texas Council of Governments 2023-2024 Regional Safety Advisory Committee.

All voted aye; motion carried.

A12. Consideration of Signature Document for Department of State Health Services Grant Agreement Contract No. HHS001311300008 under the Center for Health Emergency Preparedness and Response Grant Program; Attachments A through I with Authorization for County Judge to Sign-Emergency Management

Jamie Moore, Emergency Management Coordinator presented.

MOTION by Comm. Woolley, seconded by Comm. White, to approve as presented with authorization for County Judge and the Auditor to sign.

All voted aye; motion carried.

A13. Consideration of Quote #12054283 from Lowe's Pro Volume Savings Program for Sheriff's Office Breakroom Appliances in the Amount of \$2,456.44-Facilities Management

MOTION by Comm. Bailey, seconded by Comm. Howell, to approve as presented.

All voted aye; motion carried.

A14. Consideration of the 2023-2024 (FY2024) Budget Planning Calendar-County Judge's Office

MOTION by Comm. White, seconded by Comm. Howell, to approve as presented.

All voted aye; motion carried.

A15. Request for Approval to Apply for COPS Grant for School Violence Prevention Program (SVPP) from the U.S. Department of Justice in the Amount of \$169,461.00 Constituting 75% of the Funding for the Program (Total Program Cost of \$225,948.00) with Cleburne Independent School District Providing \$56,487.00, Constituting 25% off the Cost of the Program with Authorization for County Judge to Sign-Constable, Pct. 1

Matt Wylie, Constable Precinct 1 presented.

MOTION by Comm. White, seconded by Comm. Woolley, to approve as presented with authorization for County Judge and Constable, Pct. 1 to sign.

All voted aye; motion carried.

WORKSHOP

The Commissioners Court convened into Workshop Session at 11:26 A.M. to discuss:

WS1. Consultation with GrantWorks Regarding Proposals and Projects for the American Rescue Plan Act (ARPA) Funding

WS2. Discussion of Amendment to Interlocal Agreement between the City of Fort Worth and Johnson County, Texas for Participation in the Environmental Collection Center Household Hazardous Waste Program-Public Works Department

WS4. Reconvene into Open Session for Potential Action Resulting from Workshop Sessions

The Commissioners Court reconvened into Open Session at 11:34 A.M. and moved to take action on WS2.

WS2. Discussion of Amendment to Interlocal Agreement between the City of Fort Worth and Johnson County, Texas for Participation in the Environmental Collection Center Household Hazardous Waste Program-Public Works Department

MOTION by Comm. Bailey, seconded by Comm. Woolley, to approve this agreement between the City of Fort Worth and Johnson County with the increase as proposed giving the authorization for the County Judge and the County Attorney, Bill Moore to sign.

All voted aye; motion carried.

The Commissioners Court convened into Workshop Session at 11:35 A.M. to discuss:

- WS3.** Discussion Regarding the Transfer of Tax Sales from Constable, Pct. 1 to Constable, Pct. 4-County Judge's Office
- WS4.** Reconvene into Open Session for Potential Action Resulting from Workshop Sessions

EXECUTIVE SESSION

The Commissioners Court convened directly into Closed Executive Session at 11:53 A.M. to discuss ES1, ES2, and ES3:

- ES1.** Government Code: *Sec. 551.074* – Personnel, Frances Box, F12-0027, Office Manager, Precinct 1
- ES2.** Government Code: *Sec. 551.072* – Deliberation About Real Property, Lot 1R1, Blk 2, Marti-Bentley Subdivision, 411 Marti Drive, Cleburne, Texas 76033
- ES3.** Government Code: *Sec. 551.071* – Consultation with Attorney, Contemplated Litigation, Regarding Bio Solids being Placed on Property Adjacent to CR 204 and CR 102 in Johnson County, Texas, Precinct 4
- ES4.** Reconvene into Open Session for Potential Action Resulting from Executive Sessions

The Commissioners Court reconvened into Open Session at 12:36 P.M. and moved to take action on ES1, ES2, and ES3.

- ES2.** Government Code: *Sec. 551.072* – Deliberation About Real Property, Lot 1R1, Blk 2, Marti-Bentley Subdivision, 411 Marti Drive, Cleburne, Texas 76033

NO ACTION

- ES3.** Government Code: *Sec. 551.071* – Consultation with Attorney, Contemplated Litigation, Regarding Bio Solids being Placed on Property Adjacent to CR 204 and CR 102 in Johnson County, Texas, Precinct 4

NO ACTION

- ES1.** Government Code: *Sec. 551.074* – Personnel, Frances Box, F12-0027, Office Manager, Precinct 1

MOTION by Comm. Bailey, seconded by Comm. White, to authorize up to six weeks of training time to be paid by the general fund.

All voted aye; motion carried.

ADJOURN

The Commissioners Court adjourned at 12:37 P.M.

Approved by: *Christopher Boedeker*
Christopher Boedeker, County Judge

STATE OF TEXAS §
COUNTY OF JOHNSON §

I, April Long, Johnson County Clerk, attest that the foregoing is a true and accurate accounting of the Commissioners Court's authorized proceedings for May 8, 2023.



FILED & RECORDED
May 22, 2023
Commissioner Court Minutes

April Long

April Long, County Clerk
Clerk of Commissioners Court
Johnson County, Texas



Opinion of the
Court