



# 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

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**MEETING OF THE JOHNSON COUNTY COMMISSIONERS COURT  
REGULAR TERM  
JOHNSON COUNTY COURTHOUSE, RM. 201  
2 N. MAIN ST. CLEBURNE, TEXAS 76033  
MONDAY, JULY 10, 2023 - 9:00 AM**

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## **CALL TO ORDER**

**BE IT KNOWN** that on the 10<sup>th</sup> day of July 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 July 6, 2023, at 1:47 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 addressed the Court and stated that representatives from the R.C.C. visited his office last week to discuss the Tire Collection Event. He commented that the success of the disposal event has gained traction, so much so that there will now be a regional fund developed for similar events and projects. Comm. Bailey also thanked Julie Winchell, with the City of Cleburne, who was instrumental in the success of the Tire Collection Event.

Comm. Woolley addressed the Court to announce that Donald Kelm, previously the County's District Extension Administrator, was promoted to the Associate Director for County Operations, filling the spot of the retiring Dr. Ripley. Comm. Woolley congratulated Dr. Kelm on his promotion and commented that he looked forward to working with him in his new role.

**PA2.** Presentation of the Texas Historical Commission's 2022 Distinguished Service Award to the Johnson County Historical Commission

Judge Boedeker and the Members of the Court presented the Texas Historical Commission's 2022 Distinguished Service Award to the Executive Committee Members of the Johnson County Historical Commission.

**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 on all the current projects.

Comm. Bailey commented and asked about adding conduit prior to pouring concrete in order to start preparing for electric vehicles in the parking lots.

### **PUBLIC PARTICIPATION**

Sheri Bumgardner addressed the Court to comment on adopting a resolution to limit firearm discharge to 10 acres or more.

Al Betzer addressed the Court to comment on the rodeo on FM 157. Mr. Betzer stated his concerns were noise, traffic, and firearm usage.

Carey Nelson addressed the Court to comment on the rodeo on FM 157. Mr. Nelson stated his concerns were traffic, conduct, and noise.

### **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.** Public Works – Law Books & Publications-\$2,000.00
- CA2.** Hamm Creek Park – Dues, Conferences & Training-\$150.00
- CA3.** District Attorney – Polygraph Tests-\$10,000.00
- CA4.** Facilities Management – Operating Reserve-\$154,604.00
- CA5.** Justice of the Peace, Pct. 2 – Postage-\$500.00
- CA6.** 18<sup>th</sup> District Court – Other Court Appt. Attorneys-\$2,500.00
- CA7.** Veterans Services – Law Books & Publications-\$1,350.00
- CA8.** Road & Bridge, Pct. 1 – Operating Reserve-\$150,000.00 and Equipment Lease-\$1,000.00 Total-\$151,000.00
- CA9.** Constable, Pct. 1 – Uniforms-\$36.00
- CA10.** Cleburne ISD SRO – Fuel, Additives & DEF-\$335.00

- CA11.** Courthouse Security – Fees & Services-\$2,000.00, Equipment Non-Capital-\$800.00, and Dues, Conferences & Training-\$626.00-Total-\$3,426.00
- CA12.** Non-Departmental – Fees & Services-\$2,000.00
- CA13.** Facilities Management – Building Repair & Maintenance-\$2,000.00
- CA14.** Facilities Management – Building Repair & Maintenance-\$16,530.00
- CA15.** Auditor – Fees & Services-\$1,000.00

**REQUEST TO PAY BILLS**

- CA16.** Consideration to Pay County Bills for Current Term

**CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT**

- CA17.** June 21, 2023 – Emergency Session

**CONSIDERATION OF APPOINTMENTS**

- CA18.** James Camp, Grandview Fire Chief as Fire Marshal for the Big Ranch Promotions, LLC Events to be Held on August 6, 2023 at 5224 CR 417, Cleburne, Texas-County Judge’s Office

**CONSIDERATION OF TRAINING/SEMINARS**

- CA19.** Request from the Honorable April Long, County Clerk for Herself to Attend “6<sup>th</sup> Annual County & District Clerks’ Association of Texas Fall Conference”
- CA20.** Request from the Honorable April Long, County Clerk for Flor Ponce and Jenye McWhorter to Attend “2023 Crime Records Conference”
- CA21.** Request from Jennifer VanderLaan, Public Works Director for Herself to Attend “2023 North and East County Judges and Commissioners Association Annual Conference”
- CA22.** Request from Colt Friedrich, County Engineer for Himself to Attend “Texas Association of County Engineers & Road Administrators Conference”
- CA23.** Request from Kristen Clark, Extension Agent for Herself, Justin Hale, and Keely McCrady to Attend “2023 Texas Association of Extension 4-H Youth Development Professionals Annual Conference”
- CA24.** Request from the Honorable David Lloyd, District Clerk for Kristine Bock and Chris Taylor to Attend “2023 Crime Records Conference”
- CA25.** Request from the Honorable David Lloyd, District Clerk for Himself, Carly Casey, and Chris Taylor to Attend “6<sup>th</sup> Annual County & District Clerks’ Association Texas Fall Conference”

**MISCELLANEOUS ITEMS**

- CA26.** Acknowledgement of Receipt of the County Auditor’s Reports to the Commissioners Court
- CA27.** Consideration of Purchase of Firearm Issued to Retired Deputy Doyle Shastid; Firearm Description: Sig Sauer P320, Serial No. 58C291628, Property Tag 58A182561, in Compliance with Government Code *614.051*-Sheriff’s Office
- CA28.** Consideration of Expenditures from Special Fund 0212: Record Management & Preservation, Local Government Code *Section 135.154*; \$3,010.00 for Purchase of Case Binders used to Maintain the Preservation of Court Records, and \$753.40 for Purchase of Heavy-Duty File Boxes for the Preservation of Court Records; for a Total of \$3,763.40 from 0212-5100-53110-GG-County Clerk’s Office
- CA29.** Consideration of Erroneous/Over Payment Refunds in Excess of \$2,500.00 as Required by Tax Code-Tax Office
- CA30.** Consideration of Amended Travel Policy of Johnson County Effective October 1, 2023-County Judge’s Office

- CA31.** Consideration of Amendment and Modification to Requirements Contract – Jury Administration System between Johnson County, Texas and Judicial Systems, Inc. to Add Genesis Chat Module to Better Serve the Citizens of Johnson County with Questions Related to Jury Duty with Authorization for County Judge to Sign-District Clerk’s Office
- CA32.** Acknowledgement of the Texas Alcoholic Beverage Commission Notice of Private Club Application or Renewal for The Mesquite Social Club, 125 Hwy 171, Godley, Texas in Johnson County-County Judge’s Office
- CA33.** Consideration of Certification of Funds Pursuant to *Chapter 111* of the Local Government Code, Insurance Claim-Sheriff Admin-Patrol for Vehicle Repair & Maintenance in the Amount of \$4,264.00-Auditor’s Office
- CA34.** Consideration of Certification of Funds Pursuant to *Chapter 111* of the Local Government Code, Transfer from DA Forfeiture Fund-Sheriff Admin-Patrol & District Attorney for Expenses to be Incurred by the Sheriff’s Office in the Amount of \$3,000.00-Auditor’s Office
- CA35.** Consideration of Todo Verde Invoice in the Amount of \$74,462.50 for Work Done at the 911 Call Center to be Paid using American Rescue Plan Act (ARPA) Funds-County Judge’s Office
- CA36.** Consideration of Todo Verde Invoice in the Amount of \$17,430.00 for Consulting Services at the 911 Call Center to be Paid using American Rescue Plan Act (ARPA) Funds-County Judge’s Office
- CA37.** Consideration of **Order 2023-50** – “Order Approving Plat” of **Lothlorien Addition**, Lots 1, 2, & 3, Block 1, in Precinct 4-Public Works Department
- CA38.** Consideration of Transfer from Non-Departmental Transfers to Construction to the Burluson Sub-Courthouse Construction Fund in the Amount of \$183,532.00-County Judge’s Office

Judge Boedeker commented that CA30 was the Amended Travel Policy the Court discussed at the previous meeting during Workshop. He noted that there were no changes to the document other than a couple of typographical errors that had been corrected.

Comm. Woolley asked to pull CA27 from the Consent Agenda for further discussion.

Judge Boedeker called for a motion for all items on the Consent Agenda except for CA27.

**MOTION** by Comm. White, seconded by Comm. Woolley, to approve.

All voted aye; motion carried.

- CA27.** Consideration of Purchase of Firearm Issued to Retired Deputy Doyle Shastid; Firearm Description: Sig Sauer P320, Serial No. 58C291628, Property Tag 58A182561, in Compliance with Government Code *614.051*-Sheriff’s Office

Comm. Woolley stated that the Court has had discussions previously about the definition of a retired peace officer, and asked the Sheriff if the Deputy was retiring his commission.

Sheriff King stated that he did not know if Deputy Shastid had retired from his commission, but he was unaware of the Deputy taking another job as a peace officer.

Comm. Woolley commented that depending on which attorney you speak to, there are different interpretations. He stated that Jim Allison's response has been that in order to qualify for this purchase, they are required to retire their commission.

The Sheriff stated that there is a distinction between their commission and their license. He explained how their commission is through the Sheriff's Office and their license is through Texas Commission on Law Enforcement. The Sheriff commented that in regard to Deputy Shastid's commission, he is not commissioned at this point.

Comm. Woolley stated that the Court needs to have a Workshop Session in order to discuss this and develop a definitive policy on how they are going to interpret this.

County Attorney Bill Moore commented how he agreed that a policy was needed to address the different interpretations and questions. He noted that in this situation, he believes Mr. Shastid is retired and is receiving retirement from the County and he was not aware of him being licensed or commissioned by any other agency at this time.

Judge Boedeker called for a motion.

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

All voted aye; motion carried.

### **ACTION ITEMS**

**A7.** Consideration of **RFP 2023-223** for Medical – Self Funded, Pharmacy, Stop Loss, Dental, Life, Vision, Voluntary Benefits, COBRA, ACA Reporting, Benefit Administration Portal; PlanSource Benefits Administration, Inc. End User Services Agreement and Johnson County Contract Terms Addendum to PlanSource Benefits Administration, Inc. End User Services Agreement with Authorization for County Judge to Sign-Personnel Department

**MOTION** by Comm. Bailey, seconded by Comm. Howell, to approve and give the County Judge authorization to sign as read.

All voted aye; motion carried.

**A15.** Consideration of **Order 2023-52** – “Prohibition of Outdoor Burning”-Precinct 4

**MOTION** by Comm. Woolley, seconded by Comm. Bailey, to approve the burn ban effective immediately through October 8, 2023.

All voted aye; motion carried.

### **WORKSHOP**

The Commissioners Court convened into Workshop Session at 9:32 A.M. to discuss:

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

**WS2.** Reconvene into Open Session for Potential Action Resulting from Workshop Sessions

Comm. Woolley stepped out of the meeting at 9:39 A.M. and returned at 9:40 A.M.

The Commissioners Court reconvened into Open Session at 9:42 A.M. to consider the following items:

**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. Bailey, 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 Advertise for Bids/Proposals

**NO ACTION**

**A3.** Consideration of Composition, Drawing and Appointment of a Salary Grievance Committee Pursuant to Local Government Code, *Chapter 152*-County Judge's Office

Judge Boedeker commented that every year before Budget, the Court draws three names plus six alternates to constitute the citizen's portion of a Salary Grievance Committee.

Judge stated that he would draw nine names, three to serve on the committee and six alternates. He noted that the list of names is composed of people who have served on a previous grand jury in the County and have already been qualified by the District Judges.

Judge Boedeker drew the names as follows: Jakeb Williamson, Burleson, TX; Christopher Warner, Burleson, TX; Jana Volkman, Burleson, TX; Susan Yarbrough, Burleson, TX (Judge Boedeker noted this was the 1<sup>st</sup> alternate); Donald Boop, Burleson, TX; Becky Larrabee, Venus, TX; Ashley Montgomery, Burleson, TX; Adam Shiman, Grandview, TX; and Dennis Wallace, Cleburne, TX.

No further action was taken.

County Attorney Bill Moore commented, for clarification, that the Salary Grievance Committee will be made up of Elected Officials plus three Public Officials rather than nine Public Officials.

Judge Boedeker agreed, responding that they will use three citizens to complement the Elected Officials (set by statute to create the committee) and that they will start reaching out to the nine names drawn for responses to get the committee constituted before any deadlines pass.

**A4.**        **\*PUBLIC HEARING\*** - Consideration of **Order 2023-46** – “Installation of Stop Signs for Three-Way Stop on CR 1233 and CR 1233A, 1) Stop Sign on the Westbound Side of CR 1233 at 1233A, 2) Stop Sign on the Northbound Side of CR 1233A at CR 1233, 3) Stop Sign on the Southbound Side of CR 1233 for Public Safety in Johnson County, Texas, Precinct 1”

Comm. Bailey presented.

Judge Boedeker opened the Public Hearing at 9:47 A.M.

There being no one from the Public who wished to speak, Judge Boedeker closed the Public Hearing at 9:48 A.M.

**MOTION** by Comm. Bailey, seconded by Comm. Howell, to approve.

All voted aye; motion carried.

County Attorney Bill Moore commented that on A3., there was no action item approving those names. He stated that he thought the Court needed to approve those names and if the three that were chosen to be on the committee are not ultimately on it, the Court may need to come back and approve one of the alternates.

Judge Boedeker re-opened Action Item A3.

**A3.**        Consideration of Composition, Drawing and Appointment of a Salary Grievance Committee Pursuant to Local Government Code, *Chapter 152*-County Judge’s Office

**MOTION** by Comm. White to approve.

Judge Boedeker stated he had a motion by Comm. White to approve the first three names that were drawn to constitute that committee.

Seconded by Comm. Woolley.

All voted aye.

Judge Boedeker stated that Item A3. carries with the first three names drawn constituting the citizen's portion of the Salary Grievance Committee. He also noted that he would bring this back to the Court if further action was necessary.

**A5.** Consideration of **Order 2023-49** – “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 Medical Services Provided by Oncology Hematology Consultants, PA dba The Center for Cancer and Blood Disorders are Professional Services”-Sheriff’s Office

**MOTION** by Comm. Woolley, seconded by Comm. Bailey, to approve **Order 2023-49**.

All voted aye; motion carried.

**A6.** Consideration of Agreement for Professional Comprehensive Oncology Treatment Services between Johnson County, Texas and Oncology Hematology Consultants, PA dba The Center for Cancer and Blood Disorders to Provide Oncology Treatment and Related Medical Services to Johnson County Correction Center Inmates with Authorization for County Judge and Sheriff to Sign-Sheriff’s Office

**MOTION** by Comm. Howell, seconded by Comm. Woolley, to approve.

For clarification, Judge Boedeker asked Comm. Howell if his motion was to approve as presented.

Comm. Howell responded, yes.

All voted aye; motion carried.

**A8.** Consideration of Variance for 60’ of Road Frontage for a Two Acre Lot in a Proposed Subdivision Located on County Road 701, in Precinct 4-Public Works Department

**MOTION** by Comm. Woolley, seconded by Comm. Bailey, to approve.

All voted aye; motion carried.

**A9.** Consideration of Award of Professional Architectural and Engineering Services to Robert Durham Architecture Based on the Proposal Dated June 27, 2023 for the Renovation and Addition to Fleet Maintenance Facility using American Rescue Plan Act (ARPA) Funds-Purchasing Department

**MOTION** by Comm. Woolley, seconded by Comm. White, to approve.

All voted aye; motion carried.

**A10.** Consider and Authorize Purchasing Agent to Advertise and Request Proposals for **RFP 2023-340** Road Construction on Luisa Lane using American Rescue Plan Act (ARPA) Funds-Purchasing Department

**MOTION** by Comm. White, seconded by Comm. Woolley, to approve.

All voted aye; motion carried.



**A11.** Consideration of Award of **RFQ 2023-336** to Diversified Power Systems for the Purchase of a Generac Generator in the Amount of \$38,350.00 using American Rescue Plan Act (ARPA) Funds; with a Discount of \$500.00 for the Obsolete Generator Located at the Crowley Tower as a Trade-In for the Purchase of the New Generator; Includes the Install of a Diesel Tank from an Obsolete Generator from the Cleburne Tower-Purchasing Department

Johnson County Radio Systems Manager Douglas O’Neil presented.

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

All voted aye; motion carried.

Comm. White stepped out of the meeting at 10:10 A.M. and returned at 10:11 A.M.

**A12.** Consideration of Agreement with DebtBook for GASB 96 Services to Determine which Agreements Qualify for the New Reporting and Provide Proper Accounting; to be Paid for with American Rescue Plan Act (ARPA) Funds with Authorization for County Judge to Sign-Auditor’s Office

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

All voted aye; motion carried.

**A13.** Consideration of GrantWorks American Rescue Plan Act (ARPA) Invoice No. 03 in the Amount of \$185,600.00 for Contract ARP-TX-21-126-County Judge’s Office

**MOTION** by Comm. Bailey, seconded by Comm. Howell, to approve.

All voted aye; motion carried.

**A14.** Consideration of **Order 2023-51** – “An Order of the County of Johnson Repealing the Juvenile Curfew Previously Authorized by Texas Local Government Code 370.002 as Required by 88 (R) HB 1819; to be Effective September 1, 2023”- County Judge’s Office

**MOTION** by Comm. Bailey to approve to deny.

Judge Boedeker stated that the first motion died due to lack of a second.

**MOTION** by Comm. White, seconded by Comm. Howell, to approve **Order 2023-51**.

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

Motion carried.

## **EXECUTIVE SESSION**

The Commissioners Court convened into Closed Executive Session at 10:17 A.M. to discuss ES1 and ES2:

- ES1.** Government Code: *Sec. 551.072* – Deliberation About Real Property, Lot 1R1, Blk 2, Marti-Bentley Subdivision, 411 Marti Drive, Cleburne, Texas 76033
- ES2.** Government Code: *Sec. 551.071* – Consultation with Attorney, Pending Litigation, County of Johnson v. Purdue Pharma, L.P., et al., MDL PRETRIAL CAUSE NO. 2018-63587, in the 152d District Court of Harris County, Texas.
- ES3.** Reconvene into Open Session for Potential Action Resulting from Executive Sessions

The Commissioners Court reconvened into Open Session at 10:38 A.M. to take action on ES2.

- ES2.** Government Code: *Sec. 551.071* – Consultation with Attorney, Pending Litigation, County of Johnson v. Purdue Pharma, L.P., et al., MDL PRETRIAL CAUSE NO. 2018-63587, in the 152d District Court of Harris County, Texas.

**MOTION** by Comm. White, seconded by Comm. Woolley, to accept the settlement with Walmart, Walgreens, and CVS, the order approving Statewide Opioid Statement, and to approve the Texas Settlements Subdivision Participation Agreement giving the County Judge authorization to sign.

All voted aye; motion carried.

The Commissioners Court reconvened into Closed Executive Session at 10:40 A.M. to discuss ES1:

- ES1.** Government Code: *Sec. 551.072* – Deliberation About Real Property, Lot 1R1, Blk 2, Marti-Bentley Subdivision, 411 Marti Drive, Cleburne, Texas 76033
- ES3.** Reconvene into Open Session for Potential Action Resulting from Executive Sessions

The Commissioners Court reconvened into Open Session at 11:09 A.M. to take action on ES1.

- ES1.** Government Code: *Sec. 551.072* – Deliberation About Real Property, Lot 1R1, Blk 2, Marti-Bentley Subdivision, 411 Marti Drive, Cleburne, Texas 76033

**NO ACTION**

**ADJOURN**

There being no further business, the Commissioners Court adjourned at 11:09 A.M.

Approved by: *Ch Boe*  
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 July 10, 2023.



**FILED & RECORDED**  
**August 14, 2023**  
**Commissioner Court Minutes**

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