



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, AUGUST 14, 2023 - 9:00 AM**

CALL TO ORDER

BE IT KNOWN that on the 14th day of August 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 August 10, 2023, at 1:42 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 Business

Comm. Woolley thanked all of the volunteer firefighters and the ESD for all of their efforts in fighting all of the recent fires around the county.

Comm. Bailey echoed Comm. Woolley's comments and emphasized that the use of a burn barrel is prohibited during the burn ban.

Comm. White commented that there was a structure fire in his precinct from a barbeque pit.

Comm. Howell commented that during the Double Back Fire, he had a neighbor burning in two burn barrels. He emphasized the need for caution and the restriction of any item with an open flame, spark, etc.

- PA2.** Presentation of Proclamation “Johnson County Pioneer and Old Settler’s Reunion Week”

Judge Boedeker read the “Johnson County Pioneer and Old Settler’s Reunion Week” Proclamation, and the Court presented the proclamation to various members of the Johnson County Pioneer and Old Settler’s Reunion Association.

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

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

PUBLIC PARTICIPATION

David Hearne Jr., President of the Johnson County Pioneer and Old Settler’s Reunion Association, addressed the Court to formally invite them to the fair.

Marvin Mercer addressed the Court to discuss Ferguson Road and County Road 212.

CONSENT AGENDA

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

TRANSFERRING OF BUDGET SURPLUS FOR FY2023

- CA1.** 413th District Court – Other Court Appt. Attorneys-\$2,500.00
CA2. Sheriff Admin/Patrol – Uniforms-\$15,000.00
CA3. Adult Probation – Maintenance of Office Equipment-\$1,500.00 and Office Supplies-\$653.00-Total-\$2,153.00
CA4. Road & Bridge, Pct. 4 – Equipment Lease-\$10,075.00
CA5. County Extension – Maintenance of Office Equipment-\$160.00
CA6. Public Works – Fuel, Additives & Def-\$1,000.00
CA7. Facilities Management – Building Repair & Maintenance-\$20,000.00
CA8. Purchasing – Dues, Conferences & Training-\$200.00
CA9. Road & Bridge, Pct. 1 – Major Bridge/Culvert Projects-\$5,000.00
CA10. Road & Bridge, Pct. 2 – Operating Reserve-\$1,600.00
CA11. Sheriff/Jail – Personnel Salaries-\$400,000.00
CA12. Sheriff/Jail – Uniforms-\$60,000.00
CA13. Constable, Pct. 1 – Constable Sales-\$946.00 and Law Books & Publications-\$410.00-Total-\$1,356.00

REQUEST TO PAY BILLS

- CA14.** Pay County Bills for Current Term

MINUTES OF THE COMMISSIONERS COURT

- CA15.** July 10, 2023 – Regular Session
CA16. July 24, 2023 – Regular Session

APPOINTMENTS

- CA17. James Camp, Grandview Fire Chief as Fire Marshal for the Big Ranch Promotions, LLC Events to be Held on September 3, 2023 and September 17, 2023 at 5224 CR 417, Cleburne, Texas-County Judge's Office
- CA18. Reappointment of Keith Scarbrough as Trustee for Pecan Valley Centers for Behavioral and Developmental Healthcare for a Two-Year Term Ending August 31, 2025-County Judge's Office

TRAINING/SEMINARS

- CA19. Request from Steve Watson, County Auditor for Himself and Jennifer Lyon to Attend "2023 Texas Public Funds Investment Conference"
- CA20. Request from the Honorable April Long, County Clerk for Sarah George and Tami Thomas to Attend "Texas College of Probate Judges Annual Meeting"
- CA21. Request from Jennifer VanderLaan, Public Works Director for Herself to Attend "2023 Texas Association of County Engineers and Road Administrators Conference"
- CA22. Request from the Honorable April Long, County Clerk for Herself and Nikki Ortegon to Attend "TSLAC: Introduction to Records Management Training & Managing Electronic Records Training"
- CA23. Request from the Honorable Larry Woolley, Commissioner, Pct. 4 for Himself to Attend "101st Annual County Judges & Commissioners Association of Texas Conference"
- CA24. Request from the Honorable April Long, County Clerk for Herself and Sarah George to Attend "County & District Clerks Association of Texas Region 5 Fall Meeting"

MISCELLANEOUS ITEMS

- CA25. Acknowledgement of Receipt of the County Auditor's Reports to the Commissioners Court
- CA26. Acknowledgement of the Certification of Excess and Anticipated Debt Collections by the Johnson County Tax Assessor-Collector as Required by the Texas Property Tax Code-Tax Office
- CA27. Consider and Approve New Proposed Fees-2023 Hamm Creek Park to be Effective October 1, 2023-Precinct 1
- CA28. Acknowledgement of the Central Appraisal District of Johnson County's Annual Financial Report, December 31, 2022-County Judge's Office
- CA29. Consider and Approve **Order 2023-59** – "Order Approving Plat" of **Garnica Addition**, Lots 1 & 2, Block 1, in Precinct 3-Public Works Department
- CA30. Consider and Approve Engagement Letter with Kennemer, Masters, and Lunsford for the FY23 Audit of Johnson County with Authorization for County Judge to Sign-County Judges Office
- CA31. Consider and Approve Engagement Letter with Kennemer, Masters, and Lunsford for the FY23 Audit of Johnson County Juvenile Services with Authorization for County Judge to Sign-County Judges Office
- CA32. Consider and Approve Memorandum of Understanding Between Johnson County, on behalf of its Sheriff's Office and Venus Independent School District, on behalf of its Police Department with Authorization for County Judge and Sheriff to Sign-Sheriff's Office
- CA33. Consider and Approve Interlocal Cooperation Agreement for Housing City's Class C Misdemeanor Prisoners for Budget Year 2023-2024 with the City of Grandview with Authorization for County Judge and Sheriff to Sign-Sheriff's Office

- CA34. Consider and Approve District Judge's Order Establishing Salaries for the County Auditor's Office; County Auditor's Budget for Fiscal Year 2024; and Judge's Order Establishing Salaries for Court Reporters for Fiscal Year 2024-County Judge's Office
- CA35. Acknowledgement of Prairielands Groundwater Conservation District's 2022 Annual Report-County Judge's Office
- CA36. Consider and Approve **Order 2023-61** – “Order Approving Plat” of **Bartlett Estates**, Lots 1-4, Block 1, in Precinct 3-Public Works Department
- CA37. Consider and Approve the City of Cleburne to Use County Parking Lots for the Cleburne Wine & Artisans Festival to be Held on Saturday, October 7, 2023; 100 S. Mill Street, 109 W. Chambers Street, and 203, 205, and 207 S. Buffalo Ave.-County Judge's Office
- CA38. Consider and Approve Purchase of Firearm Issued to Retired Chief Investigator, Tom Hargrave, County Attorney's Office; Firearm Description: Sig Sauer, Model P226, .40 Caliber, Serial No. U665642, Property Tag #981419, in Compliance with Government Code *614.051* and County Policy-County Attorney's Office
- CA39. Consider and Approve NCT9-1-1 Interlocal Agreement Between the North Central Texas Emergency Communications District and Johnson County, Texas for Local Addressing and GIS Services with Attachments A and B with Authorization for County Judge to Sign-County Judge's Office
- CA40. Consider and Approve American Rescue Plan Act (ARPA) Funding in the Amount of \$81,810.99 for the Purchase and Installation of Furniture for the Sheriff's Office from Martins Office Supply Under Cooperative Contracts TIPS #230301, Omnia #R191804, and Sitmatic NCPA #11-78-Purchasing Department
- CA41. Consider and Approve First Amendment to Fort Worth City Secretary Contract No. 49984 an Interlocal Agreement Between City of Fort Worth and Johnson County, Texas for Participation in the Environmental Collection Center Household Hazardous Waste Program with Effective Date of October 1, 2023 with Authorization for County Judge to Sign-Public Works Department
- CA42. Acknowledgement of the 2023 Fixed Asset Report-Purchasing Department
- CA43. Consider and Approve **Order 2023-66** – “Order Approving Plat” of **Rutherford Springs, Phase II**, Lots 6-10, 11A, 11B, & 12-15, Block 1 in Precinct 4-Public Works Department
- CA44. Consider and Approve **Order 2023-67** – “Order Approving Plat” of **Martin Creek Addition, Phase II**, Lots 1 & 2, Block 5, in Precinct 1-Public Works Department
- CA45. Consider and Approve the November 7, 2023 Order of the Constitutional Amendment Election and Notice of the Constitutional Amendment Election with Authorization for County Judge to Sign-Elections Office
- CA46. Consider and Approve the Early Voting Head Clerks and Election Day Judges and Alternates for the November 7, 2023 Constitutional Amendment Election-Elections Office
- CA47. Consider and Approve the Election Board Judge, Alternate and Central Counting Personnel for the November 7, 2023 Constitutional Amendment Election, March 5, 2024 Primary Election, and May 28, 2024 Primary Run-Off-Elections Office
- CA48. Consider and Approve the Election Agreements for Johnson County and the City of Cleburne, City of Godley, City of Grandview, City of Joshua, and City of Keene; and the Independent School Districts of Granbury, Grandview, and Joshua; and the Johnson County Fresh Water Supply District No. 2 for the November 7, 2023 Election with Authorization for County Judge to Sign-Elections Office

- CA49.** Consider and Approve the 2024 Republican and Democratic Primary Judges and Alternate Judges-Elections Office
- CA50.** Consider and Approve Interlocal Cooperation Agreement for Housing City's Class C Misdemeanor Prisoners for Budget Year 2023-2024 with the City of Joshua with Authorization for County Judge and Sheriff to Sign-Sheriff's Office

Judge Boedeker commented on CA11, CA27, and CA38. The Judge noted that CA11 was a routine item but brought it to the Court's attention because of the amount. He added that CA27 is the new fees Comm. Bailey presented during the Budget Workshop which will take effect October 1, 2023, and that CA38 falls in line with the new policy the County adopted.

County Attorney Bill Moore commented that CA41 is a previously approved contract and that the only change is to the effective date, which would now be October 1, 2023, and was at the request of the City of Fort Worth.

MOTION by Comm. Woolley, seconded by Comm. White, to approve and to give the County Auditor the authorization to sign CA30 and CA31 and to give the County Attorney the authorization to sign CA41.

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.** Consider and Approve Bill Run for Court Appointed Attorneys' Fees

MOTION by Comm. White, seconded by Comm. Howell, 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 A2.

- A2.** Consider and Authorize Purchasing Agent to Advertise for Bids/Proposals

NO ACTION

- A3.** Discuss and Take Any Appropriate Action Necessary to Implement Employee Insurance Plan-County Judge's Office

NO ACTION

Comm. Woolley asked Personnel Director Randy Gillespie to announce the dates of the Open Enrollment Meetings.

Mr. Gillespie stated that the meetings would take place August 21st - 28th and that information had been emailed out to employees.

- A4.** Consideration to Accept \$421.73 Donation from Durham Rental Property, LLC to be Used to Place Miscellaneous Street Signs on Durham Lane Located in Acres on Nolan River Subdivision off CR 1227 in Johnson County, Texas, Precinct 1

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

All voted aye; motion carried.

- A5.** ***PUBLIC HEARING*** - Consider and Approve **Order 2023-64** – “Order Adopting Durham Lane into the County Road System for County Maintenance (Located in the Acres on Nolan River Subdivision off CR 1227)”-Precinct 1

Judge Boedeker opened a Public Hearing at 9:24 A.M.

There being no one from the public to speak, the Public Hearing was closed at 9:24 A.M.

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

All voted aye; motion carried.

- A6.** Consider and Approve New Radio Fees for Dispatch and Non-Dispatch Users to Access the County Radio System from October 1, 2023 Through September 30, 2024-Radio Management

MOTON by Comm. Howell, seconded by Comm. White, for approval.

All voted aye; motion carried.

- A7.** ***PUBLIC HEARING*** - Consider and Approve **Order 2023-57** – “Order Approving Revision of Plat Pursuant to *Section 232.009 (c-1)* of the Texas Local Government Code” of **Southern Oaks**, Lot 22 to Create Lots 22A & 22B, Block 1, in Precinct 4-Public Works Department

Public Works Office Manager Julie Edmiston presented.

Judge Boedeker opened a Public Hearing at 9:27 A.M.

There being no one from the public to speak, the Public Hearing was closed at 9:27 A.M.

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

All voted aye; motion carried.

A8. *PUBLIC HEARING* - Consider and Approve **Order 2023-58** – “Order Approving Revision of Plat Pursuant to *Section 232.009 (c-1)* of the Texas Local Government Code” of **The Homesteads, Phase 3** Lot 12, Block 2 to Create Lot 12R-1 and Lot 12R-2, Block 2, in Precinct 3-Public Works Department

Public Works Office Manager Julie Edmiston presented.

Judge Boedeker opened a Public Hearing at 9:28 A.M.

There being no one from the public to speak, the Public Hearing was closed at 9:28 A.M.

MOTION by Comm. White, seconded by Comm. Bailey, to approve Order 2023-58.

All voted aye; motion carried.

A9. *PUBLIC HEARING* - Consider and Approve **Order 2023-62** – “Order Approving Revision of Plat Pursuant to *Section 232.009 (c-1)* of the Texas Local Government Code” of **The Retreat, Phase 26**, Reserve Tract, Block 96 to Create Reserve Tracts 1-R and 2-R, Block 96, and 60’ of Right of Way, in Precinct 1-Public Works Department

Public Works Office Manager Julie Edmiston presented.

Comm. Bailey presented.

MOTION by Comm. Bailey to approve as presented.

Judge Boedeker commented that the Court would need to open the Public Hearing before he could accept a motion.

Judge Boedeker opened a Public Hearing at 9:28 A.M.

Randy Casstevens addressed the Court and questioned how the revision would affect his property.

Comm. Woolley stepped out of the meeting at 9:35 A.M. and returned at 9:35 A.M.

Comm. Howell stepped out of the meeting at 9:41 A.M. and returned at 9:41 A.M.

Judge Boedeker commented that the Court would return to this item in order to give Mr. Casstevens and Johnson County Engineer Colt Friedrich time to discuss the plat revision.

The Court did not close the Public Hearing before moving to A13 at 9:42 A.M.

A13. Consider and Approve **Order 2023-65** – “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 John Deere Tractor with a Side Mower from Scurry County, Texas is a Purchase from a Political Subdivision of the State of Texas”-Purchasing Department

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

All voted aye; motion carried.

A14. Consider and Approve **Order 2023-60** – “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 Helping Open People’s Eyes, Inc. (H.O.P.E.) is a Service that can be Obtained from Only One Source”-Purchasing Department

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

All voted aye; motion carried.

A15. Consider and Approve Award of **RFP 2023-340** for Johnson County Road Construction on Luisa Lane to Reynolds Asphalt and Construction in the Amount of \$996,000.00 Using American Rescue Plan Act (ARPA) Funding-Purchasing Department

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

All voted aye; motion carried.

A16. Consider and Authorize the Purchasing Agent to Advertise and Request Proposals for **RFP 2023-342** Transportation of Human Remains-Purchasing Department

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

All voted aye; motion carried.

A17. Consider and Approve the Purchase of Furniture for the Guinn Justice Center, Historic Courthouse, and Annex Building from Martins Office Supply Under Cooperative Contract Sitmatic NCPA #11-78 with \$100,000.00 from the Local Assistance and Tribal Consistency Fund (LATCF) and the Remainder from Transfers to Construction-Purchasing Department

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

All voted aye; motion carried.

A9. ***PUBLIC HEARING*** - Consider and Approve **Order 2023-62** – “Order Approving Revision of Plat Pursuant to *Section 232.009 (c-1)* of the Texas Local Government Code” of **The Retreat, Phase 26**, Reserve Tract, Block 96 to Create Reserve Tracts 1-R and 2-R, Block 96, and 60’ of Right of Way, in Precinct 1-Public Works Department

The Court resumed the Public Hearing at 9:50 A.M.

Comm. Bailey commented.

Randy Casstevens addressed the Court and stated he had no further questions.

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

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

All voted aye; motion carried.

A10. Consider and Approve **Order 2023-63** – “Order Approving Plat” of **The Retreat, Phase 27**, Lots 1-28, Block 97, Lots 1-11, Block 98, Lots 1-16, Block 99, Lots 1-39, Block 100, Lots 1-22, Block 101, Lots 1-14, Block 102, Lots 1-49, Block 103, Lots 1-82, Block 104, Lots 1-21, Block 105, Lots 1-10, Block 106, Greenbelt Tracts 1-7, and Reserve Tracts 1 and 2, in Precinct 1-Public Works Department

MOTION by Comm. Bailey, seconded by Comm. White, to approve as presented with all the modifications.

All voted aye; motion carried.

A11. Consider and Approve Construction Bond Number 61240154 from Double Diamond Delaware, Inc. for the Sum of \$3,000,000.00, Secured by United States Fire Insurance Company, for the Construction of Roads, Streets, Drainage, and Signage for **The Retreat, Phase 27** and Revised Plat Showing Reserve Tract 1-R and 2-R, Block 96, and 60’ of Right of Way, **The Retreat, Phase 26**, in Precinct 1-Public Works Department

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

All voted aye; motion carried.

A12. Consider and Approve Construction Bond Number 612401537 from Double Diamond Delaware, Inc. for the Sum of \$157,000.00, Secured by United States Fire Insurance Company, for the Construction of Roads, Streets, Drainage, and Signage for **The Retreat, Phase 27** TxDot Improvements (Required Turn Lanes on FM 916), in Precinct 1-Public Works Department

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

All voted aye; motion carried.

WORKSHOP

The Commissioners Court convened into Workshop Session at 9:57 A.M. to discuss WS1.

WS1. Discussion of Proposals and Projects for the American Rescue Plan Act (ARPA) Funding, with Possible Consultation with GrantWorks

WS3. Reconvene into Open Session for Potential Action Resulting from Workshop Sessions

The Commissioners Court reconvened into Open Session at 10:32 A.M. to take action on WS1.

WS1. Discussion of Proposals and Projects for the American Rescue Plan Act (ARPA) Funding, with Possible Consultation with GrantWorks

Judge Boedeker stated that the action needed, based on the discussion, is to establish a deadline for all of the beneficiaries and sub-recipients to have contracted and obligated their ARPA funds no later than March 1, 2024.

MOTION by Comm. Woolley, seconded by Comm. White, to establish a deadline for all of the beneficiaries and sub-recipients to have contracted and obligated their ARPA funds no later than March 1, 2024.

All voted aye; motion carried.

County Attorney Bill Moore asked the Court if they also wanted to take action in regard to a deadline for project completion.

Judge Boedeker stated that the Court was still under WS1 and that he would accept a second motion for WS1.

MOTION by Comm. Woolley, seconded by Comm. Bailey, to establish in the contract a completion date of September 30, 2026.

All voted aye; motion carried.

The Commissioners Court convened into Workshop Session at 10:38 A.M. to discuss WS2.

WS2. Discuss Budget and Tax Rate

WS3. Reconvene into Open Session for Potential Action Resulting from Workshop Sessions

EXECUTIVE SESSION

The Commissioners Court convened directly into Closed Executive Session from Workshop Session at 11:14 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

ES2. Reconvene into Open Session for Potential Action Resulting from Executive Sessions

The Commissions Court reconvened into Open Session at 11:31 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

MOTION by Comm. Woolley, seconded by Comm. Bailey, to approve the reduction in the sales price of \$50,000.00 and also approve the surveyor surveying the adjacent tracks two and three in addition to the subject property.

All voted aye; motion carried.

WORKSHOP

The Commissioners Court convened into Workshop Session at 11:32 A.M. to discuss WS2.

WS2. Discuss Budget and Tax Rate

WS3. Reconvene into Open Session for Potential Action Resulting from Workshop Sessions

The Commissioners Court reconvened into Open Session at 11:38 A.M. to take action on WS2.

WS2. Discuss Budget and Tax Rate

Judge Boedeker stated that he would accept a motion for the purchase of the vehicles and that the motion needed to identify how the vehicles would be paid for this year.

MOTION by Comm. Howell, seconded by Comm. White, to approve the Sheriff's Office for the four and Constable Crawford for the one, for a total of five being bought through ARPA Funds.

All voted aye; motion carried.

ADJOURN

There being no further business, the Commissioners Court adjourned at 11:41 A.M.


Approved by: 
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 August 14, 2023.



FILED & RECORDED
August 28, 2023
Commissioner Court Minutes


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