



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, JANUARY 8, 2024 - 9:00 AM

CALL TO ORDER

BE IT KNOWN that on the 8th day of January 2024, 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. with all members present. The following items, having been lawfully posted and filed for record in the Office of the County Clerk on January 4, 2024, at 11:02 A.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. Woolley stated that the Johnson County Junior Livestock show kicked off yesterday and goes all week. He invited folks to go out and support our 4H and FFA youth. He said that there is something showing every day except Friday because Friday is a judging contest and it highlights on Saturday at the Civic Center with the annual auction. He said that it is a big week for our youth and a lot of work by our county agents, ag teachers, parents, and board members that put into all of that. He said that there is even Stock Show weather and that they are off to a great start.

Comm. Bailey stated that the weather may be a hindrance to Old Foamy Road being on schedule. He stated that there is a lot of work being done and once it's to the point of getting done that it will last for a long time.

Judge Boedeker thanked Comm. Bailey for taking him down there and showing him some of the work they are doing. He said that it is an impressive scene they have and they have their work cut out for them and that he appreciates it.

Comm. Woolley congratulated our Johnson County 4H Meats Team that competed this past weekend in Denver, Colorado at the National Western for a national qualifying contest and that they came out on top as national champions. He said that those members are Harlie Groom, Jhett Davis, Kade Davis, and Brecken Shipman. He said that he doesn't believe that we have ever had a Meats team go from Johnson County that did not win it and it is the fifth or sixth national championship in the last 20 years.

Judge Boedeker congratulated them and stated that it was wonderful.

PA2. Presentation of Length of Service Pins to Johnson County Employees

Employees of Johnson County were recognized for their service to Johnson County and employees were given service pins, as attached to these minutes.

Comm. Bailey stepped out of the meeting at 9:29 A.M. and returned at 9:30 A.M.

Comm. Woolley stated that it was a total of 225 years of service.

PA3. Update on the Status of the Master Gardener Farmers Market by Justin Hale, Extension Agent, Agriculture and Natural Resources

Judge Boedeker stated that there would be no update on Item PA3 today because their office is spread thin and he believes Justin Hale is not present today. He said that it will probably be rescheduled later in the month.

PA4. Presentation of Proclamation of Johnson County Crime Stoppers Month; Patty Maggard, President of Johnson County Crime Stoppers will be Present

County Judge Christopher Boedeker read the Proclamation for Johnson County Crime Stoppers for court record and proclaimed the month of January 2024 as "Johnson County Crime Stoppers Month." Judge Boedeker presented the Proclamation to Patty Maggard and other board members with Crime Stoppers.

Patty Maggard thanked Judge Boedeker and said that she appreciated the proclamation. She said that the month of January all over the State of Texas is Crime Stoppers Month and that they do this to bring attention to their organization and the service that they provide and to encourage more people to become more involved in Crime Stoppers.

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

- PA5.** Update on the Status of the Construction/Renovation of County Buildings by Joshua Green, Facilities Management Director

Facilities Management Director Joshua Green presented and said that the greatest update was that the flag was still flying over the Courthouse. He said that they were able to get some better quotes on replacing the cable instead of replacing the whole flagpole. He also said that everything is going accordingly on the 911 Call Center.

Judge Boedeker thanked Mr. Green for the temporary fix of the flagpole.

PUBLIC PARTICIPATION

NONE

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 FY2024

- CA1.** Emergency Management – Transfer from CRI Supplies Project C4 to Software Subscription Costs (SBITAs) Project C4-\$6,983.00
- CA2.** Mailroom – Transfer from Fees & Services to Software Subscription Costs (SBITAs)-\$300.00
- CA3.** Facilities Management – Transfer from Bid/Property Repair & Maintenance to Construction in Progress-\$37,750.00
- CA4.** Radio Management – Transfer from Dues, Conferences & Training to Small Tools, Equipment & Supplies-\$720.00
- CA5.** Constable, Pct. 1 – Transfers from Office Supplies & Furnishings and Constable Sales to Small Tools, Equipment & Supplies-\$2,000.00
- CA6.** Non-Departmental – Transfer from Transfers To to Transfers From-\$297,680.00

MINUTES OF THE COMMISSIONERS COURT

- CA7.** December 11, 2023 – Regular Session
- CA8.** December 21, 2023 – Regular Session

REQUEST TO PAY BILLS

- CA9.** Consideration to Pay County Bills for Current Term

APPOINTMENTS

- CA10.** James Camp, Grandview Fire Chief as Fire Marshal for the Big Ranch Promotions, LLC Event to be Held on February 4, 2024 at 5224 CR 417, Cleburne, Texas-County Judge's Office

TRAINING/SEMINARS

- CA11.** Request from the Honorable Adam King, Sheriff for Regina Alcantar to Attend "Basic Fingerprint Identification Course" and "Palm Print Recognition & Identification"
- CA12.** Request from the Honorable Ronald McBroom, Justice of the Peace, Pct. 1 for Rhonda Houghton, Trameece Webb, Melanie White, and Brandy Wood to Attend "Experience Court Personnel Seminar"

- CA13.** Request from the Honorable Ronald McBroom, Justice of the Peace, Pct. 1 for Himself to Attend “20 Hour Justice of the Peace Seminar”
- CA14.** Request from the Honorable Troy Fuller, Constable, Pct. 4 for Brenda Tucker to Attend “Constable Clerk Workshop”
- CA15.** Request from the Honorable Adam King, Sheriff for David Sullivan to Attend “Mid-Management: Leadership for Corrections Professionals”
- CA16.** Request from the Honorable Matt Wylie, Constable, Pct. 1 for Himself to Attend “FBI-LEEDA 32nd Annual Executive Training Conference”

MISCELLANEOUS ITEMS

- CA17.** Acknowledgement of Receipt of the County Auditor’s Reports to the Commissioners Court
- CA18.** Acknowledgement of the Signed Second Amendment to Interlocal Agreement Between the County of Johnson and the City of Cleburne Regarding Jurisdiction of Plat Approval in the City’s ETJ with Exhibit A-Public Works Department
- CA19.** Acknowledge and Approve the Audit Report for FY23 Quarter 4, Public Works-Auditor’s Office
- CA20.** Acknowledge and Approve the Audit Report for FY23 Quarter 4, District Clerk Registry Account-Auditor’s Office
- CA21.** Acknowledge and Approve the Audit Report for FY23 Quarter 4, County Attorney Hot Check Collections-Auditor’s Office
- CA22.** Acknowledge and Approve the Audit Report for FY23 Quarter 4, Community Supervision and Corrections Department Adult Probation-Auditor’s Office
- CA23.** Acknowledge and Approve the Audit Report for FY24 Quarter 1, Burleson Tax Office Cash Count-Auditor’s Office
- CA24.** Acknowledge and Approve the Audit Report for FY24 Quarter 1, Constable, Pct. 2 Cash Count-Auditor’s Office
- CA25.** Acknowledgement of National Church Residences Plans to Submit an Application for 2024 9% Low Income Housing Tax Credits with the Texas Department of Housing and Community Affairs for the Lincoln Ridge Located at 705 McAnear Street, Cleburne, Johnson County, Texas Consisting of 29 Units in Eight (8) One-Story Apartment Buildings on a Single Site-County Judge’s Office
- CA26.** Consider and Approve Expenditures from Special Fund 0225: Vital Statistics Preservation for the Purchase of Vital Records Security Paper for Texas Local Records in the Amount of \$2,413.75-County Clerk’s Office
- CA27.** Consider and Approve Interlocal Cooperation Agreement for Housing City’s Class C Misdemeanor Prisoners for Budget Year 2023-2024 with the City of Rio Vista, with Authorization for County Judge and Sheriff to Sign-Sheriff’s Office.
- CA28.** Consider and Approve Interlocal Cooperation Agreement for Dispatching Services for Budget Year 2023-2024 with the City of Rio Vista, with Authorization for County Judge and Sheriff to Sign-Sheriff’s Office
- CA29.** Consider and Approve Amendment to Communications System Agreement Effective October 1, 2023 for the City of Rio Vista, with Authorization for County Judge to Sign-Radio Management
- CA30.** Consider and Approve to Declare Miscellaneous Items as Surplus Pursuant to Local Government Code 263.152(a)(1) and Place on Rene Bates Auction-Purchasing Department
- CA31.** Acknowledgement of Letter Declaring the Five Members Elected for a One-Year Term to the 2024 Board of Directors of Johnson County Central Appraisal District-County Judge’s Office

- CA32.** Consider and Approve Budget Amendment Pursuant to *Section 111.011* of the Local Government Code, for Facilities Management Significant Expenditures Related to an Insurance Claim, where Claim Proceeds were Received at the End of FY23 and are Part of Fund Balance in General Fund. Funds will be Transferred to the Construction Projects Fund in the Amount of \$747,479.31-Auditor's Office
- CA33.** Consider and Approve Budget Amendment Pursuant to *Section 111.011* of the Local Government Code, for Sheriff's Office Body Worn Camera and Fleet Camera Software and Equipment, Year One of Contract, Supported with an Approved Transfer from the Equipment Reserve Fund in the Amount of \$297,680.00-Auditor's Office

Comm. Bailey commented that he received a phone call about why Johnson County would continue education or send those who are running for re-election for office to conferences. He said that for those who are watching and following our agendas, this court has always been respectful to the tax dollars and until someone is defeated in a race they will be here for the next year and that is why we do that for an election cycle.

Comm. Woolley stated that it is also statutorily required.

Judge Boedeker stated that we need good people and we need to train them well.

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

All voted aye; motion carried.

ACTION ITEMS

- A1.** Consider and Approve Bill Run for Court Appointed Attorneys' Fees

Comm. Bailey took control of the Court to consider ACTION ITEMS, A1, Consider and Approve Bill Run for Court Appointed Attorneys' Fees.

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

Purchasing Agent Ralph McBroom said that there is a request for the relocation of the fire line inside the Marti building. He said that there are estimates of approximately \$70,000.00 and others that are over \$100,000.00. He asked that the court would approve RFP-2024-302 fire line relocation for the Johnson County Marti building.

Judge Boedeker asked Mr. McBroom for the number again.

Mr. McBroom said that it was RFP 2024-302.

Comm. Bailey asked Mr. McBroom if it was \$70,000.00 or if it was up to \$100,000.00.

Mr. McBroom replied there was one estimate for \$70,000.00 and one for over \$100,000.00.

Comm. Bailey commented that the initial estimate was in the \$60,000.00 range.

MOTION by Comm. Woolley, seconded by Comm. Bailey, to approve moving forward with RFP 2024-302.

All voted aye; motion carried.

A3. Consider and Approve **Order 2024-05** – “Prohibition of Outdoor Burning”

NO ACTION

A4. Consider and Approve Reauthorizing Purchase of Voting Equipment from ES&S as Previously Approved by Commissioners Court, with Authorization for County Judge to Sign First Amendment to Agreement, Including Sales Order Agreement BuyBoard Contract #710-23, General Terms, Exhibit A, and Approve Paying Invoices CD2072613 in the Amount of \$180,861.25 and Invoice CD2072161 in the Amount of \$5,885.63 without a Purchase Order for the Purchase of Voting Equipment, with Possible Budget Amendment to Fund the Purchase from Fund Balance-Elections Office

Elections Administrator Patty Bourgeois presented. She stated that the vendor jumped the gun and sent the invoice before they had the line item set up.

Mr. McBroom said that they are submitting the attachment that goes over the maintenance agreement and it was not submitted to the Court initially and he wanted to take responsibility for that. He said that he took a cursory read over the document and he thought that it didn't need to go to court, but when he went to look again there were dollars involved. He said that the first year is covered under the warranty but in the second year there are dollars involved and stated that was his mistake.

Comm. Woolley asked that in effect that it is a maintenance contract.

Mr. McBroom agreed that it is.

Comm. Bailey commented that the timing was wrong on this to begin with because the State of Texas waited until the budget cycle was over and then sent it.

Judge Boedeker asked Mr. McBroom if he had the attachment but it didn't make it to court the first time.

Mr. McBroom answered that no it didn't.

Judge Boedker asked what the amount was of those ongoing maintenance fees so the court was aware.

Mr. McBroom answered that it was approximately \$26,000.00 per year.

Comm. Woolley asked about the duration of years.

Mr. McBroom said that it continues on.

Comm. Bailey responded that the fair answer is to get legislation to help fund voting machines and these types of items going forward and get working on that for the next legislative cycle. He said that it's not just our county dealing with this but that it's being dealt with all over the state.

Comm. Woolley said that it was a contractual agreement that we weren't really apprised of. He then asked if that was an accurate statement.

Comm. Bailey and Mr. McBroom agreed that it was an accurate statement.

Judge Boedeker asked Mrs. Bourgeois if these items had already been delivered.

Mrs. Bourgeois replied that they had been delivered but not opened yet.

Comm. Howell said that to Comm. Bailey's point, this is just one of the other unfunded mandates that the State of Texas puts on us. He said that they come in and declare your election machines are not valid or they weren't doing certain things so they give you a certain date to furnish brand new ones but they don't offer to pay for them. He said that we have to have them but the state doesn't send any money to pay for them and it is put off on the local taxpayer.

Comm. Woolley asked for clarification on the wording in this agenda item where it says the amount of \$5,885.63 without a purchase order.

Judge Boedeker said that there were several issues with this purchase that they are trying to track down, one of them being that they signed the agreement in court he thinks at the end of November. He added that the normal process would be for Elections and Purchasing to work together, get a PO issued, place the final order, get the items delivered, and pay with a purchase order. He stated that the vendor jumped the gun and delivered the items based on the agreement that we signed, which he believes the agreement allowed them to do that, so they delivered without the purchase order ever having been issued. He asked for the Auditor's office and Mr. Watson to fill him in because they can't pay without authorization.

Johnson County Auditor Steve Watson said that he can't legally submit to the Commissioners Court for the Commissioners to pay something without a purchase order. He said that there are two purchases here one for \$180,861.25 which is the contract that has been discussed and he thinks that the \$5,885.63 is separate. He added that they talked about getting a blanket PO at the beginning of the year letting them know they would need to pay for it at some point during that year. He said that if purchasing is not going to issue a purchase order, he can't submit to the Court that it needs to be included in a bill run. He explained that the statutes allow the Commissioners Court to authorize payment directly without it going through them.

Comm. Woolley asked about the annual amount of \$26,000.00 and if it was also done without a purchase order.

Mr. Watson replied that these are the only two purchases right now, and that the ongoing is in the contract.

Judge Boedeker said that the \$180,861.25 he thinks reflects about half of the total purchase price and he presumes there is another invoice coming and he presumes Elections and Purchasing are working together to get a purchase order for that.

Mr. Watson said that it was \$361,722.50. He stated that he believes the \$26,000.00 is the initial post-warranty term.

Mr. McBroom agreed and stated that the maintenance is covered for the first year and then after the first year the maintenance fee will be \$26,125.00 annually.

Comm. Woolley asked for the page number of this exhibit.

Mr. McBroom said that it was on page five.

Comm. Bailey stated that they might've jumped the gun.

Judge Boedeker asked Mrs. Bourgeois if there were ongoing maintenance costs associated with the voting machines that are being replaced.

Mrs. Bourgeois said that it was around \$15,000.

Comm White said that there was a second page to this and it said that there was a warranty for \$10,000.00 and he asked if that was part of the \$26,000.00

Mrs. Bourgeois stated that it included three things (hardware maintenance fee, software license, and chromeware license) which came to the price of \$26,125.00.

Comm. White said that there is another page after that and it said \$10,690.00.

Mrs. Bourgeois stated that she was told by the vendor that it was \$26,000.00

Comm. Howell said that at the bottom of that, it said total maintenance fees for the post-warranty term is \$26,125.00.

Judge Boedeker asked County Attorney Bill Moore if he was provided any of this before it came to court the first time around.

Mr. Moore stated that the only item he saw the first time around was the sales order agreement which was just the two-page document that was presented to court and that was all that was furnished to his office.

Comm. Woolley asked Judge Boedeker if he signed a contractual agreement on this.

Judge Boedeker stated that he did. He explained how the first time around he thought the backup documents was the original submission. He said that it was sent over with that sales order agreement, that Mr. Moore just referenced, with two pages. He said that it was a quote that was signed for the purchase, that it went to Mr. Moore, that it was voted on in Court, and that he signed off on it. He added that he doesn't believe they were aware of the attached exhibits, the ongoing maintenance fees, or the other terms and conditions that were included with that purchase.

Mr. Moore said that it was approved and signed on November 27th. He added that the other issue they learned later was the trade-in on the original document was incorrect. He explained how it had 50 AutoMARK machines but it has been corrected to only 40 that the county is actually trading in.

Comm. Woolley asked if we had a corrected document to that effect.

Mr. McBroom said that yes and it should be included in the documents that we are now submitting.

Judge Boedeker said that at the beginning of that document, there is a new quote and it is the same trade-in amount but it shows 40 AutoMARKs.

Mr. Moore answered that it was on the second page of the sales order agreement.

Mr. Watson clarified that neither the County Attorney's office nor the Court received the terms of the contract, which is the bulk of this agenda item. He said to let this serve as a reminder to anyone listening, if you are going to buy something get a PO beforehand.

Judge Boedeker stated that he was not thrilled by the way this came to them and having to come back again without a purchase order. He added how at the end of the day, the machines are being decertified and we have to conduct elections.

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

All voted aye; motion carried.

A5. Consider and Approve Variance to Allow a Proposed Lot with Two Existing Single Family Residential Structures to be Less than Two Acres, in Precinct 3-Public Works Department

Public Works Director Jennifer VanderLaan presented. She stated that the owner owns two lots that are being revised to create three lots. She added that one of them has two livable structures and they are proposing that it be 1.92 acres. Because we would require two acres for it to be eligible for permitting and to meet the requirements, this property owner is asking for a variance.

Comm. White said that Mrs. VanderLaan had brought this to his attention and because the land owner has the land to make it two acres (he would just have to take a little bit of the next-door property) he wouldn't be for a variance.

Comm. Woolley asked if there were any water wells or if it was public water.

Mrs. VanderLaan replied that it was all public water. She said that the other two proposed lots are 1.4 acres and the property owner meets the frontage requirements. She added that the lots could be adjusted on the back end to get the required acreage, but this is what the property owner has proposed.

Judge Boedeker asked if both 1.4-acre lots were exactly 150 feet wide.

Mrs. VanderLaan said that if he cuts into those it would have to be at the back of the lot. She stated that the proposed lot which is 1.92 acres wouldn't meet the requirements for road frontage and if it was further subdivided (unless one of those livable structures is removed) they would be permanently tied together.

Comm. Howell asked if that was the piece that had the two structures on it.

Mrs. VanderLaan replied that there was a home and a garage that was converted to have an apartment inside of it.

Comm. Bailey said that there would need to be a separate sewer system for it and if that was the ask.

Mrs. VanderLaan said that it needs a permit for a separate septic system should the garage apartment or the home be lived in by individual families. She said that it could be on one septic system if it is a single-family use but if it's rented out or used by someone outside of the single-family, then yes it should be on a second septic system which leads back to the need of a variance to be eligible for permitting since they do not have two acres.

Comm. Bailey asked Comm. White if he was concerned about the road frontage.

Comm. White explained that he is concerned that later on down the road if they decide they want to rent it out, they would have to come up with a separate system. He added that then they would be in here asking for a variance on the second system (on less than two acres) where now they could solve the problem and make it two acres.

Mrs. VanderLaan said that if this variance was not approved today, the property owner and their surveyor or engineer would have to go back and revise this proposed lot change so that they do have a minimum of two acres on that lot.

Comm. Howell asked that they need to take 800th of an acre off of the 1.455 and add that to the 1.921 and make it a two-acre tract.

Mrs. VanderLaan answered with a yes, that it was possible for a lot line to be adjusted.

MOTION by Comm. White, seconded by Comm. Woolley, to decline the variance.

All voted aye; motion carried.

A6. ***PUBLIC HEARING*** - Consider and Approve **Order 2024-01** – “Order Approving Revision of Plat Pursuant to *Section 232.009 (c-1)* of the Texas Local Government Code” of **Hills of Home**, Section One, Lot 5, Block 2 to Create Lots 5R1 & 5R2, Block 2, in Precinct 1-Public Works Department

Public Works Director Jennifer VanderLaan presented. She stated that the property owner wishes to subdivide this lot into two individual lots that do meet the requirements. She added that they will be served by private water wells and they ask that the Court approve the plat revision as presented.

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

Judge Boedeker commented that the Court would need to open the Public Hearing.

Judge Boedeker opened the Public Hearing at 10:06 A.M.

There being no one to speak, the Public Hearing was closed at 10:06 A.M.

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

Comm. Woolley commented that there could be water well spacing issues.

All voted aye; motion carried.

A7. ***PUBLIC HEARING*** - Consider and Approve **Order 2024-02** – “Order Approving Revision of Plat Pursuant to *Section 232.009 (c)* of the Texas Local Government Code” of **Grandview Industrial Park**, Lot 1 and Lot 2, Block 1 to Create Lot 1R, Block 1, in Precinct 4-Public Works Department

Public Works Director Jennifer VanderLaan presented. She said that the property owner is combining these two lots to meet the requirements for a commercial septic permit application for a business that will be located on the property. She said that they needed the space for their septic system therefore they are replatting two lots into one to be eligible for the permit they need. She asked the Court to approve the plat revision as presented.

Judge Boedeker opened the Public Hearing at 10:08 A.M.

There being no one to speak, the Public Hearing was closed at 10:09 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 2024-03** – “License to Operate a Junkyard to be Located at 9841 S. Interstate 35W, Grandview, Texas, by Spitfire Metals in Johnson County, Precinct 4”-Public Works Department

Public Works Director Jennifer VanderLaan presented. She stated that this was an existing location but the business was unaware of the licensing requirements so they do meet the requirements and they are asking that the Court approve the license for Spitfire Metals

Judge Boedeker said that he saw that Mrs. VanderLaan sent out certified mail to all the properties within 1000 feet of the proposed junkyard. He asked Mrs VanderLaan if she received any responses that were positive or negative.

Mrs. VanderLaan replied that she believed that there were a few questions but not necessarily feedback. She said that they have had some phone calls with issues regarding some of the business operations before the license. She said there are some issues with debris on the access road in front of the business, which is what drew their attention to this location.

Comm. Woolley stated that his office has received complaints of numerous sharp objects such as nails and screws, falling out of vehicles as they are coming in or out on the service road. He said that this fronts on I35 North of Grandview.

Judge Boedeker opened the Public Hearing at 10:10 A.M.

Rick Segerstrom, owner and CEO of AccuLock Incorporated approached the podium and gave a brief presentation of his concerns both on the environment and debris on the roadway.

Comm. Howell stepped out of the meeting at 10:13 A.M. and returned at 10:13 A.M.

Kathleen Murphy, the owner of Spitfire Metals approached the podium and gave a brief presentation.

Comm. Woolley asked what the statute says about spreading debris on a roadway and if there is an enforcement issue.

Comm. Bailey asked if this was a state road that they were coming out on.

Comm. Woolley said that it was.

Comm. Bailey said that it would be on the state side.

Chief Deputy Mark Reinhardt said that garbage or trash is not allowed on the roadway and if it was then it would be a violation of the law.

Comm. Woolley asked if it would be a citable offense.

Chief Reinhardt said that it would be.

Comm Bailey mentioned the environmental program and his concerns about the environmental impact this property has in Johnson County. He said that he wouldn't be comfortable making a decision without further investigation. He said that the biggest issue is good drinking water.

Comm. Woolley said that there are three factors, the first one is that the permit is a county permit and the issues are state issues, the second one is if harmful things are being entered into the water table, that is a TCEQ issue. He said that he shares the same concerns about the fluid and the fact that it is close to Turkey Creek Landfill. He stated that all of that combined creates some red flags. Comm. Woolley asked County Attorney Bill Moore if there was any way this could be delayed and studied further.

Mr. Moore said that on page four of the order which is 2023-91, it lists out the grounds for denial of a license or renewal and it also lists out the grounds for revocation.

Judge Boedeker closed the Public Hearing at 10:30 A.M.

A discussion was held about the requirements of the license.

MOTION by Comm. Woolley, seconded by Comm. White, to approve Order number 2024-03 license to operate a junkyard on 9841 South Interstate 35W.

All voted aye; motion carried.

A9. *PUBLIC HEARING* - Consider and Approve **Order 2024-04** – “Order Adopting the City of Cleburne Thoroughfare Plan in the Extra Territorial Jurisdiction of the City of Cleburne in Johnson County, Texas”-Public Works Department

Public Works Director Jennifer VanderLaan presented. She said that they are asking if the Court would approve adopting Cleburne's Master Thoroughfare Plan in the ETJ until such time that the county has its own Master thoroughfare plan to protect those areas where an additional right away might be required.

Judge Boedeker opened the Public Hearing at 10:49 A.M.

There being no one to speak, the Public Hearing was closed at 10:49 A.M.

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

All voted aye; motion carried.

A10.Consider and Approve **Resolution 2024-01** – “Amended Resolution Appointing Members to the Johnson County Transportation Advisory Committee”-Public Works Department

NO ACTION

- A13.** Consider and Approve Collateral Held by First Financial Bank, N.A. Collateralizing All County Deposits, with Authorization for County Judge to Sign; Authorize County Treasurer and County Tax Assessor-Collector to Sign Release of Existing Collateral – Treasurer

Johnson County Treasurer Kathy Blackwell presented. Mrs Blackwell stated that this would allow herself and the Tax Assessor-Collector Scott Porter to release the pledge collaterals that the bank has for them and it will be replaced by \$250,000,000.00 in letter of credit.

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

All voted aye; motion carried.

The Commissioner's Court recessed at 10:52 A.M.

The Commissioners Court reconvened into Open Session at 11:05 A.M.

- A11.** Consider and Approve **Resolution 2024-02** – “Resolution Appointing Johnson County Representative to The Texas Conference of Urban Counties Policy Committee”-County Judge’s Office

Judge Boedeker said that he was excited about this item and he thinks we will be well represented at the Conference of Urban Counties and he appreciates Comm. Bailey’s willingness to go up there and serve. He stated that we are the 26th largest county in the state and we sometimes forget that because we are very lucky to have a combination of urban and rural lifestyle here and a small town feel you don’t expect in a place of this size. He said that he is happy to have an opportunity to nominate him.

Comm. Bailey thanked Judge Boedeker and said that it was an honor to serve.

MOTION by Comm. White, seconded by Comm. Woolley, to approve Resolution 2024-02.

All voted aye; motion carried.

- A12.** Consider and Approve **Order 2024-06** – “Commissioners Court Order Granting an Exemption Under *Section 262.024*, Texas Local Government Code, from the Bidding Requirements of *Section 262.023*, Texas Local Government Code, upon the Commissioners Court Finding that Road and Bridge Equipment and/or Vehicles Sold by Ritchie Brothers Auctions is Personal Property Sold at an Auction by a State Licensed Auctioneer”-Precinct 1

Comm. Bailey presented and stated that there is so much surplus of good used equipment out there and a lot of these auctions don't just serve the local area they serve worldwide. He stated that when he was trying to pursue the bucket truck he recognized this was the biggest sale he had ever seen and they confirmed that and that there were a lot of good buys out there. He said that unfortunately the bucket truck that he was looking for someone was wanting it a little bit more than he was so they got it. Comm Bailey stated that this could benefit everyone and that there is good trust among one another with sharing equipment. He stated that he thinks the market is right and rental equipment has gotten so expensive and hard to get which is why he went to look for the bucket truck. He said that he thinks it would be a benefit and that they are very conscious of decisions made regarding dollars but he wanted to put it on not just for one item or just for Precinct 1 but it could be for all the Commissioners.

MOTION by Comm. Bailey, seconded by Comm. Howell, to approve this if allowed.

All voted aye; motion carried.

WORKSHOP

The Commissioners Court convened into Workshop Session at 11:11 A.M. to discuss WS1 and WS2.

- WS1.** Discuss Proposals and Projects for the American Rescue Plan Act (ARPA) Funding, with Possible Consultation with GrantWorks
- WS2.** Discuss Creating a Secondary Radio Prime Site; Discuss Applying for Grant to Fund Upgrades with Possible Action to Authorize Application for Grant
- WS5.** Reconvene into Open Session for Potential Action Resulting from Workshop Sessions

The Commissioners Court reconvened into Open Session at 11:19 A.M. to take action on WS2.

- WS2.** Discuss Creating a Secondary Radio Prime Site; Discuss Applying for Grant to Fund Upgrades with Possible Action to Authorize Application for Grant

Judge Boedeker stated that this would be only to authorize the applying for the grant not to authorize the project if the grant funds are not approved.

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

All voted aye; motion carried.

The Commissioners Court convened into Workshop Session at 11:19 A.M. to discuss WS3.

WS3. Discuss Senate Bill 22, Including Possible Action to Authorize Eligible Offices to Apply for Grant and Discussion of use of Grant Funds

WS5. Reconvene into Open Session for Potential Action Resulting from Workshop Sessions

The Commissioners Court reconvened into Open Session at 11:43 A.M. to take action on WS3.

WS3. Discuss Senate Bill 22, Including Possible Action to Authorize Eligible Offices to Apply for Grant and Discussion of use of Grant Funds

MOTION by Comm. Bailey, seconded by Comm. White, to approve to appoint Judge Boedeker, County Judge to do the application for the Sheriff's Office, County Attorney Bill Moore for his office, and District Attorney Dale Hanna for his office.

All voted aye; motion carried.

The Commissioners Court convened into Workshop Session at 11:44 A.M. to discuss WS4.

WS4. Discuss Relocation of Veterans Services Office from Downtown Courthouse to Meals on Wheels Building Located at 106 E. Kilpatrick Ave., Cleburne, Texas

EXECUTIVE SESSION

The Commissioners Court convened directly from Workshop Session into Closed Executive Session at 11:54 A.M. to discuss ES1.

ES1. Government Code: *Section 551.071*, Consultation with Attorney, Contemplated Litigation, Regarding Bio Solids being Placed on Property Adjacent to CR 204 and CR 102, in Precinct 4, Johnson County, Texas

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

The Commissioners Court reconvened into Open Session at 12:21 P.M.

ES1. Government Code: *Section 551.071*, Consultation with Attorney, Contemplated Litigation, Regarding Bio Solids being Placed on Property Adjacent to CR 204 and CR 102, in Precinct 4, Johnson County, Texas

NO ACTION

ADJOURN

There being no further business, the Commissioners Court adjourned at 12:21 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 January 8, 2024.



FILED & RECORDED
February 12, 2024
Commissioner Court Minutes

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