



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, DECEMBER 11, 2023 - 9:00 AM

CALL TO ORDER

BE IT KNOWN that on the 11th day of December 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 December 7, 2023, at 10:43 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. Bailey hoped that Old Foamy Road would be back up and running within 8 weeks, however with supply chain issues it will take longer than expected. He stated that it was a floodplain and they would address it but it would take time.

Comm. Howell requested prayers because he lost one of his employees, Danny Rumsey who was his assistant supervisor. He asked that the Court keep the Rumsey family in their prayers.

Comm. Woolley reminded the Court about the Christmas donation box in front of the County Clerk's desk. He said that this is the next to the last meeting before Christmas and it is for the Sheriff's Association for Shop with a Cop. He thanked Randy Gillespie and the Personnel office for an outstanding event Friday night.

Mr. Gillespie thanked the Court for allowing them to throw the party and he stated that everyone had a good time.

Comm. Woolley mentioned that on Thursday he was with the council of governments, as he is a chairman of the Emergency Preparedness and Planning Council, and he said that a couple of other grant opportunities have come forward. He said that there is a SERI grant Statewide Emergency Radio Infrastructure that is 20 million dollars expected to be offered in January that is for infrastructure only.

Judge Boedeker asked if Comm. Woolley would email that information to Mr. O'Neil and himself because there is a potential project in the works that might come to Court in the next few weeks that might fit that criteria.

Comm. Woolley said that he would. He also said that there are some state and local cybersecurity grant programs that are becoming available and that Texas is allocated 40 million over the next four years. He said that he would send that to Judge Boedeker and Dan Miliam as well.

Comm. Bailey asked how much the grants would be in total.

Comm. Woolley answered that it would be 60 million.

Comm Bailey stated how important it is to have local representation in Austin during that session because these grants come from all the people fighting for all the counties. He stated that none of these would come about without that representation.

Comm. Woolley said that they are all state-funded programs and he agreed with Comm. Bailey.

Comm. Bailey said that we need to have a voice in Austin and this is a good example of why.

PA2. 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 on the Marti building and said everything was good to go on that facility. He stated that they worked very hard, went through the Fire Marshal, and Planning and Development, and got everything processed really quickly. Mr. Green thanked Dan Milam, Cameron George, and the IT department for getting everything set up and said that they did an exceptional job. Mr. Green gave an update on the flagpole at the Historic Courthouse. He said that they have received some quotes from the contractor for the crane as discussed in previous Court meetings. He stated that they are working diligently to keep future repairs to a minimum. He said that the 911 Call Center is going according to schedule.

PUBLIC PARTICIPATION

Bill Allen with First United Methodist Church in Cleburne, asked the Court for ARPA funds assistance for financial aid for needy families.

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 – Transfers from Telephone and Dues, Conferences & Training to Equipment Non-Capital-\$3,250.00
- CA2.** Personnel – Transfer from Mileage Reimbursement to Fees & Services-\$200.00
- CA3.** Sheriff-Jail – Transfer from Small Tools, Equipment & Repair to Equipment Non-Capital-\$2,988.00
- CA4.** Constable, Pct. 1 – Transfers from Janitorial Supplies, Postage, Dues, Conferences & Training, Constable Sales, and Ammunition to Equipment Non-Capital-\$6,513.00
- CA5.** SRO Cleburne ISD – Transfer from Fuels, Additives & DEF to Vehicle & Heavy Machinery Repair & Maintenance-\$3,700.00
- CA6.** Public Works – Transfer from Office Supplies to Dues, Conferences & Training-\$1,000.00
- CA7.** General County Court Expense – Transfer from Small Equipment Repair & Maintenance to Small Tools, Equipment & Supplies-\$500.00
- CA8.** General District Court Expense – Transfer from Small Equipment Repair & Maintenance to Small Tools, Equipment & Supplies-\$600.00

MINUTES OF THE COMMISSIONERS COURT

- CA9.** November 20, 2023 – Special Session

REQUEST TO PAY BILLS

- CA10.** Consideration to Pay County Bills for Current Term

APPOINTMENTS

- CA11.** James Camp, Grandview Fire Chief as Fire Marshal for the Big Ranch Promotions, LLC Event to be Held on January 7, 2024 at 5224 CR 417, Cleburne, Texas-County Judge's Office
- CA12.** Consider and Approve Reappointment of Dr. Kenneth Estes to the Johnson County Economic Development Board for a Second Term of Two Years Ending December 31, 2025-Precinct 3
- CA13.** Consider and Approve Appointment of Michael Hammond to the Johnson County Economic Development Board for a Two-Year Term Ending December 31, 2025-County Judge's Office
- CA14.** Consider and Approve Reappointment of Wes Shipley to the Johnson County Emergency Services District No. 1 Board for a Fourth Term of Two Years Ending December 31, 2025-Precinct 4
- CA15.** Consider and Approve Reappointment of Robert Wallace to the Johnson County Economic Development Board for a Second Term of Two Years Ending December 31, 2025-Precinct 4

TRAINING/SEMINARS

- CA16.** Request from the Honorable Adam Crawford, Constable, Pct. 2 for Sean Blanks to Attend “20-Hour Civil Process”
- CA17.** Request from the Honorable Mike White, Commissioner, Pct. 3 for Himself to Attend “2024 Annual V.G. Young Institute School for County Commissioners Courts”
- CA18.** Request from Steve Watson, Auditor for Himself and Jennifer Lyon to Attend “Basics of County Investments Course”
- CA19.** Request from Jennifer VanderLaan, Public Works Director for Tim Landrum to Attend “TEEX OSSF – Designated Representative”
- CA20.** Request from the Honorable Adam Crawford, Constable, Pct. 2 for Melyn Thompson to Attend “Constable Clerk Workshop”

MEMORANDUM OF DONATION

- CA21.** Check in the Amount of \$500.00 from the Texas Association of Property and Evidence Inventory Technicians (TAPEIT) for Reimbursement of a Property Room Storage Cabinet-Sheriff’s Office

MISCELLANEOUS ITEMS

- CA22.** Acknowledgment of Receipt of the County Auditor’s Reports to the Commissioners Court
- CA23.** Consider and Approve Amendment to Communications System Agreement Effective October 1, 2023 for the American Medical Response Ambulance Service, Inc. d/b/a American Medical Response (AMR) with Authorization for County Judge to Sign-Radio Management
- CA24.** Consider and Approve Amendment to Communications System Agreement Effective October 1, 2023 for Johnson County Emergency Services District No. 1 with Authorization for County Judge to Sign-Radio Management
- CA25.** Consider and Approve Amendment to Communications System Agreement Effective October 1, 2023 for Alvarado Independent School District Police Department with Authorization for County Judge to Sign-Radio Management
- CA26.** Acknowledgement of Notification by Texas Commission on Environmental Quality (TCEQ) of an Application Summary of the Turkey Creek Landfill Municipal Solid Waste Permit Amendment Application No. 1417D Submitted by Texas Regional Landfill Company, LP-Public Works Department
- CA27.** Consider and Approve to Declare Miscellaneous Items as Surplus Pursuant to Local Government Code *263.152(a)(1)* and Place on Rene Bates Auction; All Hard Drives and Memory Removed-Purchasing Department
- CA28.** Consider and Approve **Order 2023-104** – “Order Approving Plat” of **401 Ranch**, Lots 1-8, Block 1, in Precinct 4-Public Works Department
- CA29.** Consider and Approve Volunteer in the Park (VIP) Bond for Ruben Perez, Jr., Hamm Creek Park-Precinct 1
- CA30.** Acknowledgement of the Johnson and Somervell County Sexual Assault Response Team (SART) Biennial Report 2023-Sheriff’s Office
- CA31.** Consideration of the FY 2023 State Criminal Alien Assistance Program (SCAAP) Award Acceptance in the Amount of \$61,197.00-County Judge’s Office

Comm. White thanked Doctor Kenneth Estes from the Alvarado School District. He called Dr. Estes because his appointment was expiring and he said he wanted to be re-appointed so Comm. White wanted to thank him publicly for that.

Comm. Woolley agreed that the same goes for all the folks that we're appointing to boards and commissions. He emphasized that they do that on a volunteer basis.

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

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

Comm. Bailey said that he was researching the vendors for rental agreements because he needed a bucket truck. He stated that it was not something you can rent every day and there is a huge sale that is going on this week, and he researched and looked and saw that they had several bucket trucks at this auction. He said that to rent one for a month he might as well just buy one to use and share it. He said that there is a huge problem with canopy trees, as most do with the county roads, and he wanted to rent this equipment to trim these trees this winter. He would like to have the ability to purchase a bucket truck at this sale or perhaps the next one.

Comm. Woolley stated that buying from a licensed auctioneer does not require going through a bid procurement process.

Comm. Bailey said that he would not assume to do that before bringing it before this Court. He asked Ralph McBroom about the procedure.

Mr. McBroom said that was totally acceptable. He did say that he remembered that there was a clause in one of the documents.

Comm. Bailey said that clause was cleared but he needed a letter of credit from the county to say that he is a bidder there.

Comm Bailey also stated that during the budget hearing this Court discussed a consultant company to look at the STEP programs. He said that he had been asked by a couple of individuals to ask where the Court is on that and what that looks like for today.

Mr. McBroom stated that the Judge, himself, and Lance had a conference call with them last week and they got a final proposal but they are just trying to get the W9. He said that then they could place the order.

Judge Boedeker stated that he would make sure to put on the next agenda (for the 21st) for a full update on the status, but he anticipates a signed agreement will be done before then. He stated that he presumed there was no official action needed on that item with Comm. Bailey because his items are budgeted.

Comm. Bailey said that was correct but that he just wanted to ask.

NO ACTION

A3. Consider and Approve Order 2023-88 – “Prohibition of Outdoor Burning”

Comm. Bailey said that we had a 60% or 70% chance of rain coming Thursday night or Friday but it was getting dry.

Comm. Howell stated that his grass was greener than it had been all year.

Comm. Woolley said that he saw in the paper there were a few grass fires and brush fires that got out of control, but he didn't think it was an extreme situation. He suggested leaving it on the agenda and looking at it in two weeks.

NO ACTION

A4. Consider and Approve Roofing Proposal with Prime Source Construction to Install a Screen Wall at the Johnson County Sheriff's Office, TIPS Contract #23010402 in the Amount of \$37,750.00-Facilities Management

Mr. Green stated that it is a budgeted item. He said that after talking with the contractors and the architects, there is a new city requirement to cover any exposed ductwork or HVAC equipment on the roof. He explained that was not why they did it. He added that he believed it was something that would put the finishing touches on that facility and bring it to where it doesn't look so much like a warehouse.

Judge Boedeker asked Mr. Green to explain a screen wall, for any members of the public.

Mr. Green stated that on most buildings nowadays, there is a flat roof so a screen wall could come up three to four feet and make the roof look higher than what it is. He also stated that it was a safety thing because anyone working on the roof cannot step off because it provides a barrier.

Comm. Woolley asked if it had now become a city requirement.

Mr. Green said yes it is now. He reiterated that it was a budgeted item.

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

All voted aye; motion carried.

- A5.** Acknowledge and Approve Juvenile Board’s Approval to Disperse State Grant Funds to Certain Juvenile Services Employees Who Qualify Under the Grant as Supplemental Pay, with Authorization to Adjust Payroll as Necessary, with No Financial Impact on General Fund, and No Obligation for County to Continue Funding in the Event the State Ceases to Fund, with an Effective Date of December 15, 2023 Payroll-Juvenile Services

Chief Juvenile Probation Officer, Jeremy Burell presented. He asked the Court to acknowledge and disperse the state grant funds in the form of supplemental pay. He stated that it had already been discussed and approved by the Juvenile Board and there is no financial impact to the county. He was asking to approve the \$35,000.00.

Comm. Bailey asked how it would be dispersed and if it would be equally shared.

Mr. Burrell answered that it would be equally dispersed between all nine recipients who qualify under this grant.

Judge Boedeker expressed his appreciation to the Auditor’s Office and to Mr. Burrell for their hard work to find a way so that there would be no financial impact on the county.

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

All voted aye; motion carried.

- A6.** Consider and Approve **Order 2023-102** – “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 the Mental Health Services Provided by Dr. Erica Swicegood, MD are Professional Services”-Sheriff’s Office

Chief David Blankenship presented.

Comm. Howell asked if this was someone who had been providing this service before.

Mr. Blankenship replied with a yes. He added that they already have a contract with her and that this is renewing that contract due to a change in fees.

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

All voted aye; motion carried.

- A7.** Consider and Approve Agreement for Professional Psychiatric Services for Johnson County, Texas with Dr. Erica Swicegood, MD to Provide Mental Health Treatment and Related Medical and Psychiatric Services to Johnson County Corrections Center Inmates with Authorization for County Judge to Sign-Sheriff's Office

Chief David Blankenship presented. He stated that Dr. Swicegood raised her fees, it was a budgeted item, and that he wanted to bring the new agreement to the Court for approval.

Judge Boedeker asked if it had gone through the county attorney's office for approval.

Mr. Blankenship said that it had.

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

All voted aye; motion carried.

- A8.** Consider and Approve **Order 2023-101** – “Order Requiring Johnson County to Provide Radio, Dispatch, and Class C Jail Services to First Responders and Authorizing Johnson County to Invoice for the Services Rendered”-County Judge's Office

Judge Boedeker presented and said he had spoken to the Sheriff, Kathy Blackwell, and Douglas O'Neil about it. He stated that he considered it a housekeeping matter. This orders Ms. Blackwell's office to invoice at the current rate even if the local agreements aren't updated, as some years it takes until November or December to get some of those signed.

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

All voted aye; motion carried.

- A9.** Consider and Approve Amendment No. 1 to Vertosoft, LLC Master Services Agreement and Johnson County Contract Terms Addendum to Vertosoft, LLC Master Services Agreement with Addendum Exhibit B Johnson County Anticipated Funding Allocation, with Authorization for County Judge to Sign-Information Technologies

IT Director Dan Milam presented and stated that it is an amendment to the contract to be signed with Vertosoft LLC.

Comm Bailey stepped out of the meeting at 9:34 A.M. and returned to the meeting at 9:34 A.M.

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

All voted aye; motion carried.

- A10.** Consider and Approve Project Plan for SOMA Project with Authorization for County Judge to Sign-Information Technologies

Dan Milam presented and stated that it was part of the original agreement and that it listed the general timeline. He stated that the project has not slowed down and that in January 2024 they would have a more detailed presentation.

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

All voted aye; motion carried.

- A11.** Consider and Approve **Order 2023-107** – “Order Adopting Emersyn Drive, Kenleigh Lane, and Westover Hills Drive Located in **Westover Hills, Phase 2** in Precinct 1 into the County Road System for County Maintenance”-Public Works Department

Public Works Director Jennifer VanderLaan presented. She said that the developer had completed the construction of his road streets drainage and signage and is requesting acceptance for these streets and roads into the county maintenance program.

Comm. Bailey thanked Colt Freidrich for going to look at this since he was unavailable.

Comm. Bailey called the developer and explained to him that they would not be considering this for road maintenance and he thought that this item was going to be taken off. Comm. Bailey stated that he moved to deny.

Judge Boedeker asked Bill Moore if the Court were to vote to deny this, would that prevent the developer from coming back and asking again at a later date.

Mr. Moore said that he would recommend taking no action.

NO ACTION

- A12.** Consider and Approve **Order 2023-103** – “Order Releasing Irrevocable Letter of Credit No. 3800079281 from Byrd Homes, LLC for the Sum of \$350,000.00, Secured by Pinnacle Bank, for the Construction of Roads, Streets, Drainage, and Signage for **Westover Hills, Phase 2**, in Precinct 1”-Public Works Department

Public Works Director Jennifer VanderLaan presented.

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

All voted aye; motion carried.

Judge Boedeker asked Comm. Bailey if he was willing to take it in for maintenance at a later date.

Comm. Bailey said that he would at a later date.

A13. Consider and Approve “Resolution Appointing Members to the Johnson County Transportation Advisory Committee”-Public Works Department

Jennifer VanderLaan stated that they would like to adopt this advisory committee that consists of appointees from this Court. She stated that this was a committee that would work through this project and hopefully into the future for any changes that need to be made.

Judge Boedeker asked what the commitments were for this committee for the master thoroughfare plan.

Mrs. VanderLaan said that this committee would meet three or four times during the calendar year 2024 to discuss the master thoroughfare plan process. She continued stating that they would identify potential transportation issues with an emphasis on prioritizing projects that benefit the entire county. She added that after the completion of the master thoroughfare plan, they would continue to periodically meet and offer opinions about transportation needs throughout the county as they change.

Judge Boedeker asked for a list of the proposed appointees.

Mrs. Vanderlaan listed them in order: Ana Patterson, Tom Foster, Dan McClendon, Corey Murray, Mike Peacock, Paul DeBuff, Jeremy Hutt, David Boski, Tara Roden, and Alex Phillips.

Comm. Bailey stated that it sounded like we had a well-rounded committee.

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

All voted aye; motion carried.

WORKSHOP

The Commissioners Court convened into Workshop Session at 9:45 A.M. to discuss WS1, WS2.

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

WS2. Discuss Allowing the City of Burleson to Use Office Space in the Burleson Sub-Courthouse to Conduct Elections for the City of Burleson and Burleson ISD in May 2024, to be Presented by Amanda Campos, City Secretary for the City of Burleson

City of Burleson Mayor Chris Fletcher, and City Secretary Amanda Campos presented. Mrs. Campos asked the Court if the City of Burleson could use office space in the Burleson Sub-Courthouse to conduct elections for the City of Burleson and Burleson ISD in May 2024. She said it was strictly just the use of the building.

Judge Boedeker stated that this had no impact on the elections office for Johnson County.

Mr. Green said he would prefer that the Constable's Office run security at that facility because they have keys and access to all the buildings. He also stated that a custodian should be there that day as well.

Comm. Howell stated that he appreciates the cities working with the county and sharing resources. He then stated that he would make a motion to approve this.

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

The Commissioners Court reconvened into Open Session at 10:02 A.M. to take action on WS2.

WS2. Discuss Allowing the City of Burleson to Use Office Space in the Burleson Sub-Courthouse to Conduct Elections for the City of Burleson and Burleson ISD in May 2024, to be Presented by Amanda Campos, City Secretary for the City of Burleson

Judge Boedeker asked Comm. Howell if his motion was still to approve and allow that.

Comm. Howell answered yes.

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

All voted aye; motion carried.

The Commissioners Court convened into Workshop Session at 10:04 A.M. to discuss WS3 and WS4.

WS3 . Discuss Allocation of Office Space in the Newly Purchased Building on Marti Drive

WS4. Discuss Truck Driving School-Precinct 3

Comm. Bailey stepped out of the meeting at 10:23 A.M. and returned at 10:24 A.M.

Comm. Woolley stepped out of the meeting at 10:25 A. M. and returned at 10:27 A.M.

County Attorney Bill Moore asked Judge Boedeker if he wanted to vote on WS3 for court record.

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

The Commissioners Court reconvened into Open Session at 10:27 A.M. to take action on WS3.

WS3. Discuss Allocation of Office Space in the Newly Purchased Building on Marti Drive

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

All voted aye; motion carried.

EXECUTIVE SESSION

The Commissioners Court convened into Closed Executive Session at 10:29 A.M. to discuss ES1 and ES2.

ES1. Government Code: *Sec. 551.074* – Personnel, Open Position, F26-006, Court Reporter, General District Court

ES2. 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 Precinct 4, Johnson County, Texas

ES3. Reconvene into Open Session for Potential Action Resulting from Executive Sessions

The Commissioners Court reconvened into Open Session at 11:21 A.M. and took action on ES1.

ES1. Government Code: *Sec. 551.074* – Personnel, Open Position, F26-006, Court Reporter, General District Court

MOTION by Comm. Bailey, seconded by Comm. Howell, to approve that with the salary not to exceed \$115,436.00 and accept it.

All voted aye; motion carried.

ES2. 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 Precinct 4, Johnson County, Texas

NO ACTION

ADJOURN

There being no further business, the Commissioners Court adjourned at 11:23 A.M.

Approved by: *CGH Boeder*
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 December 11, 2023.



FILED & RECORDED
January 8, 2024
Commissioner Court Minutes

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