

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, FEBRUARY 26, 2024 - 9:00 AM

CALL TO ORDER

BE IT KNOWN that on the 26th day of February 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 9:00 A.M. with all members present except for Commissioner Woolley, Pct. 4. The following items, having been lawfully posted and filed for record in the Office of the County Clerk on February 22, 2024, at 10:07 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. Howell stated that the calls he received were from homeowners who wanted to test their water. He asked IT Director Dan Milam where the information was to send the water off to be tested.

Mr. Milam stated that he did not have a list but if one is given to him he would put it on the County website.

Comm. Bailey stated that he would encourage folks to share their findings with the Court then maybe the Court could help, if possible. He stated the only concerns he had were for the primary election as he received a text from Robin at the Republican Headquarters regarding county property and what could be done on it. He stated that he remembered that several years ago one of the County's sprinkler heads was knicked because someone drove a T-post into the ground.

Comm. Bailey stated that he thought the policy was that if you are going to have campaign signs on county property, the yard signs can be used but T-posts or digging are not allowed. He added that's because all of the County buildings, with any significance, have sprinkler systems and other water lines.

Comm. White stated that in January he had the same call and that the Judge's Office found the Order so he could send it.

Comm. Howell agreed and stated that there was an order that said no T-posts.

Comm White stated that there were several orders and the first one was the 2020-43 Order Regulating Temporary Signs on County Property and then there was 2020-13.

County Attorney Bill Moore stated that the second Order had some amendments to it and that is why there are two.

Mr. Milam stated that the information for the testing facility for the water is on the Johnson County Website (johnsoncountytexas.org) under News (Current News) on the last page of the Presentation (Johnson County Biosolids Presentation).

Comm. Bailey gave an update to the Court on the Old Foamy Road project. He stated that it would probably be done in June if the weather cooperates.

Comm. White stated that the road he had shut down was only down for about a week and it is back up and running now.

PA2. Presentation by American Medical Response (AMR) to Provide Contract Status Report on Paramedic Care and Ambulance Services by Vernon Wickliffe, Mark Kessler, and Carolyn Townsend

Regional Director for American Medical Response (AMR) Mark Kessler presented the slideshow presentation to the Court.

PA3. Annual Update from Johnson County Historical Commission

Chair of the Johnson County Historical Commission Sandra Neely presented the Annual Report of Activities to the Court.

Comm. Bailey thanked the Historical Commission Members.

PA4. Update on Status of the Construction/Renovation of County Buildings by Joshua Green, Facilities Management Director

Facilities Management Director Joshua Green presented and encouraged the Court to go to the 911 Call Center, which is currently being painted on the inside he stated that they were able to test the backup power for the Guinn Justice Center and the Adult Probation building. He added that everything is up and running and that the task is completed.

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.** Road & Bridge, Pct. 4 – Transfer from Operating Reserve to Vehicle & Heavy Machinery Repair & Maintenance-\$40,000.00
- CA2.** STOP Special Crimes Unit – Transfer from Fees & Services to Software Subscription Costs (SBITAs)-\$2,000.00
- CA3.** 413th District Court – Transfer from Other Court Appointed Attorneys to Witness Expense-\$5,000.00
- CA4.** JJAEP – Transfers from Fees & Services and Food Service & Kitchen Supplies to Curriculum and Office Supplies-\$15,025.00
- CA5.** Information Technologies – Transfer from Computer Software Maintenance to Software Subscription Costs (SBITAs)-\$13,000.00
- CA6.** Road & Bridge, Pct. 3 – Transfer from Operating Reserve to Equipment Capital-\$25,000.00
- CA7.** Facilities Management – Transfer from Building/Property Repair & Maintenance to Equipment Capital-\$29,975.00
- CA8.** County Attorney’s Office – Transfer from Witness Expense to Vehicle & Heavy Machinery Repair & Maintenance-\$450.00
- CA9.** Constable, Pct. 1 – Transfer from Equipment Non-Capital to Small Tools, Equipment & Supplies-\$1,461.00
- CA10.** Radio Management – Transfer from Fees & Services to Equipment Non-Capital-\$8,000.00

REQUEST TO PAY BILLS

- CA11.** Consider and Approve to Pay County Bills for Current Term

APPOINTMENTS

- CA12.** James Camp, Grandview Fire Chief as Fire Marshal for the Big Ranch Promotions, LLC Event to be Held on March 24, 2024 at 5224 CR 417, Cleburne, Texas-County Judge’s Office

TRAINING/SEMINARS

- CA13.** Request from the Honorable Adam King, Sheriff for Bryan Gordy to Attend “38th Annual Texas Jail Association Conference”
- CA14.** Request from the Honorable Christopher Boedeker, County Judge for Rexann Knowles to Attend “County Administrative Training: County Budgeting”
- CA15.** Request from the Honorable Adam King, Sheriff for Stephanie Williams and Nathaniel Edens to Attend “Texas Public Safety Conference”
- CA16.** Request from the Honorable Adam King, Sheriff for Richard Hogan and Bret Baker to Attend “Sig Sauer Academy Pistol Mounted Optic Instructor Course”

MISCELLANEOUS ITEMS

- CA17.** Consider and Approve **Order 2024-14** – “Order Approving the Johnson County Treasurer’s Report”
- CA18.** Consider and Approve Historic Downtown Cleburne Association Using Parking Lots at Courthouse, Market Square, and on South Main, Chambers and Caddo, and Chambers and Mill Streets for SpringFest 2024 on April 26-27, 2024 (No Use During Normal Business Hours on April 26th)-County Judge’s Office

- CA19.** Consider and Approve Continuation Certificate for Reserve Deputy Constable Ryan S. Burgess-Constable, Pct. 4
- CA20.** Consider and Approve Interlocal Cooperation Agreement for Court Reporter of Child Protection Court for Salary and Expenses for Palo Pinto County; with Authorization for County Judge to Sign-County Judge's Office
- CA21.** Consider and Approve **Order 2024-05** – “Order Approving Plat” of **Elrod Addition**, Lot 1, Block 1, in Precinct 4-Public Works Department
- CA22.** Consider and Approve Texas Department of Public Safety Interlocal Cooperation Contract Failure to Appear Program; with Authorization for County Judge to Sign-County Judge's Office
- CA23.** Consider and Approve All American Fire Protection, Inc. Proposal in the Amount of \$2,500.00 to Add Camera System Utilizing AXIS Recorder and Cameras and Access Control System Including Fingerprint Readers and Door Strikes for Eight Doors for the 911 Call Center-Sheriff’s Office
- CA24.** 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
- CA25.** Consider and Approve Transfer from Non-Departmental Transfers to Construction to the Sheriff’s Office Renovation Fund (7062-5100) in the Amount of \$7,031.58 for the Final Invoice from Robert Durham Architecture-County Judge’s Office
- CA26.** Consider and Approve Certification of Funds Pursuant to *Chapter 111* of the Local Government Code, Insurance Claim, Sheriff Admin-Patrol, Equipment – Capital(=OR>\$5,000.00) to Increase Budget for TAC Insurance Claim Check, in the Amount of \$11,341.00-Auditor’s Office
- CA27.** Consider and Approve Continuation Certificate and Rider for Reserve Deputy Constable Lindsey Hefner-Constable, Pct. 1
- CA28.** Consider and Approve Hudson Transit Vehicle Rental Agreement with Exhibit A and Master Rental Agreement and Johnson County Contract Terms Addendum to Rental Contract; with Authorization for County Judge to Sign-Purchasing Department

ACKNOWLEDGEMENTS

- CA29.** Acknowledgement of Audit Report for FY23 Quarter 3 and Quarter 4, Sheriff’s Office LEOSE Account-Auditor’s Office
- CA30.** Acknowledgement of Audit Report for FY23 Quarter 4, Juvenile Services-Auditor’s Office
- CA31.** Acknowledgement of the Pecan Valley Centers for Behavioral & Development Healthcare Annual Financial and Compliance Reports, August 31, 2023-County Judge's Office

Judge Boedeker asked that item CA23’s motion specify that it will be ARPA funding from the construction budget and that it would not increase any amount of ARPA funding being expended. He stated that it was one of the purchases previously authorized by this Court and the Auditor’s Office wanted to clarify that.

Comm. Bailey stated that he wanted to discuss his project on Old Foamy regarding ARPA funds. He stated that because of not being able to dam the water, the rental of water pumps is on the agenda. He stated that he has the budget for it but if ARPA funds could be used to assist in this project it would be greatly appreciated.

County Auditor Steve Watson stated that they would have to look at the vendors to make sure they would fit all of the requirements that ARPA requires and he asked Comm. Bailey how much it would be.

Comm. Bailey stated that the total price of the project would be \$250,000.00

Mr. Watson stated that there was about \$30,000.00.

Comm. Howell added that it would be spent on County improvements.

Comm. Bailey stated that it was for flood control and that it could save a life.

MOTION by Comm. Howell, seconded by Comm. White, that we do approve this Consent Agenda, pointing out that item CA23 for the fire protection to All American Fire Protection will be paid out of ARPA funding, not adding to what we are paying but coming out of the ARPA funding.

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

Comm. Bailey	aye
Comm. Howell	aye
Comm. White	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.** Consider and Approve Johnson County Historical Commission Participation in SpringFest by Opening the Museum in the Historical Courthouse from 10am-5pm on April 27, 2024 and Requiring the Historical Commission to Provide Two Off Duty Security Officers in the Building-County Judge's Office

Chair of the Johnson County Historical Commission Sandra Neely presented.

MOTION by Comm. Bailey, seconded by Comm. Howell, to approve that we go forward with this.

Judge Boedeker asked Comm. Bailey if that was his motion.

Comm. Bailey replied that yes, that was his motion.

All voted aye; motion carried.

- A4.** Consider and Approve Johnson County Historical Commission Participation in 2024 Candlewalk Tour of Homes by Opening Doty House without Requiring Participants to Sign Liability Waiver if Event Organizer Provides Liability Insurance for the Event-County Judge's Office

Chair of the Johnson County Historical Commission Sandra Neely presented.

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

All voted aye; motion carried.

- A5.** Consider and Approve Request from Paul DeBuff, Alvarado City Manager to Use the Alvarado Sub-Courthouse Parking Lot on December 6, 2024 to Stage the City Christmas Parade-Justice of the Peace, Pct. 3

Comm. White presented and stated that they use the parking lot every year but he recommended only using the front so a County employee doesn't have to be there to lock the gates.

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

Judge Boedeker asked if Comm. White's motion was for the entire parking lot or just the unfenced.

Comm. White replied that he would just do the front, outside the fence.

All voted aye; motion carried.

A6. Consider and Approve Texas Department of Transportation Right-of-Entry Agreement, FM 917 Project, Parcel ID 126.0747.06071 for Improvements to FM 917, from IH 35W to West of Mansfield, in Johnson County, Texas; with Authorization for County Judge to Sign-Precinct 3

Comm. White presented.

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

All voted aye; motion carried.

A7. Consider and Approve Variance to Construct Roads in **The Ranches at Pecan Plantation - Phase 2** to Hood County Standards, in Precinct 1-Public Works Department

Public Works Director Jennifer VanderLaan presented.

MOTION by Comm. Bailey, seconded by Comm. White, to approve this variance for Hood County residents at the Ranches at Pecan Plantation.

All voted aye; motion carried.

A8. ***PUBLIC HEARING*** - Consider and Approve **Order 2024-13** – “Order Approving Revision of Plat Pursuant to *Section 232.009 (c-1)* of the Texas Local Government Code” of **Triple H Estates, Phase II**, Lots 10 & 11 to Create Lots 10R, 10R-1, 11R, 11R-1, 11R-2, & 11R-3, in Precinct 4-Public Works Department

Public Works Director Jennifer VanderLaan presented.

Judge Boedeker opened the Public Hearing at 9:45 A.M.

Felicia Bullock, a homeowner in the neighborhood approached the podium to address the Court. Mrs. Bullock stated her concerns about maintaining the roads and the water pressure if more families are moving out there.

Comm. Bailey asked if she had reached out to Comm. Woolley.

Mrs. Bullock said that she had not.

Comm. Bailey asked since Comm. Woolley was not present if this item should be tabled.

Judge Boedeker asked Mrs. VanderLaan if there was a time limit on this item and what that was.

Mrs. VanderLaan stated that she would look up the time limit.

Mr. Kendall Lighton from the Development Team of Ambition Group, LLC approached the podium to address the Court.

Comm. Bailey asked Mrs. VanderLaan what the water source was and if there were any issues.

Mrs. VanderLaan stated that these lots were serviced by public water and the company was Southwest in this area. She stated that she was not aware of any water issues.

Comm. Bailey stated that he was uneasy making decisions about something that is not in his precinct and he wanted a motion to table.

Judge Boedeker asked Mrs. VanderLaan what the time limit was.

Mrs. VanderLaan stated that the 30-day time limit was up today.

Judge Boedeker asked if the Commissioners Court does not take any action today, if it will be approved by Operation of Law.

Mrs. VanderLaan stated that even if they had 45 days, there would have to be a special-called court to get it approved.

Comm. Bailey stated that the State of Texas gives them 30 days to make a decision on a plat when it is being presented. He stated that the 30 days is up today and because it just got to the Court today, it will pass regardless. He added that it's a game changer because it did not get here until today and the State of Texas will approve it either way.

MOTION by Comm. Bailey to approve as presented.

Judge Boedeker stated that the Public Hearing was still technically open.

Judge Boedeker closed the Public Hearing at 9:54 A.M.

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

All voted aye; motion carried.

Judge Boedeker thanked Mrs. Bullock and apologized that the Court could not extend the deadline.

Mrs. Bullock asked how she could avoid this from happening again and how to handle this more time accordingly as residents.

Judge Boedeker stated that if something is coming up to talk to your Commissioner because they are very accessible and to talk to Public Works. He stated that these things have a very quick turnaround.

Comm. Bailey stated that the legislature is trying to make it a 15-day turnaround instead of 30 days. He stated that it was the State, not the County.

Mrs. VanderLaan stated that it is important to watch the mail as well, for certified mail.

- A9.** Consider and Approve to Obtain Survey Needed for Improvements to Mobility and Public Safety at the Intersection of State Highway 67 and County Road 1119-Precinct 1

Comm. Bailey stated that everyone is aware of the tragic accident that happened there. He stated he wanted to get the ball rolling and see if they could make a difference and save a life.

Judge Boedeker commended Comm. Bailey and stated that this refers back to that fatality accident that killed 6 people in December 2023. He stated that Comm. Bailey and Emergency Management Director Jamie Moore had been working hard on getting improvements ready for this road.

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

All voted aye; motion carried.

- A10.** Consider and Approve Purchase of 48” Raptor XD Model #939744 in the Amount of \$5,399.00 and John Deere Gator TX (Model Year 2024) in the Amount of \$9,087.67 for Hamm Creek Park, to be Purchased with American Rescue Plan Act (ARPA) Funding; with Authorization for County Judge to Sign-Precinct 1

Comm. Bailey presented.

MOTION by Comm. Bailey, seconded by Comm. White, to approve contingent on it being approval on ARPA.

All voted aye; motion carried.

- A11.** Consider and Approve **Order 2024-15** – “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 Work Performed by Justin Thompson, DBA Aztec CNC Plasma & Welding, LLC, as a Welder for Precinct 1 is Individual Work Performed and Paid for by the Day”-Precinct 1

Comm. Bailey presented.

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

All voted aye; motion carried.

- A12.** Consider and Approve Master Rental Agreement and Johnson County Contract Terms Addendum to Rental Contract and Oxford Crane Inc. Rental Agreement for Rental of Equipment for Six Months (8/30/2024); and Master Rental Agreement and Johnson County Terms Addendum to Rental Contract and National Tank & Equipment, LLC Reservation Quote; for the Old Foamy Project; with Authorization for County Judge to Sign-Purchasing Department

Purchasing Agent Lance Anderson presented.

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

All voted aye; motion carried.

- A13.** Consider and Approve Assignment of Engineering Department to Former Facilities Management Office, Johnson County Annex Suite 316-Engineering Department

County Engineer Colt Friedrich presented.

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

All voted aye; motion carried.

- A14.** Consider and Approve Todo Verde and Tyler Technologies as Vendors for the SOMA Project, to be Paid with American Rescue Plan Act (ARPA) Funding; Consider and Approve Tyler Technologies Professional Services Agreement in the Amount of \$12,600.00; and Consider and Approve Todo Verde Quote No. 1353 in the Amount of \$426,350.00; with Authorization for County Judge to Sign-Information Technologies

Judge Boedeker stated that this is allocating money that has already been allocated in ARPA and it is not an increase.

IT Director Dan Milam presented.

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

All voted aye; motion carried.

The Commissioner's Court recessed at 10:09 A.M. and reconvened into Open Session at 10:21 A.M.

WORKSHOP

The Commissioners Court convened into Workshop Session at 10:21 A.M. to discuss WS1 and WS2.

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

Comm. Howell stepped out of the meeting at 11:30 A.M. and returned at 11:31 A.M.

WS2. Discuss Budget Process for Fiscal Year 2025, With Potential Action Adopting Budget Calendar, Adopting Budget Priorities, and Appointing Commissioner to Serve on Budget Committee

Comm. Bailey stepped out of the meeting at 11:55 A.M. and returned at 11:55 A.M.

Comm. White stepped out of the meeting at 12:03 P.M. and returned at 12:03 P.M.

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

The Commissioners Court reconvened into Open Session at 12:01 P.M. to take action on WS2.

WS2. Discuss Budget Process for Fiscal Year 2025, With Potential Action Adopting Budget Calendar, Adopting Budget Priorities, and Appointing Commissioner to Serve on Budget Committee

MOTION by Comm. Howell, seconded by Comm. White, to accept those recommendations for the budget.

All voted aye; motion carried.

The Commissioners Court convened into Workshop Session at 12:02 P.M. to discuss WS2.

WS2. Discuss Budget Process for Fiscal Year 2025, With Potential Action Adopting Budget Calendar, Adopting Budget Priorities, and Appointing Commissioner to Serve on Budget Committee

Comm. Bailey stepped out of the meeting at 12:07 P.M. and returned at 12:08 P.M.

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

The Commissioners Court reconvened into Open Session at 12:11 P.M. to take action on WS2.

WS2. Discuss Budget Process for Fiscal Year 2025, With Potential Action Adopting Budget Calendar, Adopting Budget Priorities, and Appointing Commissioner to Serve on Budget Committee

MOTION by Comm. Howell, seconded by Comm. White, to appoint Commissioner Mike White.

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

Motion carried.

EXECUTIVE SESSION

The Commissioners Court convened into Closed Executive Session at 12:13 P.M. to discuss ES1 and ES2.

- ES1.** 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
- ES2.** Government Code: *Sec. 551.074* – Personnel, Steve Sanchez, AP8-001, Bond Supervision Aide, Community Supervision and Corrections Department (CSCD)
- ES3.** Reconvene into Open Session for Potential Action Resulting from Executive Sessions

The Commissioners Court reconvened into Open Session at 12:51 P.M. to take action on ES1 and ES2.

- ES1.** 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

- ES2.** Government Code: *Sec. 551.074* – Personnel, Steve Sanchez, AP8-001, Bond Supervision Aide, Community Supervision and Corrections Department (CSCD)

MOTION by Comm. Howell, seconded by Comm. White, to approve a \$1,200.00 increase for bilingual speaking Steve Sanchez position AP8-001 bond supervision aid.

All voted aye; motion carried.

ADJOURN

There being no further business, the Commissioner's Court adjourned at 12:52 P.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 February 26, 2024.



FILED & RECORDED
March 11, 2024
Commissioner Court Minutes


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