

STATE OF TEXAS

[November 9, 2009](#)

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 9th day of November 2009, the Honorable Commissioner's 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, and following the Invocation led by Steven McCoy, Associate Pastor of Eastern Heights Church, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on November 5, 2009 at 11:51 A.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

County Judge Roger Harmon announced there would be a Special Called Commissioner's Court meeting on November 16, 2009 to Canvass the Votes of the November 3rd 2009 Election.

1. PROCLAMATION FOR OPEN DOOR MINISTRIES

The Commissioner's Court [proclaimed November 18th, 2009 as Open Door Ministries Day](#) in Johnson County, Texas.

V. PUBLIC PARTICIPATION

None.

VI. PUBLIC HEARINGS

The Commissioner's Court opened a Public Hearing at 9:08 A.M. to discuss:

1. PROPOSED SLAUGHTERHOUSE/MEAT PROCESSING PLANT TO BE LOCATED AT 4601 MAXEY ROAD, ALVARADO, TEXAS IN JOHNSON COUNTY, PRECINCT #3

* Property was posted as 4601 Maxey Road, Alvarado, Texas and Comm. Stringer stated in Court that the correct address is 4504 Maxey Road, Alvarado, Texas

Exa Cheatham, Ramona Schott, Jeff McCarver, Owen Zeptner representing his son Travis Zeptner, Ron Hensell, Rick Shelby and Ray Wise are the property owners surrounding 4504 Maxey Road, Alvarado, Texas who spoke in opposition of the proposed slaughterhouse/meat processing plant to be located at 4504 Maxey Road, Alvarado, Texas in Johnson County, Precinct #3.

Adam Zduniewicz and Jamie Hayes would be running the proposed slaughterhouse/meat processing plant to be located at 4504 Maxey Road, Alvarado, Texas in Johnson County, Precinct #3 spoke in support and answered questions regarding the slaughterhouse/meat processing plant.

The hearing was closed at 9:44 A.M.

The Commissioner's Court opened a Public Hearing at 9:44 A.M. to discuss:

2. INSTALLATION OF NO THRU TRUCK SIGNS ON EAST BETHESDA RD FROM BURLESON CITY LIMITS TO RYAN AVENUE, RYAN AVENUE FROM EAST BETHESDA ROAD TO COUNTY ROAD 600, BENT TREE TRAIL TO TRAIL TREE COURT, TRAIL TREE COURT FROM BENT TREE TRAIL TO COUNTY ROAD 528, WALNUT DRIVE FROM COUNTY ROAD 600 TO COUNTY ROAD 604, CHRISTOPHER LANE FROM KENNETH LANE TO COUNTY ROAD 602, CHARLES AVENUE FROM COUNTY ROAD 603C TO GEORGIA AVENUE, EASTERN VALLEY DRIVE FROM COUNTY ROAD 510 TO GHOST RIDGE DRIVE, GHOST RIDGE DRIVE FROM EASTERN VALLEY DRIVE TO WESTVIEW DRIVE, WESTVIEW DRIVE FROM COUNTY ROAD 507 TO COUNTY ROAD 510, FOOTHILLS DRIVE FROM WESTVIEW DRIVE TO BLACK CANYON DRIVE, EVEREST DRIVE FROM WESTVIEW DRIVE TO EASTERN VALLEY DRIVE,

MCKINLEY DRIVE FROM WESTVIEW DRIVE TO EASTERN VALLEY DRIVE, PIKES PEAK DRIVE FROM WESTVIEW DRIVE TO EASTERN VALLEY DRIVE, GRAND TETON DRIVE FROM COUNTY ROAD 507 TO GHOST RIDGE DRIVE-PRECINCT #3

Commissioner Jerry Stringer spoke in support of the installation of No Thru Truck signs on the above listed roads in Precinct #3. The hearing was closed at 9:49 A.M.

VII. PRECEDING BUSINESS

1. CONSIDERATION OF ORDER #2009-25-PROPOSED SLAUGHTERHOUSE/MEAT PROCESSING PLANT TO BE LOCATED AT 4601 MAXEY ROAD, ALVARADO, TEXAS IN JOHNSON COUNTY, PRECINCT #3

Comm. Stringer, seconded by Comm. Matthews, made a motion to approve [Order #2009-25](#) to deny a proposed slaughterhouse/meat processing plant to be located at 4504 Maxey Road, Alvarado, Texas in Johnson County, Precinct #3.

All voted aye; motion carried.

2. CONSIDERATION OF ORDER #2009-24-“INSTALLATION OF NO THRU TRUCK SIGNS ON EAST BETHESDA RD FROM BURLESON CITY LIMITS TO RYAN AVENUE, RYAN AVENUE FROM EAST BETHESDA ROAD TO COUNTY ROAD 600, BENT TREE TRAIL TO TRAIL TREE COURT, TRAIL TREE COURT FROM BENT TREE TRAIL TO COUNTY ROAD 528, WALNUT DRIVE FROM COUNTY ROAD 600 TO COUNTY ROAD 604, CHRISTOPHER LANE FROM KENNETH LANE TO COUNTY ROAD 602, CHARLES AVENUE FROM COUNTY ROAD 603C TO GEORGIA AVENUE, EASTERN VALLEY DRIVE FROM COUNTY ROAD 510 TO GHOST RIDGE DRIVE, GHOST RIDGE DRIVE FROM EASTERN VALLEY DRIVE TO WESTVIEW DRIVE, WESTVIEW DRIVE FROM COUNTY ROAD 507 TO COUNTY ROAD 510, FOOTHILLS DRIVE FROM WESTVIEW DRIVE TO BLACK CANYON DRIVE, EVEREST DRIVE FROM WESTVIEW DRIVE TO EASTERN VALLEY DRIVE, MCKINLEY DRIVE FROM WESTVIEW DRIVE TO EASTERN VALLEY DRIVE, PIKES PEAK DRIVE FROM WESTVIEW DRIVE TO EASTERN VALLEY DRIVE, GRAND TETON DRIVE FROM COUNTY ROAD 507 TO GHOST RIDGE DRIVE”-PRECINCT #3

Comm. Stringer, seconded by Comm. Matthews, made a motion to approve [Order #2009-24](#) for the “Installation of No Thru Truck Signs on East Bethesda Rd from Burleson City Limits to Ryan Avenue, Ryan Avenue from East Bethesda Road to County Road 600, Bent Tree Trail to Trail Tree Court, Trail Tree Court from Bent Tree Trail to County Road 528, Walnut Drive from County Road 600 to County Road 604, Christopher Lane from Kenneth Lane to County Road 602, Charles Avenue from County Road 603C to Georgia Avenue, Eastern Valley Drive from County Road 510 to Ghost Ridge Drive, Ghost Ridge Drive from Eastern Valley Drive to Westview Drive, Westview Drive from County Road 507 to County Road 510, Foothills Drive from Westview Drive to Black Canyon Drive, Everest Drive from Westview Drive to Eastern Valley Drive, McKinnley Drive from Westview Drive to Eastern Valley Drive, Pikes Peak Drive from Westview Drive to Eastern Valley Drive, Grand Teton Drive from County Road 507 to Ghost Ridge Drive” in Precinct #3.

All voted aye; motion carried.

3. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Matthews, seconded by Comm. Stringer, made a motion to [pay bills as presented by the County Auditor.](#)

All voted aye; motion carried.

4. ACKNOWLEDGMENT OF RECEIPT OF THE COUNTY AUDITOR’S REPORTS TO THE COMMISSIONER’S COURT

The Commissioner’s Court acknowledged the receipt of the County Auditor’s Reports.

5. CONSIDERATION OF MINUTES OF THE COMMISSIONER’S COURT:

a. October 19, 2009-Special Session

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the Commissioner’s Court Minutes for October 19, 2009 as submitted by the County Clerk.

All voted aye; motion carried.

6. CONSIDERATION OF FINAL PLAT:

- a. Winridge Farms Subdivision Phase 1-Lot 1, Block 1 and Lot 1, Block 2-Precinct #4

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the Final Plat of **Winridge Farms Subdivision Phase 1-Lot 1, Block 1 and Lot 1, Block 2** in Precinct #4.

All voted aye; motion carried.

7. CONSIDERATION TO RENEW RFP'S:

- a. RFP 2007-138 Carson's Pest Control

Comm. Beeson, seconded by Comm. Stringer, made a motion to [renew RFP #2007-138 for Pest Control Services](#) with Carson's Pest Control.

All voted aye; motion carried.

- b. RFP 2008-140-Roger's Lube Service

Comm. Bailey, seconded by Comm. Stringer, made a motion to [renew RFP #2008-140 for oil filters and lube services](#) for Johnson County vehicles with Roger's Lube Service.

All voted aye; motion carried.

- c. RFP 2009-212-Road Signs and Markers

Comm. Stringer, seconded by Comm. Beeson, made a motion to [deny RFP #2009-212 for road signs and markers.](#)

All voted aye; motion carried.

8. CONSIDERATION TO AWARD RFP'S:

a. RFP 2010-301-HVAC Services

Comm. Matthews, seconded by Comm. Bailey, made a motion to [award RFP #2010-301 to Enviromatic Service for a HVAC Services.](#)

All voted aye; motion carried.

b. RFP 2010-306-Pipeline Perpetual Lease, Lot 4, Block 1 Creekview Addition, Joshua Minett Survey Abstract 548 Located at 247 Elk Drive Burleson Sub Courthouse, Burleson, Texas

Comm. Beeson, seconded by Comm. Bailey, made a motion to [award RFP #2010-306 to Texas Midstream Gas Service LLC](#) in the total compensation amount of \$10,807.00 for a Pipeline Perpetual Lease, Lot 4, Block 1 Creekview Addition, Joshua Minett Survey Abstract 548 located at 247 Elk Drive Burleson Sub Courthouse, Burleson, Texas and to give the County Judge authorization to sign.

All voted aye; motion carried.

The Commissioner's Court recessed at 10:17 A.M. and reconvened at 10:32 A.M. to consider the following:

VIII. UNFINISHED BUSINESS

8. CONSIDERATION TO PURCHASE COMPUTER HARDWARE ASSOCIATED WITH JURY SELECTION, NOTIFICATION, CONTROL AND MANAGEMENT

Comm. Matthews, seconded by Comm. Beeson, made a motion to [purchase computer hardware associated with Jury selection](#), notification, control and management in the amount of \$30,119.83 to be paid from Fund 012-510-5320.

All voted aye; motion carried.

IX. NEW BUSINESS

3. CONSIDERATION OF CONTRACTS AND AGREEMENTS FOR JUVENILE SERVICES:

a. Renewal-4M Granbury Youth Services, Inc. for Secure Short Term Detention of Juvenile Offenders Space Available

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the Juvenile Services Renewal Contract with 4M Granbury Youth Services, Inc. for [Secure Short Term Detention of Juvenile Offenders](#) Space Available and to give the County Judge the authorization to sign.

All voted aye; motion carried.

b. Renewal-4M Granbury Youth Services, Inc. for Secure Long Term Residential Service of Juvenile Offenders Space Available

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the Juvenile Services Renewal Contract with 4M Granbury Youth Services, Inc. for [Secure Long Term Residential Service for Juvenile Offenders](#) Space Available and to give the County Judge the authorization to sign.

All voted aye; motion carried.

c. Renewal-Limestone County for Detention of Juveniles

Comm. Stringer, seconded by Comm. Beeson, made a motion to [approve the Juvenile Services Renewal Contract with Limestone County](#) for the Detention of Juveniles and to give the County Judge the authorization to sign.

All voted aye; motion carried.

d. Del Mandracchia for Non-Residential Services

Comm. Matthews, seconded by Comm. Beeson, made a motion to [approve the Juvenile Services Contract with Del Mandracchia](#) for Non-Residential Services and to give the County Judge the authorization to sign.

All voted aye; motion carried.

e. Chris Hooker, LPC-Intern for Non-Residential Services

Comm. Matthews, seconded by Comm. Bailey, made a motion to [approve the Juvenile Services Contract with Chris Hooker](#), LPC-Intern for Non-Residential Services and to give the County Judge the authorization to sign.

All voted aye; motion carried.

f. Tess Fleming, LPC for Non-Residential Services

Comm. Beeson, seconded by Comm. Matthews, made a motion to [approve the Juvenile Services Contract with Tess Fleming](#), LPC for Non-Residential Services and to give the County Judge the authorization to sign.

All voted aye; motion carried.

14. CONSIDERATION OF REQUEST FROM SAVE OLD CLEBURNE FOR THE COURTHOUSE AND THE LITTLE OLD HOUSE TO BE ON THE CANDLEWALK, DECEMBER 5, 2009

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the request from Save Old Cleburne for the Courthouse (from 1:00 P.M. to 4:00 P.M.) and the Little Old House (from 1:00 P.M. to 8:00 P.M.) to be on the Candlewalk, December 5, 2009.

All voted aye; motion carried.

VIII. UNFINISHED BUSINESS

1. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS, AND CONTRACTS FOR ADULT PROBATION BUILDING

No Action.

2. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS AND CONTRACTS FOR REMODELING OF THE OLD BAND HALL FOR JUSTICE OF THE PEACE, PRECINCT #1 OFFICES

Discussion. No Action.

3. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS AND CONTRACTS FOR EXPANSION OF NORTH AND SOUTH ENDS OF THE 3RD FLOOR AT THE GUINN JUSTICE CENTER

Discussion. No Action.

6. CONSIDERATION OF RECURRING ITEMS CONCERNING NTTA/TXDOT-STATE HIGHWAY 121-SOUTHWEST PARKWAY/CHISHOLM TRAIL CORRIDOR

Discussion. No Action.

5. CONSIDERATION OF RECURRING ITEMS CONCERNING HAMM CREEK PARK

- a. Winter Rates for RV Sites December 1-February 28:

- (1) Septic & Electric Sites
- (2) Full Hookup Sites

Comm. Bailey, seconded by Comm. Matthews, made a motion to [approve winter rates for RV sites](#) from December 1 through February 28 with a fee for septic and electric sites at a rate of \$400.00 per month and full hookup sites at a rate of \$450.00 per month.

All voted aye; motion carried.

4. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

No Action.

7. CONSIDERATION OF AMENDED INTERLOCAL AGREEMENT WITH CLEBURNE ISD FOR THE TRUANCY PROGRAM (A.S.A.P.)-CONSTABLE PRECINCT #1

Comm. Bailey, seconded by Comm. Beeson, made a motion to [approve the Amended Interlocal Agreement with Cleburne ISD](#) for the Truancy Program (A.S.A.P.) and Constable Precinct #1.

All voted aye; motion carried.

9. CONSIDERATION OF RESOLUTION AFFIRMING NOMINATION FOR CANDIDATE FOR BOARD OF DIRECTORS FOR THE CENTRAL APPRAISAL DISTRICT OF JOHNSON COUNTY FOR 2010-2011

Comm. Matthews, seconded by Comm. Stringer, made a motion to approve the Resolution [affirming the nomination for candidate for Board of Directors](#) for the Central Appraisal District of Johnson County for 2010-2011 being Don Beeson and Byron Black as approved on Commissioner's Court of October 26, 2009 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Matthews, seconded by Comm. Stringer, made a motion to advertise for bids/proposals-District Clerk-microfilm conversion; Sheriff's Office-electronic locking system; and Precincts-road signs and markers.

All voted aye; motion carried.

2. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE [SECTION 111.010-C FOR:](#)

- a. Constable Precinct #3-Equipment Non-Capital
- b. Sheriff-Personnel Salaries
- c. Justice of the Peace Precinct #1-Equipment Non-Capital
- d. Justice of the Peace Precinct #1-Equipment Non-Capital
- e. Jury-Computer Software
- f. Adult Probation-Equipment Non-Capital
- g. Guinn 3rd Floor Renovation-Fees & Services
- h. Justice of the Peace Precinct #1-Renovation-Fees & Services

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve Budget Amendment pursuant to the Local Government Code *Section 111.010-C* for Constable Precinct #3-Equipment Non Capital for the purchase of ballistics vest for new Deputy Constable in the amount of \$600.00; Sheriff-Personnel Salaries to change position D03-040 from \$38,344.00 to \$33,713.00; Justice of the Peace Precinct #1-Equipment Non-Capital to purchase and install furniture for the Justice of the Peace #1 Courts Building in the amount of \$37,988.00; Justice of the Peace Precinct #1-Equipment Non-Capital to purchase two (2) new computers for move to new offices in the amount of \$1,604.00; Jury-Computer Software to create a new Line Item-Jury Management System in the amount of \$34,000.00; Adult Probation-Equipment Non-Capital for Purchasing-Equipment Non-Capital for the purchase and installation of furniture in the Guinn Justice Center 3rd floor in the amount of \$12,611.00; Guinn 3rd Floor Renovation-Fees & Services to McGee Architects in the amount of \$40,336.00; and Justice of the Peace Precinct #1-Renovation-Fees & Services to McGee Architects in the amount of \$31,028.00.

All voted aye; motion carried.

4. CONSIDERATION OF AN EMERGENCY ACTION PLAN FOR THE CHAMBERS WATERSHED, SITE 58, CLEBURNE, JOHNSON COUNTY, TEXAS

Comm. Matthews, seconded by Comm. Bailey, made a motion to table this item.

All voted aye; motion carried.

5. CONSIDERATION OF BOND FOR THE HONORABLE SCOTT PORTER-TAX ASSESSOR AND COLLECTOR

Comm. Bailey, seconded by Comm. Matthews, made a motion to [approve the bond for the Honorable Scott Porter](#)-Tax Assessor and Collector.

All voted aye; motion carried.

6. CONSIDERATION OF APPOINTMENT AND BOND FOR PAMELA HOLLAND, PART-TIME DEPUTY CONSTABLE, CONSTABLE PRECINCT #2

Comm. Matthews, seconded by Comm. Bailey, made a motion to [approve the appointment](#) and [bond for Pamela Holland](#), Part-Time Deputy Constable, for Constable Precinct #2.

All voted aye; motion carried.

7. CONSIDERATION OF REVISED FRAUD POLICY FOR JOHNSON COUNTY-AUDITOR

Comm. Beeson, seconded by Comm. Bailey, made a motion to [approve the revised Fraud Policy](#) for the Johnson County Auditor.

All voted aye; motion carried.

8. CONSIDERATION OF ALLOWING THE PRAIRIELAND GROUNDWATER CONSERVATION DISTRICT TO USE THE COURTHOUSE CONFERENCE ROOM TO HOLD THEIR BOARD MEETINGS

Comm. Matthews, seconded by Comm. Bailey, made a motion to allow the Prairielands Groundwater Conservation District to use the Courthouse conference room in the interim to hold their board meetings until they find a permanent location.

All voted aye; motion carried.

9. CONSIDERATION TO RENT THE 2ND FLOOR, SE CORNER OFFICE OF THE JOHNSON COUNTY ANNEX TO THE PRAIRIELAND GROUNDWATER CONSERVATION DISTRICT

Comm. Matthews, seconded by Comm. Stringer, made a motion to table this item.

All voted aye; motion carried.

10. CONSIDERATION OF RENEWAL FOR LAW ENFORCEMENT PROFESSIONAL LIABILITY COVERAGE, PUBLIC OFFICIALS PROFESSIONAL LIABILITY COVERAGE FOR JOHNSON COUNTY AND PUBLIC OFFICIALS PROFESSIONAL LIABILITY COVERAGE FOR THE 18TH, 249TH, AND 413TH JUDICIAL DISTRICT WHICH INCLUDES COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT IN JOHNSON AND SOMERVELL COUNTIES

Comm. Matthews, seconded by Comm. Beeson, made a motion to [approve the renewal for Law Enforcement Professional Liability Coverage](#), Public Officials Professional Liability Coverage for Johnson County and Public Officials Professional Liability Coverage for the 18th, 249th and 413th Judicial District which includes Community Supervision and Corrections Department in Johnson and Somervell Counties and to give the County Judge the authorization to sign.

All voted aye; motion carried.

11. CONSIDERATION TO PURCHASE LAPTOP AND RECURRING MONTHLY EXPENSE FOR AIR CARD FOR THE CONSTRUCTION AND MAINTENANCE FACILITY-PRECINCT #2

Comm. Matthews, seconded by Comm. Bailey, made a motion to approve the purchase of a laptop in the amount of \$1,175.00 to be paid from Fund 016-613-5320 and the recurring monthly expense for an air card for the construction and maintenance facility in Precinct #2.

All voted aye; motion carried.

12. CONSIDERATION TO PLACE 2010 CENSUS INFORMATION ON THE COUNTY WEBSITE-PRECINCT #2

Comm. Matthews, seconded by Comm. Beeson, made a motion to place the 2010 Census information link on the County Website.

All voted aye; motion carried.

X. CONSENT AGENDA

Comm. Matthews, seconded by Comm. Beeson, made a motion to approve the [Consent Agenda](#).

All voted aye; motion carried.

BE IT KNOWN that Commissioner's Court met in Executive Session at 11:47 A.M. in accordance with Government Code *Section 551.072-Real Property* and *Section 551.071-Consultation with Attorney, Pending Litigation*.

The Commissioner's Court re-convened into Open Session at 1:15 P.M. to consider the following:

XI. WORKSHOP

The Commissioner's Court convened into Workshop Session at 1:18 P.M. to discuss the Hamm Creek Park Emergency & Disaster Plan and AT&T to Correct Telephone Fraud on the Phone System at the Sheriff's Office and the Possibility of Fraud at the Adult Probation Office.

The Commissioner's Court reconvened into Open Session at 2:10 P.M. to consider the following:

IX. NEW BUSINESS

13. CONSIDERATION FOR AT&T TO CORRECT TELEPHONE FRAUD ON THE PHONE SYSTEM AT THE SHERIFF'S OFFICE AND THE POSSIBILITY OF FRAUD AT THE ADULT PROBATION OFFICE

Comm. Bailey, seconded by Comm. Matthews, made a motion to give authorization to Cole Lancaster, ISS Director to contact AT&T to correct telephone fraud on the County phone system.

All voted aye; motion carried.

XII. EXECUTIVE SESSION

1. Government Code:
 - a. *Sec. 551.072-Real Property*

No Action.

- b. *Sec. 551.071-Consultation with Attorney, Pending Litigation*

Comm. Matthews, seconded by Comm. Bailey, made a motion to give authorization for Comm. Don Beeson to work with Alvarado ISD to repair the damage on the parking lot at the Alvarado High School.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 2:16 P.M.

Submitted by: _____
County Clerk
Curtis H. Douglas

Approved by: _____
County Judge
Roger Harmon