

STATE OF TEXAS

[October 24, 2011](#)

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 24th day of October, 2011, 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 9:07 A.M., with all members present, and following the Invocation led by Bobby de la Garza, President of Cleburne Ford, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on October 20, 2011 at 10:25 A.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

Judge Harmon announced that Skyler Wylie, Sheriff Bob Alford's step-granddaughter was present in Court today for a school assignment.

1. PRESENTATION OF LENGTH OF SERVICE AWARD TO JOHNSON COUNTY EMPLOYEE

Scott Porter, Tax Assessor-Collector was recognized for his service to the County and was given a 10 Year Length of Service pin.

2. PRESENTATION OF PROCLAMATION FOR NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH

Commissioner's Court proclaimed October 2011 as [National Domestic Violence Awareness Month](#).

3. PRESENTATION OF PROCLAMATION FOR “RED RIBBON WEEK”

Commissioner’s Court proclaimed the week of October 24-28, 2011 as “[Red Ribbon Week](#)” in Johnson County.

V. PUBLIC PARTICIPATION

None.

VI. PUBLIC HEARINGS

The Commissioner’s Court opened a Public Hearing at 9:28 A.M. to discuss:

1. “IN ACCORDANCE WITH CHAPTER 343 OF THE TEXAS HEALTH & SAFETY CODE, THE PREMISES LOCATED AT 6516 BERRY GROVE LN., JOSHUA, TEXAS 76058, HAS BEEN IDENTIFIED AS A PUBLIC NUISANCE AND ROSE LAND AND FINANCE CORPORATION (C/O: SUSAN WIGHTMAN) HAS BEEN IDENTIFIED AS THE PERSON RESPONSIBLE FOR CAUSING OR MAINTAINING A PUBLIC NUISANCE ON THE PREMISES.”

Detective Steve Shaw spoke in reference to Chapter 343 of the Texas Health & Safety Code, the premises located at [6516 Berry Grove Ln., Joshua, Texas 76058](#), has been identified as a public nuisance and **Rose Land and Finance Corporation (c/o: Susan Wightman)** has been identified as the person responsible for causing or maintaining a public nuisance on the premises. This case began on June 17, 2011. This property had overgrown grass, weeds, scattered trash and debris on it. Certified Notice of Violation letters were sent to Rose Land and Finance Corp. and Det. Shaw shows Rose Land and Finance Corp. did receive those letters. Rose Land and Finance Corp. had the property mowed but no trash was removed from the property. A certified Notice of Nuisance letter was mailed to Rose Land and Finance Corp. which gave the company another 45 days to clean up the property. Det. Shaw went to the property again on September 8, 2011 and still no abatement had been done on the property. He returned last week

and the trash and debris was still on the property. This case was then brought to Court. The hearing was closed at 9:30 A.M.

The Commissioner's Court opened a Public Hearing at 9:30 A.M. to discuss:

2. [“DESIGNATION OF A “NO THRU TRUCK ZONE” AND INSTALLATION OF “NO THRU TRUCKS SIGNS” ON HUDSON DRIVE AND MITCHELL DRIVE IN JOHNSON COUNTY, TEXAS - PRECINCT #3”](#)

Commissioner Stringer spoke in favor of the designation of a “No Thru Truck Zone” and the installation of “No Thru Trucks Signs” on Hudson Drive and Mitchell Drive in Johnson County, Texas in Precinct #3. Comm. Stringer presented the Court with signed petitions from property owners on Hudson Drive and Mitchell Drive who support the installation of the signs. Phillip Prickett, who lives on Mitchell Dr., said he was fine with whatever decision the Court made concerning the signs. The hearing was closed at 9:43 A.M.

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

3. [“INSTALLATION OF STOP SIGNS ON CR 429 EAST AND WEST OF THE INTERSECTION OF CR 312 IN JOHNSON COUNTY, TEXAS, PRECINCT #4”](#)

Commissioner Beeson spoke in favor of the installation of stop signs on CR 429 East and West of the intersection of CR 312 in Johnson County, Texas in Precinct #4. The hearing was closed at 9:45 A.M.

## IX. NEW BUSINESS

4. [CONSIDERATION OF RESOLUTION AUTHORIZING COUNTY GRANT FOR THE TEXAS DEPARTMENT OF AGRICULTURE HOME-DELIVERED MEAL GRANT PROGRAM](#)

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the [Resolution Authorizing County Grant](#) for the Texas Department of Agriculture Home-Delivered Meal Grant Program.

All voted aye; motion carried.

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

4. PRESENTATION OF QUARTERLY REPORT FROM CAREFLITE

A presentation of the [Quarterly Report](#) was given to the Commissioner's Court by Doug Filbert, LP, Director of Ground Services for CareFlite.

VII. PRECEDING BUSINESS

1. CONSIDERATION OF ORDER #2011-41 – ORDER OF ABATEMENT OF A PUBLIC NUISANCE LOCATED AT 6516 BERRY GROVE LN., JOSHUA, TEXAS 76058

Comm. Thompson, seconded by Comm. Beeson, made a motion to approve [Order #2011-41](#), Order of Abatement of a Public Nuisance located at **6516 Berry Grove Ln., Joshua, Texas 76058**.

All voted aye; motion carried.

2. CONSIDERATION OF ORDER #2011-38 – DESIGNATION OF A “NO THRU TRUCK ZONE” AND INSTALLATION OF “NO THRU TRUCKS SIGNS” ON HUDSON DRIVE AND MITCHELL DRIVE IN JOHNSON COUNTY, TEXAS – PRECINCT #3

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve [Order #2011-38](#), Designation of a “No Thru Truck Zone” and installation of “No Thru Trucks Signs” on Hudson Drive and Mitchell Drive in Johnson County, Texas in Precinct #3.

All voted aye; motion carried.

3. CONSIDERATION OF ORDER #2011-39 – INSTALLATION OF STOP SIGNS ON CR 429 EAST AND WEST OF THE INTERSECTION OF CR 312 IN JOHNSON COUNTY, TEXAS-PRECINCT #4

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve [Order #2011-39](#), Installation of Stop Signs on CR 429 East and West of the intersection of CR 312 in Johnson County, Texas in Precinct #4.

All voted aye; motion carried.

4. CONSIDERATION OF MINUTES OF THE COMMISSIONER'S COURT:

- a. September 22, 2011 – Special Session
- b. September 26, 2011 – Regular Session

Comm. Beeson, seconded by Comm. Thompson, made a motion to approve the Commissioner's Court Minutes for September 22, 2011 and September 26, 2011.

All voted aye; motion carried.

5. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Bailey, seconded by Comm. Stringer, made a motion to pay bills as presented by the County Auditor with the addition of a bill for Creation Dimensions in the amount of \$600.00.

All voted aye; motion carried.

6. 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.

7. CONSIDERATION OF ORDER #2011-40 – APPROVING THE JOHNSON COUNTY TREASURER'S REPORT TO THE COMMISSIONER'S COURT

Comm. Thompson, seconded by Comm. Beeson, made a motion to approve Order #2011-40, approving the Johnson County Treasurer's Report to the Commissioner's Court.

All voted aye; motion carried.

VIII. UNFINISHED BUSINESS

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

- a. Consideration of the Joiner of Magee Architects to the Terms of the AIA A201-2007 General Conditions of the Contract for Construction Used Specifically for the Johnson County Adult Probation Building Project in Lieu of Previous AIA A201-2007 Executed by Magee Architects and Johnson County. Said Replacement AIA A201 Being the Same AIA A201-2007 as Utilized by Johnson County and the Construction Manager at Risk for Said Project

Comm. Bailey, seconded by Comm. Thompson, made a motion to approve the joiner of Magee Architects to the terms of AIA A201-2007 General Conditions of the Contract for Construction used specifically for the Johnson County Adult Probation Building Project in lieu of previous AIA A201-2007 executed by Magee Architects and Johnson County with said replacement AIA A201 being the same AIA A201-2007 as utilized by Johnson County and the Construction Manager at Risk for said project, which is Pete Durant and Associates and to give the County Judge the authorization to sign.

All voted aye; motion carried.

- b. Consideration of Contract with Pete Durant & Associates for Construction of Johnson County Adult Probation Building

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the [contract with Peter Durant and Associates](#) for Construction of Johnson County Adult Probation Building and to give the County Judge the authorization to sign.

All voted aye; motion carried.

2. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

Discussion. No Action.

3. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENT AND CONTRACTS FOR THE EMERGENCY OPERATIONS CENTER GRANT

- c. Change Order Number 001 Directive Number 1 – Building Permit Fee & City Tap Fees in the Amount of \$4,828.85, Directive Number 2 – Revision Soil Import and Time & Materials in the Amount of \$7,098.36, and Directive Number 3 – Revision Antenna Conduit & Additional Data Outlets in the Amount of \$13,483.00 for a Total Change Order Amount of \$25,410.21

County Judge Roger Harmon, seconded by Comm. Bailey, made a motion to approve [Change Order Number](#) 001 Directive Number 1, Building Permit Fee & City Tap Fees in the amount of \$4,828.85, Directive Number 2, Revision Soil Import and Time & Materials in the amount of \$7,098.36, and Directive Number 3, Revision Antenna Conduit & Additional Data Outlets in the amount of \$13,483.00 for a total change order amount of \$25,410.21 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

- a. Curb and Gutter

Comm. Bailey, seconded by Comm. Thompson, made a motion to approve the curbs and gutters for the Emergency Operations Center in the amount of \$17,566.67.

All voted aye; motion carried.

- b. Building Permit Fee and City Map Fees, Soil Import, Time and Material and Antenna Conduit and Additional Data Outlets

Pass.

- 4. CONSIDERATION OF ORDER #2011-37 – PROHIBITION OF OUTDOOR BURNING

No Action.

The Commissioner's Court recessed at 10:35 A.M. and reconvened at 11:03 A.M. to consider the following:

VII. PRECEDING BUSINESS

8. CONSIDERATION OF FINAL PLAT OF THE RETREAT, PHASE 9, LOTS 1-46, BLOCK 73, LOTS 1-14, BLOCK 74, LOTS 1-10, BLOCK 75-PRECINCT #1

Comm. Bailey, seconded by Comm. Thompson, made a motion to approve the [final plat of The Retreat, Phase 9](#), Lots 1-46, Block 73, Lots 1-14, Block 74, Lots 1-10, Block 75 in Precinct #1.

All voted aye; motion carried.

9. CONSIDERATION OF RFP #2011-426 – DOCUMENT MANAGEMENT

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

All voted aye; motion carried.

10. CONSIDERATION OF RFP #2012-100 – PEST CONTROL SERVICES FOR JOHNSON COUNTY

Comm. Thompson, seconded by Comm. Bailey, made a motion to approve [RFP #2012-100](#), Pest Control Services for Johnson County to [Mid Cities Pest Control](#).

All voted aye; motion carried.

IX. NEW BUSINESS

5. CONSIDERATION OF NON-RESIDENTIAL SERVICES CONTRACT WITH PAUL REECE, LPC, ASOTP-JUVENILE SERVICES

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

All voted aye; motion carried.

6. CONSIDERATION OF EXTENDED DEPOSITORY BALANCE LIMIT DURING THE TAX COLLECTION SEASON WITH FIRST FINANCIAL BANK-TAX OFFICE

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the extended depository balance limit during the tax collection season with [First Financial Bank](#) for the Tax Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

a. Generator for the Guinn Justice Center

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve to advertise for bids/proposals for a generator for the Guinn Justice Center.

All voted aye; motion carried.

2. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNEMENT CODE SECTION 111.010-C for:

a. [Courthouse Security Fund-Equipment Capital](#)

Comm. Thompson, seconded by Comm. Bailey, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.010-C* for Courthouse Security Fund, Equipment Capital to upgrade key card readers at the Guinn Building with Fingerprint Scanners in the amount of \$50,000.00.

All voted aye; motion carried.

3. ACKNOWLEDGEMENT OF ORDER RE-APPOINTING PURCHASING AGENT, MARGARET COOK FOR THE BIENNIAL TERM BEGINNING NOVEMBER 1, 2011 AND ENDING OCTOBER 31, 2013

The Commissioner's Court acknowledged the receipt of the Order Re-Appointing Purchasing Agent, Margaret Cook for the biennial term beginning November 1, 2011 and ending October 31, 2013.

7. CONSIDERATION OF ENGAGEMENT LETTER WITH MCCALL, PARKHURST & HORTON L.L.P. FOR THE PROPOSED ISSUANCE OF JOHNSON COUNTY, TEXAS GENERAL OBLIGATION REFUND BONDS, SERIES 2011

Comm. Thompson, seconded by Comm. Beeson, made a motion to approve the Engagement Letter with McCall, Parkhurst & Horton L.L.P. for the proposed issuance of Johnson County, Texas [General Obligation Refund Bonds, Series 2011](#) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF ORDER AUTHORIZING THE ISSUANCE OF JOHNSON COUNTY, TEXAS GENERAL OBLIGATION REFUNDING BONDS, SERIES 2011, AUTHORIZING THE EXECUTION OF A BOND PURCHASE AGREEMENT, APPROVING AN OFFICIAL STATEMENT AND THE EXECUTION OF AN ESCROW AGREEMENT IN CONNECTION THEREWITH

Pass.

9. CONSIDERATION OF QUARTERLY INVESTMENT REPORT-AUDITOR'S OFFICE

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the [Quarterly Investment Report](#) from the Auditor's Office.

All voted aye; motion carried.

10. CONSIDERATION OF SYSTEM PROPOSAL WITH HAWK ELECTRONICS FOR SECURITY UPGRADES TO THE GUINN JUSTICE CENTER

Comm. Beeson, seconded by Comm. Thompson, made a motion to table this item until Hawk Electronics is available to demonstrate this system for the Court.

All voted aye; motion carried.

11. CONSIDERATION OF STREET SIGNS ON NON-COUNTY ROADS IN JOHNSON COUNTY, TEXAS-PRECINCT #2

Comm. Thompson, seconded by Comm. Bailey, made a motion to approve street signs on non-county roads that come directly off a County Road to assist first responders in Johnson County, Texas.

All voted aye; motion carried.

12. CONSIDERATION OF MIKE PRUITT AS RESERVE DEPUTY CONSTABLE-CONSTABLE, PRECINCT #4

Comm. Beeson, seconded by Comm. Thompson, made a motion to approve [Mike Pruitt as Reserve Deputy Constable](#) for Constable, Precinct #4.

All voted aye; motion carried.

13. CONSIDERATION OF CONTINUATION CERTIFICATE FOR MARGARET COOK, JOHNSON COUNTY PURCHASING AGENT

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the [Continuation Certificate for Margaret Cook](#), Johnson County Purchasing Agent.

All voted aye; motion carried.

14. CONSIDERATION OF CONTINUATION CERTIFICATE FOR PATRICIA BOURGEOIS, JOHNSON COUNTY ELECTIONS ADMINISTRATOR

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the [Continuation Certificate for Patricia Bourgeois](#), Johnson County Elections Administrator.

All voted aye; motion carried.

X. CONSENT AGENDA

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve all items on the [Consent Agenda](#) with the correction to item (e) that Linda Ownbey will be attending the TXPPA Fall Workshop instead of Margaret Cook.

All voted aye; motion carried.

The Commissioner's Court recessed at 11:53 A.M. and reconvened at 1:16 P.M. to consider the following:

XI. WORKSHOP

The Commissioner's Court convened into Workshop Session at 1:16 P.M. to discuss Subdivision Rules and Regulations of Johnson County, Texas.

The Commissioner's Court reconvened into Open Session at 1:43 P.M.

**BE IT KNOWN** that Commissioner's Court met in Executive Session at 1:43 P.M. in accordance with Government Code *Sec. 551.074*-Personnel, Public Works Department: Mike Lanham, Chief Inspector, Position #C01-001 and Open Inspector Position #C03-001.

The Commissioner's Court reconvened into Open Session at 1:56 P.M. to consider the following:

XII. EXECUTIVE SESSION

1. Government Code:

a. *Sec. 551.074*-Personnel – Public Works Department:

1. Mike Lanham, Chief Inspector-Position #C01-001 and Open Inspector Position #C03-001

Comm. Thompson, seconded by Comm. Beeson, made a motion to approve to amend the Public Works Department's budget by moving \$33,033.00 from position #C01-001 (Mike Lanham, Chief Inspector) which will be vacated on December 2, 2011 to position #C03-002 (Inspector) which was not funded in the 2011-2012 budget.

All voted aye; motion carried.

The Commissioner's Court recessed at 2:00 P.M. and reconvened October 25, 2011 at 9:03 A.M. to consider the following:

**BE IT KNOWN** that Commissioner's Court met in Executive Session at 9:03 A.M. in accordance with Government Code *Sec. 551.074*-Personnel, Public Works Department:

Interviews for Public Works Director.

The Commissioner's Court reconvened into Open Session at 10:52 A.M. to consider the following:

XII. EXECUTIVE SESSION

1. Government Code:

a. *Sec. 551.074*-Personnel – Public Works Department:

2. Interviews for Public Works Director:

- A. Luis A. Villamil – Tuesday, 9:00 A.M.
- B. Larry W. Roumell – Tuesday, 9:30 A.M.

No Action.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 10:52 A.M.

Submitted by: \_\_\_\_\_  
County Clerk  
Becky Williams

Approved by: \_\_\_\_\_  
County Judge  
Roger Harmon