

STATE OF TEXAS

June 25, 2012

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 25th day of June, 2012, 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 Dr. Joe Cathey, First Baptist Church of Godley, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on June 21, 2012 at 1:09 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. RECOGNITION OF THE CLEBURNE HIGH SCHOOL BASEBALL TEAM

Commissioner's Court recognized the Cleburne High School Baseball Team and Coach Ross Taylor for their hard work and winning season which led the team to compete in the Class 4A State Championship.

2. PRESENTATION OF FBI TRAINING AWARD TO CHIEF MIKE POWELL

The FBI Training Award was presented to Chief Mike Powell by Sheriff Bob Alford.

V. PUBLIC PARTICIPATION

Commissioner Troy Thompson announced to the Court that he will resign his position as appointed Commissioner of Precinct #2 on July 9, 2012. Commissioner Thompson said he appreciated the opportunity to serve on the Court. He extended a public invitation to Kenny Howell, the newly elected Commissioner for Precinct #2, to come to the precinct office to discuss ongoing projects and to answer any questions Mr. Howell may have prior to Commissioner Thompson's departure.

VI. PUBLIC HEARING

The Commissioner's Court opened a Public Hearing at 9:31 A.M. to discuss:

1. ASSIGNING NAMES TO FOUR BACKAGE ROADS LOCATED IN PRECINCT 1 AND PRECINCT 2 CREATED BY THE CONSTRUCTION OF CHISHOLM TRAIL PARKWAY WHICH ARE CURRENTLY KNOWN AS "BACKAGE ROAD 1", "BACKAGE ROAD 2", "BACKAGE ROAD 4" AND "BACKAGE ROAD 5". "BACKAGE ROAD 1" AND "BACKAGE ROAD 2" ARE LOCATED IN PRECINCT #2, AND "BACKAGE ROAD 4" AND "BACKAGE ROAD 5" ARE LOCATED IN PRECINCT #1. THE PROPOSED NAME FOR "BACKAGE ROAD 1" IS "COUNTY ROAD 1016-Z", THE PROPOSED NAME FOR "BACKAGE ROAD 2" IS "COUNTY ROAD 910-Z", THE PROPOSED NAME OF "BACKAGE ROAD 4" IS "COUNTY ROAD 1024-Z" AND THE PROPOSED NAME FOR "BACKAGE ROAD 5" IS "COUNTY ROAD 904-Z". "BACKAGE ROAD 1" IS LOCATED AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF CHISHOLM TRAIL PARKWAY AND THE EAST RIGHT-OF-WAY LINE OF F.M. HIGHWAY 1902, APPROXIMATELY 2,600 FEET SOUTHERLY FROM THE INTERSECTION OF F.M. HIGHWAY 1902 WITH COUNTY ROAD 1016, AND EXTENDS NORTHERLY A DISTANCE OF APPROXIMATELY 1,800 FEET. "BACKAGE ROAD 2" IS LOCATED APPROXIMATELY 1,550 FEET WEST OF THE INTERSECTION OF F.M. HIGHWAY 917 AND F.M. HIGHWAY 1902, AND EXTENDS NORTHERLY A DISTANCE OF APPROXIMATELY 2,970 FEET. "BACKAGE ROAD 4" IS LOCATED PARALLEL AND ADJACENT TO THE WESTERLY RIGHT-OF-WAY LINE OF CHISHOLM TRAIL PARKWAY, BEGINNING AT DON LEE ROAD AND EXTENDING NORTHERLY A DISTANCE OF APPROXIMATELY 4,135 FEET. "BACKAGE ROAD 5" IS LOCATED APPROXIMATELY 1,200 FEET EAST OF THE INTERSECTION OF JORDAN COURT AND COUNTY ROAD 904, AND EXTENDS IN A SOUTHERLY DIRECTION AN APPROXIMATE DISTANCE OF 2,825 FEET TO A POINT ADJACENT TO THE WESTERLY

RIGHT-OF-WAY LINE OF CHISHOLM TRAIL PARKWAY LOCATED IN JOHNSON COUNTY, TEXAS. THE PUBLIC HEARING WILL BE CONDUCTED ON MONDAY, JUNE 25, 2012, AT 9:00 A.M., IN THE COMMISSIONER'S COURTROOM, JOHNSON COUNTY COURTHOUSE, #2 MAIN ST., CLEBURNE, TEXAS 76033.

Commissioner Troy Thompson spoke in favor of naming backage roads with a "Z" at the end to identify them as dead end roads for first responders. County Judge Roger Harmon was concerned there might be a problem of having a dash between the road number and the "Z" in the road name. Commissioners Troy Thompson, Precinct #2 and Rick Bailey, Precinct #1, both agreed the dash should be omitted from the name. County Attorney, Bill Moore, informed the Court the Order would have to be changed to reflect the new naming format prior to voting on this item in Court. The hearing was closed at 9:39 A.M.

VII. PRECEDING BUSINESS

1. CONSIDERATION OF REQUEST TO PAY BILLS

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

All voted aye; motion carried.

2. 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.

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

a. April 23, 2012 – Regular Session

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the Commissioner's Court Minutes for April 23, 2012.

All voted aye; motion carried.

5. CONSIDERATION OF **ORDER #2012-08** – “ORDER APPROVING THE JOHNSON COUNTY TREASURER’S REPORT”

Comm. Beeson, seconded by Comm. Thompson, made a motion to approve [Order #2012-08](#), “Order Approving the Johnson County [Treasurer’s Report](#)”.

All voted aye; motion carried.

6. CONSIDERATION OF **RFP #2012-119** – PERPETUAL LEASE WITH GRANITE CONSTRUCTION COMPANY FOR WATERLINE EASEMENT

Comm. Thompson, seconded by Comm. Beeson, made a motion to approve [RFP #2012-119](#), Perpetual Lease with Granite Construction Company for Waterline Easement.

All voted aye; motion carried.

VIII. UNFINISHED BUSINESS

2. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

[Discussion. No Action.](#)

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve to advertise for bids for stone work masons to build structures for Market Square in Precinct #1.

All voted aye; motion carried.

2. CONSIDERATION OF FY 2012 BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE [SECTION 111.010](#) for:

- a. Jury Fund-Equipment Capital
- b. Election Services Contract-Office Supplies/Printing
- c. Indigent Defense Improvement-Equipment Repair & Maintenance
- d. Juvenile Probation-Residential Placement
- e. Road & Bridge, Precinct #4-Personnel Salary

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.010* for Jury Fund, Equipment Capital to purchase a copier for Jury Administration in the amount of \$21,000.00; Election Services Contract, Office Supplies/Printing for additional budget needed for election run-off expenses for the total amount of \$47,000.00; Indigent Defense Improvement, Equipment Repair & Maintenance to replace and update software for the WIFI system at the Guinn Justice Court Building in the amount of \$882.00; Juvenile Probation, Residential Placement for budget shortage due to increase in residential placements in the amount of \$65,000.00 and Road & Bridge, Precinct #4, Personnel Salary to create position #P01-048 in the amount of \$5,000.00.

All voted aye; motion carried.

- 3. CONSIDERATION OF RESOLUTION CALLING ALL OF THE OUTSTANDING JOHNSON COUNTY, TEXAS CERTIFICATES OF OBLIGATION, SERIES 2004A FOR REDEMPTION PRIOR TO MATURITY; AND ENACTING OTHER PROVISIONS RELATING TO THIS SUBJECT

Comm. Bailey, seconded by Comm. Thompson, made a motion to approve the [Resolution Calling All of the Outstanding](#) Johnson County, Texas Certificates of Obligation, Series 2004A for Redemption Prior to Maturity; and enacting other provisions relating to this subject and to give the County Judge the authorization to sign.

All voted aye; motion carried.

- 4. CONSIDERATION OF REMOVAL OF DISPOSED INVENTORY-S.T.O.P. TASKFORCE

Comm. Thompson, seconded by Comm. Stringer, made a motion to approve the [removal of disposed inventory for the S.T.O.P. Taskforce](#) per the attached memo.

All voted aye; motion carried.

5. CONSIDERATION OF SERVICE AGREEMENT WITH ESPY SERVICES, INC.

Comm. Stringer, seconded by Comm. Thompson, made a motion to approve the [Service Agreement with Espy Service, Inc.](#) provided there are no changes to the contract with AT & T without the Court's approval and to give the County Judge the authorization to sign.

All voted aye; motion carried.

6. CONSIDERATION OF INTERLOCAL AGREEMENT BETWEEN PARKER COUNTY, TEXAS AND JOHNSON COUNTY, TEXAS TO COORDINATE AND EXECUTE LAW ENFORCEMENT OPERATIONS TARGETING FRAUDULENT OR IMPROPER MOTOR VEHICLE INSPECTIONS INCLUDING APPLICATION FOR ADDITIONAL FUNDING OF THE JOHNSON COUNTY EMISSIONS ENFORCEMENT PROGRAM GRANT FROM THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) IN THE AMOUNT OF \$30,000.00

Pass.

7. CONSIDERATION OF RELOCATING THE ELECTIONS OFFICE FROM #2 N. MAIN STREET TO 103 S. WALNUT, FOLLOWING THE MOVE OF THE ADULT PROBATION OFFICE

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve to allow Patty Bourgeois, Elections Administrator first choice among other departments in the County for relocating the Elections Office from #2 N. Main Street to 103 S. Walnut, following the move of the Adult Probation Office.

All voted aye; motion carried.

8. CONSIDERATION OF THE 2012 PRIMARY RUN-OFF ELECTION:

a. [Election Ballot Board](#)

Comm. Thompson, seconded by Comm. Stringer, made a motion to approve the Election Ballot Board for the 2012 Primary Run-off Election.

All voted aye; motion carried.

b. [Early Voting Head Clerks](#)

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Early Voting Head Clerks for the 2012 Primary Run-off Election.

All voted aye; motion carried.

c. [Early Voting Polling Locations](#)

Comm. Thompson, seconded by Comm. Stringer, made a motion to approve the Early Voting Polling Locations Option #1 for the 2012 Primary Run-off Election.

All voted aye; motion carried.

d. [Republican and Democratic Election Day Judges](#)

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the Republican and Democratic Election Day Judges for the 2012 Primary Run-off Election.

All voted aye; motion carried.

e. [Election Day Polling Locations](#)

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Election Day Polling Locations for the 2012 Primary Run-off Election.

All voted aye; motion carried.

6. CONSIDERATION OF INTERLOCAL AGREEMENT BETWEEN PARKER COUNTY, TEXAS AND JOHNSON COUNTY, TEXAS TO COORDINATE AND EXECUTE LAW ENFORCEMENT OPERATIONS TARGETING FRAUDULENT OR IMPROPER MOTOR VEHICLE INSPECTIONS INCLUDING APPLICATION FOR ADDITIONAL FUNDING OF THE JOHNSON COUNTY EMISSIONS ENFORCEMENT PROGRAM GRANT FROM THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) IN THE AMOUNT OF \$30,000.00

Comm. Beeson, seconded by Comm. Thompson, made a motion to approve the Interlocal Agreement between Parker County, Texas and Johnson County, Texas to Coordinate and Execute Law Enforcement Operations Targeting Fraudulent or Improper Motor Vehicle Inspections including application for additional funding of the Johnson County Emissions Enforcement Program Grant from the Texas Commission on Environmental Quality (TCEQ) in the amount of \$30,000.00 and to give the County Judge and the Sheriff the authorization to sign.

All voted aye; motion carried.

VIII. UNFINISHED BUSINESS

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

Discussion. No Action.

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

Comm. Thompson, seconded by Comm. Stringer, made a motion to approve to have Alan Magee, Magee Architects to ask RBR for a full audit for the entire Emergency Operations Center Project.

All voted aye; motion carried.

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

Additional Discussion.

The Commissioner's Court recessed at 10:41 A.M. and reconvened at 10:55 A.M. to consider the following:

VII. PRECEDING BUSINESS

4. CONSIDERATION OF AMENDED ORDER #2012-06 – "ASSIGNING NAMES TO FOUR BACKAGE ROADS CREATED BY THE CONSTRUCTION OF THE CHISHOLM TRAIL PARKWAY, LOCATED IN JOHNSON COUNTY, TEXAS, PRECINCTS #1 AND #2"

Comm. Bailey, seconded by Comm. Thompson, made a motion to approve [Amended Order #2012-06](#), Assigning Names to Four Backage Roads Created by the Construction of the Chisholm Trail Parkway, Located in Johnson County, Texas, Precincts #1 and #2, which was amended during Court to reflect the new naming format.

All voted aye; motion carried.

IX. NEW BUSINESS

9. CONSIDERATION OF APPOINTMENT OF A CIVIL RIGHTS LIAISON TO QUALIFY FOR POSSIBLE REIMBURSEMENT OF PROSECUTION EXPENSES ASSOCIATED WITH CAPITAL MURDER TRIAL

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

All voted aye; motion carried.

10. CONSIDERATION OF INTERLOCAL AGREEMENT FOR THE CITY OF ALVARADO AND JOHNSON COUNTY PRECINCT #3 FOR THE RECONSTRUCTION OF A PORTION OF NORTH CUMMINGS WITHIN THE CITY LIMITS OF ALVARADO

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the [Interlocal Agreement for the City of Alvarado](#) and Johnson County Precinct #3 for the reconstruction of a portion of North Cummings within the city limits of Alvarado.

All voted aye; motion carried.

11. CONSIDERATION OF INTERLOCAL AGREEMENT FOR THE CITY OF ALVARADO AND JOHNSON COUNTY PRECINCT #3 FOR THE RECONSTRUCTION OF A PORTION OF CR 508 WITHIN THE CITY LIMITS OF ALVARADO

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the [Interlocal Agreement for the City of Alvarado](#) and Johnson County Precinct #3 for the reconstruction of a portion of CR 508 within the city limits of Alvarado.

All voted aye; motion carried.

12. CONSIDERATION TO DECLARE EQUIPMENT AS SURPLUS-PRECINCT #4

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve to [declare equipment as surplus for Precinct #4](#) and to allow Purchasing to place on Rene Bates Auction for sale per the attached list.

All voted aye; motion carried.

13. CONSIDERATION TO DECLARE ITEMS AS SURPLUS UNDER LOCAL GOVERNMENT CODE SECTION 263.151 (2) AND PLACE ON RENE BATES AUCTION FOR SALE

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve to [declare items as surplus](#) under Local Government Code *Section 263.151 (2)* and place on Rene Bates Auction for sale per the attached list.

All voted aye; motion carried.

14. CONSIDERATION TO DECLARE ITEMS AS SURPLUS UNDER LOCAL GOVERNMENT CODE SECTION 263.151 (2) AND PLACE ON RENE BATES AUCTION FOR SALE FOR THE SHERIFF'S OFFICE

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve to [declare items as surplus](#) under Local Government Code *Section 263.151 (2)* and place on Rene Bates Auction for sale for the Sheriff's Office per the attached list.

All voted aye; motion carried.

15. CONSIDERATION OF AUTHORIZATION TO MAINTAIN TCDRS PLAN PROVISIONS FOR PLAN YEAR 2013

Comm. Thompson, seconded by Comm. Beeson, made a motion to approve the authorization to maintain [TCDRS Plan Provisions for Plan Year 2013](#) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

16. CONSIDERATION OF ANNUAL ROAD REPORTS:

a. [Precinct #2](#)

Comm. Thompson, seconded by Comm. Bailey, made a motion to approve the Annual Road Report for Precinct #2.

All voted aye; motion carried.

b. [Precinct #4](#)

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the Annual Road Report for Precinct #4.

All voted aye; motion carried.

17. CONSIDERATION OF RENEWAL OF CERTIFICATE OF DEPOSIT WITH FIRST FINANCIAL BANK IN THE AMOUNT OF \$10,000,000.00- TREASURER'S OFFICE

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the [renewal of Certificate of Deposit with First Financial Bank](#) in the amount of \$10,000,000.00 for the Treasurer's Office.

All voted aye; motion carried.

18. CONSIDERATION OF APPOINTMENT OF WAVA MCCULLOUGH AS TRUSTEE TO THE PECAN VALLEY CENTERS FOR BEHAVIORAL AND DEVELOPMENTAL HEALTHCARE

Comm. Beeson, seconded by Comm. Thompson, made a motion to approve the [appointment of Wava McCullough as Trustee to the Pecan Valley Centers](#) for Behavioral and Developmental Healthcare.

All voted aye; motion carried.

19. CONSIDERATION OF CONTINUATION CERTIFICATES FOR:

- a. [Cashan E. Clark, Deputy Constable Precinct #4](#)
- b. [Linda Rowe, Mail Clerk](#)

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the Continuation Certificates for Cashen E. Clark, Deputy Constable Precinct #4 and Linda Rowe, Mail Clerk.

All voted aye; motion carried.

X. CONSENT AGENDA

Comm. Bailey, seconded by Comm. Thompson, made a motion to approve all items on the [Consent Agenda](#).

All voted aye; motion carried.

BE IT KNOWN that Commissioner's Court met in Executive Session at 11:26 A.M. in accordance with Government Code *Sec. 551.074*, Personnel: Anna Goodloe, Clerk II, Jail Records, Emily Stringer, Clerk II, Jail Records, Linda Gosselin, Hamm Creek Park; and *Sec. 551.071*-Consultation with Attorney, Cause No. C199900253, Johnson County v. Harris Methodist Affiliated Hospitals.

The Commissioner's Court reconvened into Open Session at 12:08 P.M. to consider the following:

XI. EXECUTIVE SESSION

1. Government Code:

a. *Sec. 551.074*-Personnel:

(1) Anna Goodloe, Clerk II-Jail Records

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve to pay 85 ½ hours of overtime, in the amount of \$1,044.81 to Anna Goodloe, Clerk II, Jail Records.

All voted aye; motion carried.

(2) Emily Stringer, Clerk II-Jail Records

Comm. Thompson, seconded by Comm. Bailey, made a motion to approve to pay \$834.02 for time spent working on the eForce Project to Emily Stringer, Clerk II, Jail Records.

All voted aye; motion carried.

(3) Linda Gosselin, Hamm Creek Park

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve to pay overtime in the amount of \$83.53, paid out of the Hamm Creek Park budget to Linda Gosselin, Hamm Creek Park.

All voted aye, motion carried.

- b. *Sec. 551.071*-Consultation with Attorney-Cause No. C199900253, Johnson County v. Harris Methodist Affiliated Hospitals.

Comm. Thompson, seconded by Comm. Beeson, made a motion to approve to authorize County Judge Roger Harmon to negotiate a counter offer to accept \$550,000.00 from Harris Methodist Affiliated Hospitals.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 12:11 P.M.

Submitted by: _____
County Clerk
Becky Williams

Approved by: _____
County Judge
Roger Harmon