

STATE OF TEXAS

December 10, 2012

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 10th day of December, 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 Phil Robertson, Keene Church of Seventh Day Adventists, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on December 6, 2012 at 1:15 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF PLAQUES TO RETIRING JOHNSON COUNTY EMPLOYEES

Commissioner's Court and Becky Williams, County Clerk, presented a plaque to Carolyn Johnson who is retiring after 10 years of service to Johnson County.

2. RECEPTION FOR RETIRING ELECTED OFFICIAL – BILL PEARCE, CONSTABLE, PRECINCT #1

A retirement reception was held for Elected Official, Bill Pearce, Constable, Precinct #1. He was presented a plaque for his dedicated years of service to Johnson County upon his retirement.

The Commissioner's Court recessed at 9:14 A.M. and reconvened at 9:33 A.M. to consider the following:

V. PUBLIC PARTICIPATION

None.

VI. PUBLIC HEARINGS

The Commissioner's Court opened a Public Hearing at 9:36 A.M. to discuss:

1. "IN ACCORDANCE WITH CHAPTER 343 OF THE TEXAS HEALTH & SAFETY CODE, THE PREMISES LOCATED AT 9117 N. MONTERREY DRIVE, ALVARADO, TX. 76009, JOHNSON COUNTY, TEXAS, HAS BEEN IDENTIFIED AS A PUBLIC NUISANCE AND WELLS FARGO BANK, NA 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 **9117 N. Monterrey Drive, Alvarado, TX 76009**, has been identified as a public nuisance and **Wells Fargo Bank, NA** has been identified as the person responsible for causing or maintaining a public nuisance on the premises. This case began on August 30, 2012 with complaints of overgrown grass and weeds which would attract and harbor mice, mosquitoes and vermin. This property had previously been presented to Commissioner's Court in October 2011. Photos were taken and Notice of Violation letters were sent to Wells Fargo Bank, NA, which Wells Fargo did receive. The property was not abated at this time. Since this property had been previously presented, Det. Shaw did not send this to Justice of the Peace #3. Det. Shaw did send out Notice of Nuisance letters stating the property would be presented to Commissioner's Court on today's date. This allowed Wells Fargo more time to abate the property, but again nothing was done. The property was revisited on November 30, 2012 to verify that the property still had not been abated. At that time the case was put together to present today to Commissioner's Court for action. The hearing was closed at 9:47 A.M.

VII. PRECEDING BUSINESS

1. CONSIDERATION OF **ORDER #2012-32**- “ORDER ABATING NUISANCE AT 9117 N. MONTERREY DRIVE, ALVARADO, TX. 76009, JOHNSON COUNTY, TEXAS”

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve [Order #2012-32](#), “Order Abating Nuisance at **9117 N. Monterrey Drive, Alvarado, TX 76009, Johnson County, Texas**”.

All voted aye; motion carried.

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

a. October 22, 2012 – Regular Session

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the Commissioner’s Court Minutes for October 22, 2012.

All voted aye; motion carried.

3. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Bailey, seconded by Comm. Howell, 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 [RFP #2013-301](#) – HVAC SERVICE AND REPAIR

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve [RFP #2013-301, HVAC Service and Repair with Enviromatic](#).

All voted aye; motion carried.

6. CONSIDERATION OF FINAL PLAT OF LOT 1 AND 2, BLOCK 1 CHANEY ADDITION – AND GRANT VARIANCE FOR LOT 2 ROAD FRONTAGE- PRECINCT #4

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the [final plat of Lot 1 and 2, Block 1 Chanev Addition](#) and grant variance for Lot 2 road frontage in Precinct #4.

All voted aye; motion carried.

VIII. UNFINISHED BUSINESS

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

Discussion. No Action.

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

Discussion. No Action.

4. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS, AND CONTRACTS FOR THE ALVARADO SUB-COURTHOUSE BUILDING

Discussion. No Action.

2. CONSIDERATION OF RECURRING ITEMS CONCERNING MARKET SQUARE

Discussion. No Action.

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve to advertise for bids for Oil and Gas Lease for Lot 5, Block 1, Quail Park Estates in Precinct #4 with a minimum of \$750.00 per acre and 25% at the wellhead.

All voted aye; motion carried.

2. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE [SECTION 111.0106](#) for:

a. Insurance Claims, Sheriff-Capital Equipment

Comm. Bailey, seconded by Comm. Howell, made a motion to approve Budget Amendment pursuant to the Local Government Code *Section 111.0106* for Insurance Claims, Sheriff, Capital Equipment in the amount of \$19,565.00 to replace a damaged vehicle.

All voted aye; motion carried.

3. CONSIDERATION OF **FY 2013** BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE [SECTION 111.010](#) for:

- a. Indigent Defense Improvement-Supplement/Salary Adjustment \$15,000.00, Workers Compensation \$55.00, Unemployment \$50.00, Equipment Repair & Maintenance \$1,000.00, FICA \$930.00, Medicare \$218.00, Retirement \$1,457.00 – Total \$18,710.00
- b. Market Square Project-Property Improvement 5540 \$29,000.00
- c. Market Square Project-Transfer from 4800 \$29,000.00
- d. General Fund Non-Departmental-Transfer to 5700 \$29,000.00
- e. Market Square Project-Property Improvement 5540 \$37,141.02

Comm. Bailey, seconded by Comm. Howell, made a motion to approve **FY 2013** Budget Amendment pursuant to the Local Government Code *Section 111.010* for Indigent Defense Improvement, Supplement/Salary Adjustment in the amount of \$15,000.00, Workers Compensation in the amount of \$55.00, Unemployment in the amount of \$50.00, Equipment Repair & Maintenance in the amount of \$1,000.00, FICA in the amount of \$930.00, Medicare in the amount of \$218.00, Retirement in the amount of \$1,457.00 to create budget for the total amount of \$18,710.00; Market Square Project, Property Improvement 5540 in the amount of \$29,000.00 for additional budget approved in Commissioner's Court on November 13, 2012; Market Square Project, Transfer from 4800 in the amount of \$29,000.00 to transfer to General Fund approved in Commissioner' Court on November 13, 2012; General Fund Non-Departmental, Transfer to 5700 in the amount of \$29,000.00 to transfer to Market Square Fund approved in Commissioner's Court on November 13, 2012 and Market Square Project, Project Improvement 5540 in the amount of \$37,141.02 to create a budget for the remaining cash in the bank as of November 1, 2012.

All voted aye; motion carried.

5. CONSIDERATION OF COMMISSIONER'S COURT APPROVAL AND INTERLOCAL AGREEMENT WITH THE CITY OF COYOTE FLATS FOR ROAD REPAIR AND TIGER MOWING ON CR'S 415 AND 414 IN COYOTE FLATS, TEXAS-PRECINCT #4

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the [Commissioner's Court Approval](#) and [Interlocal Agreement with the City of Coyote Flats](#) for Road Repair and Tiger Mowing on CR's 415 and 414 in Coyote Flats, Texas in Precinct #4.

All voted aye; motion carried.

4. CONSIDERATION OF “EXHIBIT B” ADDENDUM TO “EXHIBIT A” STATEMENT OF WORK IMPLEMENTATION OF COURTHOUSE IDS-LITE, BROWSER-BASED IMAGING SYSTEM FOR COURTHOUSE JMS IN JOHNSON COUNTY TEXAS-DISTRICT CLERK

Comm. Howell, seconded by Comm. Bailey, made a motion to approve “[Exhibit B](#)” Addendum to “Exhibit A” Statement of Work Implementation of Courthouse IDS-Lite, Browser-based Imaging System for Courthouse JMS in Johnson County, Texas for the District Clerk and to give the County Judge the authorization to sign.

All voted aye; motion carried.

6. CONSIDERATION OF THE JOHNSON COUNTY MEDICAL EXAMINER DISTRICT AGREEMENT FISCAL YEAR 2013 AND **ORDER #2012-33** APPROVING THE JOHNSON COUNTY MEDICAL EXAMINER DISTRICT AGREEMENT FISCAL YEAR 2013

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Johnson County Medical Examiner District Agreement Fiscal Year 2013](#) and **Order #2012-33**, Approving the Johnson County Medical Examiner District Agreement Fiscal Year 2013.

All voted aye; motion carried.

7. CONSIDERATION OF **ORDER #2012-31**-“PROHIBITION OF OUTDOOR BURNING”

Comm. Howell, seconded by Comm. Stringer, made a motion to approve [Order #2012-31](#), “Prohibition of Outdoor Burning” for all Precincts effective today.

All voted aye; motion carried.

8. CONSIDERATION TO DECLARE MISCELLANEOUS ITEMS AS SURPLUS AND AUTHORIZATION TO PLACE ON RENE BATES AUCTION FOR SALE-IT DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve to [declare miscellaneous items as surplus](#) and authorization to place on Rene Bates Auction for sale per the attached list for the IT Department.

All voted aye; motion carried.

9. CONSIDERATION OF REPORT OF EMINENT DOMAIN TO THE
COMPTROLLER OF PUBLIC ACCOUNTS

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Report of Eminent Domain](#) to the Comptroller of Public Accounts and to give the County Judge the authorization to sign.

All voted aye; motion carried.

10. CONSIDERATION OF MAINTENANCE AGREEMENT FOR SOFTWARE
SYSTEMS WITH NETDATA

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Maintenance Agreement for Software Systems with NetData](#) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

11. CONSIDERATION OF MAINTENANCE AGREEMENT FOR ICON
SOFTWARE ONLY WITH NETDATA FOR JUSTICE OF THE PEACE
SOFTWARE

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the [Maintenance Agreement for iCON Software Only with NetData](#) for Justice of the Peace software and to give the County Judge the authorization to sign.

All voted aye; motion carried.

12. CONSIDERATION OF FLU SHOTS FOR JOHNSON COUNTY EMPLOYEES

Comm. Beeson, seconded by Judge Roger Harmon, made a motion to approve [Johnson County to offer free flu shots to County employees](#) through the Health Department, with the County paying the Health Department \$10.00 for every flu shot administered to County employees, to be paid out of the County Functions line item, and to be scheduled as soon as possible.

All voted aye; motion carried.

13. CONSIDERATION OF APPOINTMENTS TO THE JOHNSON COUNTY ECONOMIC DEVELOPMENT BOARD:

- a. Tom Griffin, Cleburne Texas-Precinct #1
- b. Sharlotta Connally, Joshua, Texas-Precinct #2

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve Tom Griffin, Cleburne, Texas, Precinct #1 and Sharlotta Connally, Joshua, Texas, Precinct #2 as appointments to the Johnson County Economic Development Board.

All voted aye; motion carried.

14. CONSIDERATION OF RE-APPOINTMENTS TO THE EMERGENCY SERVICES DISTRICT #1 BOARD:

- a. Gerald Miller-Precinct #2
- b. Keith Kelly-Precinct #3

Comm. Stringer, seconded by Comm. Howell, made a motion to approve Gerald Miller, Precinct #2 and Keith Kelly, Precinct #3 as re-appointments to the Emergency Services District #1 Board.

All voted aye; motion carried.

X. CONSENT AGENDA

Comm. Stringer, seconded by Comm. Beeson, 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 10:42 A.M. in accordance with Government Code *Sec. 551.072*, Real Property.

The Commissioner's Court reconvened into Open Session at 10:55 P.M.

XI. WORKSHOP

The Commissioner's Court convened into Workshop Session at 10:55 A.M. to discuss Log Cabin Village at The Retreat.

The Commissioner's Court reconvened into Open Session at 11:31 A.M.

XII. EXECUTIVE SESSION

1. Government Code:

(1) *Sec. 551.072*-Real Property

No Action.

IX. NEW BUSINESS

12. CONSIDERATION OF FLU SHOTS FOR JOHNSON COUNTY EMPLOYEES

Additional Discussion.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 11:34 A.M.

Submitted by: _____

County Clerk
Becky Williams

Approved by: _____

County Judge
Roger Harmon