

STATE OF TEXAS

[May 13, 2013](#)

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 13th day of May, 2013, 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 except for Commissioner Don Beeson, Precinct #4, and following the Invocation led by David Hampton, Pastor, Sand Flat Baptist 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 May 9, 2013 at 1:06 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION BY THE MASTER GARDENERS OF PLANS FOR GUINN GARDENS AT BUFFALO CREEK

A presentation by the Master Gardeners of [plans for Guinn Gardens at Buffalo Creek](#) was given to Commissioner's Court by Joan Leach.

2. PRESENTATION BY THE BURLESON POLICE DEPARTMENT OF AN HONORARY MEMBERSHIP TO MR. BILL HARDIN FROM THE TEXAS POLICE ASSOCIATION

A presentation by the Burleson Police Department of an [Honorary Membership to Mr. Bill Hardin](#) from the Texas Police Association was given to Commissioner's Court by Chris Havens, Commander of the Burleson Police Department and Vice President of the Texas Police Association.

V. PUBLIC PARTICIPATION

Paul Gnadt, reporter for the Keene Star, announced that the California University Chorus and Orchestra will perform in Keene this Saturday, May 18, 2013 at 4:30 P.M. and invited everyone to attend.

VI. PUBLIC HEARINGS

The Commissioner's Court opened a Public Hearing at 9:29 A.M. to discuss:

1. "AUTHORIZATION FOR THE OWNER OF THE SUBDIVISION OF KELSEY ACRES, LOTS 1 THROUGH 14, A RECORDED SUBDIVISION IN VOLUME 9, PAGE 27, IN JOHNSON COUNTY, TEXAS, PRECINCT #3 TO FILE AN INSTRUMENT CANCELING THE SUBDIVISION"

Erik Dumas, Public Works Director, briefly explained the reason the owner wants to cancel this subdivision. There being no one else to speak, the hearing was closed at 9:30 A.M.

VII. PRECEDING BUSINESS

1. CONSIDERATION OF **ORDER #2013-13** – "AUTHORIZATION FOR THE OWNER OF THE SUBDIVISION OF KELSEY ACRES, LOTS 1 THROUGH 14, A RECORDED SUBDIVISION IN VOLUME 9, PAGE 27, IN JOHNSON COUNTY, TEXAS, PRECINCT #3 TO FILE AN INSTRUMENT CANCELING THE SUBDIVISION"

Comm. Stringer, seconded by Comm. Howell, made a motion to approve [Order #2013-13](#), "Authorization for the Owner of the Subdivision of Kelsey Acres, Lots 1 through 14, a Recorded Subdivision in Volume 9, Page 27, in Johnson County, Texas, Precinct #3 to File an Instrument Canceling the Subdivision."

All voted aye; motion carried.

2. CONSIDERATION OF MINUTES OF THE COMMISSIONER'S COURT:
 - a. April 8, 2013 – Regular Session
 - b. April 22, 2013 – Regular Session

Comm. Howell, seconded by Comm. Bailey, made a motion to approve the Commissioner's Court Minutes for April 8, 2013 and April 22, 2013.

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.

IX. NEW BUSINESS

6. CONSIDERATION FOR KATHRYN FASCI, VETERANS SERVICE OFFICER, WILLIAM BAILEY, ASSISTANT VETERANS SERVICE OFFICER, AND GENEVIEVE DUNN, ADMINISTRATIVE ASSISTANT, TO TRAVEL TO SAN ANTONIO, TEXAS ON MAY 19-23, 2013 FOR THE TEXAS VETERANS COMMISSION SPRING 2013 TRAINING CONFERENCE

Comm. Stringer, seconded by Comm. Howell, made a motion to approve for Kathryn Fasci, Veterans Service Officer, William Bailey, Assistant Veterans Service Officer, and Genevieve Dunn, Administrative Assistant, to travel to San Antonio, Texas on May 19-23, 2013 for the [Texas Veterans Commission Spring 2013 Training Conference](#).

All voted aye; motion carried.

7. CONSIDERATION OF A RESOLUTION "STRONGLY SUPPORTING THE PASSAGE OF HB 2921 WHICH WILL PROVIDE JOHNSON COUNTY REPRESENTATION ON THE BOARD OF DIRECTORS FOR THE NORTH TEXAS TOLLWAY AUTHORITY"

Comm. Howell, seconded by Comm. Bailey, made a motion to approve the [Resolution "Strongly Supporting Passage of HB 2921 Which Will Provide Johnson County Representation on the Board of Directors for the North Texas Tollway Authority"](#).

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.

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

Discussion. No Action.

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

- a. Consideration of Appointment of Color Committee

Discussion. No Action.

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

Comm. Bailey, seconded by Comm. Howell, made a motion to [approve the bid of Northeast Service Inc.](#) for landscaping and irrigation for the Emergency Operations Center in the amount of \$24,935.00.

All voted aye; motion carried.

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

- a. Consideration of Appointment of Color Committee

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve to appoint Alison Hitchcock, Assistant to County Judge; Debbie Rice, County Treasurer; Pat Jacobs, Justice of the Peace, Precinct #3; and Margaret Cook, Interim Purchasing Agent to the Alvarado Sub-Courthouse Building Color Committee.

All voted aye; motion carried.

VII. PRECEDING BUSINESS

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 FINAL PLAT OF **LYNE ADDITION**, LOT 1, BLOCK 1 AND GRANT A VARIANCE FOR MINIMUM ROAD FRONTAGE REQUIRED FOR A LOT, LOCATED IN PRECINCT #4

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [final plat of Lyne Addition](#), Lot 1, Block 1 and grant a variance for minimum road frontage required for a lot, located in Precinct #4

All voted aye; motion carried.

6. CONSIDERATION TO GRANT A VARIANCE TO BUILD TWO RESIDENCES IN **GREEN VALLEY ADDITION**, LOT 7, BLOCK 3, LOCATED IN PRECINCT #3

Comm. Bailey, seconded by Comm. Howell, made a motion to approve to [grant a variance to build two residences in Green Valley Addition](#), Lot 7, Block 3, located in Precinct #3 with the condition that an engineered system for septic be submitted to Public Works and Commissioner's Court for approval.

Comm. Bailey voted aye.
Comm. Howell voted aye.
Judge Roger Harmon voted aye.
Comm. Stringer voted nay.

Motion carried.

7. CONSIDERATION TO GRANT A VARIANCE TO ATTACH TWO HOMES TO AN EXISTING SEPTIC SYSTEM IN GREEN VALLEY ADDITION, LOT 7, BLOCK 3, LOCATED IN PRECINCT #3

Comm. Bailey, seconded by Comm. Howell, made a motion to [deny to grant a variance to attach two homes to an existing septic system](#) in **Green Valley Addition**, Lot 7, Block 3, located in Precinct #3.

All voted aye; motion carried.

The Commissioner's Court recessed at 10:28 A.M. and reconvened at 10:50 A.M. to consider the following:

8. CONSIDERATION OF [RFB #2013-314 – 2010 PUP TRAILER PURCHASE FROM LEACH TRAILERS-PRECINCT #2](#)

Comm. Howell, seconded by Comm. Stringer, made a motion to approve [RFB #2013-314, 2010 Pup Trailer](#) Purchase from Leach Trailers for Precinct #2.

All voted aye; motion carried.

9. CONSIDERATION OF **RFP #2013-307** – BANK DEPOSITORY AND SUB-DEPOSITORY CONTRACT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve [RFP #2013-307, Bank Depository and Sub-Depository Contract](#) with First Financial Bank, Cleburne, Texas.

All voted aye; motion carried.

10. CONSIDERATION OF **RFP #2012-117** – MAINTENANCE AND REPAIR OF OFFICE EQUIPMENT FOR JOHNSON COUNTY, TEXAS WITH HEWLETT OFFICE SYSTEMS

Comm. Stringer, seconded by Comm. Howell, made a motion to approve [RFP #2012-117, Maintenance and Repair of Office Equipment](#) for Johnson County, Texas with Hewlett Office Systems.

All voted aye; motion carried.

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Stringer, seconded by Comm. Howell, made a motion to approve to advertise for bids/proposals for an audio system for the Emergency Operations Center.

All voted aye; motion carried.

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

a. Road & Bridge Precinct #1-Equipment Capital-\$37,000.00

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve of Budget Amendment pursuant to the Local Government Code *Section 111.0106* for Road & Bridge Precinct #1, Equipment Capital in the amount of \$37,000.00 for the sale of one (1) chip spreader from Precinct #1 to Henderson County.

All voted aye; motion carried.

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

a. Indigent Health Care-Dues and Conferences \$1,000.00

b. Indigent Defense Improvement-Fees and Services-\$500.00

Comm. Howell, seconded by Comm. Bailey, made a motion to approve of **FY 2013** Budget Amendment pursuant to the Local Government Code *Section 111.010* for Indigent Health Care, Dues and Conferences in the amount of \$1,000.00 for additional training needed for new staff; and Indigent Defense Improvement, Fees and Services in the amount of \$500.00 to create a budget.

All voted aye; motion carried.

4. CONSIDERATION OF COMMUNICATIONS SYSTEM AGREEMENT BETWEEN JOHNSON COUNTY, TEXAS AND JOHNSON COUNTY ESD #1

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the [Communications System Agreement](#) between Johnson County, Texas and Johnson County ESD #1 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

5. CONSIDERATION OF QUETEL SOFTWARE SUPPORT AGREEMENT BETWEEN QUETEL CORPORATION AND JOHNSON COUNTY S.T.O.P. SPECIAL CRIMES UNIT

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the [QueTel Software Support Agreement](#) between QueTel Corporation and Johnson County, S.T.O.P. Special Crimes Unit and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF **ORDER #2013-12** – “ORDER AUTHORIZING INVESTMENT OFFICER OF JOHNSON COUNTY TO INVEST COUNTY FUNDS THROUGH ELIGIBLE INVESTMENT POOLS OF TEXSTAR, TEXPOOL, AND TEXAS CLASS PURSUANT TO CHAPTER 2256 OF THE TEXAS GOVERNMENT CODE”

Comm. Stringer, seconded by Comm. Howell, made a motion to approve [Order #2013-12](#), “Order Authorizing Investment Officer of Johnson County to Invest County Funds Through Eligible Investment Pools of Texstar, Texpool, and Texas Class Pursuant to Chapter 2256 of the Texas Government Code”.

All voted aye; motion carried.

9. CONSIDERATION TO DETERMINE RENEWAL AMOUNT ON THE FIRST FINANCIAL BANK CD #41040008670 IN THE AMOUNT OF \$10,000,000.00-TREASURER

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

All voted aye; motion carried.

10. CONSIDERATION TO TRANSFER \$81,336.28 TO CLOSE OUT SECO GRANT-TREASURER

Comm. Bailey, seconded by Comm. Howell, made a motion to approve to [transfer \\$81,336.28 to close out SECO Grant](#) and is to be transferred from General Fund.

All voted aye; motion carried.

11. CONSIDERATION FOR JOHNSON COUNTY TO JOIN THE TEXAS COMPTROLLER LEADERSHIP CIRCLE 2013 AND HAVE ROY GIDDENS BE THE PRIMARY CONTACT-TREASURER

Comm. Bailey, seconded by Comm. Howell, made a motion to approve for Johnson County to join the [Texas Comptroller Leadership Circle 2013](#) and have Roy Giddens be the primary contact and to give the County Judge the authorization to sign.

All voted aye; motion carried.

12. CONSIDERATION OF ANNUAL MAINTENANCE CONTRACT FOR CANON IR5055 COPIER SERIAL #CJK04783 IN THE AMOUNT \$1,020.00 WITH LASER TECH SOLUTIONS-DISTRICT CLERK

Comm. Howell, seconded by Comm. Bailey, made a motion to approve the Annual Maintenance Contract for Canon IR5055 Copier serial #CJK04783 in the amount \$1,020.00 with [Laser Tech Solutions in the District Clerk's Office](#) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

13. CONSIDERATION OF ANNUAL MAINTENANCE CONTRACT FOR THREE (3) COPIERS-CANON IR3045 SERIAL#MUY06149, CANON IR3035-SERIAL #MUY08591 AND CANON IR3035-SERIAL #MUY08594 WITH LASER TECH SOLUTIONS IN THE TOTAL AMOUNT OF \$2,700.00-COUNTY CLERK

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the Annual Maintenance Contract for three (3) copiers-Canon IR3045 serial #MUY06149, Canon IR3035, serial #MUY08591 and Canon IR3035, serial #MUY08594 with [Laser Tech Solutions in the total amount of \\$2,700.00 in the County Clerk's Office](#) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

14. CONSIDERATION OF ANNUAL MAINTENANCE CONTRACT FOR CANON IR3245 COPIER-SERIAL #DHJ08609 IN THE AMOUNT OF \$1,020.00 WITH LASER TECH SOLUTIONS-ALVARADO TAX OFFICE

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the Annual Maintenance Contract for Canon IR3245 copier, serial #DHJ08609 in the amount of \$1,020.00 with [Laser Tech Solutions in the Alvarado Tax Office](#) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

15. CONSIDERATION OF JOHNSON COUNTY CONTRACT TERMS ADDENDUM TO RENTAL CONTRACT BETWEEN JOHNSON COUNTY, TEXAS AND ABS RENTALS, INC.-PURCHASING

Comm. Bailey, seconded by Comm. Stringer, made a motion to [table this item](#).

All voted aye; motion carried.

16. CONSIDERATION OF BOND FOR RANDY MEJORADO-RESERVE
DEPUTY CONSTABLE, PRECINCT #3

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the [Bond for Randy Mejorado](#), Reserve Deputy Constable, Precinct #3.

All voted aye; motion carried.

17. CONSIDERATION OF BOND FOR LAJUAN YOUNG-MAIL CLERK

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the [Bond for LaJuan Young](#), Mail Clerk.

All voted aye; motion carried.

18. CONSIDERATION OF BUDGET FOR EXPENSES FOR THE 100th
BIRTHDAY CELEBRATION OF THE JOHNSON COUNTY COURTHOUSE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve a [budget of \\$5,000.00 for expenses for the 100th Birthday Celebration](#) of the Johnson County Courthouse and is to be paid for out of County Functions.

All voted aye; motion carried.

19. CONSIDERATION OF INTERLOCAL COOPERATION AGREEMENT
BETWEEN JOHNSON COUNTY, ELLIS COUNTY, AND LASALLE
SOUTHWEST CORRECTIONS FOR THE HOUSING OF JOHNSON
COUNTY ICE INMATES AT THE ELLIS COUNTY JAIL

Comm. Stringer, seconded by Comm. Howell, made a motion to [table this item](#).

All voted aye; motion carried.

20. CONSIDERATION OF TEXAS ASSOCIATION OF COUNTIES RISK MANAGEMENT POOL, JOHNSON COUNTY RENEWAL APPLICATION FOR AUTO LIABILITY, AUTO PHYSICAL DAMAGE, CRIME AND GENERAL LIABILITY

Pass.

21. CONSIDERATION OF PRICE DECREASE FROM ARNOLD'S CRUSHED STONE-PURCHASING

Comm. Howell, seconded by Comm. Bailey, made a motion to approve the [price decrease from Arnold's Crushed Stone](#) per the attached letter.

All voted aye; motion carried.

22. CONSIDERATION TO DECLARE MISCELLANEOUS FURNITURE AS SURPLUS UNDER LOCAL GOVERNMENT CODE 263.152 (a)(1) AND PLACE ON RENE BATES AUCTION FOR SALE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve to [declare miscellaneous furniture as surplus](#) under Local Government Code 263.152 (a)(1) and place on Rene Bates Auction for sale per the attached list.

All voted aye; motion carried.

23. CONSIDERATION TO DECLARE MISCELLANEOUS ITEMS AS SURPLUS UNDER LOCAL GOVERNMENT CODE 263.152 (a)(1) AND PLACE ON RENE BATES AUCTION FOR SALE. ALL PROPERTY HAS BEEN DECLARED ABANDONED OR UNCLAIMED UNDER CRIMINAL CODE 18.17

Comm. Howell, seconded by Comm. Stringer, made a motion to approve to [declare miscellaneous items as surplus](#) under Local Government Code 263.152 (a)(1) and place on Rene Bates Auction for sale per the attached list. All property has been declared abandoned or unclaimed under Criminal Code 18.17.

All voted aye; motion carried.

24. CONSIDERATION TO MOVE COMMISSIONER’S COURT MEETING SCHEDULED FOR MONDAY, JULY 8, 2013 TO FRIDAY, JULY 12, 2013 DUE TO THE SCHEDULING OF THE NORTH AND EAST TEXAS COUNTY JUDGE’S AND COMMISSIONERS ASSOCIATION CONFERENCE AND AN EARLY DEADLINE OF WEDNESDAY, JULY 3, 2013 AT 5:00 PM TO SUBMIT AGENDA ITEMS

Comm. Bailey, seconded by Comm. Howell, made a motion to approve to move Commissioner’s Court Meeting scheduled for Monday, July 8, 2013 to Friday, July 12, 2013 due the scheduling of the North and East Texas County Judge’s and Commissioners Association Conference and an early deadline of Wednesday, July 3, 2013 at 5:00 PM to submit agenda items.

All voted aye; motion carried.

X. CONSENT AGENDA

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

All voted aye; motion carried.

XI. WORKSHOP

The Commissioner’s Court convened into Workshop Session at 11:42 A.M. to discuss Assisting the City of Cleburne in Completing Construction of CR 1125 North and South Ramps, from End of Chisholm Trail Parkway Construction of Ramp N8 and S8 to CR 1125 to Benefit the Mobility of the Industrial District.

The Commissioner’s Court recessed at 12:12 P.M. and reconvened at 1:32 P.M. to consider the following: Changes and New Benefits for Johnson County from the Texas Association of Counties; and Selling of County Owned Land in Cleburne – Old Adult Probation Building, Lisa’s Restaurant, Annex, Old Jail and Parking Lot Next to Bill’s Book Store.

The Commissioner's Court reconvened into Open Session at 2:56 P.M. to consider the following:

IX. NEW BUSINESS

20. CONSIDERATION OF TEXAS ASSOCIATION OF COUNTIES RISK MANAGEMENT POOL, JOHNSON COUNTY RENEWAL APPLICATION FOR AUTO LIABILITY, AUTO PHYSICAL DAMAGE, CRIME AND GENERAL LIABILITY

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the [Texas Association of Counties Risk Management Pool](#), Johnson County Renewal Application for Auto Liability, Auto Physical Damage, Crime and General Liability and to give the County Judge the authorization to sign.

All voted aye; motion carried.

BE IT KNOWN that Commissioner's Court met in Executive Session at 3:03 P.M. in accordance with Government Code *Sec. 551.071*, Consultation with Attorney, Contemplated Litigation: Consideration of Southwestern Bell /AT&T Damage Claim SWBT-06-201102-03-0029-BAM; Related to Cutting of Lines During Road Maintenance Activities Near 1920 CR 529, Burleson, Texas, Precinct #3.

The Commissioner's Court reconvened into Open Session at 3:20 P.M. to consider the following:

XII. EXECUTIVE SESSION

1. Government Code:
 - a. *Sec. 551.071*-Consultation with Attorney-Contemplated Litigation: Consideration of Southwestern Bell/AT&T Damage Claim SWBT-06-201102-03-0029-BAM; Related to Cutting of Lines During Road Maintenance Activities near 1920 CR 529, Burleson, Texas, Precinct #3

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

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's
Court adjourned at 3:21 P.M.

Submitted by: _____
County Clerk
Becky Williams

Approved by: _____
County Judge
Roger Harmon