

STATE OF TEXAS

May 28, 2013

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 28th 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, and following the Invocation led by Donald Bennett, 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 23, 2013 at 11:49 A.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. RECOGNITION OF COUNTY EMPLOYEES WHO COMPLETED THE STEP UP & SCALE DOWN PROGRAM

Commissioner's Court recognized the seven (7) County employees who completed the Step Up & Scale Down Program.

V. PUBLIC PARTICIPATION

None.

VI. PRECEDING BUSINESS

1. CONSIDERATION OF **ORDER #2013-14** – "APPROVING THE JOHNSON COUNTY TREASURER'S REPORT TO THE COMMISSIONER'S COURT"

Comm. Beeson, seconded by Comm. Howell, made a motion to approve [Order #2013-14](#), “Approving the Johnson County [Treasurer’s Report](#) to the Commissioner’s Court.”

All voted aye; motion carried.

2. 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.

3. 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.

4. CONSIDERATION OF REVISED PLAT OF **THE RETREAT**, PHASE 10, LOTS 15R, 16R, 17R, 18R, 19R, 20R, 22R, 23R, BLOCK 75, AND LOTS 5R, 6R, AND 7R, BLOCK 76, LOCATED IN PRECINCT #1

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [revised plat of **The Retreat**, Phase 10](#), Lots 15R, 16R, 17R, 18R, 19R, 20R, 22R, 23R, Block 75, and Lots 5R, 6R, and 7R, Block 76, located in Precinct #1.

All voted aye; motion carried.

5. CONSIDERATION TO GRANT A VARIANCE TO CONSTRUCT A SEPTIC SYSTEM ON LESS THAN ONE ACRE IN **GREEN VALLEY ADDITION**, LOT 7, BLOCK 3, LOCATED IN PRECINCT #3

Comm. Beeson, seconded by Comm. Howell, made a motion to approve to [grant a variance to construct a septic system](#) on less than one acre in **Green Valley Addition**, Lot 7, Block 3, located in Precinct #3.

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

Motion carried.

6. CONSIDERATION TO GRANT A VARIANCE TO THE SUBDIVISION RULES AND REGULATIONS REQUIREMENT FOR A MINIMUM ONE HUNDRED FIFTY (150) FEET OF ROAD FRONTAGE PER LOT FOR A PROPOSED SALE BY METES AND BOUNDS OF A PORTION OF LOT 16, HILLCREST ESTATES, LOCATED IN PRECINCT #4

Comm. Beeson, seconded by Comm. Stringer, made a motion to [deny to grant a variance](#) to the Subdivision Rules and Regulations requirement for a minimum one hundred fifty (150) feet of road frontage per lot for a proposed sale by metes and bounds of a portion of Lot 16, **Hillcrest Estates**, located in Precinct #4.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

4. CONSIDERATION OF COUNTY EXPENDITURES REGARDING REMOVAL OF DEBRIS LEFT FROM THE MAY 15, 2013 TORNADO

Discussion. No Action.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Pass.

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

- a. Chapter 19 Funds-Equipment Capital-\$7,710.00

Comm. Howell, seconded by Comm. Beeson, made a motion to approve of Budget Amendment pursuant to the Local Government Code *Section 111.0106* for Chapter 19 Funds, Equipment Capital in the amount of \$7,710.00 for the purchase of one Canon copier.

All voted aye; motion carried.

3. CONSIDERATION OF **FY 2013** BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE *SECTION 111.010* for:

- a. General-Transfer to 5700-\$81,336.28
- b. Justice of the Peace, Precinct #3 Tech Fund-Maintenance of Office Equipment -\$500.00
- c. County Projects Fund-Equipment Lease-\$30,000.00
- d. Courthouse Security Fund-Equipment Non Capital-\$4,260.00
- e. SECO Grant Fund-Transfer from Other Funds-\$81,336.28

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve of **FY 2013** Budget Amendment pursuant to the Local Government Code *Section 111.010* for General, Transfer to 5700 in the amount of \$81,336.28 to close out SECO Grant Fund as approved in Commissioner's Court on May 13, 2013; Justice of the Peace, Precinct #3 Tech Fund, Maintenance of Office Equipment in the amount of \$500.00 to increase budget due to unexpected maintenance costs; County Projects Fund, Equipment Lease in the amount of \$30,000.00 to create budget; Courthouse Security Fund, Equipment Non Capital in the amount of \$4,260.00 to purchase walk through metal detector and wands approved in Commissioner's Court on April 8, 2013; and SECO Grant Fund, Transfer from Other Funds in the amount of \$81,336.28 to transfer from General Fund as approved in Commissioner's Court on May 13, 2013.

All voted aye; motion carried.

4. CONSIDERATION OF BANK DEPOSITORY CONTRACT WITH FIRST FINANCIAL BANK, N.A. WHICH INCLUDES (1) JOHNSON COUNTY BANK DEPOSITORY CONTRACT; (2) EXHIBIT A, JOHNSON COUNTY DEPOSITORY PLEDGE CONTRACT AND ADDENDUM; (3) EXHIBIT B, JOHNSON COUNTY COLLATERAL SECURITY AGREEMENT; AND (4) EXHIBIT C, FIRST FINANCIAL BANK'S RESPONSE TO **RFP 2013-307**-TREASURER

Comm. Howell, seconded by Comm. Bailey, made a motion to approve the Bank Depository Contract with First Financial Bank, N.A. which includes (1) Johnson County [Bank Depository Contract](#); (2) [Exhibit A](#), Johnson County Depository Pledge Contract and Addendum; (3) [Exhibit B](#), Johnson County Collateral Security Agreement; and (4) [Exhibit C](#), First Financial Bank's response to **RFP 2013-307** and to give the County Judge the authorization to sign all related documents.

All voted aye; motion carried.

5. CONSIDERATION OF THE JOHNSON COUNTY MASTER GARDENERS REQUEST TO PROCEED WITH THE GUINN GARDENS AT BUFFALO CREEK PROJECT AS PRESENTED TO COMMISSIONER'S COURT ON MAY 13, 2013

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Johnson County Master Gardeners request to proceed with the Guinn Gardens](#) at Buffalo Creek project as presented to Commissioner's Court on May 13, 2013.

All voted aye; motion carried.

6. CONSIDERATION OF INTERLOCAL COOPERATION AGREEMENT BETWEEN JOHNSON COUNTY, TEXAS AND THE CITY OF CLEBURNE FOR FUNDS FOR THE CONSTRUCTION OF ENTRANCE AND EXIT RAMPS ON CHISHOLM TRAIL PARKWAY AT CR 1125-PRECINCT #1

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Interlocal Cooperation Agreement](#) between Johnson County, Texas and the City of Cleburne for funds for the construction of entrance and exit ramps on Chisholm Trail Parkway at CR 1125 in Precinct #1 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

7. CONSIDERATION OF COMMUNICATIONS SYSTEM AGREEMENT
BETWEEN JOHNSON COUNTY, TEXAS AND THE CITY OF CLEBURNE

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

All voted aye; motion carried.

8. CONSIDERATION OF TEXAS 1033 SURPLUS PROPERTY PROGRAM-
APPLICATION LETTER, RELEASE OF LIABILITY, AND STATE OF
TEXAS 1033 PROGRAM PLANS, POLICIES AND PROCEDURES-
CONSTABLE, PRECINCT #4

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the [Texas 1033 Surplus Property Program](#) Application Letter, Release of Liability, and State of Texas 1033 Program Plans, Policies and Procedures and to give the County Judge and Sheriff the authorization to sign all related documents.

All voted aye; motion carried.

9. CONSIDERATION OF TEXAS ASSOCIATION OF COUNTIES
UNEMPLOYMENT COMPENSATION FUND BALANCE EXCEEDING THE
MINIMUM REQUIRED ONE YEAR RESERVE-PERSONNEL

Comm. Bailey, seconded by Comm. Howell, made a motion to approve to leave the Texas Association of Counties [Unemployment Compensation Fund balance](#) exceeding the minimum required one year reserve in the fund and to give the County Judge the authorization to sign.

All voted aye; motion carried.

10. CONSIDERATION OF PAYMENT OF ADDITIONAL INVOICE SUBMITTED BY CONTRACTOR RELATED TO NECESSARY WORK PERFORMED ON THE JAIL FLOORING PROJECT-PUBLIC WORKS

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the [payment of additional invoice](#) submitted by contractor related to necessary work performed on the Jail flooring project in the amount of \$1,000.00.

All voted aye; motion carried.

11. CONSIDERATION OF PRICE INCREASE OF MC30 DUE TO PRODUCT NOT MEETING TXDOT STANDARDS FROM SOUTHERN ASPHALT-PURCHASING

Comm. Bailey, seconded by Comm. Howell, made a motion to [approve the price increase of MC30](#) due to product not meeting TxDOT standards from Southern Asphalt.

All voted aye; motion carried.

12. CONSIDERATION OF RECURRING MONTHLY EXPENSE IN THE AMOUNT OF \$600.00 FOR CSCD TO HAVE LASER SECURITY PICK UP THEIR DEPOSITS ON A DAILY BASIS-PURCHASING

Comm. Beeson, seconded by Comm. Stringer, made a motion to [approve the recurring monthly expense in the amount of \\$600.00 for CSCD](#) to have Laser Security pick up their deposits on a daily basis, beginning the first part of June, 2013.

All voted aye; motion carried.

13. CONSIDERATION OF PROPERTY COVERAGE RENEWAL WITH TEXAS ASSOCIATION OF COUNTIES

Comm. Bailey, seconded by Comm. Stringer, made a motion to [approve the property coverage renewal](#) with Texas Association of Counties and to give the County Judge the authorization to sign.

All voted aye; motion carried.

14. CONSIDERATION OF THE SUBMISSION OF THE APPLICATION FOR THE 2013 SCAAP (STATE CRIMINAL ALIEN ASSISTANCE PROGRAM) GRANT

Comm. Howell, seconded by Comm. Beeson, made a motion to approve the [submission of the application for the 2013 SCAAP](#) (State Criminal Alien Assistance Program) Grant.

All voted aye; motion carried.

15. CONSIDERATION OF CONTINUATION CERTIFICATE FOR DAN H. TAYLOR-HAMM CREEK PARK SUPERVISOR

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Continuation Certificate for Dan H. Taylor](#), Hamm Creek Park Supervisor.

All voted aye; motion carried.

IX. CONSENT AGENDA

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

All voted aye; motion carried.

The Commissioner's Court recessed at 10:13 A.M. and reconvened at 10:34 A.M. to consider the following:

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 10:35 A.M. to discuss Jail Expansion and Remodel Projections Relating to Ongoing Maintenance Requirements and Population Trends and Johnson County Software Committee Update.

The Commissioner's Court reconvened into Open Session at 11:44 A.M. to consider the following:

VII. 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

Discussion. No Action.

The Commissioner's Court recessed at 11:56 A.M. and reconvened at 1:16 P.M. to consider the following:

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 1:16 P.M. to discuss County Investments with First Financial Bank, Trust & Asset Management Company, N.A., Update on Health Care Reform, Results of the 2012 Johnson County Biometric Health Screenings Conducts November 13-15, 2012, Overtime Pay from 0100-LE-51100 Accrued for Non-Exempt Deputies Assigned to the City of Cleburne During Recent Disaster Efforts Required in the City Limits of Cleburne, and Employee Time Off During the May 15, 2013 Tornado Disaster.

The Commissioner's Court reconvened into Open Session at 3:41 P.M. to consider the following:

VIII. NEW BUSINESS

16. CONSIDERATION OF OVERTIME PAY FROM 0100-LE-51100 ACCRUED FOR NON-EXEMPT DEPUTIES ASSIGNED TO THE CITY OF CLEBURNE DURING RECENT DISASTER EFFORTS REQUIRED IN THE CITY LIMITS OF CLEBURNE-SHERIFF'S OFFICE

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

All voted aye; motion carried.

17. CONSIDERATION OF JAIL EXPANSION AND REMODEL PROJECTIONS RELATING TO ONGOING MAINTENANCE REQUIREMENTS AND POPULATION TRENDS-SHERIFF'S OFFICE

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve to have Margaret Cook, Purchasing Agent to prepare an [RFQ for an architect with experience in designing medium size jails](#) and has someone on staff that can assess and project the County's needs for a new jail.

All voted aye; motion carried.

18. CONSIDERATION OF EMPLOYEE TIME OFF DURING THE MAY 15, 2013
TORNADO DISASTER

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve for employees who did not report for work due to the May 15, 2013 tornado disaster are paid their normal wages and employees who did report for work will not be given any additional compensation.

All voted aye; motion carried.

BE IT KNOWN that Commissioner's Court met in Executive Session at 3:54 P.M. in accordance with Government Code *Sec. 551.072*, Deliberation Regarding Real Property, Consideration to Negotiate and Purchase a Grant of Permanent Easement for Johnson County Right of Way to Allow Construction of a New Bridge on County Road 519 at King's Branch, Precinct #3.

The Commissioner's Court reconvened into Open Session at 4:05 P.M. to consider the following:

XI. EXECUTIVE SESSION

1. Government Code:

- a. *Sec. 551.072*- Deliberation Regarding Real Property, Consideration to Negotiate and Purchase a Grant of Permanent Easement for Johnson County Right of Way to Allow Construction of a New Bridge on County Road 519 at King's Branch-Precinct #3

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve to pay C. R. Shelby and wife, Jan A. Shelby of 10240 CR 519, \$818.40 for .2046 acres for an [easement for Johnson County Right of Way to allow construction of a new bridge](#) on County Road 519 at King's Branch in Precinct #3 and will be paid for out of the Right of Way fund.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

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

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve to accept plans for the architectural design for the Alvarado Sub-Courthouse building from Magee Architects with one exception: the Court would like to have Alan Magee add another room to the plans to allow for the prosecutor to meet with clients.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 4:21 P.M.

Submitted by: _____
County Clerk
Becky Williams

Approved by: _____
County Judge
Roger Harmon