

STATE OF TEXAS

July 12, 2013

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 12th day of July, 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 Pastor Todd Barham, Hope Church in Cleburne, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on July 8, 2013 at 1:04 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF LENGTH OF SERVICE AWARDS FOR JOHNSON COUNTY EMPLOYEES

Employees of Johnson County were recognized for their service to the County and employees were given Length of Service pins, as attached to these minutes.

VI. PRECEDING BUSINESS

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

a. June 10, 2013 – Regular Session

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the Commissioner's Court Minutes for June 10, 2013.

All voted aye; motion carried.

2. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Stringer, seconded by Comm. Bailey, 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 [RFP #2013-316](#) – AUDIO/VIDEO SYSTEM FOR EMERGENCY OPERATIONS CENTER

Comm. Beeson, seconded by Comm. Howell, made a motion to approve to award [RFP #2013-316](#), Audio/Video System for Emergency Operations Center to Pathway Communications, LTD in the amount of \$35,346.49.

All voted aye; motion carried.

5. CONSIDERATION OF [RFQ #2011-415](#) – RENEWAL OF CONTRACT FOR CONSULTANT FOR ADVISORY INSURANCE SERVICES EMPLOYEE BENEFITS WITH HOLMES, MURPHY AND ASSOCIATES, INC.

Comm. Howell, seconded by Comm. Beeson, made a motion to approve [RFQ #2011-415](#), Renewal of Contract for Consultant for Advisory Insurance Services Employee Benefits with Holmes, Murphy and Associates, Inc.

All voted aye; motion carried.

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.

4. CONSIDERATION OF REMODELING COSTS OF THE WALNUT STREET BUILDING-PUBLIC WORKS DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to [approve the remodeling costs of the Walnut Street Building](#) with the IT drops to come from the IT Budget and Holly Morris, Budget Coordinator to work out which funds the remaining costs will come from.

All voted aye; motion carried.

VIII. NEW BUSINESS

9. CONSIDERATION OF TEXAS DEPARTMENT OF LICENSING AND REGULATION COMPLIANCE DIVISION-ARCHITECTURAL BARRIERS VARIANCE APPLICATION FOR THE JOHNSON COUNTY JAIL BUILDING C4 ADA COMPLIANCE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Texas Department of Licensing and Regulation Compliance Division, Architectural Barriers [Variance Application for the Johnson County Jail Building](#) C4 ADA Compliance, to send a check in the amount of \$175.00 paid out of Fund 510, Fees and Services and to give the County Judge the authorization to sign.

All voted aye; motion carried.

19. CONSIDERATION OF WAIVING MONTHLY FEE ON 800 MH RADIOS FOR THE CITY OF BURLESON'S MOBILE COMMAND UNIT-PRECINCT #2

Judge Harmon, seconded by Comm. Howell, made a motion to approve [waiving monthly fee for seven \(7\) 800 MH radios](#) for the City of Burleson's Mobile Command Unit.

All voted aye; motion carried.

4. CONSIDERATION OF 1st AND 2nd QUARTER 2013 MEDICAID WAIVER PAYMENT AND I.D.T.

Comm. Bailey, seconded by Comm. Howell, made a motion to approve of [1st and 2nd Quarter 2013 Medicaid Waiver Payment](#) and I.D.T. (should have been submitted as I.G.T., submitted incorrectly for Agenda as I.D.T.) in the amount of \$370,000.00.

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

Motion carried.

The Commissioner's Court recessed at 10:50 A.M. and reconvened at 11:13 A.M. to consider the following:

VII. UNFINISHED BUSINESS

5. CONSIDERATION OF DESIGNATING OFFICES FOR ELECTIONS AND MEDICAL EXAMINER AT THE WALNUT STREET BUILDING

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve [designating offices for Elections and Medical Examiner](#) at the Walnut Street Building as depicted in Agenda item, Unfinished Business #4, Document 2, with Elections being located on the south end of the building and Medical Examiner located on the north end of the building.

All voted aye; motion carried.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Beeson, seconded by Comm. Howell, made a motion to approve to advertise for bids/proposals for a haul truck for Precinct #2; road materials, asphalts and emulsions; and a used vehicle for the Sheriff's Office.

All voted aye; motion carried.

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

- a. Road and Bridge, Precinct #2 – Insurance Proceeds, Capital Equipment - \$34,456.00

Comm. Howell, seconded by Comm. Bailey, made a motion to approve Budget Amendment pursuant to the Local Government Code *Section 111.0106* for Road and Bridge, Precinct #2, Insurance Proceeds, Capital Equipment in the amount of \$34,456.00 for insurance proceeds due to property loss.

All voted aye; motion carried.

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

- a. 249th District Court-Capital Murder Reserve-Jury Expense-\$500.00, Capital Murder Reserve-Fees and Services-\$750.00 Capital Murder Reserve-Felony Court Appointed Attorney-\$70,000.00, Capital Murder Reserve-Investigation Expense-\$5,000.00, Capital Murder Reserve-Indigent Court Reporters Records-\$5,000.00, Capital Murder Reserve-Other Litigation Expenses-\$1,000.00
- b. 18th District Court-Capital Murder Reserve-Jury Expense-\$500.00, Capital Murder Reserve-Fees and Services-\$750.00 Capital Murder Reserve-Felony Court Appointed Attorney-\$70,000.00, Capital Murder Reserve-Investigation Expense-\$5,000.00, Capital Murder Reserve-Indigent Court Reporters Records-\$5,000.00, Capital Murder Reserve-Other Litigation Expenses-\$1,000.00

- c. 413th District Court-Capital Murder Reserve-Jury Expense-\$500.00, Capital Murder Reserve-Fees and Services-\$750.00 Capital Murder Reserve-Felony Court Appointed Attorney-\$11,000.00, Capital Murder Reserve-Investigation Expense-\$5,000.00, Capital Murder Reserve-Indigent Court Reporters Records-\$5,000.00, Capital Murder Reserve-Other Litigation Expenses-\$60,000.00
- d. General-Non-Departmental-Transfer to 5700-\$20,096.00

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve **FY 2013** Budget Amendment pursuant to the Local Government Code *Section 111.010* for 249th District Court, Capital Murder Reserve, Jury Expense, \$500.00, Capital Murder Reserve, Fees and Services, \$750.00, Capital Murder Reserve, Felony Court Appointed Attorney, \$70,000.00, Capital Murder Reserve, Investigation Expense, \$5,000.00, Capital Murder Reserve, Indigent Court Reporters Records, \$5,000.00, Capital Murder Reserve, Other Litigation Expenses, \$1,000.00 for a departmental total of \$82,250.00 to create budgets for fund; 18th District Court, Capital Murder Reserve, Jury Expense, \$500.00, Capital Murder Reserve, Fees and Services, \$750.00, Capital Murder Reserve, Felony Court Appointed Attorney, \$70,000.00, Capital Murder Reserve, Investigation Expense, \$5,000.00, Capital Murder Reserve, Indigent Court Reporters Records, \$5,000.00, Capital Murder Reserve, Other Litigation Expenses, \$1,000.00 for a departmental total of \$82,250.00 to create budgets for fund; 413th District Court, Capital Murder Reserve, Jury Expense, \$500.00, Capital Murder Reserve, Fees and Services, \$750.00, Capital Murder Reserve, Felony Court Appointed Attorney, \$11,000.00, Capital Murder Reserve, Investigation Expense, \$5,000.00, Capital Murder Reserve, Indigent Court Reporters Records, \$5,000.00, Capital Murder Reserve, Other Litigation Expenses, \$60,000.00 for a departmental total of \$82,250.00 to create budgets for fund; and General, Non-Departmental, Transfer to 5700, in the amount of \$20,096.00 to transfer to Fund 8230 (Emergency Operations Building) to record transfer of funds to close out fund and project.

All voted aye; motion carried.

5. CONSIDERATION OF TERMINATING THE ARMORED CAR SERVICE FOR CSCD EFFECTIVE JULY 31, 2013

Comm. Bailey, seconded by Comm. Howell, made a motion to approve of [terminating the armored car service for CSCD](#) effective July 31, 2013.

All voted aye; motion carried.

6. CONSIDERATION OF CONTRACT AND AGREEMENT FOR SECURE, RESIDENTIAL, POST-ADJUDICATION TREATMENT SERVICES FOR ADJUDICATED JUVENILE OFFENDERS-SPACE AVAILABLE, BETWEEN JOHNSON COUNTY JUVENILE PROBATION DEPARTMENT AND G4S YOUTH SERVICES, LLC

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the [Contract and Agreement for Secure, Residential, Post-Adjudication Treatment Services for Adjudicated Juvenile Offenders-Space Available, between Johnson County Juvenile Probation Department and G4S Youth Services, LLC](#) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

7. CONSIDERATION OF QUARTERLY REQUEST FOR COUNTY REIMBURSEMENT OF JUROR PAYMENTS-DISTRICT CLERK

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the [Quarterly Request for County Reimbursement of Juror Payments](#) for the District Clerk's Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF DISPOSAL OF SURPLUS EQUIPMENT-IT DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the disposal of surplus equipment for the IT Department per the [attached list](#).

All voted aye; motion carried.

10. CONSIDERATION OF INVOICE FROM TEXAS DEPARTMENT OF TRANSPORTATION FOR ADDITIONAL FUNDS FOR ROW CSJ 0712-02-014-FM 916 OVER CHAMBERS CREEK IN THE AMOUNT OF \$2,585.51

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [invoice from Texas Department of Transportation for additional funds](#) for ROW CSJ 0712-02-014-FM 916 over Chambers Creek in the amount of \$2,585.51.

All voted aye; motion carried.

11. CONSIDERATION OF INTERGOVERNMENTAL LEASE AGREEMENT BETWEEN JOHNSON COUNTY AND THE STATE OF TEXAS, SPECIFICALLY, THE TEXAS HEALTH AND HUMAN SERVICES COMMISSION (“HHSC”) ON BEHALF OF THE DEPARTMENT OF STATE HEALTH SERVICES (“DSHS”)

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the [Intergovernmental Lease Agreement](#) between Johnson County and the State of Texas, specifically, the Texas Health and Human Services Commission (“HHSC”) on behalf of the Department of State Health Services (“DSHS”) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

12. CONSIDERATION OF SUPPLEMENTAL PROPOSAL / SCHINDLER ELEVATOR CORPORATION FOR ELEVATOR MAINTENANCE SERVICE AT THE ADULT PROBATION BUILDING-PUBLIC WORKS DEPARTMENT

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the [Supplemental Proposal / Schindler Elevator](#) Corporation for Elevator Maintenance Service at the Adult Probation Building and to give the County Judge the authorization to sign.

All voted aye; motion carried.

13. CONSIDERATION OF RELOCATION AGREEMENT BETWEEN JOHNSON COUNTY, TEXAS AND THE JOHNSON COUNTY SPECIAL UTILITY DISTRICT FOR RECONSTRUCTION OF A BRIDGE ON COUNTY ROAD 519 AT KING'S BRANCH-PRECINCT #3

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the Relocation Agreement between Johnson County, Texas and the Johnson County Special Utility District for reconstruction of a bridge on County Road 519 at King's Branch in Precinct #3, to be paid out of the County ROW fund, and to give the County Judge the authorization to sign.

All voted aye; motion carried.

14. ACKNOWLEDGEMENT OF AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT #P00006 WITH ICE TO IDENTIFY THE VARIOUS PRICES AND INCORPORATE NEW INVOICE INSTRUCTIONS

The Commissioner's Court [acknowledged the Amendment of Solicitation/Modification](#) of Contract #P00006 with ICE to identify the various prices and incorporate new invoice instructions.

15. CONSIDERATION OF ENGAGEMENT LETTER WITH KENNEMER, MASTERS & LUNDSFORD FOR COUNTY AUDIT OF FY2013

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the [Engagement Letter with Kennemer, Masters & Lundsford](#) for County Audit of FY2013 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

16. CONSIDERATION OF ENGAGEMENT LETTER WITH KENNEMER, MASTERS & LUNDSFORD FOR JOHNSON COUNTY'S TEXAS JUVENILE JUSTICE DEPARTMENT (TJJD) GRANT FUNDS AUDIT OF FY2013

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Engagement Letter with Kennemer, Masters & Lundsford](#) for Johnson County's Texas Juvenile Justice Department (TJJD) Grant Funds Audit of FY2013 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

17. CONSIDERATION TO DECLARE AS SURPLUS PURSUANT TO LOCAL GOVERNMENT CODE SECTION 263.152(a)(1) THREE (3) FORD CROWN VICTORIA'S FROM THE SHERIFF'S OFFICE 2005 VIN #3680, 2003 VIN #7891 AND 2006 VIN #1457 AND PLACE ON RENE BATES ON-LINE AUCTION FOR SALE

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve to declare as surplus pursuant to Local Government Code *Section 263.152(a)(1)* three [\(3\) Ford Crown Victoria's from the Sheriff's Office](#) 2005 VIN #3680, 2003 Vin #7891 and 2006 VIN #1457 and place on Rene Bates On-Line Auction for sale.

All voted aye; motion carried.

18. CONSIDERATION OF JOHNSON COUNTY, #225 AUTHORIZATION TO MAINTAIN TCDRS PLAN PROVISIONS PLAN YEAR 2014-PERSONNEL DEPARTMENT

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve Johnson County, #225 Authorization to Maintain [TCDRS Plan Provisions Plan Year 2014](#) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

20. CONSIDERATION OF PURCHASING AGENT SALARY

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve flexibility in the Purchasing Agent salary with an additional \$5,000.00 to be used as salary and or moving expenses to attract qualified applicants for this posted position.

All voted aye; motion carried.

24. CONSIDERATION OF HIRING A PART TIME TEMPORARY EMPLOYEE TO WORK IN THE BURLESON VETERAN'S OFFICE BEGINNING JULY 15, 2013-VETERAN'S SERVICES DEPARTMENT

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve [hiring a temporary employee to work in the Burleson Veteran's Office](#) beginning July 15, 2013, not to exceed six (6) months, thirty (30) hours per week, \$12.00 per hour, with no benefits.

All voted aye; motion carried.

25. CONSIDERATION OF EXPANDING VETERAN'S SERVICES OFFICES TO INCLUDE ROOM B6, CONFERENCE ROOM THAT ADJOINS THE CURRENT VETERANS SERVICES OFFICES IN ROOM B9 OF THE COURTHOUSE-VETERAN'S SERVICES DEPARTMENT

Comm. Beeson, seconded by Comm. Howell, made a motion to approve [expanding Veteran's Services Offices to include Room B6](#), Conference Room that adjoins the current Veterans Services Offices in Room B9 of the Courthouse after the Elections Department moves.

All voted aye; motion carried.

IX. CONSENT AGENDA

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve all items on the [Consent Agenda](#), with the exception of 3(e); approval for this item was for Judge Monk only to attend the "2013 Legislative Update" training.

All voted aye; motion carried.

The Commissioner's Court recessed at 12:27 P.M. and reconvened at 2:39 P.M. to consider the following:

VIII. NEW BUSINESS

13. CONSIDERATION OF RELOCATION AGREEMENT BETWEEN JOHNSON COUNTY, TEXAS AND THE JOHNSON COUNTY SPECIAL UTILITY DISTRICT FOR RECONSTRUCTION OF A BRIDGE ON COUNTY ROAD 519 AT KING'S BRANCH-PRECINCT #3

Comm. Stringer, seconded by Comm. Bailey, made an amended motion to approve the [Relocation Agreement between Johnson County, Texas](#) and the Johnson County Special Utility District for reconstruction of a bridge on County Road 519 at King's Branch in Precinct #3, to be paid out of General Fund and to be reimbursed from County ROW fund if the County Attorney's research deems it possible, and to give the County Judge the authorization to sign.

All voted aye; motion carried.

V. PUBLIC PARTICIPATION

None.

VIII. NEW BUSINESS

20. CONSIDERATION OF PURCHASING AGENT SALARY

Comm. Beeson, seconded by Comm. Stringer, made an amended motion to deny flexibility in the Purchasing Agent salary with an additional \$5,000.00 to be used as salary and or moving expenses to attract qualified applicants for this posted position.

All voted aye; motion carried.

22. CONSIDERATION OF **ORDER #2013-16** "TO GRANT A DISCRETIONARY EXEMPTION FROM THE COMPETITIVE BIDDING REQUIREMENTS OF SECTION 262.023 OF THE LOCAL GOVERNMENT CODE"

Comm. Beeson, seconded by Comm. Howell, made a motion to approve [Order #2013-316, "To Grant a Discretionary Exemption from the Competitive Bidding Requirements of Section 262.023 of the Local Government Code"](#).

All voted aye; motion carried.

23. CONSIDERATION OF CONTRACT WITH CHILDRESS ENGINEERS INC., FOR LIFT STATION IMPROVEMENTS AT THE JOHNSON COUNTY JAIL IN THE AMOUNT OF \$8,440.00-PUBLIC WORKS DEPARTMENT

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the [contract with Childress Engineers, Inc., for lift station improvements](#) at the Johnson County Jail in the amount of \$8,440.00 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

21. CONSIDERATION OF IMPLEMENTING INNOPRISE HUMAN RESOURCE, PAYROLL AND TIMEKEEPING SOFTWARE – IT DEPARTMENT

Comm. Bailey, seconded by Comm. Beeson, made a motion to [approve implementing Innoprise Human Resource, Payroll and Timekeeping Software](#) now and pay for it out of the FY2014 budget.

All voted aye; motion carried.

The Commissioner's Court recessed at 3:32 P.M. and reconvened at 3:51 P.M. to consider the following:

BE IT KNOWN that Commissioner's Court met in Executive Session at 3:51 P.M. in accordance with Government Code, *Sec. 551.074*, Personnel, (1) Randy Gillespie, Personnel Director, Position A-65-001, and (2) Amanda McClure, Part Time Clerk-Jury Administration – Position P01-028.

The Commissioner's Court reconvened into Open Session at 4:08 P.M. to consider the following:

XI. EXECUTIVE SESSION

1. Government Code:

a. *Sec. 551.074-Personnel*

(1) Randy Gillespie, Personnel Director – Position A-65-001

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the salary for this position to be moved to the budgeted amount effective July 15, 2013.

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

Motion carried.

(2) Amanda McClure, Part Time Clerk-Jury Administration – Position P01-028

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve moving funds in the District Clerk's Office from Fees and Services to part time employment to cover 29 hours a week effective July 15, 2013 until the end of the budget year for Position P01-028.

All voted aye; motion carried.

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 4:10 P.M. to discuss Variances to the Subdivision Rules and Regulations and Rules for Governing the Issuance of Permits for On-Site Septic Systems.

The Commissioner's Court reconvened into Open Session at 5:10 P.M.

There being no further business before the Court concerning this agenda, Commissioner's
Court adjourned at 5:10 P.M.

Submitted by: _____
County Clerk
Becky Williams

Approved by: _____
County Judge
Roger Harmon