

STATE OF TEXAS

[August 12, 2013](#)

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 12th day of August, 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 9:04 A.M., with all members present, and following the Invocation led by Danny Crosby, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on August 8, 2013 at 1:09 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. SWEARING IN OF KELLI DAVIS, JOHNSON COUNTY PURCHASING AGENT BY JUDGE BILL BOSWORTH, 413TH DISTRICT COURT

Judge Bill Bosworth, 413th District Court conducted the [swearing in of Kelli Davis](#), Johnson County Purchasing Agent.

V. PUBLIC PARTICIPATION

None.

VI. PRECEDING BUSINESS

1. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Howell, seconded by Comm. Stringer, made a motion to [pay bills as presented by the County Auditor](#) with the exception of an invoice from Optics Planet Inc. in the amount of \$76.63.

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 RFP #2013-318 – TRANSPORTATION OF HUMAN REMAINS

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve to [award RFP #2013-318](#), Transportation of Human Remains to Rosser Funeral Home.

All voted aye; motion carried.

4. CONSIDERATION OF PURCHASE OF USED VEHICLE FOR THE SHERIFF'S OFFICE FROM [RFB #2013-320](#)

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the purchase of used vehicle for the Sheriff's Office from [RFB #2013-320](#) from Big Bear Cruisers in the amount of \$12,495.00.

All voted aye; motion carried.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve to advertise for bids/proposals for a re-bid for a used cab and chassis for Precinct #2 due to no bids being received the first time; order placed for a new trailer from Magnum Trailers under HGAC contract in the amount of \$10,859.00 for Precinct #2; and an order placed for a 2013 Ford F-150 4x4 truck from Sam Pack Ford under HGAC contract in the amount of \$24,037.87 for Precinct #4.

All voted aye; motion carried.

2. ACKNOWLEDGEMENT OF PURCHASING AGENT APPOINTMENT BOARD'S ORDER APPOINTING PURCHASING AGENT

The Commissioner's Court acknowledged the Purchasing Agent Appointment Board's [Order Appointing Purchasing Agent](#).

3. CONSIDERATION OF OFFICIAL BOND AND OATH OF KELLI DAVIS, JOHNSON COUNTY PURCHASING AGENT

Comm. Howell, seconded by Comm. Beeson, made a motion to approve the [Official Bond and Oath of Kelli Davis](#), Johnson County Purchasing Agent.

All voted aye; motion carried.

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

- a. County Court at Law No. 1 and County Court at Law No. 2-Personnel Salaries-\$15,000.00 Each
- b. Juvenile Justice Alternative Education-Transfers from Other Funds-\$40,000.00
- c. General Fund Non-Departmental-Transfer to JJAEP-\$40,000.00

Comm. Beeson, seconded by Comm. Howell, made a motion to approve **FY 2013** Budget Amendment pursuant to the Local Government Code *Section 111.010* for County Court at Law No. 1 and County Court at Law No. 2, Personnel Salaries for \$15,000.00 each to change POS# E10-001 from \$124,000.00 to \$139,000.00 and for POS# E10-002 from \$124,000.00 to \$139,000.00 for a total amount of \$30,000.00; Juvenile Justice Alternative Education, Transfers from Other Funds (Revenue), transferred from General Fund due to shortage of State Funds in the amount of \$40,000.00; and General Fund Non-Departmental, Transfer to JJAEP for additional transfer to JJAEP Fund 0330 due to shortage of funding from State in the amount of \$40,000.00.

All voted aye; motion carried.

5. CONSIDERATION OF STATE OF TEXAS DEPARTMENT OF TRANSPORTATION PLANS OF PROPOSED STATE HIGHWAY IMPROVEMENT, PROJECT NO. STP 2013 (368)FRS, BNSF RAILWAY COMPANY – UPGRADE EXISTING ACTIVE GRADE CROSSING WARNING DEVICES ON COUNTY ROAD 921 IN BURLESON, JOHNSON COUNTY, TEXAS

Comm. Howell, seconded by Comm. Bailey, made a motion to approve the State of [Texas Department of Transportation Plans of Proposed State Highway Improvement, Project No. STP 2013 \(368\)FRS, BNSF Railway Company – Upgrade Existing Active Grade Crossing Warning Devices on County Road 921 in Burleson, Johnson County, Texas](#) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

6. ACKNOWLEDGEMENT OF COMPLIANCE OF SECTION 86.0021 (b) OF THE LOCAL GOVERNMENT CODE FOR MATT WYLIE, CONSTABLE, PRECINCT #1 MASTER PEACE OFFICER CERTIFICATION

The Commissioner's Court acknowledged the compliance of Section 86.0021 (b) of the Local Government Code for [Matt Wylie, Constable, Precinct #1 Master Peace Officer Certification](#).

7. ACKNOWLEDGEMENT OF TRANSPORTATION IMPROVEMENT PROGRAM MODIFICATION WITH THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS

The Commissioner's Court acknowledged the [Transportation Improvement Program Modification](#) with the North Central Texas Council of Governments.

8. ACKNOWLEDGEMENT OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE COMMUNITY JUSTICE ASSISTANCE DIVISION INITIAL BUDGET 2014-2015 BIENNIUM

The Commissioner's Court acknowledged the [Texas Department of Criminal Justice Community Justice Assistance Division Initial Budget 2014-2015 Biennium](#).

9. CONSIDERATION OF **ORDER #2013-18** "DESIGNATION OF EMERGENCY MANAGEMENT VEHICLE(S) AS AUTHORIZED EMERGENCY VEHICLE(S) BY THE COMMISSIONER'S COURT"

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve [Order #2013-18](#), "Designation of Emergency Management Vehicle(s) as Authorized Emergency Vehicle(s) by the Commissioner's Court.

All voted aye; motion carried.

10. CONSIDERATION OF INVESTMENT OF \$10,000,000.00 WITH FIRST FINANCIAL TRUST & ASSET MANAGEMENT COMPANY, N.A. – TREASURER'S OFFICE

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the [investment of \\$10,000,000.00 with First Financial Trust](#) & Asset Management Company, N.A. for the Treasurer's Office and to give the County Judge the authorization to sign.

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

Motion carried.

11. CONSIDERATION OF COMMUNICATIONS SYSTEM AGREEMENT WITH THE CITY OF BURLESON

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the [Communications System Agreement with the City of Burleson](#) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

12. CONSIDERATION OF DIVISION ORDER WITH CHESAPEAKE OPERATING, INC., FOR JESTER 2H, 371.53 ACRES; CHRISTOPHER CHANEY, A-124, JOHNSON COUNTY, TEXAS

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Division Order with Chesapeake Operating, Inc., for Jester 2H](#), 371.53 Acres; Christopher Chaney, A-124, Johnson County, Texas and to give the County Judge the authorization to sign.

All voted aye; motion carried.

13. CONSIDERATION OF A BEE III RADAR PACKAGE, INVENTORY 98-4389 TO BE PURCHASED FROM PRECINCT #2 ROAD & BRIDGE WITH THE GENERAL FUND AND TRANSFER TO THE CONSTABLE, PRECINCT #2 DEPARTMENT – PRECINCT #2

Comm. Howell, seconded by Comm. Bailey, made a motion to approve a [Bee III Radar Package, inventory 98-4389](#) to be purchased from Precinct #2 Road & Bridge with the General Fund in the amount of \$500.00 and transfer to the Constable, Precinct #2 Department.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

2. 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.

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 10:00 A.M. and reconvened at 10:20 A.M. to consider the following:

VIII. NEW BUSINESS

14. CONSIDERATION OF INTERLOCAL AGREEMENT WITH THE CITY OF ALVARADO FOR ROAD REPAIR ON APPROXIMATELY 840 FEET OF COUNTY ROAD 508 WITHIN THE CITY LIMITS OF ALVARADO, TEXAS IN THE AMOUNT OF \$4,470.25 AND COMMISSIONER'S COURT APPROVAL-PRECINCT #3

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the [Interlocal Agreement with the City of Alvarado](#) for Road Repair on approximately 840 feet of County Road 508 within the City Limits of Alvarado, Texas in the amount of \$4,470.25 and Commissioner's Court approval.

All voted aye; motion carried.

15. CONSIDERATION OF INTERLOCAL AGREEMENT WITH THE CITY OF ALVARADO FOR ROAD REPAIRS ON APPROXIMATELY 1.1 MILES OF NORTH CUMMINGS DRIVE WITH IN THE CITY LIMITS OF ALVARADO, TEXAS IN THE AMOUNT OF \$26,893.75 AND COMMISSIONER'S COURT APPROVAL-PRECINCT #3

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the [Interlocal Agreement with the City of Alvarado](#) for Road Repairs on approximately 1.1 miles of North Cummings Drive within the City Limits of Alvarado, Texas in the amount of \$26,893.75 and Commissioner's Court approval.

All voted aye; motion carried.

16. CONSIDERATION OF PRECINCT #4 INTERLOCAL AGREEMENT WITH THE CITY OF JOSHUA FOR TIGER MOWING ON FOREST LANE (FROM FM 917 NORTHWEST TO BURLESON CITY LIMIT) 1.2 MILES, BOTH SIDES AND TRAILWOOD DRIVE (FROM FM 917 TO BURLESON CITY LIMIT) 8/10th MILE, BOTH SIDES IN JOHNSON COUNTY, TEXAS AND WITHIN THE CORPORATE LIMITS OF JOSHUA, TEXAS AND COMMISSIONER'S COURT APPROVAL-PRECINCT #4

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve Precinct #4 [Interlocal Agreement with the City of Joshua for Tiger Mowing](#) on Forest Lane (from FM 917 northwest to Burleson City Limit) 1.2 miles, both sides and Trailwood Drive (from FM 917 to Burleson City Limit) 8/10th mile, both sides in Johnson County, Texas and within the corporate limits of Joshua, Texas and Commissioner's Court approval.

All voted aye; motion carried.

17. CONSIDERATION OF MASTER SERVICE AGREEMENT WITH ROSSER FUNERAL HOME FOR TRANSPORTATION OF HUMAN REMAINS

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Master Service Agreement with Rosser Funeral Home](#) for Transportation of Human Remains and to give the County Judge the authorization to sign.

All voted aye; motion carried.

18. CONSIDERATION TO DECLARE AS SURPLUS PURSUANT TO LOCAL GOVERNMENT CODE SECTION 263.152 (a) (1) MISC. ITEMS (OLD AS400 SYSTEM, THEATER SEATING, BENCH, OLD PHONE SYSTEM AND VARIOUS OTHER ITEMS PER ATTACHED LIST) AND PLACE ON RENE BATES AUCTION FOR SALE

Comm. Howell, seconded by Comm. Bailey, made a motion to approve to [declare as surplus](#) pursuant to Local Government Code Section 263.152 (a) (1) misc. items (old AS400 system, theater seating, bench, old phone system and various other items per attached list) and place on Rene Bates Auction for sale.

All voted aye; motion carried.

19. CONSIDERATION TO DECLARE AS SALVAGE PURSUANT TO LOCAL GOVERNMENT CODE SECTION 263.152 (a) (1) MISC. BROKEN FURNITURE, METAL CABINET AND SOILED CHAIR AND ALLOW PURCHASING TO DISPOSE OF SINCE ATTEMPTS TO SELL THESE ITEMS HAVE BEEN UNSUCCESSFUL

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve to [declare as salvage](#) pursuant to Local Government Code Section 263.152 (a) (1) misc. broken furniture, metal cabinet and soiled chair and allow Purchasing to dispose of since attempts to sell these items have been unsuccessful.

All voted aye; motion carried.

20. CONSIDERATION OF APPOINTMENTS TO THE JOHNSON COUNTY HISTORICAL COMMISSION
- a. Jessica Bates of Cleburne, Texas
b. Elvira Bates of Cleburne, Texas

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [appointments of Jessica Bates of Cleburne, Texas and Elvira Bates of Cleburne, Texas](#) to the Johnson County Historical Commission.

All voted aye; motion carried.

21. CONSIDERATION OF CONTINUATION CERTIFICATE FOR ANGELA J. WOLFE, DEPUTY CONSTABLE PRECINCT #3

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the [Continuation Certificate for Angela J. Wolfe](#), Deputy Constable Precinct #3.

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](#).

All voted aye; motion carried.

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 10:30 A.M. to discuss Annual CRI Grant Contractor Report.

The Commissioner's Court reconvened into Open Session at 10:51 A.M. to consider the following:

VIII. NEW BUSINESS

22. PRESENTATION BY TAX ASSESSOR/COLLECTOR AND COUNTY AUDITOR:

- a. Effective Tax Rate, Roll Back Tax Rate and Calculation Methods
- b. M & O Obligations
- c. Debt Obligations
- d. Amount of Increase Based on Effective Tax Rate

[Scott Porter, Tax Assessor/Collector and Kirk Kirkpatrick, Auditor](#) made a presentation to the Commissioner's Court.

23. CONSIDERATION OF PROPOSED TAX RATE FOR THE 2013 TAX YEAR

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the proposed tax rate of \$0.420154 for the 2013 tax year.

Comm. Kenny Howell voted aye.
Judge Roger Harmon voted aye.
Comm. Jerry Stringer voted aye.
Comm. Don Beeson voted aye.
Comm. Rick Bailey voted nay.

Motion carried.

24. CONSIDERATION TO SCHEDULE PUBLIC HEARINGS ON TAX RATE FOR THE 2013 TAX YEAR

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

All voted aye; motion carried.

The Commissioner's Court recessed at 11:54 A.M. and reconvened at 1:21 P.M. to consider the following:

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 1:21 P.M. to discuss Selling County Property in Cleburne: Old Adult Probation Building, Lisa's Restaurant, Johnson County Annex, The Old Jail, and the Parking Lot Next to Bill's Book Store and Budget Workshop.

The Commissioner's Court reconvened into Open Session at 2:19 P.M.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 2:19 P.M.

Submitted by: _____
County Clerk
Becky Williams

Approved by: _____
County Judge
Roger Harmon