

STATE OF TEXAS

[October 28, 2013](#)

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 28th day of October, 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 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 October 24, 2013 at 1:04 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF PROCLAMATION FOR VETERANS RECOGNITION & APPRECIATION DAYS

Commissioner's Court proclaimed November 9-11, 2013 as [Veterans Recognition](#) & Appreciation Days.

2. PRESENTATION OF PROCLAMATION FOR HOME CARE AND HOSPICE MONTH

Commissioner's Court proclaimed the month of November, 2013 as [Home Care and Hospice](#) Month.

3. PRESENTATION OF THE ANNUAL TEXAS A&M AGRILIFE INTERPRETATION

Commissioner's Court passed on this presentation due to the absence of the presenters.

4. PRESENTATION OF THE CAREFLITE FY2013 COMPLIANCE SUMMARY

A presentation of the [CareFlite FY2013 Compliance Summary](#) was given to the Commissioner's Court by Jim Swartz, President & CEO and Doug Filbert, Director of Ground Services for CareFlite.

V. PUBLIC PARTICIPATION

None.

VI. PRECEDING BUSINESS

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

- a. September 9, 2013 – Regular Session
- b. September 23, 2013 – Regular Session

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Commissioner's Court Minutes for September 9, 2013 and September 23, 2013.

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 **ORDER #2013-33** - "APPROVING THE JOHNSON COUNTY TREASURER'S REPORT TO THE COMMISSIONER'S COURT"

Comm. Howell, seconded by Comm. Stringer, made a motion to approve [Order #2013-33](#) - “Approving the Johnson County [Treasurer’s Report](#) to the Commissioner’s Court”.

All voted aye; motion carried.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

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

All voted aye; motion carried.

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

- a. General Debt Service-TIF Refund-\$2,561.00
- b. Special Crimes Operations, Forfeitures-Equipment Capital-\$27,966.00

Comm. Howell, seconded by Comm. Bailey, made a motion to approve **FY 2013** Budget Amendment pursuant to the Local Government Code *Section 111.010* for General Debt Service-TIF Refund-\$2,561.00 for EOY Budget shortage – create budget; and Special Crimes Operations, Forfeitures-Equipment Capital-\$27,966.00 to purchase 2013 Crew Cab Truck as approved in Commissioner’s Court on August 26, 2013.

All voted aye; motion carried.

3. CONSIDERATION OF **FY 2014** BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE [SECTION 111.010](#) for:

- a. General Fund, Non-Departmental-Transfer to 57000-\$8,970.55
- b. CSCD Building Construction, Revenue-Transfer From Other Funds 48000-\$8,970.55

Comm. Stringer, seconded by Comm. Howell, made a motion to approve **FY 2014** Budget Amendment pursuant to the Local Government Code *Section 111.010* for General Fund, Non-Departmental-Transfer to 57000-\$8,970.55 transfer to Fund 7020 CSCD Building Construction fund -this will close out the fund; and CSCD Building Construction, Revenue-Transfer From Other Funds 48000-\$8,970.55 transfer from General Fund – this will close the fund – as requested by the County Auditor’s office.

All voted aye; motion carried.

4. CONSIDERATION OF ENGAGEMENT LETTER WITH MCCALL, PARKHURST & HORTON L.L.P. FOR THE ISSUANCE OF JOHNSON COUNTY, TEXAS TAX NOTE, SERIES 2013

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the [Engagement Letter with McCall, Parkhurst & Horton L.L.P.](#) for the issuance of Johnson County, Texas Tax Note, Series 2013 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

5. CONSIDERATION OF ALL MATTERS INCIDENT AND RELATED TO THE ISSUANCE AND SALE OF THE JOHNSON COUNTY, TEXAS TAX NOTE, SERIES 2013, INCLUDING ORDER AUTHORIZING THE ISSUANCE AND SALE OF THE JOHNSON COUNTY TAX NOTE, SERIES 2013, AND ENACTING OTHER PROVISIONS RELATED THERETO, EXHIBIT A, EXHIBIT B, FORM OF PAYING AGENT/REGISTRAR’S AUTHENTICATION CERTIFICATE, FORM OF ASSIGNMENT, EXHIBIT C, AND WRITTEN PROCEDURES RELATING TO CONTINUING COMPLIANCE WITH FEDERAL TAX COVENANTS

Comm. Bailey, seconded by Comm. Howell, made a motion to approve of all matters incident and related to the issuance and sale of the Johnson County, Texas Tax Note, Series 2013, including [Order Authorizing the Issuance and Sale](#) of the Johnson County Tax Note, Series 2013, and enacting other provisions related thereto, Exhibit A, Exhibit B, Form of Paying Agent/Registrar's Authentication Certificate, Form of Assignment, Exhibit C, and Written Procedures Relating to Continuing Compliance with Federal Tax Covenants and to give the County Judge the authorization to sign all related documents.

All voted aye; motion carried.

The Commissioner's Court recessed at 9:36 A.M. and reconvened at 9:53 A.M. to consider the following:

6. CONSIDERATION OF S.T.O.P. SPECIAL CRIMES UNIT EMPLOYEE, MARSHALL WHITLOCK TO ATTEND "TECHNICAL INSTALLATION IN A HIGH VOLTAGE ENVIRONMENT" SEMINAR IN ORLANDO, FLORIDA DECEMBER 9-13, 2013

Comm. Bailey, seconded by Comm. Howell, made a motion to approve of another S.T.O.P. Special Crimes Unit employee in place of Marshall Whitlock to attend "[Technical Installation in a High Voltage Environment](#)" seminar in Orlando, Florida December 9-13, 2013. Marshall Whitlock is no longer with the S.T.O.P. Special Crimes Unit.

All voted aye; motion carried.

7. CONSIDERATION OF INTERLOCAL AGREEMENT BETWEEN THE CITY OF CLEBURNE AND JOHNSON COUNTY FOR THE 2013-2014 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the [Interlocal Agreement between the City of Cleburne](#) and Johnson County for the 2013-2014 Byrne Justice Assistance Grant (JAG) Program Award in the amount of \$6,711.00, to be used to purchase a video capturing device for \$5,044.00, 2 video body cameras to be used by Transport with the remaining funds and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF RECURRING MONTHLY EXPENSE OF \$40.00 FOR CELL PHONE ALLOWANCE FOR JENNIFER FRANKLIN-JUVENILE PROBATION DEPARTMENT

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the [recurring monthly expense of \\$40.00 for cell phone allowance for Jennifer Franklin](#) by transferring one bilingual supplement to cover this expense.

All voted aye; motion carried.

9. CONSIDERATION OF SERVICE DENTON COUNTY JUVENILE PROBATION CONTRACT FOR POST ADJUDICATION RESIDENTIAL SERVICES- JUVENILE PROBATION DEPARTMENT

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the [Service Denton County Juvenile Probation Contract for Post Adjudication Residential Services](#) at the same rates and to give the County Judge the authorization to sign.

All voted aye; motion carried.

10. CONSIDERATION OF INTERLOCAL COOPERATION AGREEMENT JUVENILE PRE-ADJUDICATION FACILITY WITH DENTON COUNTY- JUVENILE PROBATION DEPARTMENT

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the [Interlocal Cooperation Agreement Juvenile Pre-Adjudication Facility](#) with Denton County and to give the County Judge the authorization to sign.

All voted aye; motion carried.

11. CONSIDERATION OF AGREEMENT FOR SERVICES WITH ONE SOURCE TOXICOLOGY LABORATORY, INC. FOR LAB DRUG TESTING-JUVENILE PROBATION DEPARTMENT

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve of [Agreement for Services with One Source Toxicology Laboratory](#), Inc. for lab drug testing and to give the County Judge the authorization to sign.

All voted aye; motion carried.

12. CONSIDERATION OF NON-RESIDENTIAL SERVICES CONTRACT WITH ALTMAN PSYCHOLOGICAL SERVICES, PLLC-JUVENILE PROBATION DEPARTMENT

Comm. Howell, seconded by Comm. Stringer, made a motion to approve of [Non-Residential Services Contract with Altman Psychological Services](#), PLLC and to give the County Judge the authorization to sign.

All voted aye; motion carried.

13. CONSIDERATION OF NON-RESIDENTIAL SERVICES CONTRACT WITH CENTER FOR PSYCHOLOGICAL SERVICES-JUVENILE PROBATION DEPARTMENT

Comm. Howell, seconded by Comm. Stringer, made a motion to approve of [Non-Residential Services Contract with Center for Psychological Services](#) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

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

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

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

- a. Consideration of Storm Water Pollution Prevention Plan "SWPPP" for Construction of the Johnson County Precinct 3 Sub-Courthouse, 206 N. Baugh Street, Alvarado, Texas 76009, Including Appendices A-O

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the [Storm Water Pollution Prevention Plan "SWPPP"](#) for Construction of the Johnson County Precinct 3 Sub-Courthouse, 206 N. Baugh Street, Alvarado, Texas 76009, including Appendices A-O and to give the County Judge the authorization to sign all related documents.

All voted aye; motion carried.

VIII. NEW BUSINESS

15. CONSIDERATION OF REQUEST FROM THE JOHNSON COUNTY REPUBLICAN PARTY TO USE THE CENTRAL JURY ROOM AND ALL OTHER AVAILABLE MEETING ROOMS ON THE BASEMENT FLOOR ON THE GUINN JUSTICE CENTER FOR THE BEINNIAL MEETING OF THE JOHNSON COUNTY REPUBLICAN PARTY CONVENTION WHICH WILL BE HELD ON MARCH 22, 2014 FROM 7:00 AM TO 5:00 PM

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

All voted aye; motion carried.

16. CONSIDERATION OF APPOINTMENTS TO THE PRAIRIELANDS GROUNDWATER CONSERVATION BOARD

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the appointment of Dennis Erinakes to the Prairielands Groundwater Conservation Board and to search for another appointee to fill the vacancy created by the resignation of James E. Hallman.

All voted aye; motion carried.

17. CONSIDERATION OF APPOINTMENTS TO THE BLUEBONNET RESOURCE CONSERVATION AND DEVELOPMENT, INC. (RC&D) BOARD

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the reappointment of Roger Harmon, County Judge and the appointment of David Disheroon, Public Works Director as the alternate to the Bluebonnet Resource Conservation and Development, Inc. (RC&D) Board.

All voted aye; motion carried.

18. CONSIDERATION OF APPOINTMENT TO THE CITY OF CLEBURNE'S TIF #3 BOARD

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the appointment of Roger Harmon, County Judge to the City of Cleburne's TIF #3 Board.

Comm. Rick Bailey	Aye
Comm. Kenny Howell	Aye
Comm. Jerry Stringer	Aye
County Judge Roger Harmon	Abstained

Motion carried.

19. CONSIDERATION OF VULNERABILITY ASSESSMENT STATEMENT OF WORK BETWEEN JOHNSON COUNTY AND THE TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) FOR AN EXTERNAL SECURITY AUDIT-IT DEPARTMENT

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the [Vulnerability Assessment Statement of Work](#) between Johnson County and the Texas Department of Information Resources (DIR) for an external security audit and to give the County Judge the authorization to sign.

All voted aye; motion carried.

20. CONSIDERATION OF STATEMENT OF WORK BETWEEN JOHNSON COUNTY AND ASSERO SECURITY FOR AN INTERNAL SECURITY AUDIT-IT DEPARTMENT

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the [Statement of Work between Johnson County and Assero Security](#) for an internal security audit and to give the County Judge the authorization to sign.

All voted aye; motion carried.

IX. CONSENT AGENDA

Comm. Stringer, seconded by Comm. Howell, 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 10:43 A.M. in accordance with Government Code, *Sec. 551.071*-Consultation with Attorney, Contemplated Litigation: (1) Damage Claim, Precinct #2 and *Sec. 551.071*-Consultation with Attorney, Pending Litigation: (1) Cause No. 3:13-cv-04089-M.

The Commissioner's Court reconvened into Open Session at 11:24 A.M. to consider the following:

X. EXECUTIVE SESSION

1. Government Code:

a. *Sec. 551.071*-Consultation with Attorney, Contemplated Litigation:

(1) Damage Claim, Precinct #2

Comm. Howell, seconded by Comm. Bailey, made a motion to approve a payment of \$600.00 to Mr. Jim Cypret for damage to his mailbox after Mr. Cypret signs a release prepared by the County Attorney's Office.

All voted aye; motion carried.

b. *Sec. 551.071*-Consultation with Attorney, Pending Litigation:

(1) Cause No. 3:13-cv-04089-M

Comm. Stringer, seconded by Comm. Howell, made a motion to approve to notify LaSalle that based on the current contract between LaSalle and Johnson County, that we defer representation to LaSalle to provide defense for and represent the County in this lawsuit at the current time, subject to change.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 11:27 A.M.

Submitted by: _____
County Clerk
Becky Williams

Approved by: _____
County Judge
Roger Harmon