

STATE OF TEXAS

[April 28, 2014](#)

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 28<sup>th</sup> day of April, 2014, 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 9:02 A.M., with all members present except for Commissioner Rick Bailey, Precinct #1, and following the Invocation led by Mark Ely, College Heights 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 April 24, 2014 at 1:05 P.M., were considered:

County Judge Roger Harmon announced that Commissioner Rick Bailey, Precinct #1 was not present for today's Court meeting due to personal business.

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. **ANNOUNCEMENT: THE DEADLINE TO PLACE ITEMS ON THE COMMISSIONER'S COURT AGENDA FOR THE FRIDAY, MAY 9, 2014 MEETING IS FRIDAY, MAY 2, 2014 AT NOON. PLEASE NOTE THE TIME OF THE MEETING IS 1:00 PM**

County Judge Roger Harmon made an announcement regarding the deadline to place items on the Commissioner's Court Agenda for the Friday, May 9, 2014 meeting is Friday, May 2, 2014 at noon. Please note the time of the meeting is 1:00 PM.

2. PRESENTATION OF LENGTH OF SERVICE AWARDS FOR COUNTY EMPLOYEE

An employee of Johnson County was recognized for their service to the County and was given a Length of Service pin, [as attached to these Minutes](#).

3. PRESENTATION OF PROCLAMATION FOR “SEXUAL ASSAULT AWARENESS MONTH”

The Commissioner’s Court proclaimed April, 2014 as “[Sexual Assault Awareness Month](#)”.

4. PRESENTATION OF PROCLAMATION FOR “CHILDREN’S MENTAL HEALTH AWARENESS DAY”

The Commissioner’s Court proclaimed May 8, 2014 as “[Children’s Mental Health Awareness Day](#)”.

V. PUBLIC PARTICIPATION

None.

VI. PUBLIC HEARINGS

The Commissioner’s Court opened a [Public Hearing at 9:24 A.M.](#) to discuss:

1. DESIGNATION AND INSTALLATION OF NO THRU TRUCK SIGNS ON CR 801-B FROM CR 700 NORTH TO CR 701, A DISTANCE OF APPROXIMATELY 8/10 OF A MILE IN JOHNSON COUNTY, TEXAS - PRECINCT #4

Commissioner Don Beeson, Precinct #4, spoke in favor of the designation and installation of No Thru Truck signs on CR 801-B from CR 700 north to CR 701, a distance of approximately 8/10 of a mile in Johnson County, Texas - Precinct #4. There being no one else to speak, the hearing was closed at 9:25 A.M.

VII. PRECEDING BUSINESS

1. CONSIDERATION OF ORDER #2014-17 – “DESIGNATION AND INSTALLATION OF NO THRU TRUCK SIGNS ON CR 801-B FROM CR 700 NORTH TO CR 701, A DISTANCE OF APPROXIMATELY 8/10 OF A MILE IN JOHNSON COUNTY, TEXAS - PRECINCT #4”

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve [Order #2014-17](#) – “Designation and Installation of No Thru Truck Signs on CR 801-B from CR 700 North to CR 701, a Distance of Approximately 8/10 of a Mile in Johnson County, Texas - Precinct #4”.

All voted aye; motion carried.

2. CONSIDERATION OF MINUTES OF THE COMMISSIONER’S COURT:
  - a. April 1, 2014 – Special Session

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the Commissioner’s Court Minutes for April 1, 2014.

All voted aye; motion carried.

3. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Stringer, seconded by Comm. Beeson, made a motion to [pay bills](#) as presented by the County Auditor.

All voted aye; motion carried.

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 **ORDER #2014-18** - “APPROVING THE JOHNSON COUNTY TREASURER’S REPORT TO THE COMMISSIONER’S COURT”

Comm. Howell, seconded by Comm. Beeson, made a motion to approve [Order #2014-18](#) - “Approving the Johnson County [Treasurer’s Report](#) to the Commissioner’s Court”.

All voted aye; motion carried.

VIII. UNFINISHED BUSINESS

2. CONSIDERATION OF JOHNSON COUNTY PARTICIPATION IN THE COUNTY ROAD GRANT PROGRAM, FOR THE TEXAS TRANSPORTATION INFRASTRUCTURE FUND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION

Comm. Stringer, seconded by Comm. Howell, made a motion to approve Resolution and [Order #2014-19](#), “Approving the [County Transportation Infrastructure Fund Grant Program Agreement](#), Designating Authorized Representative, and Making Specific Findings Required by the Texas Department of Transportation”.

All voted aye; motion carried.

3. CONSIDERATION OF VEHICLE REPLACEMENT FOR WRECKED 2007 FORD CROWN VICTORIA-CONSTABLE, PRECINCT #4

Comm. Beeson, seconded by Comm. Howell, made a motion to approve the [vehicle replacement for wrecked 2007 Ford Crown Victoria](#)-Constable, Precinct #4 with quote #4042014 from Marshal Stuff in the amount of \$42,438.00 and this office will not receive a vehicle in the 2014-2015 budget.

Comm. Kenny Howell	Aye
Comm. Jerry Stringer	Aye
Comm. Don Beeson	Aye
County Judge Roger Harmon	Nay

Motion carried.

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

Comm. Beeson, seconded by Comm. Howell, made a motion to approve to authorize Kelli Davis, Purchasing Agent to advertise and receive sealed bids to sell property located at Emerald Point, 271 Diamond Lane North, Burleson, Texas 76028.

All voted aye; motion carried.

2. CONSIDERATION OF FY 2013-2014 BUDGET AMENDMENT PURSUANT TO THE [LOCAL GOVERNMENT CODE SECTION 111.010](#) for:

- a. District Attorney-Personnel Salaries-\$ -0-
- b. Software Projects, Non-Departmental-Construction in Progress-\$259,152.00
- c. Software Projects, Revenue-Transfer From Other Funds-\$259,152.00
- d. Mineral Revenue Reserve Fund, Non-Departmental-Transfer to Other Funds-\$259,152.00

Comm. Stringer, seconded by Comm. Howell, made a motion to approve FY 2013-2014 Budget Amendment pursuant to the Local Government Code *Section 111.010* for District Attorney-Personnel Salaries to adjust salaries effective May 1, 2014, as approved in Commissioner's Court on April 14, 2014 for the following positions: B03-010 from \$87,578.00 to \$60,000.00, B03-017 from \$75,383.00 to \$82,083.00, B03-013 from \$76,460.00 to \$81,860.00, B03-011 from \$76,460.00 to \$81,760.00, B03-018 from \$68,837.00 to \$71,637.00, B03-016 from \$68,615.00 to \$71,615.00, and B03-012 from \$73,250.00 to \$77,628.00 for a total dollar amount of \$0.00; Software Projects, Non-Departmental-Construction in Progress for additional funding for the Software Project – adjusted implementation plan (please note; \$236,694.00 was approved in Commissioner's Court on April 14, 2014 but the actual amount needed was higher) in the amount of \$259,152.00; Software Projects, Revenue-Transfer From Other Funds for additional funding for the Software Project – adjusted implementation plan (please note; \$236,694.00 was approved in Commissioner's Court on April 14, 2014 but the actual amount needed was higher) in the amount of \$259,152.00; Mineral Revenue Reserve Fund, Non-Departmental-Transfer to Other Funds for additional funding for the Software Project – adjusted implementation plan (please note; \$236,694.00 was approved in Commissioner's Court on April 14, 2014 but the actual amount needed was higher) in the amount of \$259,152.00.

All voted aye; motion carried.

4. CONSIDERATION OF PROCEDURES FOR VOTING BY COMMISSIONER'S COURT MEMBERS IN COMMISSIONER'S COURT MEETINGS-PRECINCT #3

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Procedures for Voting by Commissioner's Court Members in Commissioner's Court Meetings-Precinct #3 that from now on all votes taken in Court will be by voice vote as well as hands being raised.

All voted aye; motion carried.

5. CONSIDERATION OF THE USE OF DEDICATED DISTRICT COURT TECHNOLOGY FUNDS TO SET UP A TRAINING ROOM AT THE GUINN JUSTICE CENTER-DISTRICT CLERK'S OFFICE

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the use of dedicated District Court Technology Funds to [set up a training room](#) at the Guinn Justice Center-District Clerk's Office and approval is for \$15,000.00 to purchase chairs, tables and a monitor to establish the training room; is funded by fees collected and will be available for all Johnson County employees to use.

All voted aye; motion carried.

6. CONSIDERATION OF INCREASING CASH DRAWERS FROM \$50.00 TO \$100.00 IN THE DISTRICT CLERK'S OFFICE

Comm. Beeson, seconded by Comm. Howell, made a motion to [approve of increasing cash drawers](#) from \$50.00 to \$100.00 in the District Clerk's Office.

All voted aye; motion carried.

7. ACKNOWLEDGEMENT OF BOND INVESTMENT UPDATE-TREASURER'S OFFICE

The Commissioner's Court acknowledged the [Bond Investment Update](#)-Treasurer's Office.

8. CONSIDERATION TO ADD FUNDS TO BOND PORTFOLIO-  
TREASURER'S OFFICE

Comm. Howell, seconded by Comm. Stringer, made a motion to [approve to add funds to Bond Portfolio](#)-Treasurer's Office by cashing in four (4) CD's when they become due and roll them into the Bond Portfolio in the amount of \$1,000,000.00.

All voted aye; motion carried.

9. CONSIDERATION OF DEBARMENT POLICY FOR JOHNSON COUNTY-  
PURCHASING DEPARTMENT

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the [Debarment Policy for Johnson County](#)-Purchasing Department and to give the County Judge the authorization to sign.

All voted aye; motion carried.

10. CONSIDERATION OF INTERLOCAL AGREEMENT FOR ROAD  
CONSTRUCTION AND REPAIR WITH THE CITY OF GODLEY FOR  
ANNUAL MAINTENANCE TO BLADE AND PATCH CITY PORTION OF  
CR 1001-PRECINCT #1

Comm. Howell, seconded by Comm. Beeson, made a motion to approve the [Interlocal Agreement for Road Construction](#) and Repair with the City of Godley for Annual Maintenance to Blade and Patch City Portion of CR 1001-Precinct #1.

All voted aye; motion carried.

11. CONSIDERATION OF COMMISSIONER'S COURT APPROVAL FOR  
INTERLOCAL AGREEMENT PROJECT FOR ROAD CONSTRUCTION AND  
REPAIR WITH THE CITY OF GODLEY FOR ANNUAL MAINTENANCE TO  
BLADE AND PATCH CITY PORTION OF CR 1001-PRECINCT #1

Comm. Howell, seconded by Comm. Stringer, made a motion to approve [Commissioner's Court Approval for Interlocal Agreement](#) for Road Construction and Repair with the City of Godley for Annual Maintenance to Blade and Patch City Portion of CR 1001-Precinct #1.

All voted aye; motion carried.

**XI. WORKSHOP**

The Commissioner's Court convened into Workshop Session at 10:15 A.M. to discuss Macerator Option with Jail Lift Station Improvements-Sheriff's Department.

The Commissioner's Court reconvened into Open Session at 10:23 A.M.

**IX. NEW BUSINESS**

**12. CONSIDERATION OF MACERATOR OPTION WITH JAIL LIFT STATION IMPROVEMENTS-SHERIFF'S DEPARTMENT**

Comm. Howell, seconded by Comm. Beeson, made a motion to approve the [Macerator Option with Jail Lift Station Improvements](#)-Sheriff's Department for the Muffin Master in the amount of \$143,000.00 and Lieutenant David Blankenship is to check the rate flow to be sure it will handle an additional two hundred (200) beds.

All voted aye; motion carried.

**VIII. UNFINISHED BUSINESS**

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

- a. AIA Document G701-2001 Change Oder #002 – Bullet Resistant Frames and Glazing at the Tax Office in the Amount of \$41,496.44



Comm. Stringer, seconded by Comm. Howell, made a motion to approve [AIA Document G701-2001 Change Order #002](#) – Bullet Resistant Frames and Glazing at the Tax Office for an amount up to \$41,496.44, in case any more value engineering can be found for the Alvarado Sub-Courthouse Building and to give the County Judge the authorization to sign.

All voted aye; motion carried.

IX. NEW BUSINESS

3. CONSIDERATION OF REQUEST FROM DARCY FORCE, DIRECTOR OF MARKETING AND PUBLIC RELATIONS FOR SOUTHWESTERN ADVENTIST UNIVERSITY TO USE THE COURTHOUSE FOR A CONCERT ON SATURDAY, MAY 10, 2014 AT 8:00 PM

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

All voted aye; motion carried.

X. CONSENT AGENDA

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

All voted aye; motion carried.

The Commissioner's Court recessed at 10:42 A.M. and reconvened at 11:09 A.M. to consider the following:

**BE IT KNOWN** that Commissioner's Court met in Executive Session at 11:09 A.M. in accordance with Government Code: a. *Sec. 551.071*-Consultation with Attorney, Pending Litigation - Fuller v. Johnson County Sheriff Department, et al, Civil Action No. 3:13-cv-00231-P and b. *Sec. 551.071*-Consultation with Attorney, Contemplated Litigation - Petition of Oliver Vaughn, Jr. Requesting Deposition to Investigate Potential Claim, Cause No. C2011400076.

The Commissioner's Court reconvened into Open Session at 12:48 P.M. to consider the following:

XII. EXECUTIVE SESSION

1. Government Code:

- a. *Sec. 551.071*-Consultation with Attorney, Pending Litigation - Fuller v. Johnson County Sheriff Department, et al, Civil Action No. 3:13-cv-00231-P

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

All voted aye; motion carried.

- b. *Sec. 551.071*-Consultation with Attorney, Contemplated Litigation - Petition of Oliver Vaughn, Jr. Requesting Deposition to Investigate Potential Claim, Cause No. C2011400076

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve *Sec. 551.071*-Consultation with Attorney, Contemplated Litigation - Petition of Oliver Vaughn, Jr. Requesting Deposition to Investigate Potential Claim, Cause No. C2011400076, to authorize the County Judge to attend mediation meetings with the County Attorney and to negotiate a settlement pending Commissioner's Court approval.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 12:51 P.M.

Submitted by: \_\_\_\_\_  
County Clerk  
Becky Williams

Approved by: \_\_\_\_\_  
County Judge  
Roger Harmon