

STATE OF TEXAS

[October 27, 2014](#)

COUNTY OF JOHNSON

COMMISSIONER'S COURT

BE IT KNOWN that on the 27th day of October, 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 9:03 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 October 23, 2014 at 1:08 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF THE COUNTY JUDGES AND COMMISSIONERS ASSOCIATION NATIONWIDE RETIREMENT SOLUTIONS PAST PRESIDENT'S SCHOLARSHIP TO JOHNSON COUNTY BURLESON HIGH SCHOOL SENIOR KATHRYN GOODMAN

Commissioner's Court presented the County Judges and Commissioners Association Nationwide Retirement Solutions Past President's Scholarship to Johnson County Burleson High School Senior Kathryn Goodman.

2. PRESENTATION OF PROCLAMATION FOR "N. H. LASEMAN DAY"

Commissioner's Court [proclaimed November 12, 2014 as "N. H. Laseman Day"](#).

3. PRESENTATION OF PLAQUE TO JOHNSON COUNTY FROM THE TEXAS ASSOCIATION OF COUNTIES

Todd Kisel from Texas Association of Counties presented a plaque to Johnson County from the Texas Association of Counties.

4. PRESENTATION OF JOHNSON COUNTY COMPLIANCE SUMMARY FY 2014 FROM CAREFLITE

A presentation of the Johnson County [Compliance Summary FY 2014 from CareFlite](#) was given to Commissioner's Court by Doug Filbert of CareFlite.

V. PUBLIC PARTICIPATION

John Benjamin Clopton, Jr. spoke in reference to Order #2014-09, "Amended Johnson County Regulations Regarding Electioneering on County Owned Property Outside the 100 Feet Perimeter as Described in Section 61.003(a) of the Texas Election Code". Mr. Clopton stated he was in opposition to the Order.

VI. PRECEDING BUSINESS

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

- a. September 8, 2014 – Regular Session
- b. October 6, 2014 – Special Session

Comm. Stringer, seconded by Comm. Beeson, made a motion to approve the Commissioner's Court Minutes for September 8, 2014 and October 6, 2014.

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 #2014-42** – “APPROVING THE JOHNSON COUNTY TREASURER’S REPORT TO THE COMMISSIONER’S COURT”

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve [Order #2014-42](#) – “Approving the Johnson County [Treasurer’s Report](#) to the Commissioner’s Court”.

All voted aye; motion carried.

5. CONSIDERATION OF **RFP’s** AND **RFB’s**:

- a. **RFP #2014-424** – Sheriff’s Auction – Reject All Bids and Place on Rene Bates Auction for Sale under Local Government Code *Section 263.152(a)(1)*

Comm. Howell, seconded by Comm. Beeson, made a motion to approve [RFP #2014-424 – Sheriff’s Auction – Reject All Bids](#) and Place on Rene Bates Auction for Sale under Local Government Code *Section 263.152(a)(1)*.

All voted aye; motion carried.

- b. **Award of RFB #2014-425** – Law Enforcement Center Sanitary Sewer Improvements

Comm. Beeson, seconded by Comm. Stringer, made a motion to award [RFB #2014-425 – Law Enforcement Center Sanitary Sewer Improvements to Trophy Construction Services, LLC](#) in the amount of \$150,145.00, with \$11,000.00 transferred from General Fund to complete this project.

All voted aye; motion carried.

VII. 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

Discussion. No Action.

3. CONSIDERATION OF THE PERSONNEL SALARY SURVEY WITH SEGAL WATERS, INC.-PERSONNEL DEPARTMENT

Discussion. No Action.

4. CONSIDERATION OF **ORDER #2014-41** – “PROHIBITION OF OUTDOOR BURNING”

Discussion. No Action.

5. CONSIDERATION TO CEASE FURTHER CONSTRUCTION PLANS ON THE JOHNSON COUNTY JAIL-COUNTY JUDGE

County Judge Roger Harmon, seconded by Comm. Bailey, made a motion to cease further construction plans on the Johnson County Jail-County Judge.

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

Motion failed.

6. CONSIDERATION TO HOLD AN ELECTION FOR VOTER APPROVED BONDS FOR CONSTRUCTION AND RENOVATION OF THE JOHNSON COUNTY JAIL-COUNTY JUDGE

County Judge Roger Harmon, seconded by Comm. Bailey, made a motion to hold an election for voter approved bonds for construction and renovation of the Johnson County Jail-County Judge.

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

Motion failed.

7. ACKNOWLEDGEMENT OF RECEIPT OF LETTER DATED 10/10/2014 FROM THE TEXAS COMMISSION ON JAIL STANDARDS WHICH APPROVED THE SCHEMATIC DESIGN OF THE JOHNSON COUNTY JAIL PROJECT, AND AUTHORIZING JOHNSON COUNTY TO PROCEED TO THE DESIGN DEVELOPMENT PHASE

Commissioner's Court acknowledged receipt of letter dated 10/10/2014 from the Texas Commission on Jail Standards which approved the schematic design of the Johnson County Jail Project, and authorizing Johnson County to proceed to the design development phase.

8. CONSIDERATION OF PROCEEDING WITH THE DESIGN AND CONSTRUCTION OF THE JOHNSON COUNTY JAIL PROJECT

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve of proceeding with the design and construction of the Johnson County Jail Project.

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

Motion carried.

9. CONSIDERATION OF AUTHORIZING BURNS ARCHITECTURE, LLC, TO PROCEED WITH ARCHITECT'S PHASE 2 SERVICES (AS DEFINED IN ARCHITECT'S CONTRACT) AND AMEND ARCHITECT'S CONTRACT TO INCLUDE ARCHITECT'S PHASE 2 SERVICES FEE (PER PREVIOUSLY PRESENTED PROJECT BUDGET)

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

All voted aye; motion carried.

- 10 CONSIDERATION TO SELECT CONSTRUCTION MANAGER AT RISK AS THE CONSTRUCTION DELIVERY METHOD FOR THE PROJECT AND AUTHORIZE THE PURCHASING DEPARTMENT TO IMPLEMENT THE SELECTION PROCESS

Comm. Stringer, seconded by Comm. Howell, made a motion to approve to select Construction Manager at Risk as the construction delivery method for the project and authorize the Purchasing Department to implement the selection process.

All voted aye; motion carried.

11. CONSIDERATION TO DETERMINE THE METHOD OF FINANCING FOR THE JOHNSON COUNTY JAIL PROJECT

Comm. Stringer, seconded by Comm. Howell, made a motion to table this item until the next regularly scheduled Commissioner's Court.

All voted aye; motion carried.

The Commissioner's Court recessed at 10:51 A.M. and reconvened at 11:13 A.M. to consider the following:

VIII. NEW BUSINESS

6. CONSIDERATION OF TASER FOR CONSTABLE/BAILIFF, AND INSTALLATION OF PANIC BUTTONS AND BULLET PROOF FRONT (CLERK'S) WINDOW-JUSTICE OF THE PEACE, PRECINCT #1

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the [Taser for Constable/Bailiff, and installation of panic buttons and bullet proof](#) front (clerk's) window-Justice of the Peace, Precinct #1 with funding to be provided by the Justice Court Security Fund under Texas Code of Criminal Procedure Article 102.017.

All voted aye; motion carried.

10. CONSIDERATION OF VARIANCE FOR BLOCK 2, LOT 26, **PIESTER PLACE PHASE TWO** (4032 DILLARD CT.) FOR A 2nd HOME ON LOT, LOCATED IN PRECINCT #2-PUBLIC WORKS DEPARTMENT

Comm. Howell, seconded by Comm. Bailey, made a motion to approve the [variance for Block 2, Lot 26, Piester Place Phase Two \(4032 Dillard Ct.\) for a 2nd](#) home on lot, located in Precinct #2-Public Works Department.

All voted aye; motion carried.

11. CONSIDERATION OF VARIANCE FOR BLOCK 2, LOT 26, **PIESTER PLACE PHASE TWO** (4032 DILLARD CT.) FOR A 2nd SEPTIC SYSTEM ON LOT, LOCATED IN PRECINCT #2-PUBLIC WORKS DEPARTMENT

Comm. Howell, seconded by Comm. Beeson, made a motion to approve the [variance for Block 2, Lot 26, Piester Place Phase Two \(4032 Dillard Ct.\) for a 2nd septic system on lot, located in Precinct #2-Public Works Department.](#)

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

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

Discussion. No Action.

VIII. NEW BUSINESS

3. CONSIDERATION OF JOHNSON COUNTY, TEXAS MASTER CONTRACT FOR PARAMEDIC AMBULANCE SERVICES AMENDMENT AND EXTENSION #4

Comm. Bailey, seconded by County Judge Roger Harmon, made a motion to approve the Johnson County, Texas Master Contract for Paramedic Ambulance Services Amendment and Extension #4, to change the effective date to October 1, 2014 and to give the County Judge the authorization to sign.

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

Motion died.

4. CONSIDERATION OF RESERVE DEPUTY CONSTABLE SCOTT HUDSON-
CONSTABLE, PRECINCT #1

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve [Reserve Deputy Constable Scott Hudson](#)-Constable, Precinct #1.

All voted aye; motion carried.

14. CONSIDERATION OF THE TEXAS 1033 SURPLUS PROPERTY PROGRAM
APPLICATION FOR PARTICIPATION, SUPPLEMENTAL DATA SHEET,
RELEASE OF LIABILITY AND STATE PLAN OF OPERATION BETWEEN
THE STATE OF TEXAS AND THE JOHNSON COUNTY CONSTABLE,
PRECINCT #4 OFFICE-CONSTABLE, PRECINCT #4

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the [Texas 1033 Surplus Property Program Application](#) for Participation, Supplemental Data Sheet, Release of Liability and State Plan of Operation between the State of Texas and the Johnson County Constable, Precinct #4 Office-Constable, Precinct #4 and to give the County Judge and the Constable, Precinct #4 the authorization to sign.

All voted aye; motion carried.

The Commissioner's Court recessed at 12:47 P.M. and reconvened at 1:51 P.M. to consider the following:

X. WORKSHOP

The Commissioner's Court convened into Workshop Session at 1:51 P.M. to discuss the Medical, Dental, and Vision Insurance Renewals.

The Commissioner's Court reconvened into Open Session at 2:47 P.M. to consider the following:

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

No Action.

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

- a. District Attorney, Forfeitures-Fees and Services-\$1,000.00
- b. Equipment Interest & Sinking Fund-Other Related Cost-\$500.00
- c. Jury Fund-Maintenance of Office Equipment and Machines-\$5,000.00

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.010* for District Attorney, Forfeitures-Fees and Services-\$1,000.00 for donation to the Texas District and County Attorneys Foundation for training and legal support; Equipment Interest & Sinking Fund-Other Related Cost-\$500.00 for Budget shortage for cost related to tax note issuance; and Jury Fund-Maintenance of Office Equipment and Machines-\$5,000.00 for service agreement for new copier approved during budget process.

All voted aye; motion carried.

5. CONSIDERATION OF 2014-2015 MOTOROLA SOLUTIONS SERVICES AGREEMENT, CONTRACT NUMBER S00001022028, AND SERVICE TERMS AND CONDITIONS FOR RADIO SYSTEM MAINTENANCE-EMERGENCY OPERATIONS DEPARTMENT

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the [2014-2015 Motorola Solutions Services Agreement](#), Contract Number S00001022028, and Service Terms and Conditions for Radio System Maintenance-Emergency Operations Department for a total amount of \$142,770.72 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

7. CONSIDERATION OF LASER TECH SOLUTIONS B&W MAINTENANCE CONTRACTS-PURCHASING DEPARTMENT-for:

- a. [\(1\) Canon IR 1025N, Serial #DQX02236-Treasurer's Office](#)

Comm. Beeson, seconded by Comm. Howell, made a motion to approve the Laser Tech Solutions B&W Maintenance Contracts-Purchasing Department for (1) Canon IR 1025N, Serial #DQX02236– Treasurer’s Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

b. [\(1\) Canon IR 2525, Serial #FRY46473–District Attorney’s Office](#)

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the Laser Tech Solutions B&W Maintenance Contracts-Purchasing Department for (1) Canon IR 2525, Serial #FRY46473–District Attorney’s Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

c. [\(1\) Canon IR 2525, Serial #FRU01971-District Attorney’s Office](#)

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the Laser Tech Solutions B&W Maintenance Contracts-Purchasing Department for (1) Canon IR 2525, Serial #FRU01971-District Attorney’s Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

d. [\(1\) Canon IR 2525, Serial #FRU47469-Public Works Department](#)

Comm. Howell, seconded by Comm. Beeson, made a motion to approve the Laser Tech Solutions B&W Maintenance Contracts-Purchasing Department for (1) Canon IR 2525, Serial #FRU47469-Public Works Department and to give the County Judge the authorization to sign.

All voted aye; motion carried.

e. [\(1\) Canon IR 1025N, Serial #OQX04541-Veteran's Services](#)

Comm. Bailey, seconded by Comm. Beeson, made a motion to approve the Laser Tech Solutions B&W Maintenance Contracts-Purchasing Department for (1) Canon IR 1025N, Serial #OQX04541- Veteran's Services and to give the County Judge the authorization to sign.

All voted aye; motion carried.

f. [\(1\) Canon IR 3035, Serial #MUP09347-County Judge's Office](#)

Comm. Beeson, seconded by Comm. Stringer, made a motion to approve the Laser Tech Solutions B&W Maintenance Contracts-Purchasing Department for (1) Canon IR 3035, Serial #MUP09347- County Judge's Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION TO DECLARE MISCELLANEOUS ITEMS AS SURPLUS PURSUANT TO LOCAL GOVERNMENT CODE SECTION 263.152 (a)(1) AND PLACE ON RENE BATES AUCTION FOR SALE-PURCHASING DEPARTMENT

Comm. Stringer, seconded by Comm. Howell, made a motion to approve to [declare miscellaneous items as surplus](#) pursuant to Local Government Code *Section 263.152(1)(a)* and place on Rene Bates Auction for sale-Purchasing Department.

All voted aye; motion carried.

9. CONSIDERATION OF ROAD IN SPRING RANCH FOR SALE OF LOTS ONLY, LOCATED IN PRECINCT #2-PUBLIC WORKS DEPARTMENT

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the [road in Spring Ranch for sale of lots only](#), located in Precinct #2-Public Works Department.

All voted aye; motion carried.

13. CONSIDERATION OF CHANGE ORDER NO. 06 WITH MOTOROLA SOLUTIONS FOR ADDITIONAL LABOR ASSOCIATED WITH THE SHELTER GROUNDING AND ELECTRICAL PATH FOR THE RETREAT, IN THE AMOUNT OF \$28,568.18-PRECINCT #1

Comm. Bailey, seconded by Comm. Howell, made a motion to approve [Change Order No. 06 with Motorola Solutions](#) for Additional Labor Associated with the Shelter Grounding and Electrical Path for The Retreat, in the amount of \$28,568.18-Precinct #1 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

12. ACKNOWLEDGEMENT OF AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT OF IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICE P00009-SHERIFF'S OFFICE

Commissioner's Court acknowledged the Amendment of Solicitation/Modification of Contract of [Immigration and Customs Enforcement Office P00009](#)-Sheriff's Office.

15. CONSIDERATION OF APPOINTMENTS TO THE JOHNSON COUNTY HISTORICAL COMMISSION:

- a. [Rob and Mary Robinson, Cleburne, Texas](#)

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve the appointments to the Johnson County Historical Commission for Rob and Mary Robinson, Cleburne, Texas.

All voted aye; motion carried.

- b. [Jessica Baber, Cleburne, Texas](#)

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the appointments to the Johnson County Historical Commission for Jessica Baber, Cleburne, Texas.

All voted aye; motion carried.

16. CONSIDERATION OF MEDICAL, DENTAL, AND VISION INSURANCE
RENEWALS-PERSONNEL DEPARTMENT

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

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 3:17 P.M. in
accordance with Government Code: a. *Section 551.074*-Personnel, Sheriff's Office: for (1) D09-
001 – Augsburg, Assistant Commander (STOP); (2) B09-002 – Timothy Jones, Lieutenant; (3)
B09-001 – Michael Gaudet, Lieutenant; (4) C05-001 – Ben Arriola, Sergeant; (5) C05-003 –
Richard Hogan, Sergeant; (6) C05-006 – Jay Stubbs, Sergeant; (7) D20-003 – Loren Carter,
Corporal; (8) D20-004 – Jonathan Poole, Corporal; (9) D20-001 – Juan M. Torres, Corporal;
(10) D04-010 – Stephen Shaw, Criminal Investigator; (11) F01-036 – Mary Beddingfield, Clerk
1-Animal Control.

The Commissioner's Court reconvened into Open Session at 3:55 P.M. to consider the
following:

XI. EXECUTIVE SESSION

1. Government Code:
 - a. *Section 551.074*-Personnel, Sheriff's Office:

(1) D09-001 – Augsburg, Assistant Commander (STOP)

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

All voted aye; motion carried.

(2) B09-002 – Timothy Jones, Lieutenant

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

All voted aye; motion carried.

(3) B09-001 – Michael Gaudet, Lieutenant

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

All voted aye; motion carried.

(4) C05-001 – Ben Arriola, Sergeant

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

All voted aye; motion carried.

(5) C05-003 – Richard Hogan, Sergeant

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

All voted aye; motion carried.

(6) C05-006 – Jay Stubbs, Sergeant

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

All voted aye; motion carried.

(7) D20-003 – Loren Carter, Corporal

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

All voted aye; motion carried.

(8) D20-004 – Jonathan Poole, Corporal

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

All voted aye; motion carried.

(9) D20-001 – Juan M. Torres, Corporal

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

All voted aye; motion carried.

(10) D04-010 – Stephen Shaw, Criminal Investigator

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

All voted aye; motion carried.

(11) F01-036 – Mary Beddingfield, Clerk 1-Animal Control

Comm. Beeson, seconded by Comm. Bailey, made a motion to approve to reclassify position F01-036 – Mary Beddingfield, Clerk 1-Animal Control to TDC Clerk II with no change in salary.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioner's Court adjourned at 4:05 P.M.

Submitted by: _____
County Clerk
Becky Williams

Approved by: _____
County Judge
Roger Harmon