

STATE OF TEXAS

February 22, 2016

COUNTY OF JOHNSON

COMMISSIONERS COURT

BE IT KNOWN that on the 22nd day of February, 2016, the Honorable Commissioners 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 Johnnie Dollarhide, St. Paul CME Church, 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 February 18, 2016 at 1:05 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF RETIREMENT PLAQUE TO MARY RICKMAN OF THE SHERIFF'S OFFICE

The Commissioners Court and Sheriff Bob Alford made a presentation of a retirement plaque to Mary Rickman of the Sheriff's Office for 17 years of service to Johnson County.

V. PUBLIC PARTICIPATION

None.

VI. PRECEDING BUSINESS

1. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT:

a. January 25, 2016 – Regular Session

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the Commissioners Court Minutes for January 25, 2016.

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](#).

All voted aye; motion carried.

3. ACKNOWLEDGMENT OF RECEIPT OF THE COUNTY AUDITOR'S REPORTS TO THE COMMISSIONERS COURT

The Commissioners Court acknowledged the receipt of the County Auditor's Reports.

4. CONSIDERATION OF **ORDER #2016-13**- "APPROVING THE JOHNSON COUNTY TREASURER'S REPORT TO THE COMMISSIONERS COURT"

Comm. Bailey, seconded by Comm. Howell, made a motion to approve [Order #2016-13](#)- "Approving the Johnson County [Treasurer's Report](#) to the Commissioners Court".

All voted aye; motion carried.

5. CONSIDERATION OF VARIANCE FOR 2728 WHISPERING CREEK LANE, BURLESON, TEXAS, FOR A RESIDENCE AND A SHOP/OFFICE ON ONE SEPTIC SYSTEM, LOCATED IN PRECINCT #3-PUBLIC WORKS DEPARTMENT

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the [variance for 2728 Whispering Creek Lane](#), Burleson, Texas, for a residence and a shop/office on one septic system, located in Precinct #3-Public Works Department.

All voted aye; motion carried.

6. CONSIDERATION OF VARIANCE FOR 9708 CR 528, BURLESON, TEXAS, FOR A RESIDENCE AND A BARN ON ONE SEPTIC SYSTEM, LOCATED IN PRECINCT #3-PUBLIC WORKS DEPARTMENT

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the [variance for 9708 CR 528, Burleson, Texas](#), for a residence and a barn on one septic system, located in Precinct #3-Public Works Department.

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

1. 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.

2. CONSIDERATION OF ARCHITECTURAL DESIGN, SPECIFICATION, FINANCIAL PROGRAM REQUIREMENTS, AND CONTRACTS FOR THE JOHNSON COUNTY JAIL EXPANSION AND RENOVATION PROJECT

Discussion. No Action.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

No Action.

2. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE [SECTION 111.0106](#) for:
 - a. TAC Checks-Equipment Capital-\$18,350.00, and Vehicle Repair & Maintenance-\$135.00 – Total \$18,485.00

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.0106* for TAC Checks-Equipment Capital-\$18,350.00, and Vehicle Repair & Maintenance-\$135.00 – Total \$18,485.00 for insurance claim check for vehicle and to reimburse towing expense.

All voted aye; motion carried.

3. CONSIDERATION OF FY 2015-2016 BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE [SECTION 111.010](#) for:

- a. Non-Departmental-Transfers to 57000-GG-\$355,736.00
- b. Public Works Department-Equipment Capital-\$5,000.00
- c. Public Works Department-Transfers to 57000-GG-\$238,772.00
- d. Juvenile Probation-Office Supplies-\$5,000.00, Petroleum Products-\$5,000.00, Fees & Services-\$1,323.00, Vehicle & Equipment Maintenance-\$5,000.00, Equipment Non-Capital-\$2,000.00, Travel-\$2,000.00, Equipment Capital-\$42,641.00 – Total \$62,964.00

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.010* for Non-Departmental-Transfers to 57000-GG-\$355,736.00 for repairs related to the condition of the roof, insulation, and condensation issues at the Jail (approved in Commissioners Court 2/8/2016); Public Works Department-Equipment Capital-\$5,000.00 for emergency vehicle purchase; Public Works Department-Transfers to 57000-GG-\$238,772.00 to close out fund; and Juvenile Probation-Office Supplies-\$5,000.00, Petroleum Products-\$5,000.00, Fees & Services-\$1,323.00, Vehicle & Equipment Maintenance-\$5,000.00, Equipment Non-Capital-\$2,000.00, Travel-\$2,000.00, Equipment Capital-\$42,641.00 – Total \$62,964.00 for fund that has cash in the bank, but did not get budget set during normal process of budget, these are probation fees that we collect.

All voted aye; motion carried.

4. CONSIDERATION OF SAFEKEEPING AGREEMENT WITH FIRST FINANCIAL BANK, N.A.-TREASURER'S OFFICE

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve the [Safekeeping Agreement with First Financial Bank, N.A.](#)-Treasurer's Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

5. CONSIDERATION OF MUNICIPAL ADVISOR AND BROKER DEALER
CONSENT FORM WITH MULTI-BANK SECURITIES, INC.-TREASURER'S
OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Municipal Advisor and Broker Dealer [Consent Form with Multi-Bank Securities, Inc.-Treasurer's Office](#) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

6. CONSIDERATION OF AMENDMENT TO COMMUNICATIONS SYSTEM
AGREEMENT WITH THE GRANDVIEW POLICE DEPARTMENT-
EMERGENCY MANAGEMENT DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Amendment to Communications System Agreement with the Grandview Police Department-Emergency Management Department](#) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

7. CONSIDERATION OF COMMUNICATIONS SYSTEM AGREEMENT AND
EXHIBIT A TERMS OF USE WITH THE KEENE INDEPENDENT SCHOOL
DISTRICT-EMERGENCY MANAGEMENT DEPARTMENT

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve the [Communications System Agreement and Exhibit A Terms of Use](#) with the Keene Independent School District-Emergency Management Department and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF CELL PHONE ALLOWANCE FOR DEDRI HAER,
POSITION #D03-050, ALVARADO ISD SCHOOL RESOURCE OFFICER-
SHERIFF'S OFFICE

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve the [cell phone allowance for Dedri Hafer](#), Position #D03-050, Alvarado ISD School Resource Officer-Sheriff's Office in the amount of \$40.00 per month.

All voted aye; motion carried.

9. CONSIDERATION OF TIER 1 – PARTIAL EXEMPTION RACIAL PROFILING REPORT-SHERIFF'S OFFICE

Comm. Stringer, seconded by Comm. Woolley, made a motion to approve of [Tier 1 – Partial Exemption Racial Profiling Report](#)-Sheriff's Office.

All voted aye; motion carried.

10. CONSIDERATION OF MEMORANDUM OF UNDERSTANDING BETWEEN THE TEXAS DEPARTMENT OF PUBLIC SAFETY AND THE JOHNSON COUNTY SHERIFF'S OFFICE

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve the [Memorandum of Understanding between the Texas Department of Public Safety](#) and the Johnson County Sheriff's Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

11. CONSIDERATION OF PAYMENT TO TROPHY CONSTRUCTION SERVICES, L.L.C. IN THE AMOUNT OF \$77,834.90 AND TO GRANTWORKS IN THE AMOUNT OF \$5,500.00 UPON RECEIPT OF GRANT FUNDS FROM THE TEXAS DEPARTMENT OF AGRICULTURE, REGARDING THE CITY OF JOSHUA SANITARY SEWER IMPROVEMENT PROJECT-AUDITOR DEPARTMENT

Comm. Howell, seconded by Comm. Woolley, made a motion to approve the [payment to Trophy Construction Services, L.L.C.](#) in the amount of \$77,834.90 and to GrantWorks in the amount of \$5,500.00 upon receipt of Grant Funds from the Texas Department of Agriculture, regarding the City of Joshua Sanitary Sewer Improvement Project-Auditor's Department.

All voted aye; motion carried.

12. CONSIDERATION OF EMPLOYEE ASSISTANCE PROGRAM SERVICES AGREEMENT, GENERAL CONDITIONS ADDENDUM, DESCRIPTION OF EAP SERVICES ADDENDUM, DESCRIPTION OF WORKLIFE SERVICES ADDENDUM, DOMESTIC EAP SERVICE AND FEE SCHEDULE, AND JOHNSON COUNTY CONTRACT TERMS ADDENDUM TO EMPLOYEE ASSISTANCE PROGRAM SERVICES AGREEMENT BETWEEN AETNA BEHAVIORAL HEALTH LLC AND JOHNSON COUNTY-PERSONNEL DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Employee Assistance Program Services Agreement](#), General Conditions Addendum, Description of EAP Services Addendum, Description of Worklife Services Addendum, Domestic EAP Service and Fee Schedule, and Johnson County Contract Terms Addendum to Employee Assistance Program Services Agreement between Aetna Behavioral Health LLC and Johnson County-Personnel Department and to give the County Judge the authorization to sign.

All voted aye; motion carried.

13. CONSIDERATION OF ANNUAL REPORTING REQUIREMENTS FOR PHASE II (SMALL) MS4s TPDES GENERAL PERMIT NUMBER TXR040000 REGARDING THE MUNICIPAL SEPARATE STORM SEWER SYSTEM-PUBLIC WORKS DEPARTMENT

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the Annual Reporting Requirements for Phase II (Small) [MS4s TPDES General Permit](#) Number TXR040000 regarding the Municipal Separate Storm Sewer System-Public Works Department and to give the County Judge the authorization to sign.

All voted aye; motion carried.

14. CONSIDERATION OF CONTINUATION CERTIFICATE FOR LAJUAN YOUNG, MAIL CLERK

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the [Continuation Certificate for LaJuan Young](#), Mail Clerk.

All voted aye; motion carried.

IX. CONSENT AGENDA

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

All voted aye; motion carried.

BE IT KNOWN that Commissioners Court met in Executive Session at 9:50 A.M. in accordance with Government Code: a. *Sec. 551.072*-Deliberations About Real Property: (1) 116 South Mill Street, Cleburne Texas; (2) 102 South Main Street, Cleburne, Texas; (3) 104 South Main Street, Cleburne, Texas; (4) 201 Harrell Street, Cleburne, Texas; (5) 205 S. Buffalo Street, Cleburne, Texas; (6) 207 S. Buffalo Street, Cleburne, Texas; and (7) 205 Harrell Street, Cleburne, Texas; b. *Sec. 551.071*-Consultation with Attorney, Contemplated Litigation: (1) Letter from Jeff Hansen, Attorney at Law; and c. *Sec. 551.074* Personnel: (1) Joyce Adams-Assistant Elections Administrator-Position #F51-001; (2) Shauna Belloma, Clerk II-Position #F02-061; (3) Patty Bourgeois-Elections Administrator-Position #A63-001; and Loren Milam-Assistant Voter Registrar-Position #F40-002.

The Commissioners Court reconvened into Open Session at 11:39 A.M. to discuss the following:

XI. EXECUTIVE SESSION

1. Government Code:
 - a. *Sec. 551.072*-Deliberations About Real Property:
 - (1) 116 South Mill Street, Cleburne Texas

Comm. Woolley, seconded by Comm. Bailey, made a motion to reject the offer the County received on property located at 116 South Mill Street, Cleburne Texas.

All voted aye; motion carried.

- (2) 102 South Main Street, Cleburne, Texas

No Action.

- (3) 104 South Main Street, Cleburne, Texas

No Action.

- (4) 201 Harrell Street, Cleburne, Texas

Comm. Woolley, seconded by Comm. Stringer, made a motion to authorize the County Judge to sign the contract amendment with the specific wording that the seller pay for the survey and be reimbursed by the buyer at the time of closing subject to being approved by the buyer for property located at 201 Harrell Street, Cleburne, Texas and authorize the County Judge to sign.

All voted aye; motion carried.

- (5) 205 S. Buffalo Street, Cleburne, Texas

Comm. Woolley, seconded by Comm. Bailey, made a motion to authorize Commissioner Larry Woolley, Precinct #4 and Bill Moore, County Attorney to negotiate with the seller of property located at 205 S. Buffalo Street, Cleburne, Texas.

All voted aye; motion carried.

- (6) 207 S. Buffalo Street, Cleburne, Texas

Comm. Woolley, seconded by Comm. Bailey, made a motion to authorize Commissioner Larry Woolley, Precinct #4 and Bill Moore, County Attorney to negotiate with the seller of property located at 207 S. Buffalo Street, Cleburne, Texas.

All voted aye; motion carried.

- (7) 205 Harrell Street, Cleburne, Texas

Comm. Woolley, seconded by Comm. Bailey, made a motion to authorize Commissioner Larry Woolley, Precinct #4 and Bill Moore, County Attorney to negotiate with the seller of property located at 205 Harrell Street, Cleburne, Texas.

All voted aye; motion carried.

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

- (1) Letter from Jeff Hansen, Attorney at Law

Comm. Howell, seconded by Comm. Woolley, made a motion to give the Johnson County Attorney's Office authorization to respond to the letter from Jeff Hansen dated February 2, 2016, regarding a tract of land on CR 105A by setting forth that the Commissioners Court will not waive the requirements of the Subdivision Rules and Regulations of Johnson County to allow development outside the rules.

All voted aye; motion carried.

- c. *Sec. 551.074*-Personnel:

- (1) Joyce Adams-Assistant Elections Administrator-Position #F51-001

No Action.

- (2) Shauna Belloma, Clerk II-Position #F02-061

No Action.

- (3) Patty Bourgeois-Elections Administrator-Position #A63-001

No Action.

- (4) Loren Milam-Assistant Voter Registrar-Position #F40-002

No Action.

X. WORKSHOP

The Commissioners Court convened into Workshop Session at 11:46 A.M. to discuss the Johnson County Information Technology Security Update.

The Commissioners Court reconvened into Open Session at 12:42 P.M.

VIII. NEW BUSINESS

15. CONSIDERATION OF JOHNSON COUNTY INFORMATION TECHNOLOGY SECURITY UPDATE-IT DEPARTMENT

No Action.

XI. EXECUTIVE SESSION

1. Government Code:
a. *Sec. 551.072*-Deliberations About Real Property:

- (2) 102 South Main Street, Cleburne, Texas

Additional discussion only.

- (3) 104 South Main Street, Cleburne, Texas

Additional discussion only.

There being no further business before the Court concerning this agenda, Commissioners Court adjourned at 12:47 P.M.

Submitted by: _____
County Clerk
Becky Ivey

Approved by: _____
County Judge
Roger Harmon