

STATE OF TEXAS

[March 14, 2016](#)

COUNTY OF JOHNSON

COMMISSIONERS COURT

BE IT KNOWN that on the 14th day of March, 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 Eddie Freeman, Henderson Street 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 March 10, 2016 at 1:05 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

Judge Harmon welcomed all the audience members present in the Commissioners Courtroom and thanked them for their presence.

V. PUBLIC PARTICIPATION

None.

VI. [PUBLIC HEARING](#)

The Commissioners Court opened a Public Hearing at 9:04 A.M. to discuss:

1. APPLICATION FOR A SLAUGHTERER TO OPERATE AT 11065 CR 418, GRANDVIEW, TEXAS, LOCATED IN PRECINCT #4

James S. Robinson III, the attorney representing Madina Farm, Inc. who submitted an application for a slaughterer to operate at 11065 CR 418, Grandview, Texas, located in Precinct

#4 was the first to speak in the hearing. Mr. Robinson said this would be a small slaughter house serving a small market in Johnson County. He said that it wouldn't be located within 1000 feet of a school or a residence. Many audience members were there to speak in opposition to the approval of this application, as listed here: Bart Clark, Mayor of Grandview; Dr. Jan Eckhart; Mark Batterton; Rick Cumins, President of Johnson County Realtors Association; Jon Taggart; Darla Dudley; Ken Barnes; Earner Cryer; Kerri Lancaster; Marie Greenia; James Dailey; Jay Davis; Robbie Mayse; Chris Thomas; and A. B. Manis. There were several reasons mentioned for opposing the application by those who spoke: the smell, noise pollution, pests, negative impact on future development, proposed site being in a floodplain, and that the facility would not be regulated. The most mentioned reason for the opposition was declining property values. Commissioner Larry Woolley, Precinct #4, [read a letter he received from John S. Brantley](#) in opposition to the slaughterer to the Court. Christopher Pittman, a business consultant for Madina Farm, Inc. spoke next. He said the odor would not be a problem per the engineering done on this project. He said that there was a negative perception that there were Muslims moving into Johnson County setting up a slaughterhouse. Mr. Pittman said that Dallas County has meat processing plants and they don't affect the property values in that area. He also said that the perception of a loophole as far as inspections go, was incorrect. The facility would operate as a custom exempt slaughterhouse. He said this facility was needed in Johnson County because Johnson County was a forward moving County. Mark Perkins, President of Perkins Engineering Consultants spoke next. He said his company specialized in odor control, so the odor wouldn't be a problem. Mr. Perkins said waste would go into a container like a septic system and then be trucked off site. James Robinson spoke again and said this venture isn't for profit making, they all have other jobs, they just wanted to serve a market here in Johnson County. He said the

permit was highly appropriate and should be granted. He said any public nuisances can be dealt with if they become an issue just like nuisances are dealt with now. Commissioner Rick Bailey, Precinct #1, said that none of the residents from Grandview who spoke before made any racist remarks and it was not about making a mockery of those people or this Court. County Judge Roger Harmon said that the perception of the property owners was that their property values would decline and the Judge didn't feel Mr. Pittman shared those concerns in his speech. Commissioner Jerry Stringer, Precinct #3, asked if Mr. Robinson, Mr. Pittman, or Mr. Perkins would buy a house or property next to a slaughterhouse. They said they would if it were the proposed project. Commissioner Stringer said all the people he had asked had said they would not. Commissioner Woolley spoke about the declining property values and that this could be interpreted as an undue hardship on the citizens in the area. Also, the proposed project is within 1000 feet of a school or residence according to the map shown during the hearing. Commissioner Kenny Howell, Precinct #2, said that they were elected to serve all the citizens of Johnson County and to do what was in the best interest of all. There being no one else to speak, the hearing was closed at 10:40 A.M.

VII. PRECEDING BUSINESS

4. CONSIDERATION OF APPLICATION FOR A SLAUGHTERER TO OPERATE AT 11065 CR 418, GRANDVIEW, TEXAS, LOCATED IN PRECINCT #4-PUBLIC WORKS DEPARTMENT

Comm. Woolley, seconded by Comm. Bailey, made a motion to [deny the application for a slaughterer](#) to operate at 11065 CR 418, Grandview, Texas, located in Precinct #4-Public Works Department after reading Local Government Code *Section 234.033* based on the proposed slaughterer being within the 1000 ft. rule of a school or residence per the map shown during the public hearing and because it would be an undue hardship placed on persons residing in the neighboring area.

All voted aye; motion carried.

The Commissioners Court recessed at 10:45 A.M. and reconvened at 11:03 A.M. to consider the following:

1. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT:
 - a. February 8, 2016 – Regular Session
 - b. February 15, 2016 – Special Session

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the Commissioners Court Minutes for February 8, 2016 and February 15, 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 APPLICATION FOR A SLAUGHTERER TO OPERATE AT 11065 CR 418, GRANDVIEW, TEXAS, LOCATED IN PRECINCT #4-PUBLIC WORKS DEPARTMENT

Commissioner Woolley thanked all who participated in the hearing.

5. CONSIDERATION OF VARIANCE FOR 10525 CR 105B, GRANDVIEW, TEXAS, FOR A RESIDENCE AND A SHOP ON ONE NEW SEPTIC SYSTEM DESIGNED TO ACCOMMODATE BOTH STRUCTURES, LOCATED IN PRECINCT #4-PUBLIC WORKS DEPARTMENT

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the [variance for 10525 CR 105B](#), Grandview, Texas, for a residence and a shop on one new septic system designed to accommodate both structures, located in Precinct #4-Public Works Department.

All voted aye; motion carried.

6. CONSIDERATION OF VARIANCE FOR LOT 28, BLOCK 1, VINEYARD HEIGHTS (8048 ROSE CREEK CT.), BURLESON, TEXAS, FOR A RESIDENCE AND A APARTMENT/GARAGE ON ONE SEPTIC SYSTEM, LOCATED IN PRECINCT #3-PUBLIC WORKS DEPARTMENT

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the variance for [Lot 28, Block 1, Vineyard Heights \(8048 Rose Creek Ct.\)](#), Burleson Texas, for a residence and a apartment/garage on one septic system, located in Precinct #3-Public Works Department.

All voted aye; motion carried.

7. CONSIDERATION OF REVISED PLAT SHOWING LOTS 1R, 2R, 3R, 4R, AND 5R, BLOCK 67, IN THE RETREAT, PHASE 7, LOCATED IN PRECINCT #1-PUBLIC WORKS DEPARTMENT

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve the [revised plat showing lots 1R, 2R, 3R, 4R, and 5R, Block 67](#), in **The Retreat**, Phase 7, located in Precinct #1-Public Works Department.

All voted aye; motion carried.

VIII. 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.

IX. 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 Employee Benefit Health Program-JOCO Wellness Program-\$5,975.00

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.0106* for TAC Employee Benefit Health Program-JOCO Wellness Program-\$5,975.00 to include revenue in expense budget for needs of the program – next year the plan will be to budget the whole expense necessary regardless of TAC check.

All voted aye; motion carried.

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

- a. Pecan Valley MHMR-Building Repair and Maintenance-\$108,001.00
- b. Godley SRO-Supplemental Salary Adjustment-\$2,250.00

Comm. Howell, seconded by Comm. Woolley, made a motion to approve the **FY 2015-2016** Budget Amendment pursuant to the Local Government Code *Section 111.010* for Pecan Valley MHMR-Building Repair and Maintenance-\$108,001.00 to reimburse Pecan Valley Centers the entire balance in the fund – 0500. Pecan Valley has requested balance to offset expenditures they have submitted, actual amount is \$108,000.89; Godley SRO-Supplemental Salary Adjustment-\$2,250.00 inadvertently left out during FY 2016 budget process.

All voted aye; motion carried.

4. CONSIDERATION OF THE JOHNSON COUNTY EMERGENCY SERVICES DISTRICT #1 WRITTEN REPORT TO THE COMMISSIONERS COURT PURSUANT TO SECTION 775.036 OF THE HEALTH AND SAFETY CODE

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the Johnson County [Emergency Services District #1 Written Report](#) to the Commissioners Court pursuant to *Section 775.036* of the Health and Safety Code.

All voted aye; motion carried.

5. CONSIDERATION OF PHARMACY BENEFIT MANAGEMENT SERVICES AGREEMENT WITH INTEGRATED PRESCRIPTION MANAGEMENT-INDIGENT HEALTH DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Pharmacy Benefit Management Services Agreement](#) with Integrated Prescription Management-Indigent Health Department and to give the County Judge the authorization to sign.

All voted aye; motion carried.

6. CONSIDERATION OF INTERLOCAL COOPERATION AGREEMENT JUVENILE PRE-ADJUDICATION FACILITY WITH DENTON COUNTY-JUVENILE SERVICES DEPARTMENT

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

All voted aye; motion carried.

7. CONSIDERATION OF NON-RESIDENTIAL SERVICES CONTRACT WITH NANCY EVANS, LPC-I-JUVENILE SERVICES DEPARTMENT

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the [Non-Residential Services Contract with Nancy Evans](#), LPC-I-Juvenile Services Department and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF TIER 1 RACIAL PROFILING REPORT FOR 2015-CONSTABLE, PRECINCT #2

Comm. Howell, seconded by Comm. Bailey, made a motion to approve the [Tier 1 Racial Profiling Report for 2015](#)-Constable, Precinct #2.

All voted aye; motion carried.

9. CONSIDERATION OF POSITION D18-010-DEPUTY CONSTABLE-CONSTABLE, PRECINCT #3

Comm. Stringer, seconded by Comm. Woolley, made a motion to approve of Position D18-010-Deputy Constable-Constable, Precinct #3 by keeping this position but not funding it.

All voted aye; motion carried.

10. CONSIDERATION OF REIMBURSEMENT TO PECAN VALLEY CENTERS FOR MAINTENANCE COSTS PER EXISTING CONTRACT IN THE AMOUNT OF \$108,000.89 WHICH IS THE BALANCE IN THE PECAN VALLEY FUND-AUDITOR DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [reimbursement to Pecan Valley Centers](#) for maintenance costs per existing contract in the amount of \$108,000.89 which is the balance in the Pecan Valley Fund-Auditor Department.

All voted aye; motion carried.

11. CONSIDERATION OF PAYMENT TO TROPHY CONSTRUCTION SERVICES, LLC, IN THE AMOUNT OF \$64,418.55 UPON RECEIPT OF GRANT FUNDS FROM THE TEXAS DEPARTMENT OF AGRICULTURE -AUDITOR DEPARTMENT

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the [payment to Trophy Construction Services, LLC](#), in the amount of \$64,418.55 upon receipt of Grant Funds from the Texas Department of Agriculture-Auditor Department.

All voted aye; motion carried.

12. CONSIDERATION OF INTERLOCAL AGREEMENT BETWEEN THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS AND JOHNSON COUNTY, TEXAS, FOR THE INSTALLATION OF A TELECOMMUNICATIONS TOWER ON JOHNSON COUNTY PROPERTY NEXT TO THE JOHNSON COUNTY LAW ENFORCEMENT CENTER ON RIDGMAR DRIVE, CLEBURNE, TEXAS, AS PART OF ITS 9-1-1 SERVICE PROGRAM-PRECINCT #3

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the [Interlocal Agreement between the North Central Texas Council of Governments](#) and Johnson County, Texas, for the installation of a telecommunications tower on Johnson County property next to the Johnson County Law Enforcement Center on Ridgmar Drive, Cleburne, Texas, as part of its 9-1-1 Service Program-Precinct #3 with the option to terminate for cause in the first ten year term, that Johnson County will provide insurance at a cost of \$250.00 per year, the tower will be located near the Law Enforcement Center and to give the County Judge the authorization to sign.

All voted aye; motion carried.

13. CONSIDERATION OF AMENDMENT 1 TO THE AGREEMENT BETWEEN JOHNSON COUNTY, TEXAS AND CAREFLITE FOR PARAMEDIC CARE AND AMBULANCE SERVICES FOR JOHNSON COUNTY, TEXAS-PURCHASING DEPARTMENT

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the [Amendment 1 to the Agreement between Johnson County, Texas and CareFlite](#) for Paramedic Care and Ambulance Services for Johnson County, Texas-Purchasing Department and to give the County Judge the authorization to sign.

All voted aye; motion carried.

The Commissioners Court recessed at 11:54 A.M. and reconvened at 1:15 P.M. to consider the following:

14. 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 (a)(1)* and place on Rene Bates Auction for sale-Purchasing Department.

All voted aye; motion carried.

15. CONSIDERATION OF NATIONAL JOINT POWERS ALLIANCE JOINT POWERS AGREEMENT BETWEEN NATIONAL JOINT POWERS ALLIANCE AND JOHNSON COUNTY, TEXAS FOR ACCESS TO NATIONAL JOINT POWERS ALLIANCE COOPERATIVE CONTRACTS FOR PRODUCTS AND SERVICES-PURCHASING DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [National Joint Powers Alliance Joint Powers Agreement](#) between National Joint Powers Alliance and Johnson County, Texas for access to National Joint Powers Alliance Cooperative Contracts for Products and Services-Purchasing Department and to give the County Judge the authorization to sign.

All voted aye; motion carried.

16. ACKNOWLEDGEMENT OF AMENDMENT/MODIFICATION HSCEDM-16-F-IG104 TO PROVIDE DETENTION FUNDING AND TRANSPORTATION IN THE AMOUNT OF \$1,312,477.80-SHERIFF'S OFFICE

Commissioners Court [acknowledged Amendment/Modification HSCEDM](#)-16-F-IG104 to Provide Detention Funding and Transportation in the amount of \$1,312,477.80-Sheriff's Office.

17. CONSIDERATION OF DONATION OF A 2013 CHEVROLET SILVERADO 1500 PICKUP, 4 DOOR, VIN #3GCPKSE73DG196785, WITH AN ESTIMATED VALUE OF \$17,360.00, FROM CHESAPEAKE OPERATING INC.,-SHERIFF'S OFFICE

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the [donation of a 2013 Chevrolet Silverado 1500 Pickup](#), 4 door, VIN #3GCPKSE73DG196785, with an estimated value of \$17,360.00, from Chesapeake Operating Inc.,- Sheriff's Office for the new position created for Environmental Enforcement Division.

All voted aye; motion carried.

18. CONSIDERATION OF 2016 CHALLENGE WITHIN A CHALLENGE EMPLOYEE WELLNESS INCENTIVE PROGRAM-PERSONNEL DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [2016 Challenge Within a Challenge](#) Employee Wellness Incentive Program-Personnel Department per the attached.

All voted aye; motion carried.

X. 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 Commissioners Court met in Executive Session at 1:25 P.M. in accordance with Government Code: a. *Sec. 551.072*-Deliberations About Real Property: (1) 201 Harrell Street, Cleburne, Texas; (2) 116 South Mill Street, 205 S. Buffalo Street, 207 S. Buffalo Street, and 205 Harrell Street, Cleburne, Texas; b. *Sec. 551.074* Personnel: (1) Joyce Adams-Assistant Elections Administrator-Position #F51-001-Elections Department; (2) Shauna Belloma, Clerk II-Position #F02-061-Elections Department; (3) Loren Milam-Assistant Voter Registrar-Position #F40-002-Elections Department; (4) Emily Welch-Enterprise System Manager-Position A13-001-IT Department.

The Commissioners Court reconvened into Open Session at 2:12 P.M. and immediately went back into Executive Session at 2:13 P.M. for further discussion.

The Commissioners Court reconvened into Open Session at 2:24 P.M. to discuss the following:

XI. EXECUTIVE SESSION

1. Government Code:

a. *Sec. 551.072*-Deliberations About Real Property:

(1) 201 Harrell Street, Cleburne, Texas

Comm. Woolley, seconded by Comm. Stringer, made a motion to authorize the County Judge to sign the amendment extending the closing date to March 28, 2016 and also authorize the County Judge to sign all closing documents at the appropriate time.

All voted aye; motion carried.

- (2) 116 South Mill Street, 205 S. Buffalo Street, 207 S. Buffalo Street, and 205 Harrell Street, Cleburne, Texas

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve to authorize Commissioner Larry Woolley and County Attorney Bill Moore to continue negotiations to purchase the properties located at 205 S. Buffalo Street, 207 S. Buffalo Street, and 205 Harrell Street, Cleburne, Texas.

All voted aye; motion carried.

Comm. Woolley, seconded by Comm. Stringer, made a motion to reject the offer as presented by the County's Real Estate Agent, Rick Cumins for the property located at 116 South Mill Street.

All voted aye; motion carried.

b. *Sec. 551.074*-Personnel:

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

Comm. Howell, seconded by Comm. Bailey, made a motion to approve to pay comp time hours over 120 hours to Joyce Adams-Assistant Elections Administrator-Position #F51-001-Elections Department which is for 30.875 hours, reducing her back to the allowed amount of comp time.

All voted aye; motion carried.

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

No Action.

- (3) Loren Milam-Assistant Voter Registrar-Position #F40-002-Elections Department

Comm. Howell, seconded by Comm. Stringer, made a motion to approve to pay comp time hours over 120 hours to Loren Milam-Assistant Voter Registrar-Position #F40-002-Elections Department which is for 1.505 hours, reducing her back to the allowed amount of comp time.

All voted aye; motion carried.

- (4) Emily Welch-Enterprise System Manager-Position A13-001-IT Department

Comm. Howell, seconded by Comm. Stringer, made a motion to approve to authorize Dan Milan, IT Director, to hire someone to train under Emily Welch Enterprise System Manager-Position A13-001-IT Department beginning April 4, 2016 and to arrange for the money to cover approximately 54 hours of overtime to be obtained by Emily Welch during that period.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioners Court adjourned at 2:31 P.M.

Submitted by: _____
County Clerk
Becky Ivey

Approved by: _____
County Judge
Roger Harmon