

STATE OF TEXAS

[May 9, 2016](#)

COUNTY OF JOHNSON

COMMISSIONERS COURT

BE IT KNOWN that on the 9th day of May, 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 Gayanne Shaffer, The Heights 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 May 5, 2016 at 1:00 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

County Judge Roger Harmon thanked Gayanne Shaffer for her beautiful prayer. He said that Johnson County is a great County with good leaders and we need your prayers. He also thanked her for including the firefighters and law enforcement officers in her prayer.

1. PRESENTATION BY CAREFLITE REGARDING THE CITY OF CLEBURNE AND JOHNSON COUNTY RURAL SUMMARY FOR JANUARY, FEBRUARY, AND MARCH 2016, STATION LOCATIONS AND UNIT HOURS AND COMMUNITY HEALTH SUMMARY MAY 21, 2014 THROUGH MARCH 2016

A presentation by CareFlite regarding the City of Cleburne and Johnson County Rural [Summary for January, February, and March 2016](#), Station Locations and Unit Hours and Community Health Summary May 21, 2014 through March 2016 was given to Commissioners Court by Doug Filbert, VP of Ground Operations and Bryan Crane, West Division Operations Manager, CareFlite.

V. PUBLIC PARTICIPATION

Jonathan Buchert spoke in reference to the sale of fireworks for the upcoming Memorial Day holiday and urged the Court to allow the sale during this time. He said according to statistics he had, fireworks were not in the top 100 dangerous consumer products. Also, he said more wildfires were caused by cigarette smoking, arson, and the burning of trash than by fireworks and that there are regulations in place to monitor the situation in case of drought. According to Mr. Buchert neighboring Counties had already voted to allow the sale of fireworks for the additional holidays.

VI. PRECEDING BUSINESS

1. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT:

- a. March 28, 2016 – Regular Session
- b. April 11, 2016 – Regular Session

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the Commissioners Court Minutes for March 28, 2016 and April 11, 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](#) with the addition of a bill for \$324.70 for Jim Simpson in the County Attorney's Office for continuing education travel expenses.

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 A VARIANCE FOR 2604 S. CHASE CT., BURLESON (LOT 11, BLOCK 1, **SOUTH CHASE ADDITION**), FOR A RESIDENCE AND A POOL HOUSE ON ONE SEPTIC SYSTEM, LOCATED IN PRECINCT #4-PUBLIC WORKS DEPARTMENT

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve a [variance for 2604 S. Chase Ct.](#), Burleson (Lot 11, Block 1, **South Chase Addition**), for a residence and pool house on one septic system, located in Precinct #4-Public Works Department.

All voted aye; motion carried.

5. CONSIDERATION OF A VARIANCE FOR 9224 HIDDENVIEW LN., BURLESON (LOT 1, BLOCK 1, **KERR ADDITION**), FOR AN EXISTING SHOP AND A FUTURE HOUSE ON ONE SEPTIC SYSTEM, LOCATED IN PRECINCT #3-PUBLIC WORKS DEPARTMENT

Comm. Stringer, seconded by Comm. Woolley, made a motion to approve a [variance for 9224 Hiddenview Ln.](#), Burleson (Lot 1, Block 1, Kerr Addition), for an existing shop and a future house on one septic system, located in Precinct #3-Public Works Department.

All voted aye; motion carried.

6. CONSIDERATION OF A VARIANCE FOR A 60' RIGHT OF WAY FOR A FUTURE ROAD IN A FUTURE SUBDIVISION, LOCATED IN PRECINCT #4-PUBLIC WORKS DEPARTMENT

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve a [variance for a 60' right of way for a future road in](#) a future subdivision, located in Precinct #4-Public Works Department.

All voted aye; motion carried.

7. CONSIDERATION OF ROADS IN **STONE VALLEY PARC** FOR SALE OF LOTS ONLY, AND TERMINATION AND RELEASE OF CONSTRUCTION BOND #PB03228301248 TO IGH PROPERTIES, INC., OF FORT WORTH, TEXAS (PRINCIPAL), FOR STONE VALLEY PARC ROADS, LOCATED IN PRECINCT #2-PUBLIC WORKS DEPARTMENT

Comm. Howell, seconded by Comm. Stringer, made a motion to approve [roads in Stone Valley Parc for sale of lots only, and Termination and Release](#) of Construction Bond #PB03228301248 to IGH Properties, Inc., of Fort Worth, Texas (Principal), for Stone Valley Parc roads, located in Precinct #2-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

Comm. Bailey, seconded by Comm. Howell, made a motion to withdraw the award to Harris Welding and Construction for **RFB #2015-504** - Bridge Construction, Precinct #1 and to go back out for bid for bridge construction, Precinct #1.

All voted aye; motion carried.

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

- a. Non-Departmental-Real Property Acquisition-\$216,369.00
- b. STOP Special Crimes Unit-Equipment Capital-\$47,000.00, and Equipment Capital-\$29,000.00 – Total \$76,000.00

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the **FY 2015-2016** Budget Amendment pursuant to the Local Government Code *Section 111.010* for Non-Departmental-Real Property Acquisition-\$216,369.00 for funds needed for purchase of properties located at 205 S. Buffalo, 207 S. Buffalo, and 205 W. Harrell Street all in Cleburne, TX; and for STOP Special Crimes Unit-Equipment Capital-\$47,000.00 (with the fund being corrected from 0100 to 1110 for this purchase), and Equipment Capital-\$29,000.00 – Total \$76,000.00 to fund the purchase of 2 new vehicles and have them equipped which was authorized by the S.T.O.P. Board of Directors.

All voted aye; motion carried.

3. CONSIDERATION OF MEMORANDUM OF UNDERSTANDING BETWEEN JOHNSON COUNTY SHERIFF'S OFFICE AND CAREFLITE-PURCHASING DEPARTMENT

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

All voted aye; motion carried.

4. CONSIDERATION OF RECORDING OF DISTRICT JUDGE'S APPROVAL OF ADDING A TEMPORARY PART-TIME INTERNAL AUDITOR, EFFECTIVE JUNE 1, 2016

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the recording of [District Judge's approval of adding a temporary part-time Internal Auditor](#), effective June 1, 2016.

All voted aye; motion carried.

5. CONSIDERATION OF PAYMENT TO TROPHY CONSTRUCTION SERVICES, LLC IN THE AMOUNT OF \$66,284.85 UPON RECEIPT OF GRANT FUNDS FROM THE TEXAS DEPARTMENT OF AGRICULTURE-AUDITOR'S DEPARTMENT

Comm. Howell, seconded by Comm. Woolley, made a motion to approve the [payment to Trophy Construction Services, LLC](#) in the amount of \$66,284.85 upon receipt of grant funds from the Texas Department of Agriculture-Auditor's Department.

All voted aye; motion carried.

6. CONSIDERATION OF PAYMENT TO TROPHY CONSTRUCTION SERVICES, LLC IN THE AMOUNT OF \$23,987.50, AND GRANT WORKS IN THE AMOUNT OF \$5,500.00 UPON RECEIPT OF GRANT FUNDS FROM THE TEXAS DEPARTMENT OF AGRICULTURE-AUDITOR'S DEPARTMENT

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the [payment to Trophy Construction Services, LLC in the amount of \\$23,987.50, and Grant Works](#) in the amount of \$5,500.00 upon receipt of grant funds from the Texas Department of Agriculture-Auditor's Department.

All voted aye; motion carried.

7. CONSIDERATION OF **ORDER #2016-18** "ORDER AUTHORIZING MEMORIAL DAY FIREWORKS SALES"

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve [Order #2016-18](#) "Order Authorizing Memorial Day Fireworks Sales".

Comm. Rick Bailey	Aye
County Judge Roger Harmon	Aye
Comm. Jerry Stringer	Aye
Comm. Kenny Howell	Nay
Comm. Larry Woolley	Nay

Motion carried.

8. CONSIDERATION OF RESOLUTION ADOPTING THE POWER TO REMOVE AN APPOINTED MEMBER OF AN EMERGENCY SERVICES DISTRICT

County Judge Roger Harmon, seconded by Comm. Bailey, made a motion to approve the Resolution Adopting the Power to Remove an Appointed Member of an Emergency Services District.

Comm. Rick Bailey	Aye
County Judge Roger Harmon	Aye
Comm. Kenny Howell	Nay
Comm. Jerry Stringer	Nay
Comm. Larry Woolley	Nay

Motion failed.

9. CONSIDERATION OF RESOLUTION AUTHORIZING THE CREATION OF THE NORTH CENTRAL TEXAS REGIONAL 9-1-1 EMERGENCY COMMUNICATIONS DISTRICT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Resolution Authorizing the Creation of the North Central Texas Regional 9-1-1 Emergency Communications District](#).

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

Motion carried.

10. CONSIDERATION TO REQUEST UNCLAIMED MONEY FROM THE TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve to request unclaimed money from the Texas Comptroller of Public Accounts and to give the County Judge the authorization to sign.

All voted aye; motion carried.

11. CONSIDERATION OF OUT-OF-STATE TRAINING FOR CINDY MCGUIRE AND EMILY WRIGHT TO ATTEND “LEADS ONLINE LEADERSHIP CONFERENCE” IN ATLANTA, GEORGIA-SHERIFF’S OFFICE

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the [out-of-state training for Cindy McGuire and Emily Wright](#) to attend “Leads Online Leadership Conference” in Atlanta, Georgia-Sheriff’s Office.

Comm. Rick Bailey	Aye
Comm. Kenny Howell	Aye
Comm. Jerry Stringer	Aye
Comm. Larry Woolley	Aye
County Judge Roger Harmon	Nay

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 Commissioners Court met in Executive Session at 10:38 A.M. in accordance with Government Code: a. *Sec. 551.072*-Deliberations About Real Property: (1) 201 W. Harrell Street, Cleburne, Texas; b. *Sec. 551.071*-Consultation with Attorney, Pending Litigation – Richard Fuller v. Johnson County, Texas, Cause No. DC-C201600236; and c. *Sec. 551.074*-Personnel-Veterans Services Department.

The Commissioners Court reconvened into Open Session at 12:05 P.M.

XI. EXECUTIVE SESSION

1. Government Code:

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

(1) 201 W. Harrell Street, Cleburne, Texas

Comm. Woolley, seconded by Comm. Stringer, made a motion to authorize the County Judge to sign the amendment moving the closing date from May 27, 2016 to June 17, 2016 on the property located at 201 W. Harrell Street, Cleburne, Texas.

All voted aye; motion carried.

b. *Sec. 551.071-Consultation with Attorney, Pending Litigation – Richard Fuller v. Johnson County, Texas, Cause No. DC-C201600236*

Comm. Woolley, seconded by Comm. Bailey, made a motion to authorize Grant Blaies, Attorney at Law, the authority to take any and all action relevant to the defense of the lawsuit of Richard Fuller v. Johnson County, Texas Cause No. DC-C201600236.

All voted aye; motion carried.

c. *Sec. 551.074-Personnel-Veterans Services Department*

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve to authorize the Veteran's Service Department to use money in their account due to attrition to hire a temporary, full time employee for a period of four (4) months and is to be effective next Monday, May 16, 2016.

All voted aye; motion carried.

The Commissioners Court recessed at 12:11 P.M. and reconvened at 12:20 P.M.

X. WORKSHOP

The Commissioners Court convened into Workshop Session at 12:20 P.M. to discuss [Inmate Telephone System Contract and Related Pending Laws.](#)

The Commissioners Court reconvened into Open Session at 1:05 P.M.

There being no further business before the Court concerning this agenda, Commissioners Court adjourned at 1:05 P.M.

Submitted by: _____
County Clerk
Becky Ivey

Approved by: _____
County Judge
Roger Harmon