

STATE OF TEXAS

[August 8, 2016](#)

COUNTY OF JOHNSON

COMMISSIONERS COURT

BE IT KNOWN that on the 8th day of August, 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 Commissioner Larry Woolley, Precinct #4, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on August 5, 2016 at 1:10 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. ANNOUNCEMENT REGARDING PARTICIPATION IN THE TEXAS HISTORICAL COMMISSION ROUND IX OF THE TEXAS HISTORIC COURTHOUSE PRESERVATION PROGRAM

County Judge Roger Harmon made an announcement regarding participation in the Texas Historical Commissioner Round IX of the Texas Historic Courthouse Preservation Program. He said Johnson County was not chosen as a recipient for any funds in this round, but that the County can re-apply for funding in a future round.

2. PRESENTATION OF PROCLAMATION FOR JOHNSON COUNTY AS A PURPLE HEART COUNTY

Commissioners Court proclaimed Johnson County as a [Purple Heart County](#).

V. PUBLIC HEARINGS

The Commissioners Court opened a Public Hearing at 9:18 A.M. to discuss:

1. REGARDING APPLICATION TO REVISE PLAT OF TRACT 20 IN THE DRAGOO ADDITION, TO BE REVISED INTO TRACTS 20A, 20B, AND 20C - LOCATED IN PRECINCT #2

Rodney Irvin who is the owner of the proposed application to revise the plat of Tract 20 in the **Dragoo Addition** spoke in favor of the revision. He said he wasn't aware of any deed restrictions for his property prohibiting separating the tract. He said he didn't read the fine print when he purchased his lot. Darlene Sale who lives in **Dragoo Addition** said she was given a copy of the restrictions when she purchased her property and wants the deed restrictions left in place. Commissioner Kenny Howell, Precinct #2, said if there are deed restrictions on the property, the County wouldn't be able to allow him to revise his tract. There being no one else to speak, the hearing was closed at 9:30 A.M.

VI. PUBLIC PARTICIPATION

None.

VII. PRECEDING BUSINESS

1. 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.

2. 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.

3. CONSIDERATION OF RFP #2016-610 – HANDICAP ACCESSIBILITY RENOVATION AT THE CLIFTON TAYLOR LAW ENFORCEMENT CENTER-PURCHASING DEPARTMENT

Comm. Stringer, seconded by Comm. Woolley, made a motion to [approve RFP #2016-610 – Handicap Accessibility Renovation](#) at the Clifton Taylor Law Enforcement Center-Purchasing Department.

All voted aye; motion carried.

4. CONSIDERATION OF **RFQ #2016-607 – HYDROLOGY AND HYDRAULIC STUDIES IN THE FOLLOWING ORDER: (1) HALFF ASSOCIATES, (2) BSP ENGINEERS, INC., (3) FREESE AND NICHOLS, INC., (4) O'BRIEN ENGINEERING, INC.-PURCHASING DEPARTMENT**

Comm. Stringer, seconded by Comm. Bailey, made a motion to [approve RFQ #2016-607 – Hydrology and Hydraulic Studies](#) in the following order: (1) Halff Associates, (2) BSP Engineers, Inc., (3) Freese and Nichols, Inc., (4) O'Brien Engineering, Inc.-Purchasing Department.

All voted aye; motion carried.

5. CONSIDERATION OF REVISED FINAL PLAT OF TRACT 20 IN THE **DRAGOO ADDITION, TO BE REVISED INTO TRACTS 20A, 20B, AND 20C - LOCATED IN PRECINCT #2-PUBLIC WORKS DEPARTMENT**

Comm. Howell, seconded by Comm. Woolley, made a motion to [deny the revised final plat of Tract 20 in the Dragoo Addition](#), to be revised into Tracts 20A, 20B, and 20C - located in Precinct #2-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. CETRZ Grant State Reimbursement HS-Road Materials-\$41,141.34

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.0106* for CETRZ Grant State Reimbursement HS-Road Materials-\$41,141.34 to replenish the Road Material budget.

All voted aye; motion carried.

3. ACKNOWLEDGEMENT OF RECEIPT OF THE COUNTY TAX ASSESSOR/COLLECTORS REPORT OF THE EXCESS DEBT TAX COLLECTIONS FOR THE 2015 TAX YEAR AND THE ESTIMATED DEBT COLLECTION RATE FOR THE 2016 TAX YEAR

The Commissioners Court acknowledged the receipt of the County Tax Assessor/Collectors Report of the Excess Debt Tax Collections for the 2015 Tax Year and the Estimated Debt Collection Rate for the 2016 Tax Year.

4. PRESENTATION BY TAX ASSESSOR/COLLECTOR AND COUNTY AUDITOR:

- a. Effective Tax Rate, Roll Back Tax Rate and Calculation Methods
- b. M & O Obligations
- c. Debt Obligations
- d. Amount of Increase Based on Effective Tax Rate

Scott Porter, Tax Assessor/Collector and Kirk Kirkpatrick, County Auditor made a presentation to the Commissioners Court.

7. CONSIDERATION OF INTERGOVERNMENTAL TRANSFER UNDER THE MEDICAID SECTION 1115 WAIVER FOR PAYMENT OF DEMONSTRATION YEAR 5 OF UNCOMPENSATED CARE PAYMENT FOR THE BENEFIT OF TEXAS HEALTH HARRIS METHODIST HOSPITAL CLEBURNE, AMOUNT NOT TO EXCEED \$400,000.00

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Intergovernmental Transfer under the Medicaid Section 1115 Waiver for payment of Demonstration Year 5 of Uncompensated Care Payment for the benefit of Texas Harris Methodist Hospital Cleburne, amount not to exceed \$400,000.00, with the actual amount of the payment to be \$319,000.00.

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

Motion carried.

8. CONSIDERATION OF LETTER OF RESIGNATION OF BRIANNE LANGDON, COUNTY EXTENSION AGENT, EFFECTIVE AUGUST 3, 2016

Comm. Woolley, seconded by Comm. Stringer, made a motion to accept the [Letter of Resignation of Brianne Langdon](#), County Extension Agent, effective August 3, 2016.

All voted aye; motion carried.

9. CONSIDERATION OF INTERLOCAL COOPERATION AGREEMENT BETWEEN JOHNSON COUNTY AND THE CITY OF GRANDVIEW FOR COLLECTION AND DISBURSEMENT OF AN OPTIONAL CHILD SAFETY FEE PERMITTED BY THE TEXAS TRANSPORTATION CODE

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve the [Interlocal Cooperation Agreement between Johnson County and the City of Grandview](#) for Collection and Disbursement of an Optional Child Safety Fee permitted by the Texas Transportation Code and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF LETTER OF RESIGNATION OF BRIANNE LANGDON, COUNTY EXTENSION AGENT, EFFECTIVE AUGUST 3, 2016

Additional discussion only.

10. CONSIDERATION OF INTERLOCAL COOPERATION AGREEMENT BETWEEN JOHNSON COUNTY AND THE CITY OF KEENE FOR COLLECTION AND DISBURSEMENT OF AN OPTIONAL CHILD SAFETY FEE PERMITTED BY THE TEXAS TRANSPORTATION CODE

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the [Interlocal Cooperation Agreement between Johnson County and the City of Keene](#) for Collection and Disbursement of an Optional Child Safety Fee permitted by the Texas Transportation Code and to give the County Judge the authorization to sign.

All voted aye; motion carried.

11. CONSIDERATION OF INTERLOCAL COOPERATION AGREEMENT BETWEEN JOHNSON COUNTY AND THE CITY OF VENUS FOR COLLECTION AND DISBURSEMENT OF AN OPTIONAL CHILD SAFETY FEE PERMITTED BY THE TEXAS TRANSPORTATION CODE

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve the [Interlocal Cooperation Agreement between Johnson County and the City of Venus](#) for Collection and Disbursement of an Optional Child Safety Fee permitted by the Texas Transportation Code and to give the County Judge the authorization to sign.

All voted aye, motion carried.

12. CONSIDERATION OF SHERIFFS' AND CONSTABLES' FEES FOR 2017, AS AUTHORIZED BY TEXAS LOCAL GOVERNMENT CODE SECTION 118.131-CONSTABLE, PRECINCT #1

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Sheriffs' and Constables' Fees for 2017](#), as authorized by Texas Local Government Code Section 118.131-Constable, Precinct #1.

All voted aye; motion carried.

13. CONSIDERATION OF **ORDER #2016-24** – “PROHIBITION OF OUTDOOR BURNING”-PRECINCT #4

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve [Order #2016-24](#) – “Prohibition of Outdoor Burning”-Precinct #4.

All voted aye; motion carried.

14. CONSIDERATION OF INTERLOCAL AGREEMENT FOR ROAD CONSTRUCTION AND REPAIR, ATTACHMENT A, AND ATTACHMENT B WITH THE TOWN OF CROSS TIMBER FOR REPAIR OF THE EDGE OF ROAD FROM WASHOUT ON CROSS TIMBER ROAD TO THE TOWN OF CROSS TIMBER, TEXAS-PRECINCT #4

Comm. Woolley, seconded by Comm. Howell, made a motion to approve the [Interlocal Agreement for Road Construction and Repair](#), Attachment A, and Attachment B with the Town of Cross Timber for Repair of the Edge of Road from Washout on Cross Timber Road to the Town of Cross Timber, Texas-Precinct #4.

All voted aye; motion carried.

15. CONSIDERATION OF COMMISSIONERS COURT APPROVAL FOR INTERLOCAL AGREEMENT PROJECT FOR REPAIR OF THE EDGE OF ROAD FROM WASHOUT ON CROSS TIMBER ROAD TO THE TOWN OF CROSS TIMBER, TEXAS-PRECINCT #4

Comm. Woolley, seconded by Comm. Howell, made a motion to approve the [Commissioners Court Approval for Interlocal Agreement Project](#) for Repair of the Edge of Road from Washout on Cross Timber Road to the Town of Cross Timber, Texas-Precinct #4.

All voted aye; motion carried.

16. CONSIDERATION OF INTERLOCAL AGREEMENT FOR FURNISHING ROAD REPAIR MATERIAL AND ATTACHMENT A WITH THE CITY OF GRANDVIEW TO FURNISH ROAD REPAIR MATERIAL (CRS-2) TO THE CITY OF GRANDVIEW, TEXAS-PRECINCT #4

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the [Interlocal Agreement for Furnishing Road Repair Material](#) and Attachment A with the City of Grandview to Furnish Road Repair Material (CRS-2) to the City of Grandview, Texas-Precinct #4.

All voted aye; motion carried.

17. CONSIDERATION OF COMMISSIONERS COURT APPROVAL FOR INTERLOCAL AGREEMENT PROJECT TO FURNISH ROAD REPAIR MATERIAL (CRS-2) TO THE CITY OF GRANDVIEW, TEXAS-PRECINCT #4

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the [Commissioners Court Approval for Interlocal Agreement Project](#) to Furnish Road Repair Material (CRS-2) to the City of Grandview, Texas-Precinct #4.

All voted aye; motion carried.

18. CONSIDERATION OF CONTRACT NUMBER 537-17-0047-00001 WITH THE DEPARTMENT OF STATE HEALTH SERVICES, DSHS PROGRAM VITAL STATISTICS UNIT-COUNTY CLERK'S OFFICE

Comm. Howell, seconded by Comm. Bailey, made a motion to approve [Contract Number 537-17-0047-00001 with the Department of State Health Services](#), DSHS Program Vital Statistics Unit-County Clerk's Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

19. CONSIDERATION OF AGREEMENT FOR SERVICES REFERENCE NUMBER P95167339 AND JOHNSON COUNTY CONTRACT TERMS ADDENDUM TO TERRACON CONSULTANTS, INC'S., TERMS AND CONDITIONS FOR SERVICES RELATED TO A SURVEY FOR ASBESTOS OR HARMFUL CONSTRUCTION MATERIALS IN THE C1 CORRECTIONS CONSTRUCTION AREA-PURCHASING DEPARTMENT

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the Agreement for Services Reference Number P95167339 and [Johnson County Contract Terms Addendum to Terracon Consultants, Inc's.](#), Terms and Conditions for Services related to a survey for asbestos or harmful construction materials in the C1 Corrections construction area-Purchasing Department and to give the County Judge the authorization to sign.

All voted aye; motion carried.

20. CONSIDERATION OF AMENDMENT #4 TO INMATE TELEPHONE SERVICE AGREEMENT BETWEEN JOHNSON COUNTY, TEXAS AND GLOBAL TEL*LINK CORPORATION, EXHIBIT A, SERVICE SCHEDULE ENHANCED SERVICES – IP ENABLED TABLETS, AND EXHIBIT B, SERVICE SCHEDULE ENHANCED SERVICES – VIDEO VISITATION SERVICE-PURCHASING DEPARTMENT

Comm. Stringer, seconded by Comm. Howell, made a motion to approve Amendment #4 to Inmate Telephone Service Agreement between Johnson County, Texas and Global Tel*Link Corporation, Exhibit A, Service Schedule Enhanced Services – IP Enabled Tablets, and Exhibit B, Service Schedule Enhanced Services – Video Visitation Service-Purchasing Department.

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

Motion failed.

Comm. Stringer, seconded by Comm. Howell, made a motion to approve [Amendment #4 to Inmate Telephone Service Agreement](#) between Johnson County, Texas and Global Tel*Link Corporation, Exhibit A, Service Schedule Enhanced Services – IP Enabled Tablets, and Exhibit B, Service Schedule Enhanced Services – Video Visitation Service-Purchasing Department with the games and entertainment features removed from the tablets.

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

Motion failed.

The Commissioners Court recessed at 11:06 A.M. and reconvened at 11:26 A.M. to consider the following:

21. 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. Bailey, 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.

22. CONSIDERATION OF PROJECT COMPLETION REPORT A1200 FOR THE TxCDBG CONTRACT NO. 7214241-COUNTY JUDGE'S OFFICE

Comm. Howell, seconded by Comm. Woolley, made a motion to approve the [Project Completion Report A1200 for the TxCDBG Contract No. 7214241](#)-County Judge's Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

23. CONSIDERATION OF DETENTION SERVICES INTERGOVERNMENTAL AGREEMENT NUMBER 77-15-0078 WITH THE U.S. DEPARTMENT OF JUSTICE UNITED STATES MARSHALS SERVICE PRISONER OPERATIONS DIVISION-SHERIFF'S OFFICE

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the [Detention Services Intergovernmental Agreement Number 77-15-0078](#) with the U.S. Department of Justice United States Marshals Service Prisoner Operations Division-Sheriff's Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

20. CONSIDERATION OF AMENDMENT #4 TO INMATE TELEPHONE SERVICE AGREEMENT BETWEEN JOHNSON COUNTY, TEXAS AND GLOBAL TEL*LINK CORPORATION, EXHIBIT A, SERVICE SCHEDULE ENHANCED SERVICES – IP ENABLED TABLETS, AND EXHIBIT B, SERVICE SCHEDULE ENHANCED SERVICES – VIDEO VISITATION SERVICE-PURCHASING DEPARTMENT

Additional discussion only.

24. CONSIDERATION OF WALGREENS COMMUNITY OFF-SITE CLINIC AGREEMENT FOR ADMINISTERING FLU SHOTS TO ALL JOHNSON COUNTY EMPLOYEES-PERSONNEL DEPARTMENT

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve of [Walgreens Community Off-Site Clinic Agreement for Administering Flu Shots](#) to all Johnson County employees-Personnel Department and to give the Personnel Director, Randy Gillespie the authorization to sign electronically.

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

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.

The Commissioners Court recessed at 11:41 A.M. and reconvened at 1:03 P.M.

XI. WORKSHOP

The Commissioners Court convened into Workshop Session at 1:03 P.M. to discuss **RFQ #2016-607** – Engineering Services to Conduct Hydrology and Hydraulic Studies.

The Commissioners Court recessed at 1:59 P.M. and reconvened at 2:16 P.M.

The Commissioners Court reconvened into Open Session at 2:16 P.M.

VII. PRECEDING BUSINESS

4. CONSIDERATION OF **RFQ #2016-607** – HYDROLOGY AND HYDRAULIC STUDIES IN THE FOLLOWING ORDER: (1) HALFF ASSOCIATES, (2) BSP ENGINEERS, INC., (3) FREESE AND NICHOLS, INC., (4) O'BRIEN ENGINEERING, INC.-PURCHASING DEPARTMENT

Additional discussion only.

BE IT KNOWN that Commissioners Court met in Executive Session at 2:23 P.M. in accordance with Government Code: a. *Sec. 551.072*-Real Property – 116 South Mill Street, Cleburne, Texas and b. *Sec. 551.074*-Personnel – Sheriff's Office (1) Will Keeton-Position #F20-006-Baliff.

The Commissioners Court reconvened into Open Session at 2:45 P.M.

XII. EXECUTIVE SESSION

1. Government Code:
a. *Sec. 551.072*-Real Property – 116 South Mill Street, Cleburne, Texas

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve to authorize the County Judge to sign the amendment to the listing agreement on Real Property – 116 South Mill Street, Cleburne, Texas which adjusts the price to \$159,900.00 and adjusts the expiration date to August 1, 2017.

All voted aye; motion carried.

b. *Sec. 551.074*-Personnel – Sheriff's Office

(1) Will Keeton-Position #F20-006-Bailiff

Comm. Stringer, seconded by Comm. Howell, made a motion to approve to pay thirty-six (36) hours of overtime to Will Keeton-Position #F20-006-Bailiff and will be paid out of account 560-5110.

All voted aye; motion carried.

XI. WORKSHOP

The Commissioners Court convened into Workshop Session at 2:47 P.M. to discuss the Budget.

The Commissioners Court reconvened into Open Session at 3:22 P.M.

IX. NEW BUSINESS

5. CONSIDERATION OF RECORD VOTE OF THE PROPOSED TAX RATE FOR THE 2016 TAX YEAR

County Judge Roger Harmon called for a record vote on the Proposed Tax Rate for the 2016 Tax Year as follows: M & O rate of \$0.393922 per \$100.00 valuation; Debt Service tax rate of \$0.028741 per \$100.00 valuation; and FMLR tax rate of \$0.037075 per \$100.00 valuation for a total Proposed Tax Rate of \$0.459738 per \$100.00 valuation and includes the adjustment from Precinct #1 in the amount of \$300,000.00 for the subsidy to CareFlite. A record vote was taken as recorded below:

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

6. CONSIDERATION TO SCHEDULE PUBLIC HEARINGS ON TAX RATE
FOR THE 2016 TAX YEAR

No Action.

There being no further business before the Court concerning this agenda, Commissioners
Court adjourned at 3:31 P.M.

Submitted by: _____
County Clerk
Becky Ivey

Approved by: _____
County Judge
Roger Harmon