

STATE OF TEXAS

September 12, 2016

COUNTY OF JOHNSON

COMMISSIONERS COURT

BE IT KNOWN that on the 12th day of September, 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 County Judge Roger Harmon, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on September 8, 2016 at 1:02 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. ANNOUNCEMENT: ON SEPTEMBER 26, 2016 AT 9:00 AM IN THE COMMISSIONERS COURTROOM, JOHNSON COUNTY COURTHOUSE, 2 MAIN STREET, CLEBURNE TEXAS, THE COMMISSIONERS COURT WILL CONDUCT A PUBLIC HEARING ON THE 2016-2017 PROPOSED BUDGET

County Judge Roger Harmon made an announcement that on September 26, 2016 at 9:00 AM in the Commissioners Courtroom, Johnson County Courthouse, 2 Main Street, Cleburne Texas, the Commissioners Court will conduct a Public Hearing on the 2016-2017 Proposed Budget.

2. ANNOUNCEMENT: ON SEPTEMBER 26, 2016 AT 9:00 AM IN THE COMMISSIONERS COURTROOM, JOHNSON COUNTY COURTHOUSE, 2 MAIN STREET, CLEBURNE TEXAS, THE COMMISSIONERS COURT WILL CONSIDER AND VOTE ON THE 2016-2017 PROPOSED BUDGET AND PROPOSED TAX RATE FOR THE 2016 TAX YEAR

County Judge Roger Harmon made an announcement that on September 26, 2016 at 9:00 AM in the Commissioners Courtroom, Johnson County Courthouse, 2 Main Street, Cleburne Texas, the Commissioners Court will consider and vote on the 2016-2017 Proposed Budget and Proposed Tax Rate for the 2016 Tax Year.

Cathy Marshal with the Cleburne Chamber of Commerce presented the Court with 4 historic, framed pictures of the Courthouse, which were donated by Dairy Queens of Cleburne to the Chamber for them to disperse among various locations in the County, which are the same photos listed under the Memorandum of Donation on the Consent Agenda portion of these Minutes.

3. PRESENTATION OF PROCLAMATION FOR “NATIONAL POW/MIA RECOGNITION DAYS”

Commissioners Court [proclaimed September 16-18, 2016 as “National POW/MIA Recognition Days”](#) in Johnson County.

The Commissioners Court recessed at 9:19 A.M. and reconvened at 9:28 A.M. to consider the following:

IX. NEW BUSINESS

7. CONSIDERATION OF **ORDER #2016-29** – “APPROVING THE APPOINTMENT OF JOHNSON COUNTY INFECTIOUS CONTROL OFFICER”

Comm. Stringer, seconded by Comm. Howell, made a motion to approve [Order #2016-29](#) – “Approving the Appointment of Johnson County Infectious Control Officer”.

All voted aye; motion carried.

8. CONSIDERATION OF APPOINTMENT OF ELVIN EUGENE ADAMS, BA, MD, MPH, FACPM AS THE JOHNSON COUNTY INFECTIOUS CONTROL OFFICER

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve the Appointment of Elvin Eugene Adams, BA, MD, MPH, FACPM as the Johnson County Infectious Control Officer.

All voted aye; motion carried.

9. CONSIDERATION OF APPOINTMENT OF ELVIN EUGENE ADAMS, BA, MD, MPH, FACPM AS THE JOHNSON COUNTY LOCAL HEALTH AUTHORITY

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve the Appointment of Elvin Eugene Adams, BA, MD, MPH, FACPM as the Johnson County Local Health Authority.

All voted aye, motion carried.

3. CONSIDERATION OF RESOLUTION AUTHORIZING COUNTY GRANT FOR THE TEXAS DEPARTMENT OF AGRICULTURE HOME-DELIVERED MEAL GRANT PROGRAM

Comm. Woolley, seconded by Comm. Howell, made a motion to approve the [Resolution Authorizing County Grant](#) for the Texas Department of Agriculture Home-Delivered Meal Grant Program.

All voted aye; motion carried.

VI. PUBLIC HEARINGS

The Commissioners Court opened a [Public Hearing at 9:38 A.M. to discuss:](#)

1. “REGARDING JOHNSON COUNTY CLERK’S PRESERVATION, RESTORATION AND RECORDS ARCHIVE FIVE YEAR PLAN, JOHNSON COUNTY, TEXAS”

Becky Ivey, County Clerk made a presentation to the Commissioners Court regarding the Johnson County Clerk’s Preservation, Restoration and Records Archive Five Year Plan. There being no one else to speak, the hearing was closed at 9:40 A.M.

VII. PRECEDING BUSINESS

1. CONSIDERATION OF **ORDER #2016-28**- “JOHNSON COUNTY CLERK’S PRESERVATION, RESTORATION, AND RECORDS ARCHIVE FIVE YEAR PLAN FOR YEARS 2016-2020 AND APPROVAL OF THE EXPENDITURES OF FUNDS IN ACCORDANCE WITH SAID PLAN”

Comm. Woolley, seconded by Comm. Howell, made a motion to approve [**Order #2016-28**](#) “Johnson County Clerk’s Preservation, Restoration, and Records [Archive Five Year Plan for Years 2016-2020](#) and Approval of the Expenditures of Funds in Accordance with Said Plan”.

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 exception of the following 3 bills](#): Texas Health Harris Methodist Cleburne, \$19,473.26; Texas Medicine Resources, LLP, \$1,482.84; and Texas Radiology Associates, LLP, \$476.93.

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 RENEWAL OF **RFB #2014-419** – CULVERT LININGS WITH K&L SUPPLY

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the [renewal of **RFB #2014-419**](#) – Culvert Linings with K & L Supply at the same pricing.

All voted aye; motion carried.

5. CONSIDERATION OF RENEWAL OF **RFB #2014-422** – ASPHALT AND ASPHALT EMULSIONS WITH MULTIPLE VENDORS

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [renewal of RFB #2014-422](#) – Asphalt and Asphalt Emulsions with multiple vendors at the same pricing.

All voted aye; motion carried.

6. CONSIDERATION OF RENEWAL OF **RFQ #2015-518** – VETERINARIAN SERVICES WITH ALVARADO VET CLINIC AND NORTHSIDE ANIMAL CLINIC

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve the [renewal of RFQ #2015-518](#) – Veterinarian Services with Alvarado Vet Clinic and Northside Animal Clinic at the same pricing.

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.

3. CONSIDERATION OF REVISED JOHNSON COUNTY HOLIDAYS FOR 2017

Comm. Howell, seconded by Comm. Woolley, made a motion to approve the revised Johnson [County Holidays for 2017 as attached to these Minutes](#).

All voted aye; motion carried.

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. Insurance Claims-Equipment Capital, Wreck Unit #676-\$2,456.00

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.0106* for Insurance Claims-Equipment Capital, Wreck Unit #676-\$2,456.00 for repair of unit #676.

All voted aye; motion carried.

4. CONSIDERATION OF INTERLOCAL AGREEMENT WITH THE NORTH TEXAS TOLLWAY AUTHORITY REGARDING HABITUAL VIOLATORS-TAX OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Interlocal Agreement with the North Texas Tollway Authority](#) Regarding Habitual Violators-Tax Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

5. ACKNOWLEDGEMENT OF CERTIFICATE OF COMPLETION OF TAX ASSESSOR-COLLECTOR ANNUAL CONTINUING EDUCATION REQUIREMENT

The Commissioners Court acknowledged the [Certificate of Completion of Tax Assessor-Collector Annual Continuing Education Requirement](#).

6. CONSIDERATION TO USE TECH FUND MONIES TO PURCHASE TASER AND ACCESSORIES FOR CONSTABLE, PRECINCT #1-JUSTICE OF THE PEACE, PRECINCT #1

Comm. Bailey, seconded by Comm. Howell, made a motion to approve to purchase Taser and accessories for Constable, Precinct #1-Justice of the Peace, Precinct #1, with the [Taser and accessories to be purchased out of the Justice of the Peace Security Fund](#) instead of the Tech Fund.

All voted aye; motion carried.

10. CONSIDERATION OF SCRAM SYSTEMS, AS THE SOLE SOURCE FOR THE PURCHASING OF ALCOHOL MONITORING SYSTEM (AMS) TECHNOLOGY, AS SCRAMS HAS THE DISTINCTION OF BEING THE ONLY EVIDENTIAL INSTRUMENT ON THE MARKET THAT UTILIZES SCIENCE OF TRANSDERMAL TESTING TO MEASURE ALCOHOL CONSUMPTION-PURCHASING DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve of [SCRAM Systems, as the sole source](#) for the purchasing of Alcohol Monitoring System (AMS) Technology, as SCRAMS has the distinction of being the only evidential instrument on the market that utilizes science of transdermal testing to measure alcohol consumption-Purchasing Department.

All voted aye; motion carried.

11. CONSIDERATION OF REMOVAL OF THE FOLLOWING FOUR ITEMS FROM THE JOHNSON COUNTY INVENTORY IN ACCORDANCE WITH THE JOHNSON COUNTY INVENTORY/FIXED ASSET POLICY AND PROCEDURE MANUAL SECTION 3.10.4 MISSING ASSETS:

(One (1) 2008 HP Laptop JOCO ID 000000982851)
(One (1) 2008 HP Laptop JOCO ID 000000982867)
(One (1) 2008 HP 6710B Laptop JOCO ID 000000982908)
(One (1) 2010 Panasonic Laptop JOCO ID 000000983939)

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the [removal of the following four items](#) from the Johnson County Inventory in accordance with the Johnson County Inventory/Fixed Asset Policy and Procedure Manual *Section 3.10.4* Missing Assets: (One (1) 2008 HP Laptop JOCO ID 000000982851), (One (1) 2008 HP Laptop JOCO ID 000000982867), (One (1) 2008 HP 6710B Laptop JOCO ID 000000982908) and (One (1) 2010 Panasonic Laptop JOCO ID 000000983939).

All voted aye; motion carried.

12. CONSIDERATION OF INSTALLATION OF TWO (2) POTS TELEPHONE LINES FOR THE DISTRICT CLERK JURY SYSTEM-IT DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [installation of two \(2\) POTS telephone lines](#) for the District Clerk Jury System-IT Department.

All voted aye; motion carried.

13. CONSIDERATION OF AMENDMENT TO THE TYLER CONTRACT FOR ADDITIONAL HOURS AND EXPENSES-IT DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Amendment to the Tyler Contract](#) for additional hours and expenses-IT Department and to give the County Judge the authorization to sign.

All voted aye; motion carried.

14. CONSIDERATION OF OUT OF STATE TRAINING AND TRAVEL FOR KRISTEN CLARK, EXTENSION AGENT, TO ATTEND “NAE4-HA NATIONAL CONVENTION” TO BE HELD IN NEW ORLEANS, LA

Comm. Stringer, seconded by Comm. Bailey, made a motion to [approve the out of state training and travel for Kristen Clark](#), Extension Agent, to attend “NAE4-HA-National Convention” to be held in New Orleans, LA.

All voted aye; motion carried.

15. CONSIDERATION OF “TVC STATE TRAINING CONFERENCE” FOR KATHRYN FASCI, VETERAN’S SERVICE OFFICER AND CHERYL MOORE, TO BE HELD SEPTEMBER 5th THROUGH SEPTEMBER 9th IN SAN ANTONIO, TEXAS

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the “[TVC State Training Conference](#)” for Kathryn Fasci, Veteran’s Service Officer and Cheryl Moore, to be held September 5th through September 9th in San Antonio, Texas.

All voted aye; motion carried.

16. CONSIDERATION OF RESOLUTION “OPPOSITION TO APPRAISAL CAPS AND REVENUE CAPS”

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve the [Resolution “Opposition to Appraisal Caps and Revenue Caps”](#).

All voted aye; motion carried.

17. CONSIDERATION OF RESOLUTION “OPPOSITION TO UNFUNDED MANDATES”

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve the [Resolution “Opposition to Unfunded Mandates”](#).

All voted aye; motion carried.

18. CONSIDERATION OF RESOLUTION “STATE FUNDS FOR INDIGENT CRIMINAL DEFENSE”

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the [Resolution “State Funds for Indigent Criminal Defense”](#).

All voted aye; motion carried.

19. CONSIDERATION OF RENEWAL OF EQUIPMENT MAINTENANCE AGREEMENT FOR FY 2017 WITH ALTERNATIVE BUSINESS AUTOMATION SOLUTIONS FOR DM900 MAIL MACHINE, POWER STACKER, 30lb REMOTE PLATFORM SCALE AND LASER REPORT PRINTER FOR THE JOHNSON COUNTY MAIL ROOM-COUNTY JUDGE'S OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [renewal of Equipment Maintenance Agreement](#) for FY 2017 with Alternative Business Automation Solutions for DM900 Mail Machine, Power Stacker, 30lb Remote Platform Scale and Laser Report Printer for the Johnson County Mail Room-County Judge's Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

20. CONSIDERATION OF INTERLOCAL COOPERATION AGREEMENT BETWEEN JOHNSON COUNTY AND THE CITY OF ALVARADO FOR COLLECTION AND DISTRIBUTION OF THE CHILD SAFETY FEE

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the [Interlocal Cooperation Agreement between Johnson County and the City of Alvarado](#) for Collection and Distribution of the Child Safety Fee and to give the County Judge the authorization to sign.

All voted aye; motion carried.

21. CONSIDERATION OF INTERLOCAL COOPERATION AGREEMENT BETWEEN JOHNSON COUNTY AND THE CITY OF CLEBURNE FOR JAIL SERVICES

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve the [Interlocal Cooperation Agreement between Johnson County and the City of Cleburne](#) for Jail Services and to give the County Judge the authorization to sign.

All voted aye; motion carried.

22. CONSIDERATION OF APPOINTMENT OF LAJUANA BILGER TO THE JOHNSON COUNTY CHILD WELFARE BOARD

Comm. Woolley, seconded by Comm. Howell, made a motion to approve the [Appointment of Lajuana Bilger to the Johnson County Child Welfare Board](#).

All voted aye; motion carried.

23. CONSIDERATION OF OFFICIAL BOND AND OATH FOR TIMOTHY KINMAN, CONSTABLE, PRECINCT #4

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve the [Official Bond and Oath for Timothy Kinman](#), Constable, Precinct #4.

All voted aye; motion carried.

X. CONSENT AGENDA

Comm. Stringer, seconded by Comm. Woolley, made a motion to approve all items on the [Consent Agenda with the exception of item 2 \(q\)](#), Non-Departmental-Operating Reserve-\$64,000.00.

All voted aye; motion carried.

The Commissioners Court recessed at 10:57 A.M. and reconvened at 11:18 A.M. to consider the following:

XI. WORKSHOP

The Commissioners Court convened into Workshop Session at 11:18 A.M. to discuss the Uniform Policy for Eligible Sheriff Deputies to be Moved Back to the Monthly Allowance Program for 2016-2017 Budget Year and Transferring Budgeted Funds from all Sheriff's 53330 Accounts to Sheriff's 51162 Accounts-Sheriff's Office and the Budget and Tax Rate.

The Commissioners Court recessed at 12:01 P.M. and reconvened at 1:20 P.M.

The Commissioners Court reconvened into Open Session at 1:20 P.M.

BE IT KNOWN that Commissioners Court met in Executive Session at 1:21 P.M. in accordance with Government Code: a. *Sec. 551.074*-Personnel, County Clerk's Office: (1) Celeste Cooley, Position #F02-089-Clerk II Collections; b. *Sec. 551.071*-Consultation with Attorney, Contemplated Litigation: (1) Enforcement of Easement for Drainage Pipeline; and c. *Sec. 551.071*-Consultation with Attorney, Pending Litigation: (1) Civil Number 3:13-CV-04089; Bonnie Allen-Pieroni, Brian Allen, Steve Gibbs and Mark Gibbs, Individually and as heirs at law to the Estate of Ivan Earl Allen, Deceased vs. Southwestern Correctional, LLC d/b/a LaSalle Southwest Corrections, LaSalle Management, LLC, Johnson County, Texas, Bob Alford, John Doe 1-5 and Jane Doe 1-5 – in the U. S. District Court, Northern District of Texas, Dallas Division.

The Commissioners Court reconvened into Open Session at 2:20 P.M.

XII. EXECUTIVE SESSION

1. Government Code:

a. *Sec. 551.074*-Personnel, County Clerk's Office:

(1) Celeste Cooley, Position #F02-089-Clerk II Collections

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve that the bilingual supplement be authorized for Position #F02-089-Clerk II Collections, in the County Clerk's Office, effective October 1, 2016.

All voted aye; motion carried.

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

(1) Enforcement of Easement for Drainage Pipeline

Comm. Bailey, seconded by Comm. Howell, made a motion to approve to [authorize County Attorney, Bill Moore to file a lawsuit](#) against the claimant for the enforcement of easement for a drainage pipeline located at the Law Enforcement Center.

All voted aye; motion carried.

c. *Sec. 551.071-Consultation with Attorney, Pending Litigation:*

- (1) Civil Number 3:13-CV-04089; Bonnie Allen-Pieroni, Brian Allen, Steve Gibbs and Mark Gibbs, Individually and as heirs at law to the Estate of Ivan Earl Allen, Deceased vs. Southwestern Correctional, LLC d/b/a LaSalle Southwest Corrections, LaSalle Management, LLC, Johnson County, Texas, Bob Alford, John Doe 1-5 and Jane Doe 1-5 – in the U. S. District Court, Northern District of Texas, Dallas Division

Comm. Howell, seconded by Comm. Stringer, made a motion to approve to authorize Tony Schaffer, the attorney representing Johnson County, Bob Alford, Southwest Correctional, LLC and LaSalle Management LLC, in Cause Number 3:13-CV-04089, to negotiate the terms of a settlement agreement and authorize Tony Schaffer to sign on behalf of Johnson County and Bob Alford any settlement documents provided that Johnson County and Bob Alford are not to make payment of any County funds to resolve this lawsuit. Should Johnson County or Bob Alford be responsible to make any payment from County funds, further Commissioners Court approval would be required.

All voted aye; motion carried.

IX. NEW BUSINESS

24. CONSIDERATION OF UNIFORM POLICY FOR ELIGIBLE SHERIFF DEPUTIES TO BE MOVED BACK TO THE MONTHLY ALLOWANCE PROGRAM FOR 2016-2017 BUDGET YEAR AND TRANSFERRING BUDGETED FUNDS FROM ALL SHERIFF'S 53330 ACCOUNTS TO SHERIFF'S 51162 ACCOUNTS-SHERIFF'S OFFICE

Comm. Stringer, seconded by Comm. Woolley, made a motion to [approve the uniform policy for eligible Sheriff deputies](#) to be moved back to the monthly allowance program for 2016-2017 Budget year and transferring budgeted funds from all Sheriff's 53330 accounts to Sheriff's 51162 accounts-Sheriff's Office, and is to be effective October 1, 2016.

All voted aye; motion carried.

VII. PRECEDING BUSINESS

2. CONSIDERATION OF REQUEST TO PAY BILLS

Additional discussion only.

IX. NEW BUSINESS

25. CONSIDERATION OF BUDGET WORKSHOP ITEMS

Comm. Stringer, seconded by Comm. Howell, made a motion to approve air cards for Justice of the Peace Offices, Precincts #2, #3, and #4 at \$40.00 each per month and will be paid out of the Tech Fund for each office; District Clerk's postage budget be reinstated to \$24,840.00; Veteran's Service Office mileage reimbursement budget be reinstated to \$1,000.00; cell phone allowance for new GIS Analyst position in IT at \$40.00 per month; implement the second year of the salary plan; and include Kristen Clark in the Extension Office to receive the \$1,000.00 per year COLA increase.

All voted aye; motion carried.

V. PUBLIC PARTICIPATION

None.

There being no further business before the Court concerning this agenda, Commissioners
Court adjourned at 2:26 P.M.

Submitted by: _____
County Clerk
Becky Ivey

Approved by: _____
County Judge
Roger Harmon