

STATE OF TEXAS

[October 24, 2016](#)

COUNTY OF JOHNSON

COMMISSIONERS COURT

BE IT KNOWN that on the 24th day of October, 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 9:05 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 October 20, 2016 at 1:03 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. ANNOUNCEMENT: THERE WILL BE A SPECIAL CALLED MEETING OF THE COMMISSIONERS COURT ON MONDAY, NOVEMBER 21, 2016 AT 9:00 AM TO CANVASS THE VOTES FROM THE NOVEMBER 8, 2016 GENERAL ELECTION

County Judge Roger Harmon announced there will be a Special Called Meeting of the Commissioners Court on Monday, November 21, 2016 at 9:00 AM to canvass the votes from the November 8, 2016 General Election.

2. ANNOUNCEMENT: DUE TO THE THANKSGIVING HOLIDAYS, THERE WILL BE AN EARLY DEADLINE OF FRIDAY, NOVEMBER 18, 2016 AT NOON, TO PLACE ITEMS ON THE AGENDA FOR THE MONDAY, NOVEMBER 28, 2016 REGULAR CALLED COMMISSIONERS COURT MEETING

County Judge Roger Harmon announced due to the Thanksgiving Holidays, there will be an early deadline of Friday, November 18, 2016 at noon, to place items on the agenda for the Monday, November 28, 2016 Regular Called Commissioners Court Meeting.

3. PRESENTATION OF PROCLAMATION FOR VETERANS RECOGNITION & APPRECIATION DAYS

Commissioners Court proclaimed [November 5-13, 2016 as Veterans Recognition](#) & Appreciation Days.

4. PRESENTATION OF THE 2016 ANNUAL ACHIEVEMENT OF EXCELLENCE IN PROCUREMENT AWARD TO THE JOHNSON COUNTY PURCHASING DEPARTMENT FROM THE NATIONAL PROCUREMENT INSTITUTE

A presentation of the 2016 Annual Achievement of Excellence in Procurement Award to the Johnson County Purchasing Department from the National Procurement Institute was given by Beth Fleming, Denton County Director of Purchasing to Ralph McBroom, Johnson County Purchasing Agent and his team.

5. PRESENTATION OF EMPLOYEE INCENTIVE PROGRAM 2016 CHALLENGE WITHIN A CHALLENGE MONTHLY WINNERS AND GRAND PRIZE WINNERS

A presentation of the Employee Incentive Program 2016 Challenge Within a Challenge [Monthly Winners and Grand Prize Winners](#) was given by Randy Gillespie, Personnel Director to recognize the winners of this contest.

VIII. NEW BUSINESS

2. CONSIDERATION OF **ORDER #2016-36** – “TAX ABATEMENT PROJECT SOUTHWEST”

Comm. Howell, seconded by Comm. Bailey, made a motion to approve [Order #2016-36](#) – “[Tax Abatement Project Southwest](#)” and to give the County Judge the authorization to sign the Agreement within this Order.

All voted aye; motion carried.

3. CONSIDERATION OF ORDER #2016-37 – “TAX ABATEMENT RMA HOLDINGS, LLC”

Comm. Stringer, seconded by Comm. Woolley, made a motion to approve Order #2016-37 – “Tax Abatement RMA Holdings, LLC” and to give the County Judge the authorization to sign the Agreement within this Order.

All voted aye; motion carried.

The Commissioners Court recessed at 9:56 A.M. and reconvened at 10:11 A.M. to consider the following:

VII. UNFINISHED BUSINESS

3. CONSIDERATION OF EROIGSA-17-0001 INTERGOVERNMENTAL SERVICE AGREEMENT BETWEEN THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICE OF ENFORCEMENT AND REMOVAL OPERATIONS AND JOHNSON COUNTY-SHERIFF’S OFFICE/JAIL

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the ICE contract document EROIGSA-17-0001 Intergovernmental Service Agreement between the United States Department of Homeland Security U.S. Immigration and Customs Enforcement Office of Enforcement and Removal Operations and Johnson County-Sheriff’s Office/Jail with the modifications to the document prepared by the County Attorney’s Office to eliminate the Indemnity Provision and presented in Court today and to give the County Judge the authorization to sign said document.

All voted aye; motion carried.

The Commissioners Court recessed at 10:37 A.M. and reconvened at 11:13 A.M. to consider the following:

VIII. NEW BUSINESS

4. CONSIDERATION OF AGREEMENT FOR ARBITRAGE REBATE COMPLIANCE SERVICES BETWEEN JOHNSON COUNTY, TEXAS AND FIRST SOUTHWEST ASSET MANAGEMENT, LLC-AUDITOR'S OFFICE

Comm. Woolley, seconded by Comm. Howell, made a motion to approve the [Agreement for Arbitrage Rebate Compliance Services](#) between Johnson County, Texas and First Southwest Asset Management, LLC-Auditor's Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

5. CONSIDERATION OF DEBT PAYMENT, TAX NOTE, SERIES 2013, DUE 11/15/2016 IN THE AMOUNT OF \$434,984.50-AUDITOR'S OFFICE

Comm. Howell, seconded by Comm. Stringer, made a motion to approve of [Debt Payment, Tax Note, Series 2013](#), due 11/15/2016 in the amount of \$434,984.50-Auditor's Office.

All voted aye; motion carried.

VI. PRECEDING BUSINESS

2. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Stringer, seconded by Comm. Howell, made a motion to [pay bills as presented](#).

All voted aye; motion carried.

VII. UNFINISHED BUSINESS

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

a. Texas Department of Licensing and Regulation, Compliance Division, Architectural Barriers – Owner Agent Designation

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Texas Department of Licensing and Regulation, Compliance Division, Architectural Barriers – [Owner Agent Designation](#) for the Johnson County Jail Expansion and Renovation Project and to give the County Judge the authorization to sign.

All voted aye; motion carried.

VI. PRECEDING BUSINESS

1. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT:

a. September 12, 2016 – Regular Session

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the Commissioners Court Minutes for September 12, 2016.

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 #2016-33**- “APPROVING THE JOHNSON COUNTY TREASURER’S REPORT TO THE COMMISSIONERS COURT”

Comm. Howell, seconded by Comm. Stringer, made a motion to approve [Order #2016-33](#)- “Approving the [Johnson County Treasurer’s Report](#) to the Commissioners Court”.

All voted aye; motion carried.

5. CONSIDERATION OF RENEWAL OF **RFP #2016-601** – HVAC SERVICE AND REPAIRS WITH ENVIROMATIC SYSTEM SERVICES-PURCHASING DEPARTMENT

Comm. Stringer, seconded by Comm. Woolley, made a motion to approve the [renewal of RFP #2016-601](#) – HVAC Service and Repairs with Enviromatic System Services-Purchasing Department.

All voted aye; motion carried.

6. CONSIDERATION OF AWARD OF **RFB #2016-611** – ROAD SIGNS AND MARKERS TO CUSTOM PRODUCTS CORPORATION-PURCHASING DEPARTMENT

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the [award of RFB #2016-611](#) – Road Signs and Markers to Custom Products Corporation-Purchasing Department.

All voted aye; motion carried.

7. CONSIDERATION OF A VARIANCE FOR 8701 CR 206A, ALVARADO, TEXAS, FOR A MOBILE HOME AND A SHOP ON ONE NEW SEPTIC SYSTEM, LOCATED IN PRECINCT #4-PUBLIC WORKS DEPARTMENT

Comm. Woolley, seconded by Comm. Stringer, made a motion to [approve a variance for 8701 CR 206A](#), Alvarado, Texas, for a mobile home and a shop on one new septic system, located in Precinct #4-Public Works Department.

All voted aye; motion carried.

8. CONSIDERATION OF A VARIANCE FOR 3012 CR 919, BURLESON, TEXAS, FOR A RESIDENCE AND ½ BATH IN BARN ON ONE NEW SEPTIC SYSTEM, LOCATED IN PRECINCT #2-PUBLIC WORKS DEPARTMENT

Comm. Howell, seconded by Comm. Bailey, made a motion to [approve a variance for 3012 CR 919](#), Burleson, Texas, for a residence and ½ bath in barn on one new septic system, located in Precinct #2-Public Works Department.

All voted aye; motion carried.

9. CONSIDERATION TO PRE-APPROVE A 142 FOOT ROAD FRONTAGE FOR AN APPROXIMATE 2 ACRE TRACT TO BE DEEDED OUT OF LARGER TRACT (126.0543.00421) AT 3845 CR 307, GRANDVIEW, TEXAS, LOCATED IN PRECINCT #4-PUBLIC WORKS DEPARTMENT

Comm. Woolley, seconded by Comm. Bailey, made a motion to [pre-approve a 142 foot road frontage for an approximate 2 acre tract](#) to be deeded out of larger tract (126.0543.00421) at 3845 CR 307, Grandview, Texas, located in Precinct #4-Public Works Department.

All voted aye; motion carried.

10. CONSIDERATION OF FINAL PLAT OF **POYNTER ACRES**, LOT 1, BLOCK 1, LOCATED IN PRECINCT #4-PUBLIC WORKS DEPARTMENT

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the [final plat of Poynter Acres](#), Lot 1, Block 1, located in Precinct #4-Public Works Department.

All voted aye; motion carried.

11. CONSIDERATION OF FINAL PLAT OF **GRACIE ADDITION**, LOTS 1, 2, AND 3, BLOCK 1, LOCATED IN PRECINCT #3-PUBLIC WORKS DEPARTMENT

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the [final plat of Gracie Addition](#), Lots 1, 2, and 3, Block 1, 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.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

No Action.

6. CONSIDERATION OF ALL JUSTICE COURTS, (PRECINCTS 1, 2, 3, AND 4) TO COLLECT THE \$2.00 ELECTRONIC FILING FEE-JUSTICE OF THE PEACE, PRECINCT #1

Comm. Bailey, seconded by Comm. Howell, made a motion to approve all [Justice Courts, \(Precincts 1, 2, 3, and 4\) to collect the \\$2.00 electronic filing](#) fee-Justice of the Peace, Precinct #1.

All voted aye; motion carried.

7. CONSIDERATION OF MERCHANT PAYMENT CARD PROCESSING AGREEMENT WITH TYLER TECHNOLOGIES FOR JUSTICE OF THE PEACE COURTS-IT DEPARTMENT

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the [Merchant Payment Card Processing Agreement with Tyler Technologies for Justice](#) of the Peace Courts-IT Department and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF MERCHANT PAYMENT CARD PROCESSING AGREEMENT WITH TYLER TECHNOLOGIES FOR COUNTY AND DISTRICT COURTS-IT DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Merchant Payment Card Processing Agreement with Tyler Technologies for County](#) and District Courts-IT Department and to give the County Judge the authorization to sign.

All voted aye; motion carried.

9. CONSIDERATION OF INTERLOCAL AGREEMENT CLEBURNE I.S.D. AND COUNTY OF JOHNSON ASAP DEPUTIES 2016-2017 SCHOOL YEAR-SHERIFF'S OFFICE

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the [Interlocal Agreement Cleburne I.S.D.](#) and County of Johnson ASAP Deputies 2016-2017 School Year-Sheriff's Office and to give the County Judge and the Sheriff the authorization to sign.

All voted aye; motion carried.

10. CONSIDERATION OF INTERLOCAL AGREEMENT ALVARADO I.S.D. AND COUNTY OF JOHNSON SCHOOL RESOURCE OFFICER (SRO) 2016-2017 SCHOOL YEAR-SHERIFF'S OFFICE

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the [Interlocal Agreement Alvarado I.S.D.](#) and County of Johnson School Resource Officer (SRO) 2016-2017 School Year-Sheriff's Office and to give the County Judge and the Sheriff the authorization to sign.

All voted aye; motion carried.

11. CONSIDERATION OF PROPOSED AMENDMENTS TO THE RESTRICTIVE COVENANTS IN BUFFALO ACRES-COUNTY JUDGE'S OFFICE

No Action.

12. CONSIDERATION OF JOHNSON COUNTY MEDICAL EXAMINER DISTRICT AGREEMENT FISCAL YEAR 2017-COUNTY JUDGE'S OFFICE

No Action.

Commissioner Bailey exited the meeting at 11:59 A.M.

13. CONSIDERATION OF **ORDER #2016-34**- "COMMISSIONERS COURT ORDER GRANTING AN EXEMPTION UNDER SECTION 262.024, LOCAL GOVERNMENT CODE, FROM THE BIDDING REQUIREMENTS OF SECTION 262.023, LOCAL GOVERNMENT CODE, UPON THE COMMISSIONERS COURT FINDING THAT THE DENTAL SERVICES PROVIDED BY DR. KIM BARKER, D.D.S. ARE PROFESSIONAL SERVICES"

Comm. Stringer, seconded by Comm. Howell, made a motion to approve [Order #2016-34](#)- “Commissioners Court Order Granting an Exemption Under Section 262.024, Local Government Code, from the Bidding Requirements of Section 262.023, Local Government Code, Upon the Commissioners Court Finding that the Dental Services Provided by Dr. Kim Barker, D.D.S. are Professional Services”.

All voted aye; motion carried.

Commissioner Bailey returned to the meeting at 12:01 P.M.

14. CONSIDERATION OF AGREEMENT FOR PROFESSIONAL DENTAL SERVICES FOR JOHNSON COUNTY, TEXAS WITH DR. KIM BARKER, D.D.S.-PURCHASING DEPARTMENT

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the [Agreement for Professional Dental Services for Johnson County, Texas with Dr. Kim Barker, D.D.S.-Purchasing Department](#) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

15. CONSIDERATION OF **ORDER #2016-35**- “COMMISSIONERS COURT ORDER GRANTING AN EXEMPTION UNDER SECTION 262.024, LOCAL GOVERNMENT CODE, FROM THE BIDDING REQUIREMENTS OF SECTION 262.023, LOCAL GOVERNMENT CODE, UPON THE COMMISSIONERS COURT FINDING THAT THE DENTAL SERVICES PROVIDED BY DR. ERIC BRAUNLIN, D.D.S. ARE PROFESSIONAL SERVICES”

Comm. Bailey, seconded by Comm. Howell, made a motion to approve [Order #2016-35](#)- “Commissioners Court Order Granting an Exemption Under Section 262.024, Local Government Code, from the Bidding Requirements of Section 262.023, Local Government Code, Upon the Commissioners Court Finding that the Dental Services Provided by Dr. Eric Braunlin, D.D.S. are Professional Services”.

All voted aye; motion carried.

16. CONSIDERATION OF AGREEMENT FOR PROFESSIONAL DENTAL SERVICES FOR JOHNSON COUNTY, TEXAS WITH DR. ERIC BRAUNLIN, D.D.S.-PURCHASING DEPARTMENT

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the [Agreement for Professional Dental Services for Johnson County, Texas with Dr. Eric Braunlin, D.D.S.-Purchasing Department](#) and to give the County Judge the authorization to sign.

All voted aye; motion carried.

17. CONSIDERATION OF QUARTERLY REQUEST FOR COUNTY REIMBURSEMENT OF JUROR PAYMENTS-DISTRICT CLERK'S OFFICE

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the [Quarterly Request for County Reimbursement of Juror Payments](#)-District Clerk's Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

18. CONSIDERATION OF TEXAS INDIGENT DEFENSE COMMISSION FY 2017 FORMULA GRANT PROGRAM REQUEST FOR APPLICATIONS (RFA)-COUNTY JUDGE'S OFFICE

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve the [Texas Indigent Defense Commission FY 2017 Formula Grant Program Request](#) for Applications (RFA)-County Judge's Office.

All voted aye; motion carried.

19. CONSIDERATION OF CONTINUATION CERTIFICATE FOR MICKEY RANDAL KIMBROW, DEPUTY CONSTABLE, PRECINCT #2

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the [Continuation Certificate for Mickey Randal Kimbrow](#), Deputy Constable, Precinct #2.

All voted aye; motion carried.

20. CONSIDERATION OF CONTINUATION CERTIFICATE FOR ROBERT HEROD,
DEPUTY CONSTABLE, PRECINCT #4

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve the [Continuation Certificate for Robert Herod](#), Deputy Constable, Precinct #4.

All voted aye; motion carried.

11. CONSIDERATION OF PROPOSED AMENDMENTS TO THE RESTRICTIVE
COVENANTS IN BUFFALO ACRES-COUNTY JUDGE'S OFFICE

Additional discussion only.

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.

V. PUBLIC PARTICIPATION

None.

BE IT KNOWN that Commissioners Court met in Executive Session at 12:12 P.M. in accordance with Government Code: a. *Sec. 551.071*-Consultation with Attorney, Pending Litigation, Cause Number DC-C201600236, Richard Fuller v. Johnson County, Texas, in the 413th Judicial District Court.

The Commissioners Court reconvened into Open Session at 12:32 P.M.

X. EXECUTIVE SESSION

1. Government Code:

- a. *Sec. 551.071*-Consultation with Attorney, Pending Litigation, Cause Number DC-C201600236, Richard Fuller v. Johnson County, Texas, in the 413th Judicial District Court

Comm. Woolley, seconded by Comm. Bailey, made a motion to contract with Halff Associates to provide special services for a flood study on Boggy Creek at the creek crossing on CR 105A.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioners Court adjourned at 12:35 P.M.

Submitted by:_____

County Clerk
Becky Ivey

Approved by:_____

County Judge
Roger Harmon