

STATE OF TEXAS

[January 23, 2017](#)

COUNTY OF JOHNSON

COMMISSIONERS COURT

BE IT KNOWN that on the 23<sup>rd</sup> day of January, 2017, 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 Attorney Bill Moore, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on January 19, 2017 at 1:00 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF RETIREMENT PLAQUE TO KIMBERLY D. WRENN, SHERIFF'S OFFICE

Sheriff Adam King presented a retirement plaque to Kimberly D. Wrenn, Sheriff's Office for her dedicated years of service to Johnson County.

V. PUBLIC PARTICIPATION

None.

VI. PUBLIC HEARING

The Commissioners Court opened a [Public Hearing at 9:03 A.M.](#) to discuss:

1. REPLAT OF LAKESIDE ESTATES - PHASE FIVE, LOT 7 INTO LOTS 7R AND 8, LOCATED IN PRECINCT #2, JOHNSON COUNTY, TEXAS

Johnson County resident, Ron Sale, who resides at 9300 CR 1004 spoke in regards to the replat of Lakeside Estates - Phase Five, Lot 7 into Lots 7R and 8, located in Precinct #2, Johnson County, Texas. Mr. Sale had concerns about the natural flow of water in that area. He just bought a new home in that area and didn't want it to flood. He said he was told by the builder that there wouldn't be any more homes built near his house. Commissioner Kenny Howell said the County didn't have any control over that as long as they met County requirements. Public Works Director, David Disheroon, said this subdivision isn't in a floodplain. Darlene Sale spoke regarding this replat and was concerned about the safety of her grandchildren and their ability to play outside. She said she thought a road was being built behind their property and the dirt was ending up on their property. She said she thought the builder should reimburse the County for any expenses the County incurred for this subdivision. There being no one else to speak, the hearing was closed at 9:15 A.M.

## VII. PRECEDING BUSINESS

### 1. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT:

- a. November 28, 2016 – Regular Session
- b. December 12, 2016 – Regular Session
- c. December 20, 2016 – Special Session
- d. December 27, 2016 – Regular Session

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the Commissioners Court Minutes for November 28, 2016, December 12, 2016, December 20, 2016 and December 27, 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 **ORDER #2017-01**- "APPROVING THE JOHNSON COUNTY TREASURER'S REPORT TO THE COMMISSIONERS COURT"

Comm. Howell, seconded by Comm. Woolley, made a motion to approve [Order #2017-01](#)- "Approving the [Johnson County Treasurer's Report](#) to the Commissioners Court".

All voted aye; motion carried.

5. CONSIDERATION OF RENEWAL OF **RFP #2015-503**-PEST CONTROL SERVICES WITH MID-CITIES PEST CONTROL, INC.-PURCHASING DEPARTMENT

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the [renewal of RFP #2015-503](#)-Pest Control Services with Mid-Cities Pest Control, Inc.-Purchasing Department.

All voted aye; motion carried.

6. CONSIDERATION OF RENEWAL OF **RFP #2013-303**-ARMORED VEHICLE SERVICE WITH LASER SECURITY RESPONSE, INC.-PURCHASING DEPARTMENT

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve the [renewal of RFP #2013-303](#)-Armored Vehicle Service with Laser Security Response, Inc.-Purchasing Department.

All voted aye; motion carried.

7. CONSIDERATION OF FINAL REPLAT OF LAKESIDE ESTATES - PHASE FIVE, LOT 7 INTO LOTS 7R AND 8, LOCATED IN PRECINCT #2, JOHNSON COUNTY, TEXAS-PUBLIC WORKS DEPARTMENT

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the [final replat of Lakeside Estates](#) - Phase Five, Lot 7 into Lots 7R and 8, located in Precinct #2, Johnson County, Texas-Public Works Department.

All voted aye; motion carried.

8. CONSIDERATION OF A VARIANCE FOR 12313 E. FM 917, ALVARADO (M.D. DICKEY SURVEY ABSTRACT 395, 5.01 ACRES) FOR 2 WAREHOUSE BUILDINGS ON ONE NEW SEPTIC SYSTEM DESIGNED TO ACCOMMODATE BOTH STRUCTURES, LOCATED IN PRECINCT #3-PUBLIC WORKS DEPARTMENT

Comm. Stringer, seconded by Comm. Howell, made a motion to approve a [variance for 12313 E. FM 917](#), Alvarado (M.D. Dickey Survey Abstract 395, 5.01 acres) for 2 warehouse buildings on one new septic system designed to accommodate both structures, located in Precinct #3-Public Works Department, and include language that the owner is willing to provide deed restrictions stating that these buildings cannot be separated, including all 3 buildings on the front of the property.

All voted aye; motion carried.

9. CONSIDERATION OF A VARIANCE FOR 10916 CHRISWOOD DR., CROWLEY (COUNTRY HILL ESTATES LOT 6, BLOCK 2) FOR A SHOP AND RESIDENCE ON ONE NEW APPROVED SEPTIC SYSTEM DESIGNED TO ACCOMMODATE BOTH STRUCTURES, LOCATED IN PRECINCT #2-PUBLIC WORKS DEPARTMENT

Comm. Howell, seconded by Comm. Bailey, made a motion to approve a [variance for 10916 Chriswood Dr.](#), Crowley (Country Hill Estates Lot 6, Block 2) for a shop and residence on one new approved septic system designed to accommodate both structures, located in Precinct #2-Public Works Department.

All voted aye; motion carried.

10. CONSIDERATION OF A VARIANCE FOR 109 CANARY LANE, JOSHUA (SUNNY SMITH ACRES LOT 1, BLOCK 1) FOR A SHOP/GARAGE AND RESIDENCE ON ONE NEW APPROVED SEPTIC SYSTEM DESIGNED TO ACCOMMODATE BOTH STRUCTURES, PLATTED BY THE CITY OF CLEBURNE, LOCATED IN PRECINCT #4-PUBLIC WORKS DEPARTMENT

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve a [variance for 109 Canary Lane, Joshua](#) (Sunny Smith Acres Lot 1, Block 1) for a shop/garage and residence on one new approved septic system designed to accommodate both structures, platted by the City of Cleburne, located in Precinct #4-Public Works Department.

All voted aye; motion carried.

#### VIII. UNFINISHED BUSINESS

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

- a. Consideration of [Alternates and Value Engineering](#) for Building C1 Renovation

Comm. Stringer, seconded by Comm. Woolley, made a motion to approve alternates and value engineering for Building C1 Renovation as listed in Column I, which will leave the outside insulation being done at a later time, for the Guaranteed Maximum Price (GMP) of \$6,903,155.00 and will be paid from the surplus fund balance.

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

Motion carried.

The Commissioners Court recessed at 11:05 A.M. and reconvened at 11:26 A.M. to consider the following:

- f. Consideration of Use of C5 for the Keene Chamber of Commerce Luncheon and Tour of the Facility on Thursday, January 26, 2017 from 11:30-1:00pm-Sheriff's Office

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve the use of C5 for the Keene Chamber of Commerce Luncheon and Tour of the Facility on Thursday, January 26, 2017 from 11:30-1:00pm-Sheriff's Office and the Commissioners Court obtained the approval from Sedalco for this function.

All voted aye; motion carried.

- d. Consideration of AIA Document A133 – 2009 Exhibit A, Guaranteed Maximum Price Amendment for the Johnson County Corrections Center Phase Two Renovations of Building C1, Cleburne, Texas

Comm. Howell, seconded by Comm. Stringer, made a motion to approve [AIA Document A133 – 2009 Exhibit A](#), Guaranteed Maximum Price Amendment for the Johnson County Corrections Center Phase Two Renovations of Building C1, Cleburne, Texas with the Guaranteed Maximum Price (GMP) of \$6,903,155.00, the scope of work as set out in the AIA Document A133 that was previously approved by the Court today and to give the County Judge the authorization to sign.

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

Motion carried.

- e. Consideration of Notice to Proceed

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the [Notice to Proceed to Sedalco, Inc.](#) with construction and renovation of Building C1 as part of the Johnson County Jail Expansion and Renovation Project, according to the terms and description of work in the AIA A133 Document, also approved by the Court on this date, and to give the County Judge the authorization to sign.

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

Motion carried.

The Commissioners Court recessed at 11:40 A.M. and reconvened at 1:00 P.M. to consider the following:

XI. WORKSHOP

The Commissioners Court convened into Workshop Session at 1:01 P.M. to discuss Radios for the Sheriff's Office and the New Jail.

The Commissioners Court reconvened into Open Session at 1:18 P.M.

VIII. UNFINISHED BUSINESS

- b. Consideration of DFW Communications Replacing Current Jail Radio System and Purchase 25 Radios in the Amount of \$49,996.72 for the Move to C5-Sheriff's Office

Comm. Bailey, seconded by Comm. Howell, made a motion to approve of [DFW Communications replacing current Jail radio system](#) and purchase 25 radios in the amount of \$49,996.72 for the move to C5-Sheriff's Office, with a Budget Amendment presented at the next Commissioners Court meeting and to give the County Judge the authorization to sign.

All voted aye; motion carried.

- c. Consideration of DFW Communications Reprogramming the Current County Sheriff's Office Radio System (Handheld and Mobile Radios) to Allow Communication with the County Jail Radio System, in the Amount of \$62,189.80-Sheriff's Office

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve of DFW Communications reprogramming the current County Sheriff's Office radio system (handheld and mobile radios) to allow communication with the County Jail radio system, in the amount of \$62,189.80-Sheriff's Office, minus the programming fee of \$27,275.00 for a new total of \$34,914.80, with a Budget Amendment presented at the next Commissioners Court meeting and to give the County Judge the authorization to sign.

All voted aye; motion carried.

IX. NEW BUSINESS

4. CONSIDERATION OF INTERGOVERNMENTAL TRANSFER UNDER DEMONSTRATION YEAR 6 OF THE MEDICAID TRANSFORMATION WAIVER FOR THE BENEFIT OF TEXAS HEALTH HARRIS METHODIST CLEBURNE IN AN AMOUNT NOT TO EXCEED \$400,000.00

Comm. Woolley, seconded by Comm. Howell, made a motion to approve the Intergovernmental Transfer Under Demonstration Year 6 of the Medicaid Transformation Waiver for the benefit of Texas Health Harris Methodist Cleburne in an amount not to exceed \$400,000.00, with the actual amount to be transferred being \$177,000.00, which is the total amount of the current bills.

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

Motion Failed.



Comm. Woolley, seconded by Comm. Howell, made a motion to approve the Intergovernmental Transfer Under Demonstration Year 6 of the Medicaid Transformation Waiver for the benefit of Texas Health Harris Methodist Cleburne in an amount not to exceed \$400,000.00, with the actual amount to be transferred being \$200,000.00.

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

Motion Carried.

#### VIII. UNFINISHED BUSINESS

- g. Consideration of Open House for the C5 Jail Facility on Thursday, January 26, 2017 from 2:00-4:00pm-Sheriff's Office

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. Operating Reserve-CETRZ Grant in the Amount of \$68,116.00 and FEMA in the Amount of \$13,856.00 – Total \$81,972.00

Comm. Howell, seconded by Comm. Bailey, made a motion to approve the Budget Amendment pursuant to the Local Government Code *Section 111.0106* for Operating Reserve-CETRZ Grant in the amount of \$68,116.00 and FEMA in the amount of \$13,856.00 – Total \$81,972.00 to budget CETRZ grant and FEMA funds.

All voted aye; motion carried.

3. 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. Howell, seconded by Comm. Woolley, 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 INTERLOCAL AGREEMENT FOR INSTALLATION OF DEAD END SIGN AND BRUSHCUTTING WITH THE CITY OF COYOTE FLATS-PRECINCT #4

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the [Interlocal Agreement for Installation of Dead End Sign](#) and Brushcutting with the City of Coyote Flats-Precinct #4.

All voted aye; motion carried.

6. CONSIDERATION OF COMMISSIONERS COURT APPROVAL FOR INTERLOCAL AGREEMENT PROJECT WITH THE CITY OF COYOTE FLATS-PRECINCT #4

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the [Commissioners Court Approval for Interlocal Agreement](#) Project with the City of Coyote Flats-Precinct #4.

All voted aye; motion carried.

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

Comm. Howell, seconded by Comm. Stringer, 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.

8. CONSIDERATION OF RESOLUTION OF JOHNSON COUNTY, TEXAS AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND-COUNTY JUDGE'S OFFICE

Comm. Howell, seconded by Comm. Bailey, made a motion to approve the [Resolution of Johnson County, Texas Authorizing the Submission](#) of a Community Development Block Grant Application to the Texas Department of Agriculture for the Community Development Fund-County Judge's Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

9. CONSIDERATION OF INTERGOVERNMENTAL AGREEMENT MADE PURSUANT TO THE INTERLOCAL COOPERATION ACT IN CHAPTER 791 OF THE TEXAS GOVERNMENTAL CODE, BETWEEN THE COUNTY OF JOHNSON, TEXAS AND THE JOHNSON COUNTY SPECIAL UTILITY DISTRICT-COUNTY JUDGE'S OFFICE

Comm. Howell, seconded by Comm. Bailey, made a motion to approve the [Intergovernmental Agreement](#) made pursuant to the Interlocal Cooperation Act in Chapter 791 of the Texas Governmental Code, between the County of Johnson, Texas and the Johnson County Special Utility District-County Judge's Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

10. CONSIDERATION OF OFFICIAL BOND AND OATH OF LARRY SPARKS, COMMANDER OF THE JOHNSON COUNTY STOP TASK FORCE

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the [Official Bond and Oath of Larry Sparks](#), Commander of the Johnson County STOP Task Force and to give the County Judge.

All voted aye; motion carried.

X. CONSENT AGENDA

Comm. Howell, seconded by Comm. Stringer, made a motion to approve all items on the [Consent Agenda](#), with a notation that the date on items 1a and 1b should be 2017, not 2016.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioners Court adjourned at 2:00 P.M.

[Submitted by:](#) \_\_\_\_\_  
County Clerk  
Becky Ivey

Approved by: \_\_\_\_\_  
County Judge  
Roger Harmon