

STATE OF TEXAS

[February 27, 2017](#)

COUNTY OF JOHNSON

COMMISSIONERS COURT

BE IT KNOWN that on the 27<sup>th</sup> day of February, 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 Auditor, Kirk Kirkpatrick, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on February 23, 2017 at 1:00 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

Ralph McBroom, Johnson County Purchasing Agent, introduced the new Assistant Purchasing Agent, Courtni Bragg to the Commissioners Court.

1. PRESENTATION BY COUNTY JUDGE ROGER HARMON REGARDING UNFUNDED MANDATES

County Judge Roger Harmon made a presentation to Commissioners Court regarding Unfunded Mandates.

Kirk Kirkpatrick, Auditor, said that Ruth Roden in his office is retiring from the County tomorrow and he invited everyone to drop by and wish her well.

V. PUBLIC PARTICIPATION

None.

VI. PRECEDING BUSINESS

1. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT:

a. January 23, 2017 – Regular Session

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the Commissioners Court Minutes for January 23, 2017.

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 #2017-04**- “APPROVING THE JOHNSON COUNTY TREASURER’S REPORT TO THE COMMISSIONERS COURT”

Comm. Stringer, seconded by Comm. Howell, made a motion to approve [Order #2017-04](#)- “Approving the [Johnson County Treasurer’s Report](#) to the Commissioners Court”.

All voted aye; motion carried.

5. CONSIDERATION OF RENEWAL OF **RFB #2014-410** – LAWN MAINTENANCE WITH LAWN TECH, INC.-PURCHASING DEPARTMENT

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve the [renewal of RFB #2014-410](#) – Lawn Maintenance with Lawn Tech, Inc.-Purchasing Department at the same price.

All voted aye; motion carried.

6. CONSIDERATION OF FINAL PLAT OF LOT 1, BLOCK 1, **SALDANA ADDITION**, LOCATED IN PRECINCT #1-PUBLIC WORKS DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [final plat of Lot 1, Block 1, Saldana Addition](#), located in Precinct #1-Public Works Department.

All voted aye; motion carried.

7. CONSIDERATION OF VARIANCE FOR A 21.40 ACRE TRACT OUT OF THE SETH MORRIS SURVEY ABSTRACT 536, (301 S. CR 810, ALVARADO), FOR A HOUSE ATTACHED TO A CABANA/POOL HOUSE ON ONE NEW APPROVED SEPTIC SYSTEM DESIGNED TO ACCOMMODATE BOTH STRUCTURES, LOCATED IN PRECINCT #4-PUBLIC WORKS DEPARTMENT

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve a variance for a 21.40 acre tract out of the Seth Morris Survey Abstract 536, ([301 S. CR 810, Alvarado](#)), for a house attached to a cabana/pool house on one new approved septic system designed to accommodate both structures, located in Precinct #4-Public Works Department.

All voted aye; motion carried.

8. CONSIDERATION OF VARIANCE FOR A 2.384 ACRE TRACT OUT OF THE EUGENE C. KELTY SURVEY ABSTRACT 476, (6401 CR 204, GRANDVIEW), FOR A HOUSE AND A SHOP ON ONE NEW APPROVED SEPTIC SYSTEM DESIGNED TO ACCOMMODATE BOTH STRUCTURES, LOCATED IN PRECINCT #4-PUBLIC WORKS DEPARTMENT

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve a variance for a 2.384 acre tract out of the Eugene C. Kelty Survey Abstract 476, ([6401 CR 204, Grandview](#)), for a house and a shop on one new approved septic system designed to accommodate both structures, located in Precinct #4-Public Works Department.

All voted aye; motion carried.

9. CONSIDERATION OF VARIANCE WHICH INCLUDES A REQUIREMENT THAT AN AFFIDAVIT (NOTARIZED AND FILED WITH DEED RECORDS) STATING THAT ALL 3 BUILDINGS MUST BE SOLD TOGETHER, FOR 12313 E. FM 917, ALVARADO (M.D. DICKEY SURVEY ABSTRACT 395, 5.01 ACRES), FOR 3 WAREHOUSE BUILDINGS CONNECTED TO ONE NEW SEPTIC SYSTEM DESIGNED TO ACCOMMODATE ALL 3 STRUCTURES, REQUESTED BY COMMISSIONER STRINGER, LOCATED IN PRECINCT #3-PUBLIC WORKS DEPARTMENT

Comm. Stringer, seconded by Comm. Howell, made a motion to approve a variance which includes a requirement that an affidavit (notarized and filed with Deed Records) stating that all 3 buildings must be sold together, for [12313 E. FM 917, Alvarado](#) (M.D. Dickey Survey Abstract 395, 5.01 acres), for 3 warehouse buildings connected to one new septic system designed to accommodate all 3 structures, requested by Commissioner Stringer, located in Precinct #3-Public Works Department.

All voted aye; motion carried.

#### VIII. NEW BUSINESS

8. CONSIDERATION OF PROCUREMENT PROPOSAL FOR ELECTRIC POWER SUPPLY BEGINNING JANUARY 1, 2020, AND NOTICE OF INTENT TO BEGIN A COMPETITIVE PROCUREMENT PROCESS ON MARCH 31, 2017-COMMISSIONER, PRECINCT #1

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Procurement Proposal for Electric Power Supply](#) Beginning January 1, 2020, and Notice of Intent to Begin a Competitive Procurement Process on March 31, 2017-Commissioner, Precinct #1.

All voted aye; motion carried.

#### VII. UNFINISHED BUSINESS

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

- a. AIA Document G704-2000, Certificate of Substantial Completion, Phase 1 Building C5

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the [AIA Document G704-2000](#), Certificate of Substantial Completion, Phase 1 Building C5 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

2. CONSIDERATION OF **ORDER #2017-03** – “PROHIBITION OF OUTDOOR BURNING” – PRECINCT #4

Comm. Woolley, seconded by Comm. Stringer, made a motion to [rescind \*\*Order #2017-03\*\*](#) – “Prohibition of Outdoor Burning” – Precinct #4.

All voted aye; motion carried.

#### VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

No Action.

2. CONSIDERATION OF **ORDER #2017-05** – “PROHIBITION OF OUTDOOR BURNING” – PRECINCT #2

Comm. Howell, seconded by Comm. Woolley, made a motion to deny **Order #2017-05** – “Prohibition of Outdoor Burning” – Precinct #2.

All voted aye; motion carried.

3. CONSIDERATION OF LAW ENFORCEMENT AGENCY (LEA) APPLICATION FOR PARTICIPATION IN THE 1033 MILITARY SURPLUS PROGRAM-CONSTABLE, PRECINCT #2

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the [Law Enforcement Agency \(LEA\) Application](#) for participation in the 1033 Military Surplus Program-Constable, Precinct #2 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

4. CONSIDERATION OF 2016 RACIAL PROFILING REPORT-CONSTABLE, PRECINCT #2

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the [2016 Racial Profiling Report-Constable, Precinct #2](#).

All voted aye; motion carried.

5. CONSIDERATION OF 2016 RACIAL PROFILING REPORT-CONSTABLE, PRECINCT #3

Comm. Stringer, seconded by Comm. Woolley, made a motion to approve the [2016 Racial Profiling Report-Constable, Precinct #3](#).

All voted aye; motion carried.

6. CONSIDERATION OF 2016 RACIAL PROFILING REPORT I, TIER ONE-SHERIFF'S OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [2016 Racial Profiling Report I, Tier One-Sheriff's Office](#).

All voted aye; motion carried.

7. CONSIDERATION OF TWENTY-ONE (21) MIFI'S WITH A MONTHLY COST OF \$37.99 EACH, TOTAL \$797.79 PER MONTH-SHERIFF'S OFFICE

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve [twenty-one \(21\) MiFi's](#) with a monthly cost of \$37.99 each, total \$797.79 per month-Sheriff's Office and will be paid from the Sheriff's Office telephone line item.

All voted aye; motion carried.

The Commissioners Court recessed at 10:20 A.M. and reconvened at 10:36 A.M. to consider the following:

9. CONSIDERATION OF RENEWAL OF MAINTENANCE AGREEMENT ADDENDUM QUOTATION WITH SAFRAN MORPHO TRUST FOR THE LIVESCAN FINGERPRINTING EQUIPMENT LOCATED AT THE GUINN JUSTICE CENTER-COUNTY ATTORNEY'S OFFICE

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve the [renewal of Maintenance Agreement Addendum Quotation with Safran Morpho](#) Trust for the Livescan Fingerprinting Equipment located at the Guinn Justice Center-County Attorney's Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

10. CONSIDERATION OF QUOTE FROM TRANS TEXAS SURVEYING AND MAPPING FOR A TOPOGRAPHIC/BOUNDARY SURVEY REQUIRED FOR THE PARKING LOT EXPANSION AT THE BURLESON SUB-COURTHOUSE, IN THE AMOUNT OF \$2,850.00-PURCHASING DEPARTMENT

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the [quote from Trans Texas Surveying and Mapping](#) for a topographic/boundary survey required for the parking lot expansion at the Burleson Sub-Courthouse, in the amount of \$2,850.00-Purchasing Department.

All voted aye; motion carried.

11. CONSIDERATION OF AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES ON A DEFINED SCOPE OF SERVICES BASIS WITH HALFF ASSOCIATES, INC. FOR THE PARKING LOT EXPANSION AT THE BURLESON SUB-COURTHOUSE, IN THE AMOUNT OF \$5,990.00 FOR SITE PLAN PHASE-PURCHASING DEPARTMENT

Comm. Howell, seconded by Comm. Bailey, made a motion to approve the [Agreement for Professional Engineering Services](#) on a defined scope of services basis with Halff Associates, Inc. for the parking lot expansion at the Burleson Sub-Courthouse, in the amount of \$5,990.00 for site plan phase-Purchasing Department.

All voted aye; motion carried.

12. CONSIDERATION OF DRAWINGS AND OPTIONS WITH EXIT CONFIGURATIONS FOR PARKING LOT AT THE CORNER OF BUFFALO AND HARRELL-PUBLIC WORKS DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [drawings and options with exit configurations](#) for parking lot at the corner of Buffalo and Harrell-Public Works Department, by choosing the option that has 2 entrances/exits on Harrell St. which has more parking spots and to also remove the trees.

All voted aye; motion carried.

13. CONSIDERATION OF THE 2016 TCEQ PHASE II MS4 ANNUAL REPORT-PUBLIC WORKS DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [2016 TCEQ Phase II MS4 Annual Report](#)-Public Works Department and to give the County Judge the authorization to sign.

All voted aye; 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 10:55 A.M. in accordance with Government Code: a. *Sec. 551.072*-Deliberations About Real Property: (1) 116 South Mill Street, Cleburne Texas.

The Commissioners Court reconvened into Open Session at 11:32 A.M.

XI. EXECUTIVE SESSION

1. Government Code:

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

(1) 116 South Mill Street, Cleburne Texas

No Action.



X. WORKSHOP

The Commissioners Court convened into Workshop Session at 11:34 A.M. to discuss Corrective Action in Subdivision Rule Book, Paragraph 9, Page 40 Paved Surface, Change 30' to 22'-Public Works Department.

The Commissioners Court recessed at 12:00 P.M. and reconvened at 1:36 P.M.

The Commissioners Court reconvened into Open Session at 1:36 P.M.

**BE IT KNOWN** that Commissioners Court met in Executive Session at 1:36 P.M. in accordance with Government Code: a. *Sec. 551.072*-Deliberations About Real Property:  
(1) 116 South Mill Street, Cleburne Texas.

The Commissioners Court reconvened into Open Session at 1:49 P.M.

XI. EXECUTIVE SESSION

1. Government Code:

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

(1) 116 South Mill Street, Cleburne Texas

Comm. Woolley, seconded by Comm. Bailey, made a motion to accept the offer on real property located at 116 South Mill Street, Cleburne, Texas known as “the Old Jail” as presented by Rick Cumins, Real Estate Broker for the County, with the following conditions: have the north property line resurveyed to follow the rock wall on the north boundary line and follow the meanderings of the rock wall to correct the encroachment there; as well as having approximately a thirty (30) foot strip on the south edge of the jail property surveyed so we can get a proper legal description so that portion of property can be included in this transaction; authorize the surveys to be pursued by Ralph McBroom, the County Purchasing

Agent; authorize the County Judge to sign the contract; and to authorize the County Judge to sign any and all closing documents.

All voted aye; motion carried.

X. WORKSHOP

The Commissioners Court convened into Workshop Session at 1:53 P.M. to discuss Utility Service Requirements, Section IV Requirement for Plat Application, Duty of Developer/Property Owner, Paragraph 9, Page 17-Public Works Department and Parking Around the Courthouse and Parking Spaces Assigned to County-Commissioner, Precinct #1.

The Commissioners Court reconvened into Open Session at 2:58 P.M.

There being no further business before the Court concerning this agenda, Commissioners Court adjourned at 2:58 P.M.

Submitted by: \_\_\_\_\_  
County Clerk  
Becky Ivey

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