

STATE OF TEXAS

[March 13, 2017](#)

COUNTY OF JOHNSON

COMMISSIONERS COURT

BE IT KNOWN that on the 13th day of March, 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 March 9, 2017 at 1:05 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF PROCLAMATION FOR POISON PREVENTION WEEK

Commissioners Court proclaimed the week of [March 19-25, 2017 as Poison Prevention Week](#).

2. PRESENTATION FROM JIM SABONIS, MANAGING DIRECTOR OF FIRSTSOUTHWEST, REGARDING A POTENTIAL REFINANCING OF THE COUNTY'S GENERAL OBLIGATION BONDS, SERIES 2007

A presentation was given to Commissioners Court by Jim Sabonis, Managing Director of FirstSouthwest regarding a [potential refinancing of the County's General Obligation Bonds](#), Series 2007.

V. PUBLIC PARTICIPATION

None.

VI. PUBLIC HEARING

The Commissioners Court opened a [Public Hearing at 9:16 A.M.](#) to discuss:

1. REVISION TO THE SUBDIVISION RULES AND REGULATIONS OF JOHNSON COUNTY, TEXAS THAT WERE AMENDED AND APPROVED ON NOVEMBER 14, 2011, NEW LANGUAGE AMENDING SECTION IV REQUIREMENT FOR PLAT APPLICATION, DUTY OF DEVELOPER/PROPERTY OWNER, UTILITY SERVICE, PARAGRAPH 9 OF THE SUBDIVISION RULES AND REGULATIONS OF JOHNSON COUNTY, TEXAS

Jim Conkwright, General Manager of the Prairieland Groundwater Conservation District, spoke in reference to this topic. He complimented the County on their efforts on implementing regulations regarding water. He thought this was the right move to ensure that water is available to residents of Johnson County. David Disheroon, Johnson County Public Works Director, said that developers would be asked to do a water study for private water wells in new subdivisions. Commissioner Bailey said he didn't think shared wells would be a good thing for the residents of the County. County Judge Harmon said he was pro-growth, but he didn't want anyone to run out of water and groundwater needs to be monitored. Commissioner Howell said if someone's water stopped working, there was a big difference between being on a coop water system versus being on a private well. Commissioner Woolley said in some places in the County there isn't always an affordable well to be drilled. There being no one else to speak, the hearing was closed at 9:35 A.M.

VII. PRECEDING BUSINESS

1. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT:
 - a. January 30, 2017 – Special Session
 - b. February 6, 2017 – Special Session

Comm. Stringer, seconded by Comm. Woolley, made a motion to approve the Commissioners Court Minutes for January 30, 2017 and February 6, 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.

VIII. UNFINISHED BUSINESS

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

Discussion. No Action.

VII. PRECEDING BUSINESS

5. CONSIDERATION TO PRE-APPROVE TWO 60' LOTS TO BE DEVELOPED INTO ROADS ON A FUTURE PLAT SUBMISSION (VISTA HEIGHTS, PHASE 1), LOCATED IN PRECINCT #1-PUBLIC WORKS DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve to [pre-approve two 60' lots to be developed into roads](#) on a future plat submission (Vista Heights, Phase 1), located in Precinct #1-Public Works Department.

All voted aye; motion carried.

IX. NEW BUSINESS

13. CONSIDERATION OF ACCEPTANCE OF PAYMENT IN THE AMOUNT OF \$35,000.00 TO BE USED TO BRING WESTOVER HILLS DRIVE, FROM FM 916 TO END AT TURNAROUND, UP TO COUNTY STANDARDS, LOCATED IN WESTOVER HILLS, PHASE 1 SUBDIVISION-PRECINCT #1

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [acceptance of payment in the amount of \\$35,000.00](#) to be used to bring Westover Hills Drive, from FM 916 to end at turnaround, up to County standards, located in Westover Hills, Phase 1 Subdivision-Precinct #1.

All voted aye; motion carried.

14. CONSIDERATION OF BRINGING WESTOVER HILLS DRIVE, FROM FM 916 TO END AT TURNAROUND, UP TO COUNTY STANDARDS, LOCATED IN WESTOVER HILLS, PHASE 1 SUBDIVISION-PRECINCT #1

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve of [bringing Westover Hills Drive, from FM 916 to end](#) at turnaround, up to County standards, located in Westover Hills, Phase 1 Subdivision-Precinct #1.

All voted aye; motion carried.

15. CONSIDERATION OF ACCEPTANCE OF WESTOVER HILLS DRIVE, FROM FM 916 TO END AT TURNAROUND, INTO THE COUNTY ROAD MAINTENANCE SYSTEM, LOCATED IN WESTOVER HILLS, PHASE 1 SUBDIVISION-PRECINCT #1

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the acceptance of Westover Hills Drive, from FM 916 to end at turnaround, into the County Road Maintenance System, located in Westover Hills, Phase 1 Subdivision-Precinct #1.

All voted aye; motion carried.

16. CONSIDERATION OF RESOLUTION TO PETITION THE TEXAS STATE LEGISLATURE AND THE TEXAS DEPARTMENT OF TRANSPORTATION TO DESIGNATE A PORTION OF INTERSTATE HIGHWAY 35 WEST THROUGH JOHNSON COUNTY AS "DEPUTY CLIFTON TAYLOR MEMORIAL HIGHWAY"-PRECINCT #3

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the [Resolution to Petition the Texas State Legislature](#) and the Texas Department of Transportation to Designate a Portion of Interstate Highway 35 West through Johnson County as “Deputy Clifton Taylor Memorial Highway”-Precinct #3.

All voted aye; motion carried.

The Commissioners Court recessed at 10:00 A.M. and reconvened at 10:24 A.M. to consider the following:

VII. PRECEDING BUSINESS

4. CONSIDERATION OF REVISION TO THE SUBDIVISION RULES AND REGULATIONS OF JOHNSON COUNTY, TEXAS THAT WERE AMENDED AND APPROVED ON NOVEMBER 14, 2011, NEW LANGUAGE AMENDING SECTION IV REQUIREMENT FOR PLAT APPLICATION, DUTY OF DEVELOPER/PROPERTY OWNER, UTILITY SERVICE, PARAGRAPH 9 OF THE SUBDIVISION RULES AND REGULATIONS OF JOHNSON COUNTY, TEXAS-PUBLIC WORKS DEPARTMENT

Comm. Howell, seconded by Comm. Stringer, made a motion to [approve the Revision to the Subdivision Rules and Regulations](#) of Johnson County, Texas that were amended and approved on November 14, 2011, new language amending Section IV Requirement for Plat Application, Duty of Developer/Property Owner, Utility Service, Paragraph 9 of the Subdivision Rules and Regulations of Johnson County, Texas-Public Works Department by replacing paragraph 9 with the proposed language that was submitted in Court and will be effective today, March 13, 2017.

All voted aye; motion carried.

6. CONSIDERATION OF VARIANCE FOR 3433 AND 3435 CR 807 CLEBURNE (LOT 1, BLOCK 1, POOL’S EGAN ADDITION), FOR 2 BUILDINGS ON ONE NEW 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 the [variance for 3433 and 3435 CR 807](#) Cleburne (Lot 1, Block 1, Pool's Egan Addition), for 2 buildings on one new septic system designed to accommodate both structures, located in Precinct #4-Public Works Department.

All voted aye; motion carried.

IX. NEW BUSINESS

4. CONSIDERATION OF CONTRACT FOR SECURE SHORT-TERM DETENTION SERVICES RITE OF PASSAGE, INC.-JUVENILE SERVICES DEPARTMENT

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the [Contract for Secure Short-Term Detention Services Rite of Passage](#), Inc.-Juvenile Services Department and to give the County Judge the authorization to sign.

All voted aye; motion carried.

5. CONSIDERATION OF JOHNSON COUNTY JUVENILE SERVICES AND THE BEXAR COUNTY JUVENILE PROBATION DEPARTMENT SECURE POST-ADJUDICATION CORRECTIONAL FACILITY SERVICES INTERLOCAL COOPERATION AGREEMENT-JUVENILE SERVICES DEPARTMENT

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve the Johnson County Juvenile Services and the [Bexar County Juvenile Probation Department](#) Secure Post-Adjudication Correctional Facility Services Interlocal Cooperation Agreement-Juvenile Services Department and to give the County Judge the authorization to sign.

All voted aye; motion carried.

6. CONSIDERATION OF ELECTION AGREEMENT FOR JOHNSON COUNTY AND CITY OF GODLEY AND EXHIBIT A, B, & C FOR JOHNSON COUNTY ELECTIONS TO CONDUCT THEIR MAY 6, 2017 ELECTION FOR EARLY VOTING AND ELECTION DAY AND RUN-OFF, AND EXHIBIT D EARLY VOTING HEAD CLERK AND ELECTION DAY JUDGE-ELECTIONS DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Election Agreement for Johnson County and City of Godley](#) and Exhibit A, B, & C for Johnson County Elections to conduct their May 6, 2017 Election for Early Voting and Election Day and Run-Off, and Exhibit D Early Voting Head Clerk and Election Day Judge-Elections Department and to give the County Judge the authorization to sign.

All voted aye; motion carried.

7. CONSIDERATION OF ELECTION AGREEMENT FOR JOHNSON COUNTY AND CITY OF VENUS AND EXHIBIT A, B, & C FOR JOHNSON COUNTY ELECTIONS TO CONDUCT THEIR MAY 6, 2017 ELECTION FOR EARLY VOTING AND ELECTION DAY AND RUN-OFF, AND EXHIBIT D EARLY VOTING HEAD CLERK AND ELECTION DAY JUDGE-ELECTIONS DEPARTMENT

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the [Election Agreement for Johnson County and City of Venus](#) and Exhibit A, B, & C for Johnson County Elections to conduct their May 6, 2017 Election for Early Voting and Election Day and Run-Off, and Exhibit D Early Voting Head Clerk and Election Day Judge-Elections Department and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION OF ELECTION AGREEMENT FOR JOHNSON COUNTY AND VENUS INDEPENDENT SCHOOL DISTRICT AND EXHIBIT A, B, & C FOR JOHNSON COUNTY ELECTIONS TO CONDUCT THEIR MAY 6, 2017 ELECTION FOR EARLY VOTING AND ELECTION DAY AND RUN-OFF, AND EXHIBIT D EARLY VOTING HEAD CLERK AND ELECTION DAY JUDGE-ELECTIONS DEPARTMENT

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the [Election Agreement for Johnson County and Venus Independent School District](#) and Exhibit A, B, & C for Johnson County Elections to conduct their May 6, 2017 Election for Early Voting and Election Day and Run-Off, and Exhibit D Early Voting Head Clerk and Election Day Judge-Elections Department and to give the County Judge the authorization to sign.

All voted aye; motion carried.

9. CONSIDERATION OF ELECTION AGREEMENT FOR JOHNSON COUNTY AND CROWLEY INDEPENDENT SCHOOL DISTRICT AND EXHIBIT A, B, & C FOR JOHNSON COUNTY ELECTIONS TO CONDUCT THEIR MAY 6, 2017 ELECTION FOR EARLY VOTING AND ELECTION DAY AND RUN-OFF, AND EXHIBIT D EARLY VOTING HEAD CLERK AND ELECTION DAY JUDGE-ELECTIONS DEPARTMENT

Comm. Howell, seconded by Comm. Bailey, made a motion to approve the [Election Agreement for Johnson County and Crowley Independent School District](#) and Exhibit A, B, & C for Johnson County Elections to conduct their May 6, 2017 Election for Early Voting and Election Day and Run-Off, and Exhibit D Early Voting Head Clerk and Election Day Judge-Elections Department and to give the County Judge the authorization to sign.

All voted aye; motion carried.

10. CONSIDERATION OF ELECTION AGREEMENT FOR JOHNSON COUNTY AND MANSFIELD INDEPENDENT SCHOOL DISTRICT AND EXHIBIT A, B, & C FOR JOHNSON COUNTY ELECTIONS TO CONDUCT THEIR MAY 6, 2017 ELECTION FOR EARLY VOTING AND ELECTION DAY AND JUNE 10, 2017 RUN-OFF ELECTION AND RUN-OFF, AND EXHIBIT D EARLY VOTING HEAD CLERK AND ELECTION DAY JUDGE-ELECTIONS DEPARTMENT

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the [Election Agreement for Johnson County and Mansfield Independent School District](#) and Exhibit A, B, & C for Johnson County Elections to conduct their May 6, 2017 Election for Early Voting and Election Day and June 10, 2017 Run-Off Election and Run-Off, and Exhibit D Early Voting Head Clerk and Election Day Judge-Elections Department and to give the County Judge the authorization to sign.

All voted aye; motion carried.

11. CONSIDERATION OF VOTING MACHINE LEASE AGREEMENT BETWEEN JOHNSON COUNTY AND:

a. [The City of Burleson](#)

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the Voting Machine Lease Agreement between Johnson County and the City of Burleson and to give the County Judge the authorization to sign.

All voted aye; motion carried.

b. [The City of Crowley](#)

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the Voting Machine Lease Agreement between Johnson County and the City of Crowley and to give the County Judge the authorization to sign.

All voted aye; motion carried.

c. [The City of Joshua](#)

Comm. Howell, seconded by Comm. Bailey, made a motion to approve the Voting Machine Lease Agreement between Johnson County and the City of Joshua and to give the County Judge the authorization to sign.

All voted aye; motion carried.

d. [The City of Rio Vista](#)

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Voting Machine Lease Agreement between Johnson County and the City of Rio Vista and to give the County Judge the authorization to sign.

All voted aye; motion carried.

e. [The Town of Cross Timber](#)

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the Voting Machine Lease Agreement between Johnson County and the Town of Cross Timber and to give the County Judge the authorization to sign.

All voted aye; motion carried.

f. [Grandview ISD](#)

Comm. Woolley, seconded by Comm. Howell, made a motion to approve the Voting Machine Lease Agreement between Johnson County and Grandview ISD and to give the County Judge the authorization to sign.

All voted aye; motion carried.

g. [Rio Vista ISD](#)

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Voting Machine Lease Agreement between Johnson County and Rio Vista ISD and to give the County Judge the authorization to sign.

All voted aye; motion carried.

h. [Joshua ISD](#)

Comm. Howell, seconded by Comm. Woolley, made a motion to approve the Voting Machine Lease Agreement between Johnson County and Joshua ISD and to give the County Judge the authorization to sign.

All voted aye; motion carried.

12. CONSIDERATION OF APPOINTMENTS TO THE JOHNSON COUNTY RADIO ADVISORY BOARD:

- a. Sheriff Adam King, Representing Johnson County
- b. Lin Goodman, Representing the City of Cleburne
- c. Pat Hunter, Representing Johnson County ESD #1
- d. Stacey Singleton, Representing the City of Burleson

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the [appointments to the Johnson County Radio Advisory Board](#) as follows: Sheriff Adam King representing Johnson County; Lin (Linn) Goodman, representing the City of Cleburne; Pat Hunter, representing Johnson County ESD #1; and Stacey (Stacy) Singleton, representing the City of Burleson.

All voted aye; motion carried.

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

Comm. Woolley, seconded by Comm. Howell, made a motion to approve the [2016 Racial Profiling Report-Constable, Precinct #4](#).

All voted aye; motion carried.

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

No Action.

2. CONSIDERATION TO GO OUT FOR BIDS FOR THE BANK DEPOSITORY CONTRACT AND/OR RENEWAL OF THE CURRENT CONTRACT FOR TWO YEARS-COUNTY JUDGE'S OFFICE

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve to go out for bids for the Bank Depository Contract and/or renewal of the current contract for two years-County Judge's Office, with the Court choosing to renew the current contract for two years.

All voted aye; motion carried.

17. CONSIDERATION FOR AGENT TO ATTEND OUT OF STATE TRAINING FOR "INTRODUCTION TO PROP MAKING" ON APRIL 25-27, 2017 TO BE HELD IN SCOTTSDALE, ARIZONA IN THE AMOUNT OF \$2,023.57-SHERIFF'S OFFICE

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve an [agent to attend out of state training for "Introduction to Prop Making"](#) on April 25-27, 2017 to be held in Scottsdale, Arizona in the amount of \$2,023.57-Sheriff's Office.

All voted aye; motion carried.

18. CONSIDERATION OF OPTIONS TO PURCHASE DUTY WEAPONS AND ACCESSORIES FOR 86 FULL TIME DEPUTIES AND 20 RESERVE DEPUTIES-SHERIFF'S OFFICE

Comm. Bailey, seconded by Comm. Stringer, made a motion to [approve options to purchase duty weapons and accessories](#) for 86 Full Time Deputies and 20 Reserve Deputies-Sheriff's Office, with the Court choosing to approve option 1 and option 2 as attached for the total amount of \$52,136.94, and for budget amendments to be submitted to correct the budget.

All voted aye; motion carried.

19. CONSIDERATION OF CONTINUATION CERTIFICATE FOR BOND FOR LAJUAN YOUNG-MAIL CLERK

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Continuation Certificate for Bond for LaJuan Young](#).

All voted aye; 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 11:46 A.M. and reconvened at 1:16 P.M.

BE IT KNOWN that Commissioners Court met in Executive Session at 1:17 P.M. in accordance with Government Code: a. *Sec. 551.072-Deliberations About Real Property*: (1) 116 South Mill Street, Cleburne Texas; (2) 3400 FM 1434, Cleburne, Texas; and b. *Sec. 551.071-Consultation with Attorney, Contemplated Litigation*: (1) Settlement Offer; (2) Order Authorizing County Attorney to File Suit and Authorizing Expenses.

The Commissioners Court reconvened into Open Session at 2:31 P.M.

XII. 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. Howell, made a motion to approve to authorize to amend the contract on 116 South Mill Street, Cleburne Texas to extend the closing date to May 31, 2017 and also the existing real estate contract be amended with the following provisions: 1) that the conveyance of the property is subject to a permanent easement across the property of Johnson County for overhead data transmission lines that are attached to metal poles; said easement will be shown on the survey of property and be listed as a reservation from conveyance and warranty deed; this easement is to provide Johnson County the right to construct, maintain, operate, repair, alter, replace, add, or change the size of the line or lines

which are used in the transmission of data as may be necessary in the operation of said line or lines upon the land; and 2) conveyance of the property is also contingent on Johnson County obtaining title to property south of the .506 acre tract known as Lot 5 as being in control and possession of Johnson County, furthermore, the County Judge be authorized to sign this amendment and any further documents pertaining to this contract.

All voted aye; motion carried.

(2) 3400 FM 1434, Cleburne, Texas

Comm. Bailey, seconded by Comm. Woolley, made a motion to [approve Johnson County to purchase the property located at 3400 FM 1434](#), Cleburne, Texas; approve this commercial contract; give the County Judge the authorization to sign the contract and all documents regarding contract; authorize Kirk Kirkpatrick, County Auditor, to advance \$1,000.00 in earnest money from Precinct #1 Road & Bridge fund to Capital Title Co. in Cleburne; and to authorize Ralph McBroom, Purchasing Agent, to order and pay for a survey on this property.

All voted aye; motion carried.

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

(1) Settlement Offer

Comm. Howell, seconded by Comm. Bailey, made a motion to approve to pay the agreed order in the amount of \$2,000.00 from the Settlement line item to the Department of State Health Services and authorize the County Judge to sign all documents involved.

All voted aye; motion carried.

(2) [Order Authorizing County Attorney to File Suit and Authorizing Expenses](#)

Comm. Woolley, seconded by Comm. Howell, made a motion to approve to authorize the County Attorney to file a trespass title suit concerning the small parcel property located on the south side of 116 South Mill St., it is to be filed in District Court; and obtain proper title to that adjacent piece of property and authorize expenses on this item.

All voted aye; motion carried.

Comm. Howell, seconded by Comm. Woolley, made a motion to approve to [authorize the County Attorney to file a lawsuit to obtain a temporary restraining](#) order and/or temporary injunction and/or a permanent injunction to prevent the “Lights Fest” until the promoters comply with Chapter 751, Health and Safety Code and Title 25, Chapter 265, Texas Administrative Code, and this is so if they do not abide by that, our County Attorney will have the ability to file that injunction.

All voted aye; motion carried.

The Commissioners Court recessed at 2:44 P.M. and reconvened at 2:50 P.M. to discuss the following:

XI. [WORKSHOP](#)

The Commissioners Court convened into Workshop Session at 2:50 P.M. to discuss Septic and Subdivision Guidelines for Commercial Buildings, Precinct #3.

The Commissioners Court reconvened into Open Session at 3:36 P.M.

There being no further business before the Court concerning this agenda, Commissioners
Court adjourned at 3:36 P.M.

Submitted by: _____
County Clerk
Becky Ivey

Approved by: _____
County Judge
Roger Harmon