

STATE OF TEXAS

[July 10, 2017](#)

COUNTY OF JOHNSON

COMMISSIONERS COURT

BE IT KNOWN that on the 10th day of July, 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 9:01 A.M., with all members present, and following the Invocation, led by Commissioner Rick Bailey, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on July 6, 2017 at 2:00 P.M. were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF LENGTH OF SERVICE AWARDS TO JOHNSON COUNTY EMPLOYEES

Employees of Johnson County were recognized for their service to Johnson County and employees were given Service Pins, [as attached to these Minutes](#).

V. PUBLIC PARTICIPATION

None.

VI. [PUBLIC HEARINGS](#)

The Commissioners Court opened a Public Hearing at 9:20 A.M. to discuss:

1. PROPOSED NEW LANGUAGE IN PARAGRAPH A, ON PAGE 33 OF THE SUBDIVISION RULES AND REGULATIONS OF JOHNSON COUNTY, TEXAS AS AUTHORIZED BY SECTION 232.0032 OF THE TEXAS LOCAL GOVERNMENT CODE TO ADD ADDITIONAL REQUIREMENTS THAT SUBDIVISION RESIDENTIAL LOTS FOR WHICH THE SOURCE OF WATER SUPPLY INTENDED FOR THE SUBDIVISION IS GROUNDWATER UNDER THAT LAND, AND USING AN INDIVIDUAL ON-SITE SEWAGE SYSTEM SHOULD HAVE A MINIMUM LOT SIZE OF TWO (2) ACRES

There being no one from the public wishing to speak, Judge Harmon turned the discussion over to David Disheroon, Public Works Director. David, noted Jim Conkwright, General Manager of the Prairieland Groundwater Conservation District, was unable to attend, but what they were asking for is that this two (2) acre rule for water well service be added to the Counties subdivision rules. Judge Harmon asked if the two acre rule would apply to onsite sewage. Commissioner Bailey commented that ground water referred to a well. Commissioner Howell spoke in reference to phone calls he had received where there was confusion from the public understanding the extent of the rule. He clarified that the two (2) acre rule was only if the subdivision water was to be provided by individual wells, but if the subdivision had any type of public water, then the one (1) acre rule still applies. County Attorney, Bill Moore, noted that the language of the proposed rule tracks the language from the statute as well as from the two (2) acres that the Prairieland Groundwater Conservation District passed. Commissioner Stringer asked if a two (2) acre plot could have two (2) houses, with two (2) separate septic systems, but only one (1) well. David Disheroon and Bill Moore answered by stating there would need to be a request for a variance made to Prairieland. Commissioner Woolley asked if additional language was needed for the rule. County Attorney, Bill Moore, said the language was fine, and additional matters would fall under permitting and licensing by the State. There being no one else to speak, the hearing was closed at 9:24 A.M.

The Commissioners Court opened a Public Hearing at 9:24 A.M. to discuss:

2. PROPOSED NEW LANGUAGE IN PARAGRAPH 9, PAGE 40 OF THE SUBDIVISION RULES AND REGULATIONS OF JOHNSON COUNTY, TEXAS AS AUTHORIZED BY SECTION 232.0032 OF THE TEXAS LOCAL GOVERNMENT CODE TO UPDATE THAT ALL ROADS INSIDE A SUBDIVISION WILL HAVE A MINIMUM PAVED SURFACE OF 22 FEET WITH A MINIMUM OF 34 FEET OF BASE MATERIAL

David Disheroon, Public Works Director, spoke in reference to this topic. He stated that the size has always been the same, but as discussed at a previous Workshop, this proposed language change was to address and correct clerical errors in the subdivision rulebook pointed out by Commissioner Woolley. Commissioner Bailey asked what the effective date should be as to not have any retro effects on subdivisions that are already up and running. David stated he wanted the effective date to be today's date, July 10, 2017. Judge Harmon wanted to make sure the County was communicating with the cities, so they would be aware of the changes and be able to make appropriate changes. David and Commissioner Woolley agreed that if the subdivisions were adhering to the old guidelines, everything should be good. There being no one else to speak, the hearing was closed at 9:26 A.M.

VII. PRECEEDING BUSINESS

1. CONSIDERATION OF PROPOSED NEW LANGUAGE IN PARAGRAPH A, ON PAGE 33 OF THE SUBDIVISION RULES AND REGULATIONS OF JOHNSON COUNTY, TEXAS AS AUTHORIZED BY SECTION 232.0032 OF THE TEXAS LOCAL GOVERNMENT CODE TO ADD ADDITIONAL REQUIREMENTS THAT SUBDIVISION RESIDENTIAL LOTS FOR WHICH THE SOURCE OF WATER SUPPLY INTENDED FOR THE SUBDIVISION IS GROUNDWATER UNDER THAT LAND, AND USING AN INDIVIDUAL ON-SITE SEWAGE SYSTEM SHOULD HAVE A MINIMUM LOT SIZE OF TWO (2) ACRES

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve the [New Language in Paragraph A, on Page 33](#) of the Subdivision Rules and Regulations of Johnson County, Texas as Authorized by Section 232.0032 of the Texas Local Government Code to add Additional Requirements that Subdivision Residential Lots for which the Source of Water Supply Intended for the Subdivision is Groundwater Under that Land, and Using an Individual On-Site Sewage System Should Have a Minimum Lot Size of Two (2) Acres.

All voted aye; motion carried

2. CONSIDERATION OF PROPOSED NEW LANGUAGE IN PARAGRAPH 9, PAGE 40 OF THE SUBDIVISION RULES AND REGULATIONS OF JOHNSON COUNTY, TEXAS AS AUTHORIZED BY SECTION 232.0032 OF THE TEXAS LOCAL GOVERNMENT CODE TO UPDATE THAT ALL ROADS INSIDE A SUBDIVISION WILL HAVE A MINIMUM PAVED SURFACE OF 22 FEET WITH A MINIMUM OF 34 FEET OF BASE MATERIAL

Comm. Howell, seconded by Comm. Woolley, made a motion to approve the [New Language in Paragraph 9, Page 40](#) of the Subdivision Rules and Regulations of Johnson County, Texas as Authorized by Section 232.0032 of the Texas Local Government Code to Update that All Roads Inside a Subdivision will Have a Minimum Paved Surface of 22 Feet with a Minimum of 34 Feet of Base Material.

All voted aye; motion carried.

3. 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.

4. ACKNOWLEDGEMENT OF RECEIPT OF THE COUNTY AUDITOR'S REPORTS TO THE COMMISSIONERS COURT

The Commissioners Court acknowledged the receipt of the County Auditor's Reports.

5. CONSIDERATION OF **RFB #2017-702** – "MAINTENANCE OF OFFICE EQUIPMENT" – PURCHASING DEPARTMENT

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve and [award the RFB #2017-702](#) – "Maintenance of Office Equipment" to Hewlett Office-Purchasing Department.

All voted aye; motion carried.

6. CONSIDERATION OF PRE-VARIANCE FOR A DUPLEX WITH ONE (1) SEPTIC SYSTEM ON LESS THAN TWO (2) ACRES LOCATED AT 2304 CR 314, CLEBURNE, TEXAS PRECINCT #4-PUBLIC WORKS DEPARTMENT

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve a pre-variance for a duplex with one (1) septic system on less than two (2) acres, with the requirement of installation of a conventional system for the [property located at 2304 CR 314](#), Cleburne, Texas, in Precinct #4-Public Works Department.

All voted aye; motion carried.

7. CONSIDERATION OF PRE-VARIANCE FOR A DUPLEX WITH ONE (1) SEPTIC SYSTEM ON LESS THAN TWO (2) ACRES LOCATED AT 2312 CR 314, CLEBURNE, TEXAS-PRECINCT #4-PUBLIC WORKS DEPARTMENT

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve a pre-variance for a duplex with one (1) septic system on less than two (2) acres, with the requirement of installation of a conventional system for the [property located at 2312 CR 314](#), Cleburne, Texas, in Precinct #4-Public Works Department.

All voted aye; motion carried.

8. CONSIDERATION OF PRE-VARIANCE FOR A DUPLEX WITH ONE (1) SEPTIC SYSTEM ON LESS THAN TWO (2) ACRES LOCATED AT 2330 CR 314, CLEBURNE, TEXAS-PRECINCT #4-PUBLIC WORKS DEPARTMENT

Comm. Woolley, seconded by Comm. Howell, made a motion to approve a pre-variance for a duplex with one (1) septic system on less than two (2) acres, with the requirement of installation of a conventional system for the [property located at 2330 CR 314](#), Cleburne, Texas, in Precinct #4-Public Works Department.

All voted aye; motion carried.

9. CONSIDERATION OF FINAL PLAT OF **MORGAN ACRES**, LOT 1, BLOCK 1, LOCATED IN PRECINCT #1-PUBLIC WORKS DEPARTMENT

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

All voted aye; motion carried.

IX. NEW BUSINESS

5. CONSIDERATION OF AGREEMENT BETWEEN JOHNSON COUNTY, TEXAS AND AMERICAN MEDICAL RESPONSE AMBULANCE SERVICE, INC. D/B/A AMERICAN MEDICAL RESPONSE (AMR) FOR PARAMEDIC CARE AND AMBULANCE SERVICES FOR JOHNSON COUNTY, TEXAS AND EXHIBIT A-PURCHASING DEPARTMENT

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve an [agreement between Johnson County, Texas and American Medical Response Ambulance Service, INC. D/B/A American Medical Response \(AMR\) for paramedic care and ambulance services for Johnson County, Texas and Exhibit A](#), as presented, to be effective October 1, 2017, and to give the County Judge Authorization to sign-Purchasing Department.

Commissioner Howell voted aye.
County Judge, Roger Harmon voted aye.
Commissioner Stringer voted aye.
Commissioner Woolley voted aye.
Commissioner Baily voted nay.

Motion Carried.

The Commissioners Court recessed at 10:31 A.M. and reconvened at 10:46 A.M. to consider the following:

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.

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

No Action.

2. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE [*SECTION 111.010*](#) FOR:

- a. JUSTICE OF THE PEACE, PRECINCT #1-JUSTICE COURT BUILDING SECURITY-\$584.00
- b. JUSTICE OF THE PEACE, PRECINCT #2-JUSTICE COURT BUILDING SECURITY-\$255.00

Comm. Howell, seconded by Comm. Stringer, made a motion to approve a budget amendment pursuant to the local government code *Section 111.010* for Justice of the Peace, Precinct #1-Justice Court Building Security-\$584.00; and Justice of the Peace, Precinct #2-Justice Court Building Security-\$255.00.

All voted aye; motion carried.

3. CONSIDERATION OF A RESOLUTION OF JOHNSON COUNTY, APPROVING THE SALE OF CERTAIN REAL PROPERTY ACQUIRED AT A DELINQUENT TAX FORECLOSURE SALE, CAUSE NO. T201000575, CONVEYOR DRIVE, JOSHUA, TEXAS, 76058

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the sale of certain real property acquired at a delinquent tax foreclosure sale, Cause No. [T201000575, Conveyor Drive, Joshua, Texas 76058.](#)

All voted aye; motion carried.

4. CONSIDERATION OF A RESOLUTION OF JOHNSON COUNTY, APPROVING THE SALE OF CERTAIN REAL PROPERTY ACQUIRED AT A DELINQUENT TAX FORECLOSURE SALE, CAUSE NO. T201100182, CREEKVIEW DR., CROWLEY, TEXAS, 76036

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the sale of certain real property acquired at a delinquent tax foreclosure sale, Cause No. [T201100182, Creekview Dr., Crowley, Texas, 76036.](#)

All voted aye; motion carried.

13. CONSIDERATION OF 2018 PLAN YEAR RENEWAL WITH TEXAS ASSOCIATION OF COUNTIES HEALTH AND EMPLOYEE BENEFITS POOL AND WELLNESS PLAN-PERSONNEL DEPARTMENT

Comm. Howell, seconded by Comm. Bailey, made a motion to approve a 2018 plan year renewal with Texas Association of Counties Health and Employee Benefits Pool and Wellness Plan, as presented-Personnel Department.

All voted aye; motion carried.

13. CONSIDERATION OF 2018 PLAN YEAR RENEWAL WITH TEXAS ASSOCIATION OF COUNTIES HEALTH AND EMPLOYEE BENEFITS POOL AND WELLNESS PLAN-PERSONNEL DEPARTMENT

Comm. Howell, seconded by Comm. Woolley, made a motion to approve a 2018 plan year renewal with Texas Association of Counties Health and Employee Benefits Pool and Wellness Plan. Health Insurance will be renewed with TAC, and Dental and Vision Insurance will be renewed with Cigna-Personnel Department.

All voted aye; motion carried.

11. CONSIDERATION OF AMENDING THE DEPUTY OVERTIME PAY-SHERIFF'S OFFICE

Comm. Stringer, seconded by Comm. Bailey, made a motion in respect to the amendment of Deputy Overtime pay regarding the two positions numbered, D03-052 and D10-005. For the two vacant positions, Commissioner Stringer moved the Court approve amending the Deputy Overtime pay policy to allow those officers to be compensated for hours over forty (40) hours per week with compensatory time. In addition, Commissioner Stringer moved to allow the Court to move forward with negotiating with various school districts, as needed, to change the County's contracts with them. So, that in the event a deputy leaves service, and that overtime pay is outstanding, the school district will be responsible for payment, effective today, July 10, 2017-Sheriff's Office.

All voted aye; motion carried.

The Commissioners Court recessed at 12:05 P.M. and reconvened at 1:21 P.M. to consider the following:

8. CONSIDERATION OF INTERLOCAL AGREEMENT BETWEEN JOSHUA I.S.D. AND JOHNSON COUNTY FOR SCHOOL RESOURCE OFFICER (SRO) FOR THE NEW MIDDLE SCHOOL FOR THE 2017-2018 SCHOOL YEAR-SHERIFF'S OFFICE

Discussion. No Action.

10. CONSIDERATION OF INTERLOCAL AGREEMENT BETWEEN JOSHUA I.S.D. AND JOHNSON COUNTY FOR TRUANCY PROGRAM (A.S.A.P.) FOR THE 2017-2018 SCHOOL YEAR-SHERIFF'S OFFICE

Discussion. No Action.

9. CONSIDERATION OF INTERLOCAL AGREEMENT BETWEEN JOSHUA I.S.D. AND JOHNSON COUNTY FOR SCHOOL RESOURCE OFFICER (SRO) FOR THE 2017-2018 SCHOOL YEAR-SHERIFF'S OFFICE

Comm. Howell, seconded by Comm. Stringer, made a motion to approve an [interlocal agreement between Joshua I.S.D.](#) and Johnson County for a School Resource Officer (SRO) for the 2017-2018 school year, and to give the County Judge and the Sheriff authorization to sign-Sheriff's Office.

All voted aye; motion carried.

6. CONSIDERATION OF INTERLOCAL AGREEMENT FOR ROAD CONSTRUCTION AND REPAIR WITH THE CITY OF JOSHUA FOR ROAD REPAIR (CHIP SEAL/SEAL COAT) ON RANCHETTE DRIVE AND W. BUFFALO TRAIL, INCLUDING WYLIE COURT-PRECINCT #2

Comm. Howell, seconded by Comm. Woolley, made a motion to approve an [interlocal agreement for road construction and repair with the City of Joshua](#) for road repair (chip seal/seal coat) on Ranchette Drive and W. Buffalo Trail, including Wylie Court-Precinct #2.

All voted aye; motion carried.

7. CONSIDERATION OF COMMISSIONERS COURT APPROVAL FOR INTERLOCAL AGREEMENT PROJECT FOR ROAD CONSTRUCTION AND REPAIR WITH THE CITY OF JOSHUA FOR ROAD REPAIR (CHIP SEAL/SEAL COAT) ON RANCHETTE DRIVE AND W. BUFFALO TRAIL, INCLUDING WYLIE COURT-PRECINCT #2

Comm. Howell, seconded by Comm. Woolley, made a motion to approve an [interlocal agreement project for road construction and repair](#) with the City of Joshua for road repair (chip seal/seal coat) on Ranchette Drive and W. Buffalo Trail, including Wylie Court-Precinct #2.

All voted aye; motion carried.

12. CONSIDERATION OF CONTINUATION CERTIFICATE FOR RALPH A. MCBROOM, PURCHASING AGENT

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve the [continuation certificate for Ralph A. McBroom](#), Purchasing Agent.

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.

XI. WORKSHOP

The Commissioners Court convened into Workshop Session at 1:34 P.M. to discuss the Budget Workshop.

The Commissioners Court recessed at 3:15 P.M. and reconvened at 3:30 P.M.

The Commissioners Court reconvened into Open Session at 5:01 P.M.

BE IT KNOWN that Commissioners Court met in Executive Session at 5:02 P.M. in accordance with Government Code: a. *Sec. 551.072-Deliberations About Real Property: +/- 0.324 Acres Located on the Northwest Corner of W. Henderson Street (US HWY 67) and McAnear Street, Cleburne, Texas.*

The Commissioners Court reconvened into Open Session at 5:29 P.M. Judge stated the time as 5:30 P.M.

XII. EXECUTIVE SESSION

1. Government Code:

- a. *Sec. 551.072-Real Property- +/-0.324 Acres Located on the Northwest Corner of W. Henderson Street (US HWY 67) and McAnear Street, Cleburne, Texas*

Comm. Woolley, seconded by Comm. Bailey, made a motion to reject an offer to purchase real property of +/- 0.324 acres located on the Northwest Corner of W. Henderson Street (US HWY 67) and McAnear Street, Cleburne, Texas.

All voted aye; motion carried.

- b. *Sec. 551.071-Consultation with Attorney, Contemplated Litigation – Claim Daniel W. Griffith*

Comm. Woolley, seconded by Comm. Howell, made a motion to approve the payment of the claim of Daniel Griffith in the amount of \$8,792.00 to avoid potential litigation.

All vote aye; motion carried.

There being no further business before the Court concerning the agenda, Commissioners
Court adjourned at 5:32 P.M.

Approved by: _____
County Judge
Roger Harmon

STATE OF TEXAS §
COUNTY OF JOHNSON §

I, Becky Ivey, Johnson County Clerk, attest that the foregoing is a true and accurate
accounting of the Commissioners Court's authorized proceedings for July 10, 2017.



FILED & RECORDED
August 14, 2017
Commissioner Court Minutes

Becky Ivey, County Clerk
Clerk of Commissioner's Court
Johnson County, Texas