

STATE OF TEXAS

August 28, 2017

COUNTY OF JOHNSON

COMMISSIONERS COURT

BE IT KNOWN that on the 28th of August, 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 Kirk Kirkpatrick, County Auditor, and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on August 24, 2017 at 1:00 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. **ANNOUNCEMENT: THE REGULARLY SCHEDULED COMMISSIONERS COURT MEETING OF MONDAY, SEPTEMBER, 25, 2017 HAS BEEN RESCHEDULED FOR MONDAY, SEPTEMBER 18, 2017. THE DEADLINE TO SUBMIT ITEMS FOR THE SEPTEMBER 18, 2017 AGENDA WILL BE TUESDAY, SEPTEMBER 12, 2017 AT NOON.**

County Judge Roger Harmon announced that the regularly scheduled Commissioners Court Meeting of Monday, September, 25, 2017 has been rescheduled for Monday, September 18, 2017. The deadline to submit items for the September 18, 2017 Agenda will be Tuesday, September 12, 2017 at noon.

2. **ANNOUNCEMENT: ON SEPTEMBER 11, 2017 AT 9:00 AM IN THE COMMISSIONERS COURTROOM, JOHNSON COUNTY COURTHOUSE, 2 MAIN STREET, CLEBURNE TEXAS, THE COMMISSIONERS COURT WILL CONDUCT A 2nd PUBLIC HEARING ON THE PROPOSED JOHNSON COUNTY TAX RATE FOR THE 2017 TAX YEAR**

County Judge Roger Harmon announced that on September 11, 2017 at 9:00 AM in the Commissioners Courtroom, Johnson County Courthouse, 2 Main Street, Cleburne Texas, the Commissioners Court will conduct a 2nd Public Hearing on the Proposed Johnson County Tax Rate for the 2017 Tax Year.

3. **ANNOUNCEMENT: ON SEPTEMBER 18, 2017 AT 9:00 AM IN THE COMMISSIONERS COURTROOM, JOHNSON COUNTY COURTHOUSE, 2 MAIN STREET, CLEBURNE TEXAS, THE COMMISSIONERS COURT WILL CONDUCT A PUBLIC HEARING ON THE 2017-2018 BUDGET**

County Judge Roger Harmon announced that on September 18, 2017 at 9:00 AM in the Commissioners Courtroom, Johnson County Courthouse, 2 Main Street, Cleburne Texas, the Commissioners Court will conduct a Public Hearing on the 2017-2018 Budget.

4. **ANNOUNCEMENT: ON SEPTEMBER 18, 2017 AT 9:00 AM IN THE COMMISSIONERS COURTROOM, JOHNSON COUNTY COURTHOUSE, 2 MAIN STREET, CLEBURNE, TEXAS, THE COMMISSIONERS COURT WILL VOTE ON THE PROPOSED 2017-2018 BUDGET AND TAX RATE FOR THE 2017 TAX YEAR**

County Judge Roger Harmon announced that on September 18, 2017 at 9:00 AM in the Commissioners Courtroom, Johnson County Courthouse, 2 Main Street, Cleburne, Texas, the Commissioners Court will vote on the Proposed 2017-2018 Budget and Tax Rate for the 2017 Tax Year.

5. **PRESENTATION OF RETIREMENT PLAQUE TO SCOTTIE BROWN, AUDITOR DEPARTMENT**

The Commissioners Court and Kirk Kirkpatrick, Johnson County Auditor, presented a retirement plaque to Scottie Brown in the Auditor's Department for his 17 years of service.

V. PUBLIC PARTICIPATION

[Phillip Jackson](#), a Johnson County resident of Keene, Texas spoke about his backyard that fronts US Hwy 67. He said that US Hwy 67 was just one digit away from the most iconic highway

in America, yet it was becoming known as a “death trap”. He said this project, which is supposed to widen 3.6 miles of a two lane to a four lane, should have been completed last year. He said it probably won’t be completed until next year, while in the meantime there have been 2 fatal accidents on that highway this year. He would like the Commissioners Court to contact the [Texas Department of Transportation to ask that they make the completion of this project a priority](#). He also asked the Court to contact State Senator Brian Birdwell and State Representative Dewayne Burns regarding the completion of this project.

VI. PUBLIC HEARINGS

The Commissioners Court opened a Public Hearing at 9:13 A.M. to discuss:

1. 1st PUBLIC HEARING ON THE PROPOSED JOHNSON COUNTY TAX RATE FOR THE 2017 TAX YEAR

County Judge Roger Harmon read the following [tax rates](#) into Court record: the proposed tax rate for 2017 is \$0.472000 per \$100 of valuation, the preceding year’s tax rate is \$0.459738 per \$100 of valuation, the effective tax rate is \$0.460564 per \$100 of valuation, and the rollback tax rate is \$0.501159 per \$100 of valuation. There being no one else to speak, the hearing was closed at 9:16 A.M. (incorrect time was stated as 9:21A.M.)

VII. PRECEDING BUSINESS

1. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT:

a. July 24, 2017 – Regular Session

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the Commissioners Court Minutes for July 24, 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 #2017-24** - "APPROVING THE JOHNSON COUNTY TREASURER'S REPORT TO THE COMMISSIONERS COURT"

Comm. Stringer, seconded by Comm. Howell, made a motion to approve [Order #2017-24](#) - "Approving the Johnson County Treasurer's Report to the Commissioners Court".

All voted aye; motion carried.

5. CONSIDERATION OF VARIANCE FOR 2317 CR 920 (1.125 ACRES), TO ADD A NEW BARN WITH RESTROOM FACILITIES TO BE TIED INTO EXISTING SEPTIC SYSTEM, LOCATED IN PRECINCT #2-PUBLIC WORKS DEPARTMENT

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the [variance for 2317 CR 920](#) (1.125 Acres), to add a new barn with restroom facilities to be tied into existing septic system, located in Precinct #2-Public Works Department.

All voted aye; motion carried.

6. CONSIDERATION OF CITY OF CLEBURNE REZONING REQUEST APPLICATION FOR 205 HARRELL STREET-PUBLIC WORKS DEPARTMENT

Comm. Howell, seconded by Comm. Bailey, made a motion to approve the [City of Cleburne Rezoning Request Application for 205 Harrell Street](#)-Public Works Department and to give the County Judge the authorization to sign.

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

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 CHAPTER 111 for:

- a. Federal Funds, ICE Inmate Detention-Prisoner Housing Pass Through-\$2,614,000.00

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the [Budget Amendment pursuant to the Local Government Code Chapter 111](#) for Federal Funds, ICE Inmate Detention-Prisoner Housing Pass Through-\$2,614,000.00 due to ICE Inmate Housing is 35% higher than projected.

All voted aye; motion carried.

3. RECORDING OF DISTRICT JUDGES' ORDER ESTABLISHING SALARIES FOR COUNTY AUDITOR'S OFFICE AND COUNTY AUDITOR'S BUDGET FOR 2017-2018 BUDGET YEAR AND JUDGES' ORDER ESTABLISHING COURT REPORTERS' SALARIES FOR 2017-2018 BUDGET YEAR AND FEE SCHEDULE FOR JOHNSON COUNTY COURT REPORTERS AND INDIGENT CRIMINAL APPEALS EFFECTIVE OCTOBER 1, 2017

The Commissioners Court acknowledged the recording of the [District Judges' Order](#) Establishing Salaries for County Auditor's Office and County Auditor's Budget for 2017-2018 Budget Year and Judges' Order Establishing Court Reporters' Salaries for 2017-2018 Budget Year and Fee Schedule for Johnson County Court Reporters and Indigent Criminal Appeals effective October 1, 2017.

4. ACKNOWLEDGEMENT OF CERTIFICATE OF COMPLETION OF TAX ASSESSOR-COLLECTOR ANNUAL CONTINUING EDUCATION REQUIREMENT-TAX OFFICE

The Commissioners Court acknowledged the [Certificate of Completion of Tax Assessor-Collector Annual Continuing Education Requirement](#)-Tax Office.

5. CONSIDERATION OF REQUEST OF THE CLEBURNE MASONIC LODGE #315 TO USE THE COUNTY OWNED PARKING LOT LOCATED NEXT TO THE MASONIC LODGE ON THE SOUTH EAST SIDE OF THE COURTHOUSE ON SEPTEMBER 16, 2017 FOR SPRINGFEST-COUNTY JUDGE'S OFFICE

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the request of the Cleburne Masonic Lodge #315 to use the County owned parking lot located next to the Masonic Lodge on the south east side of the Courthouse on September 16, 2017 for Springfest-County Judge's Office.

All voted aye; motion carried.

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

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

All voted aye; motion carried.

7. CONSIDERATION OF RENEWAL OF LAW ENFORCEMENT AGENCY (LEA) APPLICATION FOR PARTICIPATION FOR THE 1033 SURPLUS PROGRAM-CONSTABLE, PRECINCT #4

Comm. Woolley, seconded by Comm. Stringer made a motion to approve the renewal of [Law Enforcement Agency \(LEA\) Application for Participation](#) for the 1033 Surplus Program-Constable, Precinct #4 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

8. CONSIDERATION TO GIVE THE COUNTY TREASURER AUTHORIZATION TO RELEASE FUNDS TO PAY INDIGENT HEALTH CARE PAYMENT IN THE AMOUNT OF \$178,276.77 TEXNET (STATE SYSTEM) ON SEPTEMBER 7, 2017 - TREASURER'S OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve to give the [County Treasurer authorization to release funds to pay Indigent Health Care](#) Payment in the amount of \$178,276.77 TEXNET (State System) on September 7, 2017-Treasurer's Office.

All voted aye; motion carried.

9. CONSIDERATION OF AGREEMENT WITH AUTOAGENT FOR THE IMPLEMENTATION, HOSTING, AND MAINTENANCE OF THE REAL ESTATE TAX PROCESSING AND PAYMENT SOFTWARE-TAX OFFICE

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve the [Agreement with Autoagent](#) for the implementation, hosting, and maintenance of the Real Estate Tax Processing and Payment Software-Tax Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

10. CONSIDERATION OF **ORDER #2017-25** – “COMMISSIONERS COURT 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 UNMANNED AERIAL SYSTEM (“UAS”) SOFTWARE PLATFORM OF DRONESENSE, INC. IS AN ITEM THAT CAN BE OBTAINED FROM ONLY ONE SOURCE”

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve [Order #2017-25](#) – “Commissioners Court 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 Unmanned Aerial System (“UAS”) Software Platform of DroneSense, Inc. is an Item that Can Be Obtained from Only One Source”.

All voted aye; motion carried.

11. CONSIDERATION OF TWO YEAR SOFTWARE LICENSE AGREEMENT WITH DRONESENSE, INC.-EMERGENCY MANAGEMENT DEPARTMENT

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve a two year [Software License Agreement with DroneSense](#), Inc.-Emergency Management Department and to give the County Judge the authorization to sign.

All voted aye; motion carried.

12. CONSIDERATION OF LETTER OF RESIGNATION FROM THE JOHNSON COUNTY HEALTH AUTHORITY, DR. ELVIN ADAMS, EFFECTIVE FRIDAY, SEPTEMBER 8, 2017

Comm. Howell, seconded by Comm. Bailey, made a motion to approve the [Letter of Resignation from the Johnson County Health Authority, Dr. Elvin Adams](#), effective Friday, September 8, 2017.

All voted aye; motion carried.

13. CONSIDERATION OF ACCEPTANCE OF ROADS INTO THE COUNTY MAINTENANCE SYSTEM OF PRECINCT #3:

- a. An Extension of 613.45 Feet on the East End of Soft Shell Drive
- b. Cashew Drive from CR 501 North to Soft Shell Drive, a Distance of 2,355.34 Feet

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the acceptance of an extension of 613.45 feet on the east end of Soft Shell Drive and Cashew Drive from CR 501 North to Soft Shell Drive, a Distance of 2,355.34 feet into the [County Maintenance System of Precinct #3](#).

All voted aye; motion carried.

- 14. CONSIDERATION OF AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS (FIXED PRICE) WITH THE STATE OF TEXAS ACTING THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION REGARDING HIGHWAY IMPROVEMENTS ON HIGHWAY NO. US 377 FROM HOOD COUNTY LINE TO APPROXIMATELY 1.1 MI NORTH OF SH 171-COUNTY JUDGE'S OFFICE

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the [Agreement to Contribute Right of Way Funds](#) (Fixed Price) with the State of Texas acting through the Texas Department of Transportation regarding Highway Improvements on Highway No. US 377 from Hood County Line to approximately 1.1 mi north of SH 171-County Judge's Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

- 15. CONSIDERATION OF PECAN VALLEY MHMR REGION (d.b.a.) PECAN VALLEY CENTERS FOR BEHAVIORAL AND DEVELOPMENTAL HEALTHCARE INTERLOCAL COOPERATION CONTRACT FOR TRANSPORTATION REIMBURSEMENT OF MENTAL HEALTH CLIENTS-SHERIFF'S OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Pecan Valley MHMR Region](#) (d.b.a.) Pecan Valley Centers for Behavioral and Developmental Healthcare Interlocal Cooperation Contract for Transportation Reimbursement of Mental Health Clients-Sheriff's Office and to give the County Judge the authorization to sign.

All voted aye; motion carried.

16. CONSIDERATION OF RESOLUTION FOR APPROVAL OF SUBMISSION OF THE GRANT APPLICATION FOR THE JOHNSON COUNTY LIVE SCAN PROGRAM TO THE OFFICE OF THE GOVERNOR-SHERIFF'S OFFICE

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the Resolution for Approval of Submission of the Grant Application for the Johnson County [Live Scan Program](#) to the Office of the Governor-Sheriff's Office.

All voted aye; motion carried.

17. CONSIDERATION OF APPLICATION FOR GRANT FUNDING UNDER THE RIFLE-RESISTANT BODY ARMOR GRANT PROGRAM (CJD) FOR 37 BALLISTIC VESTS AND 12 TACTICAL VESTS, AND RESOLUTION FOR APPROVAL OF SUBMISSION OF THE GRANT APPLICATION FOR THE JOHNSON COUNTY RIFLE-RESISTANT BODY ARMOR PROGRAM TO THE OFFICE OF THE GOVERNOR-SHERIFF'S OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Application for Grant Funding Under the Rifle-Resistant Body Armor Grant Program](#) (CJD) for 37 Ballistic Vests and 12 Tactical Vests, and Resolution for Approval of Submission of the Grant Application for the Johnson County Rifle-Resistant Body Armor Program to the Office of the Governor-Sheriff's Office, with the grant amount to be amended to include the Constable's Offices for the total amount of \$68,172.90 and to give the County Judge the authorization to sign.

All voted aye; motion carried.

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

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the [Interlocal Agreement between Joshua ISD and Johnson County](#) School Resource Officer (SRO) for the 2017-2018 School Year-Sheriff's Office and to give the County Judge and the Sheriff the authorization to sign.

All voted aye; motion carried.

19. CONSIDERATION OF INTERLOCAL AGREEMENT BETWEEN GODLEY ISD AND JOHNSON COUNTY SCHOOL RESOURCE OFFICER (SRO) FOR THE 2017-2018 SCHOOL YEAR-SHERIFF'S OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Interlocal Agreement between Godley ISD and Johnson County](#) School Resource Officer (SRO) for the 2017-2018 School Year-Sheriff's Office and to give the County Judge and the Sheriff the authorization to sign.

All voted aye; motion carried.

20. CONSIDERATION TO DECLARE MISCELLANEOUS ITEMS AS SURPLUS PURSUANT TO LOCAL GOVERNMENT CODE SECTION 263.152 (a)(1) AND PLACE ON RENE BATES AUCTION FOR SALE-PURCHASING DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve to [declare miscellaneous items as surplus](#) pursuant to Local Government Code Section 263.152(a)(1) and place on Rene Bates Auction for sale-Purchasing Department, and the buyer will be required to dismantle the crane and to provide proof of Workers Compensation Insurance.

All voted aye; motion carried.

21. CONSIDERATION OF CONTINUATION CERTIFICATE FOR GARY BRALY, RESERVE DEPUTY CONSTABLE, PRECINCT #4

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the [Continuation Certificate for Gary Braly](#), Reserve Deputy Constable, Precinct #4.

All voted aye; motion carried.

22. CONSIDERATION OF TERMS OF COMMISSIONERS COURT FOR 2017-2018

Comm. Howell, seconded by Comm. Bailey, made a motion to approve the [Terms of Commissioners Court for 2017-2018](#) by voting for Option 2, as attached to these Minutes.

All voted aye; motion carried.

23. CONSIDERATION OF JOHNSON COUNTY HOLIDAYS FOR 2018

Comm. Howell, seconded by Comm. Bailey, made a motion to approve the [Johnson County Holidays for 2018](#), as attached to these Minutes.

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 10:12 A.M. to discuss the Budget and Tax Rate and the Approval and Payment of Bills and Payroll.

The Commissioners Court recessed at 10:12 A.M. and reconvened at 10:42 A.M.

The Commissioners Court reconvened into Open Session at 11:36 A.M.

IX. NEW BUSINESS

24. CONSIDERATION OF BUDGET WORKSHOP ITEMS

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the following Budget Workshop items: move the salary for position F20-002 from the Courthouse Security fund to the Sheriff's General fund, move Indigent Defense to the General fund, and the improvements of Highway No. US 377 will be paid out of the Right of Way fund in the amount of \$122,059.20.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioners Court adjourned at 11:41 A.M.

Approved by: _____
Roger Harmon, County Judge

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 August 28, 2017.



FILED & RECORDED
September 11, 2017
Commissioner Court Minutes

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