

STATE OF TEXAS

[May 29, 2018](#)

COUNTY OF JOHNSON

COMMISSIONERS COURT

BE IT KNOWN that on the 29th day of May 2018, 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 9:05 A.M. with all members present, and following the Invocation led by County Judge, Roger Harmon and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on May 24, 2018 at 1:15 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

1. PRESENTATION OF RETIREMENT PLAQUE TO MONICA L. THARPE, SHERIFF'S OFFICE

County Judge, Roger Harmon, the Members of Commissioners Court and Johnson County Sheriff, Adam King, presented a retirement plaque to Monica L. Tharpe of the Sheriff's Office for her 21 years of service to the County.

2. PRESENTATION TO PROVIDE JOHNSON COUNTY COMMISSIONERS COURT WITH A CONTRACT STATUS REPORT ON PARAMEDIC CARE AND AMBULANCE SERVICES BY AMR STAFF

Steven Dralle, Vice President of Operations-Texas, Vernon Wickliffe, Operation Manager, and Randy Nance, Supervisor with [AMR provided the Commissioners Court with a Contract Status Report](#) on Paramedic Care and Ambulance Services.

V. PUBLIC PARTICIPATION

None.

VI. PRECEDING BUSINESS

1. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT:

- a. May 9, 2018 – Special Session
- b. May 11, 2018 – Regular Session

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the Minutes of the Commissioners Court for May 9, 2018 and May 11, 2018.

All voted aye; motion carried.

2. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve 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 to the Commissioners Court.

4. CONSIDERATION OF **ORDER #2018-10** "APPROVING THE JOHNSON COUNTY TREASURER'S REPORT TO THE COMMISSIONERS COURT"

Comm. Stringer, seconded by Comm. Howell, made a motion to approve [Order #2018-10](#) "Approving the Johnson County Treasurer's Report to the Commissioners Court".

All voted aye; motion carried.

5. CONSIDERATION OF RENEWAL OF **RFP #2015-510** – INDEPENDENT PROFESSIONAL AUDIT SERVICES WITH KENNEMER, MASTERS & LUNSFORD AT THE SAME PRICING-PURCHASING DEPARTMENT

Comm. Howell, seconded by Comm. Bailey, made a motion to approve the renewal of [**RFP #2015-510**](#) – Independent Professional Audit Services with Kennemer, Masters & Lunsford at the Same Pricing-Purchasing Department.

All voted aye; motion carried.

BE IT KNOWN that Commissioners Court met in Executive Session at 9:36 A.M. in accordance with Government Code: a. *Sec. 551.087*-Economic Development Negotiations: (1) Amendment to Tax Abatement Agreement with Golden State Foods, Corporation, also known as Project Southwest.

The Commissioners Court reconvened into Regular Session at 10:02 A.M. to consider the following:

VIII. NEW BUSINESS

19. CONSIDERATION OF **ORDER #2018-11** –“2ND AMENDMENT TO TAX ABATEMENT PROJECT SOUTHWEST”-COUNTY JUDGE'S OFFICE

Comm. Howell, seconded by Comm. Stringer, made a motion to approve [**Order #2018-11**](#) –“2nd Amendment to Tax Abatement Project Southwest”; which amends the agreement to 75% for 9 years-County Judge's Office

All voted aye; motion carried.

20. CONSIDERATION OF 2ND AMENDMENT TO TAX ABATEMENT AGREEMENT BETWEEN GOLDEN STATE FOODS, CORP. (ALSO KNOWN AS PROJECT SOUTHWEST) AND JOHNSON COUNTY-COUNTY JUDGE'S OFFICE

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve the [2nd Amendment to Tax Abatement Agreement between Golden State Foods, Corp.](#) (also known as Project Southwest) and Johnson County; and to give the County Judge the authorization to sign-County Judge's Office.

All voted aye; motion carried.

X. WORKSHOP

The Commissioners Court convened into Workshop Session at 10:10 A.M. to discuss Fees to be Charged to the Cities of Johnson County for Dispatch Services Provided by the Johnson County Sheriff's Office and the Method of Calculating the Amount of Fees to be Charged to Each City.

The Commissioners Court reconvened in Regular Session at 10:36 A.M. to consider the following:

VIII. NEW BUSINESS

16. CONSIDERATION OF FEES TO BE CHARGED TO THE CITIES OF JOHNSON COUNTY FOR DISPATCH SERVICES PROVIDED BY THE JOHNSON COUNTY SHERIFF'S OFFICE AND THE AMOUNT OF FEES TO BE CHARGED TO EACH CITY-COUNTY JUDGE'S OFFICE

Comm. Bailey, seconded by County Judge, Roger Harmon, made a motion to approve fees to be charged to the cities of Johnson County for Dispatch Services provided by the Johnson County Sheriff's Office and the amount of fees to be charged to each City; which would be a rate of \$14.46 per person (per city, per population), effective October 1, 2018.

No Vote Taken.

Comm. Woolley, seconded by Comm. Stringer, made a [motion to table](#) this item until the next regularly scheduled Commissioners Court Meeting.

All voted aye; motion carried.

8. CONSIDERATION OF COMMUNICATIONS SYSTEM AGREEMENT
BETWEEN JOHNSON COUNTY AND JOSHUA INDEPENDENT SCHOOL
DISTRICT POLICE DEPARTMENT-SHERIFF'S OFFICE

Comm. Howell, seconded by Comm. Woolley, made a motion to approve the [Communications System Agreement](#) between Johnson County and Joshua Independent School District Police Department; and to give the County Judge the authorization to sign-Sheriff's Office.

All voted aye; motion carried.

9. CONSIDERATION OF MEMORANDUM OF UNDERSTANDING BETWEEN
JOHNSON COUNTY AND JOSHUA INDEPENDENT SCHOOL DISTRICT
POLICE DEPARTMENT-SHERIFF'S OFFICE

Comm. Howell, seconded by Comm. Woolley, made a motion to approve the [Memorandum of Understanding between Johnson County and Joshua Independent School District Police Department](#); and to give the County Judge and the County Attorney the authorization to sign-Sheriff's Office.

All voted aye; motion carried.

10. CONSIDERATION OF AMENDED INTERLOCAL COOPERATION
AGREEMENT REGARDING ENTERING OF CLASS C WARRANTS INTO
THE NORTH CENTRAL TEXAS CRIME INFORMATION CENTER
THROUGH JOHNSON COUNTY SHERIFF'S OFFICE-SHERIFF'S OFFICE

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the [Amended Interlocal Cooperation Agreement Regarding Entering of Class C Warrants](#) into the North Central Texas Crime Information Center through Johnson County Sheriff's Office; and to give the County Judge and the Sheriff the authorization to sign-Sheriff's Office.

All voted aye; motion carried.

11. CONSIDERATION OF AMENDED INTERLOCAL COOPERATION AGREEMENT BETWEEN JOHNSON COUNTY AND THE CITY OF ALVARADO, TEXAS REGARDING HOUSING OF CERTAIN PRISONERS-SHERIFF'S OFFICE

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the [Amended Interlocal Cooperation Agreement between Johnson County and the City of Alvarado](#), Texas Regarding Housing of Certain Prisoners; and to give the County Judge and the Sheriff the authorization to sign-Sheriff's Office.

All voted aye; motion carried.

12. CONSIDERATION OF JOHNSON COUNTY INTERLOCAL DISPATCHING AGREEMENT WITH THE CITY OF ALVARADO, TEXAS FOR MARSHAL'S OFFICE-SHERIFF'S OFFICE

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the [Johnson County Interlocal Dispatching Agreement with the City of Alvarado](#), Texas for Marshal's Office, expiring September 30, 2018; and to give the County Judge and the Sheriff the authorization to sign-Sheriff's Office.

All voted aye; motion carried.

The Commissioners Court recessed at 10:53 A.M. and reconvened at 11:08 A.M. to consider the following:

5. CONSIDERATION OF SEALED BIDS AND RESOLUTION FOR STRUCK OFF PROPERTY WITHIN JOHNSON COUNTY, TEXAS:

Tract 1 T201400191
 126-2800-20710
 1236 E. James St. Cleburne, TX

Comm. Woolley, seconded by Comm. Howell, made a motion to approve the [Sealed Bids and Resolution for Struck Off Property](#) within Johnson County, Texas: Tract 1, T201400191, 126-2800-20710, 1236 E. James St. Cleburne, TX.

All voted aye; motion carried.

6. CONSIDERATION OF DEPARTMENT OF STATE HEALTH SERVICES
CONTRACT #537-18-0207-0001 AMENDMENT NO. 1 RENEWAL FOR THE
CITIES READINESS INITIATIVE CONTRACT-EMERGENCY
MANAGEMENT DEPARTMENT

Comm. Stringer, seconded by Comm. Woolley, made a motion to approve the [Department of State Health Services Contract #537-18-0207-0001 Amendment No. 1](#) Renewal for the Cities Readiness Initiative Contract; and to give the County Judge and the County Auditor the authorization to sign-Emergency Management Department.

All voted aye; motion carried.

VI. PRECEDING BUSINESS

6. CONSIDERATION TO APPROVE THE PURCHASING AGENT TO OBTAIN
ENGINEERING SPECIFICATIONS FROM HALFF ASSOCIATES, INC. IN
ORDER TO ADVERTISE AND SEEK PROPOSALS FOR **RFB #2018-809** –
CONSTRUCTION OF THE GUINN BUILDING PARKING LOT. IN
ADDITION, APPROVE HALFF ASSOCIATES TO PROVIDE TECHNICAL
SUPPORT THROUGHOUT THE BIDDING PROCESS AND
ADMINISTRATIVE SUPPORT THROUGHOUT THE CONSTRUCTION
PHASE-PURCHASING DEPARTMENT

Comm. Woolley, seconded by Comm. Howell, made a motion to approve the Purchasing Agent to obtain Engineering Specifications from Halff Associates, Inc. in order to advertise and seek proposals for [RFB #2018-809](#) – Construction of the Guinn Building Parking Lot. In Addition, Approve Halff Associates to Provide Technical Support throughout the Bidding Process and Administrative Support throughout the Construction Phase-Purchasing Department.

All voted aye; motion carried.

7. CONSIDERATION OF VARIANCE FOR TWO STRUCTURES ON ONE SEPTIC SYSTEM FOR FAMILY MEMBER'S MEDICAL REASONS, LOCATED AT 4575 CR 703, IN PRECINCT #4-PUBLIC WORKS DEPARTMENT

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve a variance for two structures on one septic system for family member's medical reasons, located at [4575 CR 703](#), in Precinct #4-Public Works Department.

All voted aye; motion carried.

VIII. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

No Action.

VI. PRECEDING BUSINESS

8. CONSIDERATION OF THE PLAN FOR CONSTRUCTION OF ROADWAY (HERITAGE ESTATES TRAIL) FOR A FUTURE GATED SUBDIVISION IN 146.96 ACRE TRACT, OWNED BY THE OSTEEN D. AND ETHEL L. PFLUEGER REVOCABLE LIVING TRUST, DESCRIBED IN PUBLIC RECORDS OF JOHNSON COUNTY TEXAS (INST. NO. 2018-07922) IN PRECINCT #4, AND APPROVAL OF THE SECURITY, BEING A CASHIER'S CHECK IN THE AMOUNT OF \$182,950.00, TO BE USED BY JOHNSON COUNTY, TEXAS AS SECURITY FOR THE CONSTRUCTION OF THE ROADWAY-PUBLIC WORKS DEPARTMENT

[No Action.](#)

9. CONSIDERATION OF FINAL PLAT FOR **ROSS ADDITION**, LOT 1, BLOCK 1, IN PRECINCT #4-PUBLIC WORKS DEPARTMENT

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the final plat for [Ross Addition](#), Lot 1, Block 1, in Precinct #4 for filing purposes only-Public Works Department.

All voted aye; motion carried.

10. CONSIDERATION OF FINAL PLAT FOR M.K. HUGHES ESTATES, LOTS 1-8, BLOCK 1, IN PRECINCT #2-PUBLIC WORKS DEPARTMENT

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the final plat for [M.K. Hughes Estates](#), Lots 1-8, Block 1, in Precinct #2 for filing purposes only-Public Works Department.

All voted aye; motion carried.

The Commissioners Court recessed at 11:58 A.M. and reconvened at 1:31 P.M. to consider the following:

VII. 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.

VIII. NEW BUSINESS

2. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE SECTION 111 FOR:

a. Sheriff-Equipment Non-Cap-\$15,218.00

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Budget Amendment](#) pursuant to the Local Government Code *Section 111* for: Sheriff-Equipment Non-Cap-\$15,218.00.

All voted aye; motion carried.

3. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE SECTION 111.010 FOR:

- a. 18th District Court-Fees & Services-\$20,000.00 and 413th District Court-Transfers to-\$20,000.00 – Total-\$40,000.00
- b. County Court at Law No. 1-Other Court Appointed Attorneys-\$10,000.00
- c. County Court at Law No. 2-Other Court Appointed Attorneys-\$10,000.00

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the [Budget Amendment](#) pursuant to the Local Government Code *Section 111.010* for: 18th District Court-Fees & Services-\$20,000.00 and 413th District Court-Transfers to-\$20,000.00 – Total-\$40,000.00, County Court at Law No. 1-Other Court Appointed Attorneys-\$10,000.00, and County Court at Law No. 2-Other Court Appointed Attorneys-\$10,000.00.

All voted aye; motion carried.

4. CONSIDERATION OF BUDGET AMENDMENT PURSUANT TO THE LOCAL GOVERNMENT CODE SECTION 111.0106 FOR:

- a. Elections Administrator-Dues and Conferences-\$474.00

Comm. Howell, seconded by Comm. Stringer, made a motion to approve the [Budget Amendment](#) pursuant to the Local Government Code *Section 111.0106* for: Elections Administrator-Dues and Conferences-\$474.00.

All voted aye; motion carried.

7. CONSIDERATION OF MODIFICATION OF INTERGOVERNMENTAL AGREEMENT WITH THE UNITED STATES MARSHALS SERVICE, AGREEMENT NO. 77-15-0078, MODIFICATION NO. 4, TO ADJUST THE CURRENT PER DIEM RATE OF \$67.29 TO \$67.56 TO REFLECT DEPARTMENT OF LABOR WAGE DETERMINATION 2015-5231, REVISION 9 DATED 01/10/2018-SHERIFF'S OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the [Modification of Intergovernmental Agreement with the United States Marshals Service](#), Agreement No. 77-15-0078, Modification No. 4, to Adjust the Current Per Diem Rate of \$67.29 to \$67.56 to Reflect Department of Labor Wage Determination 2015-5231, Revision 9 Dated 01/10/2018; and to give the County Judge the authorization to sign-Sheriff's Office.

All voted aye; motion carried.

13. CONSIDERATION AND APPROVAL OF CONTRACT #HHSREV100000864 WITH TEXAS DEPARTMENT OF STATE HEALTH SERVICES AND ASSOCIATED DATA USE AGREEMENT FOR PROVISION OF AND ACCESS TO VITAL STATISTICS (BIRTH AND DEATH) INFORMATION-COUNTY CLERK'S OFFICE

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the [Contract #HHSREV100000864](#) with Texas Department of State Health Services and Associated Data Use Agreement for Provision of and Access to Vital Statistics (Birth and Death) Information; and to give the County Judge the authorization to sign and initial-County Clerk's Office.

All voted aye; motion carried.

14. CONSIDERATION TO REQUEST UNCLAIMED PROPERTY CAPITAL CREDITS FROM THE TEXAS COMPTROLLER OF PUBLIC ACCOUNTS-COUNTY JUDGE'S OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve to Request [Unclaimed Property Capital Credits](#) from the Texas Comptroller of Public Accounts; and to give the County Judge the authorization to sign-County Judge's Office.

All voted aye; motion carried.

15. CONSIDERATION OF BOND FOR:

a. Robert Sigler-Deputy Constable, Precinct #1

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve the [Bond for Robert Sigler-Deputy Constable, Precinct #1](#).

All voted aye; motion carried.

17. CONSIDERATION OF **ORDER #2018-09** – "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 CONTINGENCY FEE CONTRACT OF REPRESENTATION WITH FERRER POIROT & WANSBROUGH ("FPW"), MACLEAN LAW FIRM, PC ("ML"), MCNAMEE HOSEA ("MH") AND FEARS NACHAWATI, PLLC, ("FN") IS FOR A PROFESSIONAL SERVICE"-COUNTY JUDGE'S OFFICE

No Action.

18. CONSIDERATION OF ATTORNEY'S RETAINER CONTRACT BETWEEN FERRER POIROT & WANSBROUGH ("FPW"), MACLEAN LAW FIRM, PC ("ML"), MCNAMEE HOSEA ("MH"), FEARS NACHAWATI, PLLC ("FN") AND JOHNSON COUNTY, TEXAS FOR REPRESENTATION IN OPIOID LITIGATION-COUNTY JUDGE'S OFFICE

No Action.

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 1:42 P.M. in accordance with Government Code: c. *Sec. 551.074*-Personnel, County Clerk's Office: (1) Salary Adjustments for: (1) F30-008, Open Position, (2) F30-007, Heidi Pierce, Supervisor, (3) F03-003, Michelle Davis, Clerk III, (4) F30-009, Flor Ponce, Supervisor, (5) F30-005, Andrea Ortegon, Supervisor, (6) F03-004, Deborah Allison, Clerk III, (7) F03-005, Barbara Haseley, Clerk III, (8) F03-030, Amy Hall, Clerk III, (9) F02-082, Linda Bailey, Clerk II, and (10) F03-021, Sarah George, Clerk III and (2) Change in Title only: (1) F01-026, Open Position.

The Commissioners Court reconvened into Regular Session at 2:21 P.M. to consider the following:

XI. EXECUTIVE SESSION

c. *Sec. 551.074*-Personnel, County Clerk's Office:

(1) Salary Adjustments for:

(1) F30-008, Open Position

Comm. Stringer, seconded by Comm. Howell, made a motion to approve a decrease in the salary for F30-008, Open Position by \$10, 752.00.

All voted aye; motion carried.

(2) F30-007, Heidi Pierce, Supervisor

Comm. Stringer, seconded by Comm. Howell, made a motion to approve an increase in the salary for position F30-007, Heidi Pierce, Supervisor by \$4,000.00 using funds from the decreased salary of F30-008, effective June 11, 2018.

All voted aye; motion carried.

(1) F30-008, Open Position

Comm. Stringer, seconded by Comm. Howell, made an amended motion to add an effective date of June 11, 2018.

All voted aye; motion carried.

(3) F03-003, Michelle Davis, Clerk III

Comm. Stringer, seconded by Comm. Howell, made a motion to approve an increase in the salary for position F03-003, Michelle Davis, Clerk III by \$1,852.00 using funds from the decreased salary of F30-008, effective June 11, 2018.

All voted aye; motion carried.

(4) F30-009, Flor Ponce, Supervisor

Comm. Stringer, seconded by Comm. Howell, made a motion to approve an increase in the salary for position F30-009, Flor Ponce, Supervisor by \$1,200.00 using funds from the decreased salary of F30-008, effective June 11, 2018.

All voted aye; motion carried.

(5) F30-005, Andrea Ortegon, Supervisor

Comm. Stringer, seconded by Comm. Howell, made a motion to approve an increase in the salary for position F30-005, Andrea Ortegon, Supervisor by \$1,200.00 using funds from the decreased salary of F30-008, effective June 11, 2018.

All voted aye; motion carried.

(6) F03-004, Deborah Allison, Clerk III

Comm. Stringer, seconded by Comm. Howell, made a motion to approve an increase in the salary for position F03-004, Deborah Allison, Clerk III by \$2,500.00 using funds from the decreased salary of F30-008, and to change the title of F03-004 from Clerk III to Supervisor, effective June 11, 2018.

All voted aye; motion carried.

(7) F03-005, Barbara Haseley, Clerk III

Comm. Stringer, seconded by Comm. Howell, made a motion to approve a decrease in the salary of position F03-005, Barbara Haseley, Clerk III by \$1,648.00, effective June 11, 2018.

All voted aye; motion carried.

(8) F03-030, Amy Hall, Clerk III

Comm. Stringer, seconded by Comm. Howell, made a motion to approve an increase in the salary of position F03-030, Amy Hall, Clerk III by \$1,648.00 using funds from the decreased salary of F03-005, effective June 11, 2018.

All voted aye; motion carried.

(9) F02-082, Linda Bailey, Clerk II

Comm. Stringer, seconded by Comm. Howell, made a motion to approve a decrease in the salary of position F02-082, Linda Bailey, Clerk II by \$1,766.00, effective June 11, 2018.

All voted aye; motion carried.

(10) F03-021, Sarah George, Clerk III

Comm. Stringer, seconded by Comm. Howell, made a motion to approve an increase in the salary of position F03-021, Sarah George, Clerk III by \$1,766.00 using funds from the decreased salary of F02-082, effective June 11, 2018.

All voted aye; motion carried.

(1) F30-008, Open Position

Comm. Stringer, seconded by Comm. Howell, made an amended motion to add a title change for F30-008, Open Position from Supervisor to Clerk II.

All voted aye; motion carried.

(2) Change in Title only:

(1) F01-026, Open Position.

Comm. Stringer, seconded by Comm. Howell, made a motion to approve a change in title of position F01-026, Open Position from Clerk I to Clerk II, effective June 11, 2018.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioners Court adjourned at 2:29 P.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 May 29, 2018.



FILED & RECORDED
June 11, 2018
Commissioner Court Minutes

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