

STATE OF TEXAS

[November 6, 2018](#)

COUNTY OF JOHNSON

COMMISSIONERS COURT

BE IT KNOWN that on the 6<sup>th</sup> day of November, 2018, the Honorable Commissioners Court of Johnson County, Texas, met in Special Session at the 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 9:02 A.M. with all members present, and the following items, having been lawfully posted and filed for record in the office of the County Clerk on November 2, 2018 at 1:06 P.M., were considered.

**I. NEW BUSINESS**

**1. CONSIDERATION OF NOVEMBER 9, 2018 PAYROLL**

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve the [November 9, 2018 Payroll](#) as presented.

All voted aye; motion carried.

**BE IT KNOWN** that Commissioners Court met in Executive Session at 9:03 A.M. in accordance with Government Code: *Sec. 551.071*-Consultation with Attorney, Contemplated Litigation: (1) Opioid Litigation.

The Commissioners Court reconvened into Regular Session at 9:34 A.M. (County Judge, Roger Harmon stated the time as 9:32 A.M.) to consider the following:

2. CONSIDERATION OF **ORDER #2018-24** — "COMMISSIONERS COURT APPROVING THE AMENDED ATTORNEY'S RETAINER CONTRACT OF REPRESENTATION WITH FERRER POIROT & WANSBROUGH, THE MACLEAN LAW FIRM, PC AND FEARS NACHAWATI, PLLC, FOR OPIOID LITIGATION"-COUNTY JUDGE'S OFFICE

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve [Order #2018-24](#) — "Commissioners Court Approving the Amended Attorney's Retainer Contract of Representation with Ferrer Poirot & Wansbrough, the MacLean Law Firm, PC and Fears Nachawati, PLLC, for Opioid Litigation" with the following motion: "The Commissioners Court enter into an Amended Attorney's Retainer Contract of representation with Ferrer Poirot & Wansbrough, the MacLean Law Firm, PC, and Fears Nachawati, PLLC, for Opioid Litigation due to a substantial need for the legal services, the legal services cannot be adequately performed by the County Attorney's Office and the legal services cannot be reasonably obtained from attorneys in private practice under a contract providing only for the payment of hourly fees, without regard to the outcome of the matter, because of the nature of the matter for which the services will be obtained or because the county does not have appropriated funds available to pay the estimated amounts required under a contract providing only for the payment of hourly fees".-County Judge's Office.

All voted aye; motion carried.

3. CONSIDERATION OF AMENDED ATTORNEY'S RETAINER CONTRACT BETWEEN FERRER POIROT & WANSBROUGH, THE MACLEAN LAW FIRM, PC AND FEARS NACHAWATI, PLLC, AND JOHNSON COUNTY, TEXAS FOR REPRESENTATION IN OPIOID LITIGATION-COUNTY JUDGE'S OFFICE

Comm. Howell, seconded by Comm. Woolley, made a motion to approve the [Amended Attorney's Retainer Contract](#), with the changes made by Johnson County Attorney, Bill Moore, between Ferrer Poirot & Wansbrough, the MacLean Law Firm, PC and Fears Nachawati, PLLC, and Johnson County, Texas for Representation in Opioid Litigation and to give the County Judge the authorization to sign-County Judge's Office.

All voted aye; motion carried.

4. CONSIDERATION OF **ORDER #2018-25** — "COMMISSIONERS COURT AUTHORIZING THE COUNTY ATTORNEY TO SUBMIT A COMPLETED QUESTIONNAIRE AND APPLICABLE ATTACHMENTS TO THE TEXAS COMPTROLLER OF PUBLIC ACCOUNTS (COMPTROLLER) FOR REVIEW AND APPROVAL OF INITIAL CONTINGENT FEE LEGAL SERVICES CONTRACT AND/OR RENEWAL OR AMENDMENT OF SUCH CONTRACT PURSUANT TO *SECTION 403.0305* OF THE TEXAS GOVERNMENT CODE"

Comm. Woolley, seconded by Comm. Howell, made a motion to approve

[Order #2018-25](#) — "Commissioners Court Authorizing the County Attorney to Submit a Completed Questionnaire and Applicable Attachments to the Texas Comptroller of Public Accounts (Comptroller) for Review and Approval of Initial Contingent Fee Legal Services Contract and/or Renewal or Amendment of Such Contract Pursuant to *Section 403.0305* of the Texas Government Code" with the following motion: "The Commissioners Court authorize the County Attorney to submit a completed questionnaire and all applicable attachments to the Texas Comptroller of Public Accounts (Comptroller) for review and approval of initial contingent fee legal services contract and/or renewal or amendment of such contract pursuant to *Section 403.0305* of the Texas Government Code."

All voted aye; motion carried.

## II. EXECUTIVE SESSION

1. Government Code:
  - a. *Sec. 551.071*-Consultation with Attorney, Contemplated Litigation:
    1. Opioid Litigation  
No Action.

There being no further business before the Court concerning this agenda, Commissioners Court adjourned at 9:39 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 November 6, 2018.



**FILED & RECORDED**  
**November 26, 2018**  
**Commissioner Court Minutes**

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