

STATE OF TEXAS

MAY 10, 2019

COUNTY OF JOHNSON

COMMISSIONERS COURT

BE IT KNOWN that on the 10th day of May 2019, 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 9:04 A.M. with all members present, and following the Invocation led by Commissioner Woolley, Precinct #4 and the Pledge of Allegiance, the following items, having been lawfully posted and filed for record in the Office of the County Clerk on April 18, 2019 at 1:04 P.M., were considered:

IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS

Commissioner Woolley, Precinct #4 addressed the Court in order to announce the publication of an article in Sports Illustrated Magazine which highlighted the Texas Tech Meat Judging Team.

1. PRESENTATION OF PROCLAMATION FOR LIFEGUARD YOUR CHILD

County Judge, Roger Harmon and the Members of Commissioners Court proclaimed the month of May 2019 as: "LIFEGUARD YOUR CHILD" month and urged all citizens to support the effort to prevent further needless child deaths from drowning. The Court presented the proclamation to members of ESD #1, United Way, Children's Advocacy Center, and other Johnson County Agencies.

2. PRESENTATION OF PROCLAMATION FOR JOHNSON COUNTY MEMORIAL POPPY DAYS

County Judge, Roger Harmon and the Members of Commissioners Court proclaimed Memorial Day, May 27, 2019, as: "JOHNSON COUNTY MEMORIAL POPPY DAYS" and urged the residents of Johnson County to attend a Memorial Day Program, carry on the proud southern tradition of grave decoration, and to wear a memorial poppy as mute evidence of gratitude to the men and women of this country who have risked their lives in defense of the freedoms which we continue to enjoy as American citizens.

3. PRESENTATION OF RETIREMENT PLAQUE TO SHARON J. POWELL, CIVIL COURT COORDINATOR, 18th DISTRICT COURT

County Judget, Roger Harmon and the Members of Commissioners Court presented a retirement plaque to Sharon J. Powell, Civil Court Coordinator, 18th District Court, for her 26 years of service to Johnson County.

V. PUBLIC PARTICIPATION

None.

VI. PUBLIC HEARING

The Commissioners Court opened a Public Hearing at 9:30 A.M. to discuss:

1. REVISION OF PLAT PURSUANT TO SECTION 232.009 (C-1) OF THE TEXAS LOCAL GOVERNMENT CODE REQUEST TO REVISE AND COMBINE LOTS 1-3, BLOCK 81 IN THE RETREAT, PHASE 7, A RECORDED SUBDIVISION IN SLIDE D-603 AND VOLUME 11, PAGE 351 IN JOHNSON COUNTY, TEXAS TO FORM LOT 1R AND 2R, BLOCK 81, AND THE ADDITION OF LOTS 1B AND 2B, BLOCK 81 IN THE RETREAT, PHASE 7, IN PRECINCT #1-PUBLIC WORKS DEPARTMENT

There being no one from the public wishing to speak, County Judge, Roger Harmon turned the discussion over to Commissioner Rick Bailey, Precinct #1. Comm. Bailey commented that need for the revision of the plat was due to growth of the County and in turn, the growth of the **The Retreat** community.

There being no one else to speak, the Public Hearing was closed at 9:31 A.M.

VII. PRECEDING BUSINESS

1. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT:

- a. April 22, 2019 – Regular Session
- b. April 24, 2019 – Special Session

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the Minutes of Commissioners Court for April 22, 2019 and April 24, 2019.

All voted aye; motion carried.

2. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Bailey, seconded by Comm. Stringer, 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 RENEWAL OF RFQ #2016-603 – "LAND SURVEYOR FOR JOHNSON COUNTY" WITH TRANS TEXAS SURVEYING AND MAPPING, LLC-PURCHASING DEPARTMENT

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve the renewal of RFQ #2016-603 – "Land Surveyor for Johnson County" with Trans Texas Surveying and Mapping, LLC-Purchasing Department.

All vote aye; motion carried.

5. CONSIDERATION OF ORDER #2019-26 – “ORDER APPROVING REVISION OF PLAT PURSUANT TO SECTION 232.009 (C-1) OF THE TEXAS LOCAL GOVERNMENT CODE” REQUEST TO REVISE AND COMBINE LOTS 1-3, BLOCK 81 IN THE RETREAT, PHASE 7, A RECORDED SUBDIVISION IN SLIDE D-603 AND VOLUME 11, PAGE 351 IN JOHNSON COUNTY, TEXAS TO FORM LOT 1R AND 2R, BLOCK 81, AND THE ADDITION OF LOTS 1B AND 2B, BLOCK 81 IN THE RETREAT, PHASE 7, IN PRECINCT #1-PUBLIC WORKS DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the revision of the plat of **The Retreat** subdivision, Phase 7 to combine Lots 1-3, Block 81 in **The Retreat**, Phase 7, a recorded subdivision in slide D-603 and Volume 11, Page 351, in Johnson County, Texas to form Lot 1R, 2R, Block 81, and the addition of Lots 1B and 2B, Block 81 in **The Retreat** subdivision, Phase 7-Public Works Department.

All voted aye; motion carried.

VIII. UNFINISHED BUSINESS

No Action.

IX. NEW BUSINESS

1. CONSIDERATION TO ADVERTISE FOR BIDS/PROPOSALS

No Action.

2. CONSIDERATION OF ORDER #2019-27 – “ORDER AUTHORIZING MEMORIAL DAY FIREWORKS SALES” UNDER TEXAS OCCUPATIONS CODE, SECTION 2154.202 (h), BEGINNING MAY 22, 2019 AND ENDING MIDNIGHT ON MAY 27, 2019 IN CELEBRATION OF MEMORIAL DAY ON MAY 27, 2019-PRECINCT #4

No Action.

3. CONSIDERATION OF TRANSFERRING \$50,000 CASH FROM GENERAL FUND 0100 TO EQUIPMENT PURCHASE FUND 0750 TO COVER THE COST OF BUDGETED EQUIPMENT PURCHASES-AUDITOR'S OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve transferring \$50,000 Cash from General Fund 0100 to Equipment Purchase Fund 0750 to cover the Cost of Budgeted Equipment Purchases-Auditor's Office.

All voted aye; motion carried.

4. CONSIDERATION OF THE SUBMISSION OF THE 2019 SCAAP (STATE CRIMINAL ALIEN ASSISTANCE PROGRAM) GRANT APPLICATION #2019-H1246-TX-AP-COUNTY JUDGE'S OFFICE

Comm. Howell, seconded by Comm. Bailey, made a motion to approve the submission of the 2019 SCAAP (State Criminal Alien Assistance Program) Grant Application #2019-H1246-TX-AP-County Judge's Office.

All voted aye; motion carried.

5. CONSIDERATION OF KOMATSU ARCHITECTURE FEE PROPOSAL FOR THE BURLESON SUB-COURTHOUSE BUILDING REMODEL-COUNTY JUDGE'S OFFICE

Comm. Howell, seconded by Comm. Bailey, made a motion to approve Komatsu Architecture Fee Proposal for the Burleson Sub-Courthouse Building Remodel-County Judge's Office.

All voted aye; motion carried.

6. CONSIDERATION OF MASTER RENTAL AGREEMENT AND JOHNSON COUNTY CONTRACT TERMS ADDENDUM TO RENTAL CONTRACT AND R. B. EVERETT & COMPANY RENTAL AGREEMENT FOR RENTAL OF EQUIPMENT-PURCHASING DEPARTMENT

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the Master Rental Agreement and Johnson County Contract Terms Addendum to Rental Contract and R. B. Everett & Company Rental Agreement for Rental of Equipment and to give the County Judge the authorization to sign-Purchasing Department.

All voted aye; motion carried.

7. CONSIDERATION OF MASTER RENTAL AGREEMENT AND JOHNSON COUNTY CONTRACT TERMS ADDENDUM TO RENTAL CONTRACT AND BANE MACHINERY, INC. RENTAL AGREEMENT FOR RENTAL OF EQUIPMENT-PURCHASING DEPARTMENT

Comm. Stringer, seconded by Comm. Woolley, made a motion to approve the Master Rental Agreement and Johnson County Contract Terms Addendum to Rental Contract and Bane Machinery, Inc. Rental Agreement for Rental of Equipment and to give the County Judge the authorization to sign-Purchasing Department.

All voted aye; motion carried.

8. CONSIDERATION OF MASTER RENTAL AGREEMENT AND JOHNSON COUNTY CONTRACT TERMS ADDENDUM TO RENTAL CONTRACT AND KIRBY-SMITH MACHINERY RENTAL AGREEMENT FOR RENTAL OF EQUIPMENT-PURCHASING DEPARTMENT

Comm. Stringer, seconded by Comm. Woolley, made a motion to approve the Master Rental Agreement and Johnson County Contract Terms Addendum to Rental Contract and Kirby-Smith Machinery Rental Agreement for Rental of Equipment and to give the County Judge the authorization to sign-Purchasing Department.

All voted aye; motion carried.

9. CONSIDERATION OF MASTER RENTAL AGREEMENT AND JOHNSON COUNTY CONTRACT TERMS ADDENDUM TO RENTAL CONTRACT AND SUNBELT RENTALS, INC. RENTAL AGREEMENT FOR RENTAL OF EQUIPMENT-PURCHASING DEPARTMENT

Comm. Stringer, seconded by Comm. Woolley, made a motion to approve the Master Rental Agreement and Johnson County Contract Terms Addendum to Rental Contract and Sunbelt Rentals, Inc. Rental Agreement for Rental of Equipment and to give the County Judge the authorization to sign-Purchasing Department.

All voted aye; motion carried.

10. CONSIDERATION OF MASTER RENTAL AGREEMENT AND JOHNSON COUNTY CONTRACT TERMS ADDENDUM TO RENTAL CONTRACT AND STAR TRACTOR, LTD RENTAL AGREEMENT FOR RENTAL OF EQUIPMENT-PURCHASING DEPARTMENT

Comm. Stringer, seconded by comm. Woolley, made a motion to approve the Master Rental Agreement and Johnson County Contract Terms Addendum to Rental Contract and Star Tractor, LTD Rental Agreement for Rental of Equipment and to give the County Judge the authorization to sign-Purchasing Department.

All voted aye; motion carried.

11. CONSIDERATION OF MASTER RENTAL AGREEMENT AND JOHNSON COUNTY CONTRACT TERMS ADDENDUM TO RENTAL CONTRACT AND HOLT TEXAS, LTD D/B/A HOLT CATERPILLAR RENTAL AGREEMENT FOR RENTAL OF EQUIPMENT-PURCHASING DEPARTMENT

Comm. Stringer, seconded by Comm. Woolley, made a motion to approve the Master Rental Agreement and Johnson County Contract Terms Addendum to Rental Contract and Holt Texas, LTD d/b/a Holt Caterpillar Rental Agreement for Rental of Equipment and to give the County Judge the authorization to sign-Purchasing Department.

All voted aye; motion carried.

12. CONSIDERATION OF APPROVAL OF JOHNSON COUNTY CITIZEN'S POLICE ACADEMY SPONSOR DONATION FORMS-SHERIFF'S OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Johnson County Citizen's Police Academy Sponsor Donation Forms-Sheriff's Office.

All voted aye; motion carried.

13. CONSIDERATION OF TEXAS DPS LATENT WORKSTATION USER AGREEMENT-SHERIFF'S OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Texas DPS Latent Workstation User Agreement and to give Chief Deputy, Mark Reinhardt the authorization to sign as the Sheriff's designee-Sheriff's Office.

All voted aye; motion carried.

14. CONSIDERATION FOR CONTINUED PARTICIPATION IN THE TX LESO PROGRAM (FORMERLY THE 1033 PROGRAM)-CONSTABLE, PRECINCT #4

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the Continued Participation in the TX LESO Program (formerly the 1033 Program) and to give the County Judge the authorization to sign-Constable, Precinct #4.

All voted aye; motion carried.

15. CONSIDERATION OF APPROVAL OF FIBER INSTALLATION IN THE GUINN JUSTICE CENTER-IT DEPARTMENT

Comm. Woolley, seconded by Comm. Bailey, made a motion to approve Fiber Installation in the Guinn Justice Center-IT Department.

All voted aye; motion carried.

16. CONSIDERATION OF APPROVAL FOR JOHNSON COUNTY PARKING LOTS IN DOWNTOWN CLEBURNE, TO BE MADE AVAILABLE FOR PUBLIC AND VISITOR USE WITH SIGNAGE TO ALLOW PARKING ON WEEKENDS AND AFTER COUNTY BUSINESS HOURS:

- a. 102 E. Chambers at Henderson St., Cleburne, Texas

Comm. Bailey made a motion to approve Johnson County parking lots in Downtown Cleburne, to be made available for public and visitor use with signage to allow parking on weekends and after County business hours with verbiage of new signage to be soon.

- a. 102 E. Chambers at Henderson St., Cleburne, Texas
- b. 110 S. Main St., Cleburne, Texas
- c. Bank Parking Lot at Chambers & Mill St., Cleburne, Texas

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the use of County parking lots for public use on weekends and after hours with wording to be worked out by the County Attorney, Public Works, and Commissioner Bailey's Office for the following parking lots: 102 E. Chambers at Henderson St., Cleburne, Texas, 110 S. Main St., Cleburne, Texas, and the Bank Parking Lot at Chambers & Mill St., Cleburne, Texas.

All voted aye; motion carried.

17. CONSIDERATION OF EARLIER TERMINATION DATE OF FRIDAY, MAY 31, 2019 FOR CONTRACT BETWEEN JOHNSON COUNTY AND WEBTPA-COUNTY JUDGE'S OFFICE

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the Earlier Termination Date of Friday, May 31, 2019 for Contract between Johnson County and WebTPA-County Judge's Office.

All voted aye; motion carried.

X. CONSENT AGENDA

Comm. Stringer, seconded by Comm. Woolley, 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 10:29 A.M. to discuss Property Evaluations.

The Commissioners Court reconvened into Regular Session at 11:17 A.M. to consider the following:

BE IT KNOWN that the Commissioners Court met in Executive Session at 11:17 A.M. in accordance with Government Code: a. *Sec. 551.074*-Personnel: (1) Sharon Powell, Position #F27-006-18th District Court and (2) Joy Penney, Position #F27-008-18th District Court and b. *Sec. 551.071*-Consultation with Attorney, Contemplated Litigation.

The Commissioners Court reconvened into Regular Session at 12:17 P.M. to consider the following:

XI. EXECUTIVE SESSION

1. Government Code:

a. *Sec. 551.074*-Personnel:

(1) Sharon Powell, Position #F27-006-18th District Court

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the use of 9 weeks from the transition and training account in regards to Sharon Powell, Position #F27-006-18th District Court, Court Coordinator due to the change of personnel, effective May 20, 2019.

All voted aye; motion carried.

(2) Joy Penney, Position #F27-008-18th District Court


No Action.

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

Comm. Howell, seconded by Comm. Stringer, made a motion to approve to pay the settlement of \$5,535.04 out of the legal expenses account, 510054880.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioners Court adjourned at 12:20 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 10, 2019.



FILED & RECORDED
May 28, 2019
Commissioner Court Minutes


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