

STATE OF TEXAS

SEPTEMBER 23, 2019

COUNTY OF JOHNSON

COMMISSIONERS COURT

BE IT KNOWN that on the 23<sup>rd</sup> day of September 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 9:03 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 September 19, 2019 at 1:01 P.M., were considered:

**IV. WELCOME VISITORS, ANNOUNCEMENTS & PRESENTATIONS**

1. PRESENTATION OF PROCLAMATION FOR NATIONAL 4-H WEEK

County Judge, Roger Harmon read the Proclamation for Court Record and he, with the other members of the Court, proclaimed October 6<sup>th</sup>-12<sup>th</sup>, 2019 as National 4-H Week and presented the Proclamation to Kristen Clark, County Extension Agent.

**V. PUBLIC PARTICIPATION**

None.

**IX. NEW BUSINESS**

13. CONSIDERATION OF CHRISTMAS DECORATIONS FOR THE COURTHOUSE FOR WHISTLESTOP 2019-COUNTY JUDGE'S OFFICE

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve Christmas Decorations for the Courthouse for WhistleStop 2019-County Judge's Office.

All voted aye; motion carried.

**XI. WORKSHOP**

The Commissioners Court convened into Workshop Session at 9:21 A.M to discuss the Budget Workshop.

The Commissioners Court reconvened into Regular Session at 9:24 A.M. to consider the following:

**IX. NEW BUSINESS**

15. CONSIDERATION OF BUDGET WORKSHOP ITEMS

Comm. Howell, seconded by Comm. Woolley, made a motion to approve all Budget Workshop Items as presented.

All voted aye; motion carried.

**VI. PUBLIC HEARING**

The Commissioners Court opened a Public Hearing at 9:26 A.M. to discuss:

1. PUBLIC HEARING ON THE 2019-2020 BUDGET

There being no one from the public wishing to speak, County Judge, Roger Harmon turned the discussion over to the Members of the Court.

Commissioner Bailey, Precinct #1 commented about the controversy in regards to the increase in property valuations, but that word has finally gotten out that property valuations are not controlled by the Commissioners Court.

Commissioner Howell, Precinct #2 commented that due to the new growth the County has experienced, the Court was able to lower the tax rate. Commissioner Howell also noted that the County was one of the first entities in the area to announce early in the budget process that the Court was going to lower the tax rate.

Commissioner Woolley, Precinct #4 commented that the new growth does not count towards the rollback rate, but new growth in terms of new roofs and new business is what helped the County. He stated that since January 1, 2015 over 21,000 lots have been platted in the County. Commissioner Woolley also noted that the Court reduced the County's Debt Rate to less than \$0.01, and he was proud of the Court of being so conservative.

There being no one else wishing to speak, the Public Hearing was closed at 9:33 A.M.

**VII. PRECEDING BUSINESS**

1. CONSIDERATION TO ADOPT THE BUDGET FOR 2019-2020

Comm. Bailey, seconded by Comm. Howell, made a motion that the proposed 2019-2020 Budget for Johnson County that will raise more revenue in property taxes than last year's budget by \$1,627,479.00 or 2.95 percent, be approved. A record vote was taken as recorded below:

County Judge, Roger Harmon	aye
Comm. Rick Bailey	aye
Comm. Kenny Howell	aye
Comm. Jerry Stringer	aye
Comm. Larry Woolley	aye

All voted aye; motion carried.

2. CONSIDERATION TO ADOPT THE TAX RATE FOR THE 2019 TAX YEAR

Comm. Woolley, seconded by Comm. Bailey, made a motion that the property tax rate of Johnson County be decreased by the adoption of the Tax Rate of \$0.425000 per \$100.00 taxable valuation for the 2019 tax year which is a rate below the Effective Rate. A record vote was taken as recorded below:

County Judge, Roger Harmon	aye
Comm. Rick Bailey	aye
Comm. Kenny Howell	aye
Comm. Jerry Stringer	aye
Comm. Larry Woolley	aye

All voted aye; motion carried.

3. CONSIDERATION OF ORDER #2019-51 – “ORDER RATIFYING PROPERTY TAX INCREASE FOR THE 2019 TAX YEAR”

Comm. Bailey, seconded by Comm. Howell, made a motion that the Commissioner Court ratify the Property Tax Increase for the 2019 Tax Year reflected in the Annual Budget of Johnson County for Fiscal Year 2019-2020. A record vote was taken as recorded below:

County Judge, Roger Harmon	aye
Comm. Rick Bailey	aye
Comm. Kenny Howell	aye
Comm. Jerry Stringer	aye
Comm. Larry Woolley	aye

All voted aye; motion carried.

4. CONSIDERATION OF ORDER #2019-52 – “ORDER SETTING TAX RATE FOR THE COUNTY OF JOHNSON FOR THE 2019 TAX YEAR AND DIRECTING THE ASSESSMENT AND COLLECTION THEREOF”

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve **Order #2019-52** which sets forth the Property Tax Rate for Johnson County at \$0.425000 per \$100.00 taxable valuation for the 2019 Tax Year which is a rate below the effective rate and sets the General Fund M&O Tax Rate at \$0.375113 per \$100, the Debt Service Tax Rate at \$0.009587 per \$100, and FMLR M&O Tax Rate at \$0.040300 per \$100. A record vote was taken as recorded below:

County Judge, Roger Harmon	aye
Comm. Rick Bailey	aye
Comm. Kenny Howell	aye
Comm. Jerry Stringer	aye
Comm. Larry Woolley	aye

All voted aye; motion carried.

5. CONSIDERATION OF MINUTES OF THE COMMISSIONERS COURT:

September 9, 2019 – Regular Session

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the Minutes of the Commissioners Court for September 9, 2019.

All voted aye; motion carried.

6. CONSIDERATION OF REQUEST TO PAY BILLS

Comm. Bailey, seconded by Comm. Howell, made a motion to approve to pay bills as presented.

All voted aye; motion carried.

7. 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.

8. CONSIDERATION OF **ORDER #2019-56** – “APPROVING THE JOHNSON COUNTY TREASURER’S REPORT TO THE COMMISSIONERS COURT”

Comm. Howell, seconded by Comm. Stringer, made a motion to approve **Order #2019-56** – “Approving the Johnson County Treasurer’s Report to the Commissioners Court”.

All voted aye; motion carried.

9. CONSIDERATION OF AWARD OF **RFP #2019-913** – “ROAD SIGNS AND ROAD MARKERS” FOR JOHNSON COUNTY TO CUSTOM PRODUCTS CORPORATION-PURCHASING DEPARTMENT

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve to Award of **RFP #2019-913** – “Road Signs and Road Markers” for Johnson County to Custom Products Corporation-Purchasing Department.

All voted aye; motion carried.

10. CONSIDERATION OF ORDER #2019-53 – “ORDER APPROVING PLAT” OF MEINEN ACRES, LOT 1, BLOCK 1, IN PRECINCT #4-PUBLIC WORKS DEPARTMENT

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

**Order #2019-53** - "Order Approving Plat" of **Meinen Acres**, Lot 1, Block 1, in Precinct #4-Public Works Department.

All voted aye; motion carried.

11. CONSIDERATION OF ORDER #2019-54 – “ORDER APPROVING PLAT” OF THE RETREAT, PHASE 18, LOTS 21-39, BLOCK 39, LOTS 1-6, BLOCK 86 AND LOTS 1-2 AND LOTS 12-13, BLOCK 87, IN PRECINCT #1-PUBLIC WORKS DEPARTMENT

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

**Order #2019-54** - "Order Approving Plat" of **The Retreat**, Phase 18, Lots 21-39, Block 39, Lots 1-6, Block 86 and Lots 1-2 and Lots 12-13, Block 87, in Precinct #1-Public Works Department.

All voted aye; motion carried.

12. CONSIDERATION OF ORDER #2019-55 – “ORDER APPROVING PLAT” OF BELZ II ADDITION, LOTS 1, 2 AND 3, BLOCK 1, IN PRECINCT #4-PUBLIC WORKS DEPARTMENT

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

**Order #2019-55** - "Order Approving Plat" of **Belz II Addition**, Lots 1, 2, and 3, Block 1, in Precinct #4-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 KOMATSU ARCHITECTURE AND CMJ ENGINEERING, INC. GEOTECHNICAL ENGINEERING SERVICES FEE PROPOSALS FOR ADDITIONAL WORK REQUIRED TO COVER SCOPE CHANGES FOR THE BURLESON SUB-COURTHOUSE BUILDING REMODEL-PURCHASING DEPARTMENT

Comm. Howell, seconded by Comm. Stringer, made a motion to approve Komatsu Architecture and CMJ Engineering, Inc. Geotechnical Engineering Services Fee Proposals for Additional Work Required to Cover Scope Changes for the Burleson Sub-Courthouse Building Remodel-Purchasing Department.

All voted aye; motion carried.

3. CONSIDERATION OF ITEMS TO SUBMIT FOR SCHOOLS, SEMINARS OR CONFERENCES TO THE COUNTY JUDGE'S OFFICE FOR TRAVEL APPROVAL FOR PLACEMENT ON AN UPCOMING COMMISSIONERS COURT AGENDA-COUNTY JUDGE'S OFFICE

Comm. Howell, seconded by Comm. Woolley, made a motion to approve Items to Submit for Schools, Seminars or Conferences to the County Judge's Office for Travel Approval for Placement on an Upcoming Commissioners Court Agenda-County Judge's Office.

All voted aye; motion carried.

4. CONSIDERATION OF APPROVAL OF REVISED TRAVEL POLICY, EFFECTIVE OCTOBER 1, 2019-AUDITOR'S OFFICE

Comm. Stringer, seconded by Comm. Bailey, made a motion to approve the Revised Travel Policy, Effective October 1, 2019-Auditor's Office.

All voted aye; motion carried.

5. CONSIDERATION OF APPROVAL TO USE PERSHING LLC, WHOLEY OWNED SUBSIDIARY OF BANK OF NEW YORK, MELLON FOR SAFEKEEPING OF JOHNSON COUNTY INVESTMENTS-AUDTIOR'S OFFICE

Comm. Bailey, seconded by Comm. Howell, made a motion to approve to use Pershing LLC, Wholey Owned Subsidiary of Bank of New York, Mellon for Safekeeping of Johnson County Investments and to give the County Judge, Roger Harmon, County Treasurer, Kathy Blackwell and the County Auditor, Kirk Kirkpatrick the authorization to sign-Auditor's Office.

All voted aye; motion carried.

6. CONSIDERATION OF 2020 SHERIFFS' AND CONSTABLES' FEES, AS REQUIRED UNDER TEXAS LOCAL GOVERNMENT CODE SECTION 118.131-CONSTABLE, PRECINCT #1

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the 2020 Sheriffs' and Constables' Fees, as Required Under Texas Local Government Code *Section 118.131-Constable, Precinct #1*.

All voted aye; motion carried.

7. CONSIDERATION OF INTERLOCAL COOPERATION AGREEMENT FOR DISPATCHING SERVICES FOR BUDGET YEAR 2019-2020:

a. City of Grandview PD

Comm. Woolley, seconded by Comm. Stringer, made a motion to approve the Interlocal Cooperation Agreement for Dispatching Services for Budget Year 2019-2020 for City of Grandview PD and to give the County Judge, Roger Harmon and the Sheriff, Adam King the authorization to sign.

All voted aye; motion carried.



8. CONSIDERATION OF DENTON COUNTY INTERLOCAL COOPERATION AGREEMENT FOR PRE-ADJUDICATION FACILITY-JUVENILE SERVICES

Comm. Bailey, seconded by Comm. Stringer, made a motion to approve Denton County Interlocal Cooperation Agreement for Pre-Adjudication Facility and to give the County Judge, Roger Harmon the authorization to sign-Juvenile Services.

All voted aye; motion carried.

9. CONSIDERATION OF CONTRACT AND AGREEMENT FOR SECURE, RESIDENTIAL, POST-ADJUDICATION TREATMENT SERVICES FOR ADJUDICATED JUVENILE OFFENDERS, SPACE AVAILABLE WITH TRUECORE BEHAVIORAL SOLUTIONS, LLC-JUVENILE SERVICES

Comm. Stringer, seconded by Comm. Howell, made a motion to approve the Contract and Agreement for Secure, Residential, Post-Adjudication Treatment Services for Adjudicated Juvenile Offenders, Space Available with TrueCore Behavioral Solutions, LLC and to give the County Judge, Roger Harmon the authorization to sign-Juvenile Services.

All voted aye; motion carried.

10. CONSIDERATION OF SERVICE DENTON COUNTY JUVENILE PROBATION CONTRACT FOR POST-ADJUDICATION RESIDENTIAL SERVICES-JUVENILE SERVICES

Comm. Bailey, seconded by Comm. Howell, made a motion to approve Service Denton County Juvenile Probation Contract for Post-Adjudication Residential Services and to give the County Judge, Roger Harmon the authorization to sign -Juvenile Services.

All voted aye; motion carried.

11. CONSIDERATION OF INTERLOCAL AGREEMENT BETWEEN JOHNSON COUNTY AND CLEBURNE INDEPENDENT SCHOOL DISTRICT FOR JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM MEAL SERVICE-JUVENILE SERVICES

Comm. Bailey, seconded by Comm. Woolley, made a motion to approve the Interlocal Agreement between Johnson County and Cleburne Independent School District for Juvenile Justice Alternative Education Program Meal Service and to give the County Judge, Roger Harmon the authorization to sign-Juvenile Services.

All voted aye; motion carried.

The Commissioners Court recessed at 10:33 A.M. and reconvened at 10:57 A.M. to consider the following:

12. CONSIDERATION OF TYLER SOFTCODE AGREEMENT-IT DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the Tyler Softcode Agreement and to give the County Judge, Roger Harmon the authorization to sign and initial-IT Department.

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 11:01 A.M to discuss the 2019-2020 Wellness Plan Presentation.

The Commissioners Court reconvened into Regular Session at 11:58 A.M. to consider the following:

**IX. NEW BUSINESS**

14. CONSIDERATION OF 2019-2020 WELLNESS PLAN CHANGES-  
PERSONNEL DEPARTMENT

Comm. Bailey, seconded by Comm. Howell, made a motion to approve the 2019-2020 Wellness Plan Changes-Personnel Department.

All voted aye; motion carried.

**BE IT KNOWN** that the Commissioners Court met in Executive Session at 11:59 A.M. in accordance with Government Code: a. *Sec. 551.074*-Personnel, Johnson County: (1) Employment of a County Engineer for Johnson County, Texas and (2) Linda Ritchey, Position P01-008-Tax Office, and b. *Sec. 551.071*-Consultation with Attorney, Pending Litigation: (1) Cause No. D-1-GN-16-005692, City of Cleburne, Texas and Johnson County, Texas vs. Texas Commission on Environmental Quality, in the 126<sup>th</sup> District Court, Travis County, Texas, and Appeal to the Third Court of Appeals in Austin, Texas in Cause No. 03-18-00711-CV, (2) Cause No. D-1-GN-005686, City of Cleburne, Texas and Johnson County, Texas vs. Texas Commission on Environmental Quality, in the 353<sup>rd</sup> District Court of Travis County, Texas and (3) Cause No. DC-C201800880, City of Cleburne, Texas and Johnson County, Texas vs. Harrington Environmental Services, LLC, in the 18<sup>th</sup> District Court, Johnson County, Texas

The Commissioners Court reconvened into Regular Session at 1:16 P.M. to consider the following:

### **XIII. EXECUTIVE SESSION**

1. Government Code:

a. *Sec. 551.074*-Personnel, Johnson County:

- (1) Employment of a County Engineer for Johnson County,  
Texas

Comm. Stringer, seconded by Comm. Woolley, made a motion to approve to accept the job description as presented by Personnel Director, Randy Gillespie with an addendum of wording in the general summary stating that the County Engineer position will be under the direction and supervision of the Commissioners Court, and to allow the Personnel Department to move forward with advertising and getting candidates lined up for interviews.

Comm. Stringer, seconded by Comm. Woolley, made an amended motion to approve to add to the original motion that the Personnel Director post the job with the salary range at the minimum for Grade 114 thru the budget amount of \$85,000.00.

All voted aye; motion carried.

- (2) Linda Ritchey, Position P01-008-Tax Office

Comm. Howell, seconded by Comm. Bailey, made a motion to approve the overtime for Linda Ritchey, Position P01-008-Tax Office of 53.50 hours in the amount of \$1,712.00.

All voted aye; motion carried.

b. *Sec. 551.071*-Consultation with Attorney, Pending Litigation:

- (1) Cause No. D-1-GN-16-005692, City of Cleburne, Texas and Johnson County, Texas vs. Texas Commission on Environmental Quality, in the 126<sup>th</sup> District Court, Travis County, Texas, and Appeal to the Third Court of Appeals in Austin, Texas in Cause No. 03-18-00711-CV

No Action.

- (2) Cause No. D-1-GN-005686, City of Cleburne, Texas and Johnson County, Texas vs. Texas Commission on Environmental Quality, in the 353<sup>rd</sup> District Court of Travis County, Texas

No Action.

- (3) Cause No. DC-C201800880, City of Cleburne, Texas and Johnson County, Texas vs. Harrington Environmental Services, LLC, in the 18<sup>th</sup> District Court, Johnson County, Texas

Comm. Woolley, seconded by Comm. Stringer, made a motion that Commissioners Court ratify and approve the mediated settlement agreement signed by Commissioner Rick Bailey on September 12, 2019 for Cause No. DC-C201800880, City of Cleburne, Texas and Johnson County, Texas vs. Harrington Environmental Services, LLC, in the 18th District Court, Johnson County, Texas, and to authorize the County Attorney's Office to sign any additional documents on behalf of Johnson County, Texas as are reasonably required to implement the division of the mediated settlement agreement.

All voted aye; motion carried.

There being no further business before the Court concerning this agenda, Commissioners Court adjourned at 1:22 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 September 23, 2019.



FILED & RECORDED  
October 15, 2019  
Commissioner Court Minutes

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