

FILED

MAY 12 2014

**COUNTY CLERK
ELLIS COUNTY, TEXAS**

**ELLIS COUNTY COMMISSIONERS' COURT
OFFICIAL MINUTES // JANUARY 27, 2014**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, JANUARY 27, 2014 AT 3:00 P.M., IN THE HISTORIC ELLIS COUNTY COURTHOUSE, COMMISSIONERS' COURTROOM, 101 WEST MAIN STREET (2ND FLOOR), WAXAHACHIE, TEXAS AT WHICH TIME THE FOLLOWING WAS DISCUSSED AND CONSIDERED TO WIT:

PRESENT WERE:

COUNTY JUDGE:

JUDGE CAROL BUSH

COMMISSIONERS:

DENNIS ROBINSON, COMMISSIONER, PCT. 1

BILL DODSON, COMMISSIONER, PCT. 2

PAUL PERRY, COMMISSIONER, PCT. 3

RON BROWN, COMMISSIONER, PCT. 4

COUNTY CLERK:

CINDY POLLEY, COUNTY CLERK

COUNTY & DISTRICT ATTORNEY'S OFFICE:

ANN MONTGOMERY-MORAN, ASSISTANT COUNTY ATTORNEY

LEE AUVENSHINE, ASSISTANT COUNTY ATTORNEY

OPENING COURT:

THE COUNTY JUDGE CALLS MEETING TO ORDER, DECLARES QUORUM AND DECLARES NOTICES LEGALLY POSTED PURSUANT TO THE OPEN MEETINGS ACT

MOTION TO OPEN COURT BY COMMISSIONER DODSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE—COMMISSIONER RON BROWN

PUBLIC COMMENT: 1.3 WAYMEN KENNEDY
3.14 TIM BERNEKING, TOM MANNING (WRITTEN),
LANE GRAYSON, DAVE VANCE, RC LYON

CONSENT AGENDA:

MINUTE ORDER NO 126.14 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS

A2 4TH QUARTER 2013 INVESTMENT REPORT — CHERYL CHAMBERS, TREASURER

A3 CONSIDERATION AND ACTION TO ACCEPT A BOND IN THE AMOUNT OF \$20,000 FOR THE ELECTIONS ADMINISTRATOR

FINANCIAL:

F1 FROM 001-0612-50808 AUTO GAS/OIL To 001-0612-50802 EQUIPMENT. TERRY NAY, CONSTABLE, PCT. 2

F2 APPROVE REFUND OF OVERPAYMENT TO THE FOLLOWING ACCOUNTS FOR PAYMENT IN ERROR:

<u>REFUND TO BE ISSUED TO:</u>	<u>ACCOUNT</u>	<u>AMOUNT DUE</u>
J.P. MORGAN CHASE BANK NA	175489	\$2,978.56
J.P. MORGAN CHASE BANK NA	202025	\$3,668.95

J.P. MORGAN CHASE BANK NA	210567	\$2,640.68
ANN A. SLACHTA	221958	\$2,690.33
J.P. MORGAN CHASE BANK NA	226345	\$2,655.93
CHESSER, JAMES	226733	\$3,292.58
CENTRAL MORTGAGE COMPANY	243453	\$4,572.97

MOTION TO APPROVE CONSENT AGENDA BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

ADMINISTRATIVE:

MINUTE ORDER NO 127.14 APPROVING PROCLAMATION RECOGNIZING 4-H GOLD STAR AWARD AND STATE RECORDBOOK WINNERS

MOTION TO APPROVE BY COMMISSIONER BROWN, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 128.14 APPROVING PROCLAMATION RECOGNIZING THE 2013 MILFORD HIGH SCHOOL SIX-MAN FOOTBALL TEAM FOR ADVANCING TO THE UIL STATE CHAMPIONSHIP

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

3.3 PRESENTATION OF COUNTY EMPLOYEE SERVICE AWARD PINS.

Sheriff

Connelly, Ryan - 5
 Hilliard, Christopher -5
 Murray, Debra – 5
 Daniels, Charles – 5
 Repp, Glenn – 5

Rogers, Becky - 5
 Cather, Michael – 10
 Rogers, Harold – 10
 Sellers, Ennis – 10
 Sheppard, Jeffrey – 10

Steuer, Peter – 10
 Yates, John – 10
 Brearley, Dennis – 15
 Slagle, Chris – 20

Jail

Armstrong, John -5
 Clifton, Tony - 5
 Dalquest, Conrad -5
 Loper, Brandon - 5
 Lord, Terry -5
 White, Mark – 5
 Baker, Shannon – 5

Compton, Bobby – 5
 Dunn, Keith – 5
 Hinkle, Rusty – 5
 Moon, Christopher – 5
 Richardson, Michael – 5
 Rodriguez, Pedro – 5
 Singleton, Curtis – 5

Gonzales, Daniel – 10
 Lambert, Juanita – 10
 Smith, Jerrie – 10
 Cooper, Dagmar – 15
 Parham, Karen - 20

40th District Court

McManus, Michele – 5

Department of Development

Ingersoll, Mark – 5

District Clerk

Denney, Joy – 5
 Ridgway, Mary – 15

County Judge

Vickers, Lea P – 15

Auditor

Navarro, Michael – 20

County Court at Law #2

Calvert, Gene – 10
 Lilley, Tierney – 10

County Clerk

Axelson, Lisa – 5
 Chambers, Tina – 10
 Cortes, Rosa – 10

District Judge 378th

Grubbs, Joe – 20

Engineer

Knepper, Carla – 5
 Sulak, Thomas - 10

District Attorney
Aman, Bernie – 5
Mohamed, Habon – 5
Royse, D’Andra – 5
Moran, Martha A – 10
Hellstern, Cynthia – 15
Beck, Brenda - 30

Tax Collector
Ballard, Brenda - 5
Ibarra, Noe -5
Pearson, Bryan -5
Smith, Julia - 5
Young, Stacie -5
Bridges, John – 15
Huddleston, Denise – 20

Juvenile Holdover
Andersen, Ryan – 5

Adult Probation
Jesiewicz, David – 5
Hunter, Gary – 10
Velarde, Frankee – 15
Hall, Sammie – 20

Maintenance
Huskins, Daniel – 10

Elections
Morgan, Rebecca – 20
Anderson, Jane – 30 (retired)

Treasurer
Zink, Cheryl - 5

JP #1
Guzman, Juana – 10
Miller, Ellen – 10

JP#2
Arms, Suzanne – 5
Galloway, Michele – 5

Constable #2
Elliot, Bradley – 5
Brockner, George – 10

RB#1
McKenney, Larry – 15
Rodriguez, Abel – 15
Melton, Roger – 20

RB#2
Byrd, Neal – 5
Sanders, Mark – 5
Meyer, Patrick – 20
Zabojnik, Tim – 20

RB#3
Whitt JR, Jackie – 5
Montez Jr., Henry – 10
Cravens, Kelly – 15

RB#4
Ballard, Matthew – 5
Perez, Julio – 10

DEPARTMENT OF COUNTY DEVELOPMENT:

CONSIDERATION AND ACTION REGARDING THE FOLLOWING PRESENTED BY JUDY ARMSTRONG, DIRECTOR DEPARTMENT OF DEVELOPMENT:

MINUTE ORDER NO 129.14 APPROVING A ONE-TIME VARIANCE FROM COUNTY OF ELLIS RULES AND REGULATIONS, AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED HOMES AS IT PERTAINS TO THE FIRE HYDRANT REQUIREMENT FOR A RE-PLAT IN SLEEPY HOLLOW ADDITION, UNIT 2, LOCATED AT 2071 FERRIS RD., FERRIS, TX 75152. ENRIQUE MARTINEZ, PCT. 1
MOTION TO APPROVE BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 130.14 APPROVING RE-PLAT LOT 2 OF SLEEPY HOLLOW ADDITION, UNIT 2, ENRIQUE MARTINEZ, PCT. 1
MOTION TO APPROVE BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 131.14 APPROVING A RE-PLAT LOT 22 OF INDIA ACRES, ANTONIO MARTINEZ, PCT. 1
MOTION TO APPROVE BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 132.14 APPROVING RE-PLAT LOT 15A & 15B OF WEST HIGHLAND ADDITION, BRIAN GALBRAITH, PCT. 4
MOTION TO APPROVE BY COMMISSIONER BROWN, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

PURCHASING:

MINUTE ORDER NO 133.14 AWARDING BID NUMBER RB-2014-002, ELLIS COUNTY HAULING ROAD MATERIAL TO *HORNS CREW TRUCKING (PRIMARY); J&K EXCAVATION (SECONDARY)*
MOTION TO APPROVE BY COMMISSIONER DODSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 134.14 AUTHORIZING COUNTY JUDGE TO APPOINT A SCORING COMMITTEE FOR RFQ-2014-004, TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (TXCDBG) ENGINEERING FOR SOUTH ELLIS COUNTY WATER SUPPLY CORPORATION. *COMMISSIONER PERRY AND JOE WHITE APPOINTED*
MOTION TO APPROVE BY COMMISSIONER DODSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

No Action: 2.3 DISCUSSION, CONSIDERATION, AND ACTION FOR ARMORED CAR SERVICES FOR ELLIS COUNTY, AND AMENDMENT OF THE BUDGET TO REFLECT A LINE ITEM TRANSFER FROM 001-0400-50502 SALARIES, 001-0400-50553 SOCIAL SECURITY, 001-0400-50554 RETIREMENT, 001-0400-50808 AUTO GAS, 001-0400-50809 AUTO REPAIRS, 001-0400-50810 AUTO TIRES, 001-0400-50884 AUTO INSURANCE TO 001-0140-50868 CONTRACT SERVICES.

ADMINISTRATIVE:

MINUTE ORDER NO 135.14 APPROVING THE TAX RESALE OFFER BY NEXTLOTS NOW, LLC FOR PROPERTY LOCATED AT 408 E. LOGGINS, ENNIS, TX

MINUTE ORDER NO 136.14 APPROVING THE TAX RESALE OFFER BY NEXTLOTS NOW, LLC FOR PROPERTY LOCATED AT W. MILAM STREET, ENNIS, TX

MINUTE ORDER NO 137.14 APPROVING THE TAX RESALE OFFER BY NEXTLOTS NOW, LLC FOR PROPERTY LOCATED AT 1207 N. KAUFMAN, ENNIS, TX

MINUTE ORDER NO 138.14 APPROVING THE TAX RESALE OFFER BY JOHN KOSCIELNIAK FOR PROPERTY LOCATED AT S. HALL STREET, ENNIS, TX

MOTION BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER PERRY TO APPROVE ITEMS 3.4 – 3.7 (MINUTE ORDER NO 135.14, 136.14, 137.14 AND 138.14) CARRIES UNANIMOUSLY

MINUTE ORDER NO 139.14 APPOINTING JUDGE GENE CALVERT TO THE ELLIS COUNTY BAIL BOND BOARD IN THE SLOT STATUTORILY DESIGNATED FOR A JUDGE OF A COUNTY COURT OR COUNTY COURT AT LAW HAVING JURISDICTION OVER COUNTY CRIMINAL MATTERS AND DESIGNATED BY THE COMMISSIONERS COURT TO SERVE FROM JANUARY 1, 2014 THROUGH DECEMBER 31, 2014
MOTION TO APPROVE BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 140.14 APPROVING A LINE ITEM ADJUSTMENT FROM 001-0015-50502 JAIL SALARIES TO 001-0015-50835 EMPLOYEE TRAINING IN THE AMOUNT OF \$2,000.00 (JOHNNY BROWN, SHERIFF)
MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

MINUTE ORDER NO 141.14 (AGENDA ITEM 3.11) DESIGNATING THE BRISTOL SCHOOL BUILDING AS A HISTORICALLY SIGNIFICANT SITE IN NEED OF TAX RELIEF TO ENCOURAGE PRESERVATION, PURSUANT TO SECTION 11.24(2) OF THE TEXAS TAX CODE.

AND.....

MINUTE ORDER NO 142.14 (AGENDA ITEM 3.12) EXEMPTING FROM TAXATION THE ASSESSED VALUE OF THE BRISTOL SCHOOL BUILDING AND THE LAND NECESSARY FOR ACCESS TO AND USE OF SAID STRUCTURE, PURSUANT TO SECTION 11.24 OF THE TEXAS TAX CODE. THE BRISTOL SCHOOL BUILDING IS LOCATED WITHIN ELLIS COUNTY ROAD AND BRIDGE PCT. NO. 1 AND IS PRESENTLY OWNED BY THE BRISTOL CEMETERY ASSOCIATION. (PRESENTED BY JOHN BRIDGES, TAX ASSESSOR/COLLECTOR)

MOTION BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER DODSON TO APPROVE AGENDA ITEMS 3.11 AND 3.12 CARRIES UNANIMOUSLY (*MINUTE ORDER NO. 141.14 AND 142.14*)

MINUTE ORDER NO 143.14 APPROVING INTERLOCAL AGREEMENT FOR ENFORCEMENT OF ELLIS COUNTY FIRE CODE BETWEEN ELLIS COUNTY AND CITY OF ALMA (JOE STEWART, FIRE MARSHAL)

MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

RECESS REGULAR SESSION TO CONVENE PUBLIC HEARING

MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

PUBLIC HEARING

PURSUANT TO SECTION 251.013 OF THE TEXAS TRANSPORTATION CODE, PUBLIC HEARING TO DISCUSS AND CLARIFY THE CORRECT SPELLING OF A CERTAIN COUNTY ROAD WITHIN ELLIS COUNTY ROAD AND BRIDGE PCT. 2, WHICH WAS IDENTIFIED AS DUNKERLY ROAD WITHIN THE COUNTY ROAD MAP ADOPTED PURSUANT TO CHAPTER 258 OF THE TRANSPORTATION CODE ON JUNE 13, 2005 AND AMENDED ON JUNE 26, 2006. THIS ROAD WAS NAMED FOR THE DUNKERLEY FAMILY, AND IT HAS BEEN IDENTIFIED AS DUNKERLEY ROAD ON MULTIPLE SIGNS WITHIN ELLIS COUNTY ROAD AND BRIDGE PCT. 2 AND WITHIN THE CITY OF ENNIS.

ADJOURNMENT OF PUBLIC HEARING AND RECONVENE TO REGULAR SESSION

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 144.14 CLARIFYING AND/OR CHANGING THE APPROPRIATE SPELLING OF *DUNKERLY ROAD* TO BE OFFICIALLY AND CORRECTLY SPELLED AS *DUNKERLEY ROAD*

MOTION TO APPROVE BY COMMISSIONER DODSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

3.14 **DISCUSSION** REGARDING COMMISSIONERS' COURT MEETING DATE AND TIMES.
COMMISSIONER PERRY IN FAVOR OF ONE MEETING PER MONTH IN THE EVENING

3.15 **UPDATE** ON STREAMING AUDIO AND VIDEO OF COMMISSIONERS' COURT.
ANN MONTGOMERY-MORAN

ADJOURNMENT

MOTION TO ADJOURN BY COMMISSIONER BROWN, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF JANUARY 27, 2014 ARE HEREBY APPROVED.

PRESIDING OFFICER:

CAROL BUSH, COUNTY JUDGE


DENNIS ROBINSON, COMMISSIONER, PCT 1


BILL DODSON, COMMISSIONER, PCT 2

PAUL PERRY, COMMISSIONER, PCT 3


RON BROWN, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 12TH DAY OF MAY, 2014


CINDY POLLEY, COUNTY CLERK

