

**FILED**  
**MAR 23 2014**  
**COUNTY CLERK**  
**ELLIS COUNTY, TEXAS**

**ELLIS COUNTY COMMISSIONERS' COURT**  
**OFFICIAL MINUTES // FEBRUARY 24, 2015**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT (ORIGINALLY SCHEDULED ON MONDAY, FEBRUARY 23, 2015 POSTPONED DUE TO INCLEMENT WEATHER) WAS HELD ON TUESDAY, FEBRUARY 24, 2015 AT 3:00 P.M., IN THE HISTORIC ELLIS COUNTY COURTHOUSE, COMMISSIONERS' COURTROOM, 101 WEST MAIN STREET (2<sup>ND</sup> 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

LANE GRAYSON, COMMISSIONER, PCT. 2

PAUL PERRY, COMMISSIONER, PCT. 3

KYLE BUTLER, COMMISSIONER, PCT. 4

**COUNTY CLERK:**

TINA CHAMBERS, ADMINISTRATIVE ASSISTANT

**COUNTY & DISTRICT ATTORNEY'S OFFICE:**

VANCE HINDS, ASSISTANT COUNTY ATTORNEY

**OPENING COURT: (3:04 PM)**

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 PERRY, SECOND BY COMMISSIONER BUTLER; MOTION CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE—COMMISSIONER LANE GRAYSON

**CONSENT AGENDA:**

**MINUTE ORDER NO 144.15 APPROVING CONSENT AGENDA**

**ADMINISTRATIVE:**

- A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 APPROVAL OF THE REAPPOINTMENT OF THE FOLLOWING MEMBERS TO THE ELLIS COUNTY HISTORICAL COMMISSION FOR A TWO YEAR PERIOD ENDING DECEMBER 31, 2017:  
*ELMERINE BELL, REX CAREY, KAREN CARREON, BETTY DILLARD, NANA LOU DUDLEY, KAREN ESBERGER, NANCY FARRAR, BRUCE FOWLER, SUGAR GLASPY, JUDY HOWARD, VIRGINIA KELLUM, NANCY POST, SHANNON SIMPSON, SYLVIA STANFORD SMITH, SUSIE TOAL*
- A3 APPROVAL OF THE APPOINTMENT OF THE FOLLOWING MEMBERS TO THE ELLIS COUNTY HISTORICAL COMMISSION FOR A TWO YEAR ENDING DECEMBER 31, 2017:  
*JIMMY BOON, TY HALL, DENNIS ZAMBALA*

**FINANCIAL:**

- F1 FROM 004-0652-50807 RB2 GENERAL EXPENSES \$ 2,000.00 To 004-0652-50805 RB2 CONFERENCE/DUES \$2,000.00 – LANE GRAYSON, COMMISSIONER, PCT.2
- F2 FROM 047-0947-30302 SHERIFF FUND FORFEITURE \$650.00 To 047-0947-50807 GENERAL MISC \$650.00 – CHUCK LAUBACH, ELLIS COUNTY SHERIFF OFFICE

F3 APPROVE REFUND OF OVERPAYMENT TO THE FOLLOWING ACCOUNT FOR PAYMENT IN ERROR:

<u>REFUND TO BE ISSUED TO:</u>	<u>ACCOUNT</u>	<u>AMOUNT DUE</u>
GATEWAY MORTGAGE GROUP LLC	149386	\$4,577.11
PLANET HOME LENDING	166579	\$2,353.47
ROUNDPOINT MORTGAGE SERVICING CORP.	179821	\$2,567.74
GATEWAY MORTGAGE GROUP LLC	186938	\$2,348.00
GATEWAY MORTGAGE GROUP LLC	187627	\$3,255.12
ELLIS COUNTY ABSTRACT AND TITLE CO.	216798	\$4,411.40
MICHAEL S. LINDSEY	221174	\$3,006.28
GATEWAY MORTGAGE GROUP, LLC	221456	\$3,499.48
ROUNDPOINT MORTGAGE SERVICING CORP.	222570	\$3,530.82
LARRY D. GRICE AND HEATHER KING	233630	\$5,987.12
ROUNDPOINT MORTGAGE SERVICING CORP.	235878	\$4,745.80
GATEWAY MORTGAGE GROUP LLC	248048	\$4,450.60
COLONIAL SAVINGS FA	250605	\$2,346.19

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

#### **DEPARTMENT OF COUNTY DEVELOPMENT**

CONSIDERATION AND ACTION AS MAY BE APPROPRIATE REGARDING THE FOLLOWING MATTERS:

**MINUTE ORDER NO 145.15** GRANTING A ONE-TIME VARIANCE FROM COUNTY OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED HOMES AS IT RELATES TO THE ROAD FRONTAGE REQUIREMENT ON A CUL-DE-SAC IN EMERALD FOREST, LOTS 6 & 7; 234 GREENBARK COURT, WAXAHACHIE; REQUESTED BY BOBBY AND MARY LEACH, LOCATED IN ROAD AND BRIDGE PCT. 3

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

**MINUTE ORDER NO 146.15** GRANTING A ONE-TIME VARIANCE FROM COUNTY OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED HOMES AS IT RELATED TO THE FIRE HYDRANT REQUIREMENT IN COCKERHAM ESTATES, LOTS 5, 6, 7, & 8; 756 ARROWHEAD, WAXAHACHIE; REQUESTED BY ANDREW GARRETT, LOCATED IN ROAD AND BRIDGE PCT. 3

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

#### **PURCHASING**

CONSIDERATION AND ACTION AS MAY BE APPROPRIATE REGARDING THE FOLLOWING MATTERS:

**MINUTE ORDER NO 147.15** APPROVING PURCHASE OF A 2008 FORD F350 CARGO TRUCK IN THE AMOUNT OF \$21,685.30 FOR ROAD AND BRIDGE PCT. 3, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE

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

**No ACTION:** 2.2 APPROVAL FOR THE AWARD OF Bid NUMBER RB-2015-001, ELLIS COUNTY CRUSHED LIMESTONE CHIP SEAL TYPE D, GRADE 5, 3/8" ROCK, CRUSHED LIMESTONE CHIP SEAL TYPE D, GRADE 4, 1/2" ROCK, CRUSHED LIMESTONE CHIP SEAL TYPE D, GRADE 3, 5/8".

**MINUTE ORDER NO 148.15** AWARDING OF BID NUMBER RB-2015-002, ELLIS COUNTY LIGHT WEIGHT SURFACE AGGREGATE TYPE L, GRADE 3, LIGHT WEIGHT SURFACE AGGREGATE TYPE L, GRADE 4, LIGHT WEIGHT SURFACE AGGREGATE TYPE L, GRADE 5 TO *TRINITY CONSTRUCTION*

MOTION TO APPROVE BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

**No ACTION:** 2.4 APPROVAL FOR THE AWARD OF BID NUMBER RB-2015-003, ELLIS COUNTY ANNUAL CONTRACT FOR RECYCLED CONCRETE FLEX BASE, TYPE D, GRADE 1 OR 2.

**No ACTION:** 2.5 APPROVAL FOR THE AWARD OF BID NUMBER RB-2015-004, ELLIS COUNTY ANNUAL CONTRACT FOR WASHED PEA GRAVEL, TYPE A, GRADE 4, ½", WASHED PEA GRAVEL TYPE A, GRADE 5, 3/8.

**MINUTE ORDER NO 149.15** APPROVING PURCHASE AND INSTALLATION OF AV EQUIPMENT NECESSARY FOR NEW COURTROOMS FROM INFINITY SOUND USING *DIR* OR *BUYBOARD*

MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

**ADMINISTRATIVE:**

CONSIDERATION AND ACTION AS MAY BE APPROPRIATE REGARDING THE FOLLOWING MATTERS:

**POSTPONED** 3.1 UPDATE ON THE ONGOING ACTIVITIES OF THE PRAIRIELANDS  
**DUE TO WEATHER** GROUNDWATER CONSERVATION DISTRICT PRESENTED BY JIM  
CONKWRIGHT, GENERAL MANAGER.

**No ACTION:** 3.2 BURN BAN ORDER FOR ELLIS COUNTY. – JOE STEWART, FIRE  
MARSHAL/EMC

**MINUTE ORDER NO 150.15** APPROVING USER AGREEMENT WITH EMERGENCY REPORTING FOR OCCUPANCY AND FIRE HYDRANT RECORDS MANAGEMENT SERVICE

(JOE STEWART, FIRE MARSHAL/EMC)

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

3.5 **DISCUSSION** REGARDING OVERCROWDING AT ATTORNEY GENERAL'S COURT LOCATION IN ELLIS COUNTY COURT'S BUILDING. – PAUL PERRY, COMMISSIONER, PCT. 3

**No ACTION:** 3.4 DISCUSSION REGARDING FIRE MARSHAL'S REQUEST FOR \$10,000  
ADDITIONAL FUNDING TO HIRE 2 DEPUTY FIRE MARSHAL POSITIONS.

**MINUTE ORDER NO 151.15** APPROVAL FOR ASSIGNMENT OF THE CONTRACT FROM EAST TEXAS MEDICAL CENTER D/B/A EAST TEXAS MEDICAL CENTER EMERGENCY MEDICAL SERVICE TO CAREFLITE *EFFECTIVE 3-1-15 AT 7AM* WITH NOTICE GIVEN TO CAREFLITE OF THE COUNTY'S INTENT TO NOT RENEW THE CONTRACT WITH EAST TEXAS MEDICAL, SERVICE (CAROL BUSH, COUNTY JUDGE)

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

**No ACTION:** 3.7 APPROVAL OF AN INTERLOCAL COOPERATION CONTRACT BETWEEN THE COUNTY OF ELLIS AND THE CITY OF WAXAHACHIE FOR USE OF THEIR GUN RANGE. – CHUCK LAUBACH, ELLIS COUNTY SHERIFF'S OFFICE

**No ACTION:** 3.8 COMPLETION OF EAGLES NEST ROAD WITH 2 1/2" COMPACT TO 2" HOT MIX LAYDOWN, 22 X 6/10 WIDE (APAC). – KYLE BUTLER, COMMISSIONER, PCT 4

**No ACTION:** 3.9 STATUS AND POSSIBLE ACTION ON DUNBAR CONTRACT. - PAUL PERRY, COMMISSIONER, PCT. 3

**RECESS TO CONVENE TO EXECUTIVE SESSION (4:03PM)**

MOTION BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

**EXECUTIVE SESSION**

THE COMMISSIONERS COURT OF ELLIS COUNTY RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED IN THIS AGENDA, IN THE ORDER DEEMED APPROPRIATE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE 551, OR TO SEEK THE ADVICE OF ITS ATTORNEY AND/OR OTHER ATTORNEYS REPRESENTING ELLIS COUNTY ON ANY MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE COMMISSIONERS COURT UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH TEXAS GOVERNMENT CODE CHAPTER 551 OR AS OTHERWISE MAY BE PERMITTED UNDER 551.

- 4.1 PURSUANT TO §551.074 OF THE GOVERNMENT CODE, CONSULTATION TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF THE PURCHASING AGENT.
- 4.2 PURSUANT TO §551.074 OF THE GOVERNMENT CODE, CONSULTATION TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF THE FIRE MARSHAL/EMC.

**ADJOURNMENT OF EXECUTIVE SESSION AND RECONVENE TO REGULAR SESSION (4:35PM)**

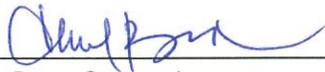
MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

**ADJOURNMENT (4:40PM)**

MOTION TO ADJOURN BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF FEBRUARY 24, 2015 ARE HEREBY APPROVED.

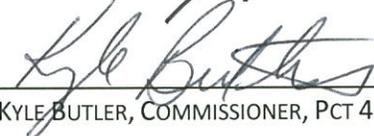
PRESIDING OFFICER:

  
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CAROL BUSH, COUNTY JUDGE

  
DENNIS ROBINSON, COMMISSIONER, PCT 1

  
LANE GRAYSON, COMMISSIONER, PCT 2

  
PAUL PERRY, COMMISSIONER, PCT 3

  
KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS MARCH 23, 2015:

  
CINDY POLLEY, COUNTY CLERK

