

FILED

APR 27 2015

**COUNTY CLERK
ELLIS COUNTY, TEXAS**

**ELLIS COUNTY COMMISSIONERS' COURT
OFFICIAL MINUTES // MARCH 9, 2015**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, MARCH 9, 2015 AT 10:00 A.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

LANE GRAYSON, COMMISSIONER, PCT. 2

PAUL PERRY, COMMISSIONER, PCT. 3

KYLE BUTLER, COMMISSIONER, PCT. 4

COUNTY CLERK:

CINDY POLLEY, COUNTY CLERK

COUNTY & DISTRICT ATTORNEY'S OFFICE:

ANN MONTGOMERY-MORAN, ASSISTANT COUNTY ATTORNEY

VANCE HINDS, 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 ROBINSON, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE—COMMISSIONER PAUL PERRY

PUBLIC COMMENT*- Members of the public will have the opportunity to make their comments at the time the agenda item is being addressed

CONSENT AGENDA:

MINUTE ORDER NO 152.15 APPROVING CONSENT AGENDA

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

Administrative:

A1 Approval of Regular Bills, Payroll, and Officers' Reports

A2 Approval of the Statement of Elected/Appointed Official and Oath of Office for the following Emergency Service District Board Members:

- o ESD #1
 - Andy Mulvaney
 - Gary Harris
 - James Morrison

- ESD #2
 - Monica (Bonney) Arroyo
 - Gary Ratliff
- ESD #3
 - Vicente Guerrero
 - Larry Norcoss
 - Richard Dabney

A3 Proclamation recognizing March 15-21, 2015 as Poison Prevention Week in Ellis County.

A4 Approval of the Official Minutes for January 12, 2015, – *Cindy Polley, County Clerk*

Financial:

- F1 **From** 047-0947-30302 Fund Balance \$896.30 **To** 047-0947-50802 Equipment \$896.30. – *Chuck Laubach, Ellis County Sheriff's Office*
- F2 **From** 005-0703-30302 Fund Balance \$45,000.00 **To** 005-0703-50911 Gravel \$45,000.00. – *Paul Perry, Commissioner, Pct. 3*
- F3 **From** 001-0612-40096 State LEOSE Payment \$785.39 **To** 001-0612-50820 LEOSE Training \$785.39. – *Terry Nay, Constable, Pct. 2*
- F4 **From** 001-0330-40096 State LEO Payment \$12,839.67 **To** 001-0010-50820 LEOSE Training \$12,839.67. – *Johnny Brown, Sheriff*
- F5 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>
Angelo Dragija	154850	\$2,443.55
Corelogic Commercial Tax Service	202129	\$3,428.86
Wells Fargo Real Estate Tax Services, LLC	203201	\$4,949.25
Wells Fargo Real Estate Tax Services, LLC	222134	\$11,053.71
Justin Shaw	233668	\$4,721.41
Waste Management, Inc.	243186	\$68,737.45
Melissa Ortiz	231599	\$3,388.53

Simplified Plat:

SP1 Farmer's Acre, 1 lot, 4225 Lakeview Drive, Ennis, Jo Ann Farmer, Pct. 2

DEPARTMENT OF COUNTY DEVELOPMENT

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

MINUTE ORDER NO. 153.15 APPROVING REPLAT – MAYPEARL HIDDEN HILLS, LOT 22, 144 SULLIVAN WAY, WAXAHACHIE, RICHARD DUBOSE, PCT 3

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

MINUTE ORDER NO. 154.15 APPROVING REPLAT – COCKERHAM ESTATES, LOTS 5, 6, 7&8, 756 ARROWHEAD ROAD, WAXAHACHIE, BRETT HESS, PCT. 3.

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

MINUTE ORDER NO. 155.15 APPROVING PRELIMINARY PLAT- TAYLOR RIDGE, PHASE 3, 17 LOTS, OAK VISTA ROAD, WAXAHACHIE, IVAN BRIGMAN, PCT. 3.

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

MINUTE ORDER NO. 156.15 APPROVING PRELIMINARY PLAT- PIONEER POINT, 150 LOTS, FM 66 & RICHARD ROAD, WAXAHACHIE, KARS TAMMINGA, PCT. 3.

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

MINUTE ORDER NO. 157.15 GRANTING A ONE-TIME VARIANCE FROM COUNTY OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS OF SUBDIVISIONS AND MANUFACTURED AS IT RELATES TO THE FIRE HYDRANT REQUIREMENT TO REPLAT REEVES PLACE, LOT 1, 1460 HWY 77, ITALY, RORY REEVES, PCT. 3.

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

MINUTE ORDER NO. 158.15 REJECTING ALL RESPONSES ON THE FOLLOWING BIDS SUBMITTED TO ELLIS COUNTY PURCHASING: RB-2015-001-ANNUAL CONTRACT FOR CRUSHED LIMESTONE CHIP SEAL, TYPE D, GRADES 3,4, AND 5, RB-2015-003- RECYCLED CONCRETE FLEX BASE, TYPE D, GRADE 1 OR 2 AND RB-2015-004-WASHED PEA GRAVEL, TYPE A, GRADE 4 AND 5 IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE.

MOTION TO REJECT BIDS BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO. 159.15 APPROVING DISBURSEMENT OF \$1500 FROM CONTINGENCY, TO BE HELD BY THE COUNTY TREASURER'S OFFICE INITIALLY, TO BE FURTHER DISTRIBUTED TO OTHER COUNTY OFFICES TO ALLOW THEM TO PAY FOR EXEMPT VEHICLE REGISTRATIONS IN AN EFFICIENT METHOD DUE TO THE NEW REQUIREMENTS OF THE TWO STEPS ONE STICKER PROGRAM ADOPTED BY THE TEXAS DEPARTMENT OF MOTOR VEHICLES.

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

MINUTE ORDER NO. 160.15 DECLARING THE FOLLOWING ITEM AS SURPLUS AND TO BE DISPOSED OF IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE 263 – MORBARK E-Z BEEVER WOOD CHIPPER, MODEL 17 S/N #2214, FROM ROAD AND BRIDGE PRECINCT 4.

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

MINUTE ORDER NO. 161.15 ACCEPTING INSURANCE CLAIM SETTLEMENT CHECK IN THE AMOUNT OF \$3,236.13 FOR DAMAGES SUSTAINED TO ELLIS COUNTY SHERIFF'S OFFICE ESTRAY BARN.

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

MINUTE ORDER NO. 162.15 APPROVAL TO RENEW BID RB-2013-006 EMULSIFIED ASPHALT WITH ERGON ASPHALTS AND HEARTLAND ASPHALT MATERIALS FOR A ONE (1) YEAR RENEWAL PERIOD, FROM MARCH 15, 2015 TO MARCH 31, 2016.

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

MINUTE ORDER NO. 163.15 APPROVING THE PURCHASE OF A 2012 FORD F250 TRUCK IN THE AMOUNT \$22,995.00 FROM COMFLEET AUTO SALES FOR ROAD AND BRIDGE PRECINCT 2, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE.

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

MINUTE ORDER NO. 164.15 APPROVAL TO PURCHASE OFFICE FURNISHINGS FROM A PARTICIPATING VENDOR IN APPROVED CO-OP OR TEXAS STATE CONTRACT FOR THE COURTS AND ADMINISTRATION BUILDING FINISH OUT AND ELECTIONS BUILDING UPON COMPLETION.

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

MINUTE ORDER NO. 165.15 REJECTING THE ONLY BID SUBMITTED FOR THE 2013 TXCDBG GRANT PROJECT #713159 FOR WATER IMPROVEMENTS FOR SOUTH ELLIS COUNTY WATER SUPPLY CORPORATION FROM LYNES CONSTRUCTION, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE.

MOTION TO REJECT BID BY COMMISSIONER PERRY, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

MINUTE ORDER NO. 166.15 APPROVAL TO AWARD TXCDBG PROJECT 713159 – LEE ROAD PLANT IMPROVEMENTS TO J&K EXCAVATION, LLC IN ACCORDANCE OF THE LOCAL GOVERNMENT CODE.

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

MINUTE ORDER NO. 167.15 APPROVAL TO AWARD TXCSBG PROJECT 713159 – LEE ROAD 6" WATER LINE TO CIRCLE H CONSTRUCTION, LP IN ACCORDANCE OF THE LOCAL GOVERNMENT CODE.

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

ADMINISTRATIVE

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

- 3.1 PRESENTATION OF BETTER LIVING FOR TEXAS REGIONAL AWARD TO ARLENE HAMILTON, ELLIS COUNTY MASTER WELLNESS VOLUNTEER MADE BY ANNIE TINSLEY, EAST REGIONAL MANAGER OF BETTER LIVING FOR TEXANS. - *MARK ARNOLD, EXTENSION OFFICE*

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

MINUTE ORDER NO. 168.15 AUTHORIZING THE COUNTY JUDGE TO EXECUTE ANY DOCUMENT NECESSARY TO APPROVE THE BOND OR REFINANCE OF BONDS, WITH RESPECT TO THE TARRANT COUNTY CULTURAL EDUCATION FACILITIES FINANCE CORPORATION HOSPITAL REVENUE BONDS (BAYLOR SCOTT & WHITE HEALTH PROJECT) SERIES 2015. SUCH APPROVAL IS NOT TO BE CONSTRUED AS ANY REPRESENTATION OR WARRANTY BY THE COUNTY, NOR TO CREATE ANY PERFORMANCE OBLIGATION ON THE PART OF THE COUNTY.

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

MINUTE ORDER NO. 169.15 APPROVAL TO ACCEPT A \$15,000 PAYMENT FOR REINFORCEMENT OF MILLER ROAD BRIDGE IN PRECINCT 4 FROM TARRANT REGIONAL WATER DISTRICT. – *KYLE BUTLER, COMMISSIONER, PCT. 4*

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

3.5 STATUS REPORT ON USE OF COMPENSATORY TIME. – *ANNE PRICE, DIRECTOR OF HUMAN RESOURCES*

NO ACTION 3.6 INTERLOCAL AGREEMENT BETWEEN ELLIS COUNTY AND CITY OF WAXAHACHIE REGARDING USE OF GUN RANGE. – *CAROL BUSH, ELLIS COUNTY JUDGE*

MINUTE ORDER NO. 170.15 APPROVAL TO ACCEPT A DONATION OF TWO BALLISTIC K-9 VESTS. – *CHUCK LAUBACH, ELLIS COUNTY SHERIFF'S OFFICE*

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

MINUTE ORDER NO. 171.15 AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF OVILLA REGARDING THE OVILLA WATER TOWER. – *CHUCK LAUBACH, ELLIS COUNTY SHERIFF'S OFFICE*

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

MINUTE ORDER NO. 172.15 DESIGNATING JODI PLATT AS INTERIM PURCHASING AGENT. – *CAROL BUSH, ELLIS COUNTY JUDGE*

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

MINUTE ORDER NO. 173.15 APPROVING AN INTERLOCAL AGREEMENT BETWEEN ELLIS COUNTY AND THE CITY OF WAXAHACHIE TO ALLOW THE CITY TO PLACE EQUIPMENT ON THE COUNTY'S RADIO TOWER, IMPROVING INTEROPERABILITY AND PUBLIC COMMUNICATIONS.

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

ADJOURNMENT

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF MARCH 9, 2015 ARE HEREBY APPROVED.

PRESIDING OFFICER:



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 APRIL 27, 2015:

Cindy Polley
CINDY POLLEY, COUNTY CLERK

