

FILED

JUN 22 2015

**COUNTY CLERK
ELLIS COUNTY, TEXAS**

ELLIS COUNTY COMMISSIONERS' COURT
OFFICIAL MINUTES // MAY 11, 2015

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, MAY 11, 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:

VANCE HINDS, ASSISTANT COUNTY ATTORNEY

RAY RIKE, 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 APPROVE TO OPEN COURT BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE—COMMISSIONER KYLE BUTLER

CONSENT AGENDA:

MINUTE ORDER NO 231.15 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

- A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 APPROVAL OF THE OFFICIAL MINUTES FOR MARCH 23, 2015 – CINDY POLLEY, COUNTY CLERK
- A3 APRIL 2015 TRAVEL REPORTS OF THE TEXAS AGRILIFE EXTENSION OFFICE
 - MARK ARNOLD, AGRICULTURE
 - RITA HODGES, FAMILY & CONSUMER SCIENCE
 - MEGAN PARR, 4H

FINANCIAL:

- F1 FROM 004-0652-40008 RB2 INTERLOCAL AGREEMENT \$241.33 TO 004-0652-50911 RB2 GRAVEL \$241.33 – LANE GRAYSON, COMMISSIONER, PCT. 2
- F2 FROM 010-0653-30301 FM2 FUND BALANCE CARRY OVER \$12,000.00 TO 010-0653-50906 FM2 CULVERTS – LANE GRAYSON, COMMISSIONER, PCT. 2
- F3 FROM 001-0210-40964 CONTRACT ELECTIONS \$20,000.00 TO 001-0210-50848 HOLDING/SALARY \$20,000.00 – BRUCE SHERBET, ELECTIONS ADMINISTRATOR

SIMPLIFIED PLAT:

SP1 BATMAN ADDITION, 1 LOT, LOCATED ON KRAJCA ROAD, ROAD AND BRIDGE PCT. 2, REQUESTED BY CAMERON STILWELL
MOTION TO APPROVE CONSENT AGENDA BY COMMISSIONER ROBINSON, SECOND BY
COMMISSIONER PERRY CARRIES UNANIMOUSLY

DEPARTMENT OF COUNTY DEVELOPMENT

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

MINUTE ORDER NO 232.15 APPROVING FINAL PLAT- OXFORD RANCH TWO, PHASE 1, 33 LOTS, LOCATED
OFF OF WESTMORELAND AND PATRICK ROAD, ROAD AND BRIDGE PCT. 4, REQUESTED BY HARLAN
PROPERTIES, INC

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

MINUTE ORDER NO 233.15 ACCEPTING THE COMPLETED INFRASTRUCTURE OF OXFORD RANCH TWO,
PHASE 1, INCLUDING CARDIFF LANE AND A PORTION OF BERKELEY DRIVE; RELEASING THE IRREVOCABLE
LETTER OF CREDIT NO. 187231 IN THE AMOUNT OF \$593,873.75 TO BANK OF THE WEST FOR THE
COMPLETED INFRASTRUCTURE OF OXFORD RANCH TWO, PHASE 1, AND ACCEPTING THE TWO-YEAR
MAINTENANCE IRREVOCABLE LETTER OF CREDIT FROM BANK OF THE WEST IN THE AMOUNT OF
\$237,549.50, LOCATED IN ROAD AND BRIDGE PCT. 4, REQUESTED BY HARLAN PROPERTIES, INC.

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

PURCHASING

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

MINUTE ORDER NO 234.15 AUTHORIZING THE TRANSFER OF CUMMINS JETSCAN IFX, MODEL NUMBER
i101, SERIAL NUMBER 1i101175111332, CASH COUNTING MACHINE PREVIOUSLY USED IN THE ELLIS
COUNTY TREASURER'S OFFICE TO THE ELLIS COUNTY CLERK'S OFFICE

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

MINUTE ORDER NO 235.15 APPROVING THE AWARD OF THE FOLLOWING BID IN ACCORDANCE WITH THE
LOCAL GOVERNMENT CODE:

RB-2015-009 PAVEMENT REHABILITATION AND RESURFACING SERVICES

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

MINUTE ORDER NO 236.15 APPROVING THE AWARD OF THE FOLLOWING BID IN ACCORDANCE WITH THE
LOCAL GOVERNMENT CODE:

RB-2015-010 Hot Mix Asphalt

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

MINUTE ORDER NO 237.15 APPROVING THE AWARD OF THE FOLLOWING BID IN ACCORDANCE WITH THE
LOCAL GOVERNMENT CODE:

RB-2015-011 Hot Mix, Hot Lay Asphalt, Type B, C, D and Sand

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

No Action: APPROVAL FOR THE AWARD OF THE FOLLOWING BID IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE:

RB-2015-012 SOIL CEMENT STABILIZATION

(NO BIDS RECEIVED)

MINUTE ORDER NO 238.15 APPROVING COUNTY JUDGE TO SIGN EXTENSION AGREEMENT WITH HIBBS-HALLMARK & CO. FOR PROPERTY INSURANCE FOR ELLIS COUNTY, IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE. EXTENSION PERIOD MAY 22, 2015 THROUGH OCTOBER 1, 2015.

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

ADMINISTRATIVE:

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

MINUTE ORDER NO 239.15 APPROVING PROCLAMATION RECOGNIZING THE MONTH OF MAY, 2015 AS MOTORCYCLE SAFETY AWARENESS MONTH IN ELLIS COUNTY (CAROL BUSH, COUNTY JUDGE)

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

3.2 STATUS REPORT ON USE OF COMPENSATORY TIME. — ANNE PRICE, DIRECTOR OF HUMAN RESOURCES

MINUTE ORDER NO 240.15 APPROVING INTERLOCAL PARTICIPATION AGREEMENT BETWEEN ELLIS COUNTY AND TEXAS ASSOCIATION OF COUNTIES FOR PARTICIPATION IN A CONTRACT FOR ADMINISTRATIVE SERVICES FOR COMPLIANCE IN RECORDKEEPING FOR THE AFFORDABLE CARE ACT

(ANNE PRICE, DIRECTOR OF HUMAN RESOURCES)

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

MINUTE ORDER NO 241.15 APPROVING CONTRACT NUMBER 2014-044235-001 ENTERED INTO BY AND BETWEEN THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) AND THE ELLIS COUNTY CLERK'S OFFICE. PURPOSE OF CONTRACT: DSHS AGREES TO PURCHASE AND ELLIS COUNTY AGREES TO PROVIDE SERVICES OR GOODS TO ELIGIBLE POPULATIONS. (CINDY POLLEY, COUNTY CLERK)

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

MINUTE ORDER NO 242.15 APPROVING DATA USE AGREEMENT BETWEEN THE TEXAS HEALTH AND HUMAN SERVICES (HHS) AND ELLIS COUNTY AND INCORPORATING INTO THE TERMS OF HHS CONTRACT NUMBER 2014-044235-01 (CINDY POLLEY, COUNTY CLERK)

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

RECESS TO CONVENE TO EXECUTIVE SESSION

MOTION BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER BUTLER 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 SECTION 551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH COUNSEL CONCERNING CAUSE NO. 91288 FILIPE PINEDA AND ISRAEL LOZANO V. ELLIS COUNTY, TEXAS.
- 4.2 PURSUANT TO §551.074 OF THE GOVERNMENT CODE, CONSULTATION TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF THE PURCHASING AGENT.
- 4.3 PURSUANT TO §551.074 OF THE GOVERNMENT CODE, CONSULTATION TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF THE FIRE MARSHAL.

ADJOURNMENT OF EXECUTIVE SESSION (11:31 AM)

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

ADJOURNMENT

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF MAY 11, 2015 ARE HEREBY APPROVED.

PRESIDING OFFICER:



CAROL BUSH, COUNTY JUDGE



DENNIS ROBINSON, COMMISSIONER, PCT 1



PAUL PERRY, COMMISSIONER, PCT 3



LANE GRAYSON, COMMISSIONER, PCT 2

Absent

KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 22ND DAY OF JUNE, 2015



CINDY POLLEY, COUNTY CLERK