

FILED

AUG 10 2015

**COUNTY CLERK
ELLIS COUNTY, TEXAS**

**ELLIS COUNTY COMMISSIONERS' COURT
OFFICIAL MINUTES // JUNE 22, 2015**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, JUNE 22, 2015 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

LANE GRAYSON, COMMISSIONER, PCT. 2

PAUL PERRY, COMMISSIONER, PCT. 3

KYLE BUTLER, COMMISSIONER, PCT. 4 - *ABSENT*

COUNTY CLERK:

TINA CHAMBERS, ADMINISTRATIVE ASSISTANT

COUNTY & DISTRICT ATTORNEY'S OFFICE:

VANCE HINDS

RAY RIKE

OPENING COURT: (3:05 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 GRAYSON; MOTION CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE—COMMISSIONER DENNIS ROBINSON

CONSENT AGENDA:

MINUTE ORDER NO 269.15 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

- A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 MAY 2015 TRAVEL REPORTS OF THE TEXAS AGRILIFE EXTENSION OFFICE
 - MARK ARNOLD, AGRICULTURE
 - RITA HODGES, FAMILY & CONSUMER SCIENCE
 - MEGAN PARR, 4H
- A3 APPROVAL OF OFFICIAL MINUTES FOR APRIL 13, 2015, APRIL 27, 2015, MAY 11, 2015, AND MAY 26, 2015 – CINDY POLLEY, COUNTY CLERK

FINANCIAL:

- F1 FROM 009-0602-50918 FM1 HARDWARE/TOOLS \$6,000.00 TO 009-0602-50907 FM1 TIRES \$6,000.00 – DENNIS ROBINSON, COMMISSIONER, PCT. 1
- F2 FROM 004-0652-30301 RB2 FUND BALANCE CARRY OVER 25,000.00 TO 004-0652-50802 RB2 PURCHASE OF EQUIPMENT \$25,000.00 – LANE GRAYSON, COMMISSIONER, PCT. 2

- F3 FROM 010-0653-30301 FM2 FUND BALANCE CARRY OVER \$10,000.00 To 010-0653-50906 FM2 CULVERTS \$10,000.00 – LANE GRAYSON, COMMISSIONER, PCT. 2
- F4 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> |
|--------------------------------|----------------|-------------------|
| CHRISTOPHER HAYES | 181152 | \$4,512.79 |
| CARRINGTON MORTGAGE SERVICES | 221232 | \$2,569.40 |
- F5 FROM 001-0210-40964 CONTRACT ELECTIONS \$15,000.00 To 001-0210-50703 TELEPHONE \$2,000.00, 001-0210-50888 COMPUTER SERVICE/RENTAL \$6,000.00, 001-0210-50801 SUPPLIES \$7,000.00 – BRUCE SHERBET, ELECTIONS ADMINISTRATOR
- F6 FROM 001-0140-50560 COMPENSATORY/FRINGE/STAFFING \$1,722.40 To 001-0380-50502 SALARY \$1,600.00, 001-0380-50553 FICA/SS \$122.40 – JUDGE JIM CHAPMAN, COUNTY COURT AT LAW #1

SIMPLIFIED PLAT:

- SP1 ZHANEL ADDITION, 1 LOT, REQUESTED BY MARK A, ZHANEL, SR., LOCATED ON CODY ROAD, ENNIS, ROAD AND BRIDGE PCT. 2.

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 270.15** GRANTING A ONE-TIME VARIANCE FROM COUNTY OF ELLIS RULES REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED HOME PARKS FOR THE FIRE HYDRANT REQUIREMENT, AT THE LOCATION OF 499 TEN MILE ROAD, FERRIS, REQUESTED BY STEPHEN HAMM, LOCATED IN ROAD AND BRIDGE PCT. 1

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

PURCHASING

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

- MINUTE ORDER NO 271.15** AUTHORIZING COUNTY JUDGE TO SIGN LEASE AGREEMENT FROM JOHN DEERE FINANCIAL FOR A 2015 JOHN DEERE 544K FOR ROAD AND BRIDGE PRECINCT 3, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE

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

- MINUTE ORDER NO 272.15** AUTHORIZING THE COUNTY JUDGE TO SIGN CONTRACT FOR TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (TXCSBG) PROJECT 713159, FOR THE LEE ROAD PLANT IMPROVEMENTS, IN ACCORDANCE OF THE LOCAL GOVERNMENT CODE

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

- MINUTE ORDER NO 273.15** AUTHORIZING THE COUNTY JUDGE TO SIGN CONTRACT FOR TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (TXCSBG) PROJECT 713159, LEE ROAD 6 INCH WATER LINE, IN ACCORDANCE OF THE LOCAL GOVERNMENT CODE

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

MINUTE ORDER NO 274.15 RENEWING BID RB-2014-005, LIMESTONE FLEX BASE, TYPE A, GRADE 4 WITH OUR CURRENT VENDORS ARNOLD CRUSHED STONE AND CJ & SONS TRUCKING FOR A ONE (1) YEAR RENEWAL PERIOD, FROM MARCH 15, 2015 TO MARCH 31, 2016
MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 275.15 APPROVING MONTHLY RENTAL AGREEMENT FROM KIRBY SMITH FOR A GRADALL XL3100 EXCAVATOR FOR ROAD AND BRIDGE PRECINCT 3, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE *SUBJECT TO LEGAL APPROVAL*
MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER ROBINSON *PENDING LEGAL APPROVAL*

MINUTE ORDER NO 276.15 APPROVING THE PURCHASE OF A 2015 CHEVROLET SILVERADO CREW CAB FROM CALDWELL COUNTRY 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 277.15 APPROVING MONTHLY RENTAL AGREEMENT FROM RDO EQUIPMENT FOR A 2015 JOHN DEERE 329E SKID STEER FOR ROAD AND BRIDGE PRECINCT 2, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE
MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 278.15 AUTHORIZING COUNTY JUDGE TO SIGN ANNUAL PREVENTATIVE MAINTENANCE AGREEMENT FROM ARGYLE SECURITY GROUP FOR THE SECURITY EQUIPMENT AND DOORS LOCATED AT 109 S. JACKSON ST (JAIL) IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE
MOTION TO APPROVE BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 279.15 APPROVING COUNTY JUDGE TO SIGN ONE YEAR AGREEMENT FROM BJ WAKEFIELD SERVICES FOR ELLIS COUNTY SHERIFF'S OFFICE LEC AEROBIC SEPTIC SYSTEM INSPECTIONS, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE
MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

No Action: 2.10 TO AWARD RFA-2015-001, CONTRACT FOR BANK DEPOSITORY, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE.

ADMINISTRATIVE:

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

MINUTE ORDER NO 280.15 APPROVING ANNUAL ROAD REPORT FORM (*MR. GILESPI ADDRESSING THE COURT*)
MOTION TO APPROVE BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 281.15 ACCEPTING ANNUAL ROAD REPORTS RECEIVED; COMMISSIONER ROBINSON, PCT. 1, COMMISSIONER PERRY, PCT. 3, AND COMMISSIONER BUTLER PCT. 4
MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY
DISCUSSION: RON GILLESPI

MINUTE ORDER NO 282.15 APPROVING THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS' AREA AGENCY ON AGING (NCTAAA) LOCAL ADMINISTRATIVE MATCH OF \$11,191.00 AND AUTHORIZING THE COUNTY JUDGE TO SIGN MEMORANDUM OF UNDERSTANDING

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

MINUTE ORDER NO 283.15 ACCEPTING FILL DIRT AND LIMESTONE ROCK DONATION FROM PCT. 3 RESIDENT GARY SHERIDAN (PAUL PERRY, COMMISSIONER, PCT. 3)

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

MINUTE ORDER NO 284.15 ACCEPTING \$100.00 DONATION TO THE ELLIS COUNTY SHERIFF'S OFFICE FROM THE JUNIOR SERVICE LEAGUE (CHUCK LAUBACH, ELLIS COUNTY SHERIFF'S OFFICE)

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

RECESS TO CONVENE TO EXECUTIVE SESSION (3:30 PM)

MOTION BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER ROBINSON 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(2) OF THE TEXAS GOVERNMENT CODE ON THE FOLLOWING MATTER WHERE 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 -- LETTER FROM STACY COLE LAW, P. C. -- JOE STEWART

ADJOURNMENT OF EXECUTIVE SESSION AND RECONVENE (4:40 PM)

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

ADJOURNMENT

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF JUNE 22, 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


KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS AUGUST 10, 2015


CINDY POLLEY, COUNTY CLERK