

**FILED**

**AUG 10 2015**

**COUNTY CLERK  
ELLIS COUNTY, TEXAS**

**ELLIS COUNTY COMMISSIONERS' COURT  
OFFICIAL MINUTES // JULY 13, 2015**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, JULY 13, 2015 AT 10:00 A.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:**

CINDY POLLEY, COUNTY CLERK

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

ANN MONTGOMERY-MORAN

VANCE HINDS

**OPENING COURT:** (10:03 AM)

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 BUTLER, SECOND BY COMMISSIONER PERRY; MOTION CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE—COMMISSIONER LANE GRAYSON

**CONSENT AGENDA:**

**MINUTE ORDER NO 287.15 APPROVING CONSENT AGENDA**

**ADMINISTRATIVE:**

- A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 2<sup>ND</sup> QUARTER 2015 ELLIS COUNTY INVESTMENT REPORT. — CHERYL CHAMBERS, TREASURER
- A3 JUNE 2015 TRAVEL REPORTS OF THE TEXAS AGRILIFE EXTENSION OFFICE
  - MARK ARNOLD, AGRICULTURE
  - RITA HODGES, FAMILY & CONSUMER SCIENCE
  - MEGAN PARR, 4H

**FINANCIAL:**

- F1 FROM 001-0015-50801 SUPPLIES \$5,000.00 TO 001-0015-50873 BUILDING MECHANICAL CONTRACT \$5,000.00. — BRAD NORMAN, ELLIS COUNTY SHERIFF'S OFFICE
- F2 FROM 009-0602-50919 FM1 STEEL \$2,300.00 TO 009-0602-50962 FM1 LUBRICANTS \$2,300.00. — DENNIS ROBINSON, COMMISSIONER, PCT. 1
- F3 FROM 042-0942-30302 FEDERAL FORFEITURE FUND BALANCE \$4,250.00 TO 042-0942-50807 GENERAL EXPENSE \$4,250.00. — CHUCK LAUBACH, ELLIS COUNTY SHERIFF'S OFFICE

- F4 FROM 005-0703-50807 Misc. \$5,000.00 To 005-0703-50907 TIRES \$5,000.00. – PAUL PERRY, COMMISSIONER, PCT. 3
- F5 FROM 001-0520-50874 DOCKET/BOOKS/PRINTING \$880.39 To 001-0520-50801 SUPPLIES \$880.39. – JACKIE MILLER JR., JUSTICE OF THE PEACE, PCT. 2
- F6 FROM 001-0140-50859 SYSTEM ADMINISTRATION FEES \$10,000.00 To 001-0140-50887 RADIO TOWER \$10,000.00. – CAROL BUSH, COUNTY JUDGE
- F7 FROM 012-0755-30302 FUND BALANCE CARRYOVER \$106,000.00 To 012-0755-50912 BRIDGE REPAIRS \$50,000.00, 012-0755-50807 GENERAL Misc. \$40,000.00, 012-0755-50906 CULVERTS \$16,000.00. – KYLE BUTLER, COMMISSIONER, PCT.4
- F8 FROM 006-0754-40800 TRANSPORTATION INFRASTRUCTURE GRANT \$95,945.22 To 006-0754-50915 ASPHALT \$95,945.22. – KYLE BUTLER, COMMISSIONER, PCT. 4

**SIMPLIFIED PLAT:**

SP1 HENDRIX/ADAMS ADDITION, 2 LOTS, BUTLER ROAD, ROBBIE HENDRIX, ROAD AND BRIDGE PCT. 3  
 MOTION TO APPROVE CONSENT AGENDA BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

**PURCHASING**

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

**MINUTE ORDER NO 288.15** AWARDING RFA-2015-001, CONTRACT FOR BANK DEPOSITORY, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE, *TO FIRST FINANCIAL BANK*  
 MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

**MINUTE ORDER NO 289.15** DECLARING THE STORAGE CONSOLE FROM THE EMERGENCY MANAGEMENT 2015 CHEVROLET TAHOE AS SURPLUS TO BE DISPOSED OF IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE  
 MOTION BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

**MINUTE ORDER NO 290.15** APPROVING COUNTY JUDGE TO SIGN CUSTOMER SERVICE AGREEMENT WITH SHRED-IT FOR THE ELLIS COUNTY DISTRICT CLERK’S OFFICE IN ACCORDANCE WITH LOCAL GOVERNMENT CODE  
 MOTION BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

**MINUTE ORDER NO 291.15** RECOMMENDATION OF AMBULANCE AND PARAMEDIC PROVIDER FOR NEGOTIATIONS WITH ELLIS COUNTY  
 MOTION BY COMMISSIONER GRAYSON *TO APPROVE OPTION II*, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

**ADMINISTRATIVE:**

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

3.1 **DISCUSSION** OF COUNTY POLICIES PERTINENT TO THE 2015-2016 BUDGET. – CAROL BUSH, COUNTY JUDGE (*SARA GARCIA*)

**MINUTE ORDER NO 292.15** TO RENEW OR MODIFY CURRENT COUNTY AND RETIREE HEALTH INSURANCE COVERAGE AND PREMIUMS THROUGH THE TEXAS ASSOCIATION OF COUNTIES BENEFITS POOL FOR THE FISCAL YEAR 2015-2016 - *MEDICAL* (ANNE PRICE, DIRECTOR OF HUMAN RESOURCES)  
MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON CARRIES 4/1 WITH COMMISSIONER BUTLER OPPOSING

**MINUTE ORDER NO 293.15** TO RENEW OR MODIFY CURRENT COUNTY AND RETIREE HEALTH INSURANCE COVERAGE AND PREMIUMS THROUGH THE TEXAS ASSOCIATION OF COUNTIES BENEFITS POOL FOR THE FISCAL YEAR 2015-2016 - *DENTAL* (ANNE PRICE, DIRECTOR OF HUMAN RESOURCES)  
MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

3.3 COMPENSATORY ANALYSIS REPORT. – ANNE PRICE, DIRECTOR OF HUMAN RESOURCES

3.4 UPDATE ON THE STATUS OF THE AUDIO VISUAL EQUIPMENT IN THE COMMISSIONERS COURTROOM. – CAROL BUSH, COUNTY JUDGE

3.5 DISASTER/FEMA ASSISTANCE UPDATE. – STEPHANIE PARKER, EMERGENCY MANAGEMENT COORDINATOR

**MINUTE ORDER NO 294.15** REAPPOINTING JOE BOND TO ELLIS COUNTY EMERGENCY SERVICES DISTRICT #4, EFFECTIVE JANUARY 1, 2015 – DECEMBER 31, 2016 (KYLE BUTLER, COMMISSIONER, PCT. 4)  
MOTION BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

**MINUTE ORDER NO 295.15** ACCEPTING THE APPLICATION OF CHARLES EDWARDS TO ELLIS COUNTY EMERGENCY SERVICES DISTRICT #4, EFFECTIVE THROUGH DECEMBER 13, 2016 (KYLE BUTLER, COMMISSIONER, PCT. 4)  
MOTION BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

**MINUTE ORDER NO 296.15** PARTICIPATING IN THE NCTCOG PUBLIC WORKS PROGRAM FOR FY 2015-2016 AT A COST OF \$3,500.00  
MOTION BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

**MINUTE ORDER NO 297.15** AUTHORIZING COUNTY JUDGE TO SIGN INTERLOCAL AGREEMENT FOR PURCHASE OF REGION 10 EDUCATIONAL SERVICES RADIO TOWER.  
MOTION BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

**RECESS REGULAR SESSION TO CONVENE TO PUBLIC HEARING**

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

**PUBLIC HEARING**

PURSUANT TO §251.152 OF THE TEXAS TRANSPORTATION CODE, PUBLIC HEARING TO DISCUSS THE INSTALLATION OF A STOP SIGNS ON JAYCEE DRIVE AND DREW COURT AT THE FOLLOWING LOCATION: THE THREE WAY INTERSECTION OF JAYCEE DRIVE AND DREW COURT; IN ELLIS COUNTY, TEXAS – PRECINCT 3.

*NO PARTICIPATION*

**ADJOURNMENT OF PUBLIC HEARING AND RECONVENE TO REGULAR SESSION**

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

**MINUTE ORDER NO 298.15** INSTALLING STOP SIGNS ON JAYCEE DRIVE AND DREW COURT AT THE FOLLOWING LOCATION: THE THREE WAY INTERSECTION OF JAYCEE DRIVE AND DREW COURT; IN ELLIS COUNTY, TEXAS – PRECINCT 3 (PAUL PERRY, COMMISSIONER, PCT. 3)

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

**MINUTE ORDER NO 299.15** CLOSING, VACATING, AND ABANDONING A PORTION OF VINEYARD VIEW LANE (DENNIS ROBINSON, COMMISSIONER, PCT. 1)

MOTION BY ??????

**MINUTE ORDER NO 300.15** SEPARATION AGREEMENT AND GENERAL RELEASE -- JOE STEWART

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

**MINUTE ORDER NO 301.15** EMPLOYMENT OF JULIA GANNAWAY OF LYNN

ROSS GANNAWAY & CRANFORD – ATTORNEYS, NOT TO EXCEED \$2,000.00

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

**No Action:** 3.14A DATE FOR A REVIEW OF THE PROPOSED COUNTY BUDGET BEFORE ANY FINAL VOTE IS TAKEN OR REQUIRED. – PAUL PERRY, COMMISSIONER, PCT. 3

**RECESS TO CONVENE TO EXECUTIVE SESSION (11:09 AM)**

MOTION BY COMMISSIONER GRAYSON, 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(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 – SEPARATION AGREEMENT AND GENERAL RELEASE -- JOE STEWART

**ADJOURNMENT OF EXECUTIVE SESSION (11:42)**

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

**ADJOURNMENT (11:54 AM)**

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF JULY 13, 2015 ARE HEREBY APPROVED.

PRESIDING OFFICER:

  
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CAROL BUSH, COUNTY JUDGE

  
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DENNIS ROBINSON, COMMISSIONER, PCT 1

  
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PAUL PERRY, COMMISSIONER, PCT 3

  
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LANE GRAYSON, COMMISSIONER, PCT 2

  
\_\_\_\_\_  
KYLE BUTLER, COMMISSIONER, PCT 4

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

  
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CINDY POLLEY, COUNTY CLERK