

**ELLIS COUNTY COMMISSIONERS' COURT
OFFICIAL MINUTES // OCTOBER 27, 2015**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON TUESDAY, OCTOBER 27, 2015 AT 2:00 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

COUNTY CLERK:

CINDY POLLEY, COUNTY CLERK

COUNTY & DISTRICT ATTORNEY'S OFFICE:

VANCE HINDS

RAY RIKE

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 PERRY, SECOND BY COMMISSIONER BUTLER; MOTION CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE—COMMISSIONER LANE GRAYSON

CONSENT AGENDA:

MINUTE ORDER NO 422.15 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS

No ACTION A2 ACCEPTING MINUTES OF THE COMMISSIONERS' COURT FOR: JULY 27, 2015, AUGUST 10, 2015, AUGUST 24, 2015 AND SEPTEMBER 14, 2015

FINANCIAL:

F1 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>
FREEDOM MORTGAGE	240871	\$3,986.39

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

ADMINISTRATIVE:

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

3.1 INTRODUCTION OF THE CHIEF OF POLICE FOR THE CITY OF FERRIS. *EDDIE SALAZAR*

3.2 EXTENSION INTERPRETIVE EVENT FOR COMMISSIONERS COURT PRESENTED BY DONALD KELM, DISTRICT EXTENSION ADMINISTRATOR AND EXTENSION STAFF.
ANNUAL VISIT

DEPARTMENT OF COUNTY DEVELOPMENT

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

MINUTE ORDER NO 423.15 APPROVING PRELIMINARY PLAT JANE’S ACRES, 6 LOTS, AT THE LOCATION OF OLD MAYPEARL ROAD AND ALYSSA LANE, WAXAHACHIE, ROAD AND BRIDGE PCT. 3, REQUESTED BY EDWIN LIPSEY

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

PURCHASING

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

MINUTE ORDER NO 424.15 AUTHORIZING COUNTY JUDGE TO SIGN LEASE AGREEMENT WITH XEROX FOR A MULTIPURPOSE COPY MACHINE FOR THE 40TH DISTRICT COURT, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE

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

MINUTE ORDER NO 425.15 DECLARING EXCESS OFFICE FURNITURE FROM ELLIS COUNTY CSCD AND VARIOUS COUNTY OFFICES AS SURPLUS TO BE DISPOSED OF IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE

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

MINUTE ORDER NO 426.15 DECLARING OUTDATED AUDIO VISUAL EQUIPMENT FROM THE HISTORIC COURTHOUSE AS SURPLUS TO BE DISPOSED OF IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE

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

MINUTE ORDER NO 427.15 RENEWING SERVICE CONTRACT WITH GARRATT CALLAHAN FOR SHERIFF’S OFFICE IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE. TERM WILL BE OCTOBER 1, 2015 TO SEPTEMBER 30, 2016.

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

MINUTE ORDER NO 428.15 APPROVING LEASE PURCHASE AGREEMENT WITH OPTION TO BUY A TAKEUCHI TL10 TRACK LOADER FOR ROAD AND BRIDGE PRECINCT 2, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE

MOTION TO APPROVE BY COMMISSIONER GRAYSON TO APPROVE A LEASE PURCHASE AGREEMENT WITH OPTION TO BUY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

MINUTE ORDER NO 429.15 AUTHORIZING RFP PARTNERING WITH FEMA FOR THE EMBANKMENT OF BARDWELL DAM ROAD BRIDGE

MOTION BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

ADMINISTRATIVE:

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

MINUTE ORDER NO 430.15 RESCINDING BURN BAN FOR ELLIS COUNTY
MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

No ACTION: 3.4 AMR CONTRACT FOR AMBULANCE SERVICE.

No ACTION: 3.5 TO NOMINATE CANDIDATES FOR THE BOARD OF DIRECTORS OF THE ELLIS
CENTRAL APPRAISAL DISTRICT FOR THE TERM OF 2015-16, ACCORDING TO THE TEXAS TAX CODE, TITLE
1, SUBTITLE B, CHAPTER 6, SUBCHAPTER A, SECTION 6.03.

3.6 3RD QUARTER 2015 ELLIS COUNTY INVESTMENT **REPORT.** – CHERYL CHAMBERS, TREASURER

MINUTE ORDER NO 431.15 APPROVING 2016 ELLIS COUNTY RESOLUTION – INDIGENT DEFENSE GRANT
PROGRAM (MIKE NAVARRO, AUDITOR)
MOTION BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 432.15 APPROVING THE ANNUAL SUPPLEMENT TO THE 10TH COURT OF APPEALS IN THE
AMOUNT OF \$1,940.00
MOTION TO APPROVE BY JUDGE BUSH, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

MINUTE ORDER NO 1433.15 APPROVING INTERLOCAL AGREEMENT BETWEEN THE COUNTY OF ELLIS AND
THE ITALY INDEPENDENT SCHOOL DISTRICT (PAUL PERRY, COMMISSIONER, PCT. 3)

MINUTE ORDER NO 1434.15 APPROVING INTERLOCAL AGREEMENT BETWEEN THE COUNTY OF ELLIS AND
THE CITY OF MAYPEARL, TEXAS (PAUL PERRY, COMMISSIONER, PCT. 3)

MINUTE ORDER NO 1435.15 APPROVING INTERLOCAL AGREEMENT BETWEEN THE COUNTY OF ELLIS AND
THE MAYPEARL INDEPENDENT SCHOOL DISTRICT (PAUL PERRY, COMMISSIONER, PCT. 3)

MINUTE ORDER NO 1436.15 APPROVING THE INTERLOCAL AGREEMENT BETWEEN THE COUNTY OF ELLIS
AND THE WAXAHACHIE INDEPENDENT SCHOOL DISTRICT (PAUL PERRY, COMMISSIONER, PCT. 3)

MINUTE ORDER NO 1437.15 APPROVE THE INTERLOCAL AGREEMENT BETWEEN THE COUNTY OF ELLIS AND
THE CITY OF MILFORD, TX (PAUL PERRY, COMMISSIONER, PCT, 3)

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER *TO APPROVE 3.9-3.13(MINUTE ORDER NO 1433.15-
1437.15)*

No ACTION: 3.14 APPROVE MONTHLY RENTAL AGREEMENT FROM KIRBY SMITH FOR A GRADALL XL 3100 EXCAVATOR FOR
ROAD AND BRIDGE PRECINCT 3, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE.

3.15 **DISCUSSION** AND POSSIBLE ACTION ON COUNTY FIRE MARSHAL POSITION. – PAUL PERRY, COMMISSIONER, PCT. 3

3.16 **DISCUSSION** AND POSSIBLE ACTION ON THE DUNBAR ISSUE. – PAUL PERRY, COMMISSIONER, PCT. 3

RECESS TO CONVENE TO EXECUTIVE SESSION (2:57 PM)

MOTION BY JUDGE BUSH, 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 Human Resources Director and Indigent Care Director.
- 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

ADJOURNMENT OF EXECUTIVE SESSION **3:33 PM**

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

ADJOURNMENT

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF OCTOBER 27, 2015 ARE HEREBY APPROVED.

PRESIDING OFFICER:



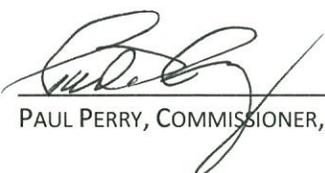
CAROL BUSH, COUNTY JUDGE



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 JANUARY 12, 2015



CINDY POLLEY, COUNTY CLERK