

**ELLIS COUNTY COMMISSIONERS' COURT
OFFICIAL MINUTES // JANUARY 12, 2016**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON TUESDAY, JANUARY 12, 2016 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:

TINA CHAMBERS, CHIEF DEPUTY 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 BUTLER, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE—COMMISSIONER KYLE BUTLER

CONSENT AGENDA:

MINUTE ORDER NO 104.16 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

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

A2 APPROVE THE FOLLOWING OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT:

AUGUST 24, 2015

SEPTEMBER 14, 2015

SEPTEMBER 28, 2015

OCTOBER 13, 2015

OCTOBER 27, 2015

A3 APPROVAL TO REAPPOINT THE FOLLOWING EMERGENCY SERVICE DISTRICT BOARD MEMBERS FOR 2 YEAR TERMS BEGINNING JANUARY 1, 2016 THROUGH DECEMBER 31, 2017:

- ESD #1 – CLIFTON NEIL SIMS, WADE NORQUIST
- ESD #2 – RAY REED, DANNY LONG, TOM MANNING
- ESD #3 - JACKIE DWAYNE CATE AND MURRIE WAINSCOTT
- ESD #4 – DUB NOWELL, RAY BRINDLE
- ESD #5 – RAYMOND C. MINER
- ESD #7 – GARY SPORTSMAN, JANIS COLEMAN
- ESD #8 – KEVIN MASON, TEANER JOHNSON
- ESD #9 – KENNY CALDWELL, RICK DAVIS

FINANCIAL:

- F1 FROM 011-0704-30302 FUND BALANCE \$20,000.00 TO 011-0704-50911 GRAVEL \$20,000.00. – PAUL PERRY, COMMISSIONER PCT. 3
- F2 FROM 009-0602-50908 FM1 LUMBER \$4,000.00 TO 009-0602-50802 FM1 EQUIPMENT \$4,000.00. – DENNIS ROBINSON, COMMISSIONER, PCT. 1
- F3 FROM 010-0653-50912 FM2 BRIDGE REPAIRS \$5,000.00 TO 010-0653-50962 FM2 LUBRICANTS \$5,000.00. – LANE GRAYSON, COMMISSIONER, PCT. 2
- F4 FROM 001-0000-30302-00000-000 FUND BALANCE CARRYOVER \$49,936.00 TO 001-0140-50811-00000-000 FY 2015-2016 FLEET PURCHASE \$49,936.00.
- F5 FROM 010-0653-30302 FM2 FUND BALANCE CARRY OVER \$5,000.00 TO 010-0653-50802 FM2 PURCHASE OF EQUIPMENT \$5,000.00. – LANE GRAYSON, COMMISSIONER, PCT. 2
- F6 FROM 3-001-0000-0302 BUDGETED FUND BALANCE \$100,000.00 TO 001-0140-50558-0000-000 EMERGENCY INCIDENT RESPONSE \$100,000.00.
- F7 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>
CITIZENS NATIONAL BANK OF TEXAS	183527	\$3,502.14

SIMPLIFIED PLAT:

SP1 SCOTT’S ADDITION, 1 LOT, 2442 NECK ROAD, ENNIS, ROAD & BRIDGE PCT. 1; REQUESTED BY RANDY SCOTT. MOTION TO APPROVE CONSENT AGENDA BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

ADMINISTRATIVE:

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

- 3.3 **PRESENTATION** BY NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS TO HONOR NCTCOG 9-1-1 AWARD RECIPIENTS FROM THE ELLIS COUNTY SHERIFF’S OFFICE. THESE AWARDS INCLUDE THE TELECOMMUNICATOR OF THE YEAR, TDD/TTY ABOVE AND BEYOND, AND 9-1-1 PROFESSIONAL AWARD.

DEPARTMENT OF COUNTY DEVELOPMENT

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

MINUTE ORDER NO 105.16 APPROVING PRELIMINARY PLAT, LEGACY ESTATES, 119 LOTS, LOCATED AT FM 664 & FM 1387, WAXAHACHIE, ROAD & BRIDGE PCT. 4; REQUESTED BY KENNETH MARKS 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 106.16 AWARDING BID NUMBER G-2015-001, JANITORIAL SUPPLIES, TO *ENNIS JANITORIAL*

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

MINUTE ORDER NO 107.16 AWARDING OF NUMBER G-2015-002, PRINTED FORMS, TO *GINGERBREAD PRESS*

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

MINUTE ORDER NO 108.16 AWARDING BID NUMBER RFP-2015-005, WHOLESALE GAS & DIESEL, TO *AVENUE FUEL*

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

MINUTE ORDER NO 109.16 AWARDING BID NUMBER RFP-2015-006, CONVENIENCE STORE GAS, TO *PEARMAN OIL*

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

MINUTE ORDER NO 110.16 REJECTING ALL RESPONSES ON THE FOLLOWING BIDS SUBMITTED TO ELLIS COUNTY PURCHASING: RB-2015-003 HOURLY RATES FOR BRIDGE & HEADWALL REPAIR

MOTION TO REJECT ALL RESPONSE TO BIDS BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 111.16 APPROVING FOR UP TO A MONTHLY RECURRING RENTAL FROM KIRBY SMITH FOR A GRADALL XL3100 EXCAVATOR FOR ROAD AND BRIDGE PRECINCT 3, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE

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

MINUTE ORDER NO 112.16 APPROVING PURCHASING OF A TANDEM AXEL STANDARD UTILITY TRAILER FOR ROAD AND BRIDGE PRECINCT 2, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE

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

ADMINISTRATIVE:

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

MINUTE ORDER NO 113.16 APPROVING TAX RESALE OFFER BY LADD VIEN FOR PROPERTY LOCATED AT MESA RD., WAXAHACHIE, TX

MINUTE ORDER NO 114.16 APPROVING TAX RESALE OFFER BY LADD VIEN FOR PROPERTY LOCATED AT EL CAMINO RD., WAXAHACHIE, TX

MOTION BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER *TO APPROVE 3.1-3.2 (MINUTE ORDER 113.16- 14.16)* CARRIES UNANIMOUSLY

MINUTE ORDER NO 115.16 ACCEPTING SALE OF 5,000 GALLONS OF EMULSION CRS-2 TO THE CITY OF ITALY, AS NEEDED, FOR THE 2015-2016 BUDGET YEAR AT CURRENT COST (PAUL PERRY, COMMISSIONER, PCT. 3)

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

No ACTION: 3.5 APPROVE ANNUAL REPORT OF EMINENT DOMAIN AUTHORITY.

No ACTION: 3.6 BURN BAN FOR ELLIS COUNTY. – TIM BIRDWELL, FIRE MARSHAL

MINUTE ORDER NO 116.16 APPROVING INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND PALMER ISD (DENNIS ROBINSON, COMMISSIONER, PCT. 1)

MINUTE ORDER NO 117.16 APPROVING INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND CITY OF PALMER (DENNIS ROBINSON, COMMISSIONER, PCT. 1)

MINUTE ORDER NO 118.16 APPROVING INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND CITY OF FERRIS (DENNIS ROBINSON, COMMISSIONER, PCT. 1)

MINUTE ORDER NO 119.16 APPROVING INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND CITY OF GARRETT (DENNIS ROBINSON, COMMISSIONER, PCT. 1)

MINUTE ORDER NO 120.16 APPROVING INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND CITY OF PECAN HILL (DENNIS ROBINSON, COMMISSIONER, PCT. 1)

MOTION TO APPROVE BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER BUTLER *TO APPROVE 3.7-3.11 (MINUTE ORDER NO 116.16-120.16)* CARRIES UNANIMOUSLY

MINUTE ORDER NO 121.16 AUTHORIZING AN INTERGOVERNMENTAL TRANSFER AS PER THE ELLIS COUNTY INDIGENT CARE AFFILIATION AGREEMENT, MINUTE ORDER 404.11, DECEMBER 12, 2011 AND AS AMENDED MINUTE ORDER 365.12 ON DECEMBER 10, 2012 FOR PAYMENT FROM ECICC (ELLIS COUNTY INDIGENT CARE CORPORATION) UP TO AN AMOUNT OF \$440,915.28. SAID AMOUNT PERTAINS TO INDIGENT HEALTHCARE AND RELATED MEDICAL SERVICES IN FY 2015-2016.

MOTION BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

No ACTION: 3.13 APPROVE ITEMS RELATED TO LOCAL DISASTER.

No ACTION: 3.14 LAKEVIEW CAMP UPDATE.

No ACTION: 3.15 COURTHOUSE SECURITY.

No ACTION: 3.16 PROPOSED COOPERATIVE AGREEMENT BETWEEN THE UNITED STATES DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION (DEA) AND THE ELLIS COUNTY SHERIFF'S OFFICE.

RECESS TO CONVENE TO EXECUTIVE SESSION (2:45 PM)

MOTION BY JUDGE BUSH, 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 §551.076 OF THE GOVERNMENT CODE, CONSULTATION TO DELIBERATE THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION, OF SECURITY PERSONNEL OR DEVICES.

ADJOURNMENT OF EXECUTIVE SESSION (3:19 PM)

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

ADJOURNMENT (3:20 PM)

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF JANUARY 12, 2016 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 FEBRUARY 23, 2016:



CINDY POLLEY, COUNTY CLERK

