

**ELLIS COUNTY COMMISSIONERS' COURT
OFFICIAL MINUTES // NOVEMBER 10, 2015**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON TUESDAY, NOVEMBER 10, 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 GRAYSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE—COMMISSIONER PAUL PERRY

PUBLIC COMMENT*- MEMBERS OF THE PUBLIC WILL HAVE THE OPPORTUNITY TO MAKE THEIR COMMENTS AT THE TIME THE AGENDA ITEM IS BEING ADDRESSED.

MINUTE ORDER NO 433.15 APPROVING AGENDA

ADMINISTRATIVE:

- A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 SETTING NEW SALARY FOR MIS ASSISTANT DIRECTOR \$ 68,936.00 AND AUTHORIZING RECOMMENDED BUDGET AMENDMENT.
- A3 PROCLAMATION RECOGNIZING NOVEMBER 13, 2015 AS WORLD PANCREATIC CANCER DAY IN ELLIS COUNTY.

FINANCIAL

- F1 FROM 001-0370-50804 POSTAGE \$3000.00 To 001-0370-50801 SUPPLIES \$3,000.00. – JOHN BRIDGES, TAX OFFICE
- F2 FROM 012-0755-50807 GENERAL MISC. \$71,288.35 To 012-0755-50915 ASPHALT \$71,288.35. – KYLE BUTLER, COMMISSIONER, PCT. 4
- F3 FROM 006-0754-50807 GENERAL MISC. \$154,171.00 To 006-0754-50915 ASPHALT \$44,171.00, 006-0754-50802 PURCHASE OF EQUIPMENT \$60,000.00, 006-0754-50502 WAGES \$50,000.00. – KYLE BUTLER, COMMISSIONER, PCT. 4
- F4 FROM 009-0602-50807 FM1 GEN. Misc \$5,000.00 To 009-0602-50914 FM1 SIGNS \$5,000.00. – DENNIS

ROBINSON, COMMISSIONER, PCT. 1

SIMPLIFIED PLAT:

SP1 SIMPLIFIED PLAT – WAKELAND ADDITION, 2 LOTS, 540 DUNAWAY ROAD, WAXAHACHIE, LON WAKELAND, ROAD AND BRIDGE PCT. 3.

SP2 SIMPLIFIED PLAT- WILL STAR ESTATES, 2 LOTS, 123 MARION ROAD & FM 157, VENUS, MARIE WILLOUGHBY, ROAD AND BRIDGE PCT. 3

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

DEPARTMENT OF COUNTY DEVELOPMENT

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

MINUTE ORDER NO 434.15 APPROVING REPLAT – LAKEGROVE ADDITION REVISED, LOTS 19 & 20, 3210 & 3220 WINDRIDGE CT, MIDLOTHIAN, JOHN POSEY, ROAD AND BRIDGE PCT. 3. (*Now 19R & 20R*) PARTICIPANT *DONNA BRANAM*

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

MINUTE ORDER NO 435.15 GRANTING A ONE-TIME VARIANCE FROM COUNTY OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED HOME PARKS AS IT RELATES TO INSTALLATION OF A FIRE HYDRANT, LOT 1, 881 N. WARD RD, MIDLOTHIAN, REQUESTED BY BARBARA HOLLEY, ROAD AND BRIDGE PCT. 4.

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

MINUTE ORDER NO 436.15 APPROVING REPLAT – TANGLEWOOD ADDITION, LOT 1, 881 N. WARD RD, MIDLOTHIAN, BARBARA HOLLEY, ROAD AND BRIDGE PCT 4

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

PURCHASING

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

MINUTE ORDER NO 437.15 APPROVING LEASE PURCHASE AGREEMENT FROM HOLT CAT FOR A CS44 CATERPILLAR VIBRATORY COMPACTOR AND A RM-300 CATERPILLAR ROAD RECLAIMER FOR ROAD AND BRIDGE PRECINCT 4, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE.

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

MINUTE ORDER NO 438.15 AUTHORIZING THE COUNTY JUDGE TO SIGN LEASE AGREEMENT WITH XEROX FOR A MULTIPURPOSE COPY MACHINE FOR THE SHERIFF’S OFFICE, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE.

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

NO ACTION 2.3 APPROVAL FOR COUNTY JUDGE TO SIGN LEASE AGREEMENT WITH XEROX FOR A MULTIPURPOSE COPY MACHINE FOR ELECTIONS, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE.

NO ACTION 2.4 DISCUSSION REGARDING MONTHLY RENTAL AGREEMENT FROM KIRBY SMITH FOR A GRADALL XL 3100 EXCAVATOR FOR ROAD AND BRIDGE PRECINCT 3, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE.

ADMINISTRATIVE

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

NO ACTION 3.1 BURN BAN FOR ELLIS COUNTY.

MINUTE ORDER NO 439.15 ADOPTION OF HAZARD MITIGATION ACTION PLAN (HAZMAP RESOLUTION). – STEPHANIE PARKER, EMERGENCY MANAGEMENT COORDINATOR
MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 440.15 APPROVING 3 YEAR 180 DAY CONTRACT WITH AMR (AMERICAN MEDICAL RESPONSE AMBULANCE SERVICE, INC)
MOTION TO APPROVE BY JUDGE BUSH, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

MINUTE ORDER NO 441.15 APPROVING SELECTION OF 5 MEMBERS FOR THE CITY OF MIDLOTHIAN ANNEXATION NEGOTIATION COMMITTEE IN ACCORDANCE WITH §43.0562(B) OF THE LOCAL GOVERNMENT CODE. KEITH SHAW, NICOLE AUSMUS, CRIS EVERETT AND ROBERT SHELTON (COMMISSIONER BUTLER) MIKE FRESHWATER AND JENNY BURKS (COMMISSIONER PERRY)
MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 442.15 APPROVING INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND CITY OF RED OAK. – KYLE BUTLER, COMMISSIONER, PCT. 4
MINUTE ORDER NO 443.15 MINUTE ORDER NO 444.15 APPROVING INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND THE CITY OF OVILLA. – KYLE BUTLER, COMMISSIONER, PCT. 4
MINUTE ORDER NO 444.15 APPROVING INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND THE CITY OF OAK LEAF. – KYLE BUTLER, COMMISSIONER, PCT. 4
MOTION BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER GRAYSON TO APPROVE 3.5, 3.6 AND 3.8 CARRIES UNANIMOUSLY

MINUTE ORDER NO 445.15 RENEWING AN INTERLOCAL AGREEMENT WITH DPS, REPROGRAPHICS AND DISTRIBUTION SERVICES TO ALLOW THE ELLIS COUNTY SHERIFF'S OFFICE TO PURCHASE VARIOUS DWI TEST KITS REQUIRED FOR EVIDENCE PROCESSING. – CHUCK LAUBACH, ELLIS COUNTY SHERIFF'S OFFICE
MOTION TO APPROVE BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 446.15 APPROVAL TO SIGN LETTER REGARDING TEXAS CENTRAL RAILWAY DALLAS TO HOUSTON HIGH-SPEED RAIL. (MARTY HILES)
MOTION TO APPROVE SUPPORT LETTER BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

NO ACTION 3.11 TO APPROVE RETENSIONING THE GUY WIRES ON THE ENNIS RADIO TOWER. – JOE WHITE, ENGINEER

MINUTE ORDER NO 447.15 RATIFYING THE SEPARATION FROM COUNTY EMPLOYMENT OF THE HR DIRECTOR
MOTION BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

RECESS TO CONVENE TO EXECUTIVE SESSION

MOTION BY COMMISSIONER GRAYSON SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY 2:44 PM
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

3:18 PM

Motion by Commissioner Robinson, second by Commissioner Grayson 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 NOVEMBER 10, 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 FEBRUARY 9, 2015



CINDY POLLEY, COUNTY CLERK

