

**ELLIS COUNTY COMMISSIONERS' COURT
OFFICIAL MINUTES // JANUARY 26, 2016**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON TUESDAY, JANUARY 26, 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:

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 CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE—COMMISSIONER DENNIS ROBINSON

PUBLIC COMMENT*- Members of the public will have the opportunity to make their comments at the time the agenda item is being addressed. (Topic not on agenda)

MR. JACK GRIFFITH ADDRESSED THE COURT REGARDING RIGHT TO CARRY FIRE ARMS IN COUNTY BUILDINGS

CONSENT AGENDA:

MINUTE ORDER NO 122.16 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

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

A2 ACCEPTANCE OF THE 2015 RACIAL PROFILING REPORT FOR ELLIS COUNTY CONSTABLE, PCT 2 — TERRY NAY CONSTABLE, PCT 2

A3 ACCEPTANCE OF THE 2015 RACIAL PROFILING REPORT FOR ELLIS COUNTY CONSTABLE, PCT 3. — JIMMIE RAY, CONSTABLE, PCT 3

A4 DECEMBER 2015 TRAVEL REPORTS OF THE TEXAS AGRILIFE EXTENSION OFFICE

-MARK ARNOLD, AGRICULTURE

-RITA HODGES, FAMILY & CONSUMER SCIENCE

-MEGAN PARR, 4H

A5 4TH QUARTER 2015 ELLIS COUNTY INVESTMENT REPORT. — CHERYL CHAMBERS, TREASURER

- A6 ANNUAL REVIEW OF ELLIS COUNTY INVESTMENT POLICY – CHERYL CHAMBERS, TREASURER
- A7 ACCEPT THE BOND OF THE FIRE MARSHAL
- A8 ACCEPT THE BOND OF THE ELECTIONS ADMINISTRATOR
- A9 APPOINT KEVIN LASHER TO THE MANSFIELD TIRZ BOARD

FINANCIAL:

- F1 FROM 009-0602-50912-00000-000 FM1 BRIDGE REPAIRS \$13,000.00 To 009-0602-50914-00000-000 FM1 SIGNS \$7,000.00, 009-0602-50919-00000-000 FM1 STEEL \$6,000.00 – DENNIS ROBINSON, COMMISSIONER, PCT 1
- F2 FROM 001-0430-50819 COMPUTER \$546.00 To 001-0430-50810 AUTO/TIRES \$546.00 – STEPHANIE PARKER, EMERGENCY MANAGEMENT COORDINATOR
- F3 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>
LERETA, LLC	168000	\$3,099.79
WELLS FARGO HOME MORTGAGE	187627	\$3,090.50
COLONIAL SAVINGS	206701	\$3,312.71
STEPHANIE GASE	222932	\$3,591.87
USDA	226780	\$3,496.17
FREEDOM MORTGAGE	232550	\$6,572.39
ERIKA OLIVER	232709	\$4,235.21
WELLS FARGO HOME MORTGAGE	238248	\$7,550.46
MIDTOWN 2013 RE, LLC	258834	\$8,943.30
- F4 FROM 011-0704-30302 FUND BALANCE \$60,000.00 To 011-0704-50911 GRAVEL \$60,000.00 – PAUL PERRY, COMMISSIONER, PCT 3

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:

- No ACTION:** 1.1 GRANT A ONE-TIME VARIANCE FROM COUNTY OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS AS IT RELATES TO BUILDING LINE SET BACK AT 208 MCKINLEY CIRCLE; SUMMIT ESTATES, BLOCK 1, LOT 2, WAXAHACHIE, LOCATED IN ROAD AND BRIDGE PCT 3.

PURCHASING

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

- 2.1 **DISCUSSION** ON REVISING BOTH THE ELLIS COUNTY PURCHASING POLICY AND PROCEDURES MANUAL AND PURCHASING CARD POLICY AND PROCEDURES. – JODI PLATT, PURCHASING AGENT AND MIKE NAVARRO, AUDITOR

MINUTE ORDER NO 123.16 APPROVING RENEWAL AGREEMENT FOR INMATE MEDICAL SERVICE WITH CORRECTIONAL HEALTHCARE COMPANIES TO BE SIGNED BY COUNTY JUDGE. RENEWAL PERIOD FROM OCTOBER 1, 2015 TO SEPTEMBER 30, 2016.

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

MINUTE ORDER NO 124.16 APPROVING RECOMMENDED REPLACEMENT OF CAPACITORS AND FANS FOR THE UPS IN THE DATA CENTER . . . \$10,325 TOTAL WITH INSTALL

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

MINUTE ORDER NO 125.16 APPROVING PREVENTATIVE MAINTENANCE AGREEMENT BETWEEN ELLIS COUNTY AND *EMERSON NETWORK POWER/LIEBERT SERVICES* . . . \$9,586.71 YEARLY

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

MINUTE ORDER NO 126.16 APPROVING PURCHASE OF 2016 FORD F-250 CREW CAB FOR ROAD AND BRIDGE PRECINCT 4

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

ADMINISTRATIVE:

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

MINUTE ORDER NO 127.16 APPROVING ANNUAL REPORT OF EMINENT DOMAIN AUTHORITY, ACCEPTING REPRESENTATION OF RAY RIKE, ASSISTANT COUNTY & DISTRICT ATTORNEY THAT REPORT WAS FILED

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

MINUTE ORDER NO 128.16 APPROVING ELLIS COUNTY EMERGENCY PLANS
BASIC PLAN, ANNEX A-EMERGENCY WARNING; ANNEX I-EMERGENCY PUBLIC INFORMATION;
ANNEX N -DIRECTION AND CONTROL (*EVACUATION*)

(STEPHANIE PARKER, EMERGENCY MANAGEMENT COORDINATOR)

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

MINUTE ORDER NO 129.16 APPROVING PERSONNEL REQUEST FOR TWO PART TIME DISPATCHER I POSITIONS WITH SALARIES FUNDED WITHIN THE CURRENT SO/JAIL BUDGET

(ELLIS COUNTY SHERIFF'S OFFICE)

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

MINUTE ORDER NO 130.16 AUTHORIZING THE COUNTY AND DISTRICT ATTORNEY'S OFFICE TO APPOINT 2 RESERVE INVESTIGATORS, PURSUANT TO TEXAS GOVERNMENT CODE SECTION 41.102(A)

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

MINUTE ORDER NO 131.16 APPROVING A MASTER SERVICES AGREEMENT BETWEEN ELLIS COUNTY, TEXAS AND *GABRIEL, ROEDER, SMITH & COMPANY* CONCERNING GASB 45 VALUATION SERVICES

(MIKE NAVARRO, AUDITOR)

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

RECESS TO CONVENE TO EXECUTIVE SESSION (3:10 PM)

MOTION BY COMMISSIONER PERRY, 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 §551.074 OF THE GOVERNMENT CODE, CONSULTATION REGARDING PERSONNEL MATTERS.
- 4.2 PURSUANT TO §551.076 OF THE GOVERNMENT CODE, CONSULTATION TO DELIBERATE THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION, OF SECURITY PERSONNEL OR DEVICES.
- 4.3 PURSUANT TO §551.071 CONSULTATION WITH COUNSEL CONCERNING §2252.908 OF THE GOVERNMENT CODE.

ADJOURNMENT OF EXECUTIVE SESSION (4:06 PM)

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

CONSIDERING 3.1

MINUTE ORDER NO 1001.16 APPROVING A FULL TIME FIRE INVESTIGATOR/INSPECTOR POSITION WITH SALARY UP TO \$50,000 AND A FULL TIME CLERK II

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

ADJOURNMENT

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF JANUARY 26, 2016 ARE HEREBY APPROVED.

PRESIDING OFFICER:



CAROL BUSH, COUNTY JUDGE



DENNIS ROBINSON, COMMISSIONER, PCT 1

Absent

PAUL PERRY, COMMISSIONER, PCT 3



LANE GRAYSON, COMMISSIONER, PCT 2



KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS MARCH 8, 2016



CINDY POLLEY, COUNTY CLERK

