

**ELLIS COUNTY COMMISSIONERS' COURT  
OFFICIAL MINUTES // FEBRUARY 23, 2016**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON TUESDAY, FEBRUARY 23, 2016 AT 2:00 P.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:**

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 ROBINSON CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE—COMMISSIONER LANE GRAYSON

**CONSENT AGENDA:**

**MINUTE ORDER NO 140.16 APPROVING CONSENT AGENDA**

**ADMINISTRATIVE:**

- A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 CONTINUING EDUCATION HOURS OF LANE GRAYSON, COMMISSIONER, PCT. 2
- A3 JANUARY 2016 TRAVEL REPORTS OF THE TEXAS AGRILIFE EXTENSION OFFICE
  - MARK ARNOLD, AGRICULTURE
  - RITA HODGES, FAMILY & CONSUMER SCIENCE
  - MEGAN PARR, 4H
- A4 APPROVAL OF OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT:
  - DECEMBER 18, 2015      JANUARY 5, 2016      JANUARY 12, 2016

**FINANCIAL:**

- F1 FROM 010-0653-50807 FM2 GENERAL EXPENSES \$4,000.00 TO 010-0653-50906 FM2 CULVERTS \$4,000.00. – LANE GRAYSON, COMMISSIONER, PCT. 2
- F2 FROM 001-0210-40964 CONTRACTING ELECTION \$30,000.00 TO 001-0210-50848 HOLDING SALARIES \$30,000.00. – JANA ONYON, ELECTIONS ADMINISTRATOR

F3 FROM 001-0385-50801 SUPPLIES \$2,846.81 To 001-0385-50807 VISITING JUDGE \$2,000.00, 001-0385-50819 COMPUTER \$846.81. – JUDGE GENE CALVERT, COUNTY COURT AT LAW #2

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

**DEPARTMENT OF COUNTY DEVELOPMENT:**

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

**MINUTE ORDER NO 141.16** APPROVING FINAL PLAT- BOB WHITE ESTATES PHASE I, 5 LOTS, LOCATED OFF BLACK CHAMP AND LITTLE BRANCH ROAD, MIDLOTHIAN; REQUESTED BY ROBERT GLASS, ROAD AND BRIDGE PCT. 4

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

**MINUTE ORDER NO 142.16** APPROVING REPLAT- SANGER CREEK NORTH SECTION TWO, LOTS 14, 15 AND 16, BLOCK 1, LOCATED OFF BECKY LANE AND JAMES COURT, WAXAHACHIE; REQUESTED BY MICHAEL HARTLEY, ROAD AND BRIDGE PCT. 4

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

**MINUTE ORDER NO 143.16** APPROVING FINAL PLAT – TAYLOR RIDGE PHASE 3, LOCATED OFF OAK VISTA ROAD, WAXAHACHIE INCLUDING THE INFRASTRUCTURE WHICH CONSIST OF STONE RIDGE DRIVE AND THE PORTION OF TAYLOR RIDGE DRIVE IN PHASE 3; REQUESTED BY IVAN BRIGMAN, ROAD AND BRIDGE PCT. 3

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

**MINUTE ORDER NO 144.16** RELEASING CONSTRUCTION BOND #461610P IN THE AMOUNT OF \$223,658.00 TO *INSCO DICO GROUP* FOR THE COMPLETED INFRASTRUCTURE OF TAYLOR RIDGE PHASE 3 AND ACCEPTING MAINTENANCE BOND #462644M FROM *INSCO DICO GROUP* IN THE AMOUNT OF \$89,463.28, REQUESTED BY IVAN BRIGMAN, ROAD AND BRIDGE PCT. 3

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

**ADMINISTRATIVE:**

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

2.1 **INTRODUCTION** OF DPS SGT. ZABOROWSKI. – CAROL BUSH, ELLIS COUNTY JUDGE

2.2 TODD KISEL WITH THE TEXAS ASSOCIATION OF COUNTIES PRESENTED A NEW RISK CONTROL REIMBURSEMENT PROGRAM AVAILABLE TO ELLIS COUNTY.

**MINUTE ORDER NO 145.16** APPROVING WORK ORDER UNDER INTERLOCAL AGREEMENT BETWEEN CITY OF ALMA AND ELLIS COUNTY, PCT. 2 (LANE GRAYSON, COMMISSIONER, PCT. 2)

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

2.3 **STERILITE TAX ABATEMENT APPLICATION.** STEVE GILBERT, VICE PRESIDENT OF REAL ESTATE FOR HWH GROUP PRESENTED APPLICATION FOR ABATEMENT.

**MINUTE ORDER NO 146.16** APPROVING LEASE AGREEMENTS FOR ADA VOTING EQUIPMENT FOR ELLIS COUNTY CITIES AND SCHOOL DISTRICTS THAT WILL BE CONDUCTING ELECTIONS ON MAY 7, 2016. CITIES: ITALY, MANSFIELD, MAYPEARL, OAK LEAF, OVILLA, PALMER. INDEPENDENT SCHOOL DISTRICTS: MAYPEARL ISD, PALMER ISD, RED OAK ISD (JANA ONYON, ELECTIONS ADMINISTRATOR)  
MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

2.5 COURTHOUSE SECURITY.  
*PUBLIC PARTICIPATION: AMY HEDTKE REQUESTED SECURITY ENTRANCE BE REMOVED IN COURTHOUSE*

**RECESS TO CONVENE TO EXECUTIVE SESSION (2:35 PM)**  
MOTION BY COMMISSIONER ROBINSON, 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.

3.1 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 (3:32 PM)**  
MOTION BY COMMISSIONER BUTLER TO RECONVENE, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

**No Action:** 2.6 TO ENTER INTO A COOPERATIVE AGREEMENT BETWEEN THE UNITED STATES DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION (DEA) TACTICAL DIVERSION GROUP AND THE ELLIS COUNTY SHERIFF'S OFFICE CONCERNING THE USE AND ABUSE OF CONTROLLED SUBSTANCES.

2.7 JUDGE BUSH MADE A STATEMENT IN RESPONSE TO QUESTIONS RECEIVED ...  
*\*THE ELLIS COUNTY TAX RATE REMAINS AT .41 SINCE 2011*  
*\*ELLIS COUNTY DOES NOT FUND PLANNED PARENTHOOD*

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

**RECONVENE REGULAR SESSION (PUBLIC PARTICIPATION)**  
MOTION BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER TO RECONVENE CARRIES UNANIMOUSLY

*PUBLIC PARTICIPATION: ALEX SCHINDLER WITH THE ELLIS COUNTY CONCERNED CITIZENS GROUP OF FAMILIES*

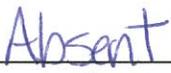
**ADJOURNMENT**

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF FEBRUARY 23, 2016 ARE HEREBY APPROVED.

PRESIDING OFFICER:

  
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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 MAY 10, 2016.

  
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CINDY POLLEY, COUNTY CLERK

