

**ELLIS COUNTY COMMISSIONERS' COURT
OFFICIAL MINUTES // MAY 10, 2016**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON **MONDAY, MAY 10, 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 APPROVE TO OPEN COURT BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE LED BY KEITH ROBERTS

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

CONSENT AGENDA:

MINUTE ORDER NO 221.16 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

- A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 ACCEPT OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT FOR FEBRUARY 9, 2016, FEBRUARY 23, 2016, AND MARCH 8, 2016. – CINDY POLLEY, COUNTY CLERK

FINANCIAL:

- F1 FROM 001-0210-40964 CONTRACTING ELECTION \$35,000.00 TO 001-0210-50801 SUPPLIES \$10,000.00, 001-0210-50848 HOLDING SALARIES \$25,000.00. – JANA ONYON, ELECTIONS ADMINISTRATOR

- F2 FROM 001-0210-40719 CHAPTER 19 STATE FUNDING \$1,193.87 To 001-0210-50800 CHAPTER 19 EXPENDITURES \$1,193.87. – JANA ONYON, ELECTIONS ADMINISTRATOR
- F3 FROM 012-0755-30302 FM4/FUND BAL. CARRYOVER \$50,000.00, 006-0754-30302 RB4 FUND BAL. CARRYOVER \$150,000.00 To 012-0755-50909 FM4/REPAIRS & PARTS \$50,000.00, 006-0754-50915 ASPHALT \$150,000.00. – KYLE BUTLER, COMMISSIONER, PCT. 4
- F4 APPROVE REFUND OF OVERPAYMENT TO THE FOLLOWING ACCOUNTS FOR PAYMENT IN ERROR:

REFUND ISSUED TO:	ACCOUNT	REFUND AMOUNT
JASON SHELITE	226616	\$4,187.42

MOTION TO APPROVE TO APPROVE 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 222.16 RELEASING IRREVOCABLE LETTER OF CREDIT #10038 TO AFFILIATED BANK IN THE AMOUNT OF \$830,900.00 FOR THE COMPLETED CONSTRUCTION OF SUMMIT ESTATES PHASE 2 AND ACCEPT MAINTENANCE BOND #PB248450007 FROM PHILADELPHIA INDEMNITY INSURANCE COMPANY IN THE AMOUNT OF \$332,360.00, EXPIRING MAY 10, 2018, LOCATED IN ROAD & BRIDGE PCT. 3.

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

ADMINISTRATIVE:

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

MINUTE ORDER NO 223.16 APPROVAL TO RECEIVE AND FILE BOYLE & LOWRY ENGAGEMENT LETTER
 MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER CARRIES 3/1 WITH COMMISSIONER PERRY ABSTAINING

RECESS TO CONVENE TO EXECUTIVE SESSION (2:11PM)

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY 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 §551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION WITH PROFESSIONAL COATING TECHNOLOGIES.

ADJOURNMENT OF EXECUTIVE SESSION (2:48PM)

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

PURCHASING:

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

MINUTE ORDER NO 224.16 EXTENDING THE TEXZON UTILITIES AGREEMENT
MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 225.16 APPROVING PURCHASE EMULSION TANKER TRAILER FOR ROAD AND
BRIDGE PRECINCT 2.
MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

MINUTE ORDER NO 226.16 ENTERING INTO AN AGREEMENT WITH SCHINDLER ELEVATOR
CORPORATION FOR MAINTENANCE AND INSPECTION OF THE COUNTY ELEVATORS IN THE COURTS
ADMINISTRATION BUILDING AND SHERIFF'S OFFICE AND JAIL.
MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 227.16 APPROVAL TO PROCEED WITH REPAIRS TO THE ROOF FOR ELLIS COUNTY
LAW ENFORCEMENT CENTER. COST PAID FROM PERMANENT IMPROVEMENT
MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 228.16 AUTHORIZING COUNTY JUDGE TO SIGN TERMS AND CONDITIONS FOR
THE FIRE ALARM AND SECURITY MONITORING SYSTEM FROM IMPACT FIRE SERVICES FOR THE
ELECTIONS BUILDING.
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 229.16 ACCEPTING THE APPLICATION OF STEVEN ROBERT TANNER TO THE ESD
(EMERGENCY SERVICES DISTRICT) #4 BOARD. – KYLE BUTLER, COMMISSIONER, PCT. 4
MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 230.16 AUTHORIZING THE APPOINTMENT OF DAVID PIETRUSZYNSKI TO NORTH
CENTRAL TEXAS WORKFORCE DEVELOPMENT BOARD TO FILL A VACANCY OF AN UNEXPIRED TERM
THROUGH SEPTEMBER 30, 2016.
MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 231.16 APPROVAL OF A WORK ORDER UNDER INTERLOCAL AGREEMENT
BETWEEN ELLIS COUNTY ROAD & BRIDGE PCT. 1 AND THE CITY OF FERRIS. – DENNIS ROBINSON,
COMMISSIONER, PCT. 1
MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 232.16 ACCEPTING THE CERTIFICATE OF COMPLETION ON THE ELECTIONS
BUILDING AND AUTHORIZING THE COUNTY JUDGE TO SIGN PERTINENT DOCUMENT. – JOE WHITE,
COUNTY ENGINEER
MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

3.7 **EMPLOYEE RECOGNITION.**

REPRESENTATIVE JOHN WRAY READ A PROCLAMATION BY THE TEXAS LEGISLATURE AND PRESENTED JOE WITH A TEXAS FLAG THAT WAS FLOWN OVER THE TEXAS STATE CAPITAL IN HIS HONOR.

JUDGE BUSH PRESENTED A VIDEO MARKING SOME OF THE ACCOMPLISHMENTS AND CONTRIBUTIONS OF JOE WHITE AND MADE DEDICATION.

MINUTE ORDER NO 233.16 ACCEPTING THE DONATION OF ARCHITEXAS FOR METAL WORKINGS TO MARK THE DEDICATION OF OUR COUNTY FACILITY AS THE "JOE WHITE COUNTY FARM"

MOTION TO APPROVE BY JUDGE BUSH, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

ADJOURNMENT (3:19PM)

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF MAY 10, 2016 ARE HEREBY APPROVED.

PRESIDING OFFICER:

Absent
CAROL BUSH, COUNTY JUDGE

D.R.
DENNIS ROBINSON, COMMISSIONER, PCT 1 *Presiding*

[Signature]
LANE GRAYSON, COMMISSIONER, PCT 2

[Signature]
PAUL PERRY, COMMISSIONER, PCT 3

[Signature]
KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS JUNE 14, 2016.

Cindy Polley
CINDY POLLEY, COUNTY CLERK

