

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

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON TUESDAY, JULY 12, 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 GRAYSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE – COMMISSIONER KYLE BUTLER

**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 280.16** APPROVING CONSENT AGENDA WITH CORRECTIONS

**ADMINISTRATIVE:**

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

**FINANCIAL:**

F1 FROM 001-0210-40964 CONTRACTING ELECTION \$22,500.00 To 001-0210-50801 SUPPLIES \$22,500.00.  
– JANA ONYON, ELECTIONS ADMINISTRATOR

F2 FROM 001-0210-40719 CHAPTER 19 STATE FUNDING \$428.28 To 001-0210-50800 CHAPTER 19  
EXPENDITURES \$300.00, 001-0210-50502 SALARIES \$128.00. – JANA ONYON, ELECTIONS ADMINISTRATOR

F3 FROM 001-0420-50894 SECURE RESIDENTIAL \$15,000.00 To 001-0420-50898 INDIVIDUAL / FAMILY  
COUNSELING \$10,000.00; 001-0420-50703 TELEPHONE \$5,000.00. – CHATRINIA JOHNSON, JUVENILE  
SERVICES

- F4 FROM 001-0210-40964 CONTRACTING ELECTIONS \$64,219.82 To 001-0210-50885 SALES TAX \$100.00; 001-0210-50888 COMPUTER SERVICE \$23.00; 001-0210-50703 TELEPHONE \$2,500.00; 001-0210-50553 FICA/SS \$5,000.00; 001-0210-50801 SUPPLIES \$54,596.82; 001-0210-50803 FURNITURE/FIXTURES \$2,000.00. – JANA ONYON, ELECTIONS ADMINISTRATOR
- F5 FROM 001-0015-50801 SUPPLIES \$3000.00 To 001-0015-50815 JAILERS UNIFORMS \$1,000.00; 001-0015-50865 PRE-EMPLOYMENT SCREENING \$2,000.00. – BRAD NORMAN, ELLIS COUNTY SHERIFF’S OFFICE
- F6 FROM 001-0330-40065 TRANSPORT REIMBURSEMENT \$6,000.00; 001-0010-50801 SUPPLIES \$2,000.00; 001-0010-50824 COLLISION REPAIR \$5,000.00 To 001-0010-50810 AUTO TIRES \$3,000.00; 001-0010-50865 PRE-EMPLOYMENT SCREENING \$2,000.00; 001-0010-50809 AUTO REPAIRS \$8,000.00. – BRAD NORMAN, ELLIS COUNTY SHERIFF’S OFFICE
- F7 FROM 001-0140-50558 CONTINGENCY \$1,913.00 To 001-0385-50807 \$1,913.00 VISITING JUDGE.
- F8 FROM 001-0140-50859 SYSTEM ADMINISTRATION FEES \$5,100.00 To 001-0375-50888 GIS \$5,100.00.
- F9 FROM 011-0704-50807 GEN. MISC \$10,000.00 To 011-0704-50906 CULVERTS \$10,000.00. – PAUL PERRY, COMMISSIONER, PCT. 3
- F10 FROM 011-0704-50807 GEN. MISC \$2,000.00 To 011-0704-50914 SIGNS \$2,000.00. – PAUL PERRY, COMMISSIONER, PCT. 3
- F11 FROM 011-0704-50807 GEN. MISC \$5,000.00 To 011-0704-50909 RPR-PTS \$5,000.00. – PAUL PERRY, COMMISSIONER, PCT. 3
- F12 FROM 011-0704-50807 GEN. MISC \$20,000.00 To 011-0704-50802 EQUIPMENT \$20,000.00. – PAUL PERRY, COMMISSIONER, PCT. 3
- F13 FROM 005-0703-40950 FEMA \$50,000.00 To 005-0703-50915 ASPHALT \$50,000.00. – PAUL PERRY, COMMISSIONER, PCT. 3
- F14 FROM 005-0703-40950 FEMA \$50,000.00 To 005-0703-50911 GRAVEL \$50,000.00. – PAUL PERRY, COMMISSIONER, PCT. 3

MOTION BY COMMISSIONER ROBINSON TO APPROVE WITH CORRECTIONS TO F2, F8 AND F10, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

**DEPARTMENT OF COUNTY DEVELOPMENT:**

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

**MINUTE ORDER NO 281.16** GRANTING A ONE-TIME VARIANCE FROM COUNTY OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED HOME PARKS AS IT RELATES TO THE 150’ “FRONT TO BACK” ROAD FRONTAGE REQUIREMENT AT THE LOCATION OF 3780 JOE WILSON ROAD, MIDLOTHIAN, ROAD AND BRIDGE PCT. 4, REQUESTED BY WILLIAM FOSHEA.

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

**PURCHASING:**

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

**MINUTE ORDER NO 282.16** AUTHORIZING COUNTY JUDGE TO SIGN LEASE AGREEMENTS WITH XEROX FOR A MULTIPURPOSE COPY MACHINES FOR THE FOLLOWING LOCATIONS: COUNTY CLERK’S OFFICE, TREASURER’S OFFICE, AND LAW LIBRARY.

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

**MINUTE ORDER NO 283.16** AWARDING OF RFP-2016-00 FOR EMULSIFIED ASPHALT TO ERGON ASPHALT AND EMULSIONS AND HEARTLAND ASPHALT MATERIALS, INC.  
MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

**MINUTE ORDER NO 284.16** AUTHORIZING COUNTY JUDGE TO SIGN RENEWAL WITH WESTLAW FOR THE LAW LIBRARY MATERIALS.  
MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

**ADMINISTRATIVE:**

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

**MINUTE ORDER NO 285.16** APPROVING BUDGET REQUEST FOR FY 2016-2017 COMMUNITY SUPPORT FOR ELLIS COUNTY CHILD PROTECTIVE SERVICES BOARD \$20,000 AND ELLIS COUNTY HISTORICAL COMMISSION 3,000. PRESENTED BY SYLVIA SMITH, CHAIRMAN  
MOTION TO APPROVE BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

**MINUTE ORDER NO 286.16** APPROVING REPAIR OF MAYPEARL CITY STREETS UNDER THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF MAYPEARL AND THE COUNTY OF ELLIS, PCT. 3. THE STREETS TO BE REPAIRED ARE AS FOLLOWS: TRICE STREET FROM 2ND TO 4TH AND 4TH TO HWY. 157; NOBLE STREET FROM 1ST TO 3RD; FIRST STREET  
MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

**MINUTE ORDER NO 287.16** APPROVING SELECTION OF NINE (9) PUBLIC MEMBERS FOR SERVICE ON THE ELECTED OFFICIALS' SALARY GRIEVANCE COMMITTEE FOR FY 2016-2017 IN ACCORDANCE WITH Loc. Gov. CODE § 152.014(a)(2) - CINDY POLLEY, COUNTY CLERK  
MOTION TO APPROVE BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

**MINUTE ORDER NO 288.16** APPOINTING THE SALARY GRIEVANCE COMMITTEE FOR FY 2016-2017 COMPOSED OF NINE (9) PUBLIC MEMBERS WHOSE NAMES ARE DRAWN AT RANDOM FROM THE LIST OF GRAND JURORS FROM THE PRECEDING CALENDAR YEAR AND WILL BECOME MEMBERS OF THE COMMITTEE UPON WRITTEN ACCEPTANCE TO THE COUNTY CLERK. THE PROCESS WAS REPEATED TO CREATE A LIST OF ALTERNATES. PURSUANT TO Loc. Gov. CODE § 152.015(b) – CINDY POLLEY, COUNTY CLERK

**PUBLIC MEMBERS**

1. CHRISTINA BRUBAKER
2. LYNETTE HUTSON
3. ROBERT MARTIN
4. TRISH ANNA HOOPER
5. TILY (MATILDA) PERRY
6. KATHLEEN K. BOONE
7. HAROLD BUDDY MARKHAM, JR.
8. LISA WILLIAMS
9. (MR.) STACY TWEET

**ALTERNATES**

1. LYNDA KELLEY
2. ERICA YOUNG
3. ASHLEY TIDWELL
4. SANDRA KELSO
5. JORDAN CLAY HALL
6. JAMES DRISKILL (NASH)

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

**3.4 INFORMATIONAL BRIEFING ON THE ELLIS COUNTY EMERGENCY PREPAREDNESS FAIR ON SEPTEMBER 24, 2016. – STEPHANIE PARKER, EMERGENCY MANAGEMENT COORDINATOR**

**MINUTE ORDER NO 289.16** APPROVING METHOD OF PAYMENT AS APPROVED BY THE AUDITOR, PURCHASING AND COUNTY TREASURER FOR THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT AND AUTHORIZING RESPONSE, PER REQUEST.

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

**RECESS TO CONVENE TO EXECUTIVE SESSION (2:44PM)**

MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER ROBINSON 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 CONCERNING LAWSUIT CAUSE NO. 93563, WEBSTER V. BATES, 40TH DISTRICT COURT OF ELLIS COUNTY.

4.2 PURSUANT TO §551.074 OF THE GOVERNMENT CODE, CONSULTATION WITH COUNSEL REGARDING PERSONNEL MATTERS.

4.3 PURSUANT TO §551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH COUNSEL CONCERNING CHRIS HILL AND JOHN ISAAC KILLOUGH V. ELLIS COUNTY, TEXAS, CONCERNING A MOTOR VEHICLE ACCIDENT OCCURRING ON JANUARY 1, 2016.

4.4 PURSUANT TO §551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH COUNSEL CONCERNING CAUSE NO. 91288 FELIPE PINEDA AND ISRAEL LOZANO V. ELLIS COUNTY, TEXAS, A SUIT INVOLVING PRECINCT 2 CONSTABLE, TERRY NAY.

**ADJOURNMENT OF EXECUTIVE SESSION (3:38PM)**

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

**ADJOURNMENT**

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF JULY 12, 2016 ARE HEREBY APPROVED.

PRESIDING OFFICER:

  
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CAROL BUSH, COUNTY JUDGE

  
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DENNIS ROBINSON, COMMISSIONER, PCT. 1

  
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LANE GRAYSON, COMMISSIONER, PCT. 2

  
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PAUL PERRY, COMMISSIONER, PCT. 3

  
\_\_\_\_\_  
KYLE BUTLER, COMMISSIONER, PCT. 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS JULY 26, 2016.

  
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CINDY POLLEY, COUNTY CLERK

