

**ELLIS COUNTY COMMISSIONERS' COURT
OFFICIAL MINUTES // JUNE 14, 2016**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON **TUESDAY, JUNE 14, 2016 AT 10:00 A.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 - ABSENT

COMMISSIONERS:

DENNIS ROBINSON, COMMISSIONER, PCT. 1 - PRESIDING

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 LANE GRAYSON

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 252.16 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

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

A2 MAY 2016 TRAVEL REPORTS OF THE TEXAS AGRILIFE EXTENSION OFFICE

 -MARK ARNOLD, AGRICULTURE

 -RITA HODGES, FAMILY & CONSUMER SCIENCE

 -MEGAN PARR, 4H

A3 ACCEPT OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT FOR MARCH 22, 2016; APRIL 12, 2016; APRIL 26, 2016; MAY 10, 2016; MAY 24, 2016; AND JUNE 7, 2016. -CINDY POLLEY, COUNTY CLERK

FINANCIAL:

F1 FROM 001-0140-50557 WORKERS COMP \$100,000.00 TO 001-0140-50903 SETTLEMENT \$300.00; 001-0310-50885 SALES TAX ON TAXABLE SALES \$4,000.00; 001-0150-50830 40TH APPOINTED ATTORNEYS \$95,700.00.

- F2 FROM 001-0230-50808 AUTO GAS/FUEL \$200.00 To 001-0230-50802 EQUIPMENT \$200.00. – JODI PLATT, PURCHASING AGENT
- F3 FROM 001-0430-50806 OFFICIAL BOND DUES \$650.20 To 001-0430-50819 COMPUTER \$650.20. – STEPHANIE PARKER, EMERGENCY MANAGEMENT COORDINATOR
- F4 FROM 001-0385-50801 SUPPLIES \$138.28; 001-0385-50703 TELEPHONE \$600.00; 001-0385-50805 CONFERENCE \$60.00; 001-0385-50802 EQUIPMENT \$300.00 To 001-0385-50819 COMPUTER \$53.58; 001-0385-50601 TRAVEL REIMBURSEMENT \$84.70; 001-0385-50807 VISITING JUDGE \$900.00; 001-0385-50842 JUDGE’S CONF. \$60.00. – JUDGE A. GENE CALVERT, COUNTY COURT AT LAW #2
- F5 FROM 001-0050-50819 COMPUTER \$1,400.00; 001-0050-50801 SUPPLIES \$500.00 To 001-0050-50805 CONFERENCE \$1,400.00; 001-0050-50703 TELEPHONE \$500.00. – MARK ARNOLD, AGRILIFE EXTENSION OFFICE
- F6 FROM 011-0704-50807 GENERAL MISC. \$15,000.00 To 011-0704-50802 PURCHASE OF EQUIPMENT \$15,000.00. – PAUL PERRY, COMMISSIONER, PCT. 3
- F7 FROM 042-0942-30302 FUND BALANCE SHERIFF FEDERAL DRUG FORFEITURE \$4,000.00 To 042-0942-50868 CONTRACT SERVICES \$2,500.00; 042-0942-50807 GENERAL EXPENSE \$1,500.00. – CHUCK LAUBACH, ELLIS COUNTY SHERIFF’S OFFICE
- F8 FROM 010-0653-40003 FM2 REVENUE ACCOUNT \$3,594.98; 010-0653-30302 FM2 FUND BALANCE CARRY OVER \$10,000.00 To 010-0653-50911 FM2 GRAVEL \$3,594.98; 010-0653-50909 FM2 REPAIRS PARTS \$10,000.00. – LANE GRAYSON, COMMISSIONER, PCT. 2
- F9 FROM 042-0942-30302 FUND BALANCE SHERIFF FEDERAL FORFEITURE \$4,434.00 To 042-0942-50802 EQUIPMENT \$4,434.00. - CHUCK LAUBACH, ELLIS COUNTY SHERIFF’S OFFICE
- F10 FROM 001-0230-50601 TRAVEL REIMBURSEMENT \$300.00 To 001-0230-50890 COUNTY SUPPLY \$300.00. – JODI PLATT, PURCHASING AGENT

SIMPLIFIED PLAT:

SP1 NEWBY ADDITION, 1366 ZMOLEK ROAD, ENNIS, ROAD & BRIDGE PCT. 2, REQUESTED BY LARRY NEWBY. MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

DEPARTMENT OF COUNTY DEVELOPMENT

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

MINUTE ORDER NO 253.16 GRANTING A ONE-TIME VARIANCE FROM COUNTY OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED HOMES AS IT RELATES TO THE 150’ ROAD FRONTAGE REQUIREMENT, SANJEEV FARMS, LOT 14, 575 CURRY ROAD, WAXAHACHIE, ROAD & BRIDGE PCT. 3, REQUESTED BY JIM BRISTOW.

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

MINUTE ORDER NO 254.16 GRANTING A ONE-TIME VARIANCE FROM COUNTY OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED HOME AS IT RELATES TO THE FIRE HYDRANT REQUIREMENT, 6659 FM 660, ENNIS, ROAD AND BRIDGE PCT. 1, REQUESTED BY MOISES OCHOA.

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

MINUTE ORDER NO 255.16 APPROVING FINAL PLAT – LEGACY ESTATES, 57 LOTS, FM 1387 & FM 1664, MIDLOTHIAN, ROAD & BRIDGE PCT. 1, REQUESTED BY CHAD MILES.

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

ADMINISTRATIVE

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

NO ACTION 2.1 DISCUSSION REGARDING PERSONNEL REQUIREMENTS IN THE COUNTY & DISTRICT ATTORNEY’S OFFICE. – PATRICK WILSON, COUNTY & DISTRICT ATTORNEY

MINUTE ORDER NO 256.16 APPROVING RENEWAL OF CONTRACT WITH ESRI FOR ARCGIS SOFTWARE – JOSEPH JACKSON, ASSISTANT ENGINEER
MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 257.16 AUTHORIZING THE COUNTY JUDGE TO SIGN THE ACA REPORTING AND TRACKING SERVICE (ARTS) PROGRAM AGREEMENT WHICH PROVIDES THOSE SERVICES NECESSARY TO PRODUCE ELLIS COUNTY’S TRACKING AND REPORTING DATA REQUIRED FOR IRS FORMS 1094/1095-B AND/OR 1094/1095C IN COMPLIANCE WITH THE AFFORDABLE CARE ACT; ELLIS COUNTY’S MEMBERSHIP IN THE TEXAS ASSOCIATION OF COUNTIES HEALTH AND EMPLOYEE BENEFIT PROGRAM WAIVES THE ANNUAL SUBSCRIPTION FEE AND ACTIVATION SERVICE FEE; LATE FEE OF \$2,625 FOR DATA SUBMITTED AFTER 10-01-2016 – THERESA TAYLOR, DIRECTOR OF HUMAN RESOURCES

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

REPORT: 2.4 COMPENSATORY ANALYSIS REPORT. – THERESA TAYLOR, DIRECTOR OF HUMAN RESOURCES

MINUTE ORDER NO 258.16 APPROVING THE 2016 ROAD REPORT FOR ELLIS COUNTY PRECINCT 2. – LANE GRAYSON, COMMISSIONER, PCT. 2
MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 259.16 AUTHORIZING THE COUNTY ATTORNEY TO OFFER AND SETTLE A CLAIM ON BEHALF OF ELLIS COUNTY INVOLVING LISA MORRIS CONCERNING PROPERTY DAMAGE TO HER 2014 CHEVROLET CAMARO ON MAY 27, 2016 IN THE AMOUNT OF \$837.51 AND OBTAIN A RELEASE OF ALL CLAIMS.
MOTION TO APPROVE BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

RECESS TO CONVENE TO EXECUTIVE SESSION (2:20PM)

MOTION TO APPROVE BY COMMISSIONER GRAYSON, 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.

- 3.1 PURSUANT TO SECTION 551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH COUNSEL CONCERNING A POTENTIAL SETTLEMENT OFFER INVOLVING LISA MORRIS CONCERNING PROPERTY DAMAGE TO HER 2014 CHEVROLET CAMARO ON MAY 27, 2016 IN THE AMOUNT OF \$837.51.
- 3.2 PURSUANT TO SECTION 551.071(2) OF THE TEXAS GOVERNMENT CODE ON THE FOLLOWING MATTER WHERE 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 – ADVICE OF COUNSEL REGARDING ELLIS COUNTY PERSONNEL POLICY MANUAL 8.01 & CHAPTER 175 OF THE TEXAS LOCAL GOVERNMENT CODE.

ADJOURNMENT OF EXECUTIVE SESSION (2:55PM)

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

ADJOURNMENT

MOTION BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF JUNE 14, 2016 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 JUNE 28, 2016.



CINDY POLLEY, COUNTY CLERK

