

**ELLIS COUNTY COMMISSIONERS' COURT  
OFFICIAL MINUTES // JUNE 28, 2016**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON TUESDAY, JUNE 28, 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 BUTLER CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE – COMMISSIONER PAUL PERRY

**PUBLIC COMMENT**\*- Members of the public will have the opportunity to make their comments at the time the agenda item is being addressed.

*Re: 3.10            Mark Griffith            Byron Gentry*

**CONSENT AGENDA:**

MINUTE ORDER NO 260.16      APPROVING CONSENT AGENDA

**ADMINISTRATIVE:**

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

**FINANCIAL:**

- F1    FROM 001-0020-50808 AUTO GAS \$400.00; 001-0020-50810 AUTO TIRES \$200.00; 001-0020-50809 AUTO REPAIR \$100.00 To 001-0020-50802 EQUIPMENT \$700.00. – KEITH ROBERTS, FACILITIES MANAGER
- F2    FROM 001-0320-50703 COUNTY CLERK TELEPHONE \$1,500.00 To 001-0320-50601 COUNTY CLERK TRAVEL REIMBURSEMENT \$1,500.00. – CINDY POLLEY, COUNTY CLERK
- F3    FROM 004-0652-50807 RB2 GENERAL EXPENSES \$2,000.00 To 004-0652-50805 RB2 CONFERENCE DUES \$2,000.00. – LANE GRAYSON, COMMISSIONER, PCT. 2
- F4    FROM 003-0601-30302 RB1 FUND BALANCE \$219,600.00 To 003-0601-50802 RB1 PURCHASE OF EQUIPMENT \$219,600.00. – DENNIS ROBINSON, COMMISSIONER, PCT. 1

F4 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>
A-Z HOLDINGS LLC	200237	\$4,022.85
CORELOGIC	235238	\$5,721.37
SELECT PORTFOLIO/LERETA LLC	142087	\$3,815.93

**SIMPLIFIED PLAT:**

SP1 VISTA BONITA, 6043 FM 66, MAYPEARL, ROAD & BRIDGE 3, REQUESTED BY PEGGY WRIGHT.  
MOTION TO APPROVE BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

**DEPARTMENT OF COUNTY DEVELOPMENT:**

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

**MINUTE ORDER NO 261.16** APPROVING RE-PLAT – SCOTT’S FARM, LOT 1 & 2, 6659 FM 660, ENNIS,  
ROAD & BRIDGE 1, REQUESTED BY MOISES OCHOA.

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

**PURCHASING:**

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

**MINUTE ORDER NO 262.16** APPROVING PURCHASE OF GRADALL XL3100 FROM WAUKESHA-PEARCE  
INDUSTRIES, INC. FOR ROAD AND BRIDGE PRECINCT 1.

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

**MINUTE ORDER NO 263.16** APPROVING RENTAL AGREEMENT FROM BANE MACHINERY FOR A  
DYNAPAC 84INCH SD ROLLER FOR ROAD AND BRIDGE PRECINCT 1.

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

**MINUTE ORDER NO 264.16** REJECTING BID NUMBER RB-2016-014, CONTRACT FOR CEMENT  
TREATED MATERIALS IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE.

MOTION TO REJECT THE BID BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

**MINUTE ORDER NO 265.16** APPROVING THE CONTRACT BETWEEN ELLIS COUNTY AND HUNTER  
EXCAVATION FOR RFP-2015-002 BARDWELL ROAD DAM. (PENDING LEGAL REVIEW)

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

**MINUTE ORDER NO 266.16** APPROVING THE INCREASE OF TRIDENT INSURANCE SERVICES ANNUAL  
PREMIUM IN THE AMOUNT OF \$4,637.

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

**MINUTE ORDER NO 267.16** DECLARING THE FOLLOWING AS SURPLUS TO BE DISPOSED OF IN  
ACCORDANCE WITH THE LOCAL GOVERNMENT CODE:

- ICE MACHINE – LAW ENFORCEMENT CENTER
- TWO VEHICLE SECURITY CAGES – SHERIFF’S OFFICE
- VARIOUS COMPUTER EQUIPMENT
- KARDEX LEKTRIEVER SERIES 80

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

**MINUTE ORDER NO 268.16** APPROVAL TO PROVIDE TWO VEHICLE SECURITY CAGES TO GARRETT POLICE DEPARTMENT IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE SECTION 263.152(A)(1).

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

**ADMINISTRATIVE:**

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

**3.1 PRESENTATION-NTTA BRIEFING.** CLYDE MELICK, NTTA CONTIGUOUS COUNTY ADVISORY BOARD; CARRIE ROGERS, NTTA DIRECTOR OF GOVERNMENT AFFAIRS; AND GIO RODRIGUEZ, DIRECTOR OF CUSTOMER AND COLLECTIONS SERVICE

**MINUTE ORDER NO 269.16** APPROVING REAPPOINTMENT OF DR. LEIGH NORDSTROM FOR A 2 YEAR TERM AS COUNTY HEALTH AUTHORITY.

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

**MINUTE ORDER NO 270.16** ACCEPTING THE 2016 ANNUAL ROAD REPORT FOR ROAD & BRIDGE PRECINCT 4. – KYLE BUTLER, COMMISSIONER, PCT. 4

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

**MINUTE ORDER NO 271.16** APPROVING A RESOLUTION AUTHORIZING THE CREATION OF THE NORTH CENTRAL TEXAS REGIONAL 9-1-1 EMERGENCY COMMUNICATIONS DISTRICT.

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

**3.5** UPDATE THE COMMISSIONER’S COURT ON THE APRIL – MAY 2015 FLOODING FEMA – DR 4223 FINAL REIMBURSEMENT. – STEPHANIE PARKER, EMERGENCY MANAGEMENT COORDINATOR

**MINUTE ORDER NO 272.16** AUTHORIZING THE COUNTY JUDGE TO SIGN A LETTER OF SUPPORT FOR THE COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGIES AND THE SUBMISSION OF APPLICATION TO THE ECONOMIC DEVELOPMENT ADMINISTRATION FOR ECONOMIC DEVELOPMENT DISTRICT DESIGNATION FOR THE NORTH CENTRAL TEXAS REGION.

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

**MINUTE ORDER NO 273.16** APPROVING CHANGES TO THE ELLIS COUNTY TXDOT DRUG AND ALCOHOL POLICY AS PRESENTED IN THE COMMISSIONER’S COURT WORKSHOP ON JUNE 14, 2016. – THERESA TAYLOR, DIRECTOR OF HUMAN RESOURCES

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

**MINUTE ORDER NO 274.16** APPROVAL TO ADOPT AN AFFORDABLE CARE ACT MEASUREMENT PERIODS POLICY AND ESTABLISH MEASUREMENT PERIODS AS STATED IN THE POLICY. THIS POLICY IS NOT REQUIRED BY LAW, BUT IS RECOMMENDED BY THE TEXAS ASSOCIATION OF COUNTIES. IT SETS THE DATES FOR ELLIS COUNTY’S INITIAL MEASUREMENT PERIOD, INITIAL ADMINISTRATIVE PERIOD, AND INITIAL STABILITY PERIOD AS REQUIRED BY ACA AND PROVIDES A GUIDE FOR OUR LOOK BACK REVIEW TO ENSURE ALL ELIGIBLE COUNTY EMPLOYEES HAVE ACCESS TO BENEFIT PLAN ENROLLMENT. - THERESA TAYLOR, DIRECTOR OF HUMAN RESOURCES

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

**MINUTE ORDER NO 275.16** AUTHORIZING THE COUNTY JUDGE TO SIGN THE TEXAS ASSOCIATION OF COUNTIES RISK CONTROL REIMBURSEMENT PROGRAM APPLICATION AND PROJECT REQUEST FORM. AS A MEMBER OF TAC RISK MANAGEMENT POOL, WE HAVE THE OPPORTUNITY TO PARTICIPATE IN A REIMBURSEMENT PROGRAM FOR UP TO \$30,000 FOR PRE-APPROVED EXPENDITURES RELATED TO OUR WORKER'S COMPENSATION PROGRAM. - THERESA TAYLOR, DIRECTOR OF HUMAN RESOURCES

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

**MINUTE ORDER NO 276.16** ACCEPTING THE 2016 ANNUAL ROAD REPORT WITH SUPPLEMENTAL ADDENDUM FOR ROAD & BRIDGE PCT. 3. – PAUL PERRY, COMMISSIONER, PCT. 3

MOTION TO APPROVE SUPPLEMENTED ANNUAL REPORT BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

**MINUTE ORDER NO 277.16** AUTHORIZING THE PAYMENT OF \$50,000.00 TO NTBHA (NORTH TEXAS BEHAVIORAL HEALTH AUTHORITY) FOR TRANSITIONAL START-UP COSTS FROM 001-0130-50868-00000-000.

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

**MINUTE ORDER NO 278.16** APPROVING STRUCTURAL ANALYSIS REPORT AND INSTALLATION PROJECT REQUEST FROM JTS (JOHNSON TECHNICAL SERVICES, INC.) ON BEHALF OF NCTCOG 9-1-1 SYSTEM. (FUNDED BY COG WITH NO COST TO ELLIS COUNTY...OVERSEEN BY TIM DRISCOLL)

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

**MINUTE ORDER NO 279.16** APPROVAL OF THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS' AREA AGENCY ON AGING (NCTAAA) LOCAL ADMINISTRATIVE MATCH OF \$11,022.00

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

**RECESS TO CONVENE TO EXECUTIVE SESSION (3:34PM)**

MOTION TO APPROVE 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 SECTION 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.

**ADJOURNMENT OF EXECUTIVE SESSION (4:17PM)**

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER ROBINSON 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 JUNE 28, 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 JULY 26, 2016.



CINDY POLLEY, COUNTY CLERK

