

**ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES // JULY 11, 2017**

THE ELLIS COUNTY COMMISSIONERS COURT MET ON WEDNESDAY, JULY 11, 2017, 2:00 PM., IN THE HISTORIC ELLIS COUNTY COURTHOUSE, COMMISSIONERS COURTROOM (2ND FLR), 101 W. MAIN STREET, WAXAHACHIE, TEXAS AT WHICH TIME THE FOLLOWING WILL BE DISCUSSED AND CONSIDERED, TO-WIT:

MEMBERS PRESENT:

COUNTY JUDGE: CAROL BUSH

COUNTY CLERK: CINDY POLLEY

COMMISSIONERS:

ASSISTANT COUNTY ATTORNEY: VANCE HINDS

RANDY STINSON, COMMISSIONER, PCT 1

LANE GRAYSON, COMMISSIONER, PCT 2

PAUL PERRY, COMMISSIONER, PCT 3

KYLE BUTLER, COMMISSIONER, PCT 4

OPENING COURT

THE COUNTY JUDGE CALLS MEETING TO ORDER, DECLARES QUORUM AND DECLARES NOTICES LEGALLY POSTED PURSUANT TO OPEN MEETINGS ACT.

MOTION TO OPEN COURT BY COMMISSIONER PERRY, 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.

CONSENT AGENDA – Consideration and Action:

MINUTE ORDER NO 290.17 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

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

A2 2ND QUARTER 2017 ELLIS COUNTY INVESTMENT REPORT. – CHERYL CHAMBERS, TREASURER

A3 PROCLAMATION RECOGNIZING JULY 24TH AS THE 25TH ANNIVERSARY OF REGION 10 HEAD START PROGRAM.

FINANCIAL:

F1 FROM 010-0653-50807 FM2 GENERAL EXPENSES \$10,000.00 TO 010-0653-50868 FM2 CONTRACT LABOR \$5,000.00; 010-0653-50918 FM2 HARDWARE/TOOLS \$5,000.00. – LANE GRAYSON, COMMISSIONER, PCT. 2

F2 FROM 001-0015-50702 REPAIRS \$37,457.00 TO 001-0015-50802 EQUIPMENT \$37,457.00. – CHUCK EDGE, SHERIFF

- F3 FROM 001-0010-50702 REPAIRS \$4,842.00 TO 001-0010-50888 COMPUTER SERVICE \$4,842.00. – CHUCK EDGE, SHERIFF
- F4 FROM 001-0060-50808 AUTO GAS \$2,910.38; 001-0060-50809 AUTO REPAIR \$845.81 TO 001-0060-50703 TELEPHONE \$138.39; 001-0060-50802 EQUIPMENT \$579.92; 001-0060-50805 CONFERENCE \$1,674.81; 001-0060-50819 COMPUTER \$1,363.07. – ALBERTO MARES, DIRECTOR OF DEPARTMENT OF DEVELOPMENT
- F5 FROM 001-0050-50801 SUPPLIES \$280.00; 001-0050-50802 EQUIPMENT \$170.00; 001-0050-50803 FURNITURE/FIXTURES \$150.00 TO 001-0050-50809 AUTO REPAIR \$600.00. – MARK ARNOLD, EXTENSION OFFICE
- F6 FROM 001-0430-50802 EQUIPMENT \$500.00 TO 001-0430-50819 COMPUTER \$500.00. – STEPHANIE PARKER, EMERGENCY MANAGEMENT COORDINATOR
- F7 FROM 001-0370-50801 SUPPLIES \$3,000.00; 001-0370-50805 CONFERENCE \$1,000.00 TO 001-0370-50804 POSTAGE \$4,000.00. – JOHN BRIDGES, TAX ASSESSOR/COLLECTOR

SIMPLIFIED PLAT:

SP1 CONSIDER AND ACT ON A REQUEST TO APPROVE A SIMPLIFIED PLAT OF SUNSET HILL. THE PROPERTY CONTAINS ± 2.313 ACRES OF LAND IN THE H. BIGHAM SURVEY, ABSTRACT NO. 154 LOCATED ON HONEYSUCKLE ROAD ± 1,500 FEET WEST OF SARALVO ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 4.

SP2 CONSIDER AND ACT ON A REQUEST TO APPROVE A SIMPLIFIED PLAT OF MHLANGA ADDITION. THE PROPERTY CONTAINS ± 8.005 ACRES OF LAND IN THE R. A. DAVIS SURVEY, ABSTRACT NO. 317 LOCATED ON EMMETT CIRCLE ± 1,565 FEET WEST OF BATCHLER ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF RED OAK, ROAD & BRIDGE PRECINCT NO. 1.

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

DEPARTMENT OF COUNTY DEVELOPMENT

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

MINUTE ORDER NO 291.17 1.1 RELEASING A MAINTENANCE BOND IN THE FORM OF AN IRREVOCABLE LETTER OF CREDIT DATED APRIL 27, 2015, ISSUED BY BANK OF THE WEST, IN THE AMOUNT OF TWO HUNDRED THIRTY-SEVEN THOUSAND FIVE HUNDRED FORTY-NINE DOLLARS & 50/100 (\$237,549.50) AND ACCEPTING A SEPARATE MAINTENANCE BOND IN THE FORM OF AN IRREVOCABLE LETTER OF CREDIT (NO. 187243), ISSUED BY BANK OF THE WEST IN THE AMOUNT OF \$60,000 FOR OXFORD RANCH TWO, PHASE 1, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 4.

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

MINUTE ORDER NO 292.17 1.2 GRANTING A ONE-TIME VARIANCE FROM SECTION 10 (AMENDMENTS) OF ELLIS COUNTY ORDER 182.11 (SEPTIC ORDER) TO ALLOW A SECOND RESIDENTIAL DWELLING STRUCTURE ON PROPERTY HAVING LESS THAN TWO (2) ACRES AND

CONNECT TO AN ONSITE SEWAGE FACILITY. THE PROPERTY CONTAINS ± 1.73 ACRES OF LAND LOCATED IN THE J. BAKER SURVEY, ABSTRACT NO. 40 R (COMMONLY KNOWN AS 5266 E. FM 875) IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 3.

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

PURCHASING

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

MINUTE ORDER NO 293.17 2.1 APPROVING EXEMPTION FROM THE COMPETITIVE BIDDING PROCESS AS A SOLE SOURCE ITEM UNDER LOCAL GOVERNMENT CODE 262.024 (A) (7). THE PURCHASE OF 30 TASERS (MODEL X26P) FOR THE SHERIFF'S OFFICE JAIL PERSONNEL. THE PURCHASE PRICE IS \$59,324.59 WHICH INCLUDES AN UPGRADE/REPLACEMENT FOR ALL 30 UNITS IN FIVE YEARS AT NO ADDITIONAL COST. THIS PURCHASE IS TO BE FUNDED FROM THE TECHNOLOGY GRANT PROVIDED BY NCIC INMATE COMMUNICATIONS.

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

ADMINISTRATIVE

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

NO ACTION 3.1 BURN BAN FOR ELLIS COUNTY. – TIM BIRDWELL, FIRE MARSHAL

MINUTE ORDER NO 294.17 3.2 ACCEPTING THE 2017 ANNUAL ROAD REPORT FROM ROAD & BRIDGE, PCT. 4. – KYLE BUTLER, COMMISSIONER, PCT. 4

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

MINUTE ORDER NO 295.17 3.3 ACCEPTING DONATION OF \$100.00 FROM THE WAXAHACHIE JUNIOR SERVICE LEAGUE TO THE SHERIFF'S OFFICE. – CHUCK EDGE, SHERIFF

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

MINUTE ORDER NO 296.17 3.4&3.5 APPROVING ELLIS COUNTY EMERGENCY PLANS (ANNEX U – LEGAL) AND ELLIS COUNTY EMERGENCY PLANS (ANNEX J – RECOVERY). – STEPHANIE PARKER, EMERGENCY MANAGEMENT COORDINATOR

MOTION TO APPROVE 3.4 AND 3.5 BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

MINUTE ORDER NO 297.17 3.6 RENEWING THE CURRENT COUNTY AND RETIREE HEALTH INSURANCE COVERAGE AND PREMIUMS THROUGH THE TEXAS ASSOCIATION OF COUNTIES HEALTH AND EMPLOYEE BENEFITS POOL FOR FISCAL YEAR 2017-2018 WITH APPROVAL FOR THE COUNTY JUDGE TO SIGN RENEWAL.

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

MINUTE ORDER NO 298.17 3.8 AUTHORIZING ELLIS COUNTY TO ENTER INTO A CONTRACT NOT TO EXCEED \$1,500 TO OBTAIN A SURVEY OF THE PROPERTY KNOWN AS ELLIS COUNTY ROAD AND BRIDGE BARN, PRECINCT 2, 1400 OAK GROVE ROAD, ENNIS, TEXAS 75119, INCLUDING ADJOINING RIGHT OF WAY EASEMENTS OWNED BY ONCOR ELECTRIC DELIVERY COMPANY, LLC.

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

RECESS TO CONVENE TO EXECUTIVE SESSION **2:22 PM**

MOTION 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 §551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH COUNSEL CONCERNING A CLAIM INVOLVING ONCOR ELECTRIC DELIVERY COMPANY, LLC. INVOLVING DAMAGE TO A UTILITY POLE OWNED BY ONCOR BY AN ELLIS COUNTY EMPLOYEE IN THE COURSE AND SCOPE OF HIS EMPLOYMENT WITH ELLIS COUNTY ON OR ABOUT OCTOBER 28, 2016.
- 4.2 PURSUANT TO §551.074 OF THE GOVERNMENT CODE, CONSULTATION REGARDING PERSONNEL MATTERS.
- 4.3 PURSUANT TO §551.074 OF THE GOVERNMENT CODE, CONSULTATION TO DELIBERATE THE APPOINTMENT AND EMPLOYMENT OF CONSTABLE, PCT. 3.

ADJOURNMENT OF EXECUTIVE SESSION **2:46 PM**

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER STINSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 299.1.7 3.7 AUTHORIZING THE COUNTY ATTORNEY TO OFFER AND SETTLE A CLAIM ON BEHALF OF ELLIS COUNTY IN THE AMOUNT OF \$3,000.00 TO ONCOR IN EXCHANGE FOR A FULL AND FINAL RELEASE FOR DAMAGE TO A UTILITY POLE OWNED BY ONCOR AND CAUSED BY AN ELLIS COUNTY EMPLOYEE IN THE COURSE AND SCOPE OF HIS EMPLOYMENT WITH ELLIS COUNTY ON OR ABOUT OCTOBER 28, 2016.

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

ADJOURNMENT

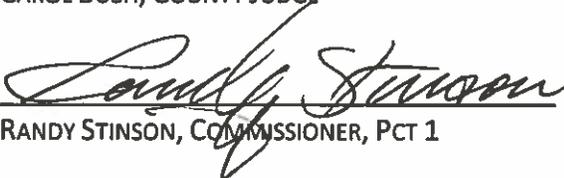
MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER STINSON CARRIES UNANIMOUSLY

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT JULY 11, 2017 AT 2:00 PM ARE HEREBY APPROVED.

PRESIDING OFFICER:



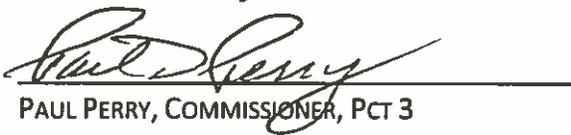
CAROL BUSH, COUNTY JUDGE



RANDY STINSON, 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 OCTOBER 10, 2017.



Cindy Polley, County Clerk

