

**ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES // JULY 25, 2017**

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, JULY 25, 2017, 2:00 P.M., 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 GRAYSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

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 301.17 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

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

A2 JUNE 2017 TRAVEL REPORTS OF THE TEXAS AGRILIFE EXTENSION OFFICE

-MARK ARNOLD, AGRICULTURE

-RITA HODGES, FAMILY & CONSUMER SCIENCE

-MEGAN PARR, 4H

A3 ACCEPT THE CONTINUING EDUCATION TRANSCRIPT FOR THE TAX ASSESSOR/COLLECTOR.

FINANCIAL:

F1 FROM 001-0450-50801 SUPPLIES \$600.00; 024-0924-50802; EQUIPMENT \$100.00 To 001-0450-50703 TELEPHONE \$600.00; 024-0924-50801 SUPPLIES \$100.00. – TIM BIRDWELL, FIRE MARSHAL

F2 FROM 001-0340-50835 EMPLOYEE TRAINING \$1,000.00 To 001-0340-50801 SUPPLIES \$1,000.00. – SGT. CORONADO, DPS

F3 FROM 032-0932-30302 FUNDS BALANCE CARRY OVER \$153,762.00 To 032-0932-50802 EQUIPMENT \$153,762.00. – MELANIE REED, DISTRICT CLERK

F4 FROM 009-0602-50807 FM1 GEN. EXPENSE \$7,000.00 To 009-0602-50911 FM1 GRAVEL \$5,000.00; 009-0602-50907 FM1 TIRES \$2,000.00. – RANDY STINSON, COMMISSIONER, PCT. 2

F5 FROM 011-0704-50807 GEN. MISC \$22,000.00 To 011-0704-50909 REPAIRS & PARTS \$22,000.00. – PAUL PERRY, COMMISSIONER, PCT. 3

F6 APPROVE REFUND OF OVERPAYMENT TO THE FOLLOWING ACCOUNT FOR PAYMENT IN ERROR:

REFUND TO BE ISSUED TO:	ACCOUNT	AMOUNT DUE
CORELOGIC	227208	\$4,560.60
CORELOGIC	227029	\$3,394.73
CORELOGIC	200587	\$5,114.38
CORELOGIC	200579	\$4,822.42
CORELOGIC	182140	\$3,966.37
NATIONSTAR	226623	\$2,738.47
LERETA C/O CELINK REVERSE MTG.	173012	\$2,951.32
CORELOGIC	220844	\$3,742.17
CORELOGIC	232303	\$3,115.75

SIMPLIFIED PLAT:

SP1 CONSIDER AND ACT ON A REQUEST TO APPROVE A SIMPLIFIED PLAT OF CRISP ROAD ESTATES. THE PROPERTY CONTAINS ± 17.154 ACRES OF LAND IN THE RAFAEL DE LA PENNA SURVEY, ABSTRACT NO. 3 LOCATED ON WEST SIDE OF CRISP ROAD ± 4,200 FEET SOUTH OF FM 660, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF ENNIS, ROAD & BRIDGE PRECINCT NO. 1.

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

(TAKING UP ADMINISTRATIVE AGENDA 3.1, 3.2 & 3.3)

ADMINISTRATIVE

3.1 SWEARING IN MICHAEL MCCORKLE AS CONSTABLE, PCT. 3

MINUTE ORDER NO 302.17 APPROVING OFFICIAL BOND OF MICHAEL MCCORKLE, CONSTABLE PCT. 3

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

3.2 EMPLOYEE RECOGNITION . . . SEE MINUTE ORDER NO 323.17

NO ACTION 3.3 BURN BAN FOR ELLIS COUNTY. – TIM BIRDWELL, FIRE MARSHAL

(TAKING UP ADMINISTRATIVE AGENDA 3.12)

MINUTE ORDER NO 303.17 3.12 APPROVING REPLACEMENT AND UPGRADE OF CISCO CALL MANAGER AND VOICEMAIL SERVERS/SYSTEMS. PROFESSIONAL SERVICES, LICENSES AND EQUIPMENT FROM CISCO ADVANCED TECHNOLOGY AND GOLD PARTNER, FLAIR DATA SYSTEMS FOR \$147,030.60. – TERAL CRAWFORD, DIRECTOR OF IT

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

(RETURN TO AGENDA ITEM NO 1.1)

DEPARTMENT OF COUNTY DEVELOPMENT

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

MINUTE ORDER NO 304.17 1.1 APPROVING FINAL PLAT OF SNEED'S PLACE DEVELOPMENT. THE PROPERTY CONTAINS ± 54.35 ACRES OF LAND IN THE JOSEPH STEWART SURVEY, ABSTRACT NO. 961 LOCATED NORTH OF THE INTERSECTION OF ELK TRAIL AND SQUIRREL ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF GRAND PRAIRIE, ROAD & BRIDGE PRECINCT NO. 4.

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

MINUTE ORDER NO 305.17 1.2 APPROVING FINAL PLAT OF OAK VISTA ESTATES, PHASE 2. THE PROPERTY CONTAINS ± 45.986 ACRES OF LAND IN THE S.B. ORTON SURVEY, ABSTRACT NO. 813 LOCATED NORTH OF THE INTERSECTION OF FM 1446 AND BLUESTEM WAY, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 3.

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

MINUTE ORDER NO 306.17 1.3 RELEASING PERFORMANCE BOND NO. PB12350200028 ISSUED BY PHILADELPHIA INDEMNITY INSURANCE COMPANY, OF NINE HUNDRED THIRTY-TWO THOUSAND FIVE HUNDRED EIGHTY-FIVE DOLLARS & 00/100 (\$932,585.00) AND ACCEPTING MAINTENANCE BOND NO. PB12350200046 ISSUED BY PHILADELPHIA INDEMNITY INSURANCE COMPANY, OF THREE HUNDRED SEVENTY-THREE THOUSAND THIRTY- FOUR DOLLARS AND 00/100 (\$373,034) FOR OAK VISTA, PHASE 2, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 3

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

MINUTE ORDER NO 307.17 1.4 GRANTING A ONE-TIME VARIANCE FROM SECTION III (E) (LOT AND STREET LAYOUT) OF THE COUNTY OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED HOMES TO ALLOW TWO (2) STRUCTURES TO ENCROACH INTO THE BUILDING LINE/UTILITY EASEMENT. THE PROPERTY CONTAINS ± 1.002 ACRES OF LAND IN LOT 28 OF THE INDIAN JUNCTION ADDITION, COMMONLY KNOWN AS 157 MELANIE LANE AND ITS LOCATED ± 190 FEET WEST OF THE INTERSECTION OF MELANIE LANE AND INDIA ROAD, FERRIS, ROAD & BRIDGE PRECINCT NO. 1.

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

MINUTE ORDER NO 308.17 1.5 GRANTING A ONE-TIME VARIANCE FROM SECTION III (E) (LOT AND STREET LAYOUT) OF THE COUNTY OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED HOMES TO ALLOW ONE (1) STRUCTURE TO ENCROACH INTO THE BUILDING LINE/UTILITY EASEMENT. THE PROPERTY CONTAINS ± 1.077 ACRES OF

LAND IN LOT 15, BLOCK D OF SPRINGFIELD LAKES, PHASE 2, COMMONLY KNOWN AS 107 SHORESIDE TRAIL AND ITS LOCATED ± 190 FEET WEST OF THE INTERSECTION OF MELANIE LANE AND INDIA ROAD, FERRIS, ROAD & BRIDGE PRECINCT NO. 4.

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

PURCHASING

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

MINUTE ORDER NO 309.17 2.1 RATIFYING SIGNATURE AND GRANTING DISCRETIONARY EXEMPTION ON THE AMERICAN MECHANICAL PROPOSAL FOR JAIL AIR CONDITIONING UNITS ACCORDING TO LOCAL GOVERNMENT CODE 262.024 (A) (2) NOT TO EXCEED \$175,000.

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

MINUTE ORDER NO 310.17 2.2 TERMINATING THE AGREEMENT BETWEEN ELLIS COUNTY FIRE MARSHAL'S OFFICE AND CONDUENT GOVERNMENT SYSTEMS, LLC (FIREHOUSE SOFTWARE).

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

MINUTE ORDER NO 311.17 2.3 APPROVING INTERLOCAL AGREEMENT BETWEEN COLLIN COUNTY AND ELLIS COUNTY AS A COOPERATIVE AGENCY WITH REGARD TO CERTAIN PURCHASES AND BIDDING PROCEDURES.

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

MINUTE ORDER NO 312.17 2.4 APPROVING RENEWAL AGREEMENT FOR RFP-2016-004, BRIDGE AND HEADWALL REPAIR, NEYLAND BRIDGE CONSTRUCTION AT \$200 PER HOUR.

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

MINUTE ORDER NO 313.17 2.5 APPROVING EXEMPTION FROM THE COMPETITIVE BIDDING PROCESS AS A SOLE SOURCE ITEM UNDER LOCAL GOVERNMENT CODE 262.024 (A) (7) (D) AND TO ACCEPTING THE RENEWAL OPTION AGREEMENT FROM ELECTION SYSTEMS AND SOFTWARE FOR MAINTENANCE AND SUPPORT TO THE ELLIS COUNTY ELECTIONS VOTING EQUIPMENT.

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

ADMINISTRATIVE

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

(TAKING UP 3.4 ...)

MINUTE ORDER NO 314.17 3.4 AUTHORIZING REFUND TO HOLCIM IN THE AMOUNT OF \$12,957.02 FOR 2012 TAX YEAR TO SATISFY FINAL JUDGMENT.

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

MINUTE ORDER NO 315.17 3.5 AUTHORIZING CAROL BUSH, ELLIS COUNTY JUDGE, TO EXECUTE THE FY 2017 AUDIT ENGAGEMENT LETTER WITH PATTILLO, BROWN, & HILL, LLP. – MIKE NAVARRO, AUDITOR

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

MINUTE ORDER NO 316.17 3.6 APPOINTING SCOT KOEHLER TO THE BOARD OF DIRECTORS OF THE MIDLOTHIAN DEVELOPMENT AUTHORITY.

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

MINUTE ORDER NO 317.17 3.7 APPROVING THE FEE STRUCTURE FOR TEXAS DEPARTMENT OF MOTOR VEHICLES FOR CALENDAR YEAR 2018.

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

MINUTE ORDER NO 318.17 3.8 APPROVING RENEWAL OF SPECTERA VISION PLAN WITH SIGNATURE OF COUNTY JUDGE. – THERESA TAYLOR, DIRECTOR OF HUMAN RESOURCES

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

MINUTE ORDER NO 319.17 3.9 REAPPOINTING MR. RANDEL KIRK AS DIRECTOR TO THE PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT BOARD OF DIRECTORS FOR A FOUR YEAR TERM EFFECTIVE THROUGH AUGUST 2021

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

MINUTE ORDER NO 320.17 3.11 AUTHORIZING THE PURCHASE OF COUNTY VEHICLES IN AN AMOUNT NOT TO EXCEED \$720,000.00, AND APPROVE THE NECESSARY BUDGET LINE AMENDMENTS FROM FUND BALANCE TO FLEET PURCHASE WITH \$630,000 DESIGNATED FOR SHERIFF'S OFFICE WITH REMAINDER TO OTHER DEPARTMENTS .

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

RECESS TO CONVENE TO EXECUTIVE SESSION

2:45 PM

MOTION BY COMMISSIONER STINSON, 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 TEX. GOV'T CODE §551.071, CONSULTATION WITH COUNSEL CONCERNING A PROPERTY DAMAGE CLAIM AGAINST THE COUNTY ARISING IN PRECINCT 3: S.R. SMALLWOOD; 208 BRANCH TRAIL; WAXAHACHIE, TX 75167 (DAMAGE TO PRIVATE ROADSIDE MAILBOX).
- 4.2 PURSUANT TO §551.074 OF THE GOVERNMENT CODE, CONSULTATION REGARDING PERSONNEL MATTERS.
- 4.3 PURSUANT TO §551.076 OF THE GOVERNMENT CODE, CONSULTATION TO DELIBERATE THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION, OF SECURITY PERSONNEL OR DEVICES.
- 4.4 PURSUANT TO SECTION 551.072 OF THE GOVERNMENT CODE, CONSULTATION WITH COUNSEL REGARDING THE POSSIBLE SALE OR LEASE OF REAL PROPERTY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PERSON.

ADJOURNMENT OF EXECUTIVE SESSION

3:43 PM

Motion by Commissioner Butler, second by Commissioner Perry carries unanimously

MINUTE ORDER NO 321.17 3.13 AUTHORIZING COUNTY ATTORNEY TO COMPROMISE AND SETTLE A PROPERTY DAMAGE CLAIM AGAINST THE COUNTY ARISING IN PCT. 3 S.R. SMALLWOOD; 208 BRANCH TRAIL; WAXAHACHIE, TX 75167. DAMAGE TO PRIVATE ROADSIDE MAILBOX IN THE AMOUNT OF \$385.

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

MINUTE ORDER NO 322.17 3.10 AUTHORIZING THE PURCHASING AGENT TO ENTER INTO NEGOTIATIONS WITH TYLER TECHNOLOGIES FOR COUNTY SOFTWARE IMPROVEMENTS.

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

MINUTE ORDER NO 323.17 (3.2) APPROVING PROCLAMATION RECOGNIZING JOANNE OLSEN AND EXPRESSING GRATITUDE TO FOR HER 18 YEARS OF SERVICE TO ELLIS COUNTY UPON THE OCCASION OF HER RETIREMENT ON JULY 28, AND EXPRESSING GRATITUDE

ADJOURNMENT

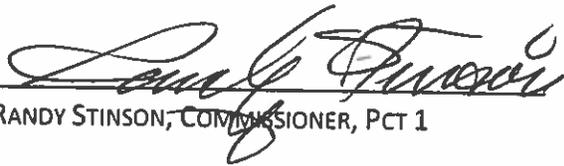
MOTION TO ADJOURN BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT JULY 25, 2017 AT 2:00 PM ARE HEREBY APPROVED.

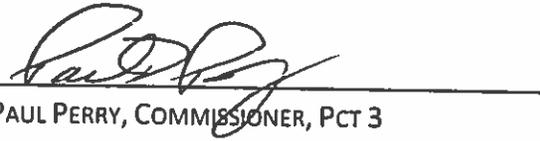
PRESIDING OFFICER:



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

