

**ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES // AUGUST 8, 2017**

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, AUGUST 8, 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 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 – CONSIDERATION AND ACTION:

MINUTE ORDER NO 330.17 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

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

FINANCIAL:

F1 FROM 010-0653-50807 FM2 GENERAL EXPENSES \$50,000.00 TO 010-0653-50911 FM2 GRAVEL \$50,000.00. – LANE GRAYSON, COMMISSIONER, PCT. 2

F2 FROM 001-0360-50601 DA – TRAVEL REIMBURSEMENT \$1,000.00; 001-0360-50799 DA – COPIER \$500.00; 001-0360-50888 DA – COMPUTER SERVICE \$2,500.00 TO 001-0360-50853 DA – LEGAL RESEARCH \$1,500.00; 001-0360-50703 DA – TELEPHONE \$400.00; 001-0360-50807 DA – GENERAL MISC. \$1,000.00; 001-0360-50801 DA – SUPPLIES \$1,000.00; 001-0360-50806 DA – DUES \$100.00. – PATRICK WILSON, COUNTY & DISTRICT ATTORNEY

F3 FROM 019-0919-50803 FURNITURE/FIXTURES \$400.00; 019-0919-50802 EQUIPMENT \$2,000.00; 019-0919-50799 COPIER MAINTENANCE/SUPPLIES \$500.00 TO 019-0919-50882 BOOKS \$2,900.00. – CARLA CATES, LAW LIBRARIAN

- F4 FROM 001-0210-50823 LEGAL NOTICES \$500.00; 001-0210-50855 VOTING EQUIPMENT SUBSCRIPTION \$3,000.00; 001-0210-50849 RECOUNT \$500.00; 001-0210-50808 AUTO GAS/OIL \$1,200.00; 001-0210-50802 EQUIPMENT \$1,000.00; 001-0210-50942 ELECTION EXPENSES \$850.00 To 001-0210-50805 CONFERENCE \$2,000.00; 001-0210-50703 TELEPHONE \$400.00; 001-0210-50803 FURN/FIXTURES \$4,500.00; 001-0210-50800 CHAPTER19 \$150.00. – JANA ONYON, ELECTIONS ADMINISTRATOR
- F5 FROM 010-0653-50868 FM2 CONTRACT LABOR \$3,000.00; 010-0653-50910 FM2 GAS/OIL \$40,000.00; 010-0653-50906 FM2 CULVERTS \$827.30; 010-0653-50802 FM2 EQUIPMENT \$10,000.00; 010-0653-50807 FM2 GENERAL EXPENSES \$30,000.00 To 010-0653-50915 FM2 ASPHALT \$83,827.30. – LANE GRAYSON, COMMISSIONER, PCT. 2
- F6 FROM 001-0060-50808 AUTO GAS \$850.00; 001-0060-50809 AUTO REPAIR \$400.00; 001-0060-50810 AUTO TIRES \$870.00; 001-0060-50821 UNIFORM \$468.00; 001-0060-50873 OFFICE MAINTENANCE \$920.00 To 001-0060-50802 EQUIPMENT \$235.24; 001-0060-50819 COMPUTER \$3,272.76. – ALBERTO MARES, DIRECTOR OF DEPARTMENT OF DEVELOPMENT
- F7 FROM 006-0754-30302 FUND BALANCE CARRYOVER \$30,000.00 To 006-0754-50807 RB4 GENERAL MISC \$30,000.00. – KYLE BUTLER, COMMISSIONER, PCT. 4
- F8 FROM 012-0755-30302 FUND BALANCE \$46,000.00 To 012-0755-50915 FM4 ASPHALT \$46,000.00. – KYLE BUTLER, COMMISSIONER, PCT. 4
- F9 APPROVE REFUND OF OVERPAYMENT TO THE FOLLOWING ACCOUNT FOR PAYMENT IN ERROR:

REFUND TO BE ISSUED TO:	<u>ACCOUNT</u>	<u>AMOUNT DUE</u>
CHASE	241204	\$4,077.62
CHASE	216634	\$5,302.61

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

DEPARTMENT OF COUNTY DEVELOPMENT

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

*PUBLIC ADDRESS ALLOWED FOR NON-AGENDA ITEM REGARDING CONSTRUCTION OF A RACE TRACK/Drag STRIP ...

NO DISCUSSION BY COMMISSIONERS' COURT:

JERRY & JANIE MARUSAK
NICK HUNT

MINUTE ORDER NO 331.17 (1.1) APPROVING REPLAT OF LOT 5B OF IRWIN BRANCH ADDITION INTO LOTS 5BA AND 5BB. THE PROPERTY CONTAINS ± 14.6326 ACRES OF LAND LOCATED ON THE SOUTH SIDE OF MARSHALL ROAD AND ± 1,170 FEET WEST OF FM 664 IN THE EXTRATERRITORIAL JURISDICTION 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 332.17 (1.2) GRANTING ONE-TIME VARIANCE FROM SECTION 10 (AMENDMENTS) OF ELLIS COUNTY ORDER 182.11 (SEPTIC ORDER) ALLOWING A SECOND RESIDENTIAL DWELLING STRUCTURE ON PROPERTY HAVING LESS THAN TWO (2) ACRES AND CONNECT TO AN ONSITE SEWAGE FACILITY. THE PROPERTY CONTAINS ± 1.801 ACRES OF LAND LOCATED IN LOT 29 OF CASTLE RIDGE ADDITION, PHASE 2 (COMMONLY KNOWN AS 231 CASTLE RIDGE DRIVE) IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF REDOAK, ROAD & BRIDGE PRECINCT NO. 1.

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

MINUTE ORDER NO 333.17 (1.3) 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 ALLOWING ONE (1) STRUCTURE TO ENCROACH INTO THE BUILDING LINE/UTILITY EASEMENT. THE PROPERTY CONTAINS ± 0.85 ACRES OF LAND IN LOT 16, BLOCK 6 OF SHADOW RIDGE, PHASE 3, COMMONLY KNOWN AS 150 ROCKY RIDGE ROAD, AND LOCATED AT THE NORTHWEST INTERSECTION OF SHADOW RIDGE LANE AND ROCKY RIDGE ROAD, IN THE EXTRATERRITORIAL JURISDICTION OF RED OAK, ROAD & BRIDGE PRECINCT NO. 1.

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

PURCHASING

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

MINUTE ORDER NO 334.17 (2.1) RENEWING AGREEMENT FOR RB-2016-013, PAVEMENT REHABILITATION AND RESURFACING SERVICES FOR HERITAGE ASPHALT CO AND OLDCASTLE MATERIALS TEXAS, INC (FORMERLY APAC)

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

MINUTE ORDER NO 335.17 (2.2) APPROVING COUNTY JUDGE TO SIGN XEROX LEASE AGREEMENTS FOR THE FOLLOWING DEPARTMENTS:

AG. EXTENSION – PREVIOUS MONTHLY PAYMENT \$408.53 NEW MONTHLY PAYMENT \$408.47

378TH DISTRICT COURT – PREVIOUS MONTHLY PAYMENT \$202.78 NEW MONTHLY PAYMENT \$199.98

SHERIFF'S OFFICE – MACHINE – PREVIOUS MONTHLY PAYMENT \$206.08 NEW MONTHLY PAYMENT \$201.51

SHERIFF'S OFFICE LEC – PREVIOUS MONTHLY PAYMENT \$ 253.89 NEW MONTHLY PAYMENT \$224.54

SHERIFF'S OFFICE HOYT – PREVIOUS MONTHLY PAYMENT \$157.96 NEW MONTHLY PAYMENT \$160.03

JUVENILE SERVICES – PREVIOUS MONTHLY PAYMENT \$94.95 NEW MONTHLY PAYMENT \$89.86

JUVENILE SERVICES – PREVIOUS MONTHLY PAYMENT \$202.55 NEW MONTHLY PAYMENT \$199.93

JUVENILE SERVICES – PREVIOUS MONTHLY PAYMENT \$225.49 NEW MONTHLY PAYMENT \$213.02

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

MINUTE ORDER NO 336.17 (2.3) RENEWING OF SERVICE CONTRACT WITH GARRATT CALLAHAN FOR SHERIFF'S OFFICE FOR WATER TREATMENT CHEMICAL PROGRAM AND SERVICE. TERM WILL BE OCTOBER 1, 2017 TO SEPTEMBER 30, 2018.

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

MINUTE ORDER NO 337.17 (2.4) RENEWING FIRE ALARM SYSTEM ANNUAL INSPECTION SERVICES WITH IMPACT FIRE SERVICES FOR ELLIS COUNTY ELECTIONS OFFICE.

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

MINUTE ORDER NO 338.17 (2.5) RENEWING CONTRACT #2013-011 WITH CORRECTIONAL FOOD SERVICES FOR INMATE FOOD SERVICES FOR ELLIS COUNTY DETENTION CENTER, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE.

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

MINUTE ORDER NO 339.17 (2.6) APPROVING COUNTY JUDGE TO SIGN ANNUAL RENEWAL AGREEMENT WITH KODAK ALARIS IN THE AMOUNT OF \$781.00 FOR THE DISTRICT ATTORNEY'S OFFICE.

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

MINUTE ORDER NO 340.17 (2.7) APPROVING AN ORDER FOR THE ELLIS COUNTY AND DISTRICT ATTORNEY'S OFFICE TO BE EXEMPT FROM TEXAS TRANSPORTATION CODE SECTION 502.201 THAT REQUIRES INSCRIPTION OF COUNTY-OWNED VEHICLES FOR A 2006 FORD F-150, VIN #1FTRF12206NB72213.

MOTION TO APPROVE BY COMMISSIONER PERRY, 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 341.17 (3.2) APPROVING THE APPLICATION OF WILLIAM JOHNSON HOWELL FOR EMERGENCY SERVICES DISTRICT (ESD) #6. – KYLE BUTLER, COMMISSIONER, PCT. 4

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

MINUTE ORDER NO 342.17 (3.3) SETTING THE DATE, TIME AND LOCATION OF THE PUBLIC HEARING ON THE PROPOSED BUDGET FOR BUDGET FY 2017-18, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §111.007, AS FOLLOWS:

TUESDAY, AUGUST 22, 2017 AT 2:00 P.M.

ELLIS COUNTY COMMISSIONERS' COURTROOM

101 W. MAIN ST., WAXAHACHIE, TX 75165

MOTION BY JUDGE BUSH, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

NO ACTION (3.4) PROPOSED TAX RATE FOR BUDGET FY 2017-18.

RECESS REGULAR SESSION TO CONVENE PUBLIC HEARING

PURSUANT TO 251.152 OF THE TEXAS TRANSPORTATION CODE, PUBLIC HEARING TO DISCUSS THE INSTALLATION OF FOUR (4) STOP SIGNS AT THE INTERSECTION OF OLD MAYPEARL ROAD AND GREATHOUSE ROAD IN ELLIS COUNTY, TEXAS, PRECINCT 3.

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

NO ATTENDEES PRESENT FOR PUBLIC HEARING

ADJOURNMENT OF PUBLIC HEARING & RECONVENE TO REGULAR SESSION

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

MINUTE ORDER NO 343.17 (3.5) AUTHORIZING THE INSTALLATION OF FOUR (4) STOP SIGNS AT THE INTERSECTION OF OLD MAYPEARL ROAD AND GREATHOUSE ROAD IN ELLIS COUNTY, TEXAS, PRECINCT 3. – PAUL PERRY, COMMISSIONER, PCT. 3

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

NO ACTION (3.6) ACT TO ACCEPT GARNEY CONSTRUCTION (ROBERT FULTS, OWNER) AS THE ENTITY RESPONSIBLE FOR ROAD REPAIRS TO HOYT ROAD AND THE SOUTH SECTION OF RICHARDS ROAD IN PCT. 3. – PAUL PERRY, COMMISSIONER, PCT. 3

REPORT (3.7) COMPENSATORY TIME REPORTING. – THERESA TAYLOR, DIRECTOR OF HUMAN RESOURCES

MINUTE ORDER NO 344.17 (3.8) APPROVING TRANSFER OF ADMINISTRATION DUTIES AND TECHNICAL ASSISTANCE FEE FROM THE ELLIS-PRAIRIE SOIL AND WATER CONSERVATION DISTRICT TO THE ELLIS COUNTY ASSISTANT ENGINEER FOR THE EMERGENCY WATERSHED PROTECTION (EWP) REPAIR PROJECTS ON CHAMBERS CREEK FLOOD PREVENTION SITES 56, 100, 101C, AND 109. – JOSEPH JACKSON, ASSISTANT COUNTY ENGINEER

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

MINUTE ORDER NO 345.17 (3.9) AUTHORIZING AN APPLICATION TO THE NATURAL RESOURCES CONSERVATION SERVICE (NRCS) AND THE TEXAS STATE SOIL AND WATER CONSERVATION BOARD (TSSWCB) TO IMPLEMENT EMERGENCY STRUCTURAL REPAIRS TO CHAMBERS CREEK FLOOD PREVENTION SITES NO. 56, 100, 101C, AND 109, PURSUANT TO THE EXISTING WATERSHED PROTECTION OPERATION AND MAINTENANCE AGREEMENT BETWEEN ELLIS COUNTY AND THE ELLIS-PRAIRIE SOIL AND WATER CONSERVATION DISTRICT. – JOSEPH JACKSON, ASSISTANT COUNTY ENGINEER

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

MINUTE ORDER NO 346.17 (3.10) APPROVING PURCHASE OF DEPUTY PROTECTIVE EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$38,000.00

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

RECESS TO CONVENE TO EXECUTIVE SESSION

2:39 PM

MOTION BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY 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 §551.074 OF THE GOVERNMENT CODE, CONSULTATION REGARDING PERSONNEL MATTERS.

ADJOURNMENT OF EXECUTIVE SESSION

3:16 PM

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

ADJOURNMENT

Motion to adjourn by Commissioner Perry, second by Commissioner Grayson carries unanimously

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT AUGUST 8, 2017 ARE HEREBY APPROVED.

PRESIDING OFFICER:



CAROL BUSH, COUNTY JUDGE



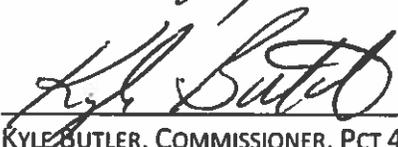
RANDY STINSON, COMMISSIONER, PCT 1



LANE GRAYSON, COMMISSIONER, PCT 2

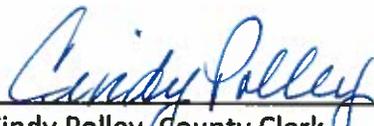


PAUL PERRY, COMMISSIONER, PCT 3



KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS NOVEMBER 7, 2017.



Cindy Polley, County Clerk

