

**ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES // OCTOBER 10, 2017**

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, OCTOBER 10, 2017 AT 10:00 AM IN THE HISTORIC ELLIS COUNTY COURTHOUSE, COMMISSIONERS COURTROOM (2ND FLOOR), 101 W. MAIN STREET, WAXAHACHIE, TEXAS AT WHICH TIME THE FOLLOWING WAS DISCUSSED AND CONSIDERED, TO-WIT:

COUNTY JUDGE: CAROL BUSH

COUNTY CLERK: CINDY POLLEY

COMMISSIONERS:

RANDY STINSON, COMMISSIONER, PCT. 1
LANE GRAYSON, COMMISSIONER, PCT. 2
PAUL PERRY, COMMISSIONER, PCT. 3
KYLE BUTLER, COMMISSIONER, PCT. 4

ASSISTANT COUNTY ATTORNEY: VANCE HINDS

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 KYLE BUTLER

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 414.17 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

- A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 ACCEPT 2017 COUNTY TREASURERS' ASSOCIATION OF TEXAS CONTINUING EDUCATION AND COUNTY INVESTMENT ACADEMY CONTINUING EDUCATION FOR CHERYL CHAMBERS, COUNTY TREASURER. – *CHERYL CHAMBERS, TREASURER*
- A3 APPROVAL OF OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT:
JUNE 27, 2017 JULY 11, 2017 JULY 12, 2017 JULY 25, 2017

FINANCIAL:

- F1 FROM 001-0140-50560 COMPENSATORY/FRINGE \$100,000.00; 001-0140-50708 COMPREHENSIVE INSURANCE \$12,000.00; 001-0140-50804 POSTAGE \$50,000.00; 001-0140-50866 COMMUNITY SUPPORT \$92,233.00 TO 001-0140-50710 TAX APPRAISAL FEE \$19,419.00; 001-0140-50803 FURNITURE/FIXTURES \$1,486.00; 001-0140-50807 OTHER EXPENSES \$8,800.00; 001-0140-50837 POST MORTEM EXAMS \$11,200.00; 001-0140-50859 SYSTEM ADMINISTRATION FEES \$54,328.00; 001-0140-50868 CONTRACT

SERVICES \$159,000.00. – CAROL BUSH, COUNTY JUDGE

F2 FROM 001-0000-30302 FUND BALANCE CARRYOVER \$147,031.00 To 001-0140-50859 SYSTEM ADMINISTRATION FEES \$147,031.00. – CAROL BUSH, COUNTY JUDGE

F3 APPROVE REFUND OF OVERPAYMENT TO THE FOLLOWING ACCOUNT FOR PAYMENT IN ERROR:

<u>REFUND TO BE ISSUED</u>	<u>ACCOUNT #</u>	<u>REFUND AMOUNT</u>
CORELOGIC	263178	\$6,417.23
CORELOGIC	221186	\$3,090.24
CORELOGIC	218310	\$5,160.75
CORELOGIC	250676	\$4,680.27
CORELOGIC	222929	\$3,024.54
CHASE HOME FINANCE	228200	\$6,850.36
CELINK REVERSE MTG. LERETA	208175	\$13,523.85

SIMPLIFIED PLAT:

SP1 CONSIDER AND ACT ON A REQUEST FOR A SIMPLIFIED PLAT OF DeHAAN FARMS. THE PROPERTY CONTAINS ± 5.045 ACRES OF LAND IN THE J. C. PAXTON SURVEY, ABSTRACT No. 855 LOCATED ON THE EAST SIDE OF COX ROAD ±670 FEET NORTH OF LEISURE ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT No.3.

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

DEPARTMENT OF COUNTY DEVELOPMENT (2:00 PM)

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

ITEMS 1.1, 1.2 & 1.3 TO BE CONSIDERED AT 2:00 PM DUE TO PUBLIC NOTICE REQUIREMENTS

ADMINISTRATIVE

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

MINUTE ORDER NO 415.17 (2.1) AUTHORIZING PAYMENT OF INTEREST IN ARREARS OF \$2,018 AND APPROVING A 1 YEAR EXTENSION OF CURRENT AGREEMENT TO BANCORP SOUTH EQUIPMENT FINANCE FOR THE 2017 MACK DUMP TRUCK FOR ROAD AND BRIDGE PRECINCT 3.

MOTION BY COMMISSIONER PERRY TO APPROVE AND AUTHORIZE PAYMENT IN AREARS OF \$2,018, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

MINUTE ORDER NO 416.17 (2.2) DECLARING EXCESS OFFICE FURNITURE ITEMS FROM THE JUSTICE OF THE PEACE, PRECINCT 4 OFFICE AND VARIOUS COUNTY OFFICES AS SURPLUS TO BE DISPOSED IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE 263.

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

MINUTE ORDER NO 417.17 (2.3) APPROVING COUNTY JUDGE TO SIGN XEROX LEASE AGREEMENTS FOR ACCOUNTS PAYABLE FOR \$169.93 PER MONTH

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

MINUTE ORDER NO 418.17 (2.4) APPROVING COUNTY JUDGE TO SIGN CONTRACT AGREEMENT FOR JANITORIAL SERVICES FOR THE MIDLOTHIAN FACILITY.

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

MINUTE ORDER NO 419.17 (2.5) AUTHORIZING COUNTY JUDGE TO SIGN INTER-LOCAL AGREEMENT BETWEEN ELLIS COUNTY AND THE CITY OF MIDLOTHIAN TO PARTICIPATE IN COOPERATIVE CONTRACTS ACCORDING TO TEXAS GOVERNMENT CODE 791.

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

(3.1) **EMPLOYEE RECOGNITION**: JUDGE BUSH RECOGNIZES STEPHANIE PARKER, EMERGENCY MANAGEMENT COORDINATOR FOR ELLIS COUNTY ADDRESSING HER RESPONSIBILITIES AND ACCOMPLISHMENTS SITING THE RECENT ELLIS COUNTY EMERGENCY PREPAREDNESS FAIR IN ENNIS.

MINUTE ORDER NO 420.17 (3.2) APPROVING PROCLAMATION DESIGNATING OCTOBER 1-7, 2017 NATIONAL 4-H WEEK. MEGAN PARR, COUNTY EXTENSION AGENT

4-H MEMBERS IN ATTENDANCE: KAREN KRAMER – 16, JERRY WEST – 16, DAVID RAGSDALE, JR – 12, MONTY ESKEW - 11, MADELINE ESKEW – 9, JUSTIN KINEKI – 17

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

MINUTE ORDER NO 421.17 (3.3) LIFTING BURN BAN FOR ELLIS COUNTY. – TIM BIRDWELL, FIRE MARSHA

MOTION TO LIFT BURN BAN BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 422.17 (3.4) RENEWING JUDICIAL FUNDING SUPPLEMENTS FOR JUSTICES ON THE TENTH COURT OF APPEALS IN THE AMOUNT OF \$1,940.00 FOR FY 2017-2018.

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

MINUTE ORDER NO 423.17 (3.6) AUTHORIZING THE COUNTY JUDGE TO SIGN A FACILITIES USE AGREEMENT WITH SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY FOR A LAW ENFORCEMENT TRAINING EVENT TO BE CONDUCTED BY THE COUNTY & DISTRICT ATTORNEY'S OFFICE ON NOVEMBER 14, 2017. – PATRICK WILSON, COUNTY & DISTRICT ATTORNEY

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

MINUTE ORDER NO 424.17 (3.7) SUSPENDING COLLECTION OF LIRAP FEES FOR ELLIS COUNTY AND CONTINUE OPERATING THE LIRAP INITIATIVES UTILIZING PREVIOUSLY UNSPENT ALLOCATIONS THROUGH THE LAST DAY OF THE LEGISLATIVE BIENNIUM IN WHICH FEE COLLECTION IS TERMINATED (THE FY 2018-2019 BIENNIUM).

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

MINUTE ORDER NO 425.17 (3.8) APPROVING WORK ORDER FOR THE CITY OF PECAN HILL INTERLOCAL (MINUTE ORDER NO. 505.16 (D)). STREETS INCLUDED: BURKETT AND HIGH MEADOW.

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

NO ACTION (3.5) RESOLUTION FOR THE BOARD OF DIRECTORS OF THE ELLIS CENTRAL APPRAISAL DISTRICT FOR THE TERM OF 2018-19, ACCORDING TO THE TEXAS TAX CODE, TITLE 1, SUBTITLE B, CHAPTER 6, SUBCHAPTER A, SECTION 6.03

MINUTE ORDER NO 426.17 (3.9) APPROVING RELOCATION EXPENSES FOR COUNTY OFFICES, NOT TO EXCEED \$10,000.00.

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

RECESS TO CONVENE TO EXECUTIVE SESSION 10:43 AM

MOTION BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER STINSON 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.

4.2 PURSUANT TO §551.076 OF THE GOVERNMENT CODE, CONSULTATION TO DELIBERATE THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION, OF SECURITY PERSONNEL OR DEVICES.

4.3 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.

ADJOURN EXECUTIVE SESSION AND RECONVENE 11:07 AM

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

RECESS

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER TO RECESS AND RECONVENE AT 2 PM TO CONSIDER DEPARTMENT OF DEVELOPMENT ITEMS CARRIES UNANIMOUSLY

RECONVENE REGULAR SESSION 2:00 PM

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

DEPARTMENT OF COUNTY DEVELOPMENT

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

MINUTE ORDER NO 427.17 (1.1) APPROVING REPLAT OF LOT 2 & 3, BLOCK F OF FLYING "W" ESTATES, UNITS IV & V INTO LOT 2R. THE PROPERTY CONTAINS ± 3.585 ACRES OF CONSIDER AND ACT UPON A LAND LOCATED ON THE EAST SIDE OF OLD BUENA VISTA ROAD AND ± 620 FEET NORTH OF ALTO ROAD, MAYPEARL, ROAD & BRIDGE PRECINCT NO. 3.

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

PUBLIC HEARING: (2:02 PM)

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

NO PUBLIC RESPONSE

ADJOURN PUBLIC HEARING: (2:03)

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

MINUTE ORDER NO 428.17 (1.2) AMENDING THE COUNTY OF ELLIS RULES, REGULATIONS, AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED HOMES, COURT ORDER NUMBER 192.02, DATED MAY 13, 2002, SPECIFICALLY PARAGRAPH 3 OF SECTION 3-E (LOT AND STREET LAYOUT) AND ANY OTHER RELATED ARTICLES, SECTIONS AND PARAGRAPHS TO MODIFY THE MINIMUM SETBACK REQUIREMENTS.

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

MINUTE ORDER NO 429.17 (1.3) APPROVING A MASTER FEE SCHEDULE FOR THE DEPARTMENT OF DEVELOPMENT WITH UPDATED FEES AND REPEALING ALL PREVIOUS ORDERS RELATED TO THE FOLLOWING FEES: SUBDIVISION, DEVELOPMENT PERMIT, ON-SITE SEWAGE FACILITY (OSSF) AND ROAD INSPECTION AND ESTABLISHING ... EFFECTIVE DECEMBER 1, 2017

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

RECESS TO CONVENE TO EXECUTIVE SESSION 2:09 PM

MOTION BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER STINSON 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.

ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION

2:30 PM

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

MINUTE ORDER NO 430.17 CREATING POSITION OF ACCOUNTS PAYABLE SPECIALIST WITH SALARY RANGE FROM \$39,000 TO \$43,000 PER YEAR

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

ADJOURN

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT OCTOBER 10, 2017 ARE HEREBY APPROVED.

PRESIDING OFFICER:



CAROL BUSH, COUNTY JUDGE



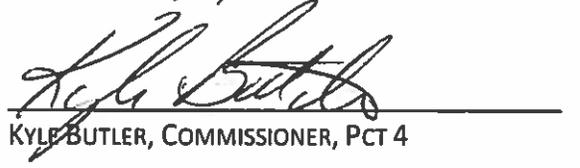
RANDY STINSON, COMMISSIONER, PCT 1



LANE GRAYSON, COMMISSIONER, PCT 2



PAUL PERRY, COMMISSIONER, PCT 3



KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS DECEMBER 5, 2017.



CINDY POLLEY, COUNTY CLERK

