

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES // NOVEMBER 21, 2017

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, NOVEMBER 21, 2017, 10:00 A.M., IN THE HISTORIC ELLIS COUNTY COURTHOUSE, COMMISSIONERS COURTROOM (2ND FLR), 101 W. MAIN STREET, WAXAHACHIE, TEXAS AT WHICH TIME THE FOLLOWING WAS DISCUSSED AND CONSIDERED, TO-WIT:

IN ATTENDANCE:

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

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 GRAYSON 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 ADDRESSED.

CONSENT AGENDA – CONSIDERATION AND ACTION:

MINUTE ORDER NO 460.17 APPROVING CONSENT AGENDA

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

ADMINISTRATIVE:

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

A2 APPROVAL OF OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT:
SEPTEMBER 12, 2017
SEPTEMBER 22, 2017

FINANCIAL:

F1 FROM 009-0602-50807 FM1 GEN EXPENSE \$10,000.00 To 009-0602-50906 FM1 CULVERTS \$10,000.00. – RANDY STINSON, COMMISSIONER, PCT. 1

- F2 FROM 001-0010-50808 AUTO GAS OIL \$12,256.03 To 001-0010-50503 CERTIFICATION PAY \$1,650.00; 001-0010-50702 REPAIRS \$893.43; 001-0010-50807 GENERAL MISC \$683.90; 001-0010-50809 AUTO REPAIRS \$1,597.13; 001-0010-50810 AUTO TIRES \$3,150.30; 001-0010-50815 DEPUTY UNIFORM ALLOWANCE \$640.00; 001-0010-50819 COMPUTER \$550.67; 001-0010-50835 EMPLOYEE TRAINING \$212.60; 001-0010-50865 PRE-EMPLOYEE SCREENING \$1,300.00; 001-0010-50884 AUTO INSURANCE \$1,578.00. – *CHUCK EDGE, SHERIFF*
- F3 FROM 001-0015-50873 BUILDING MECHANICAL-PREV MAINT \$12,327.92 To 001-0015-50503 CERTIFICATION PAY \$550.00; 001-0015-50702 REPAIRS \$9,237.71; 001-0015-50801 SUPPLIES \$834.23; 001-0015-50835 EMPLOYEE TRAINING \$695.00; 001-0015-50857 PERIPHERAL EXPENDITURES \$321.98; 001-0015-50865 PRE-EMPLOYEE SCREENING \$689.00. – *CHUCK EDGE, SHERIFF*
- F4 FROM 001-0015-50702 PEST CONTROL \$241.70; 001-0015-50802 EQUIPMENT \$5,245.29; 001-0015-50806 OFFICIAL BOND DUES \$1,301.42; 001-0015-50807 GENERAL MISC \$1,350.90; 001-0015-50813 FEEDING INMATES \$316.44; 001-0015-50815 JAILER UNIFORMS \$80.00; 001-0015-50819 COMPUTER \$1,118.16; 001-0015-50868 PROFESSIONAL SERVICES \$984.49; 001-0015-50873 BUILDING MECHANICAL-PREV MAINT \$11,310.71; 001-0015-50888 COMPUTER SERVICES \$255.00 To 001-0015-50813 INMATE MEDICAL \$22,204.11. – *CHUCK EDGE, SHERIFF*
- F5 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> |
|--------------------------------|----------------|-------------------|
| FIDELITY NATIONAL TITLE | 224456 | \$22,976.69 |
| JASON HUSSEY | 238457 | \$6,492.47 |

SIMPLIFIED PLAT:

SP1 CONSIDER AND ACT ON A REQUEST FOR A SIMPLIFIED PLAT OF GAINES ESTATES. THE PROPERTY CONTAINS ± 10.01 ACRES OF LAND IN THE JOHN MOTT SURVEY, ABSTRACT NO 667 LOCATED ON THE NORTHWEST CORNER OF STATE HIGHWAY 34 AND HIGH VIEW ROAD, ENNIS, ROAD & BRIDGE PRECINCT NO. 2.

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

RECESS REGULAR SESSION TO CONVENE PUBLIC HEARING 10:04 AM

MOTION BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

PUBLIC HEARING

PUBLIC HEARING REGARDING A REQUEST TO CHANGE THE SPELLING OF ROBINETT ROAD TO ROBNETT ROAD, INCLUDING CHANGING STREET SIGNS AND READDRESSING ALL PROPERTY OWNERS AND RESIDENTS ALONG THIS ROAD. THE ROAD IS APPROXIMATELY ± 4,990 FEET IN LENGTH AND IS LOCATED ON THE NORTH SIDE OF FM 813. THE PROPERTIES ARE LOCATED IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO 1.

PARTICIPANTS: IN FAVOR OF SPELLING ROBNETT ROAD

JIM PHILLIPS (KBEC) MORGAN ROBNETT WILLIAM (BILL) McMILLAN

ADJOURNMENT OF PUBLIC HEARING TO RECONVENE IN REGULAR SESSION 10:15 AM

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

DEPARTMENT OF COUNTY DEVELOPMENT

Consideration and action as may be appropriate regarding the following matters:

MINUTE ORDER NO 461.17 (1.1) CHANGING THE SPELLING OF ROBINETT ROAD TO ROBNETT ROAD, INCLUDING CHANGING STREET SIGNS AND RE-ADDRESSING ALL PROPERTY OWNERS AND RESIDENTS ALONG THIS ROAD. THE ROAD IS APPROXIMATELY ± 4,990 FEET IN LENGTH AND IS LOCATED ON THE NORTH SIDE OF FM 813. THE PROPERTIES ARE LOCATED IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PCT 1

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

MINUTE ORDER NO 462.17 (1.2) APPROVING A FINAL PLAT OF NORTH FARM ESTATES. PROPERTY CONTAINS ±60.169 ACRES OF LAND IN THE J. CHAPMAN SURVEY, ABSTRACT NO 214, LOCATED ON THE NORTH SIDE OF EAST HIGHLAND ROAD ± 3,200 FEET SOUTH OF HUNTERS GLEN DRIVE, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO 4, AS REQUESTED BY LANCE RUST.

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

MINUTE ORDER NO 463.17 (1.3) APPROVING A FINAL PLAT OF LONG BRANCH ESTATES. THE PROPERTY CONTAINS ± 59.816 ACRES OF LAND IN THE A.R. NEWTON SURVEY, ABSTRACT NO 810, LOCATED ON THE EAST SIDE OF LONG BRANCH ROAD AND SOUTH OF HAYES ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT 4.

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

MINUTE ORDER NO 464.17 (1.4) RELEASING PERFORMANCE BOND NO 309993 ISSUED BY NGM INSURANCE COMPANY, IN THE AMOUNT OF ONE MILLION ONE HUNDRED SIXTY-THREE THOUSAND SEVEN HUNDRED SEVENTY-FOUR DOLLARS & 00/100 (\$1,163,774.00) AND ACCEPT MAINTENANCE BOND NO 313298 ISSUED BY THE MAIN STREET AMERICA GROUP IN THE AMOUNT OF FOUR HUNDRED SIXTY-FIVE THOUSAND FIVE HUNDRED NINE DOLLARS AND 60/100 (\$465,509.60) FOR LONG BRANCH ESTATES, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT 4.

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

(To 3.3)

MINUTE ORDER NO 465.17 (3.3) APPROVING RESOLUTION AND DEED TO CONVEY "STRUCK OFF" PROPERTIES TO SHANNON LAFORGE. – JAKE L. BATTENFIELD OF LINEBARGER, GOGGAN, BLAIR & SAMPSON, LLP

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

PURCHASING

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

MINUTE ORDER NO 466.17 (2.1) APPROVING PURCHASE OF A FORK LIFT FROM LONE STAR FORKLIFT FOR ROAD AND BRIDGE PRECINCT 4.

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

MINUTE ORDER NO 467.17 (3.7) ACCEPTING A BID FROM ALAMO EQUIPMENT FOR A ROTARY HEAD TRIMMER WITH QUICK LINK AND QUICK HITCH FOR \$19,502.00 FROM LINE ITEM FM3 011-0704-50802. – *PAUL PERRY, COMMISSIONER, PCT. 3*

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER STINSON 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 468.17 (3.2) RE-APPOINTING TIM BIRDWELL AS ELLIS COUNTY FIRE MARSHAL FOR A 2 YEAR TERM BEGINNING DECEMBER 14, 2017 AND APPROVAL OF BOND.

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

(To 3.4)

MINUTE ORDER NO 469.17 (3.4) APPROVING CONTINUATION OF CURRENT FUNDING OF TCDRS (TEXAS COUNTY DISTRICT RETIREMENT SYSTEM) RETIREMENT PLAN FOR COUNTY EMPLOYEES. – *THERESA TAYLOR, DIRECTOR, HUMAN RESOURCES*

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

MINUTE ORDER NO 470.17 (3.5) APPROVING A JOINT RESOLUTION FOR THE ELLIS COUNTY REPUBLICAN PARTY CHAIR AND DEMOCRATIC PARTY CHAIR TO ENTER INTO A JOINT 2018 PRIMARY ELECTION SERVICES CONTRACT WITH THE ELLIS COUNTY ELECTIONS ADMINISTRATOR. – *JANA ONYON, ELECTIONS ADMINISTRATOR*

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

MINUTE ORDER NO 471.17 (3.6) APPROVING THE CURRENT COUNTY RATE OF PAY FOR ELECTION DAY POLL WORKERS, BALLOT BOARD, CENTRAL COUNTING STATION PERSONNEL DURING THE 2018 JOINT PRIMARY ELECTION, RUNOFF, AND FUTURE JOINT PRIMARY ELECTIONS. – *JANA ONYON, ELECTIONS ADMINISTRATOR*
(ELECTION JUDGE \$10.50 ASSISTANT ELECTION JUDGE \$9.50 ELECTION CLERK \$9.00)

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

(To: 3.8)

NO ACTION (3.8) INITIATE ACTIONS TO RENAME A PORTION OF GRAINERY ROAD BETWEEN HWY 35 AND HWY 77 FOR THE FAMILY OF THE LONG TIME OWNERS, AS THEIRS IS THE ONLY RESIDENTIAL ADDRESS ON THAT SECTION OF ROAD. THE PROPOSED RENAMED ROAD PORTION WOULD BE MAMIE HAM. – *PAUL PERRY, COMMISSIONER, PCT. 3*

RECESS TO CONVENE TO EXECUTIVE SESSION 10:34 AM

MOTION BY COMMISSIONER BUTLER, 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.
- 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 § 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 DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PERSON.
- 4.4 PURSUANT TO §551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION CONCERNING RECEIPT OF NOTICE OF CLAIM WITH REQUEST TO INSPECT THE COUNTY JAIL BY DISABILITY RIGHTS TEXAS.

ADJOURNMENT OF EXECUTIVE SESSION 11:39 AM

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

ADJOURNMENT

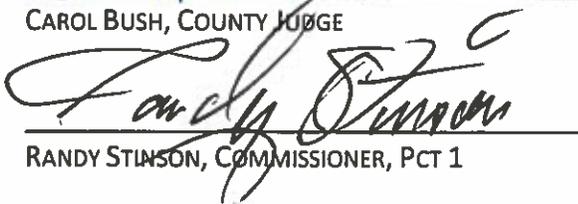
MOTION TO ADJOURN BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER STINSON CARRIES UNANIMOUSLY

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT NOVEMBER 21, 2017 ARE HEREBY APPROVED.

PRESIDING OFFICER:



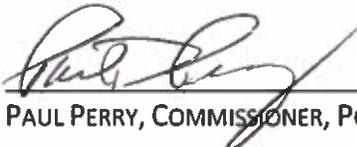
CAROL BUSH, COUNTY JUDGE



RANDY STINSON, COMMISSIONER, PCT 1



LANE GRAYSON, COMMISSIONER, PCT 2

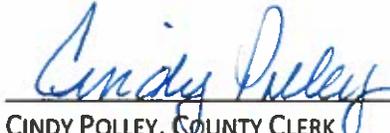


PAUL PERRY, COMMISSIONER, PCT 3



KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS FEBRUARY 27, 2017.



CINDY POLLEY, COUNTY CLERK

