

**ELLIS COUNTY COMMISSIONERS COURT  
OFFICIAL MINUTES // DECEMBER 5, 2017**

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, DECEMBER 5, 2017, 10:00 A.M., 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:

**IN ATTENDANCE:**

**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**

COUNTY JUDGE WILL 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.

**MINUTE ORDER NO 472.17 APPROVING CONSENT AGENDA**

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

**ADMINISTRATIVE:**

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

**A2 TO APPOINT JUDGE GENE CALVERT AS A MEMBER TO THE ELLIS COUNTY BAIL BOND BOARD IN THE SLOT STATUTORILY DESIGNATED FOR A JUDGE OF A COUNTY COURT OR COUNTY COURT AT LAW IN THE COUNTY HAVING JURISDICTION OVER CRIMINAL MATTERS AND DESIGNATED BY THE COMMISSIONERS COURT, TO SERVE FROM JANUARY 1, 2018 THROUGH DECEMBER 31, 2018. - CAROL BUSH, COUNTY JUDGE**

**A3 TO APPOINT SARA GARCIA AS A MEMBER TO THE ELLIS COUNTY BAIL BOND BOARD IN THE SLOT STATUTORILY DESIGNATED FOR THE COUNTY JUDGE, A MEMBER OF THE COMMISSIONERS COURT DESIGNATED BY THE COUNTY JUDGE OR A DESIGNEE APPROVED BY THE COMMISSIONERS COURT, TO SERVE FROM JANUARY 1, 2018 THROUGH DECEMBER 31, 2018. – CAROL BUSH, COUNTY JUDGE**

- A4 RECOGNITION EXPENSES FROM LINE ITEM 001-0140-50694 NOT TO EXCEED \$100.00.
- A5 ACCEPT A DONATION FROM SAM AND BECKY HIGGINS OF A FRAMED PHOTOGRAPH OF THE FIRST ELLIS COUNTY GRAND JURY FROM 1890.
- A6 THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT: SEPTEMBER 26, 2017; OCTOBER 2017; OCTOBER 10, 2017; OCTOBER 12, 2017. – CINDY POLLEY, COUNTY CLERK

**FINANCIAL:**

- F1 FROM 001-0000-30302 FUND BALANCE \$3,786.84 TO 001-0613-50820 LEOSE TRAINING \$3,786.84. – MIKE McCORKLE, CONSTABLE, PCT. 3
- F2 FROM 009-0602-50807 FM1 GEN Misc. \$15,000.00 TO 009-0602-50923 FM1 BLDG/IMPROVEMENTS \$15,000.00. – RANDY STINSON, COMMISSIONER, PCT. 1
- F3 FROM 001-0000-30301 FUND BALANCE \$113,540.00 TO 001-0140-50724 BUILDING LEASES \$108,500.00; 001-0140-50868 CONTRACT SERVICE \$5,040.00. – CAROL BUSH, COUNTY JUDGE

**SIMPLIFIED PLAT:**

- SP1 CONSIDER AND ACT ON A REQUEST FOR A SIMPLIFIED PLAT OF BETIKS EASON ROAD ESTATES. THE PROPERTY CONTAINS ± 9.384 ACRES OF LAND IN THE R. DE LA PENNA SURVEY, ABSTRACT NO. 3 LOCATED ON THE NORTH SIDE OF EASON ROAD ± 2,400 FEET EAST OF FM 879, ENNIS, ROAD & BRIDGE PRECINCT NO. 1.
- SP2 CONSIDER AND ACT ON A REQUEST FOR A SIMPLIFIED PLAT OF BUTLER-WATERS ADDITION. THE PROPERTY CONTAINS ± 5.28 ACRES OF JOHN CHAPMAN SURVEY, ABSTRACT NO. 209 LOCATED ON THE NORTH SIDE OF EAST HIGHLAND ROAD ± 750 FEET WEST OF WESTMORELAND ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF OVILLA, ROAD & BRIDGE PRECINCT NO. 4.

**PURCHASING**

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

**MINUTE ORDER NO 473.17 (1.1) APPROVING XEROX AGREEMENT FOR THE COUNTY AUDITOR'S OFFICE AND COUNTY JUDGE TO SIGNATURE. PREVIOUS MONTHLY PAYMENT \$150.35. NEW MONTHLY PAYMENT \$207.83.**

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

**ADMINISTRATIVE**

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

**MINUTE ORDER NO 474.17 (2.1) APPROVING AN ORDER PROHIBITING OUTDOOR BURNING IN ELLIS COUNTY (ENACTING BURN BAN) – TIM BIRDWELL, FIRE MARSHAL**

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

**MINUTE ORDER NO 475.17 (2.3) ACCEPTING BOND FOR THE FIRE MARSHAL, TIM BIRDWELL IN THE AMOUNT OF \$10,000**

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

**MINUTE ORDER NO 476.17 (2.2) APPROVING RESOLUTION CASTING VOTES TO ELECT TOMMY HAMILTON AS A DIRECTOR FOR THE ELLIS APPRAISAL DISTRICT BOARD FOR THE YEARS 2018-2019.**

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

**MINUTE ORDER NO 477.17 (2.4) AUTHORIZING THE COUNTY JUDGE TO SIGN THE CONTRACT AGREEMENT BETWEEN ELLIS COUNTY AND SOUTHWESTERN ASSEMBLIES OF GOD UNIVERSITY FOR THE USE OF THEIR TRAINING ROOM FACILITY FOR THE ANNUAL ELLIS COUNTY SKYWARN TRAINING ON MARCH 1, 2018. - STEPHANIE PARKER, EMERGENCY MANAGEMENT COORDINATOR**

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

*(TO: 2.6-2.10)*

**MINUTE ORDER NO 478.17 (2.6) APPROVING INTERLOCAL COOPERATION AGREEMENT BETWEEN COUNTY OF ELLIS AND CITY OF GLENN HEIGHTS FOR TERM AGREEMENT JANUARY 1, 2018 TO DECEMBER 31, 2018. – KYLE BUTLER, COMMISSIONER, PCT. 4**

**MINUTE ORDER NO 479.17 (2.7) APPROVING INTERLOCAL COOPERATION AGREEMENT BETWEEN COUNTY OF ELLIS AND CITY OF RED OAK FOR TERM AGREEMENT JANUARY 1, 2018 TO DECEMBER 31, 2018. – KYLE BUTLER, COMMISSIONER, PCT. 4**

**MINUTE ORDER NO 480.17 (2.8) APPROVING INTERLOCAL COOPERATION AGREEMENT BETWEEN COUNTY OF ELLIS AND CITY OF OVILLA FOR TERM AGREEMENT JANUARY 1, 2018 TO DECEMBER 31, 2018. – KYLE BUTLER, COMMISSIONER, PCT. 4**

**MINUTE ORDER NO 481.17 (2.9) APPROVING INTERLOCAL COOPERATION AGREEMENT BETWEEN COUNTY OF ELLIS AND CITY OF OAK LEAF FOR TERM AGREEMENT JANUARY 1, 2018 TO DECEMBER 31, 2018. – KYLE BUTLER, COMMISSIONER, PCT. 4**

MOTION BY COMMISSIONER BUTLER TO APPROVE ITEMS 2.6 – 2.9, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY *(MINUTE ORDER NOS 478.17, 479.17, 480.17 AND 481.17)*

**RECESS TO CONVENE TO EXECUTIVE SESSION 10:12 AM**

MOTION BY COMMISSIONER STINSON, 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.

- 3.1 PURSUANT TO §551.074 OF THE GOVERNMENT CODE, CONSULTATION REGARDING PERSONNEL MATTERS.
- 3.2 PURSUANT TO §551.076 OF THE GOVERNMENT CODE, CONSULTATION TO DELIBERATE THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION, OF SECURITY PERSONNEL OR DEVICES.
- 3.3 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 A DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PERSON.
- 3.4 PURSUANT TO § 551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH COUNSEL CONCERNING A SETTLEMENT OFFER INVOLVING PAM LOUDER CONCERNING PROPERTY DAMAGE TO HER 2017 TOYOTA CAMRY FROM DEBRIS THROWN FROM A MOWER OWNED BY ELLIS COUNTY AND OPERATED BY AN EMPLOYEE OF ELLIS COUNTY ROAD AND BRIDGE PRECINCT 4.

**ADJOURNMENT OF EXECUTIVE SESSION**

**11:28 AM**

MOTION BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER STINSON CARRIES UNANIMOUSLY

*(To 2.5)*

**MINUTE ORDER NO 482.17 (2.5) AUTHORIZING ASSISTANT DISTRICT ATTORNEY SALARY EXPENSES NOT TO EXCEED \$10,000 FOR DECEMBER 18, 2017 THROUGH JANUARY 15, 2018 – PATRICK WILSON, COUNTY & DISTRICT ATTORNEY**

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

**MINUTE ORDER NO 483.17 (2.11) APPROVING THE PURCHASE OF SECURITY EQUIPMENT NOT TO EXCEED \$25,000 (SUBJECT TO LEGAL REVIEW)**

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

**MINUTE ORDER NO 484.17 (2.10) AUTHORIZING THE COUNTY ATTORNEY TO OFFER AND SETTLE A CLAIM ON BEHALF OF ELLIS COUNTY INVOLVING PAM LOUDER CONCERNING PROPERTY DAMAGE TO HER 2017 TOYOTA CAMRY IN THE AMOUNT OF \$887.49 FROM DEBRIS THROWN FROM A MOWER OWNED BY ELLIS COUNTY AND OPERATED BY AN EMPLOYEE OF ELLIS COUNTY ROAD AND BRIDGE PRECINCT 4, INCLUDING OBTAINING A RELEASE OF ALL CLAIMS. – VANCE HINDS, ASSISTANT COUNTY & DISTRICT ATTORNEY**

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

**ADJOURNMENT**

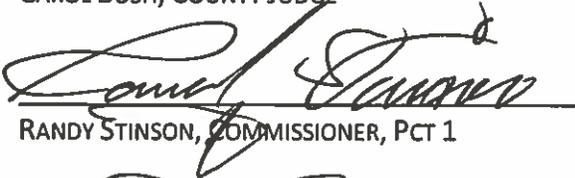
MOTION TO ADJOURN BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT DECEMBER 5, 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

