

**ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES // JANUARY 2, 2018**

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, JANUARY 2, 2018, 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:

MEMBERS 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: ANN MONTGOMERY

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 BUTLER CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE – COMMISSIONER RANDY STINSON

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 101.18 APPROVING CONSENT AGENDA

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

ADMINISTRATIVE:

A1 APPROVING REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS

A2 APPROVING THE 2017-2018 LAW LIBRARY SERVICE FEES AS FOLLOWS: PRINTING AND COPYING IN BLACK AND WHITE IS .25 CENTS PER PAGE; COLOR COPYING IS .50 CENTS PER PAGE. INCOMING FAX IS \$1.50 PER PAGE; OUTGOING FAXES \$2.00 FIRST PAGE, AND \$1.00 PER ADDITIONAL PAGE. A NOTARY FEE OF \$6.00 PER DOCUMENT AND \$1.00 PER ADDITIONAL SIGNATURE PER PAGE. THE BOARD ROOM RENTAL IS \$25.00 PER HOUR. — CARLA CATES, LAW LIBRARIAN

DEPARTMENT OF COUNTY DEVELOPMENT

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

MINUTE ORDER NO 102.18 (1.1) GRANTING A ONE-TIME VARIANCE FROM SECTION VIII (A) (RESIDENTIAL LOTS) ONE (1) OF TWO (2) LOTS DO NOT MEET THE MINIMUM ROAD FRONTAGE REQUIREMENT. THE PROPERTY CONTAINS ± 3.130 ACRES OF LAND, COMMONLY KNOWN AS 2231 PATRICK ROAD AND LOCATED ON THE WEST SIDE OF PATRICK ROAD ± 1,020 FEET SOUTH OF MULKEY ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 4.

(JOHN & TRISHA DOUGLAS IN ATTENDANCE RE: 1.1 & 1.2 ... NO REMARKS)

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

MINUTE ORDER NO 103.18 (1.2) APPROVING A REPLAT OF TRACT 5, ALLEN FAMILY ESTATES, INTO TRACT 5A AND TRACT 5B. THE PROPERTY CONTAINS ± 3.130 ACRES OF LAND AND LOCATED ON THE WEST SIDE OF PATRICK ROAD ± 1,020 FEET SOUTH OF MULKEY ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 4.

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

MINUTE ORDER NO 104.18 (1.3) GRANTING A ONE-TIME VARIANCE FROM SECTION VIII (A) (RESIDENTIAL LOTS) OF THE COUNTY OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED HOMES TO ALLOW ONE (1) SINGLE-FAMILY RESIDENCE WITHOUT MEETING THE MINIMUM ROAD FRONTAGE REQUIREMENT. THE PROPERTY CONTAINS ± 2.00 ACRES OF LAND IN THE T.J. CHAMBERS SURVEY, ABSTRACT NO. 30, COMMONLY KNOWN AS 146 HOOT LANE, ENNIS, ROAD & BRIDGE PRECINCT NO. 2.

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

PURCHASING

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

MINUTE ORDER NO 105.18 (2.1) APPROVING THE FOLLOWING ITEMS FOR SURPLUS AND TO BE DISPOSED OF ACCORDING TO THE LOCAL GOVERNMENT CODE 263:

HEWLETT PACKARD DESIGN JET 500, MODEL C7770B, SERIAL NUMBER SG08L12021; XEROX PHASER 3635 MFP, SERIAL NUMBER CNM1JC9703111AD6HCCB50921; 1997 FORD F-250, VIN 1FTHF26F4VEB74365; 1999 CHEVROLET DUMP TRUCK, VIN 1GBM7H1C6XJ101153; 1973 TANK TRAILER 6300 GALLON, SERIAL NUMBER S267373; ALAMO 60 IN. ROTARY CUTTING HEADS; ALAMO BUZZ BAR; ALAMO BOOM HYDRAULIC TANK; ALAMO BOOM PARTS; ALAMO TIMBER CUTTER; ALAMO CUTTER BOOM; 1998 BRUSH HOG; 1986 JOHN DEERE 670B MOTOR GRADER, SERIAL NUMBER DW670BX510989; 2008 FORD CROWN VICTORIA, VIN 1FAFP71V88X103856

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

MINUTE ORDER NO 106.18 (2.2) ENTERING IN TO A THIRTY (30) DAY CONTRACT EXTENSION WITH THE ELLIS COUNTY SPCA WHILE CONTRACT NEGOTIATIONS TAKE PLACE. EXTENSION WILL EXPIRE FEBRUARY 1, 2018.

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

MINUTE ORDER NO 107.18 (2.3) APPROVAL TO ENTER IN TO CONTRACT NEGOTIATIONS WITH THE ELLIS COUNTY SPCA FOR THE RFP-2018-001, ANIMAL SHELTER AND MAINTENANCE SERVICES
MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 108.18 (2.4) APPROVING XEROX AGREEMENT FOR THE 40TH DISTRICT COURT UPON SIGNATURE OF THE COUNTY JUDGE. PREVIOUS MONTHLY PAYMENT \$116.27 ... NEW MONTHLY PAYMENT \$113.87.

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

MINUTE ORDER NO 109.18 (2.5) APPROVING PURCHASE OF AN 84" SCRAP GRAPPLE BUCKET FROM AUSTIN TURF AND TRACTOR FOR ROAD AND BRIDGE PRECINCT 4. COST OF BUCKET IS \$4,825.00 TO BE PAID FROM LINE ITEM 012-0755-50802-00000-000.

MOTION TO APPROVE BY COMMISSIONER BUTLER, 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 110.18 (3.2) APPROVING ELLIS COUNTY MASS GATHERING PERMIT PROCESS AND APPLICATION. – TIM BIRDWELL, FIRE MARSHAL

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

MINUTE ORDER NO 111.18 (3.3) APPROVING INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND CITY OF PALMER BEGINNING JANUARY 1, 2018 TO DECEMBER 31, 2018. – RANDY STINSON, COMMISSIONER, PCT 1

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

MINUTE ORDER NO 112.18 (3.4) APPROVING WORK ORDER FOR PALMER ISD FOR POT HOLES REPAIRS. PARKING LOT FRONT AND REAR AT PALMER HIGH SCHOOL. MIDDLE SCHOOL PARKING LOT AND ADMINISTRATIVE BUILDING. ALSO PALMER HIGH SCHOOL FIELDHOUSE DRIVEWAY. – RANDY STINSON, COMMISSIONER, PCT 1

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

RECESS TO CONVENE TO EXECUTIVE SESSION **10:21 AM**

MOTION BY COMMISSIONER GRAYSON, 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 §551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH COUNSEL CONCERNING CAUSE NO.

96842, STATE OF TEXAS, EX REL JEFF WARD VS. MICHAEL WADE JONES – CONSTABLE OF PRECINCT 4 ELLIS COUNTY, TEXAS IN THE 443RD JUDICIAL DISTRICT COURT OF ELLIS COUNTY.

4.2 PURSUANT TO §551.074 OF THE GOVERNMENT CODE, CONSULTATION REGARDING PERSONNEL MATTERS.

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 A DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PERSON.

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

ADJOURNMENT OF EXECUTIVE SESSION 10:48 AM

MOTION BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 113.18 (3.5) APPROVING REQUEST OF COUNTY AND DISTRICT ATTORNEY FOR AN ADDITIONAL \$5,000 AS NECESSARY CONCERNING CAUSE NO. 96842, STATE OF TEXAS, EX REL JEFF WARD VS. MICHAEL WADE JONES – CONSTABLE OF PRECINCT 4 ELLIS COUNTY, TEXAS IN THE 443RD JUDICIAL DISTRICT COURT OF ELLIS COUNTY. – VANCE HINDS, ASSISTANT COUNTY & DISTRICT ATTORNEY

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

ADJOURNMENT

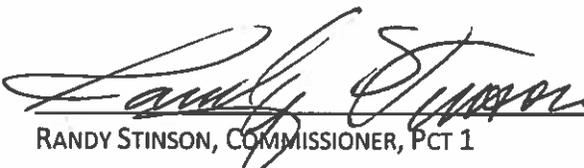
MOTION TO ADJOURN BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT JANUARY 2, 2018 ARE HEREBY APPROVED.

PRESIDING OFFICER:



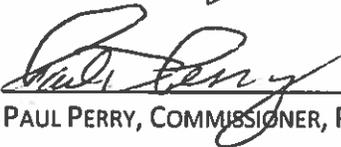
CAROL BUSH, COUNTY JUDGE



RANDY STINSON, COMMISSIONER, PCT 1



LANE GRAYSON, COMMISSIONER, PCT 2

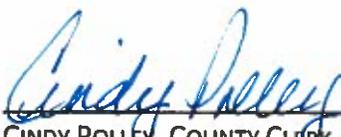


PAUL PERRY, COMMISSIONER, PCT 3



KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS MARCH 27, 2018



CINDY POLLEY, COUNTY CLERK

