

**ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES // JANUARY 30, 2018**

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, JANUARY 30, 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:

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

JUDGE BUSH CALLS MEETING TO ORDER, DECLARES QUORUM AND DECLARE NOTICES LEGALLY POSTED PURSUANT TO OPEN MEETINGS ACT.

MOTION TO OPEN COURT BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER PERRY 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 125.18 APPROVING CONSENT AGENDA

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

ADMINISTRATIVE:

A1 APPROVING REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS

FINANCIAL:

F1 FROM 011-0704-50807 FM3 GEN Misc \$53,000.00 To 011-0704-50802 FM3 PURCHASE OF EQUIPMENT \$30,000.00; 011-0704-50909 FM3 REPAIRS/PARTS \$23,000.00. – PAUL PERRY, COMMISSIONER, PCT. 3

F2 FROM 001-0614-50808 AUTO GAS \$2400.00 To 001-0614-50801 SUPPLIES \$1,000.00; 001-0614-50819 COMPUTER \$1,400.00. – MARK HOWARD, CONSTABLE, PCT. 4

F3 FROM 001-0000-30302 FUND BALANCE \$32,074.82 To 001-0140-50802 EQUIPMENT-MAINTENANCE-REPAIRS \$32,074.82.

F4 APPROVING REFUND OF OVERPAYMENT TO THE FOLLOWING ACCOUNT FOR PAYMENT IN ERROR:

REFUND TO BE ISSUED TO:	ACCOUNT	AMOUNT DUE
GUILD MORTGAGE CO.	157321	\$3,154.10
CORELOGIC	216298	\$5,011.68
CHANCY C GARRISON	226657	\$4,085.85
MICKY & JOHN NORWOOD	161536	\$3,259.03
	<u>TOTAL:</u>	<u>\$15,510.66</u>

SIMPLIFIED PLAT:

SP1 APPROVING SIMPLIFIED PLAT OF LONE OAK ESTATES. THE PROPERTY CONTAINS ± 1.6645 ACRES OF LAND IN THE A. DE LA GARZA SURVEY, ABSTRACT NO. 2 LOCATED ON THE EAST SIDE OF LONE OAK ROAD ± 2,100 FEET SOUTH OF OLD TELICO ROAD IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF ENNIS, ROAD & BRIDGE PRECINCT NO. 2.

PURCHASING

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

MINUTE ORDER NO 126.18 (1.1) APPROVING TO PURCHASE OF 2017 FORD F-350 TRUCK, VIN 1FD8W3G62HEF23611 FROM AUTONATION FORD SOUTH FORT WORTH FOR ROAD AND BRIDGE PRECINCT 3.

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

MINUTE ORDER NO 127.18 (1.2) ACCEPTING REQUIRED INSURANCE COVERAGE FROM TEXAS LAWYERS INSURANCE EXCHANGE FOR JUDGE CAROL BUSH, JUDGE GENE CALVERT AND JUDGE JIM CHAPMAN IN PLACE OF THE BONDS THAT WERE PREVIOUSLY ACCEPTED BY COMMISSIONERS COURT ON DECEMBER 19, 2017, ITEM 3.14

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

ADMINISTRATIVE

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

MINUTE ORDER NO 128.18 (2.1) APPROVING ORDER TO PROHIBIT OUTDOOR BURNING IN ELLIS COUNTY (BURN BAN) – TIM BIRDWELL, FIRE MARSHAL

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

NO ACTION (2.3) ACT OF ALLOW FIREWORKS SALES COUNTY WIDE ON THE FOLLOWING DATES: TEXAS INDEPENDENCE DAY – FEBRUARY 25, 2018 THROUGH MARCH 2, 2018; SAN JACINTO DAY – APRIL 16, 2018 THROUGH APRIL 21, 2018; MEMORIAL DAY – MAY 24, 2018 THROUGH MAY 29, 2018. – PAUL PERRY, COMMISSIONER, PCT. 3

MINUTE ORDER NO 129.18 (2.2) ACCEPTING APPLICATION OF GENEVA MAE MULLINS TO EMERGENCY SERVICES DISTRICT BOARD #1 (ESD)

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

MINUTE ORDER NO 130.18 (2.4) APPROVING CISCO SMARTNET RENEWAL QUOTE FROM FLAIR DATA SYSTEMS. – TERAL CRAWFORD, DIRECTOR, IT

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

MINUTE ORDER NO 131.18 (2.5) APPROVING PURCHASE AND INSTALLATION OF OUTDOOR SIGNAGE AT THE MIDLOTHIAN TAX OFFICE, LOCATED AT 301 NORTH 8TH STREET.

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

MINUTE ORDER NO 132.18 (2.6) APPROVING FUNDS TO SUPPORT A TEMPORARY COURT COORDINATOR POSITION FOR THE 378TH DISTRICT COURT AS FOLLOWS: FROM 001-0140-50560 COMPENS/FRINGE LIAB/STAFFING \$10,078.00 To 001-0190-50502 DEPUTIES SALARY \$9,058.00; 001-0190-50553 Soc Sec \$1,020.00.

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

RECESS TO CONVENE TO EXECUTIVE SESSION 10:31 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.

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

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

3.3 PURSUANT TO SECTION 551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH COUNSEL CONCERNING LAWSUIT CAUSE NO. 18-C-3021, THE STATE OF TEXAS VS. ROBERT EDWARD CUNNINGHAM; ASHLEY K. CUNNINGHAM; RED & RIO HOLDINGS, LTD. A TEXAS LIMITED PARTNERSHIP; MIDLOTHIAN INDEPENDENT SCHOOL DISTRICT; COUNTY OF ELLIS, TEXAS; THE CITY OF MIDLOTHIAN; UNITED STATES OF AMERICA, FOR ITS INTERNAL REVENUE SERVICE; AND INTERNAL REVENUE SERVICE, AN AGENCY OF THE UNITED STATES OF AMERICA.

ADJOURNMENT OF EXECUTIVE SESSION 11:49 PM

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

MINUTE ORDER NO 133.18 (1.3) AUTHORIZING EXTENDING CURRENT AGREEMENT FOR 30 DAYS PENDING APPROVAL OF SPCA CONTRACT.

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

MINUTE ORDER NO 134.18 (2.7) APPROVING PURCHASE OF INNOPRISE SOFTWARE FOR \$47,667 AS RECOMMENDED BY TERAL CRAWFORD, IT DIRECTOR. SUBJECT TO LEGAL REVIEW.

MOTION TO APPROVE SUBJECT TO LEGAL REVIEW BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

NO ACTION (2.8) DISCUSSION AND POSSIBLE ACTION REGARDING RADIO TOWER COMMUNICATIONS. – CHUCK EDGE, SHERIFF

ADJOURNMENT

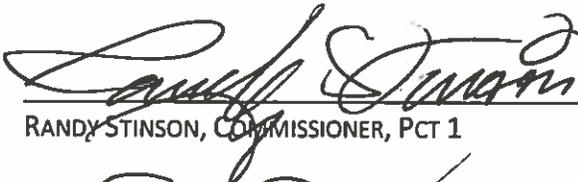
MOTION TO ADJOURN BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER STINSON CARRIES UNANIMOUSLY

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT JANUARY 30, 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

