

**ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES // FEBRUARY 27, 2018**

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, FEBRUARY 27, 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 PRESENT:

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

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 BUTLER, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY
INVOCATION AND PLEDGE OF ALLEGIANCE LED BY COMMISSIONER PAUL PERRY

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 153.18 APPROVING CONSENT AGENDA

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

ADMINISTRATIVE:

- A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 JANUARY 2017 TRAVEL REPORTS OF THE TEXAS AGRILIFE EXTENSION OFFICE
 - MARK ARNOLD, AGRICULTURE
 - RITA HODGES, FAMILY & CONSUMER SCIENCE
 - MEGAN PARR, 4H
- A3 ACCEPT THE ANNUAL RACIAL PROFILING REPORT FROM THE SHERIFF'S OFFICE. – CHUCK EDGE, SHERIFF
- A4 THIS ITEM IS PLACED ON THE AGENDA IN THE INTEREST OF TRANSPARENCY AND INFORMATION TO THE COURT. THE SHERIFF'S OFFICE WILL BE SPENDING \$6,600 FROM FORFEITED FUNDS. THE ACCOUNT IS THE IRS ACCOUNT IN FEDERAL FORFEITURES. THE PURCHASE WILL BE THREE NFA ITEMS; NAMELY MP5'S. – CHUCK EDGE, SHERIFF

- A4 APPROVAL OF OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT: NOVEMBER 7, 2017; NOVEMBER 17, 2017; NOVEMBER 21, 2017; DECEMBER 5, 2017; DECEMBER 19, 2017; DECEMBER 22, 2017; DECEMBER 29, 2017. – CINDY POLLEY, COUNTY CLERK

FINANCIAL:

- F1 FROM 001-0450-50802 EQUIPMENT \$1,000.00 To 001-0450-50809 AUTO REPAIRS \$1,000.00. – TIM BIRDWELL, FIRE MARSHAL
- F2 FROM 010-0653-30301 FM2 FUND BALANCE CARRYOVER \$40,000.00 To 010-0653-50802 FM2 PURCHASE OF EQUIPMENT \$40,000.00. – LANE GRAYSON, COMMISSIONER, PCT. 2
- F3 FROM 001-0420-50703 TELEPHONE \$1,500.00; 001-0420-50801 SUPPLIES \$3,500.00; 001-0420-50807 GENERAL MISC. \$1,500.00; 001-0420-50835 EDUCATION/TRAINING \$2,000.00; 001-0420-50889 TRANSPORT EXPENSE \$2,000.00; 001-0420-50892 FACILITIES OPERATION \$1,000.00; 001-0420-50893 DETENTION PROVISIONS \$8,000.00 To 001-0421-50703 TELEPHONE \$1,500.00; 001-0421-50801 SUPPLIES \$3,500.00; 001-0421-50807 GENERAL MISC. \$1,500.00; 001-0421-50835 EDUCATION/TRAINING \$2,000.00; 001-0421-50889 TRANSPORTATION/GAS \$2,000.00; 001-0421-50892 FACILITIES OPERATION \$1,000.00; 001-0421-50893 DETENTION PROVISIONS \$8,000.00. – JUVENILE PROBATION
- F4 FROM 001-0010-50868 CONTRACTS SVCS (SPCA & OTHER) \$2,609.01 To 001-0010-50819 COMPUTER \$2,609.01. – CHUCK EDGE, SHERIFF
- F5 FROM 009-0602-40008 FM1 INTERLOCAL \$811.75; 009-0602-50807 GEN Misc \$1,000.00 To 009-0602-50914 FM1 SIGNS \$1,811.75. – RANDY STINSON, COMMISSIONER, PCT. 1
- F6 FROM 009-0602-50807 FM1 GEN Misc \$3,000.00 To 009-0602-50923 FM1 BLDG/IMPROV. \$3,000.00. – RANDY STINSON, COMMISSIONER, PCT. 1
- F7 FROM 012-0755-30302 FM4/FUND BALANCE \$169,000.00; 012-0755-40008 FM4/INTERLOCAL \$15,000.00 To 012-0755-50802 FM4/PURCHASE OF EQUIPMENT \$169,000.00; 012-0755-50909 FM4/PARTS & REPAIRS \$15,000.00. – KYLE BUTLER, COMMISSIONER, PCT. 4
- F8 FROM 001-0613-40096 REVENUE \$736.54 To 001-0613-50820 LEOSE \$736.54. – MIKE McCORKLE, CONSTABLE, PCT. 3
- F9 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>
LERETTA, LLC	159134	\$2,763.84
SHAUN BUCKLEY	160117	\$4,833.69
WELLS FARGO	207778	\$3,056.17
WELLS FARGO	233113	\$8,533.17
WELLS FARGO	229454	\$4,518.77
WELLS FARGO	224754	\$3,290.47
WELLS FARGO	242027	\$3,755.44
WELLS FARGO	221678	\$4,783.56
WELLS FARGO	259710	\$4,172.12

CORELOGIC	232700	\$5,799.16
HOME LOAN SERVICE	242061	\$5,273.68
RICHARD FROSCH	196357	\$5,231.93
JOHN DOUGLAS	207731	\$4,112.92
RONALD KNOTT	198136	\$4,883.58
CORELOGIC	151587	\$3,198.22

(To 3.11)

MINUTE ORDER NO 154.18 (A-g) (3.11) APPROVING LEASE AGREEMENTS FOR ADA VOTING EQUIPMENT FOR ELLIS COUNTY CITIES, SCHOOL DISTRICTS, AND WATER DISTRICTS THAT WILL BE CONDUCTING ELECTIONS ON MAY 5, 2018. THIS INCLUDES THE (A) CITY OF MANSFIELD, (B) CITY OF MAYPEARL, (C) CITY OF MILFORD AND MILFORD ISD, (D) CITY OF OAK LEAF, (E) CITY OF OVILLA, (F) MAYPEARL ISD, & (G) MOUNTAIN PEAK SPECIAL UTILITY DISTRICT WHO WILL BE CONDUCTING THEIR ELECTION ON APRIL 28, 2018. – JANA ONYON, ELECTIONS ADMINISTRATOR
MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

(To 3.3)

MINUTE ORDER NO 155.18 (3.3) APPOINTING BILL DODSON, RAYMOND MOSLEY, AND LINDA SIBLEY TO SERVE ON THE ELLIS COUNTY HISTORICAL COMMISSION. – SILVIA SMITH, ELLIS COUNTY HISTORICAL COMMISSION
MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

(To 3.1)

PRESENTATION (3.1) SHERIFF CHUCK EDGE RECOGNIZES AND THANKS THE LAW ENFORCEMENT AGENCIES OF ELLIS COUNTY FOR FACILITATING THE ELLIS COUNTY CHURCH SAFETY TRAINING ON FEBRUARY 10, 2018

MINUTE ORDER NO 156.18 (3.2) APPROVING RESOLUTION DESIGNATING THE ELLIS COUNTY SHERIFF'S OFFICE SUPPORT SERVICE LIEUTENANT AS AUTHORIZED OFFICIAL TO SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR FOR THE RIFLE-RESISTANT BODY ARMOR GRANT - CHUCK EDGE, SHERIFF

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

(To 1.1)

DEPARTMENT OF COUNTY DEVELOPMENT

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

MINUTE ORDER NO 157.18 (1.1) APPROVING REPLAT OF LOT 4, MORGAN FARM, INTO LOT 4A AND LOT 4B. THE PROPERTY CONTAINS ± 18.00 ACRES OF LAND AND LOCATED ON THE WEST SIDE OF EBENEZER ROAD ±1,370 FEET SOUTH OF WILSON ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF ENNIS, ROAD & BRIDGE PRECINCT No. 1.

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

MINUTE ORDER NO 158.18 (1.2) APPROVING REPLAT OF LOTS 1 & 9, EMERALD FOREST. THE PROPERTY CONTAINS ± 8.98 ACRES OF LAND AND LOCATED AT THE INTERSECTION OF PIONEER COURT AND OAK HILL DRIVE, JUST SOUTH OF NEWT LANE, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT No. 3.

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

MINUTE ORDER NO 159.18 (1.3) GRANTING A ONE-TIME VARIANCE FROM SECTION 10-F (AMENDMENTS) OF ELLIS COUNTY ORDER 182.11 (SEPTIC ORDER) AND SECTION 8-A (RESIDENTIAL LOTS) OF THE ADOPTED RULES & REGULATIONS TO ALLOW A REPLAT OF ONE (1) LOT TO CREATE TWO (2) LOTS WITH LESS THAN ONE (1) ACRE. THE PROPERTY CONTAINS ± 1.03 ACRES OF LAND, COMMONLY KNOWN AS 1205 JACKSON STREET AND 315 BURNEY LANE, RED OAK, AND LOCATED ON THE SOUTHEAST CORNER OF JACKSON STREET AND BURNEY LANE, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF RED OAK, ROAD & BRIDGE PRECINCT No. 4.

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

MINUTE ORDER NO 160.18 (1.4) RELEASING LETTER OF CREDIT NO. 4300074145 ISSUED BY PINNACLE BANK, IN THE AMOUNT OF TWENTY-THREE THOUSAND AND ONE HUNDRED DOLLARS (\$23,100.00) FOR SNEED'S PLACE ADDITION, A PRIVATE SUBDIVISION, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF GRAND PRAIRIE, ROAD & BRIDGE PRECINCT No. 4.

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

MINUTE ORDER NO 161.18 (1.5) GRANTING A ONE-TIME VARIANCE FROM SECTION 8-A (RESIDENTIAL LOTS) OF THE ADOPTED RULES AND REGULATIONS TO ALLOW ONE (1) SINGLE-FAMILY DWELLING. THE PROPERTY CONTAINS ± 28.526 ACRES OF LAND LOCATED BETWEEN UNION HILL ROAD AND BURL MOORE ROAD, ENNIS, ROAD & BRIDGE PRECINCT No. 1.

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

PURCHASING

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

MINUTE ORDER NO 162.18 (2.1) APPROVING FOR SIGNATURE OF THE ELLIS COUNTY JUDGE A LEASE-PURCHASE AGREEMENT FOR A 2018 JOHN DEERE 544K FROM RDO EQUIPMENT FOR ROAD AND BRIDGE PRECINCT 4 ... SUBJECT TO LEGAL REVIEW.

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

MINUTE ORDER NO 163.18 (2.2) APPROVING FOR SIGNATURE OF THE ELLIS COUNTY JUDGE AN AGREED UPON CONTRACT (WITH RENEWAL OPTION) FOR RFP-2018-001 ANIMAL CONTROL SERVICES FOR ELLIS COUNTY FOR \$5,960 PER MONTH WITH AN ADDITIONAL \$20 PER ANIMAL IN EXCESS OF 1,197 ANIMALS PER YEAR, THRU SEPTEMBER 30, 2018.

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

MINUTE ORDER NO 164.18 (2.3) DECLARING LISTED VEHICLES AS SURPLUS AND TO BE DISPOSED IN ACCORDANCE OF THE LOCAL GOVERNMENT CODE 263:

1989 INTERSTATE TILT TRAILER 1JKTDV308KA601070

1999 FORD F-550 FLATBED TRUCK 1FDAF56F4XED68878

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

UPDATE (2.4) FINANCIAL SOFTWARE UPGRADE UPDATE REGARDING INNOPRISE SOFTWARE

(TO 3.4)

ADMINISTRATIVE

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

MINUTE ORDER NO 165.18 (3.4) LIFTING BURN BAN FOR ELLIS COUNTY.

– TIM BIRDWELL, FIRE MARSHAL

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

MINUTE ORDER NO 166.18 (3.5) APPROVING WORK ORDER FOR THE CITY OF GARRETT

INTERLOCAL MINUTE NO. 504.17. STREETS INCLUDE: GARRETT AVE, MARQURITE, PECAN HOLLOW, MERRITT, AND CONNOR. POTHOLE REPAIRS NOT TO EXCEED 8 HOURS OF WORK. –

RANDY STINSON, COMMISSIONER, PCT. 1

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

REPORT (3.6) COMPENSATORY TIME REPORTING FOR JANUARY AND FEBRUARY, 2018

– THERESA TAYLOR, DIRECTOR OF HUMAN RESOURCES

MINUTE ORDER NO 167.18 (3.7) APPROVING TEXAS ASSOCIATION OF COUNTIES HEALTH AND EMPLOYEE BENEFIT POOL RENEWAL OF ARTS (AFFORDABLE CARE ACT REPORTING AND TRACKING SERVICE). – THERESA TAYLOR, DIRECTOR OF HUMAN RESOURCES

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

MINUTE ORDER NO 168.18 (3.8) APPROVING INTERLOCAL AGREEMENT BETWEEN THE CITY OF ITALY AND COUNTY OF ELLIS. – PAUL PERRY, COMMISSIONER, PCT. 3

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

NO ACTION (3.9) AUTHORIZE UP TO \$12,500.00 FOR THE PURCHASE OF A GOOSENECK TRAILER UP TO 35 FT LONG WITH UP TO 28,000 LB GVWR WITH MONSTER RAMPS. – PAUL PERRY, COMMISSIONER, PCT. 3

MINUTE ORDER NO 169.18 (3.10) AUTHORIZING THE POSTING OF PUBLIC NOTICE FOR THE PROPOSED NAME CHANGE OF ANDERSON ROAD LOCATED NEAR FORRESTON, TEXAS. – TED KANTOR, ENGINEER

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

RECESS TO CONVENE TO EXECUTIVE SESSION 10:50 AM

MOTION BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER 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 A CLAIM FOR DAMAGES TO A 2016 MAZDA CX-5 TOURING OWNED BY JENNIFER TRUE THAT WAS INVOLVED WITH IN A COLLISION WITH A VEHICLE OWNED BY ELLIS COUNTY AND OPERATED BY COMMISSIONER RANDY STINSON ON JANUARY 23, 2018.
- 4.2 PURSUANT TO §551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH COUNSEL CONCERNING LAWSUIT CAUSE NO. 93563, WEBSTER V. BATES, 40TH DISTRICT COURT OF ELLIS COUNTY.
- 4.3 PURSUANT TO §551.076 OF THE GOVERNMENT CODE, CONSULTATION TO DELIBERATE THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION, OF SECURITY PERSONNEL OR DEVICES.
- 4.4 PURSUANT TO §551.074 OF THE GOVERNMENT CODE, CONSULTATION REGARDING PERSONNEL MATTERS.

ADJOURN EXECUTIVE SESSION TO RECONVENE IN REGULAR SESSION 11:25 AM

MOTION BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

(TO 3.12)

MINUTE ORDER NO 170.18 (3.12) AUTHORIZING THE COUNTY ATTORNEY TO SETTLE AND PAY CLAIM ON BEHALF OF ELLIS COUNTY INVOLVING JENNIFER TRUE IN THE AMOUNT OF \$2,467.63 CONCERNING PROPERTY DAMAGE TO HER 2016 MAZDA CX-5 TOURING WHICH WAS INVOLVED IN A COLLISION WITH A VEHICLE OWNED BY ELLIS COUNTY AND OPERATED BY COMMISSIONER RANDY STINSON OF ELLIS COUNTY ROAD AND BRIDGE PRECINCT 1, IN EXCHANGE FOR A FULL RELEASE OF ALL CLAIMS AGAINST ELLIS COUNTY.
VANCE HINDS, ASSISTANT COUNTY & DISTRICT ATTORNEY

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

ADJOURNMENT

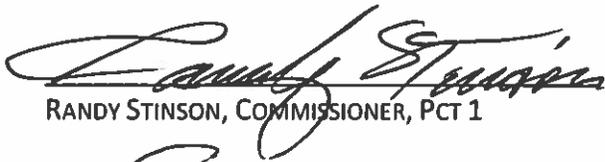
MOTION TO ADJOURN BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT FEBRUARY 27, 2018 ARE HEREBY APPROVED.

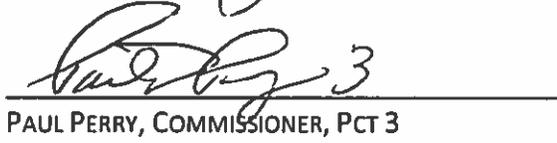
PRESIDING OFFICER:



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 MAY 8, 2018


CINDY POLLEY, COUNTY CLERK

