

**NOTICE OF MEETING
ELLIS COUNTY COMMISSIONERS COURT**

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, JUNE 5, 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:

COMMISSIONERS:

RANDY STINSON, COMMISSIONER PCT 1
LANE GRAYSON, COMMISSIONER PCT 2, PRESIDING
PAUL PERRY, COMMISSIONER PCT 3
KYLE BUTLER, COMMISSIONER PCT 4

COUNTY CLERK: CINDY POLLEY

ASSISTANT COUNTY ATTORNEY: VANCE HINDS

OPENING COURT

COMMISSIONER GRAYSON 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 RANDY STINSON

PUBLIC MEMBERS *- MEMBERS OF THE PUBLIC WILL HAVE THE OPPORTUNITY TO MAKE THEIR COMMENTS AT THE TIME THE AGENDA ITEM IS BEING ADDRESSED.

MINUTE ORDER 253.18 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

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

A2 APPROVAL OF OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT AS FOLLOWS:
APRIL 24, 2018 & MAY 8, 2018 – CINDY POLLEY, COUNTY CLERK

FINANCIAL:

F1 FROM 001-0210-40964 CONTRACTING ELECTIONS \$19,500.00 TO 001-0210-50848 HOLDING SALARY \$8,800.00; 001-0210-50942 ELECTION EXPENSES \$10,000.00; 001-0210-50823 LEGAL NOTICES \$100.00; 001-0210-50804 POSTAGE \$600.00. – JANA ONYON, ELECTIONS ADMINISTRATOR

F2 FROM 009-0602-50807 GEN. Misc \$2,500.00 TO 009-0602-50914 FM1 SIGNS \$2,500.00. – RANDY STINSON, COMMISSIONER, PCT 1

F3 FROM 001-0020-50705 ELEVATOR \$1,500.00; 001-0020-50807 GENERAL Misc. \$2,500.00 TO 001-0020-50702 REPAIRS \$4,000.00. – KEITH ROBERTS, MAINTENANCE

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

DEPARTMENT OF COUNTY DEVELOPMENT

CONSIDERATION AND ACTION AS MAY BE APPROPRIATE REGARDING THE FOLLOWING MATTERS

MINUTE ORDER 254.18 (1.1) APPROVING REPLAT OF LOT 2AR AND LOT 3 OF GREATHOUSE CIRCLE ESTATES INTO LOTS 2AR2 AND LOT3R. THE PROPERTY CONTAINS ± 24.083 ACRES OF LAND LOCATED NORTH OF GREATHOUSE CIRCLE ± 1,550 FEET WEST OF GREATHOUSE ROAD, MAYPEARL, ROAD & BRIDGE PCT NO 3.

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

MINUTE ORDER 255.18 (1.2) GRANTING A ONE-TIME VARIANCE FROM SECTION II-H (UTILITY SERVICE) OF THE COUNTY OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED HOMES TO ALLOW DEVELOPMENT OF PROPERTY WITHOUT MEETING THE MINIMUM FIRE HYDRANT REQUIREMENTS. THE PROPERTY CONTAINS ± 14.300 ACRES OF THE E. D. HARRISON SURVEY, ABSTRACT NO 429, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF ITALY, ROAD & BRIDGE PCT NO 3.

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

MINUTE ORDER 256.18 (1.3) APPROVING A PRELIMINARY PLAT OF HARPER ROAD SUBDIVISION, UNIT FOUR, LOTS 3-4. THE PROPERTY CONTAINS ± 9.704 ACRES OF LAND IN THE RAFAEL DE LA PENA SURVEY, ABSTRACT NO 3 LOCATED ON THE EAST SIDE OF HARPER DRIVE ± 1,050 FEET SOUTH OF FM 660, FERRIS, ROAD & BRIDGE PCT NO 1.

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

MINUTE ORDER 257.18 (1.4) APPROVING THE FINAL PLAT OF HARPER ROAD SUBDIVISION, UNIT FOUR, LOTS 3-4. THE PROPERTY CONTAINS ± 9.704 ACRES OF LAND IN THE RAFAEL DE LA PENA SURVEY, ABSTRACT NO 3 LOCATED ON THE EAST SIDE OF HARPER DRIVE ± 1,050 FEET SOUTH OF FM 660, FERRIS, ROAD & BRIDGE PCT NO 1.

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

MINUTE ORDER 258.18 (1.5) APPROVING THE FINAL PLAT OF H & B ESTATES, LOTS 1-13. THE PROPERTY CONTAINS ± 25.524 ACRES OF LAND IN THE J.W. BAKER SURVEY, ABSTRACT NO 35 LOCATED NORTH OF EWING ROAD ± 4,800 FEET WEST OF FM 983, FERRIS, ROAD & BRIDGE PCT NO 1.

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

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

MINUTE ORDER 259.18 (2.1) RENEWING SERVICE CONTRACT WITH GARRATT CALLAHAN FOR SHERIFF'S OFFICE. TERM WILL BE OCTOBER 1, 2018 TO SEPTEMBER 30, 2019. (\$3,600)

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

MINUTE ORDER 260.18 (2.2) APPROVING THE BROCE BROOM RENTAL FROM KIRBY SMITH AT COST OF \$2,250 PER MONTH FOR ROAD AND BRIDGE PCT 1.

MOTION TO APPROVE BY COMMISSIONER STINSON, SECOND BY COMMISSIONER PERRY 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 261.18 (3.2) ACCEPTING A DONATION IN THE AMOUNT OF \$100.00 FROM THE WAXAHACHIE JUNIOR SERVICE LEAGUE ON BEHALF OF THE SHERIFF'S OFFICE. – *CHUCK EDGE, SHERIFF*

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

MINUTE ORDER 262.18 ACCEPTING THE ANNUAL ROAD REPORTS FOR:

(3.3) ROAD & BRIDGE PCT 1 - *RANDY STINSON COMMISSIONER*

(3.4) ROAD & BRIDGE PCT 2 - *LANE GRAYSON COMMISSIONER*

(3.5) ROAD & BRIDGE PCT 4 - *KYLE BUTLER COMMISSIONER*

MOTION TO ACCEPT REPORTS BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER 263.18 (3.6) APPROVING WORK ORDER FOR THE CITY OF PECAN HILL, INTERLOCAL MINUTE ORDER NO 507.17. WORK INCLUDES: RESURFACING GLENBROOK ROAD 24 X 2,500 FT. – *RANDY STINSON, COMMISSIONER, PCT 1*

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

MINUTE ORDER 264.18 (3.7) RENEWING CONTRACT WITH DEPARTMENT OF STATE HEALTH SERVICES (DSHS) VITAL STATISTICS SECTION AND ELLIS COUNTY (CONTRACTOR) FOR THE PURPOSE OF ISSUING BIRTH CERTIFICATES THROUGH THE ELLIS COUNTY CLERK. DSHS TO PROVIDE ON-LINE COMPUTER SERVICES IN SUPPORT OF CONTRACTOR. CONTRACT WILL BEGIN SEPTEMBER 1, 2018 AND END ON AUGUST 31, 2023. – *CINDY POLLEY, COUNTY CLERK*

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

MINUTE ORDER 265.18 (3.8) ACCEPTING EXECUTION OF THE PUBLIC WORKS LICENSE AGREEMENT FOR COMPUTER SOFTWARE & SERVICES TO PROVIDE A NON-EXCLUSIVE SUBSCRIPTION LICENSE FOR USE OF ITS COMPUTER SOFTWARE PROGRAM (PUBLIC WORKS) TO ELLIS COUNTY ROAD AND BRIDGE PCT 2 AT A COST OF \$2,000.00 PER YEAR.

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

MINUTE ORDER 266.18 (3.9) ACCEPTING EXECUTION OF THE COMMUNICATIONS SYSTEM AGREEMENT MUTUAL AID ACCESS (SINGLE USE) – GOVERNMENT ENTITY WITH THE CITY OF FORT WORTH WHEREIN ELLIS COUNTY WILL BE ABLE TO ACCESS THE CITY OF FORT WORTH’S TRUNKED VOICE RADIO SYSTEM IN CONNECTION WITH PROVIDING MUTUAL AID OR EMERGENCY ASSISTANCE.

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

RECESS TO CONVENE TO EXECUTIVE SESSION 10:21 AM

MOTION BY COMMISSIONER PERRY, 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 PCT 4 ELLIS COUNTY, TEXAS IN THE 443RD JUDICIAL DISTRICT COURT OF ELLIS COUNTY

ADJOURNMENT OF EXECUTIVE SESSION 10:21 AM

MOTION BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

NO ACTION (3.10) CONSIDERATION AND ACTION AS MAY BE APPROPRIATE CONCERNING THE NEED TO EMPLOY OUTSIDE LEGAL COUNSEL TO ADVISE ELLIS COUNTY CONCERNING CONSTABLE MIKE JONES. – *VANCE HINDS, ASSISTANT COUNTY & DISTRICT ATTORNEY*

MINUTE ORDER 267.18 (3.11) ACCEPTING THE FINAL JUDGEMENT AS DECREED BY JUDGE JIM JORDAN IN THE AMOUNT OF \$34,752.90 SUBJECT TO THE APPROVAL OF THE AUDITOR ON THE AMOUNT IN THE FINAL JUDGMENT AND SUGGESTING NORMAL LANGUAGE OF THE SETTLEMENT BE ENTERED INTO AND CHECKS BE MADE TO ATTORNEY DAN GUSS AND MICHAEL JONES IN EXCHANGE FOR RELEASE OF JUDGMENT IN CAUSE NO 96842, STATE OF TEXAS, EX REL JEFF WARD VS. MICHAEL WADE JONES, CONSTABLE OF PCT 4 ELLIS COUNTY, TEXAS IN THE 443RD JUDICIAL DISTRICT COURT OF ELLIS COUNTY
(VANCE HINDS, ASSISTANT COUNTY & DISTRICT ATTORNEY)

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

MINUTE ORDER 268.18 (3.12) APPROVAL TO PROVIDE CONSTABLE MIKE JONES A KEY TO THE PROPERTY ROOM – PAUL PERRY, COMMISSIONER, PCT 3
MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

ADJOURN

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT JUNE 5, 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 **AUGUST 14, 2018**



CINDY POLLEY, COUNTY CLERK

