

**ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES /NOVEMBER 6, 2018**

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, NOVEMBER 6, 2018, 10:00 AM, 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:

MEMBERS PRESENT:

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: VANCE HINDS

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 PERRY, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY INVOCATION AND PLEDGE OF ALLEGIANCE – COMMISSIONER GRAYSON

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

MINUTE ORDER 455.18 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

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

A2 SEPTEMBER 2018 TRAVEL REPORTS OF THE TEXAS AGRILIFE EXTENSION OFFICE.

-MARK ARNOLD, AGRICULTURE

-MEGAN PARR, 4H

FINANCIAL:

F1 FROM 001-0310-50873 MAINT/RPS PFC. EQUIP \$1,844.00; 001-0310-50888 COMPUTER SERVICE \$116.00 TO 001-0310-50802 EQUIPMENT \$1,960.00. – MELANIE REED, DISTRICT CLERK

F2 FROM 001-0140-50558 CONTINGENCIES/RESERVE \$2,730.00 TO 001-0375-50502 SALARIES \$2,295.00; 001-0375-50553 SOCIAL SECURITY \$176.00; 001-0375-50554 RETIREMENT \$259.00.

F3 FROM 010-0653-50807 FM2 GENERAL EXPENSES \$10,000.00 TO 010-0653-50907 FM2 TIRES \$10,000.00. – LANE GRAYSON, COMMISSIONER, PCT. 2

F4 FROM 042-0942-30302 FUND BALANCE \$3,277.55 TO 042-0942-50802 EQUIPMENT \$3,277.55. – CHUCK EDGE, SHERIFF

F5 FROM 024-0924-50802 EQUIPMENT \$2,000.00 TO 024-0924-50831 UNIFORM \$2,000.00. –
TIM BIRDWELL, FIRE MARSHAL

SIMPLIFIED PLAT:

SP1 APPROVING A SIMPLIFIED PLAT OF GALLARDO ACRES ADDITION, LOTS 1 & 2, BLOCK A. THE PROPERTY CONTAINS A TOTAL OF ± 9.98 ACRES OF LAND IN THE R. DE LA PENNA SURVEY, ABSTRACT NO. 3 LOCATED ON THE WEST SIDE OF WICKLIFFE ROAD ± 2,400 FEET SOUTH OF FM 780, FERRIS, ROAD & BRIDGE PCT 1.

SP2 APPROVING A SIMPLIFIED PLAT OF TIMBER BROOKS ESTATES, LOTS 1-3. THE PROPERTY CONTAINS A TOTAL OF ± 9.262 ACRES OF LAND IN THE J. W. BAKER SURVEY, ABSTRACT NO. 35 LOCATED AT THE SOUTHEAST CORNER OF PALMYRA ROAD AND HUNSUCKER ROAD, RED OAK, ROAD & BRIDGE PCT 1

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

DEPARTMENT OF COUNTY DEVELOPMENT

MINUTE ORDER 456.18 1.1 GRANTING A ONE-TIME VARIANCE FROM SECTION II-H (UTILITY SERVICE) AND SECTION VIII (A) (RESIDENTIAL LOTS) OF THE COUNTY OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED) TO ALLOW UP TO THREE (3) PROPOSED LOTS FROM MEETING THE USEABLE ACREAGE, LOT SIZE, ROAD FRONTAGE REQUIREMENTS FOR PLATTING, AND FIRE HYDRANT REQUIREMENTS. THE PROPERTY CONTAINS ± 5.17 ACRES OF LAND AND COMMONLY KNOWN AS 106 & 110 GREEN MEADOWS DRIVE, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PCT NO 3.

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

MINUTE ORDER 457.18 1.2 GRANTING A ONE-TIME VARIANCE FROM SECTION II-H (UTILITY SERVICE) AND SECTION VIII (A) (RESIDENTIAL LOTS) OF THE COUNTY OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED) TO ALLOW THREE (3) PROPOSED LOTS FROM MEETING THE ROAD FRONTAGE REQUIREMENTS FOR PLATTING AND FIRE HYDRANT REQUIREMENTS. THE PROPERTY CONTAINS ± 10.101 ACRES OF LAND LOCATED AT THE SOUTHWEST INTERSECTION OF CHMELAR ROAD AND SKRIVANEK ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF ENNIS, ROAD & BRIDGE PCT NO 1.

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

MINUTE ORDER 458.18 1.3 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 SUBDIVISION OF PROPERTY WITHOUT MEETING THE MINIMUM FIRE HYDRANT REQUIREMENTS. THE PROPERTY CONTAINS A TOTAL OF ± 9.793 ACRES OF LAND IN THE A. R. MOORE SURVEY, ABSTRACT NO. 690 AND A. SANCHEZ SURVEY, ABSTRACT NO. 1036 LOCATED ON THE WEST SIDE OF

WRIGHT ROAD ± 1,400 FEET NORTH OF IH-35, WAXAHACHIE, ROAD & BRIDGE PCT NO 3.
MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

MINUTE ORDER 459.18 1.4 GRANTING A SIMPLIFIED PLAT OF AMADOR ADDITION, LOTS 1 & 2, BLOCK A. THE PROPERTY CONTAINS A TOTAL OF ± 9.793 ACRES OF LAND IN THE A. R. MOORE SURVEY, ABSTRACT NO. 690 AND A. SANCHEZ SURVEY, ABSTRACT NO. 1036 LOCATED ON THE WEST SIDE OF WRIGHT ROAD ± 1,400 FEET NORTH OF IH-35, WAXAHACHIE, ROAD & BRIDGE PCT NO 3.

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

PRESENTATION 1.5 PROVIDE A PREVIEW AND BRIEF INTRODUCTION TO THE PROPOSED AMENDMENTS TO THE ELLIS COUNTY DEVELOPMENT REGULATIONS.

PURCHASING

MINUTE ORDER 460.18 2.1 APPROVING THE LIFE SAFETY INSPECTION AND SERVICE AGREEMENT FROM LMC FIRE AND SECURITY PENDING LEGAL APPROVAL.

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

MINUTE ORDER 461.18 2.2 DECLARING THE FOLLOWING LISTED VEHICLES AS SURPLUS AND TO BE DISPOSED IN ACCORDANCE WITH LOCAL GOVERNMENT CODE 263:

2002 FORD F-150 TRUCK 1FTRX17W42KC11132

2004 FORD F-750 DURA PATCHER 3FRPF75J64V606569

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

MINUTE ORDER 462.18 2.3 APPROVING PURCHASE OF A SAND AND MUD INTERCEPTOR, MODEL SM500 AND A SAFETY END TREATMENT, MODEL SET 18-3TO1 FOR ROAD AND BRIDGE PCT 2.

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

MINUTE ORDER 463.18 2.4 APPROVING PURCHASE OF A TAILGATE CONVEYOR FOR ROAD AND BRIDGE PCT 2.

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

MINUTE ORDER 464.18 2.5 APPROVING PURCHASE OF A 2018 INTERNATIONAL 4300 SINGLE AXLE DUMP TRUCK FOR ROAD AND BRIDGE PCT 3.

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

MINUTE ORDER 465.18 2.6 APPROVING THE COUNTY JUDGE TO SIGN AN AGREEMENT WITH HIRED HANDS INC., CERTIFIED SIGN LANGUAGE INTERPRETERS FOR THE COUNTY AND DISTRICT COURTS AS NEED FOR A TERM OF ONE (1) YEAR PENDING LEGAL APPROVAL.

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

ADMINISTRATIVE

MINUTE ORDER 466.18 3.1 APPROVING PROCLAMATION DESIGNATING NOVEMBER 17, 2018 AS WORLD PANCREATIC CANCER DAY IN ELLIS COUNTY.

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

NO ACTION 3.2 BURN BAN FOR ELLIS COUNTY. – TIM BIRDWELL, FIRE MARSHAL

NO ACTION 3.3 APPROVING INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND PALMER ISD, CITY OF PECAN HILL, CITY OF FERRIS, FERRIS ISD BEGINNING JANUARY 1, 2019 TO DECEMBER 31, 2019. – RANDY STINSON, COMMISSIONER, PCT. 1

REPORT 3.4 COMPENSATORY TIME REPORTING. – THERESA TAYLOR, DIRECTOR OF HUMAN RESOURCES

NO ACTION 3.5 NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS COMMITTEE AND BOARD MEMBER APPOINTMENTS.

MINUTE ORDER 467.18 3.6 AUTHORIZING A 20 FOOT WATER EASEMENT AT THE ELLIS COUNTY FARM FOR THE CITY OF WAXAHACHIE SUBJECT TO LEGAL REVIEW

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

RECESS TO CONVENE TO EXECUTIVE SESSION

10:27 AM

MOTION BY COMMISSIONER STINSON, SECOND BY COMMISSIONER GRAYSON 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 §551.074 OF THE GOVERNMENT CODE, CONSULTATION REGARDING PERSONNEL MATTERS.

4.2 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.

ADJOURNMENT OF EXECUTIVE SESSION

10:55 AM

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

ADJOURN

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT OF NOVEMBER 6, 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 18TH DAY OF DECEMBER, 2018.



CINDY POLLEY, COUNTY CLERK

