

ELLIS COUNTY COMMISSIONERS COURT  
OFFICIAL MINUTES – MARCH 12, 2019

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, MARCH 12, 2019 AT 2:02 P.M., IN THE HISTORIC ELLIS COUNTY COURTHOUSE, COMMISSIONERS COURTROOM (2<sup>ND</sup> FLOOR) 101 W. MAIN STREET, WAXAHACHIE, TEXAS AT WHICH TIME THE FOLLOWING WAS DISCUSSED AND CONSIDERED, TO-WIT:

**MEMBERS PRESENT:**

**COUNTY JUDGE:** TODD LITTLE

**COUNTY CLERK:** KRYSTAL VALDEZ

**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**

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 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.

**RECOGNITIONS/COMMENDATIONS/AWARDS:**

AA     RECOGNIZING KEITH ROBERTS, BUILDING MAINTENANCE DIRECTOR, FOR TWENTY YEARS OF DEDICATED SERVICE TO ELLIS COUNTY. – *TODD LITTLE, COUNTY JUDGE*

**MINUTE ORDER 164.19 APPROVING CONSENT AGENDA**

**ADMINISTRATIVE:**

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

- A2 APPROVING COMMISSIONERS COURT MINUTES FROM FEBRUARY 26, 2019. – *KRYSTAL VALDEZ, COUNTY CLERK*
- A3 ACCEPTING REGULAR MONTHLY REPORTS, TRAVEL, PROGRAM ACTIVITIES FOR TEXAS A&M AGRILIFE EXTENSION AGENTS: ARNOLD, PARR AND ESPIE. – *MARK ARNOLD, TEXAS A&M AGRILIFE*
- A4 RATIFYING THE APPOINTMENT OF COMMISSIONER LANE GRAYSON AS COUNTY JUDGE PRO-TEM EFFECTIVE FEBRUARY 12, 2019. – *TODD LITTLE, COUNTY JUDGE*
- A5 ACCEPTING THE CONTINUING EDUCATION HOURS FOR COMMISSIONER RANDY STINSON. – *RANDY STINSON, COMMISSIONER, PRECINCT 1*
- A6 ACCEPTING THE TREASURER AND PUBLIC FUNDS INVESTMENT ACT CONTINUING EDUCATION HOURS FOR CHERYL CHAMBERS, ELLIS COUNTY TREASURER. – *CHERYL CHAMBERS, TREASURER*

**FINANCIAL:**

- F1 APPROVING THE REFUND OF OVERPAYMENTS TO THE FOLLOWING ACCOUNTS FOR PAYMENTS MADE IN ERROR:

<b>REFUND TO BE ISSUED:</b>	<b>ACCOUNT:</b>	<b>REFUND AMOUNT:</b>
CORELOGIC	163831	\$3,611.05
CORELOGIC	232613	\$5,198.28
CORELOGIC	199384	\$2,688.83
CORELOGIC	151132	\$3,500.00
CORELOGIC	201261	\$3,418.40
DAVID HARGROVE	256996	\$8,070.17
RANDEE ERIKSON	232569	\$3,537.91
WELLS FARGO	234476	\$5,656.25
CRABB TOMMY & CLAIRE	173619	\$3,340.80
ERE PROPERTY LLC	186563	\$15,061.25
DOVENMUEHLE MTG.	186772	\$2,615.00
FIRST UNITED BANK & TRUST MTG.	235147	\$8,887.74
FIRST UNITED BANK & TRUST MTG.	235151	\$9,377.00
BARRINGTON BANK & TRUST Co.	230123	\$3,239.23

- *JOHN BRIDGES, TAX ASSESSOR*

- F2 FROM 001-0190-508730 MAIN/RPS OFC EQUIP \$750.00 To 001-0190-507030 TELEPHONE \$750.00 – *WILLIAM WALLACE, 378TH DISTRICT COURT JUDGE*
- F3 FROM 012-0755-303020 FM4/FUND BALANCE \$150,000.00 To 012-0755-508680 FM4/CONTRACT LABOR \$150,000.00 – *KYLE BUTLER, COMMISSIONER, PRECINCT 4*

- F4 FROM 005-0703-303020 FUND BALANCE \$25,000.00 To 005-0703-509180 HARDWARE/TOOLS \$5,000.00; 005-0703-508070 GENERAL/MISC. \$20,000.00 – PAUL PERRY, COMMISSIONER, PRECINCT 3
- F5 FROM 001-0330-400960 STATE LEO \$13,367.28 To 001-0010-508200 LEOSE TRAINING \$13,367.28 – CHUCK EDGE, SHERIFF
- F6 FROM 042-0942-303020 FUND BALANCE \$336.00 To 042-0942-508020 EQUIPMENT \$336.00 – CHUCK EDGE, SHERIFF
- F7 FROM 001-0330-409845 GENERAL FUND \$67,920.00 To 001-0010-509845 GRANT \$67,920.00 – CHUCK EDGE, SHERIFF
- F8 FROM 042-0942-303020 FUND BALANCE \$18,735.90 To 042-0942-508020 EQUIPMENT \$18,735.90 – CHUCK EDGE, SHERIFF
- F9 FROM 001-0520-508730 MAINTENANCE/REPAIRS \$400.00 To 001-0520-508010 SUPPLIES \$400.00 – JACKIE MILLER, JR., JUSTICE OF THE PEACE, PRECINCT 2

**SIMPLIFIED PLAT**

- SP1 APPROVING A SIMPLIFIED PLAT OF 5F SUBDIVISION, LOTS 1 & 2. THE PROPERTY CONTAINS ± 3.00 ACRES OF LAND IN THE WILLIAM R. HERRON SURVEY, ABSTRACT NO. 445, LOCATED ON THE SOUTH SIDE OF BOZ ROAD ± 2,965 FEET EAST OF BAKERS BRANCH ROAD, WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 3.

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

**DEPARTMENT OF DEVELOPMENT**

- MINUTE ORDER 165.19 (1.1) ACCEPTING PERFORMANCE BOND NO. 1074850 IN THE AMOUNT OF \$668,195.60 ISSUED BY THE HANOVER INSURANCE COMPANY FOR MURRAY ESTATES. THE PROPERTY CONTAINS A TOTAL OF ± 39.60 ACRES OF LAND IN THE F.M. WOODWARD SURVEY, ABSTRACT NO. 1120 LOCATED ON THE NORTH SIDE OF FM 879 ± 1,120 FEET WEST OF BOYCE FIRST STREET IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 1.

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

**PURCHASING**

- MINUTE ORDER 166.19 (2.1) APPROVING A CONTRACT FOR THE PURCHASE OF 6 (SIX) AXON ENTERPRISE, INC. BODY CAMERAS FOR THE FIRE MARSHALL. THIS IS A FIVE-YEAR AGREEMENT

WITH THE FIRST YEARS COST AT \$6,120.12, YEAR 2 COST OF \$3,970.85, THIRD YEAR COST OF \$3,970.85, FOURTH YEAR COST OF \$3,970.85, FIFTH YEAR COST OF \$3,970.85 TOTALING A COST FOR FIVE (5) YEARS \$20,456.50. FOR FURTHER INFORMATION REGARDING PLAN AND PACKAGE PLEASE SEE ADDITIONAL PAPERWORK FROM AXON WITH QUOTE NUMBER Q-201485-43509.666AK. THIS WOULD BE TAKEN OUT OF COUNTY JUDGE LINE ITEM NUMBER 001-0140-50988-00000-000 LAW ENFORCEMENT CAMERAS. THIS WILL REQUIRE THE COUNTY JUDGE SIGNATURE FOR APPROVAL SINCE IT COMES FROM THAT LINE ITEM.

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

**MINUTE ORDER 167.19** (2.2) APPROVING THE COUNTY JUDGE TO SIGN AN AGREEMENT WITH DUNBAR-BRINKS FOR ARMORED CAR SERVICE FOR ELLIS COUNTY FROM JANUARY 1, 2019 THROUGH JUNE 30, 2019, NOT TO EXCEED \$4,500.00 A MONTH. CONTRACT NUMBER 18/068MR-03.

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

## ADMINISTRATIVE

(To 3.10)

**MINUTE ORDER 168.19** (3.10) REAPPOINTING TEMPORARY DIRECTORS TO ELLIS COUNTY FRESH WATER SUPPLY DISTRICT #2. – *KYLE BUTLER, COMMISSIONER, PRECINCT 4*

<b>MICHAEL ALLEY</b>	<b>JESSE BRINKMAN</b>	<b>JAMES SEARLES</b>
CITY: CEDAR HILL	CITY: BURLESON	CITY: SANGER
OCCUPATION: REALTOR	OCCUPATION: RESTAURANT MANAGER	OCCUPATION: RETAIL MANAGER

<b>TONY BOLODAR</b>	<b>JUSTIN McWILLIAMS</b>
CITY: PLANO	CITY: NORTH RICHLAND HILLS
OCCUPATION: REALTOR	OCCUPATION: WHOLESALE AUTO DEALER

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

(To 3.1)

**MINUTE ORDER 169.19** (3.1) APPROVING A RESOLUTION IN SUPPORT OF THE CREATION OF A COUNTY COURT AT LAW # 3. – *TODD LITTLE, COUNTY JUDGE*

*PUBLIC COMMENT BY: DAVE McSPADDEN AND JIM JENKINS, ATTORNEY; JUDGE CALVERT, JUDGE CHAPMAN AND JUDGE ERMATINGER*

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

**NO ACTION** (3.2) ELLIS COUNTY BURN BAN – *TIM BIRDWELL, FIRE MARSHAL/EMERGENCY MANAGEMENT COORDINATOR*

**MINUTE ORDER 170.19** (3.3) ACCEPTING THE RESIGNATION OF DANIEL BALLARD AND APPROVING THE APPLICATION FROM JOHN V. ALLEN TO REPLACE DANIEL BALLARD FOR ESD #3; TERM ENDING ON DECEMBER 31, 2019. – *TIM BIRDWELL, FIRE MARSHAL/EMERGENCY MANAGEMENT COORDINATOR*

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

**MINUTE ORDER 171.19** (3.4) APPROVING OF ELLIS COUNTY EMERGENCY OPERATION PLAN – ANNEX S (TRANSPORTATION). – *TIM BIRDWELL, FIRE MARSHAL/EMERGENCY MANAGEMENT COORDINATOR*

(3.5) APPROVING OF ELLIS COUNTY EMERGENCY OPERATION PLAN – ANNEX L (UTILITIES) – *TIM BIRDWELL, FIRE MARSHAL/EMERGENCY MANAGEMENT COORDINATOR AND TED KANTOR, ENGINEERING*

(3.6) APPROVING OF ELLIS COUNTY EMERGENCY OPERATION PLAN – ANNEX P (HAZARD MITIGATION) – *TIM BIRDWELL, FIRE MARSHAL/EMERGENCY MANAGEMENT COORDINATOR AND TED KANTOR, ENGINEERING*

(3.7) APPROVING OF ELLIS COUNTY EMERGENCY OPERATION PLAN – ANNEX K (PUBLIC WORKS & ENGINEERING) – *TIM BIRDWELL, FIRE MARSHAL/EMERGENCY MANAGEMENT COORDINATOR AND TED KANTOR, ENGINEERING*

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

**MINUTE ORDER 172.19** (3.8) AUTHORIZING THE POSTING OF A NAME CHANGE FOR A PORTION OF PUMPHOUSE ROAD AND SCHEDULE A PUBLIC HEARING FOR A PROPOSED NAME CHANGE TO SOUTH PUMPHOUSE ROAD. – *TED KANTOR, ENGINEERING*

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

**MINUTE ORDER 173.19** (3.9) APPROVING THE USE OF SANDSTONE AND GRANITE LEFT OVER FROM COURTHOUSE CONSTRUCTION BY DIVIDING IT UP BETWEEN THE COMMISSIONERS TO USE IN EACH PRECINCT. – *PAUL PERRY, COMMISSIONER, PRECINCT 3*

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

(To 3.11)

**NO ACTION** (3.11) COMPENSATORY TIME REPORTING. – *THERESA TAYLOR, DIRECTOR OF HUMAN RESOURCES*

**MINUTE ORDER 174.19** (3.12) APPROVING THE COUNTY JUDGE TO SIGN THE ARTS RENEWAL AGREEMENT WITH TAC FOR THE PURPOSES OF 1094C AND 1095C REPORTING. – *THERESA TAYLOR, DIRECTOR OF HUMAN RESOURCES*

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

(To 3.14)

**MINUTE ORDER 175.19** (3.14) AMENDING THE COURT'S ACTION ON FEBRUARY 26, 2019 CONCERNING AGENDA ITEM 3.12, THE LINE ITEM ADJUSTMENT SHOULD BE AMENDED TO THE FOLLOWING: FROM 001-0360-400260 STATE SALARY STAFF SUPPLEMENT \$12,646.65 To 001-0360-505020 DEPUTIES SALARY \$8,852.45; 001-0360-505530 SOCIAL SECURITY \$983.20; 001-0360-505540 RETIREMENT \$1,440.12; 001-0360-508010 OFFICE SUPPLIES \$870.92; 001-0360-508530 LEGAL RESEARCH \$500.00. – *VANCE HINDS, ELLIS COUNTY AND DISTRICT ATTORNEY'S OFFICE*

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

**MINUTE ORDER 176.19** (3.15) APPROVING THE EVERBRIDGE QUOTE TO CONTINUE THE MASS NOTIFICATION SYSTEM AGREEMENT, AS AMENDED, FOR AN ADDITIONAL 3 YEARS FROM MAY 21, 2019 THROUGH MAY 20, 2022, FOR \$11,962.50 PER YEAR. – *VANCE HINDS, ELLIS COUNTY AND DISTRICT ATTORNEY'S OFFICE*

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

**MINUTE ORDER 177.19** (3.16) APPROVING THE COUNTY JUDGE TO SIGN THE INTERLOCAL AGREEMENT BETWEEN THE NORTH CENTRAL TEXAS EMERGENCY COMMUNICATIONS DISTRICT AND ELLIS COUNTY FOR REGIONAL 9-1-1 SERVICE. – *CHUCK EDGE, SHERIFF*

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

**RECESS TO CONVENE TO EXECUTIVE SESSION** **3:50 P.M.**

MOTION TO APPROVE 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 §551.074 OF THE GOVERNMENT CODE, CONSULTATION REGARDING PERSONNEL MATTERS.
- 4.2 PURSUANT TO SECTION 551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION CONCERNING COURT COSTS CHARGED BY THE COUNTY CLERK'S OFFICE. – VANCE HINDS, ELLIS COUNTY AND DISTRICT ATTORNEY'S OFFICE.
- 4.3 PURSUANT TO SECTION 551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION, CONCERNING A MOTOR VEHICLE ACCIDENT OCCURRING ON DECEMBER 17, 2018 RESULTING IN DAMAGE TO A VEHICLE OWNED BY TERESA MCGEE. – VANCE HINDS, ELLIS COUNTY AND DISTRICT ATTORNEY'S OFFICE.

## **ADJOURNMENT OF EXECUTIVE SESSION TO RECONVENE TO REGULAR SESSION 4:58 P.M.**

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

(To 3.13)

**MINUTE ORDER 178.19** (3.13) AUTHORIZING THE COUNTY ATTORNEY TO OFFER AND SETTLE A CLAIM ON BEHALF OF ELLIS COUNTY INVOLVING TERESA MCGEE CONCERNING PROPERTY DAMAGE TO HER 2018 TOYOTA RAV4 ON DECEMBER 17, 2018 FOR THE AMOUNT OF \$1,199.48, INCLUDING OBTAINING A RELEASE OF ALL CLAIMS. – VANCE HINDS, ELLIS COUNTY AND DISTRICT ATTORNEY'S OFFICE

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

## **ADJOURNMENT 5:00 P.M.**

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT OF MARCH 12, 2019 ARE HEREBY APPROVED.

PRESIDING OFFICER:

  
\_\_\_\_\_  
TODD LITTLE, 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 26TH DAY OF MARCH 2019.

  
\_\_\_\_\_  
KRYSTAL VALDEZ, COUNTY CLERK

