

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – APRIL 9, 2019

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, APRIL 9, 2019 AT 2:00 P.M., 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: 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 PERRY, SECOND BY COMMISSIONER GRAYSON, CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE – *TODD LITTLE, COUNTY JUDGE*

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

RECOGNITION/COMMENDATIONS/AWARDS

AA RECOGNIZING BRENDA BECK FOR 35 YEARS OF DEDICATED SERVICE TO ELLIS COUNTY. – TODD LITTLE, COUNTY JUDGE.

MINUTE ORDER 191.19 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

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

- A2 APPROVING COMMISSIONERS COURT MINUTES FROM MARCH 26, 2019. – *KRYSTAL VALDEZ, COUNTY CLERK*
- A3 RECOGNIZING COMMISSIONER PAUL PERRY’S CONTINUING EDUCATION HOURS FROM THE COUNTY INVESTMENT ACADEMY RELATED TO THE PUBLIC FUNDS INVESTMENT ACT. – *PAUL PERRY, COMMISSIONER, PRECINCT 3*
- A4 ACCEPTING THE RESIGNATION OF PURCHASING AGENT EFFECTIVE FRIDAY, APRIL 26, 2019. – *ELLIS COUNTY COMMISSIONERS’ COURT*
- A5 PRE-APPROVING THE REQUEST FOR EXPENDITURES FOR THE LAST MEETING OF THE THOROUGHFARE PLAN TECHNICAL ADVISORY COMMITTEE IN AN AMOUNT NOT TO EXCEED \$300. EXPENDITURES FOR THIS REQUEST WILL COME FROM PERMANENT IMPROVEMENT ACCOUNT LINE ITEM No. 018-0908-507130 (THOROUGHFARE PLAN). – *ALBERTO MARES, DEPARTMENT OF DEVELOPMENT*

FINANCIAL:

F1 APPROVING REFUNDS TO THE FOLLOWING ACCOUNTS:

| <u>REFUND TO BE ISSUED:</u> | <u>ACCOUNT NUMBER</u> | <u>REFUND AMOUNT</u> |
|-----------------------------|-----------------------|----------------------|
| WELLS FARGO HOME | 182186 | \$2,609.87 |
| CORELOGIC | 229038 | \$3,435.73 |
| JHH CENTURY LLC | 216999 | \$3,565.63 |
| JHH CENTURY LLC | 216997 | \$3,422.00 |
| NATIONAL WHOLESALE SUPPLY | 179109 | \$3,375.34 |
| CARRINGTON MTG. SERVICES | 229868 | \$6,208.97 |
| CORELOGIC | 229782 | \$5,002.59 |
| CROSS FENCE DEVELOPMENT | 188040 | \$13,597.96 |
| CENLAR | 182799 | \$4,727.47 |

JOHN BRIDGES, TAX ASSESSOR

- F2 FROM 001-0010-509040 ANIMAL CONTROL \$15.30 To 001-0010-508470 PROMOTIONAL & PRINTING \$15.30 – *CHUCK EDGE, SHERIFF*
- F3 FROM 009-0602-508070 FM1 GEN MISC. \$2,500.00 To 009-0602-509060 FM1 CULVERTS \$2,500.00 – *RANDY STINSON, COMMISSIONER, PRECINCT 1*
- F4 FROM 010-0653-509120 FM2 BRIDGE REPAIRS \$33,000.00 To 010-0653-508680 FM2 CONTRACT LABOR \$33,000.00 – *LANE GRAYSON, COMMISSIONER, PRECINCT 2*
- F5 FROM 001-0015-508070 GENERAL MISC. \$481.69 To 001-0015-508030 FURNITURE-FIXTURES \$481.69 – *CHUCK EDGE, SHERIFF*
- F6 FROM 042-0940-303020 FUND BALANCE \$5,087.95 To 042-0942-508020 EQUIPMENT \$5,087.95 – *CHUCK EDGE, SHERIFF*

- F7 FROM 001-0430-508080 GAS \$200.00 TO 001-0430-508010 SUPPLIES \$200.00 – SAMANTHA PICKETT, EMERGENCY MANAGEMENT COORDINATOR
- F8 FROM 001-0140-505580 CONTINGENCIES/RESERVE \$35,250.00 TO 001-0210-509420 ELECTION EXPENSES \$14,000.00; 001-0210-508480 HOLDING SALARY \$20,000.00; 001-0210-580230 LEGAL NOTICES \$1,250.00 – JANA ONYON, ELECTIONS

SIMPLIFIED PLAT

- SP1 APPROVING A SIMPLIFIED PLAT OF MARTINEZ ESTATES, LOTS 1-3. THE PROPERTIES CONTAIN ± 15.046 ACRES OF LAND IN THE J. BARKER SURVEY, ABSTRACT NO. 35 LOCATED ON THE NORTH SIDE OF WESTER ROAD ± 4348.10 FEET EAST OF PALMYRA ROAD, IN FERRIS, ROAD & BRIDGE PRECINCT NO. 1.

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

DEPARTMENT OF DEVELOPMENT

- MINUTE ORDER 192.19** (1.1) APPROVING A REQUEST TO RATIFY A ONE-TIME VARIANCE FOR PEACEFUL PRAIRIE ESTATES, LOTS 1 & 2 FROM SECTION IV (B)(5) (LOT WIDTH AND DEPTH) OF THE SUBDIVISION DEVELOPMENT STANDARDS. THE PROPERTIES CONTAIN ± 6.038 ACRES OF LAND IN THE J. BARKER SURVEY, ABSTRACT NO. 40 LOCATED ON THE EAST SIDE OF LONE ELM ROAD ± 800 FEET SOUTH OF EAST FM 875, IN THE ETJ OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 3.

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

- MINUTE ORDER 193.19** (1.2) APPROVING A ONE-TIME VARIANCE, SUBJECT TO CONDITIONS, FOR PARCEL ID NO. 179593 FROM SECTION IV (B)(2) (RESIDENTIAL LOTS) OF THE SUBDIVISION DEVELOPMENT STANDARDS TO ALLOW ONE (1) LOT WITHOUT MEETING THE MINIMUM PUBLIC ROAD FRONTAGE. THE PROPERTY CONTAINS ± 1.124 ACRES OF LAND ON THE WEST SIDE OF ANDREA ROAD, ± 305 FEET SOUTH OF SHANNON COURT IN THE ETJ OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 4. REQUEST WAS TABLED ON MARCH 26, 2019.

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

- MINUTE ORDER 194.19** (1.3) APPROVING A REQUEST TO REPLAT THE SECOND INSTALLMENT OF YALE FARM, TRACT 6A AND TRACT 6B. THE PROPERTY CONTAINS A TOTAL OF ± 4.191 ACRES LOCATED ON THE NORTH SIDE OF W PECAN TREE ROAD, ± 1,574 FEET SOUTH AND EAST OF HIGHT ROAD IN WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 3

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

MINUTE ORDER 195.19 (1.4) APPROVING A REQUEST TO REPLAT SUBURBAN ESTATES, LOTS 88R & 91R. THE PROPERTIES CONTAIN A TOTAL OF ± 3.406 ACRES OF LAND LOCATED ON THE WEST SIDE OF EPPS RD. ± 670 FEET NORTH OF GOLIAD CIRCLE, PALMER, ROAD & BRIDGE PRECINCT NO. 1

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

MINUTE ORDER 196.19 (1.5) APPROVING A REQUEST TO ACCEPT A PERFORMANCE BOND FOR EYRIE MEADOWS SUBDIVISION ISSUED BY NGM INSURANCE COMPANY LOCATED IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF MAYPEARL, ROAD & BRIDGE PRECINCT No. 3

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

PURCHASING

MINUTE ORDER 197.19 (2.1) APPROVING THE COUNTY JUDGE TO SIGN A LEASE AGREEMENT WITH BANCORPSOUTH FOR A 2019 MACK GRANITE GR64F DUMP TRUCK FOR ROAD & BRIDGE PRECINCT 2. THIS WILL BE A 13-MONTH LEASE WITH A BUYBACK OPTION FROM EAST TEXAS MACK. THIS WILL BE BANCORPSOUTH EQUIPMENT FINANCE AGREEMENT NO. 10657 70806-007. EQUIPMENT COST \$133,515.48.

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

MINUTE ORDER 198.19 (2.2) APPROVING THE COUNTY JUDGE TO SIGN A LEASE PURCHASE AGREEMENT WITH CAT FINANCIAL FOR ROAD & BRIDGE PRECINCT 4. LEASE TERM WILL BE MADE IN 4 PAYMENTS AS FOLLOWS: 3 ANNUAL PAYMENTS AT \$67,338.31, 1 ANNUAL PAYMENT OF \$1.00 PLUS ANY OTHER AMOUNTS OWING. AMOUNT FINANCED IS \$250,890.00

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

MINUTE ORDER 199.19 (2.3) ACCEPTING THE SOLE SOURCE PURCHASE AFFIDAVIT FROM MARTIN MARIETTA FOR HYDRATED CEMENT "SUPER SLURRY". PRICING IS EFFECTIVE THROUGH FEBRUARY 28, 2020.

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

ADMINISTRATIVE

NO ACTION

(3.1) ELLIS COUNTY BURN BAN AND INTRODUCTION OF SAMANTHA PICKETT, ELLIS COUNTY EMERGENCY MANAGEMENT COORDINATOR. — *TIM BIRDWELL, FIRE MARSHALL*

MINUTE ORDER 200.19 (3.2) ACCEPTING A RESOLUTION REGARDING THE REGULATION OF THE SALE OF FIREWORKS FOR ELLIS COUNTY— *TIM BIRDWELL, FIRE MARSHALL*

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

MINUTE ORDER 201.19 (3.3) APPROVING THE FUND BALANCE TRANSFERS AS FOLLOWS TO ADDRESS THE FLEET LINE IN DEPARTMENT 140. FROM 001-0000-303020 FUND BALANCE \$74,204.00; 001-0000-303020 SHERIFFS PORTION \$3,239.28 TO 001-0140-508110 FLEET PURCHASE \$74,204.00; 001-0140-508110 FLEET PURCHASE \$3,239.28 — *MIYKAEL REEVE, CGFO, AUDITOR*

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

- *COMMISSIONER STINSON ABSTAINED FROM VOTING.*

MINUTE ORDER 202.19 (3.4) APPROVING A BUDGET AMENDMENT FOR THE RADIO TOWER PROJECT. THESE FUNDS WERE PREVIOUSLY APPROVED IN 2018 AND WERE ROLLED INTO THE FUND BALANCE, ROLLING BACK OUT. — *MIYKAEL REEVE, CGFO AUDITOR*

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

MINUTE ORDER 203.19 (3.5) APPROVING THE COMPREHENSIVE ANNUAL AUDIT REPORT FOR THE FISCAL YEAR END 2018. — *MIYKAEL REEVE, CGFO, AUDITOR*

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

MINUTE ORDER 204.19 (3.6) APPROVING THE COUNTY JUDGE TO SIGN THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY GRANT AGREEMENT FOR EMISSIONS REDUCTION INCENTIVE GRANTS PROGRAM. — *PAUL PERRY, COMMISSIONER, PRECINCT 3*

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

MINUTE ORDER 205.19 (3.7) APPROVING A PAYMENT TO THE ROTARY CLUB OF WAXAHACHIE FOR THE FLAG PROGRAM IN THE AMOUNT OF \$160.00 FOR PRECINCT 3, LINE ITEM 005-0703-508070 GEN. MISC. — *PAUL PERRY, COMMISSIONER, PRECINCT 3*

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

MINUTE ORDER 206.19 (3.8) ACCEPTING THE COUNTY JUDGE VEHICLE USE POLICY. — *ERIK TEST, CHIEF OF STAFF, OFFICE OF THE COUNTY JUDGE*

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

MINUTE ORDER 207.19 (3.9) ACCEPTING THE RESOLUTION REGARDING THE CREATION OF A HEALTHCARE PROVIDER PARTICIPATION FUND IN ELLIS COUNTY. — *ELLIS COUNTY COMMISSIONERS' COURT*

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

MINUTE ORDER 208.19 (3.10) APPROVING A RESOLUTION TO ADOPT THE ELECTION SYSTEM AND SOFTWARE VOTING SYSTEM WITH THE EXPRESSVOTE, DS200 TABULATOR SCANNERS AND DS450 CENTRAL SCANNER, TO BE USED FOR ALL VOTING IN ELLIS COUNTY. THIS EQUIPMENT WILL BE USED IN THE ELECTION PROCESS FOR EARLY VOTING IN PERSON, ABSENTEE, ELECTION DAY AND PROVISIONAL VOTING FOR ALL FUTURE ELECTIONS HELD IN ELLIS COUNTY. THIS ADOPTION IS REQUIRED BY THE TEXAS ELECTION CODE SECTION 123.001. — *JANA ONYON, ELECTIONS*

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

NO ACTION (3.11) COMPENSATORY TIME REPORT. — *THERESA TAYLOR, HUMAN RESOURCES*

MINUTE ORDER 209.19 (3.12) APPROVING THE PURCHASE OF 2.2 ACRES OF LAND FROM MOUNT AUBURN, LLC AS RIGHT OF WAY FOR BRYSON LANE FOR \$36,443.00 CONTINGENT UPON THE SELLER PROVIDING CLEAR TITLE AND REMOVING ALL ENCUMBRANCES TO THE 2.2 ACRES. APPROVAL INCLUDES THE AUTHORITY TO SIGN AN UNIMPROVED PROPERTY CONTRACT TO INITIATE THE SALE WITH A PAYMENT OF \$500.00 AS EARNEST MONEY. APPROVAL ALSO INCLUDES THE PURCHASE OF TITLE POLICY INSURANCE FOR THE PARCEL AND THE COSTS OF CLOSING AT TOWN SQUARE TITLE. TITLE POLICY AND CLOSING COSTS ARE IN ADDITION TO THE \$36,443.00. MOUNT AUBURN, LLC RETAINS THE MINERAL RIGHTS FROM THE PARCEL. ELLIS COUNTY AGREES TO

REPLACE THE BOUNDARY FENCE LOCATED IN THE ROW TO THE APPROPRIATE LOCATION ON MOUNT AUBURN, LLC'S REMAINING PARCEL. FUNDS FOR THIS PURCHASE WILL COME FROM RIGHT OF WAY FUND No. 25 PER THE COUNTY AUDITOR. – VANCE HINDS, ELLIS COUNTY AND DISTRICT ATTORNEY'S OFFICE.

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

ADJOURNMENT **3:06 P.M.**

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT OF APRIL 9, 2019 ARE HEREBY APPROVED.

PRESIDING OFFICER:



TODD LITTLE, COUNTY JUDGE



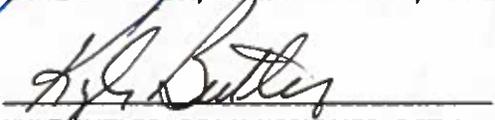
RANDY STINSON, COMMISSIONER, PCT 1



PAUL PERRY, COMMISSIONER, PCT 3

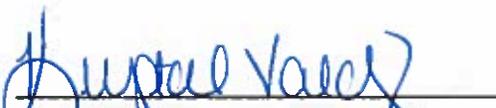


LANE GRAYSON, COMMISSIONER, PCT 2



KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 23RD DAY OF APRIL 2019.



KRystal VALDEZ, COUNTY CLERK

