

ELLIS COUNTY COMMISSIONERS COURT  
OFFICIAL MINUTES – MAY 7, 2019

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, MAY 7, 2019 AT 2:01 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:** SHERYL GROUND, DEPUTY

**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 BUTLER, SECOND BY COMMISSIONER PERRY, CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE – *COMMISSIONER LANE GRAYSON*

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 PROCLAMATION: MOTORCYCLE SAFETY AWARENESS MONTH – *JIMMY "SUDS" VAUGHN, ELLIS COUNTY SHARE THE ROAD COMMITTEE*

**MINUTE ORDER 216.19 APPROVING CONSENT AGENDA**

**ADMINISTRATIVE:**

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

- A2 APPROVING COMMISSIONERS COURT MINUTES FROM APRIL 23, 2019. – *KRYSTAL VALDEZ, COUNTY CLERK*

**FINANCIAL:**

- F1 FROM 009-0602-508070 FM1 GEN Misc. \$5,000.00 To 009-0602-509060 FM1 CULVERTS \$5,000.00 – *RANDY STINSON, COMMISSIONER, PRECINCT 1*
- F2 FROM 011-0704-508070 FM3 GEN Misc. \$10,000.00 To 011-0704-509060 CULVERTS \$10,000.00 – *PAUL PERRY, COMMISSIONER, PRECINCT 3*
- F3 FROM 005-0703-400030 RB3 Misc. REIMBURSEMENTS \$260,00.00 To 005-0703-508070 GENERAL/Misc. \$260,000.00 – *PAUL PERRY, COMMISSIONER, PRECINCT 3*
- F4 FROM 011-0704-508070 FM3 GEN/Misc. \$30,000.00 To 011-0704-509090 FM3 REPAIR/PARTS \$30,000.00 – *PAUL PERRY, COMMISSIONER, PRECINCT 3*
- F5 FROM 001-0450-508020 EQUIPMENT \$1,500.00 To 001-0450-508050 CONFERENCE \$1,500.00 – *TIM BIRDWELL, FIRE MARSHALL*
- F6 FROM 001-0390-508190 COMPUTER \$1,029.00 To 001-0390-508110 AUTO PURCHASE/INS. \$29.00; 001-0390-508050 CONFERENCE \$500.00; 001-0390-506010 TRAVEL REIMBURSEMENT \$500.00 – *TODD LITTLE, COUNTY JUDGE*
- F7 FROM 001-0140-505600 COMPENS/FRINGE LIAB/STAFFING \$12,108.69 To 001-0230-505020 SALARY \$10,203.81; 001-0230-505530 Soc Sec \$780.59; 001-0230-505540 RETIREMENT \$1,124.29 – *THERESA TAYLOR, HUMAN RESOURCES*

**SIMPLIFIED PLAT**

- SP1 APPROVING A SIMPLIFIED PLAT OF HOUSTON MEADOWS. THE PROPERTY CONTAINS ± 10.10 ACRES OF LAND IN THE J. BENTON SURVEY, ABSTRACT No. 39 LOCATED ON THE NORTH SIDE OF OLD MAYPEARL ROAD ± 2,880 FEET WEST OF S. OAK BRANCH ROAD, WAXAHACHIE, ROAD & BRIDGE PRECINCT No. 3.
- SP2 APPROVING A SIMPLIFIED PLAT OF HIDDEN FALLS ADDITION. THE PROPERTY CONTAINS ± 20.944 ACRES OF LAND IN THE I. GLAZE SURVEY, ABSTRACT No. 397, BBB & CRR SURVEY, ABSTRACT No. 175, AND THE S. WILSON SURVEY, ABSTRACT No. 1141 LOCATED ON THE NORTH SIDE OF YOUNGBLOOD ROAD ± 2,700 FEET EAST OF GIBSON ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT No. 1.
- SP3 APPROVING A SIMPLIFIED PLAT OF COWBOY ACRES, LOTS 1-4, BLOCK 1. THE PROPERTY CONTAINS ± 9.4184 ACRES OF LAND IN THE ELLIS COUNTY SCHOOL LAND SURVEY, ABSTRACT No. 328, LOCATED SOUTH OF EAST PECAN TREE ROAD ± 1125 FEET WEST OF ONION CREEK ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT No. 3.

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

## **DEPARTMENT OF DEVELOPMENT**

**MINUTE ORDER 217.19** (1.1) APPROVING A FINAL PLAT OF IKE FARMS, PHASE 1. THE PROPERTY CONTAINS A TOTAL OF ± 19.483 ACRES OF LAND IN THE T. JACKSON SURVEY, ABSTRACT NO. 574 LOCATED AT THE SOUTHWEST CORNER OF IKE ROAD AND FM 878 IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 1

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

## **PURCHASING**

**MINUTE ORDER 218.19** (2.1) APPROVING TO MOVE FORWARD ON THE CONCRETE REPAIRS UTILIZING LOCAL GOVERNMENT CODE 262.0225 FOR ROAD AND BRIDGE PRECINCT 4.

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

**MINUTE ORDER 219.19** (2.2) APPROVING THE SURPLUS OF THE FOLLOWING VEHICLES IN ACCORDANCE WITH LOCAL GOVERNMENT CODE 263:

2005 FORD F-150, VIN 1FTRF122X5NA62932

2005 FORD F-150, VIN 1FTRF12285NA62931

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

**MINUTE ORDER 220.19** (2.3) RESCINDING THE CAT FINANCIAL CONTRACT APPROVED ON THE APRIL 9, 2019 COMMISSIONERS COURT AGENDA.

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

**MINUTE ORDER 221.19** (2.4) APPROVING THE PURCHASE OF THE 140m<sup>3</sup> MOTOR GRADER FROM HOLT CAT (CONTRACT PENDING LEGAL).

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

**MUNUTE ORDER 222.19** (2.5) DECLARING THE LISTED VEHICLES AND PROPERTY AS SURPLUS FOR ROAD AND BRIDGE PRECINCT 2 AND TO BE DISPOSED IN ACCORDANCE WITH LOCAL GOVERNMENT CODE 263:

1 STORAGE TANK – 900 GALLONS – NO SERIAL NUMBER ASSIGNED  
2004 FORD F-750 VIN 3FRPF75J64V606569  
1998 D4HCAT – DOZER TRACTOR VIN/SERIAL NUMBER 8BP01216  
1972 HYSTER LOWBOY TRAILER VIN 16315  
MILLER WELDER VIN/SERIAL NUMBER 93060508

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

**MINUTE ORDER 223.19** (2.6) DECLARING THE LISTED ITEM AS SURPLUS FOR THE OFFICE OF THE COUNTY JUDGE AND TO BE DISPOSED OF IN ACCORDANCE WITH LOCAL GOVERNMENT CODE 263.152(4):

FRAMED PRINT OF THE HISTORIC COURTHOUSE

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

**MINUTE ORDER 224.19** (2.7) APPROVING THE DONATION OF A FRAMED PRINT OF THE HISTORIC COURTHOUSE TO THE WAXAHACHIE EXTENSION OFFICE OF CONGRESSMAN RON WRIGHT IN ACCORDANCE WITH LOCAL GOVERNMENT CODE 263.152

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

**MINUTE ORDER 225.19** (2.8) APPROVING THE PURCHASE OF A SCORPION TL2 WITH A 12 VOLT ELECTRIC SYSTEM, AUTO BREAKAWAY BREAK SYSTEM, SAFETY CABLES & STANDARD REF SHEETING FOR ROAD AND BRIDGE PRECINCT 2.

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

**MINUTE ORDER 226.19** (2.9) APPROVING THE INTERLOCAL AGREEMENT WITH SMITH COUNTY FOR JOINT PURCHASING.

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

## **ADMINISTRATIVE**

### **NO ACTION**

(3.1) ELLIS COUNTY BURN BAN. – *TIM BIRDWELL, FIRE MARSHALL*

**MINUTE ORDER 227.19** (3.2) AUTHORIZING THE COUNTY JUDGE TO SIGN AN AFFIDAVIT REGARDING TOUGH MUDDER EVENT IN MIDLOTHIAN AT TEXPLEX. – *FRANK WHEATLEY, TOUGH MUDDER*

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

**MINUTE ORDER 228.19** (3.3) APPROVING THE EMPLOYMENT OF TEMPORARY PURCHASING AGENT HANNAH MCCLEARY TO BE PAID AN HOURLY RATE NOT TO EXCEED BUDGETED RATE FOR PURCHASING AGENT. – *TODD LITTLE, COUNTY JUDGE*

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

**MINUTE ORDER 229.19** (3.4) APPROVING THE COUNTY JUDGE TO SIGN THE INTER-LOCAL COOPERATION CONTRACT AND AGREEMENT FOR DETENTION SERVICES BETWEEN THE COUNTY OF ELLIS AND THE CITY OF WAXAHACHIE FOR CLASS C MISDEMEANOR OFFENSES ONLY. THE CONTRACT AND AGREEMENT HAS BEEN REVIEWED BY LEGAL PRIOR TO HAVING THE CITY OF WAXAHACHIE SIGN. – *CHUCK EDGE, SHERIFF*

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

**MINUTE ORDER 230.19** (3.5) APPROVING AND AUTHORIZING THE COUNTY JUDGE TO SIGN AN AGREEMENT BETWEEN THE TEXAS POLICE CHIEFS ASSOCIATION FOUNDATION AND ELLIS COUNTY TO ALLOW THE SHERIFF'S OFFICE TO SEEK RECOGNIZED STATUS IN THE FOUNDATION'S RECOGNITION PROGRAM. – *CHUCK EDGE, SHERIFF*

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

**MINUTE ORDER 231.19** (3.6) APPROVING THE COUNTY JUDGE TO SIGN CAREER SKILLS PROGRAM AGREEMENT FOR AN INTERN IN THE VETERAN SERVICES OFFICE. – *THERESA TAYLOR, DIRECTOR OF HUMAN RESOURCES*

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

**MINUTE ORDER 232.19** (3.7) APPROVING TxDOT "AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS (FIXED PRICE)" RCSJ 0596-02-053, CSJ 0596-02-040, FM 66 AT COFFEE BRANCH. – *TED KANTOR, ENGINEER*

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

**MINUTE ORDER 233.19** (3.8) APPROVING TxDOT "AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS (FIXED PRICE)" RCSJ 1393-01-018, CCSJ 1393-01-015, FM 308 AT DRAW (0.3 MI. NW OF IH 35E). – *TED KANTOR, ENGINEER*

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

**DEPARTMENTAL REPORTS – NO DELIBERATION OR ACTION TO BE TAKEN**

- D1 DEPARTMENT OF DEVELOPMENT – ALBERTO MARES
- D2 ENGINEER – TED KANTOR

**CITIZENS TO BE HEARD ON NON-RELATED AGENDA ITEMS – NO ACTION TO BE TAKEN**  
(MAXIMUM THREE (3) MINUTES PER INDIVIDUAL OR FIVE (5) MINUTES FOR GROUP REPRESENTATIVES)  
– *COUNTY JUDGE TODD LITTLE*

CITIZEN PARTICIPATION: JAMES PARKS – WAXAHACHIE, TX

**RECESS TO CONVENE TO EXECUTIVE SESSION 3:26 P.M.**

MOTION BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY, 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.

**ADJOURNMENT OF EXECUTIVE SESSION TO RECONVENE IN REGULAR SESSION 3:54 P.M.**

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

**ADJOURNMENT 3:55 P.M.**

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT OF MAY 7, 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 21<sup>ST</sup> DAY OF MAY 2019.

  
KRYSTAL VALDEZ, COUNTY CLERK

