

ELLIS COUNTY COMMISSIONERS COURT  
OFFICIAL MINUTES – AUGUST 13, 2019

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, AUGUST 13, 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 BUTLER, SECOND BY COMMISSIONER GRAYSON, CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE – *COMMISSIONER KYLE BUTLER*

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

**MINUTE ORDER 340.19      APPROVING CONSENT AGENDA WITHOUT A1 & F2**

**ADMINISTRATIVE:**

- A2      APPROVING COMMISSIONERS COURT MINUTES FROM JULY 30, 2019 AND SPECIAL MEETING MINUTES FROM AUGUST 6, 2019. – *KRYSTAL VALDEZ, COUNTY CLERK*
- A3      APPROVING A WORK ORDER UNDER EXISTING INTERLOCAL AGREEMENT WITH PALMER ISD: CHIPS SEAL TOTAL PARKING LOT ON THE EAST SIDE OF THE HIGH SCHOOL WITH 1 COAT OF CHIP SEAL OVER EXISTING CHIP SEAL SURFACE, APPROXIMATELY 50,827 SQ. FT.; HOT PATCH APPROXIMATELY 760 SQ. FT. AT THE WEST SIDE OF THE HIGH SCHOOL PARKING LOT. – *RANDY STINSON, COMMISSIONER, ROAD AND BRIDGE PRECINCT 1*

**FINANCIAL:**

- F1      CORRECTING BUDGET AMENDMENT ITEM F7 APPROVED DURING JULY 2, 2019 COMMISSIONERS COURT: FROM 001-0430-508060 OFFICIAL BOND \$1,000.00 TO 001-0430-508010 SUPPLIES \$500.00; 001-0430-508020 EQUIPMENT \$500.00 – *SAMANTHA PICKETT, EMERGENCY MANAGEMENT*

- F3 APPROVING THE REQUEST FOR A CHECK IN THE AMOUNT OF \$500.00 EARNST MONEY PAYABLE TO TOWN SQUARE TITLE FOR THE PURCHASE OF 2.2 ACRES IN THE J.R. BILLINGSLEY SURVEY, ABSTRACT #80, ELLIS COUNTY TEXAS. – *KYLE BUTLER, COMMISSIONER PRECINCT 4*
- F4 FROM 001-0430-508020 EQUIPMENT \$500.00; 001-0430-508050 CONFERENCE \$600.00 To 001-0430-508010 SUPPLIES \$1,100.00 – *SAMANTHA PICKETT, EMERGENCY MANAGEMENT COORDINATOR*
- F5 FROM 001-0030-508050 CONFERENCE \$2,000.00; 001-0030-508030 FURNITURE \$1,000.00 To 001-0030-508010 SUPPLIES \$3,000.00 – *MIYKAEL REEVE, AUDITOR*
- F6 FROM 001-0200-508880 COMPUTER SERVICE \$2,300.00; 001-0200-508320 VISITING JUDGE \$1,900.00; 001-0200-508190 COMPUTER \$300.00 To 001-0200-508020 EQUIPMENT \$4,500.00 – *CINDY ERMATINGER, JUDGE, 443<sup>RD</sup> DISTRICT COURT*
- F7 FROM 001-0210-508550 VOTING EQUIPMENT \$15,000.00 To 001-0210-508010 SUPPLIES \$15,000.00 – *JANA ONYON, ELECTIONS*
- F8 FROM 001-0050-508190 COMPUTER \$148.00; 001-0050-508010 SUPPLIES \$200.00 To 001-0050-507030 TELEPHONE \$348.00 – *MARK ARNOLD, TEXAS AGRILIFE EXTENSION OFFICE*
- F9 FROM 005-0703-508070 RB3 GEN/Misc. \$1,000.00 To 005-0703-508050 RB3 CONFERENCE/DUES \$1,000.00 – *PAUL PERRY, COMMISSIONER, PRECINCT 3*
- F10 FROM 005-0703-508070 RB3 GEN/Misc. \$100,000.00 To 005-0703-509110 RB3 GRAVEL \$100,000.00 – *PAUL PERRY, COMMISSIONER, PRECINCT 3*
- F11 FROM 004-0652-303020 RB2 FUND BALANCE CARRY OVER \$34,000.00 To 004-0652-508020 RB2 EQUIPMENT \$34,000.00 – *LANE GRAYSON, COMMISSIONER, PRECINCT 2*

F12 APPROVING THE FOLLOWING REFUNDS:

<u>REFUND TO BE ISSUED:</u>	<u>ACCOUNT #</u>	<u>REFUND AMOUNT</u>
MR. COOPER	266559	\$6,627.86
MR. COOPER	159847	\$2,558.44
MR. COOPER	226595	\$4,149.14
MR. COOPER	232827	\$7,979.99

- F13 FROM 001-0385-508010 SUPPLIES \$500.00 To 001-0385-508420 JUDGE'S CONFERENCE \$500.00 – *GENE CALVERT, JUDGE, COUNTY COURT AT LAW #2*

**SIMPLIFIED PLAT:**

- SP1 APPROVING A SIMPLIFIED PLAT OF MALISKA ESTATES NO. 2. THE PROPERTY CONTAINS ± 13.242 ACRES OF LAND IN THE THOMAS B. MAYES SURVEY, ABSTRACT NO. 696, LOCATED ON THE EAST SIDE OF STEVENS ROAD ± 1,260 FEET NORTH OF DUNKERLEY ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF ENNIS, ROAD & BRIDGE, PRECINCT NO. 2
- SP2 APPROVING A SIMPLIFIED PLAT OF DAVIS ADDITION LOT 1. THE PROPERTY CONTAINS ± 2.00 ACRES OF LAND IN THE A. STEEL SURVEY, ABSTRACT NO. 966, LOCATED ON THE SOUTHSIDE OF

FM 85 ± 2,620 FEET WEST OF JC SPENCE ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF ENNIS, ROAD & BRIDGE PRECINCT NO. 2.

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

**REGULAR AGENDA:**

**MINUTE ORDER 341.19** (A1) APPROVING REGULAR BILLS, PAYROLL, AND OFFICER'S REPORTS.

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

**MINUTE ORDER 342.19** (F2) ACCEPTING A CHECK IN THE AMOUNT OF \$250.00 FROM TOUGH MUDDER EVENT PRODUCTION INC.

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

**PURCHASING**

**MINUTE ORDER 343.19** (2.1) AUTHORIZING TO ADVERTISE AND SOLICIT BIDS FOR CONTRACT FOR HOURLY RATES FOR BRIDGE AND HEADWALL REPAIRS.

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

**MINUTE ORDER 344.19** (2.2) APPROVING THE PURCHASE OF A 2019 CATERPILLAR TRACK LOADER 289D XPS, FOR PRECINCT 1. STOCK NUMBER: HLK039230 SERIAL NUMBER OJX900659 REF QUOTE # 242062-01 SOURCEWELL CONTRACT #032119 ELLIS Co. MEMBER ID 44363.

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

**NO ACTION** (2.3) AUTHORIZATION FOR SOLE SOURCE PURCHASE OF 60 KIOSK LAPTOPS FROM THE VOTEC CORPORATION.

**MINUTE ORDER 345.19** (2.4) AUTHORIZING TO AMEND AND EXTEND THE LEASE AGREEMENT (CONTRACT NO. 10657, DATED JUNE 19, 2018) WITH BANCORP SOUTH EQUIPMENT FINANCE FOR TWO MACK DUMP TRUCKS AND PAYMENT IN THE AMOUNT OF \$33,953.57 FOR PRECINCT 2.

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

**MINUTE ORDER 346.19** (2.5) GRANTING AN EXEMPTION UNDER SECTION 262.024, LOCAL GOVERNMENT CODE, FROM THE BIDDING REQUIREMENTS OF SECTION 262.023, LOCAL GOVERNMENT CODE, FOR THE PURCHASE OF SIXTY (60) INSPIRON 3180 AMD A-9-9420E PROCESSOR WITH LTSC COMPUTERS LOADED WITH PROPRIETARY SOFTWARE AND HARDWARE

FROM VOTEC CORPORATION TO BE USED AS WELCOMEVOTER KIOSK VOTER CHECK-IN STATIONS AS SOLE-SOURCE PRODUCTS IN THE AMOUNT OF \$23,820.00

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

**MINUTE ORDER 347.19** (2.6) AUTHORIZING THE PURCHASE OF SIXTY (60) INSPIRON 3180 AMD A-9-9420E PROCESSOR WITH LTSC COMPUTERS LOADED WITH PROPRIETARY SOFTWARE AND HARDWARE FROM VOTEC CORPORATION TO BE USED AS WELCOMEVOTER KIOSK VOTER CHECK-IN STATIONS AS SOLE-SOURCE PRODUCTS IN THE AMOUNT OF \$23,820.00

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

**MINUTE ORDER 348.19** (2.7) AUTHORIZING TO ADVERTISE AND SOLICIT BIDS FOR CONTRACT FOR PAVEMENT REHABILITATION AND RESURFACING.

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

**MINUTE ORDER 349.19** (2.8) AUTHORIZING TO ADVERTISE AND SOLICIT BIDS FOR CONTRACT FOR SCRAP METAL SERVICES.

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

## **ADMINISTRATIVE**

**NO ACTION** (3.1) ELLIS COUNTY BURN BAN, BURN BAN REMAINS IN EFFECT – *TIM BIRDWELL, FIRE MARSHALL*

### **To 3.3**

**MINUTE ORDER 350.19** (3.3) APPROVING AN INTERLOCAL AGREEMENT BETWEEN TXDOT AND ELLIS COUNTY FOR PROVISION FOR EQUIPMENT AND CONSUMABLES. – *JOHN BRIDGES, TAX ASSESSOR AND COLLECTOR*

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

**MINUTE ORDER 351.19** (3.4) AUTHORIZING THE COUNTY JUDGE TO SIGN A LETTER OF SUPPORT FOR THE SAFE ROUTES TO SCHOOL PROJECT WHICH WILL BE SUBMITTED TO THE TEXAS DEPARTMENT OF TRANSPORTATION IN A GRANT APPLICATION TO THE STATE OF TEXAS – *TODD LITTLE, COUNTY JUDGE*

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

### **To 3.6**

**MINUTE ORDER 352.19** (3.6) SETTING THE CEILING FOR THE PROPOSED TAX RATE FOR FY 2019-2020 AT .363778, AND TAKING A ROLL CALL AS FOLLOWS:

**COMMISSIONER BUTLER: YES**

**COMMISSIONER GRAYSON: YES**

**COMMISSIONER PERRY: YES**

**COMMISSIONER STINSON: YES**

**COUNTY JUDGE, TODD LITTLE: YES**

*PUBLIC PARTICIPATION: SYLVIA COULSON- WAXAHACHIE*

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

**MINUTE ORDER 353.19** (3.7) SETTING THE DATE, TIME AND LOCATION OF THE PUBLIC HEARING ON THE PROPOSED BUDGET FOR BUDGET FY 2019-2020 PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 111.07 FOR SEPTEMBER 10, 2019 AT 2:00 P.M. AT THE ELLIS COUNTY COMMISSIONERS' COURTROOM AT 101 W. MAIN ST., WAXAHACHIE, TX 75165

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

**MINUTE ORDER 354.19** (3.8) SCHEDULING THE DATE TO ADOPT THE PROPOSED TAX RATE FOR FY 2019-2020 FOR SEPTEMBER 10, 2019 AT 2:00 P.M.

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

**NO ACTION** (3.9) DISCUSSION OF BUDGET 2019-2020 AND ELLIS COUNTY ELECTED OFFICIAL'S SALARIES.

**MINUTE ORDER 355.19** (3.10) APPROVING TO SETTLE THE CLAIM AGAINST ELLIS COUNTY CONCERNING PROPERTY DAMAGE TO A VEHICLE OWNED BY NORMA ARRAMBIDE. COST TO REPAIR IS \$421.33, SETTLEMENT WILL BE HALF OF THAT COST (APPROXIMATELY \$211.00).

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

**MINUTE ORDER 356.19** (3.11) APPROVING THE CONTINUED RECEIPT OF ELLIS COUNTY'S SHARE OF BINGO PRIZE FEE FUNDS COLLECTED ON CHARITABLE BINGO ACTIVITY IN ELLIS COUNTY PURSUANT TO SECTION 2001.502 OF THE TEXAS OCCUPATIONS CODE, AS AMENDED BY HOUSE BILL (HB) 914 AND ENACTED BY THE 86<sup>TH</sup> TEXAS LEGISLATURE, EFFECTIVE JANUARY 1, 2020.

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

To 3.5

**TABLED** (3.5) AUTHORIZATION FOR THE COUNTY JUDGE TO SIGN A LETTER OF INTENT TO LEASE TO PURCHASE VEHICLES THROUGH AMERICAN NATIONAL LEASING COMPANY IF PASSED THROUGH COMMISSIONER'S COURT IN THE FY 2019-2020 BUDGET. — *TODD LITTLE, COUNTY JUDGE*

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

D1 EDUCATIONAL PROGRAM CONTACTS, VOLUNTEER NUMBERS AND OUTREACH, 4-H AND YOUTH NUMBERS AND OUTREACH. – *MARK ARNOLD, CEA-AG ELLIS COUNTY*

**RECESS TO CONVENE TO EXECUTIVE SESSION 3:14 P.M.**

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER, 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 SECTION 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 THE DISPOSITION OF THE 1STEL POLE ON GREATHOUSE ROAD.

**ADJOURNMENT OF EXECUTIVE SESSION AND RECONVENE TO REGULAR SESSION 3:39 P.M.**

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

(To 3.2)

**MINUTE ORDER 357.19** (3.2) AUTHORIZING THE ELLIS COUNTY DISTRICT ATTORNEY'S OFFICE TO ENGAGE IN ALL NECESSARY ACTION REGARDING MOVING THE 1STEL POLE ON GREATHOUSE ROAD.  
– *PAUL PERRY, COMMISSIONER, PRECINCT 3*

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

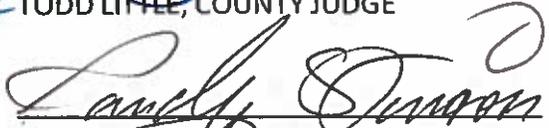
**ADJOURNMENT      3:40 P.M.**

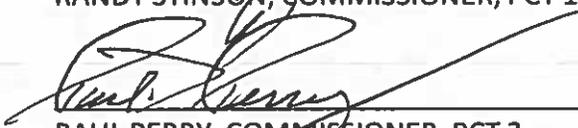
MOTION TO ADJOURN BY COMMISSIONER STINSON, SECOND BY COMMISSIONER BUTLER, CARRIES UNANIMOUSLY

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT OF AUGUST 13, 2019 ARE HEREBY APPROVED.

PRESIDING OFFICER:

  
TODD LITTLE, COUNTY JUDGE

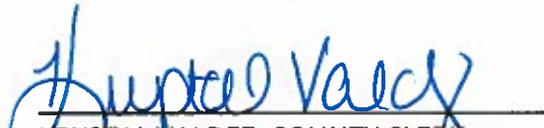
  
RANDY STINSON, COMMISSIONER, PCT 1

  
PAUL PERRY, COMMISSIONER, PCT 3

  
LANE GRAYSON, COMMISSIONER, PCT 2

  
KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 27TH DAY OF AUGUST 2019.

  
KRYSTAL VALDEZ, COUNTY CLERK

