

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – DECEMBER 17, 2019

Minute Order 536.19
December 30, 2019
Consent Agenda A2

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, DECEMBER 17, 2019 AT 2:05 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 GRAYSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIES

INVOCATION AND PLEDGE OF ALLEGIANCE – *PAUL PERRY, COMMISSIONER PRECINCT 3*

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

CEREMONY

(1) SWEARING IN OF MICHELLE MEJORADO AS ASSISTANT ELLIS COUNTY AUDITOR. – *JANET MARTIN, AUDITOR*

MINUTE ORDER 528.19 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

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

A2 APPROVING COMMISSIONERS' COURT REGULAR MEETING MINUTES FROM DECEMBER 3, 2019.
– *KRYSTAL VALDEZ, COUNTY CLERK*

A3 AUTHORIZING THE COUNTY JUDGE TO SIGN AN INTERLOCAL COOPERATION CONTRACT AND AGREEMENT FOR DETENTION SERVICES BETWEEN ELLIS COUNTY AND THE CITY OF ENNIS FOR CLASS C MISDEMEANOR OFFENSES ONLY. – *CHUCK EDGE, SHERIFF*

- A4 APPROVING AN INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND THE CITY OF PALMER BEGINNING JANUARY 1, 2020 TO DECEMBER 31, 2020. – *RANDY STINSON, COMMISSIONER, ROAD & BRIDGE PRECINCT 1*
- A5 ADJUSTING AND APPROVING OF SALARY SUPPLEMENT FOR THE COUNTY ATTORNEY OFFICE EMPLOYEE, BRYAN NORRIS, TO BE PAID WITH FUNDS RECEIVED AND TRANSFERRED FROM THE COUNTY & DISTRICT ATTORNEY ASSET FORFEITURE FUNDS TO THE COUNTY ATTORNEY SALARY LINE ITEMS (INCLUDING THE FICA, RETIREMENT AND SOCIAL SECURITY LINE ITEMS) IN THE AMOUNT OF \$3,587.04 PER YEAR, MAKING HIS ANNUAL SALARY \$73,000.00. THE EFFECTIVE DATE OF THE SALARY SUPPLEMENT ADJUSTMENT IS JANUARY 1, 2020 AND RUNS THROUGH THE END OF THIS BUDGET YEAR. NO ELLIS COUNTY TAX REVENUE IS USED TO PAY THESE SUPPLEMENTS. COURT APPROVAL IS REQUIRED BY ARTICLE 59.06(D-1) (6)(A), TEXAS CODE OF CRIMINAL PROCEDURE. – *PATRICK WILSON, COUNTY & DISTRICT ATTORNEY*
- A6 AUTHORIZING THE COUNTY JUDGE TO SIGN A RELEASE OF DAMAGES TO TROY CONSTRUCTION IN RELATION TO DAMAGES TO CROSBY ROAD. THESE DAMAGES HAVE BEEN PAID FOR AND ACCEPTED BY THE COURT ON DECEMBER 3, 2019, ITEM F6. – *JANET MARTIN, AUDITOR*
- A7 ACCEPTING THE MONTHLY MILEAGE AND ACTIVITY REPORTS FOR TEXAS A&M AGRILIFE EXTENSION OFFICE. – *MARK ARNOLD, TEXAS A&M AGRILIFE EXTENSION OFFICE*

FINANCIAL:

- F1 ACCEPTING UNANTICIPATED REVENUE OF \$789.00 AS RECEIVED AND CERTIFIED BY THE COUNTY AUDITOR, PURSUANT TO LOCAL GOVERNMENT CODE §111.0108. THIS REVENUE IS AN ANNUAL REBATE FROM THE TEXAS ASSOCIATION OF SCHOOL BOARDS BUYBOARD COOPERATIVE AND WAS PLACED IN THE 2020 FISCAL YEAR BUDGET. – *JANET MARTIN, AUDITOR*
- F2 ACCEPTING A TABULATED REPORT OF THE COUNTY'S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM NOVEMBER 26, 2019 – DECEMBER 10, 2019, PURSUANT TO LOCAL GOVERNMENT CODE §114.024. - *JANET MARTIN, AUDIT*
- F3 **FY 2019-20 BUDGET AMENDMENT: INCREASE 042-0942-303020 BUDGETED FUND BALANCE BY \$10,780.57; INCREASE 042-0942-508020 EQUIPMENT BY \$10,780.57. –** *CHUCK EDGE, SHERIFF*
- F4 **FY 2019-20 BUDGET AMENDMENT: INCREASE 005-0703-400030 MISC. REIMBURSEMENTS BY \$155,000.00; INCREASE 005-0703-508070 GENERAL EXPENSE BY \$155,000.00. PURSUANT TO LOCAL GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR. –** *PAUL PERRY, COMMISSIONER, ROAD & BRIDGE PRECINCT 3*
- F5 **FY 2019-20 BUDGET AMENDMENT: INCREASE 001-0210-407190 CHAPTER 19 STATE FUNDING BY \$263.91; INCREASE: 001-0210-508000 CHAPTER 19 EXPENDITURES BY \$263.91. PURSUANT TO LOCAL GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR. –** *JANA ONYON, ELECTIONS*

- F6** **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 003-0601-508070 GENERAL MISC. BY \$8,000.00; INCREASE 003-0601-507030 TELEPHONE BY \$8,000.00. – *RANDY STINSON, COMMISSIONER, ROAD & BRIDGE PRECINCT 1*
- F7** **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0030-508620 FISCAL SERVICE FEE BY \$1,000.00; INCREASE 001-0030-508190 COMPUTER BY \$1,000.00. – *K.W. WINKLES, AUDIT*
- F8** **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 031-0931-508070 GENERAL MISC. BY \$15,712.04; INCREASE 031-0931-505020 SALARY BY \$3,587.04; INCREASE 031-0931-508220 LEGAL SERVICE FEES BY \$12,125.00. – *PATRICK WILSON, COUNTY & DISTRICT ATTORNEY*
- F9** **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0140-508070 OTHER EXPENSES BY \$825.00; INCREASE 001-0140-508870 RADIO TOWER BY \$825.00. – *K.W. WINKLES, AUDIT*
- F10** APPROVING PAYMENT OF THE FOLLOWING INVOICE TO ROBERT K. GILL IN THE AMOUNT OF \$5,850.00 FROM THE COUNTY & DISTRICT ATTORNEY ASSET FORFEITER FUNDS, LINE ITEM: LEGAL SERVICES 031-0931-508220, FOR SPECIAL PROSECUTOR SERVICES. APPROVAL IS REQUIRED BY ARTICLE 59.06(D-1)(6)(A), TEXAS CODE OF CRIMINAL PROCEDURE. – *PATRICK WILSON, COUNTY & DISTRICT ATTORNEY*
- F11** APPROVING A PAYMENT FOR THE FOLLOWING INVOICE TO D. MILES BRISSETTE IN THE AMOUNT OF \$6,275.00 FROM THE COUNTY & DISTRICT ATTORNEY ASSET FORFEITURE FUNDS, LINE ITEM: LEGAL SERVICES 031-0931-508220, FOR SPECIAL PROSECUTOR SERVICES. APPROVAL IS REQUIRED BY ARTICLE 59.06(D-1)(6)(A), TEXAS CODE OF CRIMINAL PROCEDURE. – *PATRICK WILSON, COUNTY & DISTRICT ATTORNEY*
- F12** APPROVING THE ISSUANCE OF A CHECK TO TEXAS DEPARTMENT OF MOTOR VEHICLES IN THE AMOUNT OF \$8.25 FOR THE ISSUANCE OF A VEHICLE REGISTRATION FOR ALIAS TAGS. – *CHUCK EDGE, SHERIFF*

MOTION TO APPROVE BY COMMISSIONER STINSON, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

PURCHASING

MINUTE ORDER 529.19 (2.1) APPROVING THE RENEWAL OF THE FOLLOWING BID FOR A ONE (1) YEAR PERIOD: BID No. 2019-017 ARMORED CAR SERVICES FOR ELLIS COUNTY USING CHOICE PARTNERS COOPERATIVE CONTRACT #18/068MR

MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

MINUTE ORDER 530.19 (2.2) APPROVING TO MOVE THIS ITEM TO THE DECEMBER 30, 2019 COMMISSIONERS COURT MEETING AND GRANTING THE PURCHASING AGENT OR COUNTY JUDGE AUTHORITY TO NEGOTIATE THE CONTRACT WITH HDR ARCHITECTURAL SERVICES UNDER SECTION 2254.004 OF THE TEXAS GOVERNMENT CODE FOR DESIGN AND OTHER RELATED SERVICES FOR THE BUILD OUT OF THE ELLIS COUNTY COURT AT LAW NO. 3 AND SUPPORTING OFFICES

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

MINUTE ORDER 531.19 (2.3) APPROVING THE RENEWAL OF BID NO. 2019-002 FOR A SIX (6) MONTH PERIOD WITH ARCOSA AGGREGATES EFFECTIVE JANUARY 2, 2020 THROUGH JULY 1, 2020.

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

To 3.6

NO ACTION (3.6) DISCUSSION OF THE COUNTY'S USE OF TECHSHARE. – PAUL PERRY, COMMISSIONER, ROAD & BRIDGE PRECINCT 3

PUBLIC PARTICIPATION: DANNY FREISNER – MIDLOTHIAN; J.D. FOSTER - WAXAHACHIE

ADMINISTRATIVE

NO ACTION (3.1) ELLIS COUNTY BURN BAN REMAINS LIFTED. – TIM BIRDWELL, FIRE MARSHAL

MINUTE ORDER 532.19 (3.2) APPROVING A CONTRACT BETWEEN ELLIS COUNTY AND ELLIS COUNTY CHILDREN'S ADVOCACY CENTER AND A PAYMENT IN THE AMOUNT OF \$50,000.00 – LESLIE DEEN, ELLIS COUNTY CHILDREN'S ADVOCACY CENTER

MOTION TO APPROVE PENDING LEGAL BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER STINSON, MOTION CARRIED

MINUTE ORDER 533.19 (3.3) APPROVING A PAYMENT TO ELLIS COUNTY HISTORICAL COMMISSION IN THE AMOUNT OF \$5,000.00. – TODD LITTLE, COUNTY JUDGE

MOTION TO APPROVE PENDING LEGAL BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

TABLED (3.4) CONSIDERATION AND ACTION TO APPROVE A NEW TAXING UNIT FOR 2019, KNOWN AS A PROPERTY IMPROVEMENT DISTRICT, ESTABLISHED BY THE CITY OF FERRIS. – JOHN BRIDGES, TAX ASSESSOR - COLLECTOR

PUBLIC PARTICIPATION: AMY HEDTKE – WAXAHACHIE

NO ACTION (3.5) CONSIDERATION AND ACTION FOR COUNTY ATTORNEY IN REGARD TO STOP SIGNS AT N. OAK BRANCH AND CAMPBELL RD. – *PAUL PERRY, COMMISSIONER, ROAD & BRIDGE PRECINCT 3*

To 3.7

NO ACTION (3.7) CONSIDERATION AND ACTION REGARDING AN AGREEMENT FOR A COUNTY VIDEO PROGRAM BETWEEN ELLIS COUNTY AND CGI COMMUNICATIONS THROUGH THE NATIONAL ASSOCIATION OF COUNTIES. – *NATHANIEL PECINA, PUBLIC INFORMATION SPECIALIST, OFFICE OF THE COUNTY JUDGE*

5 MINUTE RECESS

NO ACTION (3.8) NO ACTION TO BE TAKEN: DISCUSSION CONCERNING A POTENTIAL AGREEMENT BETWEEN ELLIS COUNTY AND OPENGOV A GOVERNMENT BUDGETING/TRANSPARENCY SOFTWARE COMPANY. – *NATHANIEL PECINA, PUBLIC INFORMATION SPECIALIST, OFFICE OF THE COUNTY JUDGE*

TABLED (3.9) ACCEPTANCE OF SUBMISSIONS FROM THE COMMISSIONERS' COURT FOR VOLUNTEERS TO SERVE ON THE ELLIS COUNTY COMPLETE COUNT COMMITTEE. – *TODD LITTLE, COUNTY JUDGE*

PUBLIC PARTICIPATION: JOE GOEFFRE – OAK LEAF

SUBMISSION BY JUDGE LITTLE: GEORGE VALDEZ & KASEY CHESHER

SUBMISSION BY COMMISSIONER STINSON: LETTY LOPEZ & ROBIN WALTERS

SUBMISSION BY COMMISSIONER PERRY: PAULA BAUCUM & DAN LOBB

MINUTE ORDER 534.19 (3.10) FINDING, PURSUANT TO §551.072 OF THE GOVERNMENT CODE, THAT DELIBERATIONS REGARDING THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PERSON. – *TODD LITTLE, COUNTY JUDGE*

MOTION FOR A FINDING BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

RECESS TO CONVENE TO EXECUTIVE SESSION **4:48 P.M.**

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

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 §551.072 OF THE GOVERNMENT CODE, TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE 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.
- 4.2 PURSUANT TO §551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH ATTORNEY INVOLVING RELOCATION OF UTILITY POLE ON GREATHOUSE ROAD.

ADJOURNMENT OF EXECUTIVE SESSION AND RECONVENE TO REGULAR SESSION 5:30 P.M.

MOTION TO RECONVENE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

ITEM 4.2 OF EXECUTIVE SESSION MOVED TO REGULAR AGENDA BY JUDGE LITTLE

MINUTE ORDER 535.19 (4.2) APPROVING THE PROPOSED MEDIATED SETTLEMENT, SUBJECT TO CHANGING #15 FROM REQUIRING A 5 DAY NOTICE TO REQUIRING A 10 DAY NOTICE.

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

ADJOURNMENT 5:33 P.M.

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT OF DECEMBER 17, 2019
ARE HEREBY APPROVED.

PRESIDING OFFICER:



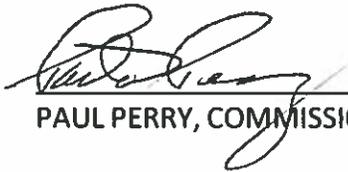
TODD LITTLE, COUNTY JUDGE

absent

RANDY STINSON, COMMISSIONER, PCT 1



LANE GRAYSON, COMMISSIONER, PCT 2

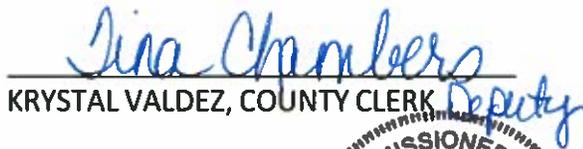


PAUL PERRY, COMMISSIONER, PCT 3



KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 30TH DAY OF DECEMBER 2019.



KRYSTAL VALDEZ, COUNTY CLERK *Deputy*

