

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – APRIL 7, 2020

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, APRIL 7, 2020 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:

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, MOTION CARRIED

INVOCATION AND PLEDGE OF ALLEGIANCE – *PASTOR SMITH, FARLEY STREET BAPTIST CHURCH INVITED BY RANDY STINSON, COMMISSIONER, PRECINCT 1*

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 198.20 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

- A1 APPROVING OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 APPROVING COMMISSIONERS' COURT REGULAR MEETING MINUTES FROM MARCH 24, 2020 AND SPECIAL MEETING MINUTES FROM MARCH 30, 2020. – *KRystal VALDEZ, COUNTY CLERK*
- A3 AUTHORIZING THE COUNTY JUDGE TO SIGN THE TEXAS DEPARTMENT OF AGRICULTURE TEXANS FEEDING TEXANS: HOME-DELIVERED MEAL GRANT PROGRAM AFFIDAVIT. – *TODD LITTLE, COUNTY JUDGE*
- A4 APPROVING THE PAYMENT OF FUNDS IN RELATION TO AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS (FIXED PRICE), PREVIOUSLY APPROVED BY COMMISSIONERS' COURT ON NOVEMBER 20, 2018. ONE SECTION (ROW CSJ # 2964-12-003) HAS AN ANNUAL PAYMENT OF \$89,905.45,

WHILE THE SECOND SECTION (ROW CSJ # 2964-12-004) HAS AN ANNUAL PAYMENT OF \$47,081.32. THIS GIVES A TOTAL OF \$136,987.77. – *TED KANTOR, ENGINEERING*

FROM SUPPLEMENTAL EMERGENCY AGENDA

- AA APPROVING THE SPENDING OF FUNDS FROM THE COUNTY ATTORNEY FORFEITURE FUNDS TO BUY SOFTWARE REQUIRED FOR ELECTRONIC DOCUMENT PRODUCTION IN THE AMOUNT OF \$11,214.45. THE SOFTWARE IS NECESSARY IN RESPONSE TO MEASURES IN PLACE RELATED TO THE COVID-19 PANDEMIC. – *PATRICK WILSON, COUNTY & DISTRICT ATTORNEY.*

FINANCIAL:

- F1 ACCEPTING THE MONTHLY REPORT FOR JUSTICE OF THE PEACE PRECINCT 1, PURSUANT TO LOCAL GOVERNMENT CODE §114.44. – *CHRIS MACON, JUDGE, JUSTICE OF THE PEACE PRECINCT 1*
- F2 APPROVING TAX REFUNDS. – *JOHN BRIDGES, TAX ASSESSOR/COLLECTOR*
- F3 ACCEPTING THE TABULATED REPORT OF THE COUNTY'S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM MARCH 17, 2020 – MARCH 30, 2020, PURSUANT TO LOCAL GOVERNMENT CODE §114.024. – *JANET MARTIN, AUDIT*
- F4 ACCEPTING UNANTICIPATED REVENUE: \$21,425.00 AS CERTIFIED BY THE COUNTY AUDITOR, PURSUANT TO LOCAL GOVERNMENT CODE §111.0108. THIS IS PROCEEDS FROM AN AUCTION HELD ON MARCH 3, 2020 BY LONE STAR AUCTIONEERS. – *K.W. WINKLES, AUDIT*
- F5 **FY 2019-20 BUDGET AMENDMENT: INCREASE 001-0010-409280 AUCTION SALE BY \$2,150.00; INCREASE 001-0020-508020 EQUIPMENT BY \$2,150.00.** – *K.W. WINKLES, AUDIT*
- F6 **FY 2019-20 BUDGET AMENDMENT: INCREASE 005-0703-400100 RB3 SALE OF EQUIPMENT BY \$2,000.00; INCREASE 005-0703-508070 RB3 GEN./MISC. BY \$2,000.00.** – *PAUL PERRY, COMMISSIONER, ROAD & BRIDGE PRECINCT 3*

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

REGULAR AGENDA – DISCUSSION, CONSIDERATION AND ACTION:

DEPARTMENT OF DEVELOPMENT

MINUTE ORDER 199.20 (1.1) APPROVING THE FINAL PLAT OF CABANISS ESTATES. THE PROPERTY CONTAINS ± 11.00 ACRES OF LAND IN THE W. MITCHELL SURVEY, ABSTRACT NO. 688, LOCATED NEAR THE NORTH SIDE OF THE INTERSECTION OF DERRS CHAPEL ROAD AND RICHARDS STREET, IN THE EXTRA-TERRITORIAL JURISDICTION (ETJ) OF THE CITY OF ITALY, ROAD & BRIDGE PRECINCT NO. 3.

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

MINUTE ORDER 200.20 (1.2) APPROVING THE FINAL PLAT OF EMMERT ADDITION, LOT 1 AND LOT 2, BLOCK 1. THE PROPERTY CONTAINS ± 36.091 ACRES OF LAND IN THE R. DE LA PENNA SURVEY, ABSTRACT NO. 3, LOCATED ± 3,220 FEET NORTHEAST OF THE INTERSECTION OF FM 660 AND UNION HILL ROAD, ENNIS, ROAD & BRIDGE PRECINCT NO. 1.

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

MINUTE ORDER 201.20 (1.3) APPROVING A REQUEST TO ACCEPT A PERFORMANCE BOND IN THE AMOUNT OF \$660,638.22 FOR FERRIS RANCH. THIS PROPERTY CONTAINS ± 70.84 ACRES OF LAND IN THE R. DE LA PENNA SURVEY, ABSTRACT NO. 3, LOCATED ± 745 FEET WEST OF THE INTERSECTION OF FM 660 AND INDIA ROAD, FERRIS, ROAD & BRIDGE PRECINCT NO. 1.

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

PURCHASING

MINUTE ORDER 202.20 (2.1) AUTHORIZING THE COUNTY JUDGE TO EXECUTE AN AGREEMENT BETWEEN ELLIS COUNTY AND THE CITY OF FERRIS FOR THE USE OF THE CITY OF FERRIS SCOUT HOUSE FOR FIRST RESPONDER SEQUESTRATION IF NECESSARY DUE TO COVID-19 EXPOSURE.

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

ADMINISTRATIVE

MINUTE ORDER 203.20 (3.1) APPROVING THE PURCHASE OF INFORMATIONAL MATERIAL FOR PROMOTION OF THE 2020 CENSUS USING COUNTY FUNDS NOT TO EXCEED \$1,000.00. – *TODD LITTLE, COUNTY JUDGE*

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

MINUTE ORDER 204.20 (3.2) APPROVING A RESOLUTION TO ESTABLISH THE INDIGENT DEFENSE REVIEW COMMITTEE. – *TODD LITTLE, COUNTY JUDGE*

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

MINUTE ORDER 205.20 (3.3) APPROVING THE CONTRACT FOR SERVICES WITH RON CLYDE DURING THE COVID-19 PANDEMIC WITH AN ADDED CLAUSE NOT TO EXCEED \$25,000.00. – *TODD LITTLE, COUNTY JUDGE*

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER STINSON, COMMISSIONER BUTLER VOTING NO, MOTION CARRIED

MINUTE ORDER 206.20 (3.4) APPROVING THE COUNTY JUDGE TO SIGN INTERLOCAL AGREEMENT BETWEEN ELLIS COUNTY AND CITY OF WAXAHACHIE FOR USE OF HOBLITZELLE CAMP AND CONFERENCE CENTER FOR FIRST RESPONDERS INFECTED WITH COVID-19. – *TODD LITTLE, COUNTY JUDGE*

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

MINUTE ORDER 207.20 (3.5) APPROVING THE POLICY AND REQUEST FORM REGARDING THE EMERGENCY FAMILY & MEDICAL LEAVE EXPANSION POLICY. THIS ACT WAS RECENTLY SIGNED INTO LAW AND IS IN EFFECT BEGINNING APRIL 1, 2020 THROUGH DECEMBER 31, 2020. – *THERESA TAYLOR, HUMAN RESOURCES*

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER, COMMISSIONER PERRY VOTING NO, MOTION CARRIED

MINUTE ORDER 208.20 (3.6) APPROVING THE POLICY AND REQUEST FORM REGARDING THE EMERGENCY PAID SICK LEAVE POLICY. THIS ACT WAS RECENTLY SIGNED INTO LAW AND IS IN EFFECT BEGINNING APRIL 1, 2020 THROUGH DECEMBER 31, 2020. – *THERESA TAYLOR, HUMAN RESOURCES*

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

MINUTE ORDER 209.20 (3.7) APPROVING TO REPLACE INVENTORY COORDINATOR POSITION WITH SENIOR BUYER POSITION IN PURCHASING DEPARTMENT. THIS POSITION WOULD BE FUNDED FROM EXISTING FUNDS VIA A LINE ITEM TRANSFER AND WILL BE COMPENSATED WITHIN A RANGE OF \$55,000 TO \$60,000 ANNUALLY. – *EJ HARBIN, PURCHASING*

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

MINUTE ORDER 210.20 (3.8) FINDING THAT THE DELIBERATION OF 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 GRAYSON, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

RECESS TO CONVENE TO EXECUTIVE SESSION 2:59 P.M.

MOTION BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER, MOTION CARRIES

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, TO DISCUSS PERSONNEL MATTERS.
- 4.2 PURSUANT TO §551.071 OF THE GOVERNMENT CODE, TO DISCUSS PENDING OR CONTEMPLATED LITIGATION.
- 4.3 PURSUANT TO §551.072 OF THE GOVERNMENT CODE, TO DISCUSS 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.

ADJOURNMENT 4:02 P.M.

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

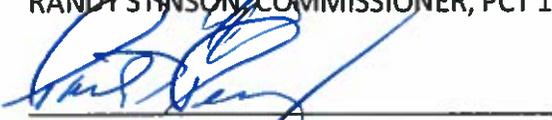
THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT OF APRIL 7, 2020 ARE HEREBY APPROVED.

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 21ST DAY OF APRIL 2020.


KRYSTAL VALDEZ, COUNTY CLERK

