

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – MAY 5, 2020

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, MAY 5, 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 GRAYSON, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

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.

MINUTE ORDER 218.20 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

- A1 APPROVING OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 APPROVING COMMISSIONERS' COURT MINUTES FROM APRIL 21, 2020. – *KRYSTAL VALDEZ, COUNTY CLERK*
- A3 APPROVING PAYMENT TO McLENNAN COUNTY AUDITOR IN THE AMOUNT OF \$1,933.91 OUT OF LINE ITEM 001-0140-508310 (ADMINISTRATIVE JUDICIAL) FOR ELLIS COUNTY'S PORTION OF THE SALARY SUPPLEMENT AND FRINGES FOR THE 10TH COURT OF APPEALS JUSTICES BETWEEN OCTOBER 1, 2019 TO SEPTEMBER 30, 2020. – *TODD LITTLE, COUNTY JUDGE*
- A4 **MOVED TO REGULAR AGENDA BY COMMISSIONER GRAYSON**
- A5 ACCEPTING THE DONATION OF TWO CASES OF HAND SANITIZER FROM SOUTHWEST SPIRITS FOR ECSO. – *CHUCK EDGE, SHERIFF*

- A6 APPROVING A PAYMENT IN THE AMOUNT OF \$720.00 TO WAXAHACHIE ROTARY CLUB FOR PLACEMENT OF FLAGS AROUND THE HISTORIC COURTHOUSE ON MEMORIAL DAY (THROUGH FLAG DAY), INDEPENDENCE DAY, LABOR DAY (THROUGH PATRIOTS DAY), AND VETERAN'S DAY. EACH COMMISSIONER WILL PAY ¼ OF THE COST FOR A TOTAL OF \$180.00 PER PRECINCT. – *ELLIS COUNTY COMMISSIONERS COURT*
- A7 APPROVING THE COUNTY JUDGE TO SIGN THE PUBLIC SAFETY RADIO SYSTEM INTERLOCAL AGREEMENT BETWEEN CITY OF MIDLOTHIAN, CITY OF RED OAK, CITY OF WAXAHACHIE, AND ELLIS COUNTY. – *CHUCK EDGE, SHERIFF*

FINANCIAL:

- F1 ACCEPTING THE TABULATED REPORT OF THE COUNTY'S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM APRIL 15, 2020 – APRIL 27, 2020, PURSUANT TO LOCAL GOVERNMENT CODE §114.024. – *JANET MARTIN, AUDIT*
- F2 APPROVING OF PROPERTY TAX REFUNDS IN EXCESS OF \$2,500.00, AS AUDITED BY JANET MARTIN, AUDITOR. – *JOHN BRIDGES, TAX ASSESSOR/COLLECTOR*
- F3 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0015-508150 UNIFORM ALLOWANCE BY \$960.00; INCREASE 001-0015-508201 UNIFORMS BY \$960.00. – *CHUCK EDGE, SHERIFF*
- F4 **FY 2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0612-508050 CONFERENCE BY \$500.00; INCREASE 001-0612-508190 COMPUTERS BY \$500.00. – *TERRY NAY, CONSTABLE, PRECINCT 2*
- F5 **FY 2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0653-508070 GENERAL EXP. BY \$41,000.00; INCREASE 001-0653-508020 FM2 EQUIPMENT BY \$41,000.00. – *LANE GRAYSON, COMMISSIONER, ROAD & BRIDGE PRECINCT 2*
- F6 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0015-508880 COMPUTER SERVICES BY \$1,723.26; INCREASE 001-0015-508120 RADIO BY \$944.66; INCREASE 001-0015-508190 COMPUTER BY \$778.70. – *CHUCK EDGE, SHERIFF*
- F7 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 004-0652-508070 RB2 GENERAL EXP. BY \$34,000.00; INCREASE 001-0652-508020 RB2 EQUIPMENT BY \$34,000.00. – *LANE GRAYSON, COMMISSIONER, ROAD & BRIDGE PRECINCT 2*
- F8 **FY2019-20 BUDGET AMENDMENT:** INCREASE 001-0210-409640 CONTRACTING ELECTION BY \$59,000.00; INCREASE 001-0210-508010 SUPPLIES BY \$3,000.00; INCREASE 001-0210-509420 ELECTION EXPENSES BY \$9,000.00; INCREASE 001-0210-508480 HOLDING SALARY BY \$47,000.00, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR. – *JANA ONYON, ELECTIONS*

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

REGULAR AGENDA – DISCUSSION, CONSIDERATION AND ACTION:

NO ACTION (A4) APPROVAL OF SUPPORT PAYMENT TO THE ELLIS COUNTY MUSEUM IN THE AMOUNT OF \$25,000.00 – *TODD LITTLE, COUNTY JUDGE*

DEPARTMENT OF DEVELOPMENT

MINUTE ORDER 219.20 (1.1) APPROVING A REPLAT OF WHISPERING MEADOWS TRACT 3B. THE PROPERTY CONTAINS A TOTAL OF ± 29.378 ACRES OF LAND, LOCATED AT 1433 WILSON ROAD, LOCATED IN THE EXTRA-TERRITORIAL JURISDICTION (ETJ) OF WAXAHACHIE, ROAD AND BRIDGE PRECINCT No. 1.

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

MINUTE ORDER 220.20 (1.2) APPROVING A FINAL PLAT OF SIGALA ADDITION. THE PROPERTY CONTAINS A TOTAL OF ± 5.390 ACRES OF LAND IN THE W.C. CALDER SURVEY, ABSTRACT No. 235, AND THE S.C. WHITE SURVEY, ABSTRACT No. 1249, LOCATED ON THE NORTH SIDE OF FM 879, ± 3,660 FEET SOUTH OF FM 878, IN THE EXTRA-TERRITORIAL JURISDICTION (ETJ) OF WAXAHACHIE, ROAD AND BRIDGE PRECINCT No. 1.

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

MINUTE ORDER 221.20 (1.3) APPROVING A FINAL PLAT OF LOCKRIDGE MANOR. THE PROPERTY CONTAINS A TOTAL OF ± 1.240 ACRES OF LAND LOCATED ON THE WEST SIDE OF CHISHOLM TRAIL, ± 795 FEET NORTH OF THE INTERSECTION OF CHISHOLM TRAIL AND E. HAVEN DRIVE, IN THE EXTRA-TERRITORIAL JURISDICTION (ETJ) OF WAXAHACHIE, ROAD AND BRIDGE PRECINCT No. 2.

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

MINUTE ORDER 222.20 (1.4) GRANTING, WITH CONDITIONS, A ONE-TIME VARIANCE FOR LOT 1, BLOCK A OF THE PROPOSED DOVE MEADOW ESTATES FROM SECTION IV (B)(2) (RESIDENTIAL LOTS) OF THE SUBDIVISION DEVELOPMENT STANDARDS TO ALLOW ONE (1) LOT WITHOUT MEETING THE MINIMUM ROAD FRONTAGE REQUIREMENT. THE PROPERTY CONTAINS ± 1.191 ACRES OF LAND LOCATED IN THE J.C. DICKEY SURVEY, ABSTRACT No. 298, AND THE A. FERGUSON SURVEY, ABSTRACT No. 350. THE PROPOSED SUBDIVISION IS LOCATED ON THE SOUTH SIDE OF OLD MAYPEARL ROAD ± 6,600 FEET EAST OF GREATHOUSE ROAD, WAXAHACHIE, ROAD & BRIDGE PRECINCT No. 3.

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

MINUTE ORDER 223.20 (1.5) GRANTING A RIGHT-OF-WAY ENCROACHMENT OF AN ENTRY WALL FEATURE WITHIN THE DOVE MEADOWS SUBDIVISION LOCATED IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 3

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

MINUTE ORDER 224.20 (1.6) APPROVING, WITH CONDITIONS, A FINAL PLAT OF DOVE MEADOWS ESTATES. THE PROPERTY CONTAINS ± 75 ACRES OF LAND IN THE J.C. DICKEY SURVEY, ABSTRACT NO. 298 AND THE A. FERGUSON SURVEY, ABSTRACT NO. 350 LOCATED ON THE SOUTH SIDE OF OLD MAYPEARL ROAD ± 6,600 FEET EAST OF GREATHOUSE ROAD, WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 3.

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

- RECESS @ 2:28 P.M.

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

- RETURN TO MEETING @ 3:28 P.M.

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

(To 3.1 & 3.2)

ADMINISTRATIVE

FAILED (3.2) DISCUSSION OF A RESOLUTION IN SUPPORT OF RE-OPENING BUSINESSES IN ELLIS COUNTY. – PAUL PERRY, COMMISSIONER ROAD & BRIDGE PRECINCT 3

MOTION BY COMMISSIONER PERRY TO APPROVE, RESOLUTION FAILED FOR LACK OF SECOND

PUBLIC PARTICIPATION FOR 3.1 AND 3.2: SEE ATTACHED "EXHIBIT A"

PUBLIC PARTICIPATION: KASEY CHESHER & ADRIAN WILSON – ECONOMIC RECOVERY TASK FORCE

MINUTE ORDER 225.20 (3.1) **NO ACTION** CONSIDERATION AND ACTION ON A RESOLUTION IN SUPPORT OF GOVERNOR ABBOTT'S EXECUTIVE ORDER GA-18 AND DECLARING ELLIS COUNTY OPEN FOR BUSINESS. – TODD LITTLE, COUNTY JUDGE

(3.2) NO ACTION DISCUSSION OF A RESOLUTION IN SUPPORT OF RE-OPENING BUSINESSES IN ELLIS COUNTY. – PAUL PERRY, COMMISSIONER ROAD & BRIDGE PRECINCT 3

MOTION TO TAKE NO ACTION BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER STINSON, WITH COMMISSIONER PERRY VOTING NO, MOTION CARRIED

(2 MINUTE RECESS)

PURCHASING

MINUTE ORDER 226.20 (2.1) APPROVING TO ADD TASK ORDER #1 TO HDR ARCHITECTS CONTRACT FOR TESTING AND BALANCING SERVICES FOR COUNTY COURT AT LAW #3 COURTROOM FINISH OUT.

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

MINUTE ORDER 227.20 (2.2) APPROVING THE COUNTY JUDGE TO EXECUTE LEASE AGREEMENTS WITH AMERICAN NATIONAL LEASING FOR THREE 2020 CHEVROLET TAHOE POLICE PURSUIT VEHICLES. EQUIPMENT FROM CAP FLEET ON ALL VEHICLES LISTED. THESE WILL BE THREE YEAR LEASES.

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

MINUTE ORDER 228.20 (2.3) APPROVING THE USE OF THE TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) COOPERATIVE CONTRACT DIR-TSO-4038 WITH DATA PRESERVATION SOLUTIONS ON AN "AS-NEEDED" BASIS FOR SCANNING, INDEXING, AND PRESERVATION OF HISTORIC DEED RECORDS IN ACCORDANCE WITH THE COOPERATIVE PURCHASING PROGRAM, CHAPTER 271 OF THE TEXAS GOVERNMENT CODE.

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

MINUTE ORDER 229.20 (2.4) APPROVING THE AWARD OF BID NUMBER RFB 2020-002- CONTRACT FOR LIGHTWEIGHT SURFACE AGGREGATE TYPE L GRADE 3, 4, AND 5 TO ARCOSA LIGHTWEIGHT FOR USE IN ROAD & BRIDGE PRECINCTS 1, 2, 3, AND 4.

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

(To 3.3)

ADMINISTRATIVE

MINUTE ORDER 230.20 (3.3) ACCEPTING THE COMPREHENSIVE ANNUAL AUDIT REPORT (CAFR) AS PRESENTED ON APRIL 21, 2020. – *JANET MARTIN, AUDIT*

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

MINUTE ORDER 231.20 (3.4) APPROVING THE REAPPOINTMENT OF COMMISSIONER LANE GRAYSON TO THE REGIONAL TRANSPORTATION COUNCIL (RTC) FOR A TWO YEAR TERM FROM JULY 2020 TO JUNE 2022. – *TODD LITTLE, COUNTY JUDGE*

PUBLIC PARTICIPATION VIA ONLINE SUBMISSION: MEAGAN LOCK, WAXAHACHIE – AGAINST

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

MINUTE ORDER 232.20 (3.5) APPROVING THE APPOINTMENT OF COUNTY JUDGE TODD LITTLE AS ALTERNATE MEMBER OF THE RTC FOR A TWO YEAR TERM FROM JULY 2020 TO JUNE 2022. – *TODD LITTLE, COUNTY JUDGE*

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

MINUTE ORDER 233.20 (3.6) ACCEPTING THE COMPENSATORY TIME REPORT. – *THERESA TAYLOR, HUMAN RESOURCES*

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

NO ACTION (3.7) TO CONSIDER A 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*

ADJOURNMENT 6:19 P.M.

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT OF MAY 5, 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 19TH DAY OF MAY 2020.



KRYSTAL VALDEZ, COUNTY CLERK



"EXHIBIT A"

FOR AGENDA ITEM 3.2	AGAINST AGENDA ITEM 3.1	AGAINST AGENDA ITEM 3.2
DANIELLE RIOJAS – WAX.	DANIELLE RIOJAS – WAX.	MIKE JONES – MIDLO.
SAM BRYANT – WAX.	SAM BRYANT – WAX.	
SYLVIA COULSON – WAX.	SYLVIA COULSON – WAX.	
KATHY PONCE	KATHY PONCE	
MARIA H. WEST – WAX.	MARIA H. WEST – WAX.	
EMILY PULLIN – WAX.	EMILY PULLIN – WAX.	
CHERI DAUBEN – RED OAK	CHERI DAUBEN – RED OAK	
JUDSON ASHLEY – MIDLO.	JUDSON ASHLEY – MIDLO.	
SUZANNE POPE – ITALY	SUZANNE POPE – ITALY	
MONEY SALMON – WAX.	MONEY SALMON – WAX.	
DAVID VANCE – WAX.	DAVID VANCE – WAX.	
RILEY PLANTE – MIDLO.	RILEY PLANTE – MIDLO.	
ALLEN MOORMAN – MIDLO.	ALLEN MOORMAN – MIDLO.	
WESLEY RIOJAS – WAX.	WESLEY RIOJAS – WAX.	
ELIZABETH POLLARD – WAX.	ELIZABETH POLLARD – WAX.	
PEGGY PAGE – RED OAK	PEGGY PAGE – RED OAK	
BRANDON MCDIVIT – WAX.	BRANDON MCDIVIT – WAX.	
DOUG HUNT – OVILLA	DOUG HUNT – OVILLA	
KELLY PATEY – WAX.	KELLY PATEY – WAX.	
ROBERT POLLARD – WAX.		
SHERRE PATRICK – MIDLO.		
TIM BERNEKING – BARDWELL		
JUDI KINCAID – WAX.		
JASON SOUTHERLAND – WAX.		
SUSAN HARRIS – ITALY		
ANNE GRIFFIN – RED OAK		
PENNY STORY – RED OAK		
DANNY PATRICK – MIDLO.		
RICK RIDGEWAY – RED OAK		
DON P. GRIFFIN – RED OAK		
CATHY EDMINSTER – MIDLO.		
G. BREN EDMINSTER – MIDLO.		
ANA HARWELL – WAX.		
DARREN CARTER – WAX.		
CHARLOTTE WEBB – WAX.		
MIKE CHENAULT – WAX.		
BRANDY HUGHES – WAX.		
ANGELA GOURLEY – MAYPEARL		
HANNAH SOUTHERLAND – WAX.		
RASHELL SOUTHERLAND – WAX.		
ASHLEY FABBY – WAX.		
SHERRY JOHNSON – OAK LEAF		

STACEY BAILEY – WAX.		
MEGANN LOCK – WAX.		
JOANNA DEVAULT – RED OAK		
CARLA BURROW – WAX.		
STEVE CROWE		
TJ FABBY – WAX.		
AMBER LEE – MIDLO.		
STEPHANIE BREWER – ENNIS		
CARIN FRANCIS – MIDLO.		
RANDY BELLOMY - OVILLA		