

ELLIS COUNTY COMMISSIONERS COURT  
OFFICIAL MINUTES – JUNE 30, 2020

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, JUNE 30, 2020 AT 2:00 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:**

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 CARRIED

INVOCATION AND PLEDGE OF ALLEGIANCE – *PASTOR RICHARD SMITH, FARLEY STREET BAPTIST CHURCH*

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

To 3.1

**MINUTE ORDER 265.20** (3.1) APPROVING THE RE-APPOINTMENT OF DR. LEIGH NORDSTROM AS ELLIS COUNTY HEALTH AUTHORITY FOR A TERM FROM JULY 1, 2020 THROUGH JUNE 30, 2020. – *TODD LITTLE, COUNTY JUDGE*

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

To CONSENT

**MINUTE ORDER 266.20** APPROVING CONSENT AGENDA

**ADMINISTRATIVE:**

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

- A2 APPROVING COMMISSIONERS' COURT REGULAR MEETING MINUTES FROM JUNE 16, 2020. – *KRYSTAL VALDEZ, COUNTY CLERK*
- A3 ACCEPTING OF ANNUAL ROAD REPORT FOR ROAD & BRIDGE PRECINCT 2. – *LANE GRAYSON, COMMISSIONER, ROAD & BRIDGE PRECINCT 2*

**FINANCIAL:**

- F1 ACCEPTING THE TABULATED REPORT OF THE COUNTY'S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM JUNE 9, 2020 – JUNE 23, 2020, PURSUANT TO LOCAL GOVERNMENT CODE §114.024. – *JANET MARTIN, AUDIT*
- F2 ACCEPTING THE JUSTICE OF THE PEACE PRECINCT 1 MONTHLY FINANCIAL REPORT FOR MAY 2020, PURSUANT TO LOCAL GOVERNMENT CODE §114.044. – *CHRIS MACON, JUSTICE OF THE PEACE, PRECINCT 1*
- F3 ACCEPTING THE COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT (CSCD) MONTHLY FINANCIAL REPORT FOR MAY 2020, PURSUANT TO LOCAL GOVERNMENT CODE §114.044. – *KATY KITCHENS, CSCD; JANET MARTIN, AUDIT*
- F4 ACCEPTING THE COUNTY AUDITOR'S MONTHLY REPORT FOR MAY 2020, PURSUANT TO LOCAL GOVERNMENT CODE §114.025. – *JANET MARTIN, AUDIT*
- F5 APPROVING OF PROPERTY TAX REFUNDS AS SUBMITTED BY TAX ASSESSOR/COLLECTOR JOHN BRIDGES AND AUDITED BY JANET MARTIN. – *JANET MARTIN, AUDIT*
- F6 APPROVING PAYMENT OF INVOICE RECEIVED FROM CROSSPOINT COMMUNICATIONS FOR SERVICES RECEIVED JUNE 2019 IN THE AMOUNT OF \$4,435.00, TO BE PAID OUT OF THE FY2019-20 NON-DEPARTMENTAL RADIO TOWER LINE.
- F7 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0140-508680 CONTRACT SERVICES BY \$4,435.00; INCREASE 001-0140-508870 RADIO TOWER BY \$4,435.00. – *TODD LITTLE, COUNTY JUDGE*
- F8 **FY2019-20 BUDGET AMENDMENT:** INCREASE 012-0000-303020 LESS: FUND BUDGETED BY \$342,338.31; INCREASE 012-0755-508020 PURCHASE OF EQUIP. BY \$67,338.31; INCREASE 012-0755-509150 ASPHALT BY \$275,000.00. – *KYLE BUTLER, COMMISSIONER, ROAD & BRIDGE PRECINCT 4*
- F9 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 040-0940-509710 COUNTY COURT AT LAW #3 BY \$175,037.00; INCREASE 040-0940-509713 CCL3 CONSULTING FEE BY \$4,033.00; INCREASE 040-0940-509715 CCL ARCHITECT FEES BY \$171,004.00. – *KW WINKLES, AUDIT*
- F10 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0030-508010 SUPPLIES BY \$1,475.00; DECREASE 001-0030-508050 CONFERENCE BY \$3,333.00; DECREASE 001-0030-508620 FISCAL SERVICE FEE BY \$350.00; INCREASE 001-0030-507030 TELEPHONE

BY \$375.00; INCREASE 001-0030-508060 DUES BY \$783.00; INCREASE 001-0030-508190 COMPUTER BY \$4,000.00. – JANET MARTIN, AUDIT

F11 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0430-508010 SUPPLIES/OTHER BY \$30.00; INCREASE 001-0430-508190 COMPUTER BY \$30.00. – SAMANTHA PICKETT, EMERGENCY MANAGEMENT

F12 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0060-506010 TRAVEL REIMB. BY \$400.00; DECREASE 001-0060-507030 TELEPHONE BY \$400.00; DECREASE 001-0060-508080 AUTO GAS BY \$300.00; DECREASE 001-0060-508210 UNIFORM BY \$200.00; DECREASE 001-0060-508730 OFFICE EQUIP./MAINT./RPS. BY \$200.00; INCREASE 001-0060-508060 DUES BY \$300.00; INCREASE 001-0060-508190 COMPUTER BY \$1,200.00. – ALBERTO MARES, DEPARTMENT OF DEVELOPMENT

F13 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 011-0704-508070 RB3 GEN./MISC. BY \$45,000.00; INCREASE 011-0704-509090 FM3 REPAIR/PARTS BY \$45,000.00. – PAUL PERRY, COMMISSIONER, ROAD & BRIDGE PRECINCT 3

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

#### **REGULAR AGENDA – DISCUSSION, CONSIDERATION AND ACTION:**

### **PURCHASING**

**MINUTE ORDER 267.20** (2.1) APPROVING THE FINAL PAYMENT OF PRINCIPAL AND INTEREST TO BANCORPSOUTH EQUIPMENT FINANCE FOR A 2019 MACK GRANITE GR64F DUMP TRUCK FOR ROAD AND BRIDGE PRECINCT 2 IN THE AMOUNT OF \$17,827.99

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

**MINUTE ORDER 268.20** (2.2) APPROVING THE COUNTY JUDGE TO EXECUTE FIVE-YEAR LEASE AGREEMENTS WITH AMERICAN NATIONAL LEASING FOR THREE (3) 2020 FORD F-150 4x4's. THESE WILL BE USED IN THE CRIMINAL AND SPECIAL INVESTIGATION UNITS OF THE SHERIFF'S DEPARTMENT. EQUIPMENT FROM CAP FLEET ON ALL VEHICLES LISTED.

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

**MINUTE ORDER 269.20** (2.3) APPROVING THE PURCHASE OF VIDEO STREAMING SYSTEM HARDWARE INCLUDING SETUP AND DEPLOYMENT FROM SWAGIT PRODUCTIONS, LLC USING THE TIPS COOPERATIVE CONTRACT 190703.

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

**MINUTE ORDER 270.20** (2.4) APPROVING FREIGHT CHARGES IN THE AMOUNT OF \$2,435.00 FOR DELIVERY OF FLAIR DATA SYSTEMS EQUIPMENT APPROVED FOR USE BY THE ELLIS COUNTY JUDICIAL SYSTEM IN RESPONSE TO COVID-19 MITIGATION (MINUTE ORDER 194.20). THE TOTAL PURCHASE AMOUNT IS \$152,218.82.

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

## **ADMINISTRATIVE**

**MINUTE ORDER 271.20** (3.2) APPROVING TO RENEW OR MODIFY THE CURRENT COUNTY AND RETIREE HEALTH INSURANCE COVERAGE AND PREMIUMS THROUGH THE TEXAS ASSOCIATION OF COUNTIES AND EMPLOYEE BENEFITS POOL FOR THE FISCAL YEAR 2020-2021 WITH APPROVAL FOR COUNTY JUDGE TO SIGN RENEWAL. – *THERESA TAYLOR, HUMAN RESOURCES*

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

**MINUTE ORDER 272.20** (3.3) APPROVING THE SELECTION OF NINE PUBLIC MEMBERS AND NINE ALTERNATES FOR THE SALARY GRIEVANCE COMMITTEE, PURSUANT TO LOCAL GOVERNMENT CODE §152.014. – *KRYSTAL VALDEZ, COUNTY CLERK*

NINE MEMBERS CHOSEN: JANE VOISARD; CAMRON COX; DEMOND WHITTEN; MEGANN FINDLEY; RICHARD BRAVO; KEITH CURRENS; BIANCA WRIGHT; ROBERTA “JANE” TRUE; MARIE TUCKER

NINE ALTERNATES CHOSEN: ROBERT ELMORE; TINA STANDEFORD; JERRY D. JONES; GREGORY JETER; JAMES H. GARIBAY; DEBRA GAULTNEY; ED LOVE; EDWARD C. MCFADDEN; TAMARA MOORE

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

**MINUTE ORDER 273.20** (3.4) ACCEPTING A DONATION OF SERVICES AND WORK FROM GBRK EDGEWOOD, LLC TO PERFORM GRADE WORK AT THE COUNTY FARM PROPERTY FOR THE PURPOSES OF IMPROVING STORM WATER DRAINAGE RUN OFF FROM THE NEW DEVELOPMENT BUFFALO RIDGE SUBDIVISION. – *JOSEPH JACKSON, ENGINEERING*

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

**MINUTE ORDER 274.20** (3.5) AUTHORIZING THE COUNTY JUDGE TO SIGN A DEVELOPMENT PERMIT AS THE OWNER FOR PROPOSED GRADE WORK AND DRAINAGE IMPROVEMENTS TO A TRIBUTARY AT THE COUNTY FARM. THE WORK LIMITS ON COUNTY PROPERTY ARE APPROXIMATELY 100’ x 30’. – *JOSEPH JACKSON, ENGINEERING*

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

**MINUTE ORDER 275.20** (3.6) AUTHORIZING THE COUNTY JUDGE TO SIGN THE CERTIFICATION FORM OF CORONAVIRUS RELIEF FUND (CFR) UNDER THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT IN THE AMOUNT OF \$3,460,930.00. – *SAMANTHA PICKETT, EMERGENCY MANAGEMENT*

PUBLIC PARTICIPATION: *JUDY KINCAID - WAXAHACHIE*

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER STINSON, AND COMMISSIONER PERRY VOTING NO; MOTION CARRIED

**MINUTE ORDER 276.20** (3.7) AUTHORIZING THE COUNTY JUDGE TO SIGN THE LAW ENFORCEMENT SUPPORT OFFICE (LESO) APPLICATION TO PARTICIPATE IN THE PROGRAM. THIS IS A RECURRING REQUEST AND IS A RENEWAL FOR THE ELLIS COUNTY SHERIFF'S OFFICE. – *CHUCK EDGE, SHERIFF*

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

NO ACTION (3.8) CONSIDERATION AND ACTION TO CREATE A DESIGNATION OF ADMINISTRATIVE LEAVE WITH PAY, AS THERE IS NO SUCH LEAVE IN SECTION 9 OF THE ELLIS COUNTY POLICY MANUAL. – *CHUCK EDGE, SHERIFF*

TABLED (3.9) CONSIDERATION AND ACTION ON A RESOLUTION CONCERNING PROPERTY TAX APPRAISAL REFORM. – *PAUL PERRY, COMMISSIONER, ROAD & BRIDGE PRECINCT 3.*

MOTION TO TABLE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER STINSON, WITH COMMISSIONER PERRY VOTING NO; MOTION CARRIED

**RECESS TO CONVENE TO EXECUTIVE SESSION      3:11 P.M.**

MOTION BY COMMISSIONER GRAYSON, 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 §551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION CONCERNING NOTICE OF CLAIM AND POTENTIAL LITIGATION AGAINST ELLIS COUNTY CONCERNING PROPERTY DAMAGE TO A DOOR OWNED BY MARCY WARREN IN THE AMOUNT OF \$266.00. – *VANCE HINDS, COUNTY & DISTRICT ATTORNEYS' OFFICE*
- 4.2 PURSUANT TO §551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION IN CASE NO. 3:18-CV-03152-S, SOLIS V. ELLIS COUNTY. – *ANN MONTGOMERY, COUNTY & DISTRICT ATTORNEY'S OFFICE*

**ADJOURNMENT OF EXECUTIVE SESSION TO RECONVENE TO REGULAR SESSION** **3:48 P.M.**

To 3.10

**MINUTE ORDER 277.20** (3.10) DENYING A CLAIM AGAINST ELLIS COUNTY CONCERNING PROPERTY DAMAGE TO A DOOR OWNED BY MARCY WARREN IN THE AMOUNT OF \$266.00. – *VANCE HINDS, COUNTY & DISTRICT ATTORNEY'S OFFICE*

PUBLIC PARTICIPATION: *MARCY WARREN - ITALY*

MOTION TO DENY CLAIM BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

**MINUTE ORDER 278.20** (3.11) APPROVING THE MEDIATED SETTLEMENT AGREEMENT IN No. 3:18-CV-03152-S, SOLIS V. ELLIS COUNTY. – *ANN MONTGOMERY, COUNTY & DISTRICT ATTORNEY'S OFFICE*

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

**ADJOURNMENT** **3:56 P.M.**

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT OF JUNE 30, 2020 ARE HEREBY APPROVED.

PRESIDING OFFICER:

  
TODD LITTLE, COUNTY JUDGE

  
RANDY STINSON, COMMISSIONER, PCT 1

Absent  
PAUL PERRY, COMMISSIONER, PCT 3

  
LANE GRAYSON, COMMISSIONER, PCT 2

  
KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 14TH DAY OF JULY 2020.

  
KRYSTAL VALDEZ, COUNTY CLERK

