

FILED

SEP - 8 2014

**COUNTY CLERK
ELLIS COUNTY, TEXAS**

**ELLIS COUNTY COMMISSIONERS' COURT
OFFICIAL MINUTES // AUGUST 11, 2014**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, AUGUST 11, 2014 AT 10:00 A.M., IN THE HISTORIC ELLIS COUNTY COURTHOUSE, COMMISSIONERS' COURTROOM, 101 WEST MAIN STREET (2ND FLOOR), WAXAHACHIE, TEXAS AT WHICH TIME THE FOLLOWING WAS DISCUSSED AND CONSIDERED TO WIT:

PRESENT WERE:

COUNTY JUDGE:

JUDGE CAROL BUSH

COMMISSIONERS:

DENNIS ROBINSON, COMMISSIONER, PCT. 1

BILL DODSON, COMMISSIONER, PCT. 2

PAUL PERRY, COMMISSIONER, PCT. 3

RON BROWN, COMMISSIONER, PCT. 4

COUNTY CLERK:

CINDY POLLEY, COUNTY CLERK (TINA CHAMBERS)

COUNTY & DISTRICT ATTORNEY'S OFFICE:

ANN MONTGOMERY-MORAN, ASSISTANT COUNTY ATTORNEY

VANCE HINDS, ASSISTANT COUNTY ATTORNEY

OPENING COURT:

THE COUNTY JUDGE CALLS MEETING TO ORDER, DECLARES QUORUM AND DECLARES NOTICES LEGALLY POSTED PURSUANT TO THE OPEN MEETINGS ACT

MOTION TO OPEN COURT BY COMMISSIONER PERRY, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE—COMMISSIONER RON BROWN

CONSENT AGENDA:

MINUTE ORDER NO 302.14 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

- A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 APPROVAL TO LOWER THE EMPLOYEE PAID PORTION OF HEALTH INSURANCE IN THE CATEGORY OF "EMPLOYEE+SPOUSE+3 OR MORE CHILDREN" FROM \$698 A MONTH TO \$689 A MONTH, A REDUCTION OF \$9 PER MONTH, AND TO RAISE THE COUNTY CONTRIBUTION IN THIS CATEGORY BY THE AFOREMENTIONED \$9
- A3 APPROVAL OF THE OFFICIAL MINUTES FOR JULY 14, 2014 AND JULY28, 2014 — CINDY POLLEY, COUNTY CLERK

FINANCIAL:

- F1 FROM 010-0653-50912 FM2 BRIDGE REPAIR \$40,000.00 To 010-0653-50911 FM2 GRAVEL \$40,000.00 — BILL DODSON, COMMISSIONER, PCT 2
- F2 FROM 001-0050-50809 FURNITURE/FIXTURES \$250.00, 001-0050-50809 AUTO REPAIR \$130.00 To 001-0050-50703 TELEPHONE \$380.00 — MARK ARNOLD, EXTENSION
- F3 FROM 001-0360-50805 DA-CONFERENCE \$2,000.00, 001-0360-40003 DA-MISC REVENUE \$1,000.00 To 001-0360-50801 DA-SUPPLIES \$1,500.00, 001-0360-50807 DA-MISC \$1,500 —PATRICK WILSON, COUNTY & DISTRICT ATTORNEY

- F4 FROM 001-0370-50804 POSTAGE \$1,100.00, 001-0370-50803 FURNITURE/FIXTURES \$200.00, 001-0370-50806 BOND/DUES \$400.00 TO 001-0370-50601 TRAVEL \$800.00, 001-0370-50805 CONFERENCE \$900.00 – JOHN BRIDGES, TAX OFFICE
- F5 FROM 005-0703-50807 Misc \$2,500.00 TO 005-0703-50907 TIRES \$2,500.00 - PAUL PERRY, COMMISSIONER, PCT. 3
- F6 FROM 042-0942-30302 FEDERAL FORFEITURE FUND BALANCE \$7,243.18 TO 042-0942-50807 GENERAL EXPENSES \$400.00, 042-0942-50802 EQUIPMENT \$6,843.18 – CHUCK LAUBACH, ELLIS COUNTY SHERIFF’S OFFICE
- F7 FROM 012-0755-40008 INTERLOCAL \$46,908.00 TO 012-0755-50802 PURCHASE OF EQUIPMENT \$46,908.00 – RON BROWN, COMMISSIONER, PCT. 4
- F8 FROM 001-0360-50805 DA- CONFERENCE \$3,600.00, 001-0360-50601 DA-TRAVEL \$1,000.00 TO 001-0360-50801 DA- SUPPLIES \$4,600.00 – PATRICK WILSON, COUNTY & DISTRICT ATTORNEY
- F9 FROM 003-0601-30302 RB1 FUND BALANCE \$190,700.00, 009-0602-30302 FM1 FUND BALANCE \$70,000 TO 003-0601-50805 RB1 CONFERENCE \$700.00, 003-0601-60915 RB1 ASPHALT \$190,000, 009-0602-60909 FM1 REPAIRS/PARTS \$20,000, 009-0602-50910 FM1 FUEL \$20,000, 009-0602-50911 FM1 GRAVEL \$30,000 – DENNIS ROBINSON, COMMISSIONER, PCT.1
- F10 FROM 003-0601-40659 INSURANCE REIMBURSEMENT \$15,534.56 TO 003-0601-50909 REPAIRS/PARTS \$15,534.56 - DENNIS ROBINSON, COMMISSIONER, PCT.1

SIMPLIFIED PLAT:

SP1 TO AUTHORIZE COUNTY JUDGE TO EXECUTE PERFORMANCE BOND FOR PUBLIC IMPROVEMENTS WITHIN SPRINGER ESTATES, REQUESTED BY JHDMC, LLC, LOCATED IN ROAD AND BRIDGE PCT.4
 MOTION TO APPROVE CONSENT AGENDA BY COMMISSIONER DODSON, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

DEPARTMENT OF COUNTY DEVELOPMENT

CONSIDERATION AND ACTION AS MAY BE APPROPRIATE REGARDING THE FOLLOWING MATTERS:

MINUTE ORDER NO 303.14 ACCEPTING THE COMPLETED INFRASTRUCTURE OF PLAINVIEW MANOR INCLUDING PERGOLA COURT WEST, PERGOLA COURT EAST, PRIVET COURT WEST, PRIVET COURT EAST, AND PORTIONS OF LEDGESTONE LANE AND DUVALL LANE, LOCATED IN ROAD AND BRIDGE PCT. 4, REQUESTED BY RVG INVESTMENTS,LLC
 MOTION TO APPROVE BY COMMISSIONER BROWN, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 304.14 RELEASING THE PERFORMANCE BOND #SUR6032305 TO STATE AUTOMOBILE MUTUAL INSURANCE COMPANY IN THE AMOUNT OF \$972,804.00 FOR THE COMPLETED INFRASTRUCTURE OF PLAINVIEW MANOR, REQUESTED BY RVG INVESTMENTS, LLC, LOCATED IN ROAD AND BRIDGE PCT. 4
 MOTION TO APPROVE BY COMMISSIONER BROWN, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

PURCHASING:

CONSIDERATION AND ACTION AS MAY BE APPROPRIATE REGARDING THE FOLLOWING MATTERS:

MINUTE ORDER NO 305.14 APPROVING THE LOAN OF ROCKS TO WAXAHACHIE PARTNERSHIP INC., A 501C3, TO BE USED IN CONJUNCTION WITH THE MAIN STREET PROGRAM...THE ROCKS WILL BE PICKED UP AND RETURNED BY WAXAHACHIE PARTNERSHIP INC. OR DESIGNEE.
 MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 306.14 APPROVING PURCHASE OF A DURAPATCHER, MODEL 125 DJTM, TRUCK MOUNT, AND 2 YEAR LIMITED WARRANTY. BUYBOARD CONTRACT MOUNTED ON 2008 INTERNATIONAL 4300, 160,000 MILES, AUTO WITH AIR, 32000 GWV... PAINTING, SHORTING, AND MOUNTING INCLUDED, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE. (ROAD AND BRIDGE PRECINCT 4)
MOTION TO APPROVE BY COMMISSIONER BROWN, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

ADMINISTRATIVE:

CONSIDERATION AND ACTION AS MAY BE APPROPRIATE REGARDING THE FOLLOWING MATTERS:

MINUTE ORDER NO 307.14 APPROVING PROCLAMATION RECOGNIZING THE ELLIS COUNTY SHERIFF'S OFFICE EXPLORERS FOR THE ACHIEVEMENT OF RECEIVING THE TROPHY FOR "BEST IN STATE" IN THE TEXAS STATE EXPLORER COMPETITION
MOTION TO APPROVE BY COMMISSIONER BROWN, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

3.2 **PRESENTATION** OF PRESIDENTIAL VOLUNTEER SERVICE AWARDS TO MEMBERS OF THE ELLIS COUNTY SHERIFF'S OFFICE EXPLORERS. (VOLUNTEER COMMUNITY SERVICE HOURS)
BRONZE AWARD: BRANDY SLUSHER – NOT PRESENT
SHELBY SNODGRESS - 164 HOURS
GAGE ADAMS – 152 HOURS
SILVER AWARD: MATTHEW AGUILAR – 92 HOURS
GOLD AWARD: NADIR GARCIA – 101 HOURS
EXPLORS PRESENTED TROPHY TO SHERIFF BROWN

RECESS REGULAR SESSION TO CONVENE TO PUBLIC HEARING

MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

PUBLIC HEARING

PUBLIC HEARING ON THE PROPOSED INCREASE OF THE FOLLOWING EXPENSES OF ELECTED OFFICIALS FOR BUDGET FY 2014-15, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §152.013:

378TH DISTRICT JUDGE, JOE GRUBBS

-PROPOSED INCREASE OF \$213 TO SALARY. INCREASE FROM \$10,672 TO \$10,885

40TH DISTRICT JUDGE, BOB CARROLL

-PROPOSED INCREASE OF \$213 TO SALARY. INCREASE FROM \$10,672 TO \$10,885

COUNTY COURT AT LAW #1, JUDGE JIM CHAPMAN

-PROPOSED INCREASE OF \$213 TO SALARY. INCREASE FROM \$149,672 TO \$149,885

COUNTY COURT AT LAW #2, JUDGE GENE CALVERT

-PROPOSED INCREASE OF \$213 TO SALARY. INCREASE FROM \$149,672 TO \$149,885

JUSTICE OF THE PEACE, PCT.1, BILL WOODY

-PROPOSED INCREASE OF \$1,201 TO SALARY. INCREASE FROM \$60,031 TO \$61,232

JUSTICE OF THE PEACE, PCT.2, JACKIE MILLER, JR.

-PROPOSED INCREASE OF \$1,201 TO SALARY. INCREASE FROM \$60,031 TO \$61,232

-PROPOSED INCREASE OF \$1,250 TO CONFERENCE EXPENSE. INCREASE FROM \$2,250 TO \$3,500

JUSTICE OF THE PEACE, PCT. 3, CURTIS POLK

-PROPOSED INCREASE OF \$1,201 TO SALARY. INCREASE FROM \$60,031 TO \$61,232

-PROPOSED INCREASE OF \$1,000 TO TRAVEL EXPENSE. INCREASE FROM \$1,000 TO \$2,000

JUSTICE OF THE PEACE, PCT. 4, STEVE EAGAN

-PROPOSED INCREASE OF \$1,201 TO SALARY. INCREASE FROM \$60,031 TO \$61,232

-PROPOSED INCREASE OF \$1,000 TO CONFERENCE EXPENSE. INCREASE FROM \$1,500 TO \$2,500

-PROPOSED INCREASE OF \$1,000 TO TRAVEL EXPENSE. INCREASE FROM \$2,500 TO \$3,500

SHERIFF, JOHNNY BROWN

-PROPOSED INCREASE OF \$1,643 TO SALARY. INCREASE FROM \$82,127 TO \$83,770

CONSTABLE, PCT. 1, ROY CALLENDER, JR.

-PROPOSED INCREASE OF \$1,089 TO SALARY. INCREASE FROM \$54,436 TO \$55,525

CONSTABLE, PCT.2, TERRY NAY

-PROPOSED INCREASE OF \$1,089 TO SALARY. INCREASE FROM \$54,436 TO \$55,525

CONSTABLE, PCT. 3, JIMMY RAY

-PROPOSED INCREASE OF \$1,089 TO SALARY. INCREASE FROM \$54,436 TO \$55,525

CONSTABLE, PCT. 4, MIKE JONES

-PROPOSED INCREASE OF \$1,089 TO SALARY. INCREASE FROM \$54,436 TO \$55,525

COUNTY CLERK, CINDY POLLEY

-PROPOSED INCREASE OF \$1320 TO SALARY. INCREASE FROM \$66,008 TO \$67,328

COUNTY DISTRICT CLERK, MELANIE REED

-PROPOSED INCREASE OF \$1,320 TO SALARY. INCREASE FROM \$66,008 TO \$67,328

COUNTY TAX ASSESSOR/COLLECTOR, JOHN BRIDGES

-PROPOSED INCREASE OF \$1,320 TO SALARY. INCREASE FROM \$66,008 TO \$67,328

COUNTY TREASURER, CHERYL CHAMBERS

-PROPOSED INCREASE OF \$1,320 TO SALARY. INCREASE FROM \$66,008 TO \$67,328.

-PROPOSED INCREASE OF \$1,100 TO CONFERENCE EXPENSE. INCREASE FROM \$2,500 TO \$3,600

COUNTY AND DISTRICT ATTORNEY, PATRICK WILSON

-PROPOSED INCREASE OF \$213 TO SALARY. INCREASE FROM \$10,672 TO \$10,885

COUNTY JUDGE, CAROL BUSH

-PROPOSED INCREASE OF \$1,934 TO SALARY. INCREASE FROM \$96,722 TO \$98,656

COMMISSIONER, PCT. 1, DENNIS ROBINSON

-PROPOSED INCREASE OF \$1,506 TO SALARY. INCREASE FROM \$75,276 TO \$76,782.

COMMISSIONER, PCT.2, BILL DODSON

-PROPOSED INCREASE OF \$1,506 TO SALARY. INCREASE FROM \$75,276 TO \$76,782.

COMMISSIONER, PCT. 3, PAUL PERRY

- PROPOSED INCREASE OF \$1,506 TO SALARY. INCREASE FROM \$75,276 TO \$76,782.

COMMISSIONER, PCT.4, RON BROWN

- PROPOSED INCREASE OF \$1,506 TO SALARY. INCREASE FROM \$75,276 TO \$76,782

(NO PUBLIC PARTICIPATION)

ADJOURNMENT OF PUBLIC HEARING AND RECONVENE TO REGULAR SESSION

MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

3.3 APPROVING THE SALARIES, EXPENSES AND ALLOWANCES OF ELECTED OFFICIALS FOR BUDGET FY 2014-15, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §152.01, AS FOLLOWS:

MINUTE ORDER NO 308.14 APPROVING \$213 PROPOSED SALARY INCREASE FOR COUNTY AND DISTRICT ATTORNEY AND DISTRICT JUDGES (FOR SERVING ON JUVENILE BOARD)

MOTION TO APPROVE BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

MINUTE ORDER NO 309.14 APPROVING COUNTY COURT AT LAW JUDGES TO RECEIVE SAME INCREASE AS COUNTY AND DISTRICT ATTORNEY AND DISTRICT JUDGES
MOTION TO APPROVE BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

MINUTE ORDER NO 310.14 APPROVING \$950 INCREASE TO ALL REMAINING ELECTED OFFICIALS
MOTION TO APPROVE BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

MINUTE ORDER NO 311.14 APPROVING ALLOWANCES OF ELECTED OFFICIALS:
INCREASE OF \$1250 TO CONFERENCE EXPENSE FOR JUDGE JACKIE MILLER JR
INCREASE OF \$1000 TO TRAVEL EXPENSE FOR JUDGE CURTIS POLK
INCREASE OF \$1000 TO CONFERENCE EXPENSE FOR JUDGE STEVE EAGAN
INCREASE OF \$1000 TO TRAVEL EXPENSE FOR JUDGE STEVE EAGAN
INCREASE OF \$1100 TO CONFERENCE EXPENSE FOR TREASURER CHERYL CHAMBERS
MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 312.14 SETTING THE DATE, TIME AND LOCATION OF THE PUBLIC HEARING ON THE PROPOSED BUDGET FOR BUDGET FY 2014-15, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §111.007, AS FOLLOWS:

MONDAY, AUGUST 25, 2014 AT 3:00 PM
ELLIS COUNTY COMMISSIONERS' COURTROOM
101 W. MAIN ST.
WAXAHACHIE, TX 75165

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

MINUTE ORDER NO 313.14 DISCUSSING THE TAX RATE FOR BUDGET FY 2014-15 AND TAKING RECORD VOTE TO PLACE THE PROPOSAL TO ADOPT THE RATE AT A FUTURE MEETING, PURSUANT TO TEXAS TAX CODE §26.05(D) TO BE HELD ON THE FOLLOWING:

MONDAY, SEPTEMBER 8, 2014 AT 10:00 AM
ELLIS COUNTY COMMISSIONERS' COURTROOM
101 W. MAIN ST.
WAXAHACHIE, TX 75165

MOTION TO APPROVE BY COMMISSIONER PERRY *SETTING CAP AT .413599*, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 314.14 SCHEDULING TWO (2) PUBLIC HEARINGS TO DISCUSS THE PROPOSED TAX RATE FOR THE BUDGET FY 2014-2015, AND SETTING TIME AND LOCATION OF SUCH PUBLIC HEARINGS, PURSUANT TO §26.06 TEXAS TAX CODE, AS FOLLOWS:

MONDAY, AUGUST 25, 2014, 3:00 PM
ELLIS COUNTY COMMISSIONERS COURTROOM
101 W. MAIN ST.
WAXAHACHIE, TX 75165

AND

MONDAY, SEPTEMBER 8, 2014, 10:00 A.M.
ELLIS COUNTY COMMISSIONERS COURTROOM
101 W. MAIN ST.
WAXAHACHIE, TX 75165

MOTION TO APPROVE BY COMMISSIONER BROWN, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 315.14 ENACTING A BURN BAN ORDER FOR ELLIS COUNTY EFFECTIVE IMMEDIATELY
(JOE STEWART, FIRE MARSHAL/EMC)

MOTION TO APPROVE BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

ADJOURNMENT

MOTION TO ADJOURN BY COMMISSIONER BROWN, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF AUGUST 11, 2014 ARE HEREBY APPROVED.

PRESIDING OFFICER:



CAROL BUSH, COUNTY JUDGE



DENNIS ROBINSON, COMMISSIONER, PCT 1



BILL DODSON, COMMISSIONER, PCT 2



PAUL PERRY, COMMISSIONER, PCT 3



RON BROWN, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS AUGUST 8, 2014



CINDY POLLEY, COUNTY CLERK