

**ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES // JULY 3, 2018**

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY JULY 3, 2018, 10:00 A.M., IN THE HISTORIC ELLIS COUNTY COURTHOUSE, COMMISSIONERS COURTROOM (2ND FLR), 101 W. MAIN STREET, WAXAHACHIE, TEXAS AT WHICH TIME THE FOLLOWING WAS DISCUSSED AND CONSIDERED, TO-WIT:

MEMBERS PRESENT:

COUNTY JUDGE: CAROL BUSH

COUNTY CLERK: CINDY POLLEY

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

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

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

INVOCATION AND PLEDGE OF ALLEGIANCE – COMMISSIONER PAUL PERRY

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 287.18 APPROVING CONSENT AGENDA EXCLUDING SP3

ADMINISTRATIVE:

A1 APPROVING REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS

FINANCIAL:

F1 FROM 001-0340-50602 STAFF TRAVEL REIMBURSEMENT \$500.00; 001-0340-50835 EMPLOYEE TRAINING \$1,000.00 TO 001-0340-50801 SUPPLIES \$1,500.00. – SGT. CORONADO, HIGHWAY PATROL

F2 FROM 001-0150-50956 CCL2 - ATTY - CRIMINAL \$50,000.00; 001-0150-50957 CCL1 – ATTY GUARDIAN \$52,000.00; 001-0150-50957 CCL1 – ATTY GUARDIAN \$15,000.00 TO 001-0150-50897 CCL1 SUBSTANCE ABUSE SERVE \$52,000.00; 001-0150-50959 378TH APPOINTED ATTORNEYS \$15,000.00; 001-0150-50828 COURT COST / GEN EXPENSE \$50,000.00.

F3 FROM 001-0613-50803 FURNITURE/FIXTURES \$200.00; 001-0613-50812 RADIO \$500.00 TO 001-0613-50821 UNIFORM EXP \$200.00; 001-0613-50802 EQUIPMENT \$500.00.

SIMPLIFIED PLAT:

SP1 APPROVING SIMPLIFIED PLAT OF ROCKETT SPRINGS, PHASE 2, LOTS 2 & 3. THE PROPERTY CONTAINS ±7.446 ACRES OF LAND IN THE ALEXANDER YOUNGER SURVEY, ABSTRACT NO. 1197 LOCATED AT THE SOUTH SIDE OF BELLS CHAPEL ROAD ± 300 FEET WEST OF HIGH MEADOW DRIVE, WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 4.

SP2 APPROVING SIMPLIFIED PLAT OF LITTLE ACRES ADDITION, LOTS 1 - 4. THE PROPERTY CONTAINS ± 4.783 ACRES OF LAND IN R. PENA SURVEY, ABSTRACT NO. 3 LOCATED NORTHEAST CORNER OF NECK ROAD AND FM 813, PALMER, ROAD & BRIDGE PRECINCT NO. 1.

~~SP3 CONSIDER AND ACT ON A REQUEST FOR A SIMPLIFIED PLAT OF OIL FIELD ROAD SUBDIVISION, LOT 1. THE PROPERTY CONTAINS ± 4.525 ACRES OF LAND IN THOMAS JEFFERSON CHAMBERS SURVEY, ABSTRACT NO. 1, LOCATED NORTH OIL FIELD ROAD AND ±2,400 FEET EAST OF FM 1181, ENNIS, ROAD & BRIDGE PRECINCT NO. 2.~~

MOTION BY COMMISSIONER GRAYSON TO APPROVE CONSENT AGENDA WITH EXCLUSION OF SP3, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

PURCHASING

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

MINUTE ORDER 288.18 (2.1) APPROVING PURCHASE A LOW FLOW BOOM CUTTERHEAD FROM GYRO-TRAC FOR ROAD & BRIDGE PCT 1. BUYBOARD CONTRACT #529-17. TOTAL COST FOR BOOM CUTTERHEAD IS \$17,160.00, TO BE PAID FROM LINE ITEM 003-0601-50802.

MOTION TO APPROVE BY COMMISSIONER STINSON, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

MINUTE ORDER 289.18 (2.2) APPROVING COUNTY JUDGE TO SIGN THE UT SOUTHWESTERN MEDICAL CENTER MOBILE MAMMOGRAPHY SERVICE AGREEMENT.

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER STINSON CARRIES UNANIMOUSLY

MINUTE ORDER 290.18 (2.3) APPROVING COUNTY JUDGE TO SIGN ONE YEAR AGREEMENT FROM BJ WAKEFIELD SERVICES FOR ELLIS COUNTY SHERIFF'S OFFICE LEC AEROBIC SEPTIC SYSTEM INSPECTIONS.

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

NO ACTION 2.4 ACCEPT THE RENEWAL OPTIONS FOR BID NUMBER RB-2017-006 EMULSIFIED ASPHALT.

MINUTE ORDER 291.18 (2.5) RATIFYING THE PURCHASING AGENT'S SIGNATURE ON THREE (3) YEAR MAINTENANCE AGREEMENT FROM ENERGY CONTROL SYSTEMS FOR THE SHERIFF'S OFFICE AND JAIL BACKUP POWER SUPPLIES.

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

MINUTE ORDER 292.18 (2.6) DECLARING THE 2012 DODGE CHARGER VIN# 2C3CDXAG2CH156082 AS SURPLUS AND TO BE DISPOSED IN ACCORDANCE OF THE LOCAL GOVERNMENT CODE 263:

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

MINUTE ORDER 293.18 (2.7) APPROVING DONATION OF A 2012 DODGE CHARGER VIN# 2C3CDXAG2CH156082 FROM ELLIS COUNTY TO THE CITY OF MEXIA POLICE DEPARTMENT. THE VEHICLE WILL BE TRANSFERRED ACCORDING TO LOCAL GOVERNMENT CODE 263.152 (A)(4):.

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

MINUTE ORDER 294.18 (2.8) RESCINDING APPROVAL OF ITEM 2.2, MINUTE ORDER 260.18, FROM THE JUNE 5, 2018 COMMISSIONERS COURT AGENDA FOR THE PURCHASE OF THE BROCE BROOM FROM KIRBY SMITH,

MOTION TO APPROVE RESCISSION BY COMMISSIONER STINSON, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

RECESS TO CONVENE TO EXECUTIVE SESSION 10:23 AM

MOTION BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

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, CONSULTATION REGARDING PERSONNEL MATTERS.

4.2 PURSUANT TO §551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH COUNSEL CONCERNING CAUSE NOS. 17- 739C AND 17-1991C (CONSOLIDATED), KAYNE COUNTY, UTAH VS. U.S., REGARDING INCLUSION IN A CLASS ACTION INVOLVING THE POTENTIAL UNDERPAYMENT OF PILT ACT PAYMENTS FOR THE YEARS 2015, 2016, AND 2017.

4.3 PURSUANT TO §551.087 OF THE GOVERNMENT CODE, DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS.

ADJOURNMENT OF EXECUTIVE SESSION 11:36 AM

MOTION BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

ADMINISTRATIVE

MINUTE ORDER 295.18 (3.1) ENACTING BURN BAN FOR ELLIS COUNTY. – TIM BIRDWELL, FIRE MARSHAL

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

MINUTE ORDER 296.18 (3.2) INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND CITY OF WAXAHACHIE FOR TERM AGREEMENT JUNE 1, 2018 TO DECEMBER 31, 2018. – KYLE BUTLER, COMMISSIONER, PCT 4

MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

MINUTE ORDER 297.18 (3.3) APPROVE THE ADDITION OF THE “CONTRACTOR REQUIREMENTS AND OVERSIGHT” BEST MANAGEMENT PRACTICE TO THE CURRENT ELLIS COUNTY STORM WATER MANAGEMENT PLAN (SWMP). – JOSEPH JACKSON, ASSISTANT ENGINEER

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

MINUTE ORDER 298.18 (3.4) FUNDING FOR MOUNTAIN CREEK FLOOD RETARDING STRUCTURE #10. – TED KANTOR, ENGINEER

MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

MINUTE ORDER 299.18 (3.5) REAPPOINTMENT OF DR. LEIGH NORDSTROM FOR A 2 YEAR TERM AS COUNTY HEALTH AUTHORITY.

MOTION TO APPROVE BY JUDGE BUSH, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

MINUTE ORDER 300.18 (3.6) CAUSE NOS. 17-739C AND 17-1991C (CONSOLIDATED), KAYNE COUNTY, UTAH VS. U.S., REGARDING INCLUSION IN A CLASS ACTION INVOLVING THE POTENTIAL UNDERPAYMENT OF PILT ACT PAYMENTS FOR THE YEARS 2015, 2016, AND 2017.

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER STINSON CARRIES UNANIMOUSLY

ADJOURN

MOTION TO ADJOURN BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS’ COURT JULY 3, 2018 ARE HEREBY APPROVED.

PRESIDING OFFICER:



CAROL BUSH, COUNTY JUDGE

Chulson

Randy Spinson

RANDY SPINSON, COMMISSIONER PCT 1

Lane Grayson

LANE GRAYSON, COMMISSIONER PCT 2

Paul Perry

PAUL PERRY, COMMISSIONER PCT 3

Kyle Butler

KYLE BUTLER, COMMISSIONER PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS NOVEMBER 20, 2018

Cindy Polley

CINDY POLLEY, COUNTY CLERK

